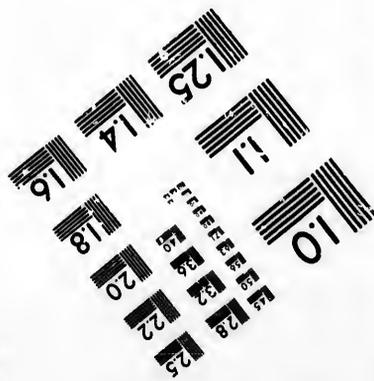
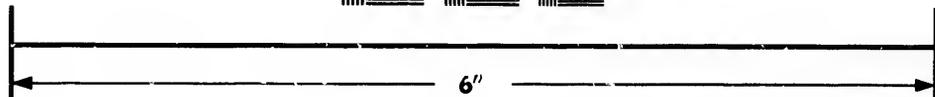
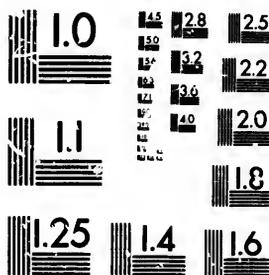


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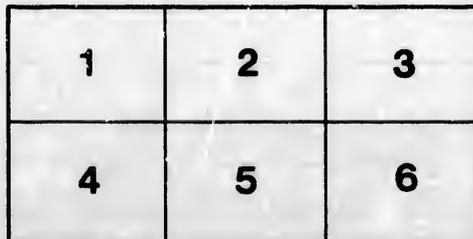
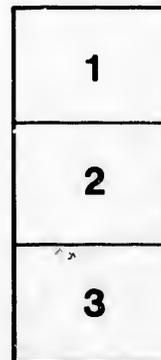
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THE
WASHINGTON TREATY DEBATE!

IN THE
**HOUSE OF COMMONS,
AT OTTAWA,
MAY, 1872.**

REPORTS OF SPEECHES

DELIVERED ON THE OCCASION BY

SIR JOHN A. MACDONALD, ONTARIO.

SIR FRANCIS HINCKS, ONTARIO.

SIR GEORGE E. CARTIER, QUEBEC.

HON. W. McDOUGALL, C.B., ONTARIO.

HON. CHAS. TUPPER, C.B., NOVA SCOTIA.

HON. J. H. CAMERON, ONTARIO.

HON. S. L. TILLEY, NEW BRUNSWICK.

HON. S. CAMPBELL, NOVA SCOTIA.

MR. PATRICK POWER, NOVA SCOTIA.

MR. McDONALD, NOVA SCOTIA.

MR. R. A. HARRISON, ONTARIO.

Reprinted from the "Daily Mail,"
King Street, Toronto, June, 1872.

The debate on the Treaty of Washington, in the House of Commons, was the severest crucial test to which the talents of Canadian statesmen have ever been put. The leading speeches, in defence of the Treaty, deserve to be put into a more permanent form than that of a daily or weekly journal. For a whole year, the Treaty had been subjected not merely to fair criticism but to almost every kind of misrepresentation. During all this time, the Government, delaying its defence till the question should come before Parliament, maintained a profound silence, which, to its enemies and the opponents of the Treaty proved exceedingly provoking. When the defence did come, it was complete; and the defeat of the Opposition was overwhelming; every Province giving a majority for the Treaty Bill, and two of them being unanimous in its support.

The ground on which the opposition to the Treaty had chiefly rested was, that it gave to the Americans the liberty of fishing in our coast fisheries, for twelve years, without securing in return a general reciprocity of trade. This circumstance makes it necessary to review the prior course of the principal critic on this question of Reciprocity; for in this way can best be tested the sincerity of the opposition urged to the Treaty, on this ground. And this leads us to enquire, how the first mutterings of dissatisfaction with the Reciprocity Treaty of 1854, came to find utterance; by what process the people of the United States, at first so favourable to that Treaty, came to be hostile to it.

In 1859, Mr. GALT, as Finance Minister of Canada, found it necessary to secure an increase of revenue. The gaping chasm of an annual deficit, which threatened to get wider and wider, had to be closed; at least it was imperative to make the attempt. Practically, there was but one resource: an increase of the traffic. This was obtained without in any way interfering with the Free List of the Reciprocity Treaty. A Canadian Opposition journal thereupon told the Americans that they ought to look on the raising of the Canadian tariff as a grievance; that they might well take the ground, that the spirit of the Treaty had been violated, and insist on bringing it to termination before the expiration of the ten years, during which it was stipulated it should remain in existence. There had always been some American interests and a section of a political party opposed to the Treaty. The Canal interest of New York dreaded the diversion of trade to the St. Lawrence, which the freedom of that river invited; and the abolition party, with Mr. GREENLY, for their spokesman, desiring to add Canada to the Union as a counterpoise to the South, thought their object could best be attained by starving this country into compliance, through a refusal of reciprocity. This interest and this party at once seized upon the idea which Mr. BROWN had given them. They said he was right in suggesting that the raising of the Canadian tariff was in contravention of the spirit of the Treaty. They took steps to give effect to this idea as soon as possible, and succeeded in inducing the American Government to appoint Mr. ISRAEL HATCH, who was thoroughly in their interest, to enquire into the operation of the Treaty and re-

port thereon. Lord LYONS, British Ambassador at Washington, in a despatch to Sir EDWARD HEAD, then Governor-General of Canada, adduced the clearest proof of the use to which Mr. BROWN's suggestion to the Americans had been put:

WASHINGTON, Oct. 17th, 1860. Sir,—With reference to the despatch which I had the honour to address to Your Excellency on the 5th instant, respecting the appointment of Mr. Israel Hatch to enquire into the mode in which the United States Revenue establishments on the Canadian Frontier, I beg leave to enclose an article which appeared in the Washington newspaper, Constitution, of the day before yesterday, under the heading: News and Miscellaneous Items. This article pretends to be derived, in substance, from the Toronto Globe, and to express Canadian sentiments on the Reciprocity Treaty. The writer seems to anticipate, and to be disposed in some sort to justify, the abrogation by the United States of that Treaty.

As the Constitution is the organ of President Buchanan's administration, and is in fact the official paper, I thought it right to express to General Cass and to the Assistant Secretary of State, Mr. Appleton, my surprise that any article of such a character should have been allowed to appear in it.

Neither General Cass nor Mr. Appleton had observed the article; but Mr. Appleton, at my request, looked for it and read it. He pointed out to me that it appeared in a part of the paper not likely to be carefully scrutinized, and said that it must have been inserted from inadvertence; he added that I might at all events assure Your Excellency that his knowledge was not to be regarded as implying any censure whatever of the press of the United States Government. I have &c., LYONS.

The Right Honourable SIR EDWARD HEAD, Bart, &c., &c., &c.

"General sentiments of the Reciprocity Treaty."

"In noticing the appointments of Mr. Hatch by the President, to examine into the operation of the Reciprocity Treaty upon revenues and trade between Canada and the United States, I thought it right to enquire that the Canadian tariff is in violation of the spirit and intent of the Treaty, and operates injuriously to the American interests, in consequence of the course which the Globe anticipates a partial or total abrogation of the Treaty, although it was agreed that it should remain in force ten years. It is supposed that the United States will maintain the ten years' clause might be rightfully set aside upon the ground, that the Treaty has been broken by the imposition of a tariff in the nature contemplated by either party when the Treaty was entered into."—Washington Constitution.

Mr. HATCH, who had been chosen as the instrument to elaborate Mr. BROWN's ideas, did his work only too faithfully. He reported directly against the Treaty. The Americans did not, however, venture quite so far as their Canadian mentor had hinted they might go: they did not try to break up the Treaty till the ten years were over. It is nevertheless true that the first inception of American hostility to the old Reciprocity Treaty came from a Canadian source.

Let us follow Mr. BROWN's Reciprocity policy, after his suggestion to put an end to the Treaty of 1854, had been successful. He stated in his explanation in the House of Commons, June 15, 1860, that he had resigned his position as a member of the Coalition Government of 1854, "entirely on the question of Reciprocity." What ground did he then take? That Canada should make no proposal for a renewal of Reciprocity; that "from them, (the Americans) and not from us, the suggestions must properly come—indeed could only come." (Globe's Report.) The American Government was willing to renew negotiations from Legislative Reciprocity; to stipulate that reciprocity should be arranged by legislation instead of resorting to a new Treaty. But Mr. BROWN and his journal would not accept the boon in this shape; and they (Globe, February 21, 1860) resorted to misrepresentation to defeat this new proposal, which came from the American Government; the only way; Mr. BROWN had said, negotiations could properly be revived:

"Did any human being ever before hear of such a thing as Legislative Reciprocity? Was it ever named in this discussion until it was whirled in the ears of our delegates at Washington, and they fell victims to it? Did the mind of man ever before conceive such a mode of regulating the international traffic of his country as to be left at the mercy of the legislative enactments of another nation? How long could such an arrangement, under any circumstances, last? And what trade could be

ably prosecuted under so timely a pretext for its security? Who would put his money in any undertaking, the prospects of which rested on an arrangement that might be swept away in a week? Who would invest his land in a farm, who would put seed in the ground, who would raise flocks and herds for a market that might be closed in his harvest time? What commercial advantages possibly derivable from Legislative Reciprocity could compensate for the political evils it would entail on the country?"—Globe, February 21, 1860.

The pretence that Legislative Reciprocity was a thing unheard of showed that Mr. BROWN's cause required a resort to misrepresentation. On this question of American trade England had previously insisted on this very mode of proceeding, in preference to negotiation. In a despatch of MR. CANNING addressed to MR. GALLATIN, and bearing date, Jan. 27, 1823, the writer enters fully into the reasons which led the British Government to prefer offers of reciprocal legislation to any new attempts to bring about a mutual agreement on the subject of commercial intercourse by diplomatic arrangement. He was

"At a loss to understand on what ground it was assumed at Washington, that there would be, at all times, an unobscured disposition on the part of the United States Government to consent to the West India colonies the subject of diplomatic arrangement. The circumstances of the case were entirely changed. England had previously produced any material approximation of opinions on that subject."

"The least attempt at an adjustment had been made, with an evident consent on both sides, that there existed between them an unquerable difference of principle; and it was by that difference, rather than by any decided opposition of interests, that a satisfactory arrangement was rendered hopeless. The nature of the difference has been sufficiently disclosed; it lies in the determination of the United States to dispute, and in that of Great Britain to maintain the established distinction between general and colonial trade."

"Great Britain had, therefore, an obvious motive for doing whatever she might think right to do, in relation to the West India colonies, and the immutability of her own legislation than by any compact with a state with which she disagreed in opinion as to the principles of colonial trade, so widely that it would have been impossible to construct a preamble to a treaty on that subject, in the enumeration of which two so striking principles should have concurred."

"But there was yet another reason for avoiding further negotiations upon the subject. Hitherto, when the trade with the West Indies had been open at all, it had been opened chiefly, though not exclusively, to the United States."

"In no other country had it been opened by specific and positive convention. But a time had now arrived, when, from motives of general policy, Great Britain thought it advisable to allow access to her colonies to all foreign powers, without exception on conditions tendered aside to all. Such limited facilities opening could only be effected by some process common to all those who were invited to take advantage of it; impartially thus maintained towards all parties, and the power of control over or over the colonies, at the same time, retained in the hands of the Mother Country."

This policy of Legislative reciprocity, which Mr. BROWN, in 1860, said had never been heard of before that year, even as a proposition, had proved entirely successful nearly forty years before. Here are the facts:

By the Imperial Act of 1825, foreign vessels were permitted to import into any of the British Provinces goods the produce of the countries to which they belonged, and to export them thence to any foreign country: But these privileges were to be conceded only on compliance with the conditions of Reciprocity which formed the principle of the Act. The benefits of the measure were limited "to the ships of those countries which, having Colonial possessions, shall grant the like privilege of trading with those possessions to British ships; or which, not having Colonial possessions shall place the commerce and navigation of this country, and of its possessions, upon the footing of the most favoured nation."

In case any question should arise as to the construction of the Act, as to what constituted a complete compliance with its conditions, power was given to the Government to grant, by order in Council, some or all the privileges although the conditions had not, in all respects, been fulfilled. To the United

States the Act was partially applied: owing to a want of Reciprocity, on their part, some of the privileges were once withdrawn. In August, 1827, an order in Council was published in the London Gazette, notifying the American Government that, so far as they related to British possessions in the West Indies, South America, the Bahamas Islands, the Bermuda or Somer Islands and Newfoundland, they would be withdrawn on the 1st of December, then ensuing; and on the western coast of Africa, Cape Colony, the Mauritius, the Island of Ceylon, New Holland and Van Dieman's Land, on the 1st of March, 1827.

The British offers of conditional reciprocity were not intended to be, and were not in fact, perpetual. Only a year was, at first, given for compliance; and no foreign country was to be deemed to have complied unless it did so by the 5th July, 1828. And when any foreign country complied, the fact was to be declared by order in Council.

The Americans finally accepted the proffered conditions, and repealed their discriminating tonnage and customs duties. Such was the effect of the legislative reciprocity inaugurated by England. Mr. BROWN, to defeat a like proposal made by the American government, in 1860, condemned it as unheard of, untried, and a dangerous thing.

Besides, legislative reciprocity was not unknown to Canadian legislation. A mutual reduction of duties between Canada and France had, a few years before been carried into effect by legislation after prior arrangement.

Whether Mr. BROWN has by force of those facts, established a claim to be considered a special advocate of reciprocity, the public can judge. The fishermen do not want the spurious sympathy so officiously offered to them on the opening of the shore fisheries to Americans. They are well content to share those fisheries on condition of having the American market opened to them. Mr. POWELL's speech puts the question in its true light, and should forever silence the cavils of the self-constituted champions of the fishermen.

The approbation of the Treaty was more or less qualified by nearly all its advocates. They accepted it not because it is a perfect instrument, but because it is the best settlement that can be obtained. Those who urge the rejection of the Imperial policy on the Treaty should, if they desire to be consistent, undertake to show that they are in a position to carry out an antagonistic policy; to show that Canada is not only strong enough, but quite ready, to set up for herself, and to commence her independent career by wresting from the United States concessions which England has not been able to obtain. But in shrinking from the consequences of their own policy, they do not proclaim their charlatanism and want of statesmanship; as a anomaly of thinking men of all parties have not been slow to take note.

The following speeches tell their own story; they require neither explanation nor eulogy from us. Whoever peruse them with attention and without prejudice, will, we are satisfied, agree with the majority of the Canadian House of Commons on the question of the Treaty, as shown by the division list.

THE V Debate at Reports a tion by Mr. M. Wm. M. per, C. R. Tillet) Campbe (Rep On Frid DONALL Mr. S. to bring effect on negotiated and the Bill validity, as the treaty manner se other day clauses of fish-ness to continu I confined cause the was wh of the sanction As, however otherwise fully on exa been laid b fine that subjects tion—hav Act, in o make the obligatory so that in during the same occur in, provide pension of as they pre from fishin also provide the Treaty the inland the rivers preserved fisheries of it to Canada provides bonding sy longer pur fourth clas shipment of Treaty shi citizens of isteach of Bill provid whenever, clamatio giving effe Bill in this might be to the ground tions of the commenced mittee of not apply those claus Fishery Ac to the gen provides t and fishoil, bonding sy however, taken, beo

THE WASHINGTON TREATY.

Debate in the House of Commons at Ottawa, May, 1872.

Reports of Speeches delivered on the occasion by Mr. John A. Macdonald; Sir Francis Hincks; Sir George E. Cartier; Hon. Wm. Macdougall, C.B.; Hon. Chas. Tupper, C.B.; Hon. J. H. Cameron; Hon. S. L. Tilley; Mr. McDonald, N.S.; Hon. Mr. Campbell, N.S.; and Mr. E. A. Harrison.

(Reprinted from the Daily Mail.)

On Friday, May 3rd, Sir JOHN A. MACDONALD rose and said:—

Mr. Speaker, — I move for leave to bring in a Bill to carry into effect certain clauses of the Treaty negotiated between the United States and Great Britain in 1871. The object of the Bill is stated in the title. It is to give validity, so far as Canada is concerned, to the treaty which was framed last year in the manner so well known to the House and country. The Bill I proposed to introduce the other day was simply a bill to suspend those clauses of the Fishery Acts which prevent fishermen of the United States from fishing in the inshore waters of Canada, such suspension to continue during the existence of the treaty. I confined it to that object at that time, because the question really before this House was whether the fishery articles of the treaty should receive the sanction of Parliament or not. As, however, a desire was expressed on the other side that I should enter into the subject fully on asking leave to bring in the bill, and as, on examining the cognate Act which has been laid before Congress at Washington, I find that all the subjects—even those subjects which do not require legislation—have been repeated in that Act, in order, one would suppose, to make the Act of the nature of a contract and obligatory during the existence of the Treaty, so that in good faith it could not be repealed during that time, I propose to follow the same course. The Act I ask leave to bring in, provides in the first clause, for the suspension of the Fishery Laws of Canada, so far as they prevent citizens of the United States from fishing in our inshore waters. The Bill also provides, that during the existence of the Treaty fish and fish oil, (except fish of the inland lakes of the United States and of the rivers emptying into those lakes, and fish preserved in oil), being the produce of the fisheries of the United States, shall be admitted into Canada free of duty. The third clause provides for the continuance of the bonding system during the twelve years or longer period provided by the Treaty and the fourth clause provides that the right of transhipment contained in the 30th clause of the Treaty shall, in like manner, be secured to citizens of the United States during the existence of the Treaty. The last clause of the Bill provides that it shall come into effect whenever, upon an Order in Council, a proclamation of the Governor-General is issued giving effect to the Act. In submitting the Bill in this form, I am aware that objection might be taken to some of the clauses, on the ground that having relation to the questions of trade and money, they should be commenced by resolution adopted in Committee of the Whole. That objection does not apply to the whole of the Bill—to those clauses which suspend the action of our Fishery Act. But it would affect, according to the general principle, the clause which provides that there shall be no duty on fish and fish oil, and also the clauses respecting the bonding system and transhipment. I do not, however, anticipate that that objection will be taken, because in presenting the Bill in this

form I have followed the precedent established in 1854, when the measure relating to the Reciprocity Treaty was introduced in Parliament. It was then held that the Act, having been introduced as based upon a Treaty which was submitted by a message from the Crown, became a matter of public and general policy, and ceased to be merely a matter of trade; and, although those gentlemen who interested themselves in parliamentary and political matters at that date will remember that the Act which was introduced by the Attorney-General for Lower Canada in 1854 (Mr. Drummond) was simply an Act declaring that various articles, being the produce of the United States, should, during the existence of the Treaty, be received free into Canada, and that the Act repealed the tariff *pro tanto*, it was not introduced by resolution, but after the Treaty had been submitted and laid on the table, and after a formal message had been brought down by Mr. Morin, the leader of the Government in the House, to the effect that the bill was introduced with the sanction of the Governor-General. I do not, therefore, anticipate that objection will be taken by any hon. member, and I suppose the precedent so solemnly laid down at that time will be held to be binding now. Should objection, however, be taken, the clauses of the bill respecting the suspension of the Fishery Act and transhipment are sufficient to be proceeded with in this manner; the other portion may be printed in *italics*, and can be brought up as parts of the bill or separately as resolutions, as may be thought best. The Journals of the House state that on the 21st of Sept., 1854, Mr. Chauveau submitted a copy of the Treaty which was set out on the face of the journals. On the same day Mr. Drummond asked leave to bring in a bill to give effect to a certain treaty between Her Majesty and the United States of America, and on the 22nd, on the order of the day for the second reading of the bill, Mr. Morin, by command, brought down a message from the Governor-General signifying that it was by His Excellency's sanction it had been introduced, whereupon the House proceeded to the second reading. That bill was simply one declaring that various articles mentioned in the treaty should, during the existence of the treaty, be admitted into this country free of duty. The House, now, Mr. Speaker, if they give leave that this bill shall be introduced and read a first time, will be in possession of all of those portions of the Treaty of Washington that in any way come within the action of the Legislature. Although the debate upon this subject will, as a matter of course, take a wide range and will properly include all the subjects connected with the Treaty in which Canada has any interest, yet it must not be forgotten that the Treaty as a whole is in force, with the particular exceptions I have mentioned, and the decision of this House will, after all, be simply whether the articles of the Treaty extending from the 18th to the 25th shall receive the sanction of Parliament, or whether those portions of the Treaty shall be a dead letter. This subject has excited a great deal of interest, as was natural, in Canada ever since the 8th of May, 1871, when the Treaty was signed at Washington. It has been largely discussed in the public prints, and opinions of various kinds have been expressed upon it—some altogether favourable, some altogether opposed, and many others of intermediate shades of opinion. And among other parts of the discussion has not been forgotten the personal question—relating to myself—the position I hold and hold as a member of the Government, and as one of the High Commissioners at Washington. Upon that question I shall have to speak by-and-by; but it is one that has lost much of its interest from the fact that by the introduction of this Bill the House and country will see that the policy of

the Government of which I am a member is to carry out, or try to carry out, the Treaty which I signed as a plenipotentiary of Her Majesty. Under the reservation made in the Treaty, this House and the Legislature of Prince Edward Island have full power to accept the fishery articles or reject them. In that matter this House and Parliament have full and complete control. (Hear, hear.) No matter what may be the consequences of the action of this Parliament; no matter what may be the consequences with respect to future relations between Canada and England, or between Canada and the United States, or between England and the United States; no matter what may be the consequences as to the existence of the present Government of Canada, it must not be forgotten that this House has full power to reject these clauses of the Treaty if they please, and maintain the right of Canada to exclude Americans from our inshore fisheries, as if the Treaty had never been made. (Hear, hear.) That reservation was fully provided in the Treaty. It was made a portion of it—an essential portion—and if it had not been so made the name of the Minister of Justice of Canada would not have been attached to it as a plenipotentiary of England. (Hear, hear.) That right has been reserved, and this Parliament has full power to deal with the whole question. I will by-and-by speak more at length as to the part I took in the negotiations, but I feel that that reservation having been made I only performed a duty—a grave and serious duty, but still my duty—in attaching my signature to the Treaty as one of Her Majesty's representatives and servants. (Hear, hear.) Now, Sir, let me enter into a short retrospect of the occurrences which transpired some years before arrangements were entered into for negotiating the Treaty. The Reciprocity Treaty with the United States existed from 1854 to 1866, in which latter year it expired. Great exertions were made by the Government of Canada and a great desire was expressed by the Parliament and people of Canada, for a renewal of that Treaty. It was felt to have worked very beneficially for Canada. It was felt to have worked also to the advantage of the United States, and there was a desire and a feeling that those growing interests which had been constantly developing and increasing themselves during the existence of the Treaty would be greatly aided if it were renewed and continued. I was a member of the Government at that time, with some of my hon. friends who are still my colleagues; and we took every step in our power, we spared no effort, we left no stone unturned, in order to gain that object. The House will remember that for the purpose of either effecting a renewal of the Treaty, or, if we could not obtain that, of arriving at the same object by means of concurrent legislation, my hon. friend, the member for Sherbrooke (Hon. Sir A. Galt) at that time Finance Minister, and the present Lieut.-Governor of Ontario went to Washington on behalf of the Government of Canada. It is a matter of history that all their exertions failed; and after their failure, by general consent—a consent in which I believe the people of Canada were as one man—we came to the conclusion that it would be humiliating to Canada to make any further exertions at Washington, or to do anything more in the way of pressing for a renewal of that instrument; and the people of this country with great energy addressed themselves to find other channels of trade, other means of developing and sustaining our various industries, in which I am happy to say they have been completely successful. (Hear, hear.) Immediately on the expiration of the Treaty our right to the exclusive use of the inshore fisheries returned to us, and it will be in the remembrance of the House that Her

Majesty's Government desired us not to resume that right, at least for a year, to the exclusion of American fishermen, and that the prohibition of Americans fishing in those waters should not be put in force either by Canada or the Maritime Provinces. All the Provinces, I believe, declined to accede to the suggestion, and it was pressed strongly on behalf of the late Province of Canada that it would be against our interests if for a moment after the Treaty ceased we allowed it to be supposed that American fishermen had a right to come into our waters as before; and it was only because of the pressure of Her Majesty's Government, and our desire to be in accord with that Government, as well as because of our desire to carry with us the moral support of Great Britain, and the material assistance of her fleet, that we assented, with great reluctance, to the introduction of a system of licenses for one year at a nominal fee or rate. This was done avowedly by us for the purpose of asserting our right. No greater or stronger mode of asserting a right and obtaining the acknowledgment of it by those who desired to enter our waters for the purpose of fishing could be devised, than by exacting payment for the permission, and therefore it was that we assented to the licensing system. (Hear, hear.) Although in 1866 that system was commenced, it did not come immediately into force. We had not then fitted out a marine police force, for we were not altogether without expectation that the mind of the Government of the United States might take a different direction, and that there was a probability of negotiations being renewed respecting the revival of the Reciprocity Treaty, and therefore, although the system was established it was not rigidly put into force, and no great exertion was made to seize trespassers who had not taken out licenses. In the first year, however, a great number of licenses were taken out; but when the fee was increased so as to render it a substantial recognition of our rights, the payments became fewer and fewer, until at last it was found that the vessels which took out licenses were the exception, and that the great bulk of the fishermen who entered our waters were trespassers. In addition to the fact that our fisheries were invaded, that we were receiving no consideration for the liberty, and that our rights were invaded boldly and aggressively, it was now stated by the American Government, or members of the American Cabinet, that the renewal of the Reciprocity Treaty was not only inexpedient but unconstitutional, and that no such renewal could or would be made. The Government of Canada then, in 1870, after conference with the Imperial Government, and after receiving the promise of the Imperial Government that we should have the support of their fleet in the protection of our just rights, a promise which was faithfully carried out, prepared and fitted out a sufficient force of marine police vessels to protect our rights, and I am glad to believe that that policy was perfectly successful. Great firmness was used, but at the same time great discretion. There was no harshness, and no seizures were made of a doubtful character. No desire to harass the foreign fishermen was evidenced, but on the contrary, in any case in which there was doubt, the officers in command of the seizing vessels reported to the head of the department, and when the papers were laid before the Government they, in all cases, gave the offending parties the benefit of the doubt. Still, as it would be remembered, some of the fishermen made complaints, which complaints, although unjust, I am sorry to say, were in some instances, were made and supported on oath, of harshness on the part of the cruisers, and an attempt was made to agitate the public mind of Canada, and it was at that time a feeling on the part of a large portion of the people of Nova Scotia, which feeling I am however happy to say, has since disappeared, that the action of Canada was unfriendly. Her Majesty's Government were, of course, appealed to by the authorities of the United States on all these subjects, and complaints were bandied

