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Mr. Mitchell—Mr. Speaker, I feel that on rising to address the House on this occasion I am speaking on, perhaps, one of the most important subjects that has ever occupied the attention of this colonial legislature since the Dominion was formed. It is not too much to say that, perhaps, no question has ever come before us which has caused so much agitation, so much public attention on the part of Her Majesty's Ministers at home and so much trouble and interest to Her Majesty's Ministers in the colonies as this fishery question. And, Sir, I am more than pleased to find that the gentlemen who have spoken upon that question on both sides of the House have spoken on it as I believe one from any inflexible party politics and, in a manner to show that they are prepared to approach the consideration of it and to consider the dispositions of it in the same spirit in which I listened with great attention to the very able and eloquent speech of the hon. the Finance Minister, and while I have always admired that gentleman's ability, and acuteness, and dignity and eloquence, perhaps on no occasion has he ever presented a case to the House in which a bad case was so well put as that put by the hon. gentleman on Tuesday last. Sir, I listened to him with great attention when he asked this House to believe that the Government of which he was a member and the commission of which he was one of the representatives of England, in securing this treaty had performed a feat which would command the admiration of Canada, and ensure to the benefit of her people. Sir, on these points I differ with him, but though I may differ with him in relation to the praise that he takes for the Commission and thelabour which he gave to gentlemen connected with it on the British side, and to the conclusions at which he arrived in reference to the benefits it would be to this country, I must say that, looking at it, and looking at it in the consequences which the perpetuation of peace with our great neighbors on the south will bring about, although I look at the treaty as completely giving away the interests of Canada in almost every particular, I must tell this House that "give away" as it is and whatever the consequences of it may be, we have got to confirm and to carry out the treaty. We have got to do that, Sir, not because it is a just and a fair treaty to Canada, which it is not, and before I sit down I think I will be able, if not to satisfy gentlemen on that side of the House, I will be able at all events to induce the hon. the Minister of Finance to say that he certainly has colored the advantages which he alleged Canada would receive rather too highly. I speak now not for the purpose of opposing the treaty, but I speak for the purpose of putting the case of Canada fairly before this House and before the country. I do it not for the purpose of obstruction, or bringing into disrepute the hon. gentleman whose work during that long and tedious negotiation of three months in Washington, I have no doubt was done in the best interests as he conceived of the country which he served. I speak, Sir, for the purpose of placing that gentleman and the Government he represents on this side of the water, and the Government on the other side of the water that accredited him to Washington, in the position which I think they ought to be in, and to show that the credit they assume to adopt for having accomplished the conclusion of a difficult question is not of that creditable character to them which the hon. gentleman assumes it is. Sir, these gentlemen believe that in accomplishing peace at any price they have accomplished a benefit for the country. Well, Sir, they have. Peace at any price is an advantage to Canada in her position in relation to our great neighbors to the south. Peace at any price is an advantage to Canada in the situation in which we are placed and in consideration of the way we have been deserted by Her Majesty's Ministers in England and by that British Government which the hon. gentleman
has stated to us when he spoke the other day when he said: That when we appear at a commission or a convention or a public assembly of any kind our weight and our influence is measured by the power that is behind us, and I sitting at that commission in Washington as the representative of the greatest Empire in the world, felt that my statements and words carried with them a weight which I could not have assumed nor could have carried had I been simply a representative of Canada. Perhaps in some cases the hon. gentleman might be right. It is an advantage when we appear in a representative character to have power and influence behind us, to have a moral and material weight that can carry out our wishes or that can enforce our wishes with power if it is necessary, or with that moral weight which it is always desirable to have. But, Sir, when that moral power and that moral weight is simply a name, as it has been for forty years past, then, Sir, I think it is of little use to a man sent to represent the interests of a country like Canada, and it is not a fact to be proud of. That is the position which I assume, and before I sit down I think I will satisfy my hon. friend, and the gentlemen who sit beside him, as well as the gentlemen on this side of the House, that I am right. In making that statement I am making a statement which the records of the last forty years will sustain; and, Sir, when I come to that part of my speech, or rather my explanation, because I will not call it a speech, I will ask the forbearance of this House if I have to delay for some time, perhaps it may be too long, in reading authorities