

THE MONTREAL HERALD.

TUESDAY MORNING, OCTOBER 4.

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THE COMMISSIONER'S DUTY.

There is much reason to fear that, unless a very strong protest is made against a general lumping together of all questions upon consideration by the United States for consideration by the proposed international commission, there will be some unrighteous "saw off" in which the extraordinary pretensions of the Alaska Fur Company, connived at by the United States Government, will be set off against Canada's unquestionable rights on the Atlantic Coast. Sir James Fergusson said in the English House of Commons that the claims of the United States in the North Pacific will be submitted to the commission, and the Montreal Gazette which at first said that such would not be the case, has recently, probably under inspiration from Ottawa, indicated the same intention on the part of Great Britain. If this is done the Americans, with their usual astuteness and pertinacity, will support the most extravagant demands from the Pacific coast, to obtain concessions at Canada's expense on the Atlantic. But in the Behring Sea dispute there is nothing analogous to the question of interpreting the treaty of 1818. The Alaska Fur Company claim as United States territorial waters a portion of the Pacific Ocean bounded only on one side by American territory, some three or four hundred miles long and twice that number of miles in breadth. The government of the United States connive at the proceedings of the Alaska Company, which has extraordinary influence at Washington, but they do not state their claim in so many words when called upon for an explanation of seizing British vessels, contenting themselves with delay and the avoidance of any explanation. The claim is, of course, a preposterous one. When Alaska belonged to Russia, that Empire preferred this claim in 1822 through their Minister at Washington, M. Poletica, and Mr. Adams on behalf of the United States promptly repudiated it. Fifty years afterwards when the United States had become possessed of Alaska and had leased the sealing rights to the Alaska Fur Company, a request was made to Mr. Boutwell for a revenue cutter to protect the seals in their annual migration. Mr. Boutwell, the U. S. Secretary of the Treasury, refused this request and added—

"I do not see that the United States would have jurisdiction or power to 'drive off' parties going up there for that purpose unless they made such attempt 'within a marine league of the shore.'"

So that Mr. Adams, for the United States, denied Russia's claim to the Behring Sea, and Mr. Boutwell declared that the United States in acquiring Alaska had acquired only the ordinary rights exercised by all nations. In addition to the fact that all the nations of the world have the usual international rights in these waters, Great Britain by a special convention with Russia in 1825 acquired for ever certain privileges, which the Alaska Fur Company, with the United States Government's approval, systematically invade. Even if there were no general right, the sale of Alaska by Russia was necessarily made subject to the provisions of the treaty with England. But although the Behring Sea is an open sea of large extent, forming the passage between two oceans, it happens that the people of the United Kingdom have not much interest there and the home government are not unlikely, therefore, to sacrifice, as usual, their interests in North America for convenience sake. There is no longer a Pitt or Palmerston in England, and for their vigorous patriotism is substituted a species of emotional generosity that makes no distinction between the pockets of the merchants at home are not effected. The interests of the colonies troubles the present generation of English rulers to a very small degree. As the Behring Sea is a matter of little moment to the English trade there is every danger of the commission permitting it to be used as make-weight in determining the question of the fisheries in the Maritime Provinces. If the question is allowed to form one of the subjects of discussion by the commission, we shall probably find the concession by the Americans of that which is Canada's right, and the right of all other countries, in the Pacific to be urged as a reason for abandoning certain Canadian rights in the Atlantic. For this reason Sir John should refuse to countenance the mixed discussion. The Behring Sea difficulty is one matter, and the treaty of 1818 is another and totally distinct one. The former is an international question which affects all nations; it is not open to doubt, and the pretensions advanced should be abandoned.

WHERE OUR FRIEND IS WRONG.

