The Colonist.

MONDAY. OCTOBER 10, 1898.

AN IMPORTANT QUESTION.

It is alleged that the question of the Canada-Alaska boundary will be settled by the surrender to the United States of territory claimed by British Columbia. We do not deny the right of the Imperial government to make such a surrender. The Crown can by treaty cede all of British Columbia to a foreign power, and the only remedy the people would have would be in the way of armed resistance to their new masters.

Our point is that the Dominion government has no authority to speak for British Columbia and consent to the cession of any part of the territory claimed by this province.

Whatever territory in Northwestern America, south of the 60th parallel of north latitude, became vested in the British crown by virtue of the treaty of 1825 with Russia, is as much a part of British Columbia as Toronto is a part of Ontario or Halifax a part of Nova Scotia, and neither the Dominion government nor the Dominion parliament has any authority, direct or implied, to consent to its cession to a foreign power. The crown may cede any portion of British Columbia to the United States of its own mere motion, but if it is thought necessary to secure legislative assent in Canada to such a cession it must be obtained at Victoria and not at Ottawa. Hence it follows that there is no member of the Quebec Conference entitled to give consent on behalf of this province to the surrender of any territorial rights under the treaty of 1825.

We need hardly say that the Imperial government would not undertake to cede a part of Ontario, Quebec or New Brunswick to the United States without consulting the legislatures of those provinces, and this being the case, we do not see why different treatment should be accorded to British Columbia.

All territorial rights in Canada, excepting those in the Northwest Territories, are provincial, not federal. If both sides of Portland Canal, for example, belong to British Columbia under a fair interpretation of the treaty, the Dominion government has no more authority to surrender one side to the United States than the other. The legislature of British Columbia has the unquestioned right to be consulted if the Imperial government consults any legislative or administrative body in regard thereto. We do not say that the Dominion government might not properly be questioned as to whether what this province was willing to accede to would be in the interests of Canada as a whole, that is, in an advisory capacity; but we insist that when it comes to having a right to speak only the Imperial government and the Imperial parliament and the legislature of British Columbia possess it.

It is worthy of note that the alleged settlement of the boundary contemplates the exchange of a part of what is claimed to be British Columbia for the right of access to a part of the Dominion outside of the borders of this province. In the territory to be thus ceded to the United States there are undoubtedly valuable mineral deposits and timber, which are now vested in the crown for the use of the people of British Columbia. We protest that this right ought not to be extinguished without the assent of the province being asked and without such compensation being made as would reasonably be demanded.

We concede, however, that what we have in mind is not so much the question to compensation as the right of the province, as an independent and sovereign government subject only to the paramount authority of the Crown and the Imperial parliament, to deal with matters of a territorial nature affecting it. We claim that this right was not conceded to the Dominion parliament by the terms of confederation, and that it ought to be definitely and positively asserted at the earliest possible moment.

BRITISH PRECEDENTS GOVERN.

Sir Oracle, of the News-Advertiser, emits one of his belated lucubrations on a provincial question. The Royal Commission is the subject. Before dealing with the principal point made in our contemporary's article, it seems proper to make an observation in regard to the News-Advertiser's method of treating its contemporaries. It is one of studied and labored insult, which does not even consider the obligations which newspapers of standing feel in regard to the truth of their statements. For example, it printed a very insulting reference to the Colonist, based on an alleged quotation from the Colonist describing the newspapers supporting the present government as "the hireling press," an expression which the Colonist never employed. Any one can see how easily it is to be severe upon an opponent, if falsehood and insult are to be recognized as legitimate weapons in journalism. But enough of this. The public are not concerned as to whether the Colonist or the News-Advertiser can say the more severe things, the one about the other. What they are interested in is the principles represented by the papers. Here we find a vital difference—one that affects our whole system of provincial government. This, and this only, we propose to discuss, leaving to the News-Adverer a monopoly of its favorite weapons.

The sentences in the News-Advertiser's article to which we take the greatest exception are the following:

"As is frequently the case with those who have only a superficial knowledge of the constitution and powers of the executives of the province and the Dominion, it (i.e. the Colonist) assumed that what was proper and legitimate for the highest executive of the Empire must be equally applicable to the executive of a province of the Dominion."

