

members of the Government. He understood that a gentleman long connected with the Press of this country, and one who had studied its early history, had also been employed to examine into the boundary question, and had prepared an equally elaborate report, which had been printed. It was the duty of the Government to give the House the benefit of that information, for it was the custodian of the rights and privileges of the Province as a Province. The House was called upon last session to legislate upon the subject, and the Act passed handed over to the Dominion Parliament the power—as far as any Act of the Provincial Legislature could give power—to finally determine and award the boundaries of this Province on the west and north. It was true that the decision of the Dominion Parliament was to be preceded by an adjudication of the three gentlemen who were appointed and called arbitrators, and that decision, when so given, was to be confirmed by the Dominion Parliament, if they chose to confirm it, without any reference whatever to the Legislature of this Province. To him that appeared to be an irregular, unconstitutional, and dangerous proceeding, as the arbitration had not been proceeded with. As one of the gentlemen appointed arbitrators had recently been appointed to a very high judicial position, which, according to the terms of his commission, disqualified him from performing any other duty to the public, he (Mr. Macdougall) apprehended that that gentleman had ceased, by reason of his new appointment, to be one of the arbitrators, and it would become necessary, if the arbitration system was to be carried into effect, to appoint another arbitrator. At all events, no progress had been made with the arbitration up to the present time, and the whole boundary question was now within the scope of the House. If the Act of last session was found to be an improper one the House had the power to repeal it and to instruct the Government in relation to that subject, which was so important to every constituency in the Province. The first point was to obtain the most complete information which the Government possessed in regard to the boundary question, which was a public question in which the whole Province should be taken into the confidence of the Administration. The Government had no right to legislate behind the back of the people and without the knowledge and consent of the House on such an important subject, and it was in that view that hon. members required the information asked for in his motion. He trusted there would be no delay, and no reasons of State urged against the production of the papers. If they were printed, they should be distributed, so that the House might have ample time to consider and digest the question contained before being called upon to act upon it in a legislative capacity.

Mr. MOWAT pointed out that the hon. member had directed his remarks, not to the motion submitted, but to a second motion he had placed on the notice paper. There was no correspondence to bring down; what the hon. member desired, no doubt, was copies of the reports.

Mr. CAMERON said the remarks of the hon. Premier showed that the negotiations had been conducted in a slipshod manner. In all important matters between the two Governments the communications should be in writing, so that the House would be in a position to know what the Government were doing in regard to their interest. Occasionally, no doubt, there must be communications of a verbal character, but on such an important question as that under discussion they should assume a more formal shape. During the first Parliament, when Mr. Sandfield Macdonald was in power, the then leader of the Opposition was constantly attacking the Government for not having brought to a conclusion a difficult question then existing between Ontario and Quebec, and yet the hon. gentlemen now in office had, after a long lease of power, failed to accomplish this comparatively trifling matter, though in itself of great importance.

The motion was passed.

Mr. MACDOUGALL then further moved for a return of the "memoranda or reports of the Commissioners and experts who have from time to time been employed to examine and report to the Government on the subject of the said boundaries.

Mr. MOWAT said the hon. member had spoken strongly of the importance of the information which the reports might contain being communicated to the House and the country. As the matter stood

previous to this session there were reasons for not communicating the contents of those reports, which were first suggested by the Opposition side of the House, but in which he entirely concurred. The question of the settlement of the boundaries of the Province had been mentioned during every session since he had been a member of the Legislature, and on a previous occasion, when something was said about the settlement, it was suggested by the member for South Leeds that until the case of the Dominion was in as forward a state as was that of Ontario it might not be desirable that the case for Ontario should be spread out before the world, but that the matter might be delayed until the Province and the Dominion could exchange cases. That suggestion seemed to be approved by other members of the Opposition, for no contrary opinion was expressed, and it was in accordance with his own views. But since last session the Governments had exchanged cases; the Dominion Government possessed copies of the reports referred to, and there was not the slightest objection to the House being put in possession of them. The hon. member for South Simcoe appeared to consider that the Act of last session was one which the House had no right to pass. That was one of the discoveries which the hon. member had made. No constitutional or other objection was offered when the measure was before the House for discussion, and as there were as good constitutional lawyers in attendance as the hon. member for South Simcoe, any such constitutional objection, if it existed, would have been raised. But there was not the slightest ground for the objection; the Act was perfectly constitutional, and it would be unfortunate if it were not so. It was most desirable that differences should be settled by arbitration, if by no other way. It was, of course, a matter for the decision of the House as to how important questions involving difficulties should be settled. They were constantly submitting to arbitration various matters in which the Province was concerned, and even nations submitted to arbitrators difficulties in regard to boundaries. There was no objection in principle any more than in law to the Province adopting that course likewise. The hon. member was in error when he said they had given the Dominion Government the authority to settle the matter of boundaries between them. The Dominion Government were only in the position in which the Ontario Government were in that respect. The subject had been left to arbitrators, and both Governments would be bound by their award. An Act passed by the Imperial Parliament provided for questions of boundaries being settled, and for that purpose the Dominion Parliament, with the assent of the Provincial Legislatures, might make any change in the boundaries that they thought proper. The Act of last session recited that subject to the approval of the Parliament of Canada and the Legislature of Ontario, it had been agreed by the respective Governments that the question arising concerning the north and west boundaries of the Province should be determined by reference to arbitration. It stated that certain arbitrators had been chosen, and that it was arranged with the two gentlemen so chosen that they should choose a third arbitrator not a resident in Canada. An arrangement was made between the two Governments that the arbitration should be subject to the approval of the Parliament of Canada as well as the Legislature of Ontario. The Act contains a clause that this Legislature consents that the Parliament of Canada may declare, not any boundaries, but that the particular boundaries that the arbitrators fixed should be the boundaries. It also declared that that Act should not go into effect until the Lieutenant-Governor had issued his proclamation; the object of that being that both Governments should be bound by the arbitration. He entertained no doubt that the arbitration would be entirely legal and constitutional. The people of Ontario would have as much confidence in the soundness of the judgment of the gentlemen chosen arbitrators as in that of the Privy Council, which consisted of learned judges not known in this country, and of varied ability. A further measure would be introduced during the session, when the subject would no doubt be fully discussed. He suggested that the motion should be altered by omitting the word "memoranda" substituting the word "persons" for "Commissioners or experts," and adding at the close the words "and which are not already in the possession of this House."

Mr. MACDOUGALL acquiesced in the proposed changes.

The motion, as amended, was passed.