

## The Daily Mail

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### THE FISHERIES CLAIM

"Throughout the year my government has continued to press for a settlement with the Federal Government of our fishery claims. It is a matter of regret that the claims have not been adjusted. My government feels strongly that the amount claimed was fair and reasonable, that the justice of the claim should be recognized and settlement arranged. My government has proposed that if the Federal Government is unable to recommend the payment of the amount claimed, then that the question be submitted to a board of arbitrators. We have strong reason to hope for an answer from the Federal Government at an early date."

The above extract from the speech of His Honor the Lieutenant Governor delivered at the opening of the Legislature, is deserving of more than a passing notice. The claim referred to is not a new one by any means. For thirty years or more successive governments have brought the matter to the attention of the authorities at Ottawa, but beyond receiving a promise of consideration they have not been able to accomplish very much. The men who prepared and sanctioned the above paragraph and placed it in His Honor's hands would no doubt like to have the public believe that they are all sincere on this question. Perhaps they are, but if so they have experienced a change of heart since called upon to assume the reins of government.

Although the question has been before the country for many years are no doubt, some people who are unfamiliar with the details and therefore, a brief explanation may be in order. Under the Treaty of Washington of 1871 it was provided that the fishermen of the British Colonies and the United States should enjoy the Atlantic fisheries equally and the difference in the value of the Canadian fisheries as compared with those of the United States should be settled by arbitration. This was done and under the terms of what is known as the Halifax award, the sum of \$5,500,000 was paid over by the United States to the Dominion of Canada in the year 1878. Of this sum the Colony of Newfoundland got \$1,000,000, the balance of \$4,500,000 going into the Dominion treasury. Now the question is, did this money rightfully belong to the Dominion or to the Maritime Provinces? The Dominion Parliament must have felt that the aforesaid provinces had some claim for in the year 1882 it enacted legislation providing for the payment annually of the sum of \$150,000 for the encouragement of deep sea fisheries. This amount was subsequently increased to \$160,000 and it is now distributed in the form of bounties to the fishermen of the Maritime Provinces.

New Brunswick's share of the Halifax award would be \$2,000,000 and able lawyers like Hon. A. G. Blair, Hon. L. J. Tweedie and Hon. William Pugsley have repeatedly expressed the opinion that the province is clearly entitled to that amount.

When Hon. Mr. Tweedie was premier of the province in 1903 he brought the matter before the Legislature in the following resolution:

"Whereas the Government of New Brunswick, jointly with the Governments of Quebec and Prince Edward Island, have made a claim upon the Government of Canada for the payment over to the provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island of (\$4,500,000) four million five hundred thousand dollars, a portion of the Halifax Award made under the Treaty of Washington, 1871, as compensation for the privileges conferred by the said Treaty upon the citizens of the United States of enjoying the inshore fisheries, and for the right to land upon the shores for the purposes of curing their fish and drying their nets, together with interest thereon;

And Whereas this House is of the opinion that the proprietary rights and privileges, referred to in Article 22 of the said Treaty and in respect to which Her Majesty received such compensation, were vested in Her Majesty in right of the Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island and the Colony of Newfoundland respectively; and that the amount of said Award which was paid to the Gov-

ernment of Canada, with interest, equitably belongs to and should be paid over to the Provinces;

"Therefore Resolved that this House approves of the action of the Government in joining with the Governments of Quebec and Prince Edward Island in pressing such claims; and also approves of the proposal made by the said Governments to refer to the Supreme Court of Canada the question of whether such proprietary rights and privileges were vested in Her Majesty in right of the Dominion of Canada and the Colony of Newfoundland respectively, or whether they were vested in Her Majesty in right of the Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island and said Colony respectively."

The opposition of that day was led by Hon. J. D. Hazen, now minister of marine and fisheries, and his colleagues included the present premier, Hon. J. K. Flemming, H. N. W. C. H. Grimmer, Hon. John Morrissey and George J. Clarke. Fortunately we have before us in the report of the Assembly debates a very complete record showing the position these gentlemen took at that time, and it certainly is very much at variance with their attitude as set forth in the above quoted extract from the speech from the throne. Would you believe it, those men who now tell us that the claim of the province is "fair and reasonable" actually voted against the resolution moved by Hon. L. J. Tweedie in 1903. Mr. Clarke, who from the similarity of names we should judge is some connection of the present speaker of the Legislature, was put up as their chief spokesman on that occasion and took the ground that if the amount of the award was paid over it would be necessary for the provinces to assume the burthen of protecting and developing the fisheries. He figured it out that New Brunswick's share of the award would be not \$2,000,000, but \$750,000, or \$1,000,000 which at four per cent. would yield from \$30,000 to \$50,000 per year.