To this follows a reference to the editor of the Colonist, which has no bearing upon the question in issue, and then this sentence:

"It never should be forgotten, in discussing the administrative methods of the Imperial and Colonial governments—whether the latter be what may be called supreme in their own sphere—such as those of the different Australian provinces or those of the Dominion—or subordinate like those of the various provinces in Canada, that while those of the Imperial government are based wholly on precedent, those of the latter are based almost entirely upon statutory enactments."

It is difficult to conceive of a more mistaken idea of the character of the provincial governments of Canada, or of one more likely to tend to the destruction of responsible government than this view put forward by the News-Advertiser. It is the view that one would naturally expect from a person who formed his conceptions of the British Constitution as applied to the colonies from a brief experience at a subordinate desk in the Imperial service, or from the class of Englishmen, happily growing less every year, who regard the colonies as something a little above penal settlements, but not quite up to the level of petty African sultanates. Those of us who have had the advantage of being born in Canada and of being familiar with the manner in which our provincial constitutions have been built up—who may have had the opportunity of learning the principles of responsible government at the feet of its great champions, and who can remember how all the chief questions involved in it were discussed in the years when confederation was first talked of—and we do not now mean the union of British Columbia with the Dominion, but the original confederation, will have no other feeling than one of amazement that such ideas should be advanced at this late day in Canada.

It is doubtful if the constitution of the province ever received a more thorough analysis in the courts than in two cases which originated in the province of New Brunswick. One of these involved the constitutionality of the Canada Temperance Act, the other the right of the provincial governments to rank as Crown creditors against an insolvent bank. If Colonist readers will pardon a short personal reference, the editor of the Colonist will say that he had special opportunity for noting what took place in these cases, as he was leading counsel upon one side in the first case, and in the second case was the chief journalistic supporter of the view of the constitution, subsequently adopted by the Judicial Committee of the Privy Council. In the Canada Temperance Act case, the most learned and exhaustive review of the provincial constitution was made by Jas. J. Kaye, Q.C., of St. John one of the most scholarly men ever connected with the bar of any of the Canadian provinces, with a reputation extending to the other side of the Atlantic. Mr. Kaye devoted several months exclusively to the investigation of this subject and his argument occupied upwards of a day. Neither in his argument, nor in any of the other arguments, nor in the judgments of the five judges, nor in the judgments of the Supreme Court of Canada, nor in those of the Judicial Committee of the Privy Council was it ever suggested that the British constitution was not in full force and effect in all the provinces of Canada.

The News-Advertiser may object that its reference is to "administrative methods," but this will be simply to beg the question. Most of the "administrative methods" in use in the United Kingdom are statutory, but the statutes are always interpreted in the light of the constitution. Take the matter of commissions. Statutory authority is necessary in order that commissioners may examine witnesses under oath. An ordinary royal commission has no power to compel the attendance of witnesses and take sworn testimony. The Lieutenant-Governor of any of the provinces may at any time issue a commission of inquiry into any question, that can be properly examined into by commissioners under constitutional usage, but the attendance of witnesses would be wholly voluntary.

The point on which we join issue with the News-Advertiser is its denial of the application of the principles of the British constitution to the government of the provinces. This we claim is novel and dangerous, but we were not unprepared for it. The News-Advertiser and the ministry for which it speaks must take this position or stand condemned before the people. The action of Lieutenant-Governor McInnes in dismissing Mr. Turner was an assertion of personal government. The appointment of Chief Justice McColl as a commissioner to investigate acts of the provincial government was in direct violation of constitutional usage. The suggestion of the Times that a roving commission should be appointed to investigate the lands and works department would, if acted upon, be a gross stretch of the statutory power vested in the Lieutenant-Governor, and to cap it all comes this claim of the News-Advertiser that what is proper and legitimate in Great Britain is not applicable here. The importance of the principle for which we are contending, namely, that the precedents in force in Great Britain have equal force in this province, will be seen by reference to "The Constitution Act," which is a piece of legislation with a very misleading name. In this act there is not a word said about ministerial responsibility. Read as the News-Advertiser would have it read, the Lieutenant-Governor may appoint ministers whenever he sees fit. They need not be members of the legislature when appointed and they need never become members. He may dissolve the legislature when he pleases, but in addition to his right to do this, the Crown has the right reserved to it also to dissolve the legislature. All the talk that has been indulged in since 1872 in this province about premiers, votes of want of confidence, ministerial responsibility and questions of this nature, has been a mistake, if the News-Advertiser is right in its contention. If we are to look to the constitution act for guidance and are not to be governed by the principles of the British constitution, then it is idle to speak of Mr. Semlin as premier and as entitled to remain in office if he can secure a majority of the legislature. He is simply one of five executive officers, who hold office during the pleasure of the Lieutenant-Governor. If the News-Advertiser is correct the Lieutenant-Governor of British Columbia has no advisers, nor are the persons whom he appoints to the executive council responsible to the legislature. But the News-Advertiser is not correct. It is indeed wholly wrong, for the principles of the British constitution apply to British Columbia and its constitutional statutes must be interpreted in accordance therewith.

