

Lord Lansdowne knows that at that time no peace was possible without the full recognition of our right to the fisheries. His Excellency without doubt values aright the inestimable service rendered by Shelburne to England, America, and the world, at the expense of a temporary popularity. He will doubtless be the last person in Canada to wish to disturb the international friendship to which his illustrious ancestor so pre-eminently contributed, and which, as regards the fisheries, would probably never have been disturbed had the Shelburne article been allowed to stand as he approved it; and perhaps the surest guarantee for our mutual good-will will be found in a return to the terms of the treaty so conspicuously identified with his fame.

CONCLUDING SUGGESTIONS.

In case Congress shall be clear, as the Retaliation Bill would seem to indicate, that Great Britain has violated Article I. of the Treaty of 1818, and that the United States is therefore entitled, under the rule stated by Madison and established by her own precedent, to abrogate that article, and to fall back upon Article III. of the Treaty of Peace as defining the separate rights of the United States and Great Britain in the Newfoundland fisheries at the division of the empire in 1783, Congress may be disposed to consider the expediency of embodying their views on this point in the Retaliation Act, or in a separate act, so that the future negotiations for an amicable adjustment of the pending difficulties may not be hampered or thwarted by the pretence, heretofore made, that the rights claimed by our Government for American fishermen are denied to them by the third article of the Treaty of 1818, which the British have themselves violated.

Should this conclusion be approved by Congress, it would almost follow the preamble and enacting clause of the Act abrogating the treaties with France (July 7, 1798) should it declare that, inasmuch as the third article has been repeatedly violated on the part of the British Government,