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the limit of three marine miles of the coast is beyond dispute, and can only be settled for alterations in the exercise of a money payment; it appears to Her Majesty's Government that such an arrangement would be more likely to work well than if any conditions were annexed to the exercise of the privilege of fishing within the Canadian waters." Having read that despatch, and the suggestion that an arrangement might be made on the basis of a money payment, and there being an absence of any statement that such an arrangement could only be made with the consent of Canada, I thought it well to communicate with my colleagues at Ottawa; and, although we had received again and again assurances from Her Majesty's Government that those rights would not be attacked, given away or ceded without our consent, it was thought advisable, in consequence of the omission of all reference to the necessity of Canada's assent being obtained to any monetary arrangement, to communicate by cable that Canada considered the Canadian fisheries to be her property, and they could not be disposed of without her consent. That communication was made by the Canadian Government on the 10th of March, and of that Government I was a member; and not only did that communication proceed from the Canadian Government to England, giving them fair notice that the Canadian Government, of which I was a member, would insist upon the right of dealing with her own fisheries, but I took occasion to press upon the British Commission at Washington, that my own individual opinion, as representing Canada, should be laid before Her Majesty's Government. The answer that came back at once by cable was extended in full in the despatch of the 17th March, 1871, and it was most satisfactory, as it stated that Her Majesty's Government had never any intention of interfering with the right to part with those fisheries without the consent of Canada. Armed with this I felt that I was relieved of a considerable amount of embarrassment. I felt that, no matter what arrangements might be made, no matter whether I was outvoted by my colleagues on the Commission, or what instructions might be given by Her Majesty's Government, the interests of Canada were safe, because they were in her own hands and reserved for her own decision. Now, Mr. Speaker, it must not be supposed that this was not a substantial concession on the part of Her Majesty's Government. It is true that Lord Kimberley stated, in his despatch of 17th March, that when the Reciprocity Treaty was made, the Acts of the Nova Scotia and New Brunswick Legislatures relating to the fisheries were suspended by Acts of those Legislatures, and that the fishery rights of Canada were now under the protection of a Canadian Act of Parliament, the repeal of which would be necessary in case of the cessation of those rights to any foreign power. It is true that some of the well-known members of the House, if Her Majesty, in the exercise of her power, had chosen to make a Treaty with the United States, ceding not only those rights, but ceding the very land over which those waters flow, that the Treaty between England and the United States would have been obligatory and binding, and the United States would have held England to her promise, and would have held England to all her promises, still that Treaty would be a valid and obligatory Treaty between England and the United States, and the latter would have the right to enforce its provision, over-ride any Provincial laws or ordinances, and take possession of our waters and rights. It would have been a great wrong, but the consequence would have been the loss of practically all our rights for ever; and so it was satisfactory that it should be settled, as it has been settled beyond a doubt, appearing upon the record of the Conference at Washington. Now, the recognition of the proprietary right of Canada in our fisheries forms a portion of the State papers of both countries. Now, the rights of Canada to those fisheries are beyond dispute, and it is finally established that England cannot and will not under any circumstances whatever, cede those fisheries without the consent of Canada; so that, in any future arrangement between Canada and England, or England and the United States, the rights of Canada will be respected, as it is conceded beyond dispute that England has not the right to deprive Canada of them; so that we may rest certain that, for all time to come, England will not, without our consent, make any cession of those interests. Now, Mr. Speaker, to come to the mode of treating the various subjects which interest Canada more particularly. I will address myself to them in detail; and first, I will consider the question of most importance to us, the

one on which we are now specially asked to legislate, that which interests Canada as a whole and particularly, and which interests the Maritime Provinces, especially—I mean the articles of the Treaty with respect to our fishery rights. I would, in the first place, say that the protocols which accompany the Treaty; and which are in the hands of every member, do not give, chronologically, an every day account of the transactions of the Conference. Although, as a general rule, I believe that they were, for the most part, kept from day to day, it was thought better to depart from the rule on this occasion, and record only the conclusions arrived at. While the protocols substantially contain the result of the negotiations ending in the Treaty, they must therefore not be looked upon as chronological dates of the facts and incidents which occurred. I say as respects the protocol which relates more especially to the fisheries would lead me to suppose that at the first meeting, and without previous discussion, the British Commissioners stated "that they were prepared to discuss the question of the fisheries either in detail or generally, so as either to enter into an examination of the respective rights of the two countries under the Treaty of 1818 and the general law of nations, or to approach at once the settlement of the question on a comprehensive basis." Now, the fact is, that it was found by the British Commissioners, when they arrived at Washington and had had an opportunity of ascertaining the feeling that prevailed at that time, not only among the United States Commissioners, but among the public men of the United States, with whom they met there, and from their communication with other sources of information, that the feeling was universal that all questions should be settled beyond the possibility of dispute in the future; and more especially that, if by any possibility, a solution of the difficulty respecting the fisheries could be arrived at, on a satisfactory arrangement made by which the fishery question could be placed in abeyance as in 1854, it would be to the advantage of both nations. It must be remembered that the Commission sat in 1871, and that the exclusion of American fishermen from our waters was enforced and kept up during the whole of 1870, and that great and loud, though I think somewhat exaggerated, complaints that American fishing vessels had been illegally seized, although they had not trespassed upon our waters. Per. was interested had been using every effort to arouse and stimulate the public mind of the United States against Canada and the Canadian fisheries; and it was felt and expressed that it would be a great bar to the chance of the Treaty being accepted by the United States if one of the causes of irritation which had been occurring a few months before should be allowed to remain unsettled. Collisions would occur between American fishermen claiming certain rights in Canadian waters, and the Canadian authorities assisting those claims; that thereby would be aroused, and all the good which might be effected by the Treaty would be destroyed by quarrels between man and man engaged on the fishing grounds. This feeling prevailed, and I, as a Canadian, knowing that the people of Canada desired, and had always expressed a wish to enter into the most cordial relations and arrangements with the United States, stated to the British Commissioners; and they had no hesitation, on being invited to do so, in stating that they would desire by all means to remove every cause of discussion respecting these fisheries by the restoration of the old reciprocity treaty of 1854. An attempt was made in 1865 by the hon. member for Sherbrooke (Sir J. T. Carleton) acting on behalf of Canada to renew that Treaty, but it failed, because the circumstances of the United States in 1865 were very different from what they were in 1854, and it appeared out of the question and impossible for the United States to agree to a Treaty with exactly the same provisions, and of exactly the same nature as that of 1854; so the British Commissioners, believing that a treaty similar to that of 1854 could not be obtained in words and in detail, thought that it might be obtained in spirit, and this view was strongly pressed upon the Joint Commission. This will appear from the protocol. It will also appear from the protocol that the United States Commissioners stated that "the Reciprocity Treaty was out of the question; that it could not be accepted without being submitted to both branches of Congress; that there was not the slightest possibility of Congress passing such an act; that the agreement by the two Governments to a Treaty including provisions similar in spirit to the Treaty of 1854 would only insure the rejection of that Treaty by the Senate; and, therefore, that

some other solution must be found. I believe that the United States Commissioners were in a most accurate and judicious view of the situation. I believe that had the Treaty contained all the provisions or the essential provisions of the Treaty of 1854 they would have ensured its rejection by the Senate. When I speak of the Conference that were held on the fisheries, I would state for the information of those members of the House who are unacquainted with the facts in such matters, that the Commissioners did not act at the discussion individually. The Conference was composed of two units—the British Commission and the United States Commission. If a question arose in conference on which either of the two parties, the British or American branch, desired to consult together they retired, and either party expressed their views as a whole without reference to the individual opinions of the Commissioner. As an individual member of the British Commission, and on behalf of Canada, when it was found that we could not obtain a renewal of the Reciprocity Treaty, I urged upon my English colleagues that the Canadians should be allowed to retain the exclusive enjoyment of the inshore fisheries, and that means should be used to arrive in some way or other at a settlement of the disputed question in relation to the fisheries, so to settle the headland question and the others in relating to trading in our ports by American fishermen; and I would have been well satisfied, acting on behalf of the Canadian Government, if that course had been adopted by the Imperial Commission; but Her Majesty's Government felt, and so instructed their Commissioners, and it was so felt by the United States Commissioners, that the leaving of the chance of collision between the American fishermen and the Canadian authorities a matter of possibility would destroy or greatly prejudice the great object of the negotiations that were adopted by the Imperial Commission, and the friendly feeling between the two nations; and therefore Her Majesty's Government pressed that these questions should be allowed to remain in abeyance, and that some other settlement in the way of compensation to Canada should be formed. The protocol shows, Mr. Speaker, that the United States Government, through their Commissioners, made a considerable advance, or at least some advance, in the direction of reciprocity, because they offered to exchange for our inshore fisheries, in the first place, the right to fish in their waters, whatever that might be worth; and they offered to admit Canadian coal, salt, fish, and, after 1874, lumber, to our ports, under the same conditions as in these articles. On behalf of Canada, the British Commissioners said that they did not consider that that was a fair equivalent. (Hear, hear.) It is not necessary that I should enter into all the discussions and arguments on that point, but it was pointed out by the British Commissioners that the American Government had passed one branch of the Legislature of the United States making coal and salt free and stood ready to be passed by the other branch, the Senate. It was believed at that time that the American Congress for its own purpose and in the interest of American people was about to take the duty off these articles, and therefore the Commission considered that some arrangement in any way a compensation, as Congress was going to take off the duty whether there was a Treaty or not. Then as regards the duty on lumber, which was offered to be taken off after 1874, we pointed out that nearly a third of the whole of the time for which the Treaty was proposed to exist would expire before the duty could be taken off the duty on lumber. The British Commissioners urged that that under those circumstances the offer could not be considered as a fair one and that Canada had a fair right to demand compensation over and above these proposed reciprocal arrangements. Now, Mr. Speaker, before that proposition was made, I was in communication with my colleagues in the Canadian Government, who were exceedingly anxious that the original object should be carried; that if we could not get Reciprocity as it was in 1854, that we should be allowed to retain our fisheries, and that the questions in dispute should be settled; but Her Majesty's Government, taking the strong ground that their acceding to our wishes would be tantamount to a surrender of the fisheries, the Canadian Government reluctantly said that, from a desire to meet Her Majesty's Government's views as much as possible, and not to allow it to be felt in England that from a selfish desire to obtain all we desired, we had frustrated the efforts of Her Majesty's Government to secure peace, we consented that this proposition should be made. And, Sir, this proposition was made to the United

States. Although I do not know it as a matter of certainty, I have reason to believe that it had not been for the action of this Legislature had been offered by the United States an Act for the purpose of ratifying a Treaty in which coal and salt and lumber from Canada would be received into the United States free of duty. (Hear, hear.) I have reason to believe that had it not been for the interposition of this Legislature, and I speak now of political friends as well as foes, the terms which were offered by the United States would have been arbitration, and would have constituted a portion of the Treaty instead of what it is now. (Applause.) I will tell the House why I say so. The offer was made early by the United States Government. The answer made by the British Commissioners was that, under the circumstances, it was not a fair and adequate compensation for the privileges that were asked, and the British Commissioners, at the suggestion of the Canadian Government, referred the question to Her Majesty's Government whether they ought not—in addition to this offer of the United States—to expect a pecuniary compensation, that pecuniary compensation to be settled in some way or other. That took place on the 25th March, 1871. On the 25th of March I think the final proposition was made by the United States Government, and on the 22nd March, two days before, the resolution was carried in this House, by which the duty was taken off coal and salt and the other articles mentioned. Before the resolution was carried here, no writing was expressed against the taking off of the duty on Canadian coal and salt into the United States. No one raised any difficulty about it. I am as well satisfied as I can be of a thing which I did not see occur, that the admission of Canadian coal and salt into the United States would have been placed in the Treaty if it had not been for the action of this Legislature on the 25th March. (Hear, hear.) That offer was made, and it was referred to England. The Government stated that they quite agreed in the opinion that in addition to that offer there should be compensation in money, and then on the 17th April the American Commissioners withdrew their offer—as they had thought to do—altogether. And why did they withdraw the offer, altogether? One of the Commissioners in conversation said to me, "I am quite surprised to find the opposition that has sprung up to the admission of Canadian coal and salt into our market; I was unprepared for the feeling that is exhibited." I know right well what the reason was. The monopolizers having the control of American coal in Pennsylvania and in New York, and so long as the Treaty would open to them the market in Canada for their products, were quite willing that it should carry, because they would have the advantage of both markets; but when the duty was taken off in Canada, when you had opened the market to them, when they had the whole control of the own market, and had closed one branch of the Legislature of the United States making coal and salt free and stood ready to be passed by the other branch, the Senate. It was believed at that time that the American Congress for its own purpose and in the interest of American people was about to take the duty off these articles, and therefore the Commission considered that some arrangement in any way a compensation, as Congress was going to take off the duty whether there was a Treaty or not. 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Although I do not know it as a matter of certainty, I have reason to believe that it had not been for the action of this Legislature had been offered by the United States an Act for the purpose of ratifying a Treaty in which coal and salt and lumber from Canada would be received into the United States free of duty. (Hear, hear.) I have reason to believe that had it not been for the interposition of this Legislature, and I speak now of political friends as well as foes, the terms which were offered by the United States would have been arbitration, and would have constituted a portion of the Treaty instead of what it is now. (Applause.) I will tell the House why I say so. The offer was made early by the United States Government. 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I am as well satisfied as I can be of a thing which I did not see occur, that the admission of Canadian coal and salt into the United States would have been placed in the Treaty if it had not been for the action of this Legislature on the 25th March. (Hear, hear.) That offer was made, and it was referred to England. The Government stated that they quite agreed in the opinion that in addition to that offer there should be compensation in money, and then on the 17th April the American Commissioners withdrew their offer—as they had thought to do—altogether. And why did they withdraw the offer, altogether? One of the Commissioners in conversation said to me, "I am quite surprised to find the opposition that has sprung up to the admission of Canadian coal and salt into our market; I was unprepared for the feeling that is exhibited." I know right well what the reason was. The monopolizers having the control of American coal in Pennsylvania and in New York, and so long as the Treaty would open to them the market in Canada for their products, were quite willing that it should carry, because they would have the advantage of both markets; but when the duty was taken off in Canada, when you had opened the market to them, when they had the whole control of the own market, and had closed one branch of the Legislature of the United States making coal and

articles reserves to Canada the right of rejection or adoption, and it is for this Parliament now to say whether under all the circumstances it shall ratify or reject them. The papers that have been laid before the House show what was the opinion of the Canadian Government. Under the present circumstances of that question, the Canadian Government believe that it is for the interest of Canada to accept the Treaty, to ratify it by legislation. (Hear, hear.) They believe it is for the interest of Canada to accept it, and they are more inclined to believe it from the fact which I must say has surprised me, and surprised my colleagues, and has surprised the country—that the portion of the Treaty which was supposed to be most unpopular and most prejudicial to the interests of the Maritime Provinces has proved to be the least unpopular. (Hear, hear.) Sir, I could not have anticipated that the Canadian fishermen, who, to a man, were opposed to the Treaty, an indication upon them a wrong count, would be reconciled to it. I could not have anticipated that the fishermen of the Maritime Provinces, who, at first expressed hostility, would now, with a few exceptions, be anxious for its adoption. (Hear, hear.) In reviewing these articles of the Treaty, I would call the consideration of the House to the fact that their scope and aim have been greatly misrepresented by that portion of the Canadian press which is opposed to the present Government. It has been alleged to be an ignominious sale of the property of Canada, a bartering away of the territorial rights of this country for money. Sir, that allegation could not be more utterly unfounded than it is. (Hear, hear.) It is in relation to the fact that the territorial rights of Canada than was the Treaty of 1854. The very basis of this Treaty is reciprocity. (Hear, hear.) To be sure it does not go so far and embrace so many articles as the Treaty of 1854. I am sorry for it. I fought hard that it should be so, but the terms of this Treaty are terms of reciprocity, and the very first clause may be cited as sufficient evidence upon that point, for it declares that Canadians shall have the same right to fish in American waters that Americans will have under the Treaty to fish in Canadian waters. True, it may be said that our fisheries are more valuable than theirs, but that does not affect the principle. The principle is this—that we will not be a party to a reciprocity arrangement and going as far in the direction of reciprocity as possible, endeavouring to carry out a reciprocity law although not a reciprocity treaty in form. The principle is the same in each case, and as regards the Treaty that has been negotiated it is not confined to reciprocity in fish. It provides that the products of the fisheries of the two nations shall be free, and that the products of the fisheries of the one nation shall be free to the other nation, and that the products of the fisheries of the one nation shall be free to the other nation, and that the products of the fisheries of the one nation shall be free to the other nation. (Hear, hear.) Now, if there is anything approaching to the dishonourable and the degrading in these proposals, I do not know the meaning of those terms. (Hear, hear.) This provision may not be one that will meet the acceptance of the country, but I say that the manner in which it has been characterized was a wilful and deliberate use of language which the parties employing it did not believe at the time to be accurate, and to which they resorted for political reasons and in order to create misapprehensions in the country. Sir, there was no humiliation. Canada would not tolerate an act of humiliation on any part of its Government; and England would neither advise nor permit one of her faithful colonies to be degraded and cast down. (Cheers.) But it is said that the American fisheries are of no value to us. They are not very valuable, it is true, but still they have a substantial value for us in this way—that the exclusion of Canadian fishermen from the American coast fisheries would have been great loss to the fishing interests of the Maritime Provinces, and I will tell you why. It is quite true that the mackerel fishery, which is the most valuable fishery on these coasts, belongs to Canada, and that the mackerel of the American coast is far inferior in every respect to the Canadian, but it is also true that in American waters there have been the favourite bait to catch the mackerel, and is found, and it is so much the favourite bait that one fishing vessel having this bait on board will draw away a whole school of mackerel in the very face of vessels having an inferior bait. Now, the value of the privi-

lege of entering American waters for catching that bait is very great. If Canadian fishermen were excluded from American waters by any combination among American fishermen or by any Act of Congress, they would be deprived of getting a single ounce of the American fishermen might catch, and that object, or a law might be passed by Congress forbidding the exportation of menhaden; but by the provision made in the Treaty, Canadian fishermen are allowed to enter into American waters to procure the bait, and the consequence of that is that no such combination can exist, and Canadians can purchase the bait and be benefited on equal terms with the Americans. (Hear, hear.) It is thus seen, Sir, that this Reciprocity Treaty is not a mere matter of sentiment—it is a most valuable privilege which is not to be neglected, or despised, or sneered at. With respect to the language of these articles, some questions have been raised and placed on the paper, and I have asked the hon. gentleman who were asked to postpone doing so, and I now warn members—and I do it with the most sincere desire to protect and vindicate the interests of Canada—if this Treaty becomes a Treaty, and we ratify the fishery articles, I warn them not to raise questions which otherwise might not be raised. I think, Mr. Speaker, there is no greater offence in such a discretion can be used than in not suggesting any doubt. With respect, however, to the question which was put by the hon. member for the county of Charlotte—and it is a question which might well be put, and which requires some answer—I would state to that hon. gentleman, and I think he will be satisfied with the answer, that the Treaty of 1871 in relation to this question refers to a larger and wider in its provisions in favour of Canada than was the Treaty of 1854, and that under the Treaty of 1854 no question was raised as to the exact locality of the catch, but all fish brought to the United States market by Canadian vessels were free. I say this advisedly, and I will discuss it with the hon. gentleman who may choose to give me the opportunity. The same practice will, I have no doubt, be continued under the Treaty of 1871, unless the people of Canada themselves raise the objection. The warning I have just now expressed I am sure the House will take in the spirit in which it is intended. No hon. member is this that will be presented to me, but I feel it my duty to call the attention of the House to the necessity for great prudence in not raising needlessly doubts as to the terms of the Treaty. It will be remembered that we have not given all our fisheries away. The Treaty only applies to the fisheries of the United States, and the fisheries of Canada, in order that the area should be wilfully, it is provided that it shall only apply to the fisheries of Quebec, Nova Scotia, New Brunswick, and Prince Edward Island; so that the Treaty does not allow the Americans to have access to the Pacific coast fisheries, nor yet to the inexhaustible and priceless fisheries of the Inuit Bay. There is a great loss of revenue yet undeveloped, but after the Treaty is ratified they will develop rapidly; and in twelve years from now, when the two nations sit down to reconsider the circumstances and readjust the Treaty, it will be found that other and greater wealth will be at the disposal of the Dominion. I may be asked—though I have not seen that the point has excited any observation—why were not the products of the lake fisheries laid open to both nations, and in reply may say that those fisheries were excepted at my instance. The Canadian fisheries on the north shore of the great lakes are most valuable. By a judicious system of protection and protection we have greatly increased that source of wealth. It is also known that from a concurrence of circumstances and from situation, the fisheries on the south shore are not nearly so valuable as ours, and it therefore appeared that if we once allowed the American fishermen to have admission to our waters with their various engines of destruction, all the care taken for many years to cultivate that source of wealth would be disturbed and injured and really prejudiced, and there would be no end of quarrels and dissatisfaction in our narrow waters, and no reciprocity, and therefore that Canada would be much better off by preserving her own inland fisheries and her own fisheries, and by opening the American markets with the products of those fisheries. This was the reason why the lake fisheries were not included in this arrangement. Now, Sir, under the present circumstances of the case, the Canadian Government have decided to press

upon this House the policy of accepting this Treaty and ratifying the Fishery articles. I may be liable to the charge of injuring our own case in discussing the advantages of the arrangements because every word may be so noted and used as evidence against us hereafter. The statement has been so thrown broadcast that the arrangement is a bad one for Canada, that in order to show to this House and the country that it is one that can be accepted, one is obliged to run the risk of his language being used before the Commissioners to settle the amount of compensation as an evidence of the value of the Treaty to us. It seems to me that in looking at the Treaty in a commercial point of view, and looking at the question whether it is right to accept the articles, we have to consider mainly that interest which is most peculiarly affected. Now, unless I am grossly misinformed, the fishery interests in Nova Scotia, with one or two exceptions for local reasons, are altogether in favour of the Treaty. (Hear, hear.) They are anxious to get free admission for their fish into the American market, that they would view with great sorrow any action of this House which would exclude them from that market, that they look forward with increasing confidence to a large extension of their trade and to a great industry; and I say that that being the case—if it be to the interest of the fishermen and for the advantage of that branch of national industry setting aside all other considerations—we ought not wilfully to injure that interest. Why, Sir, what is the fact of the case as it stands? The only market for the Canadian No. 1 mackerel in the world is the United States market, our only market and we are practically excluded from it by the present duty. The consequence of that duty is that our fishermen are at the mercy of the American fishermen. They are made the hewers of wood and the drawers of water for the Americans. They are obliged to sell their fish at the American market price. The American fishermen purchase their fish at a nominal value and control the American market. The great profits of the trade are reaped over to the American fishermen or the American merchants engaged in the trade, and they profit to the loss of our own industry and our own people. Let any one go down the St. Lawrence on a summer trip, and he will find that the duty on the duty of the steamer to a fisherman in his boat and sea for what a nominal price you can secure the whole of his catch, and that is from the absence of a market and from the fact of the Canadian fishermen being completely under the control of the foreigner. With the duty off Canadian fish, the Canadian fishermen would be able to sell their fish at the right time when he can obtain the best price to the American market and thus be the means of opening a profitable trade with the United States in exchange. If, therefore, it is for the advantage of the Maritime Provinces, including that portion of Quebec which is also largely interested in the fisheries, that this Treaty should be ratified and that the great market should be opened to them, on what ground should we deprive them of this right? Is it not a selfish argument that the fisheries can be used as a lever in order to gain reciprocity in flour, wheat and other cereals? Are you to shut our fishermen out of this great market in order that you may coerce the United States into giving you an extension of the reciprocal principle? Why, Mr. Speaker, if it were a valid argument it would be a selfish one. What would be said by the people of Ontario if the United States had offered, for their own purposes, to admit Canadian grains free and Nova Scotia had objected, saying—"No, you shall not have that market; you must be deprived of that market for ever because we are a protectionist country, and we lose all that great advantage until we can get a market for our fish." Apply the argument in this way and you will see how selfish it is. But the argument has no foundation, no basis of fact, and I will show this House why. In 1854, by a strict and rigid observance of the principle of exclusion, the American fishermen were driven out of those waters. At that time the United States were in debt, and they had a large capital invested in their fisheries. Our fisheries were then in their infancy. They were a "feeble" people, just beginning as fishermen, with little capital and little skill, and their operations were very restricted. I do not speak disparagingly, but in comparison with the United States. The United States were in an absence of capital and skill. The United States were free from taxation; they had this capital and skill, and all they wanted was our Canadian waters in which to invest that capital and exercise that skill. But how is it altered? Now our fisheries

are no lever by which to obtain reciprocity in grain. What do the United States care for our fisheries? The American fishermen are opposed to the Treaty. Those interested in the fisheries are sending petitions after petitions to the United States Government, and Congress praying that the Treaty may be rejected. They say they do not want to come into our waters. The United States Government have gone into this Treaty with every desire to settle all possible sources of difficulty. Their fishermen complain that they will suffer by it, but the United States Government desire to meet us face to face, hand to hand, heart to heart, to have an amicable settlement of disputes. They know that they are not making political friends or gaining political strength, because interests most affected by the fishery articles are against the Treaty, but they desire that the feelings which arose during the civil war and from the *Adams case* should be forgotten, and a feeling of friendship has grown up between the nations and it can be no other desire than to foster and encourage that feeling which dictates the agreeing to these particular articles. If, then, Canada objects to the treaty the United States Government will simply say—"Well, if you do not like these arrangements, reject them; and the consequence be on your own head if the friendship is unacceptably commenced in at any time broken by unhappy collisions in your waters."

It being six o'clock Mr. Speaker left the chair.

ARTER RECESS.

Sir JOHN MACDONALD resumed his speech. I am sincerely and most apologetic to the House for the subject before the House so far. I was showing, as well as I could, my opinion and my reasons for that opinion, that under the circumstances the Treaty, although it is not what we desire, and although it is not what I pressed for, ought to be accepted. I shall not pursue that line of argument, but I will say, as during the discussion of the measure, I have no doubt that I shall have again an opportunity to re-urge those and further views on the same subject, as they may occur to me, or as they may be elicited. I shall, however, call the serious attention of the House, and especially of those members of the House who have given attention to the question in dispute, as regards the validity of the several treaties between the United States and England, and to the importance of this Treaty in this respect, that it sets at rest now and for ever the disputed question as to whether the convention of 1818 was not repealed and obliterated by the Treaty of 1854. This question, Mr. Speaker, which I have occupied that attention of the United States jurists and has been the subject of serious and elaborate discussions. From my point of view the pretension of the United States is erroneous, but it has been constantly pressed—and we know the pertinacity with which such views are pressed by the United States; we have an example in the case of the navigation of the River St. Lawrence, which, while it was a territorial question in 1822 to 1826, and was apparently settled then for ever between the two nations, was revived by the President of the United States in his Address of 1870, and the difference between the point of view as pressed in 1828 by the United States and that pressed in 1870, was shown by the result of the treaty. (Mr. Speaker—Hear, hear.) And, Sir, it was of great importance, in my point of view that this question which has been so pressed by American jurists, and considering also the pertinacity with which such views are urged, should be set at rest for ever. The question has been strongly put in the *American Law Review* of April, 1871, in an article understood to have been written by George Parsons, a jurist of standing in the United States, and that paper, I believe, expresses the real opinion of the writer, erroneous although I hold it to be, and his candour is shown by this fact, as well as from the known standing of the man, that in one portion of the article he demolishes the claim of the American fishermen to the right to trade in their own waters. I will now read the argument that the claim of the American fishermen to enter our harbours for any purpose other than wood, water, and shelter is without foundation. The view taken by that writer and others, and among them by a writer whose name I do not know, but whose papers are very valuable from their value as a precedent in the *New York Nation*—I suppose the Treaty of 1783 was a Treaty of peace, a settlement of a boundary, and a division of country between two nations. The United States contended that that Treaty was in force and is now in force, and was a Treaty respecting the bound-

ary, and war of 1812, by the United States to enter and to permit was not 1814. On that look will find threaten only set of the Con claims of our shore however terest to carefully I will not that argue arges to "We sh 1818 is an rights of Peace of 17 "Since t loss, the Provinces, and it di that the provisions should by this session an) to all the propos in full force have been founda Eastern T we shall the conv secondly, a free trade was not al "Article in 1800, nature, an national of the British ter 1813, and the provis now entit Newfound all the case tantic Ma ocean fish is created a ruder. "The principle is to be adopted and made Great Brit I quoting shall e mean s that it is forever writers of whom this T it is a f Govern 1818, v particular and that tion h that w was eq th) co this 2 waters prof maintain by a T mission the g as an an colli tinnal portic fishan of the free in its land by the State Pres Her tion pow their wout rive limi of the cont larv navy of and

purpose of commerce only—"to the citizens of the United States, subject to any taxes and regulations of Great Britain or of the Dominion of Canada, not inconsistent with such privilege of free navigation. Now, Mr. Speaker, I shall allude to one subject 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 the improvement of these waters. There were also appropriations made—I forget whether by the United States, by the State of Michigan, or by private individuals—for the purpose of improving these waters, and the United States made a canal through the St. Clair Flats. The question then arose whether this canal was within Canadian territory or within that of the United States. I have no doubt that the engineering officer 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 what can learn, subsequent observations proved that to be the case.