MR. MARTIN'S TOUR.

Mr. Joseph Martin is a healthy man to all appearances. Hence his trip East was not for sanitary purposes. His interests are all in the West. Hence the alleged private business which toots him away was not especially urgent. Mr. Martin's real business was, however, private in one sense, since, though it had reference to public matters, its chief object was the promotion of the policy of the pugnacious politician from the prairies. When Mr. Martin went East the Colonist said:

Mr. Martin has gone to Ottawa on private business. When Mr. Martin visits the capital of the Dominion and consults with the cabinet upon private business, it would be a good idea for his colleagues to keep their eyes peeled. It will be recalled that Mr. Martin was careful at Winnipeg to express doubt as to the ability of the present government to secure a majority in the house. This opinion does credit to Mr. Martin's diagnosis of the situation. The government will not have a majority in the house. In view of this the nature of Mr. Martin's private business may be guessed. Lieut.-Governor McInnes is the creator of the present political situation here. He is also the creator of a rather embarrassing question with which the Dominion government will have to deal. There is also a very clearly defined intention all round to run the next provincial election upon federal lines. Now it is very obvious that if, when the inevitable defeat of the government comes, the Lieutenant-Governor can be induced to see his way clear to call upon Mr. Martin to form a new government out of Liberal elements, pure and simple, and appeal to the people with all the office and patronage at his disposal, he may escape having to answer for his unwarranted stretch of prerogative. Mr. Martin's private business may be to pave the way to such a solution of the political situation. That he means to be premier, when the next appeal is made to the people, may be set down as certain.

When Mr. Martin reached Quebec, the most easterly point of his pilgrimage, he was very much in evidence, and from such proofs of the nature of his mission as were available, the special correspondent of the Montreal Gazette sent his paper the following:

The event of the day was the arrival in Quebec of Mr. Joseph Martin, formerly of Manitoba, but now by the grace and favor of Lieutenant-Governor McInnes, attorney-general of British Columbia. Of the many talents which Mr. Martin possesses astuteness is not the least prominent. Witness his explanations in connection with his present visit to the Ancient Capital. During his journey East Mr. Martin has worked off on the newspaper men from Vancouver to Quebec the big bluff that he was coming here in connection with international conference matters. But Mr. Martin is not the kind of men to show his hand to his opponents. He uses the international commission story as a blind. The real object of his visit was to consult Sir Wilfrid Laurier in regard to the political situation in British Columbia and ascertain what representations ex-Premier Turner and his colleagues have made against Lieutenant-Governor McInnes, to learn whether, in the opinion of the federal authorities, the Lieutenant-Governor exceeded his function, and to devise means for keeping in power the present government of British Columbia. Although Mr. Martin has little love for Sir Wilfrid, the meeting of the two statesmen in the rotunda of the Chateau Frontenac this morning was ostensibly cordial. Joseph, however, was thrown down by Sir Wilfrid for Mr. Sifton, and he is looking for the time when sweet revenge will be his. Meanwhile he is prepared to invoke federal aid to the British Columbia government, which is in dire straits. First of all the two parties are a tie. The election of Speaker from the government side will put the Semlin ministry in a minority. Then the Lieutenant-Governor is in a predicament owing to his unconstitutional action in dismissing Premier Turner without knowledge that he had not a majority of supporters in the assembly. Mr. Martin hopes that Sir Wilfrid will pull government and governor out of the hole, and by those arts and wiles in which he is an adept endeavor to strengthen the British Columbia government in the legislature. These are the reasons why Mr. Martin was here.

Mr. Martin's political brethren are understood not to be wholly comfortable these days. They are as nervous as the brethren of another Joseph were on a certain memorable occasion, and with a good deal more reason, for when the modern Joseph falls upon their necks it will not be to kiss them, but to give them a political coup de grace.

There may be no truth in the rumors of a general Dominion election, but when ministers are touring the country and making speeches it is as well to get ready for an emergency. We are inclined to think, however, that the great attention now being paid by ministers to the Maritime Provinces is more in view of local elections than anything else.

