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mplaints, Burus, Frost Bites, N PAIN DESTROYER fore the public for a length ver used is well liked, ingle instance to give pertimely us d, and we have ngle case of aisstisfaction s have been properly felcontrary, all are delighted and speak in the highest and mankal . ffects. experience to this matter, aboreughly, and there fore ng from any of the comis recomm a led may dea Sov. reign R-m. dy. efficacy of the Canadlan curing the Distases for maded, and it, w nderful g the territor pains of relieving Nervous Aff ca bigh race 3 list of on dimplifule, ordereare on- De los mail parts of ther s pules, and o ch tesuniversal set sin tion it. ain Destroyer never fails to tef. All Medicio. D-alere a order and ase It; and no

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implaint and its various symp-leadache, Sick Headache, Green Sickness, Bilious ous Forers, they should be jury or Dimeriacea, but one n Heart, Pain in the Side, me, they should be continuously to change the diseased action of d Propsical Swellings they a drastic purge.

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Scrofulous disease. Also in the forms, as Duspopula, Dropsy, e. Eits, Epilopsy, Neuralgia, Vicesous affections of the musics enereal and Mercurial Diseases though a long time is required for obstinate maintain by any medicine, and use of this medicine will cure Leucorehma or Whites, Uterian and Female Diseases, are communityed and altenately cured by its nygorating effect. Minute Director and Panish in our Almanae, sup-Downatism and Gout, when orpedity, Congestion of Infantition, and Jaundies, when arising from the robbling poisons in Languid and Listless, Despon-, and troubled with Nervous Ap-t France, or any of the affections Weakness, will find immediate neing evidence of its restorative

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Ottawa, Nov 29, 1870 #STESTIMONIAL

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E MoUILLIVRAY, Esq, H V NOEL, Esq. H V Noel, Esq. has consented to act as Trea-For the information of intending subscribers the names of the gentlemen composing the Certain Committee at Twonto are subjoined, viz.: Ilis Worship the Mayor, & B HARMAN, Esq. The Hon G W ALLAN The don D L MACPHERSON, The Hon JOHN CARLING, M P,

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Ottawa, Dec 14, 1870

The Fishery Question. REPORT OF THE N. Y. HERALD'S SPECIAL COM- | of the coasts, bays, creeks or harbors of his | without license during this period.

MISSIONER. port of the N. Y. Herald's special commis. that "the American fishermen shall be we indulged American fishermen with resioner respecting his visit to Canada for admitted to enter such bays or harbors for peated warnings and it was probably the purpose of enquiring into the Fishery

matter. Some extracts have been pub. and for no other purpose whatever. You our fishing grounds a thing without danger. lished in the Globe and other papers, but will see, sir, that the object of this last But it completely shows the spirit in which we feel sure that the whole will be read prohibition was to prevent fishing vessels | we acted throughout this time. But you OTTAWA, Dec. 30, 1870. It is with great pleasure that I am able due enforcement alike of the British coastal dered the fisheries altogether. They are to communicate my report of the results revenue system, and of the proper exclu- our property, and property which we are of the very interesting mission confided to sion of American fishermen from the use of willing to share with Americans on just me of repairing to the seat of government | British waters to which they had no right; | terms, which we have very nearly sacrificed of the Dominion at Ottawa and conferring or, to put it more clearly, would enable altogether. We are now fully purposed with the statesmen of that government American vessels, under colour of fishing, not to do this without a just equivalent. upon the subject of the complaints made to fish where they had no right and to While we carried on this licensing system against them of unfriendly and injurious smuggle besides. Well, sir, to enforce we virtually put up with boundless trestreatment of American interests in the the provisions of this treaty, various acts passing, while at the same time pray obmatter of the fisheries and the navigation | were passed by the Imperial and Local | serve that British caught fish are all the of the St. Lawrence. I have to acknow. Legislatures, the terms of which are im. time subject to a virtually prohibitory duty ledge on behalf of the Herald and myself material. And during the whole period in American ports. It is too much. They a reception most courteous and friendly from 1817 to 1854 it was the practice to seem to want the right to take our fish on the part of the gentlemen of the ad. seize and condemn American vessels for and exclude our fishermen from their marministration. They expressed the greatest trespassing beyond their proper legal kets. But we are satisfied the just and satisfaction that the leading journal of limits, or doing acts beyond the legal right generous American public do not under-America should have specially commis- of fishing vessels. All this legislation and stand this question. And that is why we sioned a gentleman to hear their state. all this action under it were directed to rejoice at this opportunity of laying it bements and views upon the very important the single end of maintaining our fishery fore them. Well sir, we were obliged to subjects in question, and thus offered them property and keeping up the rule of the reconsider our position, not only on the such a medium of reaching the American treaty of 1818, that American fishing ves. grounds mentioned, but because during public with a full statement of all the facts | sels should be fishing vessels, so to speak, | the period since 1866 the American fisherof their case as could not be obtained in pure and simple, without any general tra. men committed other infractions of the any other way. I have been favored with ding character whatever, and I have Treaty of 1818, such as frequenting our long and protracted interviews in these pointed out to you, sir, how absolutely harbors to transfer cargoes and take supmatters by the very distinguished and necessary it was to our fishing and revenue plies, creating riots and disturbances and cultivated Dominion Premier, Sir John property and rights, that this point should defying the laws. In 1869 our shores Macdonald, as well as by Sir Francis be adherred to with the utmost strictness. swarmed with American fishing vessels thincks, the Finance Minister; the Hon. This practice and mode of enforcing the which would not pay the license fee, and S. L. Tilley, the Minister of Customs; the Hon. S F. Howe, Secretary of State for the Provinces, and especially the Hon. Peter 1851, the date of the Reciprocity treaty.