Mr. MACKENZIE—Hear, hear.
 Sir JOHN 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, and show that the Treaty which treats the canal is in Canada. An argument might be founded in favour 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 alone and confined with that language the evidence of those witnesses of old to navigate those channels. I admit that an argument might be based on the language of the report when it speaks of the old ship channel, and that from 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. The Commissioners not only made a report, but they added to it a map to which they placed their signatures, and to any one reading the report with the map, and holding the map as a portion of the report, the canal will appear to be entirely 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 explained and defined the meaning of the language of the report, so that Her Majesty's Government declined to argue a proposition so unworthy of being urged, that the map was not binding and obligatory upon them. But, Sir, "out of the nettle danger we pluck the flower safety." The House will see by looking at the clause 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 the canal is to be used by the people of the United States. In the speech of my hon. friend to which I have referred, he says that the canal 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 to the United States. They 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 opening 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 revenues 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 our own means of transport on the St. Lawrence. The fact that the American press has occasionally called for the abolition of the system is a proof of the boon which they consider it to be. They have said, at times when they thought an unfriendly feeling existed towards them in Canada, that if Canadian roads be so impudently 'evey should be deprived of this system and allowed to remain copped up in their frozen country. If the United States ever conceived the folly of injuring their carrying trade by adopting a hostile policy in that respect—and they have occasionally, as we know, adopted a policy towards us adverse to their commercial interests—they could do so before this Treaty was ratified. They cannot do so now. For twelve years we have a right to the bonding system from the United States, over all their avenues of trade, and long before that time expires, I hope we shall have the Canadian Pacific Railway reaching to the Pacific Ocean, and with the International Railway reaching to Texas, we shall have a most important line from one seaboard to the other. (Cheers.) This Sir, is one of the substantial advantages that Canada has obtained by the Treaty. Then, Sir, the 30th article conveys a most valuable privilege to the railways of Canada, that are running from one part of the country to another, and I must take the occasion to say that if this has been the result of the consideration of the American Government and the American Commissioners at Washington, much of the merit is due to the hon. member for Lincoln (Mr. Merritt.) He it was who supplied me with the facts; he it was who called attention to the great wrong to our trade by the Act of 1861, and impressed by him with the importance of the subject, I was enabled to urge the adoption of this article, and to have it made a portion of the Treaty. Now, Sir, that this is of importance you can see by reading the Buffalo papers. Some time ago they were crying out that entrance had been made by this wedge which was to ruin their coasting trade, and that the whole coasting trade of the lakes was being handed over to Canada. Under this clause, if we choose to accept it, Canadian vessels can go to Chicago, can take American produce from American ports, and carry it to Windsor or Collingwood, or the Welland Railway, and then to American ports, and can be in bond from those and other points along our railways, giving the traffic to our vessels by water and our railway by the land to Lake Ontario, and can then be reshipped by Canadian vessels to Oswego, Ogdensburg, or Rochester, or other American ports, so that this clause gives us in some degree, a relaxation of the exclusive bond from an exclusive coasting system of the United States. (Hear, hear.) And I am quite sure that, in this age of railways, and when the votes and proceedings show that so many new railway undertakings are about to start, that this will prove a substantial improvement on the former state of affairs. There is a provision that, in the exercise of the discretion of the Government, a differential scale of tolls on any vessels passing through our canal, and if by New Brunswick should continue her export duties on lumber passing down the River St. John, the United States may withdraw from this arrangement; so that it will be hereafter, if the Treaty be adopted, and this Act passed, a matter for the consideration of the Government of Canada in the first place, and of the Legislature in the next, to determine whether it is expedient for them to take advantage of this bond that is offered to them. As to the expediency of their doing so I have no doubt, and I have no doubt Parliament will eagerly seek to gain and establish those rights for our ships and our railways. (Hear, hear.) The only other subject of peculiar interest to Canada in connection with the Treaty—the whole of it of course is interesting to Canada as a part of the Empire—but speaking of Canada as such, and of the interest taken in the Treaty locally—the only other subject is"—in manner of disposing of an annual boundary question that is settled in a way that no one can object to. I do not know whether many hon. members

have ever studied that question. It is a most interesting one, and has long been a cause of controversy between the two countries. I am bound to uphold, and I do uphold, the position of the Government, and which forms the boundary, as the correct one. The United States Government were, I believe, as sincerely convinced of the justice of their own case. Both believed they were in the right; both were firmly grounded in that opinion, and such being the case there was only one way out of it, and that was to have it to be settled by impartial arbiters. The House has four or five arbiters that no more distinguished arbiters could have been selected than the Emperor of Germany. In the examination and decision of the question he will have the assistance of as able and eminent jurists as any in the world, for there is nowhere a more distinguished body than the jurists of Germany, who are especially familiar with the principles and practice of international law. Whatever the decision may be, whether for England or against it, you may be satisfied that you will get a most learned and careful judgment in the matter, to which we must bow, if it is against us, and to which, I am sure, the United States will bow if it is against them. (Hear, hear.) I think, Sir, I have now gone through all the articles of interest connected with Canada. I shall now allude to one omission from it, and then I shall have done, and that is the omission of allusion to the settlement of the Fenian claims. That Canada was deeply wronged by those outrages, known as the Fenian raids, in 1867, and 1868, I have admitted it, and we all feel it. We felt deeply grieved when those raids were committed, and the belief was general, in which, I must say, I share, that sufficient vigilance and due diligence were not exercised by the American Government to prevent the organization within their territory of bands of armed men openly hostile to the Government of England, and an end to incursions by men who carried war over our border, slew our people, and destroyed our property. It was, therefore, proper for us to press upon England to seek compensation at the hands of the American Government for these great wrongs. As a consequence of our position as a colony we could not do this. England had no means or authority to do it directly ourselves, and consequently we urged our case upon the attention of England, and she consented to open negotiations with the United States upon the subject. In the instructions it is stated that Canada had been invited to send in a statement of her claims to England, and that it had not done so, and I dare say it will be charged—indeed I have seen it stated in some of the newspapers that that was an instance of Canadian neglect. Now, it is not an instance of Canadian neglect, but an instance of Canadian caution. (Hear, hear.) Canada had a right to press for the payment of those claims, but never amounting to the sum of \$1,000,000. Her people repel the incursions that have been taken out of the public treasury of Canada, and had to be raised by the taxation of the country. Not only had they a right to press for that amount, but every individual Canadian who suffered in person or property, because of those raids, had right to compensation. It was not for individuals however, to put a line to those claims and to state what amount of money would be considered as a satisfactory liquidation of them. It has never been the case when Commissions have been appointed for the settlement of such claims to hand in those claims in detail before the sitting of the Commission. The principle should be established, that the demand should be made by England upon the United States, that that demand should be acquiesced in, that the question of damages should be referred to a tribunal like that now sitting at Washington for the investigation of claims connected with the civil war in the South, that time should be given without the Canadian Government as a Government, and every individual Canadian who suffered by those outrages, should have an opportunity of filing their claims, of putting in an account, and of offering proof to establish their right to indemnity. The Canadian Government carefully avoided, by any statement of their views, the placing of a limit upon those claims in advance of an examination by such a commission, and I think the House and country will agree that we acted with due discretion in that respect. (Hear, hear.) Now, one of the protocols will show the result of the demand for indemnity. The demand was made by the British Commissioners that this question should be referred to a tribunal to be selected by the United States, and that the ground that the consideration

of these claims was not included in the correspondence and reference. In doing that they took the same ground that my hon. friend the member for Sherbrooke, with his usual readiness and appreciation of the value of language, took with the matter was discussed in this House before my departure for Washington. He said then that he greatly doubted whether, under the correspondence which led to the appointment of the High Commission, it could be held that the Fenian claims were to be considered, and although my hon. friend the Minister of Marine, through the High Commission, held that those claims were included, I myself could not help feeling the strength of the argument advanced by the hon. member for Sherbrooke, and I stated at the time that I thought there was great weight in the objection which he pointed out. The American Commissioners, as the event proved, raised that objection, maintaining that the point was not included in the correspondence in which the subjects of deliberation were stated, and when it was proposed to them by the British, the American Commissioners declined to ask their Government for fresh instructions to enlarge the scope of their duty in that respect. Now we could not help that. There was the correspondence to speak for itself, and it was a matter of considerable doubt whether those claims were included in it. The British Ambassador represented that he had always thought that the correspondence did include them, and he was struck with surprise—perhaps I ought not to say surprise, for that was not the expression he used—when he saw the correspondence, and the impression that it had been regarded by all parties that they were covered by the correspondence. Still, let any one read those letters, and he will find it is very doubtful. As it was doubtful, and as objection was raised on that ground, the British Commissioners had no objection to the American Commissioners to determine the doubt in their favour, and force those claims upon their consideration. The consequence was that they were omitted from the deliberation of the Commission. Whose fault was that? Certainly not ours. It was the fault of Her Majesty's Government in not mandating in due language, in terms which could not be misinterpreted, that the investigation of those claims should be one of the matters dealt with by the Commission. (Hear, hear.) It was a great disappointment to my colleagues in Canada that the objection was taken, and that all hope of getting redress for the injury done by those Fenian raids was destroyed. The Hon. member for Washington was concerned, in consequence of the defective language of the correspondence, and the defective nature of the submission to the Commissioners. Now, England was responsible for that error. England had promised to make the demand, and England had failed to make it. Not only that, but Her Government had not taken the responsibility of withdrawing the claim altogether, and Mr. Gladstone fully assumed all the responsibility of this step, and relieved the Canadian Government from any share in it, when he stated openly in the House of Commons that the Imperial Government had seen fit to withdraw the claims, but that they had done so with great reluctance and sorrow for the manner in which Canada had been treated. Canada, therefore, had every right to look to England for that satisfaction which she failed to receive through the inadequacy of the correspondence to cover the question. England, by taking the responsibility of declining to press the claims, put her, if in the present state of the world, as she is, a fair and reasonable right to look to her to assume the responsibility of settling them. She did not decline that responsibility, and the consequence has been that, although we failed to obtain redress from the United States for those wrongs, we have had an opportunity of securing compensation from England which would not have been offered to us if it had not been for the step taken by this Government. (Hear, hear.) But, Sir, we are told that it is a great humiliation for Canada to take this money, or rather this money's worth. Why, it is our due; we are entitled to it, and we must have it from some one. England refused to ask for us from the United States, and she accepted of the responsibility which that refusal involved. She was wise in accepting that responsibility. She must take the consequences, and she is willing to do so. But the Canadian Government, on the other hand, "are unwilling that the compensation which England thus acknowledged was due to us, but they should take it, and we were unwilling that it should be the payment of a cer-

tain amount strong accept first pl amounty spectac line the pressin England and put on which treasur colony between try, w friendly placed uly a without pence of upon he more g advantage compen This w in the b ries, an promise (Hear, God, is known tugs.) in the Ho to guerd any w hands i farthing time th this gu of which great w underta ably, bly, the Fir advance endores to the E the Eng to Canada of English success (Cheer, ingout t to take so worth minion- ing us, many a singularly been g any, and any ide giving solid, o obtain on our it this will put dreame lieve in colonies a more advanced inaction that is, that it this kind in 1841 the origina tion t 1865 fortific to of guaran Railwa this c English cepts th claims by no bility of his and that it take a factor in all ft co to k She sh go, an ceptin Canada but al fealy Treat your compa

not included in the course. In doing that ground that my hon. Mr. Sherbrooke, with his appreciation of the value of the matter, was dissatisfied before my departure. He said then that he would, under the course to the appointment of it could be held that it should be considered, and I might fairly be included in the feeling the argument advanced for Sherbrooke, and I thought there was no objection which his American Commissioners, raised that objection, in which the subject, stated, and when it was the British, the American declined to ask their instructions to enlarge duty in that respect. I thought that there was no objection to it, and it was a doubt whether it should be included in it. The Government in not of our great public enterprise, (Cheers.) No one can say now, when England is sending out one of her distinguished statesmen to take the place of the nobleman who now so worthily represents Her Majesty in the Dominion—no one can say, when England is sending us, endorsing a loan spreading over so many years, and which will not be finally extinguished till most of us are here will have been gathered to our fathers—no one can say, under these circumstances, that she has any idea of separating herself from us and giving up the colonies. (Cheers.) The solid, substantial advantage of being able to obtain money on better terms than we could on our own credit alone is not the only benefit of this guarantee, but it is a benefit, for it will put a finish also to the hopes of all dreamers or speculators who desire or believe in the alienation and separation of the colonies from the mother country. That is a more incalculable benefit than the mere advantage of England's guarantee of our financial stability—great and important as that is. (Loud cheers.) Yes, but it is said that it is a humiliation to make a bargain of this kind! Why, Sir, it was no humiliation in 1841 to obtain an Imperial guarantee for the loan necessary to construct the canal originally. It was not considered a humiliation to accept a guarantee for £1,400,000 in 1866 for the purpose of building fortifications; nor was it a humiliation to accept a guarantee of £4,000,000 upon a similar guarantee to construct the Intercolonial Railway. Why is it a humiliation, then, in this case to accept the guarantee, when England voluntarily comes forward and accepts the responsibility for withdrawing our claims in respect to the Fenian raids? It was by no prompting from us that that responsibility was assumed, for Mr. Gladstone rose of his own motion in the House of Commons, and by accepting the responsibility admitted that it should take a tangible shape. It did take such a shape, and I say a most satisfactory shape, in the guarantee of £2,500,000 immediately, and we may say of £4,000,000 in all ultimately. (Cheers.) But I hear it is objected that the Government ought not to have made a bargain at all. She should have allowed the Fenian claims to stand, and dealt with the Treaty separately, accepting or rejecting it on its merits. Sir, Canada did not make a bargain of that kind; but she went fairly and openly to Her Majesty's Government, and said here is a matter which I have negotiated through your influence, and which affects important commercial interests in this country. It is

unpopular in Canada in its commercial aspect, but is urged on us for Imperial causes and for the sake of the peace of the Empire; but the pecuniary interests of Canada should be considered, and the undoubted claims of Canada for the Fenian outrages has been set aside. We may well, therefore, call upon you to strengthen our Lands by showing that you are unwilling to sacrifice Canada altogether for Imperial purposes solely." Sir, we asked that for Canada, and the response was immediate and gratifying, except that England did not accept the whole of our proposition to guarantee a loan of £4,000,000. But I am as certain as I am standing in this House, and I am not speaking without book, that had it not been for the unfortunate cloud that arose between the United States and England, which threatened to interrupt the friendly settlement of all questions between them, but which I am now happy to see dispelled, the million sterling which we have been remitted by England permitting us to add to the £2,500,000 the £1,400,000 which she guaranteed some years since to be expended on fortifications and other defensive preparations. That money had not been expended, and there would now have been no object in applying it for the construction of works which would have been a standing menace to the United States, and which would have been altogether out of place immediately after signing a treaty of peace and amity. I do not hesitate to say, and I repeat, I am not speaking without book, that I believe a proposition of that kind would have been acceptable to Her Majesty's Government, when the object was, when those who saw a possibility of this Treaty being held as a nullity, and when there was danger of the relations between the two countries returning to the unfortunate position in which they were before, then was not the time for England to ask us for us to propose to give up the idea of fortifying our frontier, when the object was to have peace, and then not the time either for the Canadian Government to show an unwillingness to spend money upon these works, or to defend and retain the Dominion as a dependency of the Sovereign of England. (Cheers.) I say, therefore, that, while we are actually receiving a guarantee of £2,500,000, the relations of England to the United States are again brought into harmony, and the lowering cloud which recently sprung up is removed, and removed in such a way as never to appear again, then it may fairly be thought, it may reasonably be calculated upon, that we will have a guarantee of the full amount of £4,000,000 in order to carry out the great improvement which has been entered upon. The Finance Minister has shown you the advantages which will flow from that arrangement, and it would be presumption in me to add a word to what he has so well said upon that point, which is in the highest degree satisfactory to this House, and in the highest degree also satisfactory to the people of the country. (Cheers.) I shall simply sum up my remarks, saying that, with respect to the treaty, I consider that every portion of it is unobjectionable to the country unless the articles connected with the fisheries may be considered objectionable. With respect to those articles I ask this House fully and calmly to consider the circumstances, and I believe if they fully consider the situation that they will say it is for the good of Canada that those articles should be ratified. Reject the Treaty, and you do not get reciprocity. Reject the Treaty, and you leave the fishermen of the Maritime Provinces at the mercy of the Americans. Reject the Treaty, and you do not get an aid, you both her moral and physical support, although you will not adopt her policy. Reject the Treaty, and you will find that the bad feeling which formerly, and until lately, existed in the United States against England, will be transferred to Canada; the United States will say, and say justly, "Here, when two great nations like England and the United States have settled all their difficulties, all their quarrels, upon a perpetual basis, these happy results are to be frustrated and endangered by the Canadian people, because they have not got the value of their fish for ten years." (Cheers.) It has been said by the honourable gentleman on my left (Mr. Howe) in his speech to the Long Meeting, "Christian Association of Canada, had sacrificed the interests of

Canada. If England has sacrificed the interests of Canada, what sacrifice has she not made herself in the cause of peace? Has she not, for the sake of peace between these two great nations, renounced herself liable, leaving out all indirect claims, to pay millions out of her own treasury? Has she not made all this sacrifice, which only Englishmen and English statesmen can know, for the sake of peace, and for whose good she has made it? Has she not made it principally for the sake of Canada. (Loud cheers.) Let Canada be severed from England—let England not be responsible to us and for us—and what could we do with the United States do to England? Let England withdraw herself into her shell and what can the United States do? England has got the supremacy of the sea. She is impregnable in every point but one, and that point is Canada; and if England does call upon us to make a financial sacrifice, does she find it for the good of the Empire that we, England's first colony, should be the cause of anxiety and a source of danger, and I think that, if we are worthy to hold that position as the right arm of England, we should not object to a sacrifice of this kind when so great an object is attained, and the object is a great and lasting one. It is said that amities between nations cannot be perpetual. I say that this Treaty, which will give us peace, will not be a source of danger, if it is carried into effect, removes all possibility of war. If ever there was an irritating cause of war it was from the occurrence arising out of the escape of those vessels, and when we see the United States' people and Government forget this irritation, forget those occurrences, and submit such a question to arbitration, the arbitration court, the disinterested tribunal that have established a principle which can never be forgotten in this world. No future question is ever likely to arise that will cause such great irritation as the escape of the *Alabama* did, and if they could be got to agree to leave such a matter to the peaceful arbitration of a friendly power, what can we quarrel on in the imagination of man occur, that will not be the same pacific solution that is sought for in this? I believe that this Treaty is an epoch in the history of civilization; that it will set an example to the wide world that must be followed; and with the growth of the Anglo-Saxon family, and with the development of the right of arbitration to the world, I believe that the principle of arbitration will be advocated and adopted as the sole principle of settlement of differences between the English speaking peoples, and that it will have a moral influence in the world; and although it may be opposed to the antecedents of other nations, that great moral principle of arbitration, which has been the Anglo-Saxon family will spread itself over all the civilized world. (Cheers.) It is not much to say that it is a great advance in the history of mankind, and I should be sorry if it were recorded that it was stopped for a moment by a selfish consideration of the interests of Canada. Had the Government of Canada taken the course which was quite open to them to recommend Parliament to reject these articles, it might have been a matter of some interest as to what my position would have been. I am here, at all events, advocating the ratification of the Treaty, and I may say, notwithstanding the taunts of hon. gentlemen opposite, that although I was chosen for the position of a Commissioner, not only because I was a Canadian, but presumably because I was a member of the Canadian Government, yet my commission was given to me as a British subject, as it was to Sir Stafford Northcote and other members of the Commission. I went to Washington as a plenipotentiary, as Her Majesty's servant, and was bound by Her Majesty's instructions, and I would have been guilty of dereliction of duty if I had not carried out those instructions. And, Sir, when I readily joined under the circumstances in every word of that Treaty with the exception of the fishery articles; and when I succeeded in having inserted in the Treaty a reservation to the Government of the United States, and I would have accepted or refused that portion of it, had no difficulty as to my course. (Cheers.) I did not hesitate to state that, if that clause had not been put in, I would have felt it necessary to resign my commission. I was perfectly aware in taking the course I did of signing the Treaty that I should be subject to the same objections which were made in Canada, from Washington, that well I knew

the storm of obloquy that would meet me on my return, and before even I crossed the border I was complimented with the name of "Judas Iscariot," "Venedict Arnold," &c. The whole vocabulary of illiberalisms was opened against me, but here I am, thank God, today with the conviction that what I did, was for the best interests of Canada, and after all the benefits I have received at the hands of my countrymen, and after the confidence that has been accorded me for so many years, I would have been unworthy of that position and that confidence. I was not able to meet reproach for the sake of my country. I have met that reproach and I have met it in silence. I knew that a premature discussion would only exasperate still more the feelings of those who were arrayed against me, and of those who think more of their party than their country. (Loud cheers.) I do not speak particularly of the hon. gentleman opposite, but I say that the policy of the Opposition is regulated by "a power behind the throne" which dictates what that policy must be. (Loud cheers.) No one ever saw a patriotic policy emanate from that source except on one occasion, and that was when that source was induced by myself to fight party struggles and party feelings for the common good of the country. (Loud cheers.) I have not said a word for twelve months; I have kept silence to this day, thinking it better that the subject should be discussed on its own merits. How eagerly was I watched! If the Government should come out in favour of the Treaty, then it was to be taken as being a betrayal of the people of Canada. If the Government should come out against the Treaty, then the first Minister was to be charged with opposing the interests of the Empire. Whichever course we might take they were lying in wait ready with some mole of attack. But silence is golden, Mr. Speaker, and I kept silence. I believe the sober second thought of this country concurs with the sober second thought of the Government, and we come down here and ask the people of Canada, through their representatives, to accept this Treaty; to accept it with all its imperfections; to accept it for the sake of peace, and for the sake of the great Empire of which we form a part. Sir, now beg leave me to introduce the Bill, and to read that which has the permission of His Excellency to do so.

The hon. gentleman resumed his seat amid loud and continued applause from all parts of the House, at 9:45, having spoken for 1 1/2 hours and a quarter.

In the House, on Wednesday, May 8th, Mr. MACDUGALL said that, from the peculiar position he occupied towards parties in this House, he felt bound at the earliest opportunity to state the views which he entertained with respect to the course that ought to be pursued upon the motion of the Minister of Justice to rescind and repeal this bill. With regard to the amendment that had been offered by the hon. member for West Durham, he judged from the tenor of the speech with which it had been preface, and from the language in which it was couched, that it amounted practically to a declaration that this House should reject the Treaty of Washington. (Hear, hear.) Now, from the first day on which he (Mr. Macdougall) had had an opportunity of perusing and considering the provisions of that treaty, he had come to the conclusion in his own mind, without any hesitation, without any doubt—and he had had opportunities of moving the people of the Dominion, and that had preceded the important deliberations which resulted in the treaty—that it would be his duty as a representative of the people in this House to give his support to the treaty. He believed upon examination of its various clauses and conditions, that it was a treaty framed in the interest of the people of the country, next together from the question which had been discussed as so much length and with such ability by the hon. gentleman who had preceded him (Hear, hear.) After all the discussion that had taken place upon it, after all the opinions that had been expressed in this House and the country, after all that had been said about it by the public press of England and the United States, and after all that had been said after every point had been fully brought out, that could be suggested, his firm, deliberate conviction was that the treaty made between England and the United States was, so far as the clauses which affected the people of this country were concerned, a good, a desirable, and a beneficial treaty. (Cheers.) That was what he entertained, and it was not one which would