MR. BOSTOCK'S AMBITION.

It is stated that Mr. Hewitt Bostock, M.P., the recognized Liberal political boss of British Columbia, has undertaken to finance the New Westminster Columbian so that that newspaper will continue on its course. Looking at it from a business standpoint the Messrs. Kennedy are to be congratulated on the arrangement. They have worked hard to establish their business and deserve success, of which they had attained a fair amount, when the labor of years was undone in an hour by the great fire. Whether the country is to be congratulated on the new influence behind the Columbian is a debatable question. It is well understood that Mr. Bostock's removal to British Columbia from England was for the purpose of obtaining political recognition so that he might shine later on as a colonial statesman, and in this effort he has so far been very successful. It was not through any special business or intellectual qualification that Mr. Bostock hoped to achieve his end, for he has not so far been discovered in the possession of either. But he is largely possessed of that which the late Hon. T. B. Humphreys aptly described as "influence of a metallic character," and this "influence" directed into various channels under advice of others, has up to date been productive of satisfactory results so far as Mr. Bostock's ambition is concerned, if not from a financial point of view. Is it an advantage to this Province for this young man to have a strong political "pull" through his newspapers and the "influence" aforesaid? Should there not be some less sordid ground for political preferment than the amount of a man's bank account? We believe that the first of these questions will be unanimously answered in the negative and that the sentiment of the second will be endorsed by the great mass of the citizens of this Province, who are intelligent and independent above the average. Still, the methods pursued by Mr. Bostock has secured for him a first place in influence so far as the Province is concerned with the Liberal government at Ottawa. The recent judicial appointment proves this conclusively. It was a partizan appointment, and while not acceptable to the great majority of the bar, and to a very large section of the Liberals in the Province, yet it was made at the request of Boss Bostock. Having secured by means of the "influence" the control of newspapers in Victoria, Vancouver, Westminster, Kamloops, and in several Kootenay and Yale towns, and being prepared to advance the Liberal cause with these and any further expenditure of the "influence" deemed necessary, Mr. Bostock has received that recognition from Ottawa which his ambition craves for, but to which he is not entitled on any higher ground than that of being a wealthy man. We do not question Mr. Bostock's right to do as he pleases with his money, but we are strongly of the opinion that the end sought by its disbursement is not in the best interests of the Province. The motive inducing it is not by any means a patriotic one or a desire to aid in the advancement of provincial interests, but simply the purpose of self-aggrandizement. The Liberal-Conservative party recognized the claims of British Columbia to cabinet representation by the appointment of Hon. Col. Prior to a cabinet position, and the Liberal party must sooner or later give this Province cabinet recognition. They have blundered and mismanaged and injured its interests so much since their unfortunate accession to office that the dullest member of the government must see the urgent necessity of a colleague in the cabinet having thorough acquaintance with the Province's needs, and the best way to satisfy them. Mr. Bostock naturally wants this position. It would be another step towards the goal of his ambition. But would it be to the benefit of the Province to have as its cabinet representative a man so little qualified to fill the place? Decidedly not. Under the present condition of affairs, however, Mr. Bostock would be the man to receive the appointment, and the "Hon. Hewitt Bostock, M. P., Minister of Mines, Ottawa, Canada," would read well in the London Times, and would to a certain extent give that young man the desired prominence socially, and so far accomplish the desire that caused his removal to the "wild and woolly west" of Canada. It is greatly to the discredit of the Liberal party that it is possible for such a result to become an actual fact, for whatever political party citizens may support, they certainly expect that known ability and not wealth shall guide the leaders of the party in their selection of men to fill the trusted and responsible offices of ministers of the crown. If such a course had not been followed in the past, notably by the Liberal-Conservative party, the grand results which have been achieved in Canada within the last generation would not yet be in evidence.

THE ASHCROFT TRAIL.

Some of our contemporaries think that too much has been said about the difficulties and dangers of the Ashcroft-Stikine trail, and witnesses are cited to prove that there is a good trail to Hazelton. No one has ever disputed this. It is the country between Hazelton and the Stikine which presents the obstacles to travel. These, doubtless, can be removed; but they have not been, and until they are, the trail should be avoided by travellers. But why should any man spend months in walking to a point, when he can get further ahead in as many days by steamer? If it were cheaper to walk, that might explain it, but it is more expensive.