with regard to the statement I am making that the record of the last forty years has been a British desertion of the interests of her brightest and greatest colony. My hon. friend devoted a great part of his time to laudation of the gentlemen with whom he was associated. With that I will not pretend to find much fault, but I will say this with relation to Mr. Chamberlain, of whom the hon. gentleman said: No man in England could have been selected more fit to represent England and to secure the interests of Canada at Washington than the Hon. Joseph Chamberlain. That Mr. Chamberlain is an able and a clever man no one will deny. That he occupies a prominent position in the political life of England is true, that he may have rendered services to the country of his birth and of his occupation is also true, but, Sir, when he was selected to come out and to represent Canadian interests—or rather nominally English interests, but practically Canadian interests—at Washington, I differ with my hon. friend when he says that the selection was a good one, and that no more fitting man could have been selected to occupy that position. Sir, surely Mr. Chamberlain showed before he left England that he wanted and lacked that discretion which a statesman should possess. At a public meeting, shortly before he left England, he boasted of the position he was going to occupy and said that he was going out and that he would conclude a treaty, and he particularly referred to the Canadian claims which had been made and which could not and ought not to be sustained. Sir, what would you think of a juryman going on a jury to try a man for his life, who told us before he went on that jury that he knew the man was guilty. Suppose you appointed a person as arbitrator, what would you think of a man stating before he went on there that he was going to give a verdict against you. That is the position of Mr. Chamberlain. But there is another objection to Mr. Chamberlain and I think it is a subject of regret, because of it, that he was appointed. We know, Sir, that there is a very powerful section of the British Empire who have a great cause of grievance against the Government of that country. We know in Ireland where the people have been struggling and struggling, whether rightly or wrongly—I believe rightly myself whatever difference of opinion there may be about that—I say rightly or wrongly they have been struggling for privileges which have been denied them, and Mr. Chamberlain has been one of those men who have taken a strong part against the national aspirations of the Irish people. Sir, when we look at the United States and find the composite character of its population, when we find the large number of seven or eight millions, if not more, of Irishmen and their descendants who are in that country and wherever Irishmen are you find them occupying prominent positions in the executive of the country, in the legislative halls and in the administration of the public affairs. Will anyone tell me if we desire to get that treaty passed—if it is a desirable treaty to pass—that the fact that Mr. Joseph Chamberlain was appointed to come out to endeavor to secure the treaty was calculated to recommend him to that important and influential class of people in America who have something to say about the passage of this treaty before
the Senate? Sir, my impression is that Mr. Chamberlain made a mistake in his utterances, and my impression is that the British Government made a mistake on the part of Canada in selecting Mr. Chamberlain for the position. Perhaps I might have said nothing about that were it not that my hon. friend, with a generous desire to speak friendly of the man with whom he has been associated, felt it necessary to give Mr. Chamberlain an amount of laudation and credit to which I have grave doubts about his being entitled. That is my justification for referring to him; and had the hon. gentleman not brought before this House Mr. Chamberlain's public services, his great ability, and his fitness for the position, and praised the Government who selected him, I should not have felt it necessary to refer to him in the way I have. With regard to Sir Sackville West, I believe him to be a very respectable man. He also came in for a considerable degree of praise and laudation from the hon. gentleman. We know that in his association with other men, the great talents and abilities of our friend the hon. Minister of Finance command attention and respect. We know that Sir Sackville West is and has been all his life an employee in the diplomatic service of the British Government, and we know that his object is to serve the British Government. Serve Canada! What cares Sir Sackville West for Canada? What cares Mr. Joseph Chamberlain for Canada? What they desire to secure is the commissary of England and the English Government. That is the thing they have aimed at, and that is the thing they have obtained by this treaty, and it is the only thing. Sir, my hon. friend, in his speech of Tuesday last, gave an historical account of the fishery question for the past one hundred years. He pointed out what the arrangements were under the Treaty of 1783; then he came to the Treaty of Ghent; then he came to the convention of 1818; and he went on to tell us that the British Government had for the last forty years abandoned the view they had entertained as to the construction of the convention of 1818 for the previous forty years. The hon. gentleman noticed me shaking my head when he made that statement, because I knew it was not true. I do not mean to impute wilful misstatements to the hon. gentleman. I would be sorry to do that, and if anything I say would seem to