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openly and fearlessly
to express his opinion,
and maintain the
position he had taken
upon the question of
responsibility as a
representative of the
people. At a very
early moment after
the publication of the
Treaty, he had sat
down deliberately to
consider the question,
putting his views in
the formal shape of a
letter, which he had
addressed to his con-
stituents. He had done
this because he felt that
it was for them that
he should speak in this
House, upon a question
that so gravely affected
their interests; and
after some weeks, when
they had time to re-
flect upon the subject,
he went among them
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as strongly as it was
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Treaty without refer-
ence to the existence
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one individual, who had
ever given him his vote

course which the hon. gentleman had pursued, and that those who, on the Opposition side of the House, arraigned him in their heart of hearts had no doubt of it. (Cheers.) He laboured to obtain the most favourable arrangement possible; but it suited their purpose to find fault, to pick flaws in what he had done, to bring up speeches and despatches and arguments, that the Government had put forward in the cause of Canada, and to adopt these arguments as if they were apt heads to the case after its settlement. He was under negotiation. For what reason were they doing that? Was it to promote a better settlement? Was it to secure a treaty that would be more favourable to this country? By no means, it was not for the purpose of advancing the welfare of the Dominion; but it was to gain a paltry, respectable political advantage. (Loud cheers.) That was the clear object of the Opposition, and no man could truthfully say that it was not. Now he could fearlessly stand up in this House and declare that that was an unworthy and an unpatriotic course to take. (Renewed cheers.) The Opposition had duties to perform as well as Ministers. They were under obligations and responsibilities which could not be avoided than the responsibilities of the Government. This was well understood in England, where the Opposition, led by Mr. Disraeli, had a much better opportunity of injuring the Government in regard to this Treaty than the Opposition led in this House by the members of the League. But what course had the Opposition in England pursued when the Treaty was before them? They criticised it mildly and carefully; they considered it with reticence and bated breath; they made suggestions as to this course and the other; and, looking at the whole of the discussion, it was evident that they felt the responsibility of the great crisis that would come upon the country. They rejected it, and they refused to make use of the opportunity presented to them, or to imperil the interests of the empire for the sake of any more party advantage. (Cheers.) He had heard a great deal about "party" to-night—what the "party" had said, and to what the "party" had agreed to. When he heard this, he could not help looking at the hon. member for Chateaugay, who, he had reason to believe, not from private conversations but from what he had seen in the public press, favoured the adoption of this Treaty, and he wondered whether the hon. gentleman who had told them so much about his "party," had consulted with that hon. member, or with any other gentleman belonging to the great liberal party of the Dominion, except such of them as were disaffected with the Treaty, in that little corner of Ontario in which he had lived, and moved, and had had their being. (Laughter and cheers.) He (Mr. Macdonnell) had not seen or read anywhere that there had been a general consultation of the liberal party on the subject. But two of those gentlemen, it seemed, had put their heads together in some back room, decided by their own satisfaction that there were reasons why the Treaty should not be adopted, and then went out through the country denouncing it as a bad treaty, endeavouring to array their voters against it, and continuing to find fault from that day to this. (Laughter and cheers.) A day here they had a fitting conclusion of the scene. Here they had a resolution, moved not honestly in his judgment, or with a view to divide the House fairly and squarely against the Treaty, but to distract attention by a sort of side wind, a nondescript amendment that could be interpreted in different ways, that meant nothing, was proposed here, and that was simply a parliamentary manoeuvre which might afterwards be turned to some account before the people in an election contest. He did not concur in such tactics as these. He was prepared in his place in Parliament openly and fearlessly to express his opinion, and maintain the position he had taken upon the question of responsibility as a representative of the people. At a very early moment after the publication of the Treaty, he had sat down deliberately to consider the question, putting his views in the formal shape of a letter, which he had addressed to his constituents. He had done this because he felt that it was for them that he should speak in this House, upon a question that so gravely affected their interests; and after some weeks, when they had time to reflect upon the subject, he went among them and publicly advocated, as strongly as it was in his power to do, the acceptance of the Treaty without reference to the existence of the Government or party preferences, or objections. He had given to learn that one individual, who had ever given him his vote

found fault with the course he had taken or the view he had expressed upon the subject. Standing here, therefore, he felt that he was speaking in the name of the whole of the Dominion, and he represented, and that he had the weight of their influence when he said that he intended to vote for the measure which the Government had submitted. (Loud cheers.) They had heard a good deal during this discussion with respect to the Fenian claims, but he thought the majority of forty-three of the previous evening should have been taken into account in the discussion. The treatment of this case by the Imperial Government, it was said, had been very different from the course they had pursued in dealing with other cases of a similar nature, Greece and Abyssinia being cited; but the cases were quite different. The same course could not be adopted in dealing with nations who could put large armies in the field as in dealing with semi-barbarous tribes. What was the position if the Government of the United States had refused to admit that they had been guilty of any breach of international law in consequence of the incursions of a few of their people over our frontier? We were of opinion that they had not acted with that view to prevent the invasion of a neutral country that they might to have done; but the Imperial Government through its Minister at Washington had on the last occasion expressed their thanks to the United States for the prompt manner in which they had exercised their authority to prevent the encroachments of our citizens, and he did not think it was for Canada now to express in any public or formal manner a contrary opinion. We have a long frontier opposite a country where the people have large liberty, where men are allowed to carry arms, and frequently use them, without being punished; where even the most vigilant executive must sometimes exercise great difficulty in enforcing international law in respect to the Fenian raids. The Imperial Government were the proper authorities to raise the question, and if they had not done their duty it was for those who had the power to censure them, and he did not think the Canadian Parliament had such power. They could indeed express their opinion, but could not refuse to carry out the law, and he thought it was well that the House should understand the position of this country in a constitutional point of view, and quoted the 132nd clause of the Confederation Act of 1867. It was nowhere stated that the Government of Canada could enter into arrangements or make treaties with other countries, and he thought that might be accepted. A great deal had been said to the contrary position of the hon. Minister of Justice in his speech, in that he had said that the Government of the United States desired that the Treaty should be accepted, whilst the fishermen and others interested were opposed to it. He saw no contradiction in that statement. The Government of the United States looked to the difficulties of the past, which might occur in the future arising out of the fisheries. Any politician, desirous of promoting the interests of his country would be anxious to have all matters in dispute settled, and he was sure it was with that desire that the two Governments wished to remove out of the way the people the least difficulty. It could be quite easily understood that the persons engaged in fishing along the coasts of the United States, not having any responsibility of Government upon their shoulders, should oppose the Treaty and the competition of Canadian fishermen. He could only look upon the Treaty as in the interests of peace. It had been said that the difficulties had not been removed because the Fenian claims had not been settled. He found laid down in the Treaty three very important rules of international law, which the two countries had agreed to, not only to guide the settlement of questions in dispute at present, but to form a rule of action for the future. He read the rules, which are as follows:—1. A neutral Government should abstain from due diligence to prevent the fitting outfit, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or to carry on war against a power with which it is at peace, and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel

having been specially adapted in whole or in part within such jurisdiction to be used as a warlike use." Secondly, "not to permit or suffer either Government to make use of its ports or waters as the base of operations from which to launch, either, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men." Thirdly, "to exercise due diligence in its own ports and waters, and as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties." It had been insisted that these rules had no reference to maritime operations, and did not refer to invasions by land. He thought otherwise. In the latter case, in addition to the municipal law, they had there laid down in distinct words the great principle that it was the duty of a neutral to restrain its people from levying or carrying on warlike operations with a country with whom they are at peace; the principle on which these rules had been framed applied to invasions by land as well as by water. They had in the Treaty of Washington the duties of neutrals clearly and distinctly for the first time, defined and formulated. They had two of the leading nations of the world solemnly stating the duties of neutrality. Surely it was a great point gained for Canada to have the Imperial Government thus formally committed to such obligations. Canada has a long frontier exposed to incursions by ruffians of every kind. Although he thought that England had taken a great and serious responsibility, it must be clear to the mind of every man acquainted with the facts, that England assumed to the Treaty, because, in the first place, she had possessions in America; because she was responsible for the Government of her people in America; because her flag waved over a portion of this continent, the frontier of which is exposed. For these reasons, and for these reasons alone, the Government of England agreed to such an arrangement as the Treaty, made in the Treaty of Washington. If England had not had possessions in North America, would she have admitted that she was guilty of negligence in allowing the escape of the *Alabama*? She would have done nothing of the kind. No such acknowledgment could have been wrung from any Government, Tory or Radical, if England had not been an American as well as a European power, and it was for that reason he was disposed to say that the Imperial Government was responsible, and after they had given so much consideration to the interests of Canada it did not become any member of that Parliament to be so sensitive. It did not become political leaders to make objections for a period of an hour, and that only with the sole object of embarrassing the Government. He had been associated with some of them in the past. He had discussed and been a party to the settlement of many of those political questions which they now claimed as their peculiar triumphs, before they were known or heard of in Canadian history. This the hon. gentleman who is at present one of the leaders of that party was at college and pursuing his profession, he (Mr. Macdonnell) was spending his time and what little money he had in fighting the battles of the Reform party. What statute book could show a single measure brought forward by the present leaders of that party? On what page of the statute book could they find a single record of what they had done? What had their master outside achieved, either while occupying a seat in that House, or in conducting his organ, the *Globe*? They might speak of him (Mr. Macdonnell) with contempt. They might endeavour to underrate his humble efforts in the past; but he would meet them before the people without fear. He had met a whole caravan of them, where they had two or three thousand honest yeomen listening to their expostions of what they had done and would do. He was a humble spectator, unacknowledged until they thought as had left the ground, and then the "effrontery" of the party was put up to attack him. He asked to be allowed to say a few words in reference to the matters under discussion; but they showed no disposition to allow him to speak, and there was a whispering consultation, as to what should be done. He asked the chairman to put the motion; hands were held up, and in compliance with the call of the meeting he was allowed to speak. After he had explained his position, he discussed the Treaty of Washington, and asked if it was necessary, on the part of those who had called the meeting, to give a hint as to the course they proposed to adopt. From what he saw and heard, he felt satisfied that if a vote had been taken a majority would have endorsed his views. The hon. gentleman answered, but they did not touch the Treaty. They went back to the clergy reserves, and question thirty years old. That speech was reported in full by the

short-lived representative of the *Globe*, but the cautious Editor would not permit the public to see it. Mr. Macdonnell then referred to the result of the elections of last year, and the effect of the Ontario Government when one-tenth of the House was represented. He emphatically denied that the gentlemen representing themselves to be such could properly claim to be the leaders of the Reform party. Since they had acceded to power they had, in every action, revealed the very policy they had avowed, and he instanced their conduct in the railway question, and their great departure from principle in forming a Coalition—(cheers)—and he believed that the honest Reformers throughout the country had lost faith in them. The hon. member for West Durham had undertaken to speak as representing the Reform party of Ontario; but he (Mr. Macdonnell) believed that he was merely the head of a faction. (Cheers.) He would not speak of the provisions of the Treaty respecting our canals, as he thought there was not a member who did not agree in the expediency of improving the canals, in order to encourage the trade of the west. That policy had been stamped upon the banner of every administration since he had been in Parliament. Some people objected that the Treaty of Washington would throw open the canals on the same terms to Americans as to our own people, and this, too, in the face of our votes in this House for an expenditure of millions to fit them for the trade of these very Americans! (Cheers.) But we are told that to give the right of navigation is to make a base surrender. He could not see that that would be any great surrender of honour or dignity. He was satisfied the English Government would look after that. Had not American vessels of war been admitted through the canals to the lakes? and he could not see what injury the country could sustain from that admission of American vessels in time of peace; and if we could not protect our canals from the attacks of war, the Treaty would neither help nor hinder us. The desire of some hon. gentlemen was to raise a captious opposition, to find fault, and to act against the interests of the Empire. He had no objection to sit down and consider the views which prevail with many English statesmen, that Canada had arrived at a period of anarchy, and that our system of government should therefore, as a family arrangement, be reconstructed; but so long as the present constitution remains in force, we should not attempt to assert an independence which we do not possess, and can not in the interests of the Empire exercise. The Imperial Government should be left in the hands of Imperial Ministers. (Loud cheers.)

On Monday, May 14th, Sir FRANCIS DINKINS said it was not without some reluctance that he, as a member for the Province of Ontario, rose to continue the debate, because he really thought that, so far, the members from that Province had monopolized the discussion, and he since became he concurred with a remark of the hon. gentleman who had preceded him, that it was the duty of every hon. member to speak upon this subject. He was desirous, however, of placing before the House and the country the views he entertained, and which he believed the Government entertained, upon this important question. There were three points to which he would address himself, these being,—first, as to who were the parties who were responsible for this Treaty; in the second place, he proposed to discuss the merits of the treaty itself; and finally, he proposed to consider what was the duty of the House in regard to it, whether it should be an opinion that the Treaty had merits or demerits. With regard to the first point, the responsibility of the treaty, he contended that, throughout all the discussions in the Imperial Parliament, there had been no question whatsoever. It was a thing quite unheard-of to make two distinct parties responsible for the same act, which could only have been done by one of them. It was perfectly unheard-of in all diplomatic relations, that parties who derived their power from, and were responsible to, a Colonial Legislature, should be placed in a position to dictate or exercise any control over a Treaty negotiated by Commissioners acting under instructions from Her Majesty's Secretary of State. Upon this point he would refer you briefly to the opinions of two distinguished noblemen who had taken part in an important debate in the House of Lords on this Treaty; the first was the Earl of Derby, who had said:— "I now pass to the larger question of the Treaty of 1854, and I wish to say that I look on it as the Treaty of the Government and of the Government exclusively. I join in

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condure of so much of her blood and treas-
so unforunately and so uselessly were
about all at an end. She was standing
nearly alone in this chaos and triumph of
Kingdoms. She felt, as we should all feel:
To do the duty that lies nearest us
In earth's dim wisdom.
Her nearest duty was peace. She foresaw
down on her honour. She was as ready as
of it to

"His and battle with the 'ma-na
In the invested armour of her youth."
But she believed that her greatest triumphs
were in peace. A great American states-
man had said that the tap of his drum, fol-
lowing the sun, circled the earth with the
maria of his England. That was an
illustration of war. But let us seek an il-
lustration of peace. The electric wire around
earth's circle, the iron band spanning our
own land from ocean to ocean, the power of
steam carrying our ships into every
sea, and then let it be said,
as a national boast, that England's
power went round the world in the
interest of peace, and not of war.
Let it be said in the interest of civilization,
enlightenment, and religion, that Canada,
too, did not stand in the way of peace,
and progress; but that England having
granted us our Dominion and brought us
men of different races, languages and
religion together - though different, all
agreeing to acknowledge the supremacy of
that great land from which christianity, en-
lightenment, and civilization had come
out to the ends of the world - that
Canada has placed neither obstacle nor im-
poundment in the path of these new arrange-
ments with the United States, but offers to
her people to-day that treaty of peace and
good will, as one that it will hereafter
our happiest recollection and highest praise
that we assisted to ratify.
(Loud cheers.)

On Monday, May 13th -
Mr. POWELL (Halifax) said that he was
not accustomed to occupy the time of the
House, and did so now with reluctance; but
as he considered the subject under considera-
tion to be of great importance and one in
reference to which a good deal of misappre-
hension seemed to rest, and as it was a sub-
ject upon which he could perhaps throw
some light, he felt that he ought not to be
content with a silent vote. No one suggested
more than he did that this Treaty was not
more general in its provisions. He wished
as urgently as any one that it was more like
the rest of Reciprocity Treaty, which proved
so advantageous to the United States as
well as to these provinces; but as this could
not be obtained, and he believed was not
obtainable, he was in favour of accepting
the Treaty even as it was, and the following
were some of his reasons; they were not
merely theoretical, but the result of
years of practical experience and careful
observation. (Hear, hear.) In the spring
of each year some 40 or 50 vessels resorted
to the Magdalen Islands for herring, and he
had known the number to be greater. These
vessels carried an average of 900 barrels
each, so that the quantity taken was gene-
rally in the neighbourhood of 50,000 barrels.
During the existence of the Reciprocity
Treaty no United States vessels went after
these fish. All the vessels engaged in that
fishery belonged to some one of the provinces
now forming this Dominion. Since the abro-
gation of the Treaty and the imposition of
the duty of a dollar per barrel by the United
States, the case had become entirely changed.
Vessels still went there, but they were
nearly all American. Now, under this
Treaty we would get that important branch
of trade back again. The lower provinces,
Nova Scotia in particular, had a large her-
ring trade with Newfoundland. Vessels
went there with salt and other supplies, and
brought back cargoes of herring in return.
Employment was thus given to the cooper
and labourer in preparing these fish for ex-
port, and as the business was prosecuted
chiefly in the winter months when other em-
ployment was difficult to obtain, it always
proved a great boon to the industrious. We
lost this trade also when we lost the Reciprocity
Treaty, but it was not until we had signed
the Treaty now offered for our acceptance.
A little more than two years ago, two
vessels belonging to the Province of Quebec
arrived in Halifax from Labrador. They had
between them 3,400 barrels of herrings. Not
finding sale for them in Halifax, they pro-
ceeded to New York, where they sold. The
value on these two cargoes amounted to \$3,400
under a treaty of this kind, this
\$3,400 would go into the pockets of the owners
and crews of the vessels, instead of into
the United States Treasury, and cases of this

kind occurred almost every day. The same
reason applied to the mackerel fishery, but
with still greater force, the duty being two
dollars per barrel. There was another fea-
ture connected with this fishery, which
ought to have a good deal of weight with
this House in favour of the Treaty. Ameri-
can vessels engaged in the mackerel
fishery were numbered in great part by
the natives of some part of this Dominion.
The chief cause of this was that, as the hands
fished on shares, viz., one-half of what they
caught, those employed on board of United
States vessels got theirs in free of duty,
while the men employed in the vessels of the
Dominion had to pay the duty on theirs.
A hand catching twenty-five barrels of
mackerel to his share on board of a United
States vessel would receive \$50 more than he
would receive for the same quantity taken in
one of our own vessels. A consequence of
this was that the best men went on board
the American vessels, and our vessels had to
put up with the less capable. Indeed, should
the present state of things continue
much longer, our people would be
compelled to give up the hook and
line fishing altogether, for it was
impossible that they could continue to com-
pete against the duty and their other disad-
vantages. (Hear, hear.) During the exist-
ence of the Reciprocity Treaty the number
of vessels following the hook and line mac-
kerel fishery in the county of Lunenburg
alone. Since the termination of the Treaty the number had
been gradually falling off, until during last
season no more than half a dozen vessels en-
gaged in that business, and he believed that
should this Treaty not be ratified, there
would not be a single vessel fitted out in
the present season for the mackerel fishery
proceeding season. (Hear, hear.) He had
been assured by vessel owners in Mavro an
Boncha, an outcropping settlement at the
eastern end of the county of Antigonish,
and also by those on the western side
of the Strait of Canso, in the county
of Guysboro, from both of which places
the mackerel and herring fisheries had
been extensively prosecuted, that the busi-
ness will not more than pay expenses, and
that, unless something was done to re-
lieve the fish from the present duty,
they would be obliged to abandon the
business altogether. This need create no
surprise when it is considered that at the
present value of mackerel and herrings
the duty is fully equal to the catch.
Owing to the advantages offered by the
American vessels over our provincial vessels
engaged in fishing, not only were our best
men induced to give their skill to the Ameri-
cans in fishing, but in many cases they re-
mained away, and their industry was lost
to the provinces. They went to the States
in the vessel the last trip in order to get
their duty paid, and on their return they
generally remained there to man the fishing and
other vessels of the Republic. Why, a very
large proportion of the inhabitants of
Gloucester and other fishing towns of Mas-
sachusetts and Maine were natives of some
of the provinces of this Dominion. Now
with this Treaty the inducements to give
a preference to American vessels over our
own vessels would be able to
select good hands who would remain at home,
the temptation to emigrate as he had
just explained being removed. He had heard
it said that the consumer paid the duty.
Now whilst this might be the case with some
articles, it was not so with the articles of our
fish. In our case in this business our fish-
men fished side by side with their American
rivals, both carrying the proceeds of their
catch to the same market, where our men
had to contend against the free fish of the
American fishermen. Let him illustrate
this. An American and a provincial vessel
took 500 barrels of mackerel each, both ves-
sels were confined to the same market
where they sold at the same price. One man
had to pay a duty of \$1,000 and the other
did not to do so. Who then paid the \$1,000?
Most certainly not the purchaser or con-
sumer, but the poor, hard-worked fisherman
of this Dominion; for this \$1,000 was deduct-
ed from his account of sales. Those who
contended that in this case the consumer
paid the duty ought to be able to show that
the duty was taken off in this manner. If
the selling price had been reduced
by the amount of the duty, there
was nothing in the nature or existing cir-
cumstances of the trade to cause any person
who understands to believe that this would
be the case, and therefore it would be
seen that at present our fishermen laboured
under disadvantages which made it almost
impossible for them to compete with their
rivals in the United States, and that the re-
moval of the duty as proposed by this
Treaty would be a great boon, and en-

able them to do a good business
where they now were but struggling
or doing a losing trade. (Hear, hear.)
There was another point connected with
this matter that might perhaps have an im-
portant bearing on the fishing interests here-
after. Should the Island of Cuba, to which
we now export a large portion of our
lumber, and vessels bringing homo sugar and
molasses in return, become independent,
under United States protection, as was in-
tended had the rebellion in that island suc-
ceeded; or what was more likely, should it
become a part of those States by purchase or
otherwise, with the present American tariff
to meet us, we would be completely cut off
from the trade of that island. But with this
Treaty in existence, we would not only
be secured from this contingency, but
would have that market open to us on much
better terms than at present. The House
was told that our fishing grounds, would
be protected against all outside encroach-
ment. This was much more easily said than
done. Great Britain wishes to accept
the Treaty, and should we refuse to do so
she would not be likely to send one gun
to assist in protecting our fisheries, if she
would even send one to protect us under any
circumstances. (Hear, hear.) Newfoundland
would accept the Treaty. Prince Ed-
ward Island would also, in all probability,
accept it. We would then be left to our-
selves. Had any gentleman connected
with us should have to protect? Take the
map and see a great part of the shores of the
Bay of Fundy, the 250 miles of coast
from Cape Sable to Cape Canso; the entire
circumference of the large island of Cape Breton,
and the shores of the Gulf of St. Lawrence
from the Labrador down to the Strait of
Canso. A pretty formidable task, and one
that would require something more than the
celebrated six fast sailing schooners to ac-
complish. He had heard the fear expressed
that, with this Treaty, the Americans would
come down into our waters and take the fish
away from our people. This was a ground-
less fear. Why had not this occurred under
the Reciprocity Treaty, under which the
United States had no fishing vessels in
this? so they would have under the Treaty
of Washington? Did we find them interfering
with our fishermen? We did not; and with
the United States markets open to us on the
same terms as to its own fishermen, could
any intelligent man suppose that they could
come down four or five hundred miles in
their fishing boats to build, compete with
our vessels, and compete with our
people, who took the fish almost at their own
doors? In Mr. Knight's report on the work-
ing of the Reciprocity Treaty, drawn up in the
year of 1867, was found the following extract
of a letter from a gentleman in Guysboro': -
"The fishermen in this locality have, since
the commencement of the Reciprocity Treaty,
ten years, and they are not more success-
ful than during any ten years previous, from
the fact that they have had a free market in the
United States, which is the only market
where a large proportion of our fish will sell
to advantage; and, although fish have not
been so abundant, the extra price has more
than compensated for the deficiency in the
quantity. Our duty on mackerel and herring
mackerel and herrings in the United States;
the fishery would not be remunerative,
and," he added, "the American cod and
mackerel fishermen have not interfered with
us nor injured our fisheries during the past
ten years, and our fishermen caught more
mackerel in 1864 than in any
previous year." It would be seen that
we need have no fears that the Ameri-
cans would do us any greater injury under this
Treaty. He also found in Mr. Knight's
report that the value of fish exported from the
Province of Nova Scotia from 1855 to
1865, during the existence of the Reciprocity
Treaty, had increased from \$1,910,
127 to \$3,476,461, and was it not fair to as-
sume that a proportionate increase would
take place under the Washington Treaty?
He was told that the refusal of this Treaty
would force the United States to allow our
coal and lumber to go into their markets
entirely free of duty. He believed the con-
trary would be the result. This fishery
question had been a great cause of ill-feeling
on the part of the United States towards us,
and this being settled amicably, we should
be sure to be made by them, in the
feelings of international courtesy and
goodwill that were sure to arise from the
prompt and cordial ratification of the Treaty.
We would have a better guarantee for an
early ratification of these duties, and the
adoption of a more liberal policy towards
the United States by our neighbours in
continental matters. It was, however, not
impossible that the United States might
possibly have by assuming an attitude
of hostility towards us, or by acting in
such a way as to perpetuate that feeling of

dislike in which their hostile legislation origi-
nated a few years ago. Those opposed to the
Treaty seemed to set great value upon what
we were asked by it to surrender. "Oh,"
said they, "why should we give up our
valuable fisheries, such important privileges,
and for so small a consideration? Had those
who talked of this Treaty, ever studied the case?
He believed they had not, and that they would
form a different opinion. That our fisheries
were valuable he was well aware. Their
value under favourable conditions could not
be over-estimated; but that value would be
great or small just in proportion to the mar-
kets we possessed. By this Treaty we sur-
rendered very little, and gained in many
ways; for, in addition to our own fishing
grounds, which we still retained, we had
the privilege, if we chose to avail our-
selves of it, of going into United States waters
to fish, and would gain a free market, which
would have the effect of increasing the value
of our own fisheries to a most important extent.
Newfoundland and Prince Edward Island
had given strong indications that they would
ratify this Treaty, and Americans having
free access to the fishing grounds of the for-
mer, they would be quite independent of us
in the herring and cod fisheries. Prince Ed-
ward Island's ratifying it would give them
access to the mackerel fishery of that island;
and with the right which they now possess,
under the Treaty of 1818, to take all kinds
of fish which are now visited by United States
vessels from the Magdalen Islands - and the Islands compris-
ed both for herring and mackerel, about the
best fishing ground of the Dominion - the
Americans need be very little for any
privileges that might have the power to
withhold from them which would amount
to but a few miles of an inhospitable
mackerel fishery; it was worth for
the market of the entire United States
were thrown to us free for all the fish and
products of the fisheries of the whole Do-
minion. But he might be answered, "If
we would have so little to protect, why
urge the great difficulty and cost of protect-
ing it?" The reply was that most of the
harbours on the entire line of coast that he
had mentioned, were visited by United States
vessels for the purpose of obtaining supplies
of bait, ice, &c., for the deep sea and other
fisheries, and if we wished to have the pro-
tection effectual we would prevent this.
He might, however, say that he had always
been opposed to United States vessels being
prevented from obtaining these supplies
from our people. It looked, too, as if
cutting off the nose to be revenged on the
face. The value of articles supplied in this
way was very large, and the revenue, as well
as the inhabitants, was benefited by it;
whilst the only injury that would be done
to the Americans by prohibiting the trade was
to oblige them to bring the supplies with
them from home, or direct to Prince Ed-
ward Island, where every facility would be
given them. He had understood that, until
the Treaty was finally ratified, it was the
intention of the Government to prevent
American vessels from landing their catch in
ports of the Dominion. He much doubted
the wisdom of this restriction. It might be
all well enough if they were not permitted
to go to the Magdalen Islands, and to fish
inland by almost in the centre of the fishing
grounds, and there they were allowed to take
all supplies they might require, and land
their fish, which was re-shipped in American
steamers that plied weekly between Char-
lottetown and Boston. Such action on the
part of the Government would hardly form
any restriction to the Americans whilst
they had Prince Edward Island open
to them, and would only deprive our peo-
ple of the Strait of Canso, the advan-
tage of storage and harbour attendant on
the landing of cargoes, and our vessels of
the benefit of the freighting of them to the
United States. As he had said it was
quite evident that Newfoundland and Prince
Edward Island were favourable to the Treaty,
and we might expect that these provin-
ces congratulated themselves for not having
come into the confederation, and would not
the rejection of the Treaty form an effectual
barrier against their coming into it? (Hear,
hear.) In recommending the acceptance of
this Treaty, he assured the House that he
had no personal end to serve, nor was it
because it might be favoured by the govern-
ment, and to state as well that he was not
opportunity to notice that he was not an
opponent of the Government. He was in-
fluenced by more worthy motives. He was
in favour of the Treaty because it would
have the effect of establishing permanent
peaceable relations with a powerful neigh-
bouring country. He was in favour of it
because it would be a target for our
become under it the most important interest
of the Dominion, without at the same time
injuring any other interest in the least de-

gree. He was in favour of it because it would render unnecessary the great expense, and it might be the still greater responsibility of protecting that interest; and because it would make for us friends and customers of forty millions of people. (Cheers.)