We had the undoubted evidence before us that, owing to the prohibitory duties of British caught fish, and our practical sur-Mitchell, the Minister of Marine and I say complaint of right, sir, because it render of our rights to American fishing Fisheries, whose department is more par would happen now and then that the vessels, the Dominion fishermen were beticularly concerned with these matters. I American Government would raise as to ginning to man the American vessels, and have had the privilege of full and ample particular vessels seized, the question our whole fishing trade and property were discussion with all these gentlemen-and | whether they were as a fact doing wrong; | threatened with extinction. It became especially with the last-of the difficulty and our rights were never disputed by the absolutely necessary for us to retrace our that has arisen, and I think it impos- United States. And I wish, sir, to state steps. And therefore we have practically sible to speak too highly of the with peculiar emphasis that through all this season resumed our position under energy and lucidity and fullness with this period as the Reciprocity treaty of the Treaty of 1818, except only that we which the whole subject was stated by them | 1854 our seizures were invariably made have, as I have before pointed out, put in on behalf of their government. Your space | without any notice whatever to offending | abeyence the headland question. We now would not allow that I should particularize | vessels, and I say this, sir, because the only maintain the two points one, excluthe conversations I held with each of these | President in his message insinuates that | sive inshore fishing line, and the absolute statesmen upon the fisheries and St. Law- we seize now without notice, contrary to necessary distinction of character between rence questions. Much of the ground, moreover, was naturally some over again with all of them. It will, therefore, be convenient that I should throw my report into the form of a dialogue between your of the affair, before the Reciprocity treaty. has been in the highest degree friendly commissioner and the abstract individual | Dominion Statesman. - That question was and generous, and we have great right to whom I will call "the Dominion states- only raised a short time before the Reci | complain of its being represented under man." And your readers may be sure procity treaty by the United States. You a different light by so high an official as that what is here attributed to that indi- will observe, sir, that by the language of the chief of the Republic himself. If he vidual is the accurate representation of the treaty of 1818 the United States re. proposes to bind together all sections of collective views and statements of the gen | nounced all rights of fishing access, not | American people in one common American

tlemen whom I have specified, whose merely within three marine miles of the sentiment by such a course, it seems to us. topics. And whatever view the American can fishermen were not at liberty to ap: rights.

To this question I had the following reply from my Canadian statesman:—

Dominion Statesman—Sir, we are glad, indeed, that you have come. We are disposed to go into the whole subject with you comprehensively and exhaustively.

And at the outset we desire to see that exclusion. There have been abrogation of the Reciprocity Treaty in 1866, although as to this point of the head pray observe, for illegal fishing. There have been abrogation of the Reciprocity Treaty in 1866, although as to this point of the head pray observe, for illegal fishing. There have been abrogation of the Reciprocity Treaty in 1866, although as to this point of the head pray observe, for illegal fishing. There have been abrogation of the Reciprocity Treaty in 1866, although as to this point of the head pray observe, for illegal fishing. There have been abrogation of the Reciprocity Treaty in 1866, although as to this point of the head pray observe, for illegal fishing. Now, sir, pray notice this part of the transaction. After our notice to the american government that have been assailed absolutely without up our rights under the Treaty of 1818. cause, fact or reason. We have neither done nor said anything which amounts to continuing the history of the question. stretched no point in our favor or against the period of the Reciprocity treaty. Dur-the people of the States. On the contrary, ing the twelve years the the American we have stretched points against ourselves. Government allowed that treaty to be in If you hear our case fully you will be able, force all these questions were in abeyance, with your experience as a lawyer and poli- for by its provisions American fishermen

contrary, we have practically surrendered, raised would have slept for ever. three miles from shore, which is of course the fisheries since that date, so far from something in return. We got nothing, and as much an exclusive property as a gold being chargeable with unfriendliness, has now we are abused by the President for mine on the land itself. Perhaps it would been conspicuously indulgent, neighborly simply re-entering into possession of our be well to go a little more into detail. and friendly to the United States. Indeed The whole question now rests upon the arrangements made by the treaty of 1818. done everything except give up the property in our coast line fisheries altogether 1812, indeed at the moment of the concest to American people. Nay, sir, we have is novel? sion of independence to the United States, even gone within an acre of even doing that Government had advanced a claim not that altogether; for we have been willing made in 1783, by treaty, by which a certain | we held under the Treaty of 1818. The understand. limited right was given in British waters to British Government desired than we should HERALD COMMISSIONER-The President