have that bearing, I know he will believe that I would not desire in the least to doubt his word, or suppose that he would make a statement to this House which he knew to be incorrect. But, Sir, have been identified with this fishery question. Seven years of my life I spent in writing it up. When I took it in hand the British Government was about to desert us; and for seven years my efforts were directed to trying to keep those men on the other side of the water, in the British Foreign Office and in the Colonial Office, up to their work, and preventing them from sacrificing and deserting Canada. Sir, I am making bold statements, but I will prove them before I sit down. The hon. gentleman next referred to the Treaty of 1854, effected by Lord Elgin, and he pointed out the great advantages which we had derived from that treaty, and I entirely agree with him. I believe that that treaty was the first entering wedge of free commercial intercourse between Canada and the United States. During the twelve years that that treaty lasted, to 1866, more real commercial progress and prosperity were developed in Canada, more farming industries were created, more mechanical employments were given to our people, than they had at any period up to that time. Sir, it was a matter of regret, not alone to the people of one section of this country—for we were then a number of isolated Provinces—Nova Scotia, New Brunswick, Prince Edward Island, New England, Columbia, separately governments, Quebec and Ontario as old Canada united—but every province sharing in the benefits of that treaty, regretted its abrogation at the instance of the American Government. Sir, the hon. gentleman stated rightly that efforts were made by the several Governments to bring about a renewal of that treaty. Their efforts failed, I am sorry to say. Neither one party nor the other of the political parties in this country was to blame for that failure. It arose from the fact, as the hon. gentleman rightly stated, that an unfounded prejudice existed, whether rightly or wrongly, based on the belief that we had favored the southern portion of the United States in the intricate struggle which had been carried on in that country for six or seven years. Whether we did or not may be a matter of opinion, but my hon. friend's statement was correct. I have no doubt, that a very large portion of the people of this country sympathized with the North, because for one man who was found in the Southern army, six or seven or eight
were to be found in the Northern. At any rate, the treaty was repealed, and the United States Government refused to renew it; and when Mr. George Brown and Mr. Justice Henry, who I am sorry is so low to-night—Mr. Ferguson (Leeds)—Better.

Mr. Mitchell—I am glad to hear it, for the country can ill spare a man like him, who has taken such a prominent part in this country, both in his political and judicial capacity. When he was sent from Nova Scotia and Sir Albert Smith from New Brunswick and the gentlemen from Canada went to Washington and failed to obtain a renewal of the Treaty in 1866, it was a matter of great regret in all the Provinces. Those who remember the history of Canada will remember the position the country was in at that time. Old Canada was so torn with political dissensions that there was scarcely a Government that could last a week with any degree of certainty. We found one of the old Provinces struggling against another, and it was then that the idea struck the hon. gentleman at the head of the Government and a number of hon. gentlemen connected with him, to form a confederation of British America. Sir, we did form it, and I am proud to say that I took some part in its formation.

As the Premier of my own Province, after one defeat I was successful in bringing the Province into line and inducing it to enter the Confederation. When I came here and took the position of Minister of Marine and Fisheries, what did I find? I found that those gentlemen, in 1866, the year before we came here, had protested against the efforts of the British Government to induce us to allow the Americans to come in and occupy our fisheries for a year. I will say for the Government of that day that they wrote a most pungent despatch, in which, although requested by the British Government, they refused to allow the Americans to come in and occupy our fisheries as they had done under the treaty. They communicated with the Governments of Nova Scotia, New Brunswick and Prince Edward Island, and those Governments, out of deference to the wishes expressed by the British Ministers, consented, as did the Government of Canada, to an arrangement for allowing the Americans to come in on paying a tax of half a dollar a ton, but for only one year. That arrangement was agreed to in response to a despatch of Sir Edward Cardwell, then Colonial Minister. That despatch can be found in a return brought down in response to a motion made by Mr. Blake in 1872. Sir Edward Cardwell urged the Government of the Provinces to permit the Americans to occupy the fisheries on the same terms as they did before the repeal of the treaty, stating that if they would consent to that, before the year was out some new arrangement would be made. We did it, the several Provinces did it, and before the term came around again in 1867, we had formed Confederation, and the duty was imposed upon me of creating the Department of Marine and Fisheries. I did create that department, and I think that I can appeal with satisfaction to the House and to the people generally to say whether, during my record of seven and a half years, I did not perform my duty faithfully and effectively. When, Sir, in 1867, we were appealed