On Tuesday, the debate was resumed by Dr. TUPPER, who said he could not but feel that he would ill discharge his duty if, upon so momentous a question, he did not give to the House the views he entertained. The hon. gentleman who had taken his seat had stated that his constituents of both parties were strongly opposed to the Treaty, but he (Dr. Tupper) thought that both the House and the country should not look upon the great question under discussion from a party point of view. If there ever had been a question submitted to the Parliament and people of Canada which ought, from its very character and nature, to have elevated the statements of all parties and classes above mere local, gossamer, or party grounds, it was the question under discussion. It was not a question of party in Canada any more than it was in England. What was the case there? A member of the late cabinet had been invited by the Government of the day to give his assistance and opinion in reference to the Treaty, and he had given his services as freely and unreservedly as if he had been called upon by a Government of which he was a member. When the Treaty was submitted to Parliament, great as the opportunities were for the Opposition to oppose it, they forgot what was due to party, looking only to what was due to their common country. Hearing the proceedings which had taken place in the Imperial Parliament yesterday, what did they find? A common sentiment of joy and satisfaction pervaded both sides of the House, on the announcement by the Premier that the cloud which had overshadowed those proceedings was to be dispelled. Not that gentlemen on both sides of the House in England had not regarded with the same favour the various features of the Treaty, but because men of all parties felt that whether it was perfect or imperfect there were general leading features in it which commended it to the candid consideration of all men. It was only a few years ago that the great country lying along the side of Canada was engaged in a deadly struggle. The South Sea and the North was prepared, at any sacrifice of blood and money, to preserve the Union intact; and, when engaged in that deadly combat, it became known that cruisers were being built in Great Britain for the purpose of taking part in that struggle, representations were made to the Imperial Government, and they put forth their hands to prevent the departure of those vessels. Subsequently, however, the *Alabama* escaped, and in order to avoid the possibility of further difficulty, they themselves purchased the other vessels. Was it wonderful that this admission on the part of Great Britain should have excited a people, who had felt that their struggle had been increased in its intensity, and who should cause them to demand redress from a Government, whose want of vigour and effort had exposed them to so great and increased danger? Nor could England turn a deaf ear to a demand for reparation made by forty millions of people, lying alongside of Canada. At the time the Johnson-Clarendon Treaty was rejected, the United States took the attitude that they would not ask for a re-opening of the negotiation in this matter; which meant that they had an undoubted claim, and intended to hold it back until circumstances best suited their presenting it against England; that they would treasure up their wrath against a day of wrath; that when England was engaged in some Continental or other war, they might take the opportunity of enforcing what they considered their just claims against her. That view, and a knowledge of the fact that England had a weak point on this continent, had undoubtedly influenced the Imperial Government in endeavouring to bring the question to a final and amicable settlement. Great and important as the Treaty was to the British Empire at large, and how much more so to Canada; and he believed it was no alone important to England or Canada. He looked upon it as a gigantic stride in the progress of civilization. England having admitted, as she did admit, that she had a duty to perform in reference to these cruisers was not humiliated by the expression of regret which formed a part of the Treaty. He thought that England would amply be repaid for any cost or trouble she had been put to in the settlement of these questions, by the establishment of that new principle of international law which was to govern such

matters in the future. He had said that Canada had no small interest in this matter. He would not repeat the elaborate argument that had been used by the First Minister, showing the great value of this Treaty to us, but he would say we must look at our position. While Canada was united with England, he believed that we could defend ourselves against any power that would be brought against us; but when we looked at the great strength of the country near us and measured the chances of a contest with it, everybody must feel that while England could bring all her great naval power to bear and would come out of the struggle without discredit, we should not be able to live out such a conflict, except with the same gory fields that had destroyed France; and it would ill become Canada, regarded as she was by England as a vulnerable point, at such a time to raise her hands and say, "We thank you have humiliated and disgraced ourselves, and we will go no party to this Treaty which you have made." But it was not only a question of peace or war. Everybody knew that no country in the world had a deeper interest than Canada had in the relations between England and the United States; everybody knew that a mere cloud of war between those nations would strike a fatal blow at our credit, that would stop that bright career of prosperity which we now enjoyed. He would now refer to the point more immediately under our consideration—the fishery articles of the Treaty. The Treaty provided that that portion of it which dealt with the property of Canada should receive the sanction of the Canadian Parliament. There could be no question that this House enjoyed the full and unrestricted right to decide on the question. There could be no question that England, while she had exhibited the deepest anxiety in this matter, while she had shown for long years the greatest anxiety and the greatest apprehension in relation to anything that could involve us in trouble with the United States, and from the date when the Throne itself, and from the date when the benches of both Houses of Parliament that Canada had the full and unrestricted right to decide for herself in this matter. But was the fact that no pressure had been brought to bear upon us to prevent us from giving that consideration to the question which the interests of the Empire required, was that the reason why we should treat with contempt and indifference the great and vital interest that England had in the decision at which we arrived? While we came to the consideration of this question in a free and unrestricted manner, he had no hesitation in saying that the man who wished to preserve the connection between the Crown and the United States, and valued the inestimable privileges as British subjects we enjoyed, should come to the consideration of this question, feeling that, although we had the question in our own hands, it could not be approached without the conviction that every word that was uttered in this House that was calculated to irritate and annoy the English people would be constant difficulties and annoyances in relation to this question. It had not only been a subject of controversy, but that controversy had drawn us into the very verge of war. He asked the House if, under those circumstances, when we were only small, disjointed and weak Provinces, England threw her weight upon us, and our property, and gave us her protection, and that that formed no claim to consideration, which she now asked us to accept a proposal that she believed was the best consideration she could obtain for our fisheries? He would not follow the various arguments that had been used on both sides of the House. He was sure that the House and the country could not be more convinced of the soundness of the position of the Government in asking Parliament to ratify the Treaty by the able and exhaustive speech of the First Minister, than by the laboured—able of course—but laboured efforts of hon. gentlemen opposite to criticize that speech. He considered that they had been fully repaid to us, and he would not let them at any length. He would refer to one point, however. It had been said that his hon. friend the First Minister had thrown a doubt over our position in relation to the fisheries. He

had no hesitation in saying, and no one had followed that hon. gentleman's remarks more closely than he had, and that he had been entirely misrepresented. It would be impossible without the greatest perversion of language to draw such a conclusion from his remarks. He (Sir John) had said that pretensions had been set up by American jurists of no mean standing, whose opinions had received a certain amount of consideration from the press of the United States; but he had not uttered at any time a single sentence that would lead to the belief that he doubted the entire sovereignty of this country over the inshore fisheries. But everybody acknowledged that the Government of the United States had now admitted our rights in a fuller degree than they had ever done before, not only by their offer to admit the products of our fisheries into their markets free, in consideration of those fisheries, but by their offering it to an independent arbitration to say how much they would pay in addition for such privilege. What ever doubt, therefore, might have been raised, had now been set aside. It had been alleged that we were ceding territorial rights for a money consideration. There never was a more unworthy attack made to influence the minds of the people of this country than the attempt made to carry that this was a question of ceding territorial rights for money. He would refer to the State papers which had been brought down to show the position the Government had taken on this question, and which the hon. gentleman opposite had signified their approval of. It had been called a "capitulation," but the same page of the Treaty which gave to the people of the United States the right to enjoy the inshore fisheries, contained a concession of precisely the same character on the part of the people of the United States, and they had ceded their territory to us as much as we had to them. What strengthened his confidence in the wisdom of the course pursued by the Government was the entire absence of argument in the speeches of the hon. gentleman opposite, and the hon. gentleman had said upon this subject they had not addressed themselves to such arguments as sensible men would have urged in grave matters of international policy; but had resorted to quibbles of a character so contemptible as to be altogether unworthy of the attention of an intelligent deliberative assembly. (Hear, hear.) He would not attempt to follow them here, posing the absurdity of those quibbles, nor to imitate the hon. member for Peel who, in his eloquent address which had so charmed the House, and let a flood of daylight into the sophistries of the hon. member for West Durham, and thoroughly exposed their fallacy. The only way had listened to that hon. gentleman could be to see that the hon. member proceeded so logically from point to point, that that which had been presented to the House by hon. gentlemen opposite as an astounding discovery proved to be nothing more than the most idle vapouring, entirely unworthy of the consideration of the House. They had spoken of the article of the Treaty which gave to the people of the United States as something like a mighty surge on the river. Well, what did that surmount amount to? What was Canada really parting with? What did the House understand as to that point, after all the laboured efforts that had been made to prove that the St. Lawrence ought not to be surrendered? Did not hon. gentlemen opposite know that as long ago as 1828 the United States had demanded the right to navigate that river, and that they had put forth this claim, not in the shape of a privilege which they were asking, not as a concession which should be granted to them, but as a right to which they were entitled; and when it was refused by England as a right, as hon. gentlemen would see, by referring to the State papers, that what the United States declined to accept it as a concession? In what position were they now? Were they any better than before? The concession, if concession it could be called, had been made; but they had been compelled to acknowledge, by giving reciprocal privileges to Canadians, that they had not a right to the St. Lawrence. Hon. gentlemen opposite said that what the Americans conceded was of no advantage, because there was no value to Canada in the navigation of the rivers of Alaska, and that even if there was it was conferred in any case by the old Treaty with Russia. But he held that, if that Treaty was still binding a hundred times over, there would be no Treaty, was nevertheless of substantial value, because it enabled us to get to the point, and the Americans conceded was of no advantage, because there was no value to Canada in the navigation of the rivers of Alaska. It thus showed, and would always continue

to show, proof of the fact that what the United States asked from Canada on the one hand, they were obliged to give to Canada on the other. It was, then, yielding a privilege to admit them to the free navigation of the St. Lawrence, they were committed to the same policy by giving us the same right in regard to the rivers he had mentioned. These were the quibbles with which the House had been entertained in the absence of all argument on the part of hon. gentleman opposite, in reference to this important question. (Hear, hear.) It was stated that the hon. member for Sherbrooke, in the course of his speech, that the Treaty of 1871 conceded less to the United States than the Reciprocity Treaty of 1854. He (Dr. Tupper) said that this had taken many by surprise; but the hon. gentleman had good reasons for saying what he did. Hon. gentleman opposite had said that the right to navigate the St. Lawrence was the only lever, or one of the principal levers we had, in order to effect reciprocity; but whatever lever we had for application in that direction was not in the use of the river itself in its natural state, but in the use of the canals which rendered the navigation practicable. Well, it was to be observed that the canals which the Treaty of 1854 had given up to the use of the Americans were preserved by the Treaty of 1871 to be used by the Canadian Government; and people as a lever for obtaining reciprocity at such time and in such a manner in future as might be considered advisable. (Hear, hear.) He would now come to the question of the fisheries, that other lever which was to be used in conjunction with the St. Lawrence to obtain reciprocity. Treaty, and he would ask gentlemen who talked so lightly about this question if they quite understood what it was to do for us? Was it to give us the free entry of fish and fish oil into the American market? If anything could enlighten the House upon that point it was the able and interesting argument which had been presented to the House last night by the hon. member for the County of Halifax, Mr. Power. The hon. gentleman had imparted an amount of information upon the subject which the House had listened for in vain from other hon. members, and he had been able to do so for this reason; that there was not a man in the House, he (Dr. Tupper) was bold enough to say—even in the presence of the members who more particularly represented the enterprising fishing interests in the Province of Quebec—there was not perhaps a man in the whole of Canada, who was better acquainted with the question, or who was a higher authority in every thing that related to it, than that hon. gentleman who had made a large fortune out of the fisheries. He stood in the position of a man who had devoted his whole life to enterprises connected with the fisheries of the Maritime Provinces, who had given them the most careful study and attention, and who had become possessed of every information concerning them. When he, therefore, told the House that the Treaty, instead of being a sale and betrayal of our fishery rights, was a measure which would promote the fisheries of this country, and increase its advancement in every way, he (Dr. Tupper) would place that statement against the random assertions of hon. gentleman opposite. (Hear, hear.) It was indeed a more convincing argument that the right stop had been taken than anything that was in his (Dr. Tupper's) power to say. Hon. gentleman opposite affected to treat this matter of the free entry of fish and fish oil into the United States as insignificant, and pretended to deal with it as if it amounted to nothing in considering the advantages and disadvantages of the Treaty. But what were the facts? In the small Province of Nova Scotia, the total catch of cod last year was over \$1,000,000, and the duty that this Treaty would remit on the mackerel and herring alone caught by the fishermen of that Province last season would amount to over \$800,000, and that was the mode in which the fisheries had been "sold," as the fresh water gentlemen on the other side of the House were inclined to assert. (Laughter.) Well, how had they been sold, and how had the cry upon that point been? Everybody knew that the member for West Durham had sounded a note of alarm last year, and endeavoured to agitate the people of this country in regard to the Treaty, and he (Dr. Tupper) would have a word to say as to the time and manner in which this work of agitation had been commenced and carried on. The hon. member Mr. Ingham had repudiated a statement that had been made by the First Minister, in which it was charged that hon. gentleman opposite had followed

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of the fact that States asked from the hand, they were ob- Canada on the other, yielding a privi- the free were to Lawrence, the policy by giving ward to the rivers he had the Quebec which contained in the absence of part of hon. gentle- rance to this important It had been stated for the Province that the Treaty of 1871, United States than the 1854. He (Dr. Tupper) had taken many by sur gentleman had good that he did. Hon. gen- said that the right to Lawrence was the con- and lovers "val and property; but what've- lication in that direc- of the river itself in the use of the canal navigation practicable. He observed that the treaty of 1854 had given the were presented in 1871, and people as a lever city at such time and in future as might be con- (Hear, hear.) He would mention of the fisheries, which was to be used in St. Lawrence to obtain and he would as- so lightly about this and fish oil into the merit? If any- ighten the House, was the able and inter- had been presented lit by the hon. member Powis, Mr. Fowis imparted an amount of subject which the Hon. mem- in from other hon. mem- able to do so for this was not a man in the was bold enough to ce of the members larly represented the interests in the there was not perhaps the question, or who was in every thing that re- hon. gentleman who fortune out of the man- the position of a fish- to whose life to the who had fisheries of the who had given them his and attention, and who of every information he, therefore, told Tupper, instead of being yal of our fishery ceasure which would in this country. Every- ty, and increase its ex- way, he (Dr. Tupper) ntagainst the random lomen opposite. (Hear, a more convincing step had been taken as in his (Dr. Tupper's) gentleman opposite ad- to the United States as- ded to deal with it to nothing in con- ce and disadvantages. But what were small Province of Nova of fish last year 9,000, and the duty on the mackerel and by the fishermen of that would amount to over a mode in which "sold," as the fresh the other side of the o assert. (Laughter.) been "sold," and how point arisen? Every- member for West- unded. A note of and endeavored ple of this country Treaty, and he (Dr. a word to say as to the which this work of menced an carried on. A member had re- had been made by which it was charged opposite had followed

the wako of the Toronto *Globe* in opposing the Treaty; that, instead of having opinions of their own upon so great and important a subject, there was a power behind them which marked the course they should pursue; that they were unable to resist this influence, and that, if it had not been for its impu- erious exercise, they would not be found in opposition to the Treaty to-day. The hon. member for West Durham had adopted the same line in relation to that statement; but what were the facts? Let him (Dr. Tupper) examine them for a moment, for they were of the deepest possible significance. The hon. member for West Durham had declared that the Opposition was prepared to pursue a patriotic course in relation to this question, and that it would have come to the support of the First Minister if he had refused to carry out a negotiation which was injurious in its effects to the interests of this country. That statement sounded very well, and he (Dr. Tupper) had no doubt from the sincerity of tone in which it was made that the hon. gentleman had brought himself to believe that such could be his course in the House if the First Minister had acted in that way. He thought, however, that the history of the case would scarcely bear out that assertion. On looking into that history what did they find had happened? Early in the month of May the *Globe* newspaper published a statement that the Treaty had been signed, and on the 19th it published the Treaty *in extenso*, together with an editorial, which contained the patriotic and significant remark "that the whole question was now before the country," and that it "trusted it would be discussed in a manner free from partisan bias, and worthy of its great im- portance." It did not pretend to quote the hon. gentleman, but he did not hesitate to restate its motto when said that it was in a high degree patriotic. Soon, however, the *Globe*, with far-seeing eyes, discovered clouds on the horizon, first in one direction and then in another. An election was pending in Nova Scotia, and the party there which was opposed to the Dominion Government was taking ground against the Treaty. The Legislature of New Brunswick was in session at the same time, and on the first blush, without waiting for full information on the question, it came to a hasty decision, condemning in advance the provisions of the Treaty. That took place on the 18th, and on the following day, the 19th, the *Globe's* patriotic aspira- tions were in the mode in which the question should be approached and dealt with were scattered to the winds; and then came out an article of a column in length, in which the most fiery denunciations possible were showered on the Treaty. Up to that time the hon. members for Lambton and West Durham had been silent on the subject.

Dr. MACKENZIE.—No.

Dr. TUPPER thought that it was so; and that, if the hon. gentleman examined the papers in the library, he would find that the statement was borne out by the record. The speech of the hon. member for West Durham, in which he announced his opposition to the Treaty, was not delivered until after the *Globe* had come out in its denunciations. He thought that was the true account of the matter, and if it was the case—

Mr. MACKENZIE.—No; it is not the case.

Dr. TUPPER.—If that was the case, the hon. gentleman did not deserve much credit as a patriot, either in treating the question in the first place, or for the profuse of sup- port which he had been pursued. (Hear, hear.) The hon. member for West Durham had said that, as the Government had expressed disapproval of the Treaty, the Opposition, in making those speeches at that early period, desired to give the Government infor- mation that they were one with it, and also, if it rejected the Treaty, it might rely on their support. He (Dr. Tupper) thought there was room for very grave doubt on that point; for when his colleague the Minister of Public Works went down to Quebec, and in a public speech there stated that the Government had protested against the Treaty, what had happened? If there was any in- quiry in the House of the hon. member for West Durham, if he and the *Globe*—that organ of the opinions of hon. gentle- men opposite—felt anxious, as was pretend- ed to strengthen the hands of the Govern- ment in resisting this great in- justice to the country, what would they have said as soon as the announcement of the Minister of Public Works was made? They would have said, "How can the coun- try be saved. We feared the Govern- ment was committed to the Treaty, but now we are glad to find that it is free and untram-

melled, with perfect liberty to deal with it as in the interests of the country may be deemed best." Was that what they had said? No, far from it; but the hon. gentleman went back to his newspaper, and the moment it was found that the hands of the Govern- ment were not tied, and that it would not announce itself in favor of the ratification of the Treaty, color of violent animosity appeared, in which the Government was as- sail- ed for pursuing what was called a "vacillating course" in relation to the question. (Cheers.) Instead of treating it as a cause for congratulation by the country that the Government was protesting against Canada being com- pelled to make concessions without what was considered a just equivalent, the hon. gentle- man opposite showed their animus against the Ministry and proved that they were not as much the rejection of the Treaty they desired as the opportunity to use it, as they had used everything else that had come to their hands, however gigantic might be the interests in- volved, and however deeply these interests underlaid the safety and welfare of the union, and the prosperity of this Dominion. They wanted to employ it as an engine for accom- plishing their own political purposes, irrespective altogether of the good of the country; and they played fast and loose with the question, dealing with it not as it would serve the interests of the people of the Dominion, but as it would give them the chance of aiming a deadly blow at those to whom the administration of affairs in this country was committed. (Cheers.) The hon. member for West Durham had said, in relation to the fisheries, that their value was about seven millions. He (Dr. Tupper) would ask the House to examine with him for a moment whether their value had been lessened or increased by anything contained in the Treaty. He admitted, and he had no hesitation in saying, that when the Treaty first appeared there was a feeling of disappointment among the people of the country, which was shared in also by the Government, because there was not a renewal of the reciprocal arrangements of the Treaty of 1854. Everybody knew that that Treaty had been beneficial to this country; that in a still higher degree it had been beneficial to the people of the United States; and there was a general desire that there should be a renewal of arrangements that had proved so mutually advantageous. When the Treaty of last year was first published, then, it undoubtedly excited a good deal of disappointment that respect to it. What were the reasons that had caused this failure to obtain what so many in both countries thought desirable? It seemed to be forgotten to a great extent by the press and the people in discussing the question, that, between 1854 and 1871, a great change had taken place in the relative commercial positions of the two countries; that everybody who had a right to fish in the American sea to fish in our waters, granted in 1854, was at that time an extremely valuable concession, an enormous one, indeed, which had greatly increased the prosperity of the American fishing trade, there being then nothing to prevent competition with the fishermen of the Maritime Province. But what was the case now? Was not every- thing a great change in the position of the fishery? Why, upon the terms on which the right was granted—the condition that the duty on fish should be removed, and Canadians admitted on an equal footing to the American market—where were the fishermen of the United States? Was it not known that they were almost in a state of overt rebellion? The hon. gentleman had asked for proof that they were opposed to the Treaty. Well, the proof there was plenty of it, was to the fore. Public meetings had been held in Boston, as well as throughout the fishing dis- tricts, at which Congress had been memorial- ized to prevent this injury to the American fish- ery interest. It had also been placed on record that those meetings that the Treaty struck a fatal blow at that interest, inasmuch as, while in 1854 American fishermen were able to compete with Canadians, because they had no high taxes to pay, and the cost of outfit was much less than at present, the war and the burdens it had left behind had so changed their position in relation to this question, that every Canadian fisherman, who went to fish in the sea at his own door with all the advantages of cheap vessels and cheap equip- ment, and if he belonged, as no one doubted, to the same courageous and adventurous class as the Americans, would enter into the competition with an advantage of 40 or 50 per cent. in his favour. (Hear, hear.) That was the ground the Americans had taken, who were most concerned in this Treaty, and he (Dr. Tupper) would ask if there was a man in this House, no matter from what Province he might be, whether from Ontario or Quebec, Nova Scotia or New

Brunswick, who would say that the Canadian fisher was deserving of any con- sideration, if he was not able with that premium in his favour to meet the competi- tion not only of the United States, but of the world? (Hear, hear.) Why then, in- stead of the Treaty surrendering our fisher- men and fisheries to the destructive competition of the Government, the same bill would be—and mark his words, the facts would soon show it—that the American fishermen who employed their industry in the waters of Canada would become like the American lumberman who engaged in that trade in the valley of the Ottawa; they would settle upon Cana- dian soil, bringing with them their character for enterprise and energy, and would become equally good subjects of Her Majesty, would give this country the benefit of their talents and their enterprise and their capital. (Cheers.) Was there anybody who could doubt as to the effect of removing the duty which was now levied of two dollars per barrel upon mackerel and one dollar upon herring; of taking off the enormous duty levied in favour of the American fisherman, and leaving our fishermen free and unrestricted access to the best market for them in the world? Was there any one who could doubt that the practical result would be to leave the Canadians, in a very short time, almost without any competition at all? And yet hon. gentleman opposite pretended to believe that the Act which would produce such a state of things as that was a surrender, a "base sur- render," as they pretend, of our fisher- men of this country. The newspaper press of Canada, and especially the press representing hon. gentlemen opposite, had for a long time held out the idea that Parliament and the Government must do something for the poor fishermen of the fisheries of Nova Scotia and the provinces against the operation of this Treaty, which, it was held, would be ruinous to them in every way. Gradually, however, light began to break in upon them, until at last they discovered this extraordinary fact, that while the clauses of this Treaty which related to Canada were held by every intelligent fisherman to be a great boon, such a clause, which would take the taxes off them and relieve them from hundreds of thousands of dollars tribute that they were now compelled to pay to a foreign nation, the fishermen of the United States were, on the other hand, just as much averse to the Treaty as our own people were anxious that it should be carried into effect. (Hear, hear.) How different would the future be under this Treaty from what it would certainly be if the present state of af- fairs were to continue. What was the re- sult now? Why, many of our fishermen were compelled to go to the United States, abandoning their homes in Canada, in order to give themselves up on an equal footing with the Americans; and not only was the fishing industry lost to this country, but when the fishing season was over they went to man the American navy, so that the very bone and sinew of the Dominion were placed in a position in which, in case of a collision, they would be compelled to act against us and against the country which had given them a great change in their position. It was hardly necessary that he should refer at greater length to a point in regard to which our interest was so plainly marked out; but he would say a word or two upon a remark that had fallen from the hon. mem- ber for Lambton, who had asked the Min- ister of Justice why it was that the sensitive fisheries, which were so valuable, had been given up while the fresh water fisheries had been preserved. If the hon. gentleman would take a trip to the Maritime Provinces, where they did not see so much of him as they would desire to see of one who was so distinguished among the public men of Canada, he would probably be able to learn something upon this and other points which would be of advantage to him. The fisheries of the great lakes and those of the sea were entirely distinct, and had been so dealt with in the Treaty, for this reason, that to a great extent the products of the lake fisheries were sold as fresh fish in the United States, upon which there was no duty levied.

Mr. MACKENZIE.—No, no.

Dr. TUPPER.—More than that. The system now adopted by the Americans to some extent was to employ middle men who bought up the fish in their fresh state, packed them in ice, and sent them off to the American market while still in that condition; so that while there was no duty on fresh fish, salted fish were liable to an almost prohibitory duty. It was easy to see, therefore, why principles apparently antagonistic should have been in the Treaty. The hon. gentleman from North Huron, who had spoken so forcibly to-night,

had said he would like to know what ex- planation the Commissioners could give for refusing to accept free salt, free coal, and free lumber from and after 1874, and their sub- sequent acceptance of the less liberal offer. The answer was a very simple one, and had already been fully given to the House. It was not necessary that he (Dr. Tupper) should add a single word to what had been so eloquently said in refer- ence to his hon. colleague the First Min- ister; but after all that had been said by hon. gentleman opposite, as to the mode in which he had discharged the great duty and trust committed to him, he could not refrain from making some allusion to it. He did not be- lieve, notwithstanding all the complaints that had been made, that there was a single man of character among those who sat oppo- site, who, if his Sovereign had tendered to him an invitation to serve upon that Commission, would have felt for a moment that there was any feeling of patriotism, any sense of public duty, which would make him shrink from accepting the commission, or restrain him from discharging the duty it involved. (Hear, hear.) He would go even a step further, and say that he had too high an opinion of the patriotism and loyalty of hon. gentlemen opposite, at least the leaders of them, to suppose for a moment that there was a man of character among them who would assume the responsibility of saying that the members of that Commission should have undertaken to question the instructions which, under the weight of the authority and sanction of the Crown, had been sent out from England, as the result of the best delib- erations of the English Government, and as to what was best for the safety and welfare of the whole Empire. He would say further, that if the question had been put to the Commissioner from this country in this manner, "Will you sign this Treaty, to which the entire people and press of England attach the most vital consequences, which is regarded as being of the utmost importance to the future of the whole Empire, providing everything which you take ac- ception is left to the decision,—whether to accept or approve, to confirm or reject—of your own free, unrestricted, and uncontrolled Parliament?"—supposing the case had been put in that way, he had too high an opinion of hon. gentlemen opposite to believe for an instant that he could find man in their ranks who, in any such great crisis in the affairs of his country, and having regard to the momentous question not only of the Imperial relations with a foreign power, but of the relations of this colony with the Mother Country, would, if he had been in the position of a Commissioner, have taken the fearful responsibility upon his own shoulders, saying, "I will though you do reserve to the Parliament a final decision upon the matter, I will refuse to sign the Treaty, although it may be fatal to the hopes of a friendly settlement of the questions between the two countries, may be expected to place the Empire in peril, and may throw England back and destroy all hopes of a peaceful solution of existing diffi- culties." (Cheers.) He trusted, he would believe there was a man among them who would be willing to have assumed such a load of responsibility. If there was he felt assured that that man would not, on his re- turn, have received an enthusiastic recep- tion from the people of this country, but rather that the finger of scorn would have been pointed at him as a traitor, not only to the highest interests of the whole Empire, but a traitor to the people of Canada as well. (Loud cheers.) The hon. member for Huron had asked the meaning of the refusal of free coal, and free salt, and free lumber after 1874; and yet the acceptance of free fish and fish oil at a later period. The matter was perfectly intelligible. The hon. gentleman complained that he did not find arguments in the protocol on the matter. He could not know the facts. He could not know that the protocols were not prepared till the last thing, so as to give the general principles on which the results were based. The hon. gentleman ought to be satisfied with the extract from the speech in the House of Lords of the chairman of the Commission, in answer to the Minister of Finance, showing that reciprocity had been struggled for in the most determined way possible, and had only been given up when nothing more could be done. A good deal had been said about the "national policy," and he might say that gentlemen opposite had not the excuse they had urged for their action in that matter. He had gentlemen op- posite to him, and he had fishermen of the same, when he, night after night, struggled to get Parliament to adopt the principle of

the protecting them and taxing the products of the United States. He had always maintained, as he did now, that there was nothing more necessary to the prosperity of this country than reciprocal trade with the United States, and it was under that impression that, in the discharge of his duty, he struggled with the Government and Opposition, and combined with hon. gentlemen opposite who, he thought, were acting in good faith, to endeavour to secure the adoption of a policy which he considered the only means to secure reciprocity. When the President of the United States declared in his annual message to Congress that the policy of the United States was opposed to reciprocity and that it would be purely in the interest of Canada, he (Dr. Tupper) felt that it must be obtained by the rigid exclusion of Americans from the Canadian fishing grounds and the taxation of their products. That exclusion was tried, and then, when there was every indication of success, gentlemen forgot the duty they owed to their country, and, in combination with those who had been most loud in favour of that policy, struck it down. Hon. gentlemen demand why they were not told by the government what the effect of their action was on the Commission. The Government had it not in their power to give such information. What they knew was in the strictest confidence, and they could not state it without bringing dishonour and discredit on the First Minister. He desired to vindicate the Government from the charge of having failed in their duty in this matter, and he was reminding hon. gentlemen opposite that he stood up in his place and implored them to hold their hands from a policy so suicidal; stating that every one must know that the question of the fisheries would be considered at the conference; and that as Canada wanted reciprocal trade so much, and as that was what the First Minister was struggling for, he asked hon. gentlemen if in that crisis they were prepared, for the mere purpose of obtaining a temporary triumph over the Government, to reverse the policy that had been so successfully instituted. But his appeal was in vain; and it was no wonder when the news came that the action of the Canadian Parliament had entirely changed the aspect of the matter in the United States, and that the offer previously made was withdrawn. If the hon. gentleman wanted to know why the First Minister did not accept the offer when first made, it was this: He said—"You ought to give us more. You gave us more in 1854. If you want the same privileges you that enjoyed you must give us more." But when the hon. gentleman was making a gallant and probably a not intellectual struggle to advance the great agricultural interests of the Provinces, hon. gentlemen opposite combined to strike down his hand. He had then to adopt the Treaty or to take the responsibility of striking the death-blow possible at the interest of the Empire. He was in favour of the Treaty because it was the only means left to obtain reciprocal trade, by allaying all enmities between the two countries. This was already found to be the result, and everyone who had visited the United States since the ratification of the Treaty came back in favour of it, for the reason that there was a wonderful difference in the state of feeling in the United States towards Canada. All the acrimonious feeling that formerly existed had been allayed. Let hon. gentlemen study the proceedings of Congress, and they would find the same change evidenced there. The member for West Durham stated that, if Canada had continued the policy of exclusion, the American fisheries would very soon have utterly failed, and they would have been at our mercy. This was a great mistake. Last summer he went down in a steamer from Dalhousie to Pictou, and fell in with a fleet of thirty American fishing vessels which had averaged 300 bbls. of mackerel in three weeks, and had never been within ten miles of the shore; and from this the member for Durham sees that the conclusion of the American was not quite as efficient as was imagined.