American fishermen. It is not necessary to treat the matter, however, in a spirit of go further into that, because the war of 1812 conciliation, and we have more that respond. hibitions with regard to the trading of destroyed that arrangement, according to ed to that desire; we have, indeed, acted in fishing vessels. the usual legal result of war, which annuls the spirit of self-sacrifice. In the Dominion Statesman-There is absolutely treaties. This question of the fisheries was first place, as I have already no foundation for this insinuation I have not settled at the time of the peace which intimated, we have practically given followed that war, but lingered on into the year 1818, when, as I have said, the treaty in spite of a case which we consider unassels to fishing purposes, and also the reawas made on which the whole question now sailable in point of law, and which we used sons for such limitation. We cannot have stands. The brief effect of that treaty was before 1854 to enforce the repeated seiz vessels fishing under the pretence of tradthis: The American fishermen were placed, as to the right of taking fish, upon precisely the same footing as British subjects up to the three mile limit of the actual under pretence of fishing, for that means upon a portion of the Newfoundland coast, shore line. But even as to these limits we smuggling. Fishing vessels may come in on the shores of the Magdalen Islands, were anxious on every ground to avoid for shelter, for repairs, for wood and for A great Variety of TOYS, ALBUMS, LADIES and along pretty nearly the whole of the complications and have the best relations water. Why, sir, in the whole history of the discussion of these questions between BRY, JUVENILE BOOKS, and other Fasey right to dry and cure fish on all the un- were willing virtually to share the fisher. the two countries no American statesman settled parts of the Newfoundland and ies with them. All that we asked was that has ever ventured before President Grant Labrador coasts as to which they were American fishing vessels should pay a to claim any right for fishing vessels to given the fishing rights. When and where nominal tonnagedicense for the privilege of enter our ports for trade purposes, or any these coasts should be settled they were fishing anywhere, and we fixed this at so except those named in the treaty. So to use them only after agreement with the low a rate that it really amounted to no just are the grounds on which we maintain settlers. Such were the rights given to more than a sort of pepper corn rental the distinction between the fishing and inshore fishing and shore curing to Americans by that treaty, rights to certain statement of the operations of the system: specified parts of British coasts. And by -In 1866 there were 354 licenses; in 1867 maintain it. President Grant takes quite

Britannic Majesty's dominions in America But during the whole of the e four not within the above mentioned limits." seasons not a single American vesse The fellowing is the full text of the re- This renunciation was followed by a proviso was detained. During this period also the purpose of shelter and of repairing this which spoiled our license system ; damages therein and of obtaining water, for it practically rendered trespassing upon acting as trading vessels, which was quite can see at a glance that it was impossible inadmissible, for two reasons-that such for us to allow such a state of things to go confusion of character would prevent the on. We might just as well have surren

ancient practice. This is not the case, a fishing and a trading vessel-a distinction absolutely necessary to the fishing HERALD COMMISSIONER. - Touching the | property and the revenue system. We question of the headlands, sir, in this stage | maintain, therefore, sir, that our conduct

studies of these questions seemed to be equally comprehensive. The Minister of Marine and Fisheries, although in departmental charge of them, did not excel his distinct our exclusive line was determined to say the least of it, that he will not succeed.

Herald Commissioner—The President in his Message intimates that your legislacolleagues in the fullness of his knowl by a line drawn from headland to headland Lion of late has been both unfriendly and edge and studies of these important of all bays of British coasts, and that Ameri novel in enforcement of your tishing

