

In 1902 I was in this country in connection with His Majesty's Coronation and the Conference of Colonial Premiers, and I availed myself of the opportunity of pressing upon the then Secretary of State for the Colonies—Mr. Chamberlain—the unfairness of the treatment that had been meted out to us as a Colony during the 12 years previous in relation to our proposed trade arrangement with the United States of America, and begged the privilege of being again permitted to proceed to Washington to re-open negotiations with the United States Government for an arrangement upon the lines of the Convention of 1890. My request was acceded to, and I was furnished with the necessary authority to proceed to Washington. The result of my visit was what is known as the Hay-Bond Treaty of 1902. This Convention was ratified by the Secretary of State of the United States on behalf of his Government, and by the late Sir Michael Herbert on behalf of His Majesty's Government. It provided, as did the former Convention, for the free admission of fishery products of Newfoundland into United States markets in exchange for baiting privileges in the Colony. That Convention was held in abeyance for some considerable time by the Foreign Relations Committee of the United States of America, but in the year 1904 it was reported by that Committee to the United States Senate, where it was virtually amended out of existence at the instance of the fishery interests of Gloucester (Massachusetts).

Between 1902 and 1904 the privileges that had been freely extended to the United States during the 12 years previous were continued, but after the action of the United States Senate became known to my Government, in the interests of the trade and commerce of the Colony, it was determined that the policy of the Government of 1886—which had been so forcibly advocated by the then Governor, Sir G. W. Des Vœux—should be enforced against American fishermen.

When the Legislature met on the 30th of March, 1905, His Excellency the Governor, in the speech from the throne, said: "I would observe that the serious loss occasioned the fishermen of this Colony last season by the difficulty of obtaining a full supply of bait fishes rendered it very imperative for my Ministers to consider whether the very valuable bait privileges conceded to the fishermen of the United States by the Government of this Colony in expectation of ratification of the Convention could be continued without detriment to our fishery interest. After very careful inquiry and consideration, it was decided that, under existing circumstances, local interests would be best conserved by withholding those privileges."

In order to more effectively carry out the provisions of the Bait Act, which had been in force for nearly 20 years against French fishermen, but which for the reasons I have set forth, were not enforced in their entirety against American citizens, the Government introduced the Foreign Fishing Vessels Act of 1905, whereby it was provided, amongst other things, that it shall be unlawful for the master of any foreign fishing vessel "to engage any person to form part of the crew of said vessel in any port or on any part of the coasts of this island."

The method adopted by American fishermen of conducting the herring fishery on the west coast of the Colony had ever been by purchase or barter. The Bait Act, as it stood, enabled us to prevent a continuation of that practice, but the Government appreciated that the Americans would attempt to overcome the difficulty occasioned by the enforcement of the Bait Act by engaging local fishermen to form part of their crews, and to catch the fish they required. It was for the purpose, then, of preventing this evasion of the spirit and intention of the Bait Act of 1887 that the clause that I referred to was inserted in the Act of 1905.

At the close of the session of the Newfoundland Legislature of 1905 this Foreign Fishing Vessels Act was assented to and became the law of the land.