Mr. MACKENZIE asked whether they were under the headlands.

Dr. TUPPER said he could not speak as to that; but the question was altogether a capacious one, for it was well known that the headland limit had not been enforced for years. He maintained that the member for West Durham gave up the whole argument that he spoke of because he was obliged to enable the Americans to compete with the Canadian fishermen. If, however, the hon. member would read the proceedings of Congress, he would find that the question of boundaries had been scouted from the very

first, and that it was admitted on all hands that a system of bounties was utterly impossible; but further, the highest system of bounty would give but \$400 to a vessel, while the remission of duty on her cargo would amount to \$1,200; and therefore the bounty could not, under any circumstances, do away with the advantages on the side of Canadian fishermen. He again referred to what he termed the unparliamentary nature of incidents of the year.

Mr. HOLTON thought the hon. gentleman was out of order in reflecting on the action of the House.

Sir JOHN MACDONALD said it was not out of order, for the action of the House was always open to appeal.

Dr. TUPPER said he was quite satisfied to find the hon. gentleman acknowledged that a reference to his former action was a reflection.

Mr. HOLTON said, however that might be, the hon. gentleman assumed the responsibility of that action.

Dr. TUPPER said that was under compulsion. If hon. gentleman would read a statement recently made by the chairman of the Committee of Ways and Means of the United States they would see that it would be impracticable for the United States to adopt a policy that would counteract the advantages derived by Canadian fishermen. He would now ask hon. gentlemen to turn their attention to the effect of the Treaty on the shipping interest of the country. The member for Halifax had told them that he went to visit a fishery in which he was concerned, when the Treaty of 1854 was in force, and found that out of forty or fifty vessels, scarcely one was American; but that on another occasion, after the abrogation of that treaty, among an equal number of vessels, scarcely one was Canadian. It must be remembered that our commercial marine amounted to a million tons, and the House would see that, whether in connection with the fishery or the ship-building interest, the value of the Treaty could not be overrated. He would now refer to the state of public opinion in Nova Scotia. Before the Treaty was made the Nova Scotia Government put a very strong resolution in their journals. Since then the Treaty had been promulgated to the world, and had been signed by every fisherman in the Province, and now the House there had been in session for over two months, and there had not been so disapproval of the Treaty. He believed that the feeling in Nova Scotia was that Parliament could not inflict a greater wrong on them, and could not paralyze their industries more than by refusing to ratify the Treaty, which promised and protected their great national industries without injuring a single interest, or being counterbalanced by a single drawback; and that a refusal would also tend to prevent the obtaining of reciprocity in the future. He was not so well prepared to speak as to New Brunswick; but the same thing took place there. The New Brunswick Legislature at first strongly opposed the Treaty, but though they had now been six or eight weeks in session, there was not a single hostile resolution passed in their records. As to Prince Edward's Island, the Treaty was as good as accepted.

Mr. MACKENZIE asked whether they had repented the former resolutions.

Dr. TUPPER said he would not detain the House further, and regretted that he had trespassed so long as to enter a stage of the discussion; but the question was one in which not only the interests of Nova Scotia and New Brunswick and the whole Dominion were concerned, but also the interests of the Empire, and he would not have done justice to himself if he had not given utterance to his views. The hon. gentleman took his seat amid loud cheers.

On Wednesday, the 15th—

Sir GEORGE CARTER hoped the House would pardon him for addressing a few words to it at this late stage of the debate, on the important question now under discussion. Although the matter had been argued fully on both sides of the House, he thought there were one or two points which had not been touched upon in regard to the favourable consideration of the bill. But before coming to the consideration of the merits of the question, he hoped he might be allowed to bring to the remembrance of the House debates which took place some years ago. It might be remembered that, during the great discussions that had taken place between his party and the Liberal party of Upper Canada on the subject of representation by population, he had on one occasion

made a speech which had afterwards been called by his political opponents, "The great foolish speech" (Laughter). His object in that speech was to show that when it was urged by Mr. Brown and his party that Upper Canada, having a large population, should have representation by population, his (Sir George's) reply had always been "Give representation which will allow us to use the Maritime Provinces and I shall have no objection to representation by population." He at that time remarked that though Upper Canada could boast of many sources of wealth as an agricultural country, and had a population a little larger than Lower Canada, still it was nearly as poor an inland country, not having the valuable fishing resources which Lower Canada in conjunction with New Brunswick and Nova Scotia possessed; and it was to be borne in mind that without the fishing resources of Lower Canada, with New Brunswick and Nova Scotia the Reciprocity Treaty of 1854, which did so much to increase the wealth of Upper Canada by raising the value of wheat and other farm produce which never would have been obtained from the Americans. That had not been for the fisheries and the "cod fish" of the Maritime Provinces the American Government could never have been induced to consent to the Reciprocity Treaty, for except these fisheries Upper Canada had in fact nothing to offer in exchange to the Americans. We might say, as he had asserted, that the Treaty of 1854, which provided the Reciprocity Treaty of 1854. He was much taken to task at the time for such expressions of his views, but the accuracy of his assertions as to the value of the Fisheries had been fully vindicated since, by the articles which had appeared for the last ten months in the *Globe*, and by the speeches of several members of the Opposition in which it had been stated, and again stated, that nothing was more valuable than the Fisheries of the Dominion. The reason the Government had offered protests in relation to the Treaty was because that it in the proper value of the Fisheries appeared not to have been considered; but the Dominion Government, knowing how valuable they really were, did their duty by remonstrating that they could in order to obtain as much as possible for the protection of their valuable fishing rights. Hon. gentlemen from the Maritime Provinces must not consider that they were alone interested in this question; for the Province of Quebec, in her Gulf and Labrador fisheries, was equally as much interested as the sister Provinces. He was glad to make these remarks, and to do so because some hon. gentleman from Nova Scotia and New Brunswick had spoken as if they were the only Province blessed with the wealthy fisheries, while the fact was that the yield of fish in the Province of Quebec compared most favourably with the yield in the other Provinces. (Hear, hear.) The Government then, as far as it had been called upon to act in respect to this matter of the Treaty, was aware of the immense value of the fisheries, and knew that, to permit the Americans to fish in our waters upon the same footing with our Canadian fishermen, was giving them a great advantage, and they had done all they could, and all it was their duty to do by way of representation and remonstrance, in order that the fisheries should be used as to gain for Canada greater advantages in the direction of reciprocity of trade than those secured by the treaty; failing to obtain that, they had obtained the next best thing. The same contention and remonstrance must have been made by the Commissioners who negotiated the Treaty, since there was a clause in it which provided that there should be a money payment to the Americans, and if upon arbitration it was shown that the value of the fisheries opened to the enjoyment of the Americans, was greater than the value of the American fisheries thrown open to the Canadians. Several hon. gentlemen opposite had endeavoured to make it appear that the Treaty was a cession of territorial rights. Now, it was merely a tariff arrangement, and nothing else. (Hear, hear.) He need the proposition at all; it was simply a commercial regulation, with the additional provision that, if we gave to the Americans more than they gave to us during the twelve years the Treaty remained in operation, the excess of value should be ascertained by arbitration and paid to us as a money compensation. He would now refer to the tariff arrangement, as he had said, and there was no cession of territorial rights, for if it had been proposed it was the duty of this Government to represent to the Imperial Government that there should be no such cession. It was still fresh in their memory

what had taken place in New Brunswick with regard to the Maine boundary, and they were not disposed to allow the Imperial Government or the Commissioners to be in the sight of the fact that they were aware what was going on, and that they were opposed to anything that would bear the appearance of a cession of territorial rights under the Treaty, as it was finally concluded imported at such a season. (Hear, hear.) He had intoned with great pleasure to all hon. gentlemen who had spoken on the other side, and particularly to the hon. member for West Durham, and his colleagues and himself had been struck with the fact that during the first two hours of that gentleman's speech he had drawn all his arguments from documents that had been prepared at the instance of the Government. (Hear, hear.) He was glad to see that the reasons which had been presented to the Imperial Government in order to secure liberal treatment for Canada, were so highly appreciated by the hon. gentleman opposite, and he held to be so conclusive as to form the principal arguments addressed to the House on the subject. It was a matter of surprise to him that the hon. member for West Durham, who had spoken so eloquently and so ably upon the subject, instead of taking their arguments from the newspapers which had discussed the Treaty in an unfriendly spirit, had drawn all their inspiration from documents which the Government had prepared for submission to the Imperial Government. He acknowledged and felt it to be his duty to present to the House, and to look for arguments to sustain them in our papers that had been written by the Government. (Hear, and laughter.) He would now address himself to some part of the speech of the hon. member for West Durham that had not yet been answered. The hon. gentleman had divided his speech into three topics—first, the cession of territorial rights, secondly, the legality of the Treaty as far as it concerned the navigation of the St. Lawrence; and thirdly, the Fenian claims. On the first topic he had laboured to make it appear that he implied a cession of territorial rights, but he had not succeeded in making out his case. He had acknowledged that no harm had been done, because power was reserved to the Canadian Parliament and people to reject or confirm the work of the Commissioners. When the hon. gentleman afterwards referred to the navigation of the St. Lawrence, he had laid down a proposition of international law which was entirely incorrect, and knowing, as he did, the legal ability of his hon. friend, it had surprised him to find such a doctrine put forward. It had been argued that, as the fisheries of the Treaty had been reserved for the decision of this Parliament, so, too, ought the article relating to the St. Lawrence, because the river from St. Regis downwards flowed between banks which on both sides were Canadian territory. The hon. gentleman had also that the Confederation Act, by giving the Parliament power to legislate in relation to navigation and shipping, conferred the power upon Canada of legislation with regard to navigation of the St. Lawrence; and therefore, the consent of Parliament to that article of the Treaty should have been sought. That part of the hon. member's argument had not been answered, and (Sir George) would address himself to that part of the hon. gentleman's speech. The reason that the articles of the Treaty providing for the free admission of fish, and fish oil had been reserved for decision of Parliament, was that their operation depended upon the repeal of a former Act, which could only be removed by an Act of the Canadian Parliament. This was also another reason—By the Confederation Act, the Parliament of the Dominion had a right to make laws within the territorial boundaries of the Dominion. It was conceded that the sea within three miles of the shore was part of the territory of the country, and that vessels of other nations had a right to navigate those waters for any purposes of trade other than fisheries. What made it necessary that the assent of Parliament should be obtained to allow such a frequent and important trade to be carried on, in order to carry out the fish profitably, it was requisite that fisheries would land their nets and use the shore for the purpose of drying and curing; that they should use our territory for that purpose. As it rested with this Parliament to determine who should enjoy such a right as this, it was necessary that the assent of Parliament should be obtained to allow such a frequent and important trade to be carried on, in order to carry out the fish profitably, it was requisite that fisheries would land their nets and use the shore for the purpose of drying and curing; that they should use our territory for that purpose. 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poor of reason, and argument, and justice be considered as the true exponents and the best test of the right of nations. (Hear, hear.) As regarded individuals, so it was with respect to nations. Solutions were a solution of grave difficulties and difference was desired. There was no mode so well calculated to effect that object, so simple, rational, and likely to be attended with beneficial results as that in which the individuals or nations were brought into direct intercourse, to state their grievances and frankly acknowledge their responsibility, and when that was deferred to call in the aid of some impartial friend, by whose decision they would agree to be bound. Acting upon this great principle, the heads of these two powerful nations had agreed to subscribe their seal to this Treaty. The Parliament and people of England had followed that glorious example. In that great arena of eloquence and patriotic political gadabouts had cast aside the ordinary weapons of their warfare. Parties had been hushed; rival leaders had spoken together in harmony and accord; the passions of millions of England and America; the interests of hundreds of millions of the earth's inhabitants, the progress and civilization, the peace and general welfare of the world had been consulted, and in that great arena, in that great Parliament, the people, by their representatives, and the representatives, by the sanction of the people, had approved and ratified that mode of settling inter-national differences. (Cheers.) And yet here we in Canada were asked to take another course. We were asked to reject this humane, this benevolent, this philanthropic mode of settlement. We were asked to reject the results of the labours of those pious and good men who had taken part in these negotiations. Should we do anything of the kind? Should we do anything but confirm this Treaty? He believed that the response of this House would be in the negative; and he felt confident that with this Treaty ratified so far as we could ratify it, with this bill, now before the House made a portion of the statutes of our country, anew would occur no reference to our relations with the United States, and new causes of rejecting would come to the people of the Dominion, that their lot was cast in this happy land. (Cheers.)

Mr. McDONALD (Lunenburg) said that he had never, from the first day on which the Treaty had been published, changed his mind in regard to it. From the first he had regarded it favourably as a settlement of a difficult question and a measure which he thought ought to and would receive the sanction of the House. He admitted that it did not combine all that the people of Canada would like to receive in the way of concessions from their neighbours, but taking it all in all, he looked upon it as a settlement of a difficult question of settling differences which were difficult in their nature and might have been dangerous to the peace of both countries. (Hear, hear.) Had time permitted he would have wished to have stated his views at some length; but at this late hour he would not impose upon the patience of members, further than to offer a few remarks on the several clauses of the Treaty. These clauses of the Treaty, it was agreed on all sides, would affect the Province of Nova Scotia more largely than any other Province in the Dominion, and hon. members had expressed the desire that the interests of that Province should not be sacrificed. The people of Nova Scotia did not view the arrangement that was proposed as a sacrifice of their interests. They were, he believed, largely in favour of accepting the Treaty, both because of the Imperial interests involved, and because that its provisions would be advantageous to themselves. He had, perhaps, no right to speak for the whole of Nova Scotia; but for the county which he had the honour to represent, and which was perhaps as largely interested in the fisheries as any other county of the Dominion, he was prepared to say that it was all but unanimous in its favour. How much right that county had to take an interest in the matter might be judged from the fact that her people owned the large number of 632 boats, employing upwards of 500 men engaged in the inshore fisheries, 39 schooners, many of them first class vessels, engaged exclusively in the deep sea fisheries, and employing nearly a thousand men, besides 147 other vessels, some of which were at times partially dependent upon the fisheries for employment, but there were nearly 2,000 men, who with their families derived their living mainly if not wholly from the fishing business. The fishing vessels of Lunenburg County generally fitted out in the spring for Labrador or the Banks, returning about the middle of July or the first of August with a fare of codfish,

and then fitted out a second time for the hook and line mackerel fishing in the bay. The hon. member for Halifax, who addressed the House a few days ago (Mr. Power) has told what effect the high duty on mackerel in the States has had on this hook and line fishing. The number of vessels fitted out for it from Lunenburg since the Reciprocity Treaty, until last year not more than half a dozen ventured to engage in it, finding the high duties made it unprofitable. Last year, nearly all that fine fleet of vessels, after returning from Labrador, instead of going out again for mackerel, were compelled to lay for the remainder of the season fifty aviraging at their anchors in the harbours and coves around the coast, while the young men who would have formed their fishing crews, were either compelled to remain at home or seek other employment elsewhere, some of them perhaps on board American vessels, where the fish they caught were worth more than if taken on board their own vessels, because they would be free of duty under the American flag; it was thus of vital importance to the fishing people of that county that the fishery articles of the Treaty should be ratified, because they believed, and he judged they rightly believed, they would then be placed on a much better footing than they occupied at the present time. (Hear, hear.) Not only were his constituents deeply interested, but the whole people of Nova Scotia were immediately concerned. He read from statistics to show the magnitude and importance of the fishing interest, the number of men it employed, and the value of the products. In 1853, the year before the commencement of the reciprocity treaty, the total value of the products of the fisheries in Nova Scotia was something less than six million dollars, of which only about thirty per cent, or less than \$582,038 worth, found a market in the United States. In 1865 the total yield of the fisheries had risen, with various fluctuations, to an aggregate of nearly three and a half millions, and it was found that the export to the States had not only kept pace with the aggregate increase but had largely exceeded it, the exports to the States in that year being about forty-three per cent. of the aggregate catch, or near a million and a half of dollars. Thus, it would be seen, that under the old Reciprocity Treaty our fishermen lost nothing by allowing their American neighbours to fish in our water. On the contrary they had gained in every way. The influence of a free market had acted as a stimulant on their energies, so that although their fishing grounds were shared by American fishermen, their total catch had increased fifty per cent., and so beneficial was that free market found to be, that the exports to the States had increased over a hundred and ten per cent. in the twelve years. Nothing could more clearly establish the two important facts that our fishermen have nothing to fear from fair competition with American fishermen in our own waters, and that the free access to the markets of that country is of the greatest possible importance to us. The exports of the last three years of the Reciprocity Treaty, with three years since its abrogation, shows that the exports of fish to the States have fallen off seven per cent. since the Treaty was abrogated, another proof of the value of that Treaty to our fishermen. Give us this Treaty, and what happened before will happen again. Give us a free market in the States and the energies of our fishermen will be stimulated anew into life and activity, and an increased aggregate yield, together with a largely increased export to the States, would show that our people were fully equal to competing on fair terms in our own waters with their American neighbours. There was one important consideration which had been overlooked in weighing the advantages and disadvantages of the Treaty, and that was that the admission of British vessels to fish in American waters would enable Americans to purchase vessels in Provincial ports, where the cost of construction was much less than in the United States. It was true they would be unable to register in American registers, but they could take out British registers, and as British vessels resort to American waters, and if they caught fish there or in British waters could take them into American ports and sell them on equal terms with the fish taken in by American fishermen in American waters. It was well known that for years past, although British vessels were not admitted to register in the United States, yet many ships were built in British ports, while sailing under a British register and carrying the British flag, were really owned by and sailing on account of United

States merchants. With respect to fishing vessels, we had never been able to build any of that class of vessels for our neighbours, because no profitable employment other than fishing could be found for them, and vessels carrying the British flag have been until now, and were under the old Reciprocity Treaty, excluded from United States fishing grounds. In this respect the Treaty of Washington was decidedly more advantageous to fishing interests of the Dominion than was the Reciprocity Treaty abolished in 1866. The privilege given by the new Treaty to vessels carrying the British flag to fish in the United States waters, it would be found, was no barren privilege as had been asserted, for besides the privilege of fishing there, which our people might avail themselves of if they choose, we should now build fishing vessels for our neighbours. The fishing masters of Maine and Massachusetts, when they find that they can get as good a vessel built in Lunenburg or Shelburne or Yarmouth for \$5,000 as they can in Gloucester for \$8,000, will not be slow to avail themselves of the advantage thus placed within their reach, they will not throw away the extra cost of the vessel on any mere sentiment about the flag when the less costly vessel will suit their purpose as well, and the flag of their own nation does not secure to them any special advantages. He considered this a very material point, and he believed that Americans would avail themselves of the opportunity which would thus be offered of obtaining vessels at much less cost than they now paid. (Hear, hear.) He was surprised at some things in the very extraordinary speech of the honourable member for Halifax (Mr. Jones), particularly his assertion that the American market was of little value to us, and that frequently prices in that market would be lower than in Nova Scotia. The honourable gentleman had mentioned a case where a merchant of Halifax had gone to the United States and purchased fish for export to the West Indies because he was able to procure them there cheaper than in Nova Scotia. If when the hon. gentleman had mentioned the case he had expressed the idea that that was the normal condition of the trade, and therefore that the American market was of little value to us, then his statement was a disingenuous distortion of the facts, for he denied that the normal condition of the trade was such as that statement implied. The hon. gentleman knew that for the best branch of mackerel, No. 1 and No. 2, he had literally no market except the United States, while for the inferior fish, No. 3, he had also a market there as well as further south. It was possible that there had been some purchases in the United States by Halifax merchants, but the instances were few, and arose altogether from exceptional circumstances. It was a fact that the mackerel catch of 1870, the largest quantities had been held and sold in the Boston Market, at prices ranging about \$30, and in some instances as high as \$35 had been obtained. He detailed the circumstances which had caused a decline in the price; in consequence of that decline some merchants had held fish back to market until they had become deteriorated in quality, the most uncleanable, and some of these fish, he believed, that had become unfit for the American market had been purchased for the West Indies. In one instance in 1871 a Halifax merchant had a vessel to arrive at Boston from the West Indies with a cargo of sugars, and going there to meet his vessel and make arrangements for a return cargo, he found a quantity of this uncleanable fish that had been a year in store, offered at a very low price, and he purchased it for shipment to the West Indies. That was the substance of the fact upon which the hon. gentleman had based his statement that the market of the United States was of little value to us, because the price of fish there was sometimes lower than in Nova Scotia. (Hear, hear.)

He must refer briefly to another statement made by the member for Halifax (Mr. Jones), intended to throw a doubt on the value to our people of the fishery clauses of the Treaty, and in which he had implied that certain statements made by his colleague (Mr. Power) were false and inaccurate. The latter gentleman had shown that the Magdalen Island herring fishing, which formerly employed a large number of Provincial vessels had been lost to us since the abrogation of the Reciprocity Treaty, but argued that we could regain it under the Treaty of Washington. Mr. Jones, however, had said that that particular branch of fishing business had been totally destroyed, and was not now prosecuted, the fish being of very poor quality, and the market for them hav-

ing been destroyed by the abolition of slavery in the United States. This statement he (Mr. Mell) contended, was incorrect. Although slavery had been abolished, the negro had not been abolished. There still was a market in the Southern States for that kind of fish, which was especially suited to their hot climate; but the success of catching them was almost wholly in the hands of our neighbours. It was well known that large numbers of American vessels do resort every spring to the Magdalen Islands, and also to Fay Forts, Newfoundland, where fish of nearly similar quality are taken, but our vessels are now driven from these two fishing fields because the duty in the United States on the kind of fish caught there, is prohibitory. Remove the duty, as is proposed by the Washington Treaty, and our fishermen will have these valuable fields of industry restored to them. He justified the statement made by the President of the Council to the effect that the duty on pickled fish in the United States was equal to a tax of \$600,000 upon the fishing industry of Nova Scotia. The member for Halifax (Mr. Jones) had denied this, and stated that the duty on mackerel and herring shipped to the States in 1871 was only about \$60,000. That was another of that gentleman's facts that was made to do duty for a misstatement. It was quite true that the duty on our fish exported to the market in Great Britain would only have amounted to about \$90,000, but that only proved that the duty was so nearly prohibitory as to prevent the export of larger quantities. He read from a return to show that the value of the fish caught in Nova Scotia last year amounted to over \$5,000,000. Of this quantity there were 228,152 barrels mackerel, and 201,000 barrels herring, the duty on which, if applied to the States, would be over \$350,000; so that the statement made by the President of the Privy Council was more than justified by the facts. If there was so small a proportion of this total sold in the States it was because the duty was almost prohibitory. Remove the duty, and the Custom House returns of fish exported to Great Britain will show another fact. The member for Halifax had also argued that instead of admitting the Americans to our fishing grounds, we ought to have enforced the protective policy, and that if that policy had been properly enforced we might have obtained a renewal of reciprocity. That position was doubly inconsistent, for it was not only contrary to the hon. gentleman's avowed policy for the last two years, but it was contradicted by a portion of his argument now. If his assertion that the number of American fishing vessels had increased very largely in the last two or three years was true, then that went to prove that under their protective duties they were flourishing in spite of any difficulties they might have encountered in consequence of exclusion from our waters. Remove this great advantage they have on their side, and we need not be afraid to remove any advantage we have in the exclusive use of our inshore fisheries. Our people are not afraid to compete with them on equal terms; our men are as skillful as theirs, and are willing to admit them to the privilege of fishing in our waters, so long as they have access to their markets. This assertion, that instead of having a reciprocity in fishing, we should continue the exclusion of the Americans from our waters, was a strange doctrine to come from the man who assumed to be the leader in this House of that party in Nova Scotia that had denounced the protective policy from the first hour of its inception. With the permission of the House he would read a few extracts from a newspaper, the acknowledged organ of the party for which the hon. gentleman was supposed to speak, here, and owned and controlled by a gentleman who was the leader of that party in the Local Legislature of the Province. In the month of February, 1870, the protective or national policy was proposed in the House. The hon. member was not then in his place, but on the 24th of that month, the Halifax Morning Chronicle, the organ of his party, and speaking no doubt, his sentiments, said:—

"Dr. Tupper proposes that we drive the Americans from our fishing grounds and protect our national products and manufactures against their competition in revenge for a violation to negotiate a renewal of the Reciprocity Treaty. This would have been some years ago a policy which would recommend itself to the colonies, for then the injury of the abrogation of the Treaty was fresh in our memories. Not an now, however, the first feeling of anger has been worn away, and people take the sober second thought."

And again, on the 17th of September:—

"It is marveled by a few folk, thank heaven they are few, that this petty spiritlessness of conduct will cause the Americans to sever their ties with us. It is by this stupid system of pretended fishery protection we succeed in irritating the American people, so

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we have already succeeded in raising some of our own, we may find Congress prohibitory commerce with the United States. The House of the Dominion will be beggared in two years."

