

interest of the British North American Provinces to be assured of the equality of these intended equivalents. But the maintenance of these good relations is of common interest to the two countries, and can never be made the occasion of pecuniary tribute, as if of more importance to one than to the other. No such calculation entered into the enlightened and conciliatory motives which animated and shaped the important series of negotiations which produced the Treaty of Washington. In the definition of whatever unadjusted computation was referred, for pecuniary settlement, to the Halifax Commission, care was taken to include nothing which, suitably to the honour of both countries, was not measurable by a scale of industrial and commercial profits.

If these plain considerations shall be viewed in this light by Her Majesty's Government, it is hoped that a concurrence of opinion as to the nature of the question actually submitted to a pecuniary measure by the Halifax Commission, may be easily reached.

It cannot be very material to recall Lord Salisbury's attention to the historical attitude of the two Governments towards the subject in contention as to the fisheries, by any present exposition of the matter. The sources of knowledge on this subject are common to the public cognizance of the two Governments. Our diplomatic intercourse has unfolded the views of successive British and American Cabinets upon the conflicting claims of mere right, on the one side and the other, and at the same time evinced on both sides, an amicable preference for practical and peaceful enjoyment of the fisheries compatibly with a common interest, rather than a sacrifice of such common interest to a purpose of insisting upon extreme right, at a loss, on both sides, of what was to each the advantage sought by the contention. In this disposition the two countries have inclined, more and more, to retire from irreconcilable disputations as to the true intent covered by the somewhat careless, and certainly incomplete text of the Convention of 1818, and to look at the true elements of profits and prosperity in the fisheries themselves, which alone, to the one side or the other, made the shares of their respective participation therein worthy of dispute. This sensible and friendly view of the matter in dispute was greatly assisted by the experience of the provincial populations of a period of common enjoyment of the fisheries without attention to any sea-line of demarcation, but with a certain distribution of industrial and economical advantages in the prosecution and the product of this common enjoyment. The form of this experience was two-fold. First, for a period of twelve years under the Reciprocity arrangement of trade between the United States and those provinces; and, second, for a briefer period after the termination of the Reciprocity Treaty, under a system of licences, which obliterated the sea-line of circumscription to our fishery fleet upon the payment of fees deemed adequate by the provincial Governments.

In this disposition and with this experience, the negotiations of the Treaty of Washington were taken up and produced the Fishery Articles of that comprehensive Treaty. The results of this experience, and the influence of this disposition, are plainly marked in the pertinent Protocol, and in the text of the Articles.

At the outset it was apparent that neither a confirmation or rectification of the old sea-line of exclusion, or the adoption of a new one, had any place in the counsels or purposes of Her Majesty's Government, or in the interests or objects of Her Majesty's provincial subjects. It had become thoroughly understood, that the line of the Convention of 1818 had become inapplicable, and in some respects insufferable to the common interests.

The mackerel, which, always an inshore as well as a deep sea fish, off our coasts, at the date of the Convention of 1818, and for twenty years after, as an object of pursuit to our fishermen, was confined to the coast of the United States, and that fishery was substantially unknown, in any commercial sense, in the provincial waters. Either a change of habits in the fish, or an extension of the enterprize of our fishermen, had opened up the mackerel fishery of the Gulf of St. Lawrence to our pursuit. The gradual increase of the fishing coast population of the provinces had supplied the fishermen and excited the local interests, for the prosecution from the shore, as the base of its operations, of the new industry of inshore mackerel fishery.

Upon the concurrence of these circumstantial changes it was natural enough for the coast population and the public men of the provinces to conclude that the territorial authority which, under the Convention of 1818, gave the provinces the monopoly of the inshore mackerel fishery, only needed to be insisted upon, by a vigorous exclusion of our fishermen, to be fruitful of great local prosperity.