to again to renew the arrangement, I was called upon to enquire into and make a report on the matter, and I did make a report which is contained in the public records of this Parliament. In that report, while I disapproved of the policy, at the urgent request of Her Majesty's Government, I recommended an increase of duty and consented to a continuance of the arrangement, but only for one year more. That year passed away. The number of vessels which took out licenses the first year was considerably larger than the second, and when we were applied to the third year, to allow the Americans to fish on the same terms, we resisted the application. We increased the duty, but consented only to put it on for one year more. Before that year was finished, I found that the British Government had again weakened, and when I studied up the history of the question for the previous sixty or seventy years, I found that while the British Government had strictly enforced the headland question and the exclusion of Americans from the bays, and protected our inshore fisheries, about which there was never a dispute, for nearly forty years after the Treaty of 1818 was made, yet, when in 1854 the Elgin Treaty was made, our exclusive rights over these fisheries were suspended during its existence, for twelve years, and the Americans were permitted to go in and participate in the fisheries under the treaty while it lasted. But when that treaty expired, in 1866, England resumed the protection of the fisheries of Canada, and stated the existence of our claims as being revived as they existed in 1854, and led Canada to believe that she would enforce the treaty of 1818, as she had done up to
the period of the Elgin Treaty, when our exclusive rights were suspended. In place, however, of defending the position of Canada, as she had done for the previous forty years, we found that she weakened, and a large amount of correspondence had to be carried on to stiffen the British Ministers, but while occasionally they would stiffen, they would weaken again. When the hon. the Minister of Finance taunted me with the fact that we had not carried out our first instructions as issued by myself as Minister, he knew the reason, and I am surprised he did not do me the justice of explaining that it was under instructions from the British Government that I had issued my orders to carry out the instructions of Sir Edward Cardwell, then Colonial Secretary. Under this pressure, we had to recall our first instructions and to limit the exclusion to bays six miles in width instead of ten miles. From that time, my efforts commenced; and let anyone refer to the volumes of sessional papers in the library and read over the efforts that were made during those seven years to protect the interests of Canada, and he will see, at all events, that the Government of that day did their duty by Canada, and insisted upon the British Government not abandoning our rights. I will not pass this stage without paying a tribute to the right hon. the leader of the Government—for whatever may have been my feelings about him of later years, in those days, at least, he stood out for the interests of the country that he governed; and in every instance, without one single deviation he took my part in my efforts to bring the Colonial and Foreign Ministers of England, who were both weakening in the interests of Canada, to their senses, and we did bring them to their senses pretty well. What came next? In 1870, a crisis arose in relation to the fishery question. It was evident to every one in the Cabinet of Canada, and out of it, who understood the facts, that the British Government were weakening in sustaining our claims. First, in 1860, they asked us to allow the Americans to come in for one year; then they asked us to allow them to come in for another year; and then, in 1868, for another year; and in 1869, at last, a little rebellion of a mental character arose in the minds of some of us at least. It became my duty to deal with that question, and I did deal with it. But before discussing this point, I may ask the permission of this House to read in reply to the statement of the hon. gentleman my report, because his remarks imply nothing less than that I went back on my report and the position I assumed when I issued the orders and circulars to the marine police which I had organised. In that report I will prove that the statement of the hon. gentleman that the British Government had stood by Canada was not correct.

Sir Charles Tupper—My hon. friend has entirely misapprehended my argument, and my reference to himself. He has not only misapprehended my argument, but he has completely inverted the argument, and I will ask any gentleman who has looked at the verbatim report of my speech, if my argument is not this: that while Her Majesty's Government had technically always sustained the extreme headlands extension, and the exclusion of the American fishermen from our bays, they had refused to sustain my hon. friend in his efforts to shut the American fishermen out of bays that are not less than ten miles in width. My argument was the reverse of what my hon. friend says it was. I showed that he had made that effort. I read his instructions to the House in which he had upheld the ten-mile limit and gave his instructions to that effect to the cruisers, and I read Lord Granville's despatch not to carry out these instructions, but to limit the exclusion to the three-mile limit. I showed that my hon. friend had been obliged, under the pressure of Her Majesty's Government, who would not support the larger contention, to issue further instructions in accordance with the expressed request of Lord Durham.