We believe that the Gazette is wrong in creating the Liberal party of Canada with hostility to all nations. In addition to the fact that the difference between the United States and Canada arising out of the treaty of 1818. The Liberal party is the one that desires to see this question settled on a just and peace bearing basis, and it is the one that further desires to extend and improve our trading relations with our neighbors. It is the Conservative party that has been preaching the at-arm-length doctrine; its organs have defended the most rigorous literal interpretation of the treaty of 1818, and have said over and over again that we want no business arrangements with the United States. What the Liberal party desires is that the spirit in which Mr. Chamberlain was preparing himself to deal with the question. Mr. Smallwood, the well known London correspondent of the New York Tribune, telegraphed to his paper the substance of a conversation with Mr. Chamberlain, and that conversation boded no good for Canada. Since then it appears Mr. Chamberlain has a little reconsidered the situation, and possibly may have engendered a little of that confidence that was at first wanting. But beyond this is the entire want of confidence felt in Sir John Macdonald. His management of Canada's case in the

Washington Conference was such that even his own colleagues rebelled at the result, and protested in a report of the Privy Council forwarded to Lord Kimberley in July 1871. He has allowed the seizures of Canadian vessels in the Behring Sea to be continued without any adequate protest, and there is a fixed belief in the minds of Canadians that the fisheries, or the Behring Sea rights, or indeed any other in which Canada's interests are not on all fours with those of the United Kingdom, will be subordinated by him to his instructions from Downingstreet. The country would have had more confidence in the Commission had Mr. Blake or Sir Charles Tupper been appointed Commissioner, for Sir John at his best was not trustworthy where an Imperial guiding hand was pulling the wires, and he is now past that period of life when the qualities most to be desired in a Canadian statesman can reasonably be expected to be found in him. The Gazette, to use a homey phrase, has got the wrong side by the ear. The Liberal party, as we understand its position, does not object to a settlement; it is another unconditional surrender it fears.

THE STE. BARBE CASE.

The Huntingdon Glenside intimates that it is proposed to appeal the Ste. Barbe case to the Privy Council in England. The points said to be involved in the case are thus stated—

The principle involved in the Ste. Barbe case strikes at vital blow at the continuance of the English-speaking settlements east of the Richelieu as it does at those west of it. It is a question of the right of refuge in this province, when the emigrants of Ireland, Scotland and England chose new homes in it, they did so under the belief that the townships were exempt from the operation of French law and custom. They were confirmed in this conviction by the terms of the proclamation by which the townships were created, by the nature of the patents they received for their farms, and by the uniform decisions of the courts for over seventy years. French law was confined to the seigneuries; in the townships English law prevailed. Had those men dreamed for a moment that the land offered to them was subject to the servitudes of the French customs, would they have taken and undergone the incredible toil and privation they did in redeeming it from a state of nature? Yet that freedom and that immunity from French usage which the townships have cherished will be blotted out should this Ste. Barbe decision be allowed to stand, for the very essence of it is that the township land is equally subject to French law with the seigneuries—that there is no difference between the two, and that the bishop can do in Varennes he can do in St. Lawrence, what he can do in Beauce he can do in Broome, and what he can do in Laurier he can do in Huntingdon. Are the people of the townships prepared to admit that claim and accept all the consequences which will lead to it? If they are not, they must upset this Ste. Barbe decision and so vindicate the rights of the soil they own. If they do not make such a move, they are lost. The inimitable strategy with which the assault on the integrity of the townships has been carried on for the past 40 years will be crowned with success, and their first settlers and their descendants be forced to leave what has been their birthright, and to seek their strongholds of the English-speaking minority. It will be utterly impossible for the minority to continue to live here, if the right of municipal self-government is taken away from them, and that which the Ste. Barbe case means. With the power to change the municipalities as they choose, the hierarchy can deprive the minority of the right of managing their local affairs and swamp them in the county councils.