public may take of the matters which I proach for fish within three miles of such a Dominion Statesman-The President is have the honor to report I can at least tes- line. We have the decisive authority of misinformed, and it is greatly to be wished tify that the action of the Dominion Gov. Daniel Webster himself that this con. that he would study these points for himernment has been taken by a group of struction is the right one. Under date of self, or be sure of those whose studies he official gentlemen whom, after long per- 6th July, 1852, the great American states. depends upon. Our legislation has been no sonal experience of statesmen and govern- man complains that this large concession more than a transcript of that older legisments, I can pronounce equal to any in was made in 1818 to England of drawing lation on the subject, which, as I have the thoroughness and care with which line from headland to headland; but he said, was never complained of on the they do their business of governing a great | does not venture to question that it was ground of right during the whole period community. Indeed, I have never con made—complains, on the contrary, that it vetween 1818 and 1854. Nor have we ever versed with any statesmen who seemed so was made. However, shortly before the thoroughly masters and authorities in their | Reciprocity Treaty of 1854 the American | lation, except in the undoubted three Government began to complain of this mile limit from the shore. But allow me Your reporter opened his conference large measure of exclusion as regards such tostate what has happened. At the bewith an intimation that the He ald, true bodies of water as the Bays of Fundy and ginning of the year 1870, we notified to to its system of tracking subjects to their chalcurs, and other large indentations of the American government that we felt very source, had despatched me to hear the British America coasts. Now, sir, 1 what Canadian statesmen had to say upon | wish at this stage of our statements to the rule of exclusion from the shore line the subject of Fisheries and the St. Law draw your especial attention to this point of three miles; not, be it observed, from rence, and especially of the charges of un because it bears with such force on the headlands. During the year 1870 we have friendliness against American fishermen. question of our friendliness. Since the enforced that exclusion. There have been

And at the outset we desire to say that to three miles from the actual coast line we now meant to take this line it we are simply overwhelmed with astonish only, allowing them free fishing within all became the duty of the American Exement at the language used by the Presi bays and harbors up to the three mile cutive to warn these people. And they dent of the United States concerning us and the charges made against us. We are absolutely free from all offence against the United States in every particular. We have the United States in every particular that the United States in every particular the United States in every p the Canadian government are now about HERALD COMMISSIONER - Oblige me by to enforce their rights under the treaties. No complaint was made to us. Indeed no more than the detence of our property in just, kindly, and legal ways. We have next stage in this exentful history was stand on our rights after a long course of indulgence, and even then not on our strict rights according to old treaty construction. as I have more than once said. President Grant complains in his Message that now we give no notice. In Secretary Boutwell's circular it was notified to the Americans tician, to test it. Scrutinize it to the ut-most, sir, and with as adverse an eye as you please, but pray study it fully. wherever they liked, all over the shores circular it was notified to the Americans that no notice was hereafter to be given. Why should we give notice? American HERALD COMMISSIONER-Sir, I have come of British North America. We are at " lishermen know the law well enough, and here for the very purpose, and shall listen loss to conceive, on grounds of statesman. When they break it they break it with the closest attention, and, I assure you, ship, why that treaty was ever denounced in the most judicial temper, to all you and repealed by the American Governhave to say.

Dominion Statesman—Well, I think it at all equivalent to the unlimited fishing would be convenient to say in the first in right of the citizens of the United States at all. We persevered in it because we stance that it is not the convenient to say in the first in right of the citizens of the United States stance that it is not the case, as the Presi Indeed that may be said to have been the thought that our generosity would lead dent intimates in his Message, that we are very plum of the pudding in the Reciprocity the American government to meet us in applying any new measures of severity to freaty, and if the Americans had kept it the like spirit. Practically admitting American fishermen in our waters. On the in their own hands all the questions now them to a share in our priceless fisheries we hoped that the spirit we showed would though we theoretically maintain, a very HERALD COMMSSIONER-Then the stage of lead them to reconsider our exclusion important point, the headland point, upon the affair after the repeal of the Recipro-which we consider our rights indubitable, city Treaty is a new one altogether? and we now maintain and enforce only our Dominion Statesman-Yes, sir : and we ping. Really, sir, we gave up everything exclusive fishery property—that is to say, contend that our conduct as regards the for a season in the hope of our getting

> HERALD COMMISSIONES-Do I understand for the suggestion that your late legislation

DOMINION STATESMAN - Distinctly. We have done nothing but adopt the provistenable, and not eventually adhered to, of this kind. They said that the fishing right of the inshore fishing on the pay- law of Nova Scotia. There is nothing new ment of an almost nominal license fee from the French by the common The American fishermen paid it at first, of 1819, has no clause giving twenty-four military operations of the English and but afterwards declined, and left us no re hours' notice to the trespassing fishermen. the colonists, and therefore, they had course but the enforcement of our rights. It was found that such a clause defeated a sort of natural right to use them | HERALD COMMISSIONEE-Ublige me and the purpose of the law, so we have a lopted even after severance from the British state the course of these transactions since the old Act of 1819. But always remember connection. Such a contention was the repeal of the Reciprocity Treaty. connection. Such a contention was hardly serious. It amounted to a claim to keep the privileges of British subjects after fighting to get rid of the habilities of British subjects. An arrangement was British subjects. An arrangement was

that treaty, to quote its words, the "Uni there were 281 licenses; in 1868 there new ground on this subject, and one which ted States hereby renounce forever any were fifty-six licenses; in 1869 there were no lawyer, no state-sman in a responsible berty heretofore enjoyed or claimed by | twenty-five licenses. Now, sir. you will position has ever dreamed of taking. It