The trail from Quesnelle to Hazelton has been used every year for a long time in connection with the business of the Hudson's Bay company. Formerly there was a trail all the way to the Stikine, and it was fairly good; but it grew up with the bushes years ago. All this was explained nearly a year ago in the Colonist, and Alderman Humphreys, of this city, who cut the trail, was quoted as authority. Everything we then said has been fully borne out by the events of the past season.

THE BALANCE OF TRADE.

The publication of the annual trade statistics has renewed a discussion of the so-called "balance of trade." On no single subject is there more misunderstanding than upon this, and perhaps it may be said with truth that this mythical test of a country's prosperity is responsible for more erroneous fiscal legislation than all other causes combined. The balance of trade is reached, as everyone knows, by comparing the exports and imports, and the time-honored fallacy is that an excess of imports means general prosperity, and an excess of exports of imports, general depression.

It ought to be apparent to anyone, but unfortunately it clearly is not, that as business does not regulate itself according to the dates adopted by governments for the making up of their accounts, any balance struck between the exports and imports of a single year would necessarily be inconclusive for any purpose whatever, except to show the value placed by shippers upon the goods exported, and by importers upon the goods imported during the preceding twelve-month. It would leave untouched altogether the question of outstanding credits. At the risk of going over familiar ground, we will give a few illustrations showing the utter uselessness of such comparisons.

A British Columbia merchant ships on speculation $50,000 worth of salmon to Great Britain in June, 1898. This will appear on the exports of the year ending June 30, 1898. A good many things may happen to that salmon. Being shipped on speculation, it belongs to the British Columbia merchant, and he will not be able to draw against it until its arrival. Being of an extremely speculative turn of mind, he omits to insure the salmon; the vessel carrying it is lost at sea, and the merchant loses his $50,000. But, according to the balance-of-trade faddists, as here is an export of $50,000, not offset by any import, the country gained $50,000 by the shipwreck. But, on the other hand, let us suppose that good luck attended the venture, and not only did the cargo arrive in safety, but it found the market empty, so that, after paying freight and commissions, the merchant had coming to him $60,000, which he forthwith invested in goods and brought them to British Columbia. These goods would not reach here until some time during the next fiscal year, so there would be no export to offset them, and the balance-of-trade faddists would say that the country had lost $60,000, whereas as a matter of fact the profit on the transaction was $10,000. If the merchant sold his salmon for just what it cost to deliver it in Great Britain and had the cash sent to him, the faddists would insist that the country had made $50,000 by the transaction, although in point of fact not a dollar had been made.

The result is just the same if the case of one thousand shipments instead of one are taken. No inference in regard to the prosperity of a country can be properly drawn by a comparison of its exports and imports. Speaking generally, we should say that an increase of imports is a good sign in a country, as in an individual, as it indicates an increased purchasing capacity. Increasing exports in the same way are a good sign, just as increased sales by an individual are a good indication in his case. They show a demand for the products of the country, and that is what we all want to see. The reason why we cannot accept these things as certain signs is because there is no means of telling how each individual venture turned out.

Another fallacy that is based upon the trade returns is due to the habit of comparing our exports and imports to and from any particular country. We see, for example, that we increase our exports to Great Britain, but not our imports from that country. If that fact were taken by itself, it would warrant inferences prejudicial to our trade relations with the Mother Country. But no fact in the commerce of a country stands alone. The difference between our exports and imports from Great Britain may be made up by imports from China made through Great Britain. Thus the British Columbia merchant who sent his $50,000 worth of salmon to Great Britain and sold it for $60,000 net, may decide to invest his money in Chinese goods. So he buys in China and draws on London for his $60,000. The London house pays the draft, but it does not send the money to China. The money stays in London, and goods go out to China instead. The fact that the British Columbia merchant was able to sell his salmon in Great Britain enabled him to buy goods in China, and thus enabled the Chinese merchant to buy goods in London. Thus we see that commerce is an endless chain, and that we will inevitably be mistaken if we attempt to draw conclusions from the particular links which happen to be under our eyes at the time.

For our own part, we do not think that minor changes in duties have very much effect one way or the other upon the commerce of a nation. The so-called British preferential tariff is little more than a sentimental affair, benefitting no one in particular, except perhaps Sir Wilfrid Laurier, who gained a good deal of lustre from the association of his name with it. Commerce is influenced by causes, which in the great majority of cases are too subtle and too deep to be reached by legislation.

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