Mr. Mitchell here quoted from Sir Charles Tupper's speech and quoted the report of his views, when a brief conversational discussion took place between them, after which he resumed his speech, reading lengthy and important extracts from correspondence between the Canadian and Imperial Governments embodied in minutes of Council, to sustain his contention that Great Britain had virtually abandoned her own and Canada's claims in the fishery question. The extracts covered correspondence for the past half century, with the Earl of Bathurst, Lord Granville, Earl of Clarendon, Rt. Hon. Edward Cardwell, Earl Kimberley and in fact all British Colonial and Foreign Secretaries who had to deal with the question. Mr. Mitchell then continued:

Now, Sir, in the record which I have read of concessions yielded year after year by Her Majesty's Government, I think my hon. friend will fail to perceive
that any strong ground has been taken or any material support given, in the interest of Canada, such as he spoke of in his introductory remarks on Tuesday last. Sir, I think it is a record which is a discredit to great Britain—to have the interests of a great colony, the greatest in the Empire, and one she is proud of, frittered away by piecemeal, as I have said. It is a record of concessions which have been made step by step without even consulting the people who are interested in them. I think the record of the last thirty years, at least the last twenty years, is a disgrace to the British Empire and the British Government. In saying what I do, I do not intend to cast any reflections on the action of my hon. friend and his colleagues at Washington. He has very patriotically and very magnanimously taken the blame for the shortcomings in this treaty on himself. It is natural for him to do that in such cases; but I know him too well, I know the facts too well, and I have had too much experience in dealing with the fisheries, not to know that what he did there he did under pressure. Although he spoke of the largest power in the world being behind him, as a matter of fact that power was not there. It was there in name, but not in power; and if there has been an act since the formation of this Dominion which has tended to loosen the bonds between Canada and the Empire, if there has been an act which will tend to produce dissatisfaction and to promote distrust in the British Empire with reference to the affairs of Canada, it is this last act of hers in abandoning us and taking away her fisheries, in the face of the fact, as I have shown from the despatches I have read, that she stood pledged to maintain the interests of Canada as they stood when they were suspended in 1854. When the treaty lapsed by the act of the United States, where was the British Government? Read Sir Edward Cardwell's, Lord Kimberley's and the Earl of Aberdeen's despatches. The only man among the whole of them who has fairly stood by us was the Earl of Clarendon. Yet everyone of them, one after another, assured us that England intended to stand by us in maintaining the exclusive rights which the British Government claimed and enforced up to 1854; and, Sir, everyone of them, save Lord Clarendon, went back on his record, and left us to see our rights taken away from us by piecemeal and under false pretences. That is the position of the British Government towards Canada for the last twenty years—and I speak of it with regret, for I have ever been as loyal a subject as any that stands in the Dominion of Canada. I have been loyal, in fact, I have been more, I have been also loyal in sentiment, but the sentiment is knocked out of me, and I fear that a great many others feel as I do; and when we see the interests of Canada frittered away as they have been in this case, I fear that any desire to create a more permanent loyalty will ooze out of us, and we will become a disconsolate people. They talk about the federation of the Empire—the worst rot that ever was spoken. What interest have we in common with the other side of the Atlantic? We owe to England our existence as a semi-nation, it is true; we owe to her our language and our laws, and we are proud of both; but while England has been one of the greatest colonising nations of the world, there is no nation has worse administered her colonies. Take the case of Cape Colony, a record of years of mismanagement, misrule and misgovernment. Look at her treatment of us in regard to the boundary of Maine, as well as the Oregon boundary, in each of which cases an immense tract of territory was abandoned, either by ignorance or imbecility, to the United States; and again look at the St. Juan affair, they are all, as our Behring's Sea interests will I fear, a complete give away, as our fishery rights, in my opinion, have been. In future we will have to look to ourselves to protect our interests, and want no more diplomatic interference by such men as Chamberlain and Sir Sackville West. Indeed what would Canada have been in the past without the administrative powers of the Canadians themselves?

Mr. Mills (Bothwell)—Without the rebellion?

Mr. Mitchell—Look at the record in this case. I, who was intimately connected with the whole affair and who felt deeply the necessity of standing up for our rights; I, who spent day after day, and week after week, pressing these claims on the British Government and keeping them up to the mark, found them always receding at the first opportunity—and now everything is gone. My hon. friend speaks of the advantages this treaty has given us; he speaks of the limit of space which is described by the points of the treaty; he speaks about the delimitations which are named in the treaty. Sir, let any man take up a map—and I regret that my hon. friend should have
made the excuse he did about not producing the map—for it was his duty to produce one. His excuse is, that there is a provision made for the appointment of a commission for the delimitation on the treaty. True, there is; that is the official delimitation. But it was the duty of the Cabinet to have prepared a map and to have it submitted to Parliament, so that we could appreciate and understand these advantages my hon. friend has so eloquently described, but which I cannot see. I may tell my hon. friend that, looking to the contentsions of Canada and England, as propounded in 1818, and maintained up to 1854, when they were suspended for twelve years under the treaty of Lord Elgin, after which they were urged to be enforced again and recognised by the British Government from that time out, until they were again suspended in 1871 by a new treaty—I say if a map based on those contentions, was taken from headland or headland, and those exclusive rights to the bays delineated upon it, this House would see what the difference is between the delimitation in that map and the concessions given up to the Americans. If I can understand the meaning of the statements in the great mass of despatches which I have had to wade through, in order to define how we have endeavored to maintain the interests of Canada, I should say that the men who wrote them were bound in honor to have stood by Canada and enforced those rights. If they had done so, we would have stood to-day with our headland system maintained and our rights to bays recognized—because all that was wanted was a little firmness some twenty years ago—and we would not be in the position of having to beg for reciprocity. About the inshore fisheries, it was never disputed that we had an absolute right to them, and yet my hon. friend comes here with his eloquent tongue and persuades us—he knows he can do anything in this country, for he can do what none of us can do, he can control the First Minister, as he saved him in the contest of a year ago—he comes with his eloquent tongue and persuades us that in this delimitation, which the treaty provides for, we have obtained a great concession. Sir, we have abandoned everything, and while we have done that, my hon. friend has forgotten one thing. Did he know there were two ends to the shores of America on the Atlantic? Where is the provision in the treaty to give the Canadians the same rights in the Delaware and Chesa-
tered away in this way, she will find the
colony itself frittered away before long.
It is as well some plain speaking should
be heard. I do not wish to be un-
derstood to express the opinion that
I desire it. I should regret it notwith-
standing this treatment, and while I
have heretofore felt proud of belong-
ing to a colony of England, Canada can-
not and will not always remain a colony,
and I should not be surprised to find that
this treaty will promote such change.
Children do not always remain in their
father’s house, and we are gradually
growing into the position when the inter-
est of Canada demand we should branch
out for ourselves. I do not desire to see
this for some time to come, but a few
more cases like this and I would not
give much for the power of England in
this colony of Canada. There are a
great many points I wanted to talk
about, but I have taken up so much time
in submitting the proof of these matters
in order to sustain my contention, that I
think it would be trespassing too much
on the time of Parliament for me to con-
tinue. I will, therefore, not take up the
time of the House any longer in dis-
cussing this painful matter. I

felt I had a duty to perform, and
I only regret that I have per-
formed it so inefficiently. Of course this
treaty will pass; there is no doubt about
that, but I disapprove of it entirely, as I
think the Americans have got everything
and we have got nothing. I speak with
knowledge of the subject when I say that
we have got nothing. The delimitations
that are spoken of are simply allowing us
to retain an infinitesimal part of what
Britain has over and over again declared
we had an absolute right to, and has for
nearly forty years enforced before the
treaty put them in abeyance. Our rights
revived when that treaty ceased, and
what did we find? We found that taken
from us by the Commission which sat
under the authority of the British Crown.
I regret very much that England should
have so much humiliated herself before
her children here, and it is a humilia-
tion, and I regret that it should be done
by a nation which professes to have kept
faith, especially with her colonies. I re-
gret that I have to speak as I am now
speaking of England, but I say this as a
duty to my country, Canada, as a duty to
myself, and as a duty to this House.