Such, Mr. Speaker, were the views and opinions held and expressed in this meeting from the day the licensing system ceased and the protective party commenced, down to the time of the sitting of the Joint High Commission at Washington, by that party in Nova Scotia of whom the hon. member for Halifax is the acknowledged mouthpiece in this House. Then the most liberal treatment of our neighbors was urged, and the benefit arising to us from their inshore trade alone was declared to be more than an equivalent for the use of our inshore fisheries; and it is passing strange to find that honourable gentleman now taking up a cry that it was then said only "fools" had faith in, urging the renewal of what was then described as the "mad action" of the Government in adopting resolutions which were declared to be "inimicable," now, when it is proposed to open our fisheries for a consideration far exceeding what was then declared to be more than an equivalent. But it has been said by hon. gentlemen, the members for Halifax and Hochelaga, that Nova Scotia has spoken not at that time, and by the House of our Legislature condemned the Treaty. He (Mr. McD.) denied that statement. The resolution passed by the Nova Scotia House of Assembly in 1871, was not in any sense a condemnation of the Treaty. On the 14th of February in that year, Mr. Hill in the House of Assembly moved a resolution requesting the following general terms on the Joint High Commission the recognition of the fishing rights of the Provinces and that no diminution of them should be allowed without a full equivalent. On the 17th the Attorney-General moved as an amendment a series of resolutions, differing very little in substance from that moved by Mr. Hill, but added a little of the bitterness which that party always so frequently in treating on Dominion affairs. The Joint High Commission had not yet sat. It was not known what course might be taken by that Commission on this Fishery question; the fisheries might be sacrificed, or they might not, but it was always in order in that House of Assembly to have a flag at Canada and her statesmen, and an amendment with a preamble was moved to Mr. Hill's resolution that would convey an insult as well as a remonstrance. By the amendment it was resolved:—

"That this House cannot contemplate the said commission without serious apprehensions in respect of the invaluable coast fisheries of the Maritime Colonies; and consider it their duty to the fishermen and other labourers at sea who are so frequently and so frequently in treating on Dominion affairs. The Joint High Commission had not yet sat. It was not known what course might be taken by that Commission on this Fishery question; the fisheries might be sacrificed, or they might not, but it was always in order in that House of Assembly to have a flag at Canada and her statesmen, and an amendment with a preamble was moved to Mr. Hill's resolution that would convey an insult as well as a remonstrance. By the amendment it was resolved:—

That resolution passed by a vote of thirty to three. It certainly did not contain any such thing as either an offer of, or a withdrawal of, interpreted by the view that for a year and a half previous had been expressed by the party who passed it, could be considered as condemning the provisions of the Treaty of Washington. He (Mr. McD.) contended that all that was demanded by the resolution, was more than secured by the Treaty. The resolution protested against the fisheries being sacrificed. They had not been sacrificed. It protested against the fisheries being transferred to any foreign power without the consent of the people of the Colonies. They have not been transferred to any foreign power. They will be as much our property when the Treaty goes into effect, as they were when the resolution was passed. The Treaty transfers to our neighbors the right, not the property in them, but leaves the ownership solely with us; giving to our neighbors not the right, but the privilege to use them for a term of years, and leaving with us the right to resume the exclusive use of them after those years if it should then seem to be good policy to do so; and it gives the right as requested by resolutions to the people of the colonies through their representatives in Parliament, to give or withhold their consent to the arrangements that have been made respecting the fisheries. But since that resolution was passed by the Nova Scotia Assembly, an election has been held in that Province. The Treaty was signed on the 8th of May, 1871, and published immediately afterwards. It was never heard that during the ten days that elapsed between the publishing of the Treaty and the election, any objection to it had been taken at a single hustings in Nova Scotia. It was well known that on the part of the men supporting the Imperial Government that election, hostility to the Dominion Government was a main feature of their canvass, and it is

very certain that if they had felt they could strengthen their position by attacking the Treaty, they would not have failed to do so. They did not because they knew it would be unpopular to do so. The new Assembly met in February last and remained two months with the men who held the Local Government in 1871 held it still, and had a majority in the new House as they had in that of 1871, yet during that whole session they said nothing against the Treaty, never hinted that the fisheries were being sacrificed, never referred to their resolution of 1871, or said that it had asked for was not more than secured by the clauses of the Treaty which the bill now before the House proposes to ratify. With such evidence he (Mr. McD.) felt he was justified in saying that neither the people nor the Legislature of Nova Scotia were opposed to the Treaty of Washington. There was another remark made by the member for Halifax, Mr. Jones, that he (Mr. McD.) could not pass by in silence. That gentleman had said every annexationist in Nova Scotia was in favour of the Treaty. This was an extraordinary statement to come from that quarter. There were very few annexationists in Nova Scotia; there were a few in Halifax, and there was, or had been lately, an annexation league in that city. It was a well known fact that among the members of that league were some of that hon. gentleman's intimate associates. Its members were to a man his political friends and supporters, and if among those who supported him in his general political policy there were any who supported him in his hostility to the Treaty, they were to be found among those who were members of the annexation league. Yet in the face of these facts, the hon. gentleman had the hardihood to assert that the annexationists, and few besides, were in favour of the Treaty. It has been contended that in addition to what the Treaty proposes to give us, free markets for our lumber and coal should also have been received in exchange for the use of our fisheries. He (Mr. McD.) gave it as the opinion of one of the largest coal owners in Nova Scotia that the coal interests did not suffer and might be benefited by the arrangement that the Treaty proposes. The time would come and perhaps would soon come, when the coal and lumber duties in the States would be removed, as were the duties in England, by force of circumstances; and when the question will be thus settled, upon its own merits, the settlement will be more permanent, and therefore better for our lumber and coal interests, than if those articles had been made free under the Treaty, only as a make weight, or equivalent for something that was never coming to our neighbours. It may be that a free market for our coal and lumber would not be more than an equivalent for what the Americans are to receive from us; but would it be wise for us on that ground to take the responsibility of rejecting the Treaty. Reject the Treaty, and we don't get free markets for our coal and lumber, and our fisheries, and those interests are not benefited, while our fishermen will be deeply injured. On the other hand, in accepting the Treaty, these coal and lumber interests will be placed in no worse position than they were before, while the interests of our fishermen will be largely benefited, the interests of peace and of the Empire promoted, and a guarantee given in the amicable feeling already resulting from the Treaty, that a more liberal policy in their commercial intercourse with us will in the future be adopted by our neighbours. Had time permitted he (Mr. McD.) had intended to have spoken of some other features of the very important question opened up by the bill under discussion; but as to take an hour in the morning, he would not trespass further upon the patience of the House. (Cries of "go on.") He had spoken only of those features of the measure that more especially affected the Provinces from which he came, and he concluded by saying that, looking from a Nova Scotia point of view, and more particularly from a Nova Scotia fisherman's point of view, he should not hesitate in voting against the several amendments that had been proposed, and in favour of the bill to give effect to the Treaty. (Cheers.)

On Tuesday, May 14th.—
Mr. HARRISON said—Various opinions have been expressed by the gentleman who has already addressed the House as to the merits of the Washington Treaty, but in one thing all appear to agree, viz. that the importance of the Treaty as to the future of the country cannot be over-rated. This must be my apology for offering some observations in regard to the course of which I may repeat something that has been already

said, but I trust I may also bring something new to the fund of truth. The discussion has taken a very wide range, but I always make it a practice, before entering upon a discussion, to endeavor, if possible, to ascertain the real position of the parties. The Government have introduced a bill, and moved its second reading, to give effect to certain clauses of the Treaty, and in so doing they have brought the subject before the House, and have left the House unfettered to press its full opinion on its merits, and thus the utmost freedom of action has been given. This motion is the second reading of the bill was met by an amendment moved by the hon. member for West Durham, in which he states "that before proceeding further with the said bill, this House feels bound to declare that while Her Majesty's loyal subjects, the people of Canada would at all times make any reasonable sacrifice in the interests of this Empire, there are just grounds for the dissatisfaction prevailing the whole country, at the mode in which our rights have been dealt with in the negotiations of Washington, and the subsequent proposal at our Government "that England should endorse a Canadian loan as the price of the adoption of the Treaty, and the abandonment of the claims in respect of the Fenian raids, which affect not merely our purse, but also our honour and our peace."

The effect of this amendment is to narrow the freedom of action which existed on the introduction of the Bill, because the wording of the resolution leads to only one conclusion which is that it is desirable to be contented on our Government. It is unquestionably a party move, not the interests of gentlemen forming the Opposition in this House, who desire if possible to secure some little political capital with a view to the elections that are about to take place throughout the Dominion. The amendment must be dissected before it can well be understood. It is an indictment against the Government, but it is not a criticism generally found in indictments. It embraces, very properly, a profession of loyalty;—we always had such motions professed with such a profession. It contains an allegation that there is now dissatisfaction with the Treaty through out the country. This assertion cannot be true. (Cheers.) It then alleges that there are just grounds for the dissatisfaction, and proceeds to point out the causes of the dissatisfaction. These causes are stated to be the mode in which our rights were dealt with at Washington, and the proposal of our Government that England should endorse a Canadian loan as the price of the attack on the Bill, an attack on the Treaty of Washington, and an attempt to censor our Government. The honorable member for Sherbrooke said he should vote against the amendment because it was an attack on the Treaty, and if the motion were carried, he could not see how the gentlemen who proposed the amendment would bring in and carry out the Bill. He however, we know as much of the opposition as we in Ontario do. (Hear, hear.) A part of their tactics has been to oppose measures, and then when they have got into power, to pass the same measures themselves. Gentlemen from Ontario are perfectly aware that the present Government of that Province got into power by their opposition to the policy of the late Government in a particular—that particular being grants to railways. These grants they looked upon as extravagant, and denounced them as extravagant, as corruption, and as bribery. By means of these denunciations the gentlemen were enabled to secure power, and then to triumphantly disprove that they had done, they increased them. (Hear, hear.) How gentlemen therefore need not be surprised if those who attacked the present measure, should, after securing power by means of the attack, of themselves carry out the measure. (Hear, hear.) The amendment was intended to lead to a trial of strength, to a political trial, but the discussion that has taken place in the House must have a different mover that instead of coming out number one in the contest, there will be an overwhelming majority against him. No doubt the hon. gentleman thought when he placed his amendment on the journals, that he represented, to some extent, the feeling of the country, but it must now be pronounced, from the debate that has taken place, to be calculated without proper foundation, and that the motion which he thought would catch and carry a number of votes will meet with an overwhelming defeat in the House and the country. Fearing this result he backs down, and we have an amendment proposed to the amendment, which says various things in regard to the differences between the United States and Great

Britain, concerning the proceedings necessary to give effect to the Treaty of Washington, it is inexpedient at this time, to proceed farther with the said bill. The truth is that "it is inexpedient to proceed further with the amendment of the hon. member for West Durham, as it has been voted down by a large majority. The reason assigned is no reason why we should not have a full discussion. While the Treaty was a fixed fact, and not likely, in any shape or form, to be corrected or opened, there may have been reasons in the interests of the Empire why we should not fully discuss its merits and mistakes, but now that it is likely to be, in some degree opened, it is our duty to express what we feel to be our honest convictions, so, as if possible, to influence those who may be called upon in some form to amend some of its provisions. I do not think the Treaty is as good as some have represented it, nor as bad as others have represented it, but what it will be good or bad, it will be found that our Government is not deserving of censure. I do not agree with the member for Essex that the Imperial Government is in the same position. Now that the Treaty is so much opened, I feel that I am at liberty to state what I think of the policy of the Imperial Government, and that any one who reads the correspondence which has before us, and notices the insular protests of our Government, and the pusillanimous action of the Imperial Government must come to the conclusion that the honour of England has been tarnished. This brings me to another point. There is some confusion as to where the responsibility should rest for the short-comings of the Treaty of Washington. It is to throw upon our Government censures which properly belong to the Imperial Government. The Imperial Government is responsible to the people of England,—the Canadian Government to the people of Canada,—the Imperial Commissioners to the Crown of England,—and the United States Commissioners to the Government of the United States. An effort has been made to disassociate the Premier of our Government from the other Imperial Commissioners, and, if possible, to make him personally responsible for everything objectionable in the Treaty. What I contend is this,—that the status of a Commissioner is to be judged of by his commission. It is perfectly true that Sir John Macdonald was, and still is, in the Canadian Government, but when he accepted an Imperial Commission, he became an Imperial, and not a Canadian Commissioner, responsible to the Imperial Government,—and responsible to this House only so far and so far only as he acted in union with the Canadian Government. I know the member for Lambton disputes this, and so I will endeavor, without desiring to give offence to that gentleman, to illustrate my meaning. That hon. gentleman at present holds a position in the Government of Ontario. Before he accepted that position he was President of the Isolated Risk Insurance Company. (Laughter.) Now, it will not be contended that he is in any way, responsible for his conduct as Treasurer of Ontario, to the Insurance Company. The positions are entirely distinct. Though, I grant, there may be some connecting interest, some desire on the part of the hon. gentleman to advantage the Company; but it is not necessary his duty to do so. (Laughter.) And so, I say, that our Premier as a member of an Imperial Commission, cannot be judged by the House, and is not responsible to this House for his conduct as an Imperial Commissioner. It would, moreover, be most unfair to separate him from the others, when he was only one in five, and hold him responsible to the House, while the others were not. I think it necessary to open this point further, as the member for Peel has already dealt with it; but we must bear in mind, in discussing this question, the difference between the bodies we have to deal with, and endeavor to throw the responsibility for what has been done on the proper parties. The hon. member for Lambton drew our attention to the fact that the expenses of the Premier, as a member of the Commission, were paid out of the Canadian Exchequer. This is a small matter, and cannot alter his character as an Imperial Commissioner. But I do think the expenses should have been paid by the Imperial Government, and such not being the case is to my mind another instance of the peevish policy of what is called the "Manchester School" at home. (Hear, hear.) I now come to the discussion of the merits of the Treaty. The principal matters involved are—the Alabama question—in which Canada is as greatly interested as England's—claiming the omission of the Fenian indemnities—our negotiations with Great Britain, and the fisheries. I differ from gentlemen who

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take the ground that these fisheries are not of great value to Canada. I think they are of very great value, not only for the present gain, but for future profit and future renown. I find it stated in a report of the Government of the late Province of Canada, dated 23rd March, 1866, speaking of the fisheries, that the bulk of fish were sold by the fishermen, irrespective of Newfoundland, then amounted annually in value to from four to five millions of dollars, employing upwards of 20,000 men and boys, and providing a nursery of hardy seamen, which would in future make British North America the predominant maritime power on the continent. I entirely subscribe to those opinions, and I also agree with those members who have taken the position that it is not the right of any foreign Power, without our consent, to interfere with these fisheries. I also agree with gentlemen who argue that the only right which the people of the United States have to interfere with these fisheries, is under the Treaty of 1818. That Treaty was a compact between two Powers, Great Britain and the United States, and Great Britain thereby gave to the Americans the liberty, in common with our own people, to fish on certain coasts therein described, for ever. They gave them the liberty also, for ever, to dry their nets, and to cure their fish on certain unassented portions of the territory, and the consideration was an absolute renunciation, on the part of the people of the United States, of any liberty previously enjoyed by them to take or dry fish on, or within three marine miles of any coast or bays. Any bays there means all bays. It does not mean bays of twenty or thirty miles in width, but it is a renunciation of all pretence or right to take or dry fish within three marine miles of any of our bays, and this can only mean from a line drawn across those bays. I do not understand that the Minister of Justice took any other ground than this—but he only showed to the House what we all know, that our contention in this respect was not acquiesced in by the United States. A difference of interpretation arose—the headland question arose—the claim to trade arose—and a claim to take fish within three miles of the large bays. These claims were persisted in by the people of the United States, and the consequence was that from day to day, month to month, and year to year, causes of irritation and annoyance arose, causes likely to be productive of ill feeling, instead of that friendly feeling that we are all so anxious should exist between Great Britain and the United States. While I admit the desirability of both Great Britain and Canada living at peace with the United States, I deny that the people of Canada or of Great Britain have ever shown an unfriendly feeling to the people of the United States—but I regret to say—and I think the occasion has now come when we ought to speak plainly—that I call for a code of laws to the people of the United States. What are the facts? In the protection of our fisheries we always acted with very great liberality towards the people of the United States, so much so that our own people complained that we did not sufficiently look to their interests. During the American dis-charge our international duty was honest to prevent the raiders, and where money was in our territory we took the opportunity to offer to restore it. Then the United States made a charge against the Empire, of which, I believe, we are proud to form a part, of neglect in connection with the escape of the *Alabama*. I happened to be on board of the vessel which that vessel sailed down the channel. We signalled her, but could get no response. We could get no information about her—we could hear nothing of her—but in a short time afterwards the whole world heard of her. The moment that it became known to the Government of Great Britain that she was intended for hostile purposes, they took measures, though too late, to prevent her escape; I contend that not only has Canada discharged her international obligations properly, but Great Britain has also done so, and that in a way calculated to produce good feeling in the minds of the people of the United States. The Americans, however, as early as 1865, made a demand that England should be liable for the escape and the subsequent depredations of the *Alabama*; but the English Government of the day said they were not liable, as they had faithfully discharged their obligations, and used all proper diligence to prevent the vessel's escape, and they therefore refused to make any reference of the demand to arbitration. In subsequent years, however, we find that the great people of the Empire of Great Britain, who in 1865 refused to arbitrate at all, were ready and

willing for the sake of peace, to submit the dispute to arbitration. Feeling arose in the United States, in consequence of this dispute, of so bitter a character, and to so great an extent, that the Reciprocity Treaty between Canada and the United States was put on hold. I have no doubt that the people of the United States thought that by doing this they would ruin this country, that they would shut us out from all channels of trade, and that ultimately they would force us into their union. But the effect has just been the reverse. Instead of making us craven it has made us self-reliant; instead of shutting us out from all channels of trade, it has tended more than anything else to consolidate our Union, and make us one people from one ocean to the other. I am aware that it would be beneficial to have reciprocal trade with the United States, but I do not believe we are likely to get it by begging for it. Let us show to the Americans that we are independent of them, that we can do without them, and then though the financial requirements of the United States are great, I present out of the question, the day will come when it will be for the interest of both parties to have reciprocity in trade; but, I repeat, that the day will not be hastened by our continually whining for it. The hon. member for Sherbrooke said that he thought the true policy of the Government of this country, in regard to the fisheries, was the licensing system, and he much regretted the abolition of that system. That system was tried and found wanting, and if our Government had continued it, they would have been found wanting in their duty to their country.

In 1866 there were 354 licenses issued.	
In 1867 " " 251 " "	
In 1868 " " 56 " "	
In 1869 " " 25 " "	

And fishing in our waters without leave and without licence forced upon us the policy of exclusion. I have shown as briefly as possible the anxious desire that the people of Great Britain and Canada had for establishing friendly relations with the people of the United States. I have shown their efforts to discharge honestly and faithfully their international obligations. I propose now to look at the other side of the picture, to see whether we were met in a corresponding spirit by the people of the United States. The Fenian question has cropped up again and again, and is a rare question because the people of this country as a unit feel that the Imperial Government have had no part as they ought to have done with this question. I was sorry to hear the Secretary of State for the Provinces use language which might be construed as a palliation for the crimes of those men. I do not think he intended to do so, and was glad to hear him at once renounce any such language. In 1865, while we were struggling to get on our feet, we were asked to give Great Britain what was doing all else could bring about and continue that good feeling—the Fenian organization was warmed into life in the United States. The object of the Fenians was known to everybody, there was no secrecy about it—their avowed intention was to attack Canada, a country which had already discharged its duty properly to the United States—to attack Canada, a country in no manner concerned in the disputes between England and Ireland. They were drilled in open day, uniformed, and commanded by American officers, and everything possible was done to bring upon them the influence of the Government of the United States, and what was done? Nothing at all or if anything it occurred to them. The Fenians were allowed to come to our country in 1866, to land on our soil, and desecrate it by shooting down our young men, some of them leaving widows and children; young men of our Universities and of the highest social standing and promise were shot down by those so-called people of the United States, General Barry of the United States army, who endeavoured to discharge his duty, and to prevent the raid, was rewarded by the United States Government by dismissal. Our Government at that time was not idle, it made remonstrance to the Imperial Government. It demanded that a reparation should be had, and that security should be given for the future, and did all that could be done in order that Canada might have redress for the great outrage upon her soil. We know from the correspondence that our Government, through the Imperial Government brought the claims of Canada before the Government of the United States. Great Britain, apparently, did not insist in regard to the Fenian claims, upon proper reparation. She did not press our

claims for redress for the past, and security for the future as Great Britain used to do in times gone by, when other men were in power. But what had she done in regard to the *Alabama* claim? In 1865 she refused to submit the questions in dispute to arbitration. In 1866 she was so anxious to have a friendly feeling with the United States that she agreed to leave to arbitration, the very questions that before she had refused to do, and how was she met by the people of the United States? The Senate of the United States rejected the Clarendon-Johnson Treaty; rejected the advances made by England to secure and continue friendly relations between those two great powers. During all this time, through suffering and smarting from gross wrongs, we retaliated in a way; we gave the people of the United States the use of our canal on the same terms as we used them ourselves. And how were we treated, when in an emergency we required to use one of their canals? The House will remember the *Alcona*, how she stopped when she attempted to pass through the Sault Ste. Marie Canal. It has not been that the *Alcona* had previously gone through, the troubles in the North-West might have increased most disastrously, and it was weeks and weeks before permission was given by the Government of the United States for vessels to go through from one part of Canadian territory to another. And when it was given, the volunteers had to be disembarked, all stores and ammunitions had to be unloaded and conveyed overland. This was the way in which our liberality in regard to the canal was met. (Hear, hear.) But your Government is not to be blamed, for the omission by Britain to press those Fenian claims, I do not wish to take up the time of the House in reading extracts from the various papers, more than one could read, so as to do so, only feeling a manly pride. There never was a colony which spoke to the Imperial Government as ours did, and never before was there necessity for speaking as our colony did. In June, 1870, our Government stated that "Her Majesty's Government ought to be apprised without delay that there is a general feeling throughout the Dominion that the United States Government has not adequately discharged its duty on this occasion, and that Great Britain is bound to protect the subjects of Her Majesty in the Dominion by demanding adequate reparation for a most grievous wrong." Strange language was afterwards used, but what was the response? "Her Majesty's Government has not failed to place before the Government of the United States the inconveniences which Canada was suffering, and likely to suffer from these hostile preparations on her frontier, and to urge them to counteract by all means in their power such movements." Though they have as yet little official information on the subject, they hope to find that the aid of that Government was *loyally* and *generously* afforded. The authors of those outrages, who are now said to be in the hands of the United States authorities, will receive such condign punishment as this wanton attack upon the peace of a neighbouring and friendly state deserves. It is not often in the history of civilized nations that a country has suffered from an attack so gratuitous and unjustifiable as that which has been made upon our territory, and I can assure you that the Queen, together with the Parliament and people of this country, cordially sympathize with the annoyance which it has caused, and admire the spirit with which it has been repelled." There is no allegation there that they had demanded reparation for the past. In July, 1870, our Government was asked by the Committee of the Privy Council to state their views regarding this outrage, in their minute of the 2nd ult., a copy which they requested your Excellency to transmit to the Secretary of State; and the *painful duty* is now imposed upon them of requesting your Excellency to express to Lord Granville, their unfeigned regret at learning from his dispatch that Her Majesty's Government had been demanding reparation from the Government of the United States, for the grievous outrages to which they have been subjected, have contented themselves with urging that government to counteract such movements in future by all means in their power; a demand which, no doubt, has already been made on more than one occasion, in 1866, and subsequently without any satisfactory result. The Committee on the Privy Council, in venturing to remonstrate against the communication described by Earl Granville as having been made by the United States Government on the occasion of the late outrage, would beg to refer to Lord Salisbury's own language in which they entirely concur. "The British Government," it is not often in the history of civilized nations that a

country has suffered from an attack so gratuitous and unjustifiable as that which has been made upon the Dominion." To this the Committee of Council feel it their duty to add, that they believe that there is no precedent in the history of civilized nations for a great power such as Great Britain submitting to such outrages on its loyal subjects without making a demand for adequate reparation. The Committee of the Privy Council feel it their duty to express very strongly to Your Excellency for the information of Her Majesty's Government, the deep sense entertained by the people of the Dominion of all shades of party, that they have not received from Her Majesty's Government that support and protection which, as loyal subjects of Her Majesty, they have a right to claim. The Government that used this language is not deserving of censure, but of praise. (Cheers.) In 1870 our Government not only made the protests to which I have referred, but sent Postmaster-General Campbell to England, if possible, to secure protection for the Dominion, that gentleman contains something which would particularly call the attention of the House. His first demand upon the Imperial Government was that the Imperial Government should make a demand upon the United States for indemnity for the past and protection for the future; failing that, that the Empire should join with Canada in meeting the losses of the country, and that the British Government should not be allowed to suffer alone all the losses and consequences of the Imperial acts, or policy which were complained of, and I strongly urged that for the past and the future, should any further Fenian troubles arise, the Empire, as a whole should bear the burden of resisting such attacks, and that Canada should contribute as a portion of the Empire. The proposition thus made in 1870, was I believe, looked upon at the time as a fair and reasonable one, and although the report had been published and in the hands of members for some time past. I am not aware that any person has ever found fault with the alternative proposition of the Postmaster-General. The Imperial Government declined the first and has only recently acquiesced to the second alternative. Our Government earnestly pressed the Fenian question in the hope that the United States would not only make some reparation for the past, but do something towards preventing raids in the future. How were we met? By the Speech of President Grant in December 1870. This speech was entirely unpropitious. It was an election cry, and many gentlemen from Ontario knew what that meant. (Laughter.) It was made to captivate the ears of those who heard it, and to get them to support the party who gave it. I think that every man in Canada who read that speech did so with feelings of indignation. The President stated that "the course pursued by the Canadian authorities towards the fishermen of the United States, during the past season has not been marked by friendly feeling." I am sure that any man reading the correspondence will see that every effort was made by the Canadian Government to establish friendly feelings with the United States—while endeavouring to prevent our just rights from being the utmost rights to our neighbours. We were always for the protection of our fisheries which we had a perfect right to do. We executed these laws in a manner intended to give the least possible offence to those against whom they were designed to operate. So long as there was any pretence of respecting the Fenian system we continued it. When it became plain that it only encouraged the people of the United States to violate our territorial rights we adopted the policy of entire exclusion. And what do we find in this precious speech of President Grant?

The President intimated that should the authorities of Canada attempt to enforce the act which we had a perfect right to pass for the protection of our own property, it would become his duty to do what? To take such steps as may be necessary to protect the rights of the citizens of the United States. Now what were the "rights" of the citizens of the United States? The only rights they had attempted to exercise up to that time were the right to invade our territory and the right to fish into waters—the right to make incursions into our country in the west, to shoot down our

been made on the part of gentlemen opposite either to the composition of this Commission, or to the ability, or want of ability, or discretion on the part of any of the Commissioners. This House had an opportunity to pronounce this opinion, before the Hon. Premier went to Washington, on the occasion of the motion of the hon. member for Sherbrooke, and my hon. friend the member for West Durham, on that occasion, used this language:—

"The question was whether we ought to do or say anything which might in the slightest degree embarrass or impede the course of the Administration with regard to the matters upon which they had assumed responsibility. His opinion was that they should not by a vote or record do anything of the kind." So that the House not only approved of the appointment of the Commission, but allowed the Premier of the Government to go by an almost unanimous feeling of the House without any limitation of any kind on his actions, although it was known he was in the minority on the Commission. The Commissioners met at Washington and exchanged Commissions. Whether they read each other's Commission or not, do not know. Probably they were under the belief that they met on equal terms. But, Sir, they did not meet on equal terms. While the Commissioners of Great Britain were there to settle all questions, the Commissioners of the United States were there to settle only such questions as were referred to them by the Government. Besides there was this, that while the Treaty as to many of its provisions would be binding on the Government of Great Britain, from the date it was signed it was not binding as to any of its provisions on the people of the United States, till ratified by the Government of that country. Meeting on those terms it was not surprising that there should be a disagreement between the two classes of Commissioners before they went very far in their deliberations.

Now, what was done? I shall endeavour as briefly and clearly as possible to take up the different questions. First, the *Alabama* question. We find that England, who, in the first instance, had refused to give an arbitration at all the question, "due diligence," that England who had always maintained that she had done due diligence—we find her Commissioners commencing proceedings with an expression of regret on the part of Great Britain, a regret for the escape of the *Alabama*. Had the United States acknowledged the error of their ways as to the Fenians, would not greatly object to this expression of regret, because Earl Russell, in the debate in the House of Lords, stated that he had again and again expressed his regret for the escape of the *Alabama*. But why should this expression of regret be brought out so prominently in the Treaty itself?

The people of the United States, by their Commissioners, stated that they looked upon this expression of regret as very satisfactory, as a token of kindness, and the Government (I will not say the people) of that country have since shown their liberality for that by efforts to get enormous damages for consequential injuries.

Some hon. gentlemen have said that they would be very glad if, in consequence of the present complications on this point, the whole Treaty were to fall through. I am not disposed to differ from them. I should be well pleased if Great Britain and the United States were to-day to wipe out the whole thing and begin again. I do not think there is any fear of war, and I think after the experience now had, that if the Commissioners were to meet again all matters would be settled, and in a manner more satisfactory to us (Hear, hear). That attempt of the Government of the United States to force upon England, notwithstanding England's apparent humiliation, these excessive indirect damages is proof that the Government of the United States has not been so anxious to get a great deal more if they can—while conceding nothing of much corresponding value, I am glad that the Gladstone Government has been compelled by the British people to resist this unreasonable demand. It is full time that concession should stop, and resistance to unwarranted demands begin (Cheers). I consider in this connection the *ex post facto* agreement, to which I have before alluded, very objectionable. Let me give an example of the working of such a vicious rule. During the war between Prussia and France, arms were exported from Great Britain to France. They were exported as articles of commerce. Prussia found fault with Great Britain for these exports, and then Great Britain contended that she had a right to sell these arms as she was doing; that there was nothing in International Law to prevent it, and therefore she refused to ad-

mit that she had done wrong. Suppose a difficulty were now to arise between Prussia and England, and England were to say, "It is true that when we sold these arms according to our views of international law there was nothing wrong, but we now admit that we ought not to have sold them, and to sell them arms, and we will have our conduct of 1870 judged by the rules of 1872." Where would Great Britain be in an arbitration of that kind? She would be of course in the wrong—not wrong when she did the act, but wrong by the law afterwards laid down for her guidance, not in the future but in the past. (Cheers.) Under such a principle the weaker power will be called upon to submit to the stronger. I do not say that Britain is a weak power. Far be it from me to say, but she is now under weak counsels. (Hear, hear.)

Some people have argued that we have gained a great deal by the establishment of this rule of "due diligence"—that it will prevent Fenian raids in future. Does it apply to Fenian raids at all? It does not. The rule that is laid down is as follows:—"That a neutral Government is bound, first, to use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or carry on war against a power with which it is at peace; and also to use like diligence to prevent the departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction, to warlike use."

Secondly:—"Not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or of the recruitment of men."

Thirdly:—"To exercise due diligence in its own ports or waters, and as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties."

It is restricted entirely to the escape of vessels. It has nothing to say to the escape of men. It does not at all apply to the Fenian question, and the Treaty was concluded with the idea that this *ex post facto* agreement was the sacrifice of sound legal principle is at all calculated in the future to prevent Fenian raids. (Hear, hear.)

We find that the Fenian question was brought up. Our Commissioners very properly pressed the Fenian claims as coming within the subjects indicated by Sir Edward Thornton's letter. We saw the answer to that on the part of the United States Commissioners that they were without authority from their Government to consider them. Falling back on the language of Mr. Fish they said that their Commission was only to consider such questions as their Government should refer to them. I really think it would have been better then and there to have broken off the negotiations. I say so because I think that a Government not willing to concede a thing so plain, while they were pressing the *Alabama* claims, was not a Government to be trusted in other negotiations. I should not expect that such a Government would do otherwise than take advantage of us, if possible, in other negotiations. (Hear, hear.)

Why should all the other questions be left unsettled for the sake of this question? If this had been pressed I think all would have been settled; and it would have been better then and there for the British Commissioners, one and all, to have taken their stand and said—this is a matter so plain, according to the principles of International Law, that it must be taken into account. If you really desire a settlement of all questions with a view to friendly relations for the future it must be now settled.

If that course had been taken, there would not have been the difficulty that has since arisen about the omission of the Fenian claims, and the refusal of the American Commissioner to consider the Fenian claims for reasons given.

The British Commissioners meekly replied that they would not urge further that the settlement of these claims should be included in the present Treaty, and they had the less difficulty in doing so, as a portion of the claims were of a constructive and inferential character.

If the fact that a portion of the Fenian claims were of a constructive and inferential character excluded them from consideration, then the *Alabama* claims should not have gone before the Commissioners.

The *Alabama* and the Fenian claims were both of the same kind—the damage in each case was a damage, direct, and a damage consequential, and if a damage consequential was a ground for rejecting the Fenian claim, I

maintain it was equally a ground for rejecting the *Alabama* claims. (Cheers.)

(Here there was the usual evening voice.) Before the recess, I had been criticizing those portions of the Treaty relating to the Fenian claims, and incidentally referred to the Fenian claims. I pointed out what appeared to me to be the sacrifice which Great Britain had made: first, in her apology or expression of regret to a Government that excluded the Fenian question from consideration; and secondly, in laying down an *ex post facto* rule of a most objectionable kind.

It may be said that these sacrifices are really of a sentimental character, but Great Britain, in all probability, will be called upon to make sacrifices of a material character also, and that to a very large amount. While, however, I make these criticisms, I do not wish as a Canadian, to be understood as harshly judging the Mother Country. (Hear, hear.) We must not lose sight of the fact, that the sacrifices, whatever their nature, were, in all probability, prompted by consideration for our own country. When we look at the power and magnitude of Great Britain, and her high position among the nations of the world, we cannot but come to the conclusion that these sacrifices were made out of consideration for Canada, which in the event of war, would be the battle ground of the contending powers. Besides as to any material sacrifice that may be made under an agreement in the *Alabama* matter, we shall not have to contribute one cent. These sacrifices as made are acts of omission.

But there was an omission of which Canada has a right to complain, and which she can overlook, and that is the withdrawal of the Fenian claims. The Imperial Government expressed the hope that the United States Government would finally consent to International obligations, and would punish with condign punishment any guilty persons who infringed these International rules. That expression of hope was fruitless. The raid of 1866 was led by a man, who, though arrested, was immediately discharged without trial. The raid of 1870 was led by the same man, and afterwards pardoned. The same man appeared in the raid into Manitoba last year, was arrested and afterwards discharged.

The proposition made by the Postmaster-General to the Imperial Government, was either that they should insist on reparation being made by the United States, or that they should themselves help us to bear the expenditure which we had incurred. The Imperial power consented to the withdrawal of the Fenian question from the consideration of the Commissioners, but it is not correct to say that the claim has been settled forever. There is no settlement as between Great Britain and the United States. The claim still remains open. In the event of future negotiations, I trust that the Imperial Government will not forget to press the claim and also endeavour to obtain an assurance of security in the future.

To show that there was no settlement as between the Imperial Government and the Government of the United States, it is only necessary to refer to the language of Lord Granville said in June, 1871, in the discussion on Earl Russell's motion:—"He certainly trusted and hoped that Canada would not refuse to assent to that portion of the Treaty which related to her. At the same time he must express his great regret that our Government had not been able to obtain a construction of the Canadian law, on account of the Fenian raids from the United States. Her Majesty's Government took the whole responsibility of what had occurred on that subject, and he might frankly say that they were deterred from pressing these claims because they found that insistence upon them would involve the failure of the present negotiations. Another reason for asking this course was that these claims had never been presented by our Government to the United States, and it must be remembered that, although they were not urged, so on the other hand they were not abandoned by this Treaty."

Mr. Gladstone in August, 1871, in the debate on Sir C. Adair's motion, said—"It is quite clear that the Fenian claims should have been included in this great settlement; but it is not to be supposed, because they are not included in the settlement, that they have ceased to exist. They remain in their validity. We are charged with them. It is our duty to see that a just claim of Canada is put out of these transactions, and not disparaged. If I am asked why these claims are not included in the settlement, I can only say frankly that it is because we

were unable to include them, and because we did not think it right to sacrifice and abandon the whole of these extensive arrangements; because we were unable to bring within their scope that singular comparative insignificant point."

For these reasons Great Britain has agreed to assist us to bear the expenditure to which we were put, and the assistance which we receive this assistance imparts to it a most liberal character; for while the ratepayers of England pay nothing whatever, it is of the greatest possible gain to us. It is not merely the fact that it saves us a large amount of money in borrowing the amount, actually guaranteed, but it enables us to float it; the remainder of the loan we require on such better terms than we otherwise could have done—and in addition to all this, there is a moral support—for it shows that England, so far from desiring that the connection between herself and Canada should cease, desires that it should continue—and she gives to our great enterprises, the building of our Intercolonial Railway, and the enlargement of our canals, both her moral and her material aid.

It will be remembered that the Government were blamed by gentlemen opposite on a previous occasion, for not rendering to the Imperial Government an account for the losses sustained in consequence of the Fenian raids, and that some gentlemen now blame them for obtaining money in compensation for those losses.

No doubt it would have been more satisfactory to us if we could have received some apology from the Government of the United States for the occurrences of the past, and some undertaking that there should be no recurrences of them in the future—but that apology and assurance can only be obtained through the Government of Great Britain—but the Government of Great Britain at present to press our claim, but has decided that we shall not lose thereby.

Our Government in this, as in other things, did all they could, used every exertion to induce Great Britain to press our claim—but, though the claim is closed in between Great Britain and Canada, it is still open as between Great Britain and the United States. The arrangement between Great Britain and Canada is, however, alike honourable to both.

It is objected that we have no guarantee for the future, and no assurance that there may not be a recurrence of the grievances of which we complain. No doubt that the Imperial Government has, in the past, and for reasons I have already stated, been slow to act—but I have not arrived at the conclusion that the Imperial power is in a moribund state. The men who now direct the destinies of the Empire will not do so always. I have still faith that the hearts of the Imperial people are in the right place, and that in the event of a change of Government better men will be in honour will be alike respected and protected.

If, however, gentlemen opposite think that there is no protection in the British flag, the only alternative, in their view, is to seek another flag. We might have the flag of the United States—the Stars and Stripes. (No, no.) Well then, we can have the flag of Independence. (No, no.) Well then, we can have the flag of the great Liberty party of Ontario. (Laughter.) If we have the latter, there would be no scarcity of mottoes—"No Popery" for instance; "No Separate Schools," "No Orangemen," "No Coalitions," "No Governments but Grit Governments," "No enlargement of our Canada." (Laughter.) There will be plenty of mottoes for this flag, but not for the present occasion. The people of the Dominion desire it, nor do I think that the people of Ontario will long endure it.

I, however, recognize the propriety of the assertion that may be made, that it is not the Government of Ontario, but the Government of the Dominion, with which we have to deal on the present occasion. There is a vote of censure proposed to be passed on this Government. What is this Government? It is the Government that has made our Dominion what it is to-day. It truly represents the party of progress. They have done more in five years than perhaps any other power has done in fifty years. (Cheers.) Then there is the party of opposition. What have they done? They have opposed everything the Government attempted to do, and while we call our Government the party of progress, we must call the Opposition the party of obstruction. The greater part of what has been accomplished since Confederation has been accomplished in spite of gentleman opposite. (Cheers.)

I now, however, pass to another portion of the Treaty—the navigation of the St. Lawrence. So far as that river forms the

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boundary between the two countries there
can be no question as to being a highway
common to both, and this not only arises
from the fact that the "rivers" and
naturally within Canadian territory.

The people of the United States always
contended that the St. Lawrence should be a
highway throughout, from its source to the
ocean; and certainly anyone looking at the
map must be impressed with the view that
nature intended it to be the great high-
way of the world.

I should have been better satisfied if the
Imperial Commissioners had acceded to the
proposal of the United States, and simply
admitted that the St. Lawrence is such a
highway, and asked no equivalents. If that
had been done, we should have had a pre-
cedent for the use of such rivers as the Colum-
bia. But conceding the right for what
is called equivalents, prevents its use as a
precedent.

The equivalents spoken of,—the rivers Yukon,
Porcupine and Stikine may be very fine
waters, but we do not know anything about
them. I look upon the St. Lawrence as our
Jordan, and I know nothing of these waters
of Damascus. (Hear, hear.)

And reference made, however, to the Treaty
made in 1825, by which apparently we had
as much right to those rivers as we have un-
der the present Treaty. My hon. friend
from Peel contends that by the cession of the
territory from Russia to the United States,
that Treaty was abrogated. I do not quite
see it in that light. It may be so, but it
seems to me that an another ground, that
Treaty could not be in force. England al-
ways contended that war between two coun-
tries puts an end to existing treaties. She
has contended that again and again. Since
that Treaty there was a war between Eng-
land and Russia, and therefore, according to
the view maintained by England, that war
must have put an end to the treaties existing
between the two countries. It is not, how-
ever, a matter of very great importance, for,
from all I can learn, the use of those rivers is
in no sense, an equivalent for the use of the St.
Lawrence. There are, however, other equiv-
alents. There is the navigation of Lake
Michigan. But it is to be observed that
while we give the use of the St. Lawrence for
ever, we only have the use of Lake
Michigan for a limited time. Then there is
the bonding system, which is of great value
to Canada,—and also the relaxation of the
navigation laws, which I consider a most im-
portant concession. It will be a great ad-
vantage to some parts of Canada. Some of
our railways will benefit very considerably,
and also the shipbuilding interest. The
Northern Railway, the Great Western Rail-
way and the Welland Railway will profit by
it. The privilege is, however, subject to
two checks—first, the use of our canals; and
the second, no export duty on the timber
cut in that part of the State of Maine water-
ed by the River St. John, and exported
from New Brunswick to the United States.

As for this disposition of the St. Lawrence,
whether we approve of it or not, no blame
can be properly imputed to our Government.
The Imperial Government, however, took
this matter entirely into its own hands; and
our Government had nothing whatever to do with
it. It has been already explained that the
cession of the navigation of the St. Lawrence
is of very little practical value without
the use of the canals, and the right to use
the canals can only be exercised, with our
consent. I have no doubt that we shall be
very glad to have the canals used by the
Americans as much as possible on the same
terms with ourselves, so that we may derive
an increased revenue that will contribute to
the cost of their construction, and will make
them more profitable to us than otherwise
they would be.

I now come to that portion of the Treaty
more particularly before us—the clauses re-
lating to the Fisheries. These clauses are
subject to our jurisdiction, and it is for us
to decide whether they shall be confirmed.
Let me briefly refer to them.

The 18th clause gives liberty to the Ameri-
can fishermen to obtain fish within the dis-
puted limits.

The 19th gives us the right to fish in
United States waters.

The 22nd provides for the payment of
any difference in value to the country that
may not have as much advantage as the other.
It has been objected that these provisions
are not fair, but I cannot see anything unfair
in them. It is provided that we may fish in
American waters, that Americans may fish
in our waters, and that if there be any differ-
ence in value the difference is to be the sub-
ject of arbitration. I cannot see that any-
thing can be more fair in principle, or more
just, if properly carried out. But in addi-
tion to this, there is another privilege, which

is given to us by the 21st Article, namely,
that for the term thenceforth, fish and
sea mammals shall be admitted into both coun-
tries free of duty. I should have been better
satisfied if the reciprocity had gone further,
and if we had coal, salt and lumber free.

The Minister of Justice explained that, in
his opinion, but for the action of this
Parliament in taking off the duties on these
articles last year we should have had Reciprocity
for so long as we had. But I only say
as one of those who voted for the repeal
of the duties last year, I had no such infor-
mation as the Government had. The Govern-
ment were in communication with the Pre-
mier every day, and if it was known to them
that the retention of the duties was essential
to obtain reciprocity, it was their duty to
have said so to the House, and then they
should have risked their position as a Govern-
ment on the disposal of the question. If
the House was to blame, the Government
was greatly to blame.

But the privilege given to the Maritime
Provinces for the sale of their fish, as I un-
derstand it, is of very considerable
value to them. There is an increased
market for their fish, and it is a great
benefit for their fish. Then the fishermen of
the Maritime Provinces can live more cheaply
than the American fishermen; they can
build their vessels more cheaply, and in ad-
dition to the American market, they will
have a market at their own doors. If, under
such favourable circumstances, our fisher-
men are not able to compete with the fisher-
men of the United States, I can only say
they are not the men that we, in the West,
take them to be. I have no doubt that they
will be able to profit by the Treaty, and that
is shown by the fact that the Treaty is very
little, if at all, opposed by the gentlemen re-
presenting the Maritime Provinces.

An objection has been made, and urged
again and again, by members of this House,
that a surrender has been made of our ter-
ritorial rights. But I fail to see that any
such surrender has taken place. I cannot
see that there is a surrender of territorial
rights now any more than there was in
the Treaty of 1818; or in the Reciprocity
Treaty of 1854. Certainly there is a
privilege given to fish in common with
our own people, but not that for a limited
time. During the twelve years that this
privilege will continue, we hope to make
great progress in building up the Dominion,
and we shall then be a power more worthy
of respect than at present, and not so
deserving of the sneers of the President of
the United States as in his annual messages
we are made to feel by the annual
power of the world, but one ready and
willing to bear our portion of the respon-
sibility of Empire.

It seems to me, therefore, that the argu-
ments that the fishery clauses are unfair,
and that there has been a surrender of
territorial rights have not been made out. If
there shall then be any further Treaty
established, why should Ontario object? The
matter peculiarly concerns them, and if they
are satisfied, we, in the West, should also
be so.

There is not only a gain to the Maritime
Provinces however—there is the bonding
system, and there is the relaxation of the nav-
igation laws, which have already mentioned
and which are benefits to the whole Dominion.

If it is the policy of the Empire that the
Treaty should be accepted,—Canada, as part
of that Empire, should accept it.

I should be better satisfied to see the Treaty
amended, and indeed entirely changed, but
as the Empire decides to ratify it as it is, it
is our duty to conform to it, and to resist it
Canada is not called upon to make any sac-
rifices, but even if she were it would be
her duty to do so under the circumstances.

What value would the Fisheries be to us
without the protection of the Imperial
authorities? They would be of no value
whatever, for we should be unable to hold
them,—and we should have no right to ex-
pect support from the Imperial power in
protecting our Fisheries, if we were to fly in
the face of Imperial policy and refuse to ratify
what they consider expedient in the
interests of the Empire.

These are the principal reasons why, in my
judgment, the Fishery clauses should be sup-
ported. There is no reason why nations like
ours should not settle their disputes by the
laws of reason. War is the result of bar-
barism, and I trust the Treaty of Washing-
ton will be for ever a precedent for the
settlement of disputes not only to
the two nations concerned, but also
to the nations of the whole world. (Cheers.)
It is necessary for the welfare of this
country and of the United States that this
or some such Treaty should be adopted.

We have a large part of the continent in
our charge, which it is our duty as well as
our interest to develop and settle. It is to
our interest to invite immigrants from all
parts of the world to come and settle upon
this land of which we are the stewards—to
occupy this part of the American continent
and build up in it a great and prosperous
nation. To them we offer a home, freely
giving away our lands that they may become
prosperous. In doing this we are not
improving ourselves, but we en-
rich them we enrich ourselves. There is
with nations as with individuals, a giving
that makes rich, and a withholding that
makes poverty. (Hear, hear.) In improv-
ing the condition of others we improve our
own condition; the more land we give to the
immigrant the richer we become. The land
is of no value except for purposes of settle-
ment. Each emigrant is an addition to
our National power and National wealth.
Such has been the policy of the United States,
such should be the policy of this country.
Emigrants want to come to us and find here
happy homes; but to enable us to give and
them to receive the advantages we offer, we
must keep them away, and it is our policy, there-
fore, to have peace. For similar reasons,
peace is the true policy of the United States.
I look upon this Treaty as a happy omen of
the future—a happy precedent in the inter-
est of peace. (Hear, hear.) For these rea-
sons, I intend to vote against both of the
amendments that have been proposed, and
for the second reading of the bill. (Hear, hear.)
I wish, before taking my seat, to make a
few remarks upon a subject that has arisen
in the course of this discussion. I was
sorry to hear the attacks that were made upon
the leader of this House and the leader of the
Government; and I was sorry, too, when he
made his speech in moving the bill, that he
thought it worth while to notice attacks that
had been made upon him before the meeting
of Parliament. But, Sir, the honourable
gentleman is human, and it is not to be won-
dered at, that, after having been abused and
vilified for days and months and years—
after having been assailed in regard to
this particular measure with a malign-
ity and intensity of animosity which has
been increased by the fact that his opponents
know his lips must for the time be silent,
say it is not to be wondered at—he would
have been more than human if he had re-
frained—that he alluded to those charges
upon the floor of this House, where alone he
could properly repel them. (Hear, hear.)
Falling in argument against the hon. gen-
tlemen, my opponent resorted to abuse, hurling
at him and epithets as he would hurl at
"Benedict Arnold," while the hon. member
for Bothwell asserted that he floated on
popular prejudices. Sir, if there is one man
in this House who is more than another above
the popular prejudices of the hour—if there
is one man who more than another would
sovereignly himself of the opportunities
of the hour, and who is not content with
opinion—if there is one man who more than
another is faithful to the true interests of
this great and growing country—that man is
the Premier of the present Government.
(Cheers.) I say so deliberately, I say em-
phatically that it is the feeling of the coun-
try from one ocean to the other. (Cheers.)
If there is one man in this Dominion
better who is entitled to more favourable con-
sideration than another because of great ser-
vices rendered to the country, that man is
the Premier of this country. (Cheers.) If
there is one man who has done more than an-
other to bring about Confederation—if there
is one man who has done more than another
for the success of the Confederation—if there
is one man who has done more than any other
to make the people who have been earnestly
worked, irrespective of local claims, a
party consciousness, to make the Union a
reality, who has clung to it through good
report and through evil report, who has stead-
fastly laboured, for that great end, while
others upon whom it was equally incumbent
to labour have deserted it—that man, I say,
is John A. Macdonald. (Cheers.) He is a
man of whom we all ought to be proud, whether
we consider his great ability, his heroic
patriotism. It is only party prejudice that
blinds, or affects to blind his opponents to
his merits as a statesman. (Cheers.) We
all remember the feeling of anxiety
that pervaded all classes of the com-
munity when two years ago he lay sick
in bed, and when it might at any moment
have been his last. He has been the
us. His dreaded death was looked upon as
a national calamity—his happy recovery a
cause of national rejoicing—and his contin-
uance among us is now looked upon as a
national blessing. (Cheers.) I am not going,
Sir, to catalogue the virtues of all the mem-
bers of the Government now on their trial

before this House. There are other mem-
bers of the Government entitled to great
praise. There is a fitness in the Govern-
ment which, in the interest of the peo-
ple of this country, ought to be made eternal.
(Hear, hear, and laughter.) Our finances
are well managed—our public works are well
managed, and all the Departments of the
Government are carefully and well adminis-
tered. What, Sir, is the result? The whole
country is prosperous. From one ocean
to the other, blossoms like a rose. The whole
people are now contented and satisfied.
They are contented and satisfied because
they are prosperous, and they are pros-
perous mainly because the right men
are at the helm of our affairs. (Cheers.)

I do not wish to withhold any acknow-
ledgment that is due to hon. gentlemen
opposite. I admit the necessity of honest
and vigilant opposition. I admit their right
fairly to criticize the conduct of the Govern-
ment—to cry, if need be, into every executive
act and to attack criminality if it should be
found in high places, but I deny their right,
if I may be permitted to use the language of
detectives, to "put up jobs"—to impute
criminality where there is none—to blame this
Government for the sins of another Govern-
ment, and to asperse the character of our
foremost men, when those men, by their
acts and by their lives, have proved them-
selves to be good and faithful public ser-
vants. I think that the hon. gentlemen
who are now on the Treasury benches are
well qualified for the positions they fill, and
that the true interests of this country—the
welfare and happiness of its people—will be
best served by keeping them in the position
they so worthily occupy. (Loud cheers.)

Mr. TILLEY said he most say the hon.
gentleman had made a very able and, for
him, a very moderate speech in the course
of the Government, however, so must at
the very outset repudiate the statement
that had been made by the hon. member
to-day, and yesterday by the member for
Hochelaga, and which had been repeated over
and over again, that the Government had re-
ceded from the position they took in the
despatch of the 25th July. They stood by
that despatch, and it was satisfactory to
know that hon. gentlemen opposite recorded
their entire approval of the sentiments then
expressed. He defied hon. gentlemen to
show any inconsistency on the part of the
Government. In July the Government occu-
pied the very same position which they
occupied during the negotiations at Wash-
ington, when they were protesting against
the terms of the Treaty relating to the fisheries.
Later they repeated the protest, and what
more could they do? And now the matter
was before them, and there was the utmost
freedom of discussion. The Government ex-
pressed their dissent from the Treaty. And
why? Because they did not obtain the
reciprocity that they were promised under
the Treaty—because the Fisheries were
changed for free fish and free fish oil, and a
money value of which they did not know the
amount, and also because the Fenian claims
were not settled. These were the objections
taken by the Government, and they were
expressed in language which even the mem-
ber for West Durham admitted was stronger
than he would have felt himself justified in
using. The same opinion was expressed by
the Government in January; and, as the
member for Gloucester had stated, there was
then no assertion that the Government
would not recommend the Treaty to Parlia-
ment. The Government recognized the diffi-
culties, of an Imperial and a local character,
which might flow from a rejection of the
Treaty, and they were desirous to re-
move those difficulties, they asked for a
just and proper settlement of the expendi-
ture in repelling the Fenians from the land.
They knew what was the sentiment on the
subject throughout the length and breadth of
the country; and he believed that, if there
had been an absence of such a settlement, it
would have been most difficult to carry the
measure through Parliament. The Govern-
ment had consulted on the matter, and they
considered that, inasmuch as the Imperial
Government assumed the responsibility of
withdrawing the claims on Imperial grounds,
there was some honourable way in which the
difficulty could be solved. The member for
Hochelaga had termed the arrangement,
"a peace sacrifice." He would suppose that
that hon. gentleman was a Fenian, and
that as such his father had to transact
his business, and that in doing so his father,
either from some oversight, or in
consideration of his own interests, found
it necessary to sacrifice those of his son.
Well, suppose the hon. gentleman went

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