This is a legal, not a race question. Whichever way it may be settled by the highest authority, the result will have to be accepted by the losers. Up to this time the only judgment rendered is that of one Quebec Judge—Mr. Justice Belanger. Questions of such moment should not be regarded as finally settled until the highest Court in the Empire has pronounced upon them. We think the proposed appeal to England quite prudent and justifiable and in the interest of all parties. The Glenside states the probable cost of the appeal at five thousand dollars. This is a small sum for the Townships to raise for such a purpose, and especially if there is a general feeling of opposition among the English inhabitants to Judge Belanger's decision. There are many wealthy English-speaking residents in the province, any one of whom could pay the five thousand dollars himself without feeling the loss of it. It is to be hoped, then, that the appeal will not fail for lack of funds. Let the questions raised be finally settled without unnecessary delay.

We notice that the Toronto Mail, which has taken the Eastern Townships under its wing, has laid down sound law, and that there is nothing for the English residents to do except to submit. The Mail seems far too anxious to promote sectional and race strife to be accepted as a judicious counselor. The type of its newspaper counts for nothing in the presence of questions of such moment, which can only be set at rest by the judgement of the Court of last resort; and the advice of the Mail in this connection is about as worthless as anything can well be.

INFLUENCING LEGISLATION.

The New York World, referring to the closing testimony taken by the Commission of Enquiry into the construction and management of the U. S. transcontinental railways, says—

The testimony of Col. Ruff and that of L. E. Chittenden before the Pacific Railroad Commission supplies corroboratory evidence as to the general character of the business methods adopted by the men having the management of the railroad property in question. All through there is reference to collusion with men in office. There is allusion to the direct employment of ex-Congressmen as lawyers by the companies and to many other similar facts. The policy of controlling legislation and bending it to their own dishonest ends is revealed at every turn in the record of these men. Time might as well be wasted in trying to prove that a rag which had fallen into the river was not wet as to try to convince any one of ordinary intelligence that there was no collusion in the Pacific Railroad management.

Mr. Chittenden's evidence to the effect that the Pacific Railroad indirectly paid themselves \$1,000,000, and that the fourth of construction or repairs was an instance of what they called "denominated business," the millions pocketed by Gould in saddling the Kansas Pacific on the Union Pacific is another instance.

Why Providence should have selected a large part of the railroad business of this country for the purpose of saturating it with corruption, and of allowing its practitioners to remain out of jail, remains one of the mysteries.

The evidence given by such railway magnates as C. P. Huntington showed very clearly that hundreds of thousands of dollars had been expended by the railway companies' agents among members of Congress. Ex-members of Con-

gress and ex-officials of the United States Government were prominent among these agents. This class of politicians were supposed to have most influence with the men in Congress. In Canada we have improved upon this state of things. Here, it is true, ex-M.P.'s and other politicians outside of Parliament have made their influence felt in business transactions with the Government, but less fault is to be found with these gentlemen for making something of their political relations than with those who are actually members of Parliament, but who have not hesitated to promote railway charters and other measures for tapping the public treasury. There can be no question of such M.P.'s, sitting and voting on questions in which they have a financial interest. Lawyers in most cases, they have framed bills, acted as solicitors for the promoters, promoted themselves, carried them through Parliament and, of course, received their pay, even to the extent of having a large pecuniary interest in the enterprise. From a Parliament stocked with such representatives, what is to be expected except what the country has already seen. Boodlers and boodle—members "on the make,"—M.P.'s willing to do anything under Heaven for the Government, provided the Government helps them to carry through their pet railway schemes, bridge schemes, land schemes, canal schemes, and so forth. The danger of turning Congress or Parliament into a mart for buying and selling legislation, procuring valuable franchises, raising the public treasury successfully, might be learned from the astounding revelations of the last two years, during which evidence has been taken by the United States Commission referred to, had we not already the experience of the presence of numerous boodlers in our own Parliament. Considering the field in which they have been operating, and their opportunities, it is a great wonder if our own boodlers have not been more rapacious, more energetic and more successful in getting away with "the swag" than those to be found in Washington or elsewhere.

Three more vessels—one British and the other two American—have been seized for sealing on the Behring Sea. The public of Canada were assured that pending a settlement of this question no more British vessels would be seized, and the United States Attorney-General telegraphed to Judge Dawson, of Alaska, to release the men and the captured vessels at that time held. But the Alaska Fur Company seem to have some extraordinary hold on the Government at Washington and compel that body to execute their behests. Is it not time that the Canadian Government called upon Great Britain for the release of the rights of British subjects? Such an example of abandonment of her maritime rights has never before been witnessed since England became a nation. And the Canadian Government must be much under the thrall of Downing street if they consent to put off in their demand for redress from month to month and year to year.

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3 1/2 x 4 1/2	30	10	2.40
4 x 5	35	12	2.80
4 1/2 x 6 1/2	40	14	3.20
5 x 7	45	16	3.60
5 1/2 x 8 1/2	50	18	4.00
6 x 9	55	20	4.40
6 1/2 x 9 1/2	60	22	4.80
7 x 10	65	24	5.20
7 1/2 x 10 1/2	70	26	5.60
8 x 11	75	28	6.00
8 1/2 x 11 1/2	80	30	6.40
9 x 12	85	32	6.80
9 1/2 x 12 1/2	90	34	7.20
10 x 13	95	36	7.60
10 1/2 x 13 1/2	100	38	8.00
11 x 14	105	40	8.40
11 1/2 x 14 1/2	110	42	8.80
12 x 15	115	44	9.20
12 1/2 x 15 1/2	120	46	9.60
13 x 16	125	48	10.00
13 1/2 x 16 1/2	130	50	10.40
14 x 17	135	52	10.80
14 1/2 x 17 1/2	140	54	11.20
15 x 18	145	56	11.60
15 1/2 x 18 1/2	150	58	12.00
16 x 19	155	60	12.40
16 1/2 x 19 1/2	160	62	12.80
17 x 20	165	64	13.20
17 1/2 x 20 1/2	170	66	13.60
18 x 21	175	68	14.00
18 1/2 x 21 1/2	180	70	14.40
19 x 22	185	72	14.80
19 1/2 x 22 1/2	190	74	15.20
20 x 23	195	76	15.60
20 1/2 x 23 1/2	200	78	16.00
21 x 24	205	80	16.40
21 1/2 x 24 1/2	210	82	16.80
22 x 25	215	84	17.20
22 1/2 x 25 1/2	220	86	17.60
23 x 26	225	88	18.00
23 1/2 x 26 1/2	230	90	18.40
24 x 27	235	92	18.80
24 1/2 x 27 1/2	240	94	19.20
25 x 28	245	96	19.60
25 1/2 x 28 1/2	250	98	20.00
26 x 29	255	100	20.40
26 1/2 x 29 1/2	260	102	20.80
27 x 30	265	104	21.20
27 1/2 x 30 1/2	270	106	21.60
28 x 31	275	108	22.00
28 1/2 x 31 1/2	280	110	22.40
29 x 32	285	112	22.80
29 1/2 x 32 1/2	290	114	23.20
30 x 33	295	116	23.60
30 1/2 x 33 1/2	300	118	24.00
31 x 34	305	120	24.40
31 1/2 x 34 1/2	310	122	24.80
32 x 35	315	124	25.20
32 1/2 x 35 1/2	320	126	25.60
33 x 36	325	128	26.00
33 1/2 x 36 1/2	330	130	26.40
34 x 37	335	132	26.80
34 1/2 x 37 1/2	340	134	27.20
35 x 38	345	136	27.60
35 1/2 x 38 1/2	350	138	28.00
36 x 39	355	140	28.40
36 1/2 x 39 1/2	360	142	28.80
37 x 40	365	144	29.20
37 1/2 x 40 1/2	370	146	29.60
38 x 41	375	148	30.00
38 1/2 x 41 1/2	380	150	30.40
39 x 42	385	152	30.80
39 1/2 x 42 1/2	390	154	31.20
40 x 43	395	156	31.60
40 1/2 x 43 1/2	400	158	32.00
41 x 44	405	160	32.40
41 1/2 x 44 1/2	410	162	32.80
42 x 45	415	164	33.20
42 1/2 x 45 1/2	420	166	33.60
43 x 46	425	168	34.00
43 1/2 x 46 1/2	430	170	34.40
44 x 47	435	172	34.80
44 1/2 x 47 1/2	440	174	35.20
45 x 48	445	176	35.60
45 1/2 x 48 1/2	450	178	36.00
46 x 49	455	180	36.40
46 1/2 x 49 1/2	460	182	36.80
47 x 50	465	184	37.20
47 1/2 x 50 1/2	470	186	37.60
48 x 51	475	188	38.00
48 1/2 x 51 1/2	480	190	38.40
49 x 52	485	192	38.80
49 1/2 x 52 1/2	490	194	39.20
50 x 53	495	196	39.60
50 1/2 x 53 1/2	500	198	40.00
51 x 54	505	200	40.40
51 1/2 x 54 1/2	510	202	40.80
52 x 55	515	204	41.20
52 1/2 x 55 1/2	520	206	41.60
53 x 56	525	208	42.00
53 1/2 x 56 1/2	530	210	42.40
54 x 57	535	212	42.80
54 1/2 x 57 1/2	540	214	43.20
55 x 58	545	216	43.60
55 1/2 x 58 1/2	550	218	44.00
56 x 59	555	220	44.40
56 1/2 x 59 1/2	560	222	44.80
57 x 60	565	224	45.20
57 1/2 x 60 1/2	570	226	45.60
58 x 61	575	228	46.00
58 1/2 x 61 1/2	580	230	46.40
59 x 62	585	232	46.80
59 1/2 x 62 1/2	590	234	47.20
60 x 63	595	236	47.60
60 1/2 x 63 1/2	600	238	48.00
61 x 64	605	240	48.40
61 1/2 x 64 1/2	610	242	48.80
62 x 65	615	244	49.20
62 1/2 x 65 1/2	620	246	49.60
63 x 66	625	248	50.00
63 1/2 x 66 1/2	630	250	50.40
64 x 67	635	252	50.80
64 1/2 x 67 1/2	640	254	51.20
65 x 68	645	256	51.60
65 1/2 x 68 1/2	650	258	52.00
66 x 69	655	260	52.40
66 1/2 x 69 1/2	660	262	52.80
67 x 70	665	264	53.20
67 1/2 x 70 1/2	670	266	53.60
68 x 71	675	268	54.00
68 1/2 x 71 1/2	680	270	54.40
69 x 72	685	272	54.80
69 1/2 x 72 1/2	690	274	55.20
70 x 73	695	276	55.60
70 1/2 x 73 1/2	700	278	56.00
71 x 74	705	280	56.40
71 1/2 x 74 1/2	710	282	56.80
72 x 75	715	284	57.20
72 1/2 x 75 1/2	720	286	57.60
73 x 76	725	288	58.00
73 1/2 x 76 1/2	730	290	58.40
74 x 77	735	292	58.80
74 1/2 x 77 1/2	740	294	59.20
75 x 78	745	296	59.60
75 1/2 x 78 1/2	750	298	60.00
76 x 79	755	300	60.40
76 1/2 x 79 1/2	760	302	60.80
77 x 80	765	304	61.20
77 1/2 x 80 1/2	770	306	61.60
78 x 81	775	308	62.00
78 1/2 x 81 1/2	780	310	62.40
79 x 82	785	312	62.80
79 1/2 x 82 1/2	790	314	63.20
80 x 83	795	316	63.60
80 1/2 x 83 1/2	800	318	64.00
81 x 84	805	320	64.40
81 1/2 x 84 1/2	810	322	64.80
82 x 85	815	324	

PRODUCE AND PROVISIONS.

This image shows a blank, aged, cream-colored page, likely an endpaper or flyleaf of a book. The paper has a slightly textured appearance with some faint smudges and discoloration, characteristic of old paper. The left edge of the page is bound, showing the inner hinge and some stitching. The overall tone is warm and slightly yellowed.

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