

of his friends at Ottawa, and he tells us now that they are determined that this territory shall be theirs; that we shall not exercise our rights there; shall have no control; and if we do attempt to assume control that civil war is inevitable. It is well that Ontario should understand that. (Cheers.) It is well that the true position of the matter should be known, and it has been declared in an authoritative manner by my hon. friend. At the present moment there is not civil law in the whole of that territory of 100,000 square miles. There is no set of recognized laws, no set of recognized courts or offices in that vast country. How is justice to be administered there? How are peace and order to be maintained, and how is settlement to be brought about? The Dominion Government has not a shadow of claim to that property. My hon. friend here, anxious to do his best for them, and to put forward the strongest claim, tells us that the territory is ours. (Loud cheers.) He is an industrious lawyer, and this is one of the most important matters that he ever occupied his attention. He has studied the matter, looked at the evidence, and tells us that our claim is a just one. (Cheers) that we are not pursuing an unjust claim. But we have a case that the leader of the Opposition says is a good case and yet civil war is to be the consequence if we endeavour to exercise the rights we possess, or exclude trespassers. If we have no right to this territory, and have not a *prima facie* claim, there is nobody that has such a claim. This territory having been awarded to us, we have certain duties to perform, and my only apprehension is that the people of the Province may complain, that we have not done enough in the way of taking possession, by not placing sufficient force to carry out our laws. Let it be remembered that not only have the Opposition declared that the title is ours, but the title we claim is that which the old Province of Canada always claimed. The authorities of this country up to 1870 always claimed this as theirs. It was upon that ground that they got for a very small sum the release of the claim of the Hudson Bay Company. We have had the matter submitted to arbitrators of such ability, impartiality, and competency, that they have been complimented on all sides and by all parties. What can be said against all that? Nothing whatever. (Cheers.) Sir John Macdonald has over and over again declared that the property was ours. That was not very long ago—no longer ago than 1857—and in 1860 very able arguments were set forth to show that this territory did belong to us. If we do not go there and take possession and administer justice, and if we do not attempt to preserve the property by proper force, who has a right to do it? My hon. friend says let it go to anarchy. The consequence is that law is not enforced there by anybody, and peace can only be preserved by the exercise of illegal force. If suits are decided there, it would be said that the Dominion Court had no jurisdiction. If it is said the law of Manitoba prevails, the objection may be taken that the property is not theirs.

Mr. MEREDITH—The hon. member does not mean to pretend that criminal laws are not in force?

Mr. MOWAT—Criminal law is, to a certain extent, in force; but is not civil law of as much importance as criminal law? (Cheers.) There is no Magistrate in all that territory by the Act as it stands now whose jurisdiction is secured. If he is a Manitoba Magistrate, his acts may be objected to on the ground that it is Ontario property. If it is Ontario's Magistrate, his authority may be objected to on the ground that the property does not belong to Ontario. What I say is that it is absolutely necessary that we should go and take possession, that we should assume the duty of enforcing the laws there unless some satisfactory provisional arrangement can be made. The hon. member refused to concede that we have been exerting ourselves in every way that we could conceive to induce the Ottawa Government to agree to provisional arrangements in order out that there might be a system of Courts to carry civil law. We have been urging them for more than three years and we are now in no better position than three years ago. Draft Acts and Bills have been sent down to them to facilitate the work, and they refused to make any provision whatever for that territory, and the alternative rests upon the Government, which has the *prima facie* title, if not the absolute title, as the hon. gentleman says we have. My hon. friend says we will have civil war if we exercise our rights. He says murder will be committed. If it is, the consequences will be upon his head and upon the heads of his party. My hon. friend talks about his loyalty. A subject who is truly loyal will not submit to wrong by encroachment, but will, like the Liberal party, insist on his just rights. My hon. friend is willing to lose half of our Province rather than resist the illegal acts of the Dominion. Let that be well understood by this country, that so unsafe are Provincial rights in the hands of the hon. gentleman and those associated with him, that they will submit to anything; that there is no encroachment which the Dominion authorities may choose to make but they will submit to. I say more to the hon. gentleman—I do not believe that civil war is going to be the consequence. (Cheers.) I have a higher opinion of every part of the Dominion than to believe that its people will endorse the action of those who would drive us into civil war. My hon. friend libels the people of the Dominion—(cheers)—not only the people of Ontario, but of the whole Dominion, when he says they will refuse the people of Ontario their just rights. Continuing on this question Mr. Mowat said that he was as much attached to the Confederation, and felt as great an interest in its success, as anybody; but if the Constitution was to be interpreted as hon. gentlemen opposite did interpret it, and if they could only maintain Confederation by giving up half of their Province, then Confederation must go. (Cheers.) Confederation was well worth maintaining if the Constitution was faithfully administered, and if the Dominion Government would deal fairly and justly with them. But if their power of passing laws within their own legitimate sphere was to be subject to the whim of a Minister or Ministers at Ottawa, and if they could not demand the large amount of property to which they were entitled without foregoing the advantages of Confederation, then it was not worth maintaining. (Cheers.) Was Ontario only of use as the great tax-paying Province of the Dominion?—only of use as a lever to place a particular party in power at Ottawa?—only of use to render possible the floating of large loans?—

and of use only to enable contracts to be made by which millions of money were thrown into the sea? He always favoured Confederation, and favoured it now, believing that the Constitution was a good one if faithfully administered, though a bad one if not. The hon. gentleman had said that Mr. Mackenzie was to blame for not passing an Act confirming the award prior to its conclusion. He had also said that the award, when made, was subject to the sanction of Parliament.

Mr. MEREDITH—Your statute says so.

Mr. MOWAT thought that