"In 1901," said Mr. Clarke, "the Dominion Government expended for the encouragement of New Brunswick fisheries the sum of \$62,000, of which amount there was \$11,879 used in maintaining the cruiser Curlew. In summing up Mr. Clarke declared that if the award was paid over it would be necessary for New Brunswick to establish a fishing department, and he said 'the burdens imposed may leave a balance on the wrong side of the ledger.' Mr. Clarke contended that in case the money was paid over it should not be devoted to the maintenance of the public service, but should be devoted exclusively to the fishing interests of the province. He closed his speech by moving the following amendment to the resolution:

"Provided that in the event of a decision by the Supreme Court of Canada that such proprietary rights and privileges were vested in His Majesty in right of the Provinces of Quebec, Nova Scotia, New Brunswick and Prince Edward Island and the Colony of Newfoundland, and before a final adjustment of such claim the Government of the Province shall be satisfied by assurance from the Government of Canada or otherwise that the Government of Canada will continue as heretofore to provide for the due and proper administration, development and protection of the fisheries of the Province and that as a result of such final adjustment the burden of the expenditure necessary for such purposes shall not be transferred from the Dominion to the Province; and further that the bounties paid the fishermen under the provisions of the Bounty Act, 1891, 54-55 Victoria, Chapter 42, shall not be discontinued.

Mr. Hazen spoke strongly in favor of the amendment and endorsed the remarks of Mr. Clarke. "There would be no advantage" said he, "in getting this money if the only result would be to impose on us greater burthens." He did not think, in case the money were paid over that it would be necessary for the Dominion Government to protect our fisheries and he quoted Sir John Macdonald as saying that the government would not protect what it did not own. Mr. Hazen's advice to the government of that day was "not to press a claim inconsiderately which might not prove a benefit but a burthen for all time to come."

In marked contrast to the position taken by the opposition of that day was the attitude of Messrs. Tweedie and Pugsley. They declared that the claim of the province was a just one and should be paid. They also pointed out that the Dominion Government was bound by the British North America Act to protect the fisheries. It had protected them before the Halifax award was paid over and must continue to protect them.

The resolution was adopted by a vote of 25 to 10, and every member of the opposition, including Messrs. Flemming, Grimmer, Clarke and Morrissey, voted against it. This is not a case where one can appeal from Phillip drunk to Phillip sober, but it is a case where one can contrast the opinion of the irresponsible critics of ten years ago with the opinion of the men who are today entrusted with the responsibility of administering the affairs of the province. Ten years ago these timorous souls were afraid that if the fisheries claim were paid it would mean that the burthen of keeping up the fishery service would be saddled upon the province. Today they are pressing for the payment of the claim and are not at all concerned about the alleged burthens it might impose upon us. The position taken by Messrs. Tweedie and Pugsley was sound ten years ago and it is sound today. The difference in the attitude of the leaders of the two parties on this question is the difference between men of brains and foresight, striving to advance the interests of the province on the one hand and time-serving jackdaw politicians who strut about in borrowed feathers on the other. Having been compelled to steal a policy on this great question the members of the Flemming government are to be commended for making a wise choice.

### BISHOP RICHARDSON

#### A SUCCESSFUL FLORIST

A correspondent who takes a deep interest in floriculture contributes the following:

A peep inside the Bishop's snug bright little plant house or conservatory reveals a wonderful transformation in spring blooming plants. The hyacinths, tulips, narcissi, jonquets, daffodils, crocuses, etc., with their sweet perfume and attractive beauty, cinerarias, primroses, cyclamens also are showing their varied colors. Some of their curious formed flowers including that wonderful sacred blooming plant, the passion vine are growing rapidly since planted in their new home also dozens of seedling begonias campanulas, etc., have been raised from seed in this light moist and congenial temperature by His Lordship's hands. The exotic ferns are also thriving well. It would seem from present appearance that an addition twice the size of the present one will be necessary in a few months.

It has been reported that His Lordship did some farming before coming to New Brunswick. We cannot vouch for this but he has demonstrated that he has good ideas in plant growing under glass or in other words "That whatever his hand findeth to do he does it with all his might."

Maryland's new child labor law raises the minimum age for child labor from twelve to fourteen years, and more than two thousand children have gone back to school.

A third wheel, carrying a motor, has been invented to convert an ordinary bicycle into a motorcycle.

Sixteen States still have no limitation of working hours, while in eighteen States women may work from sixty to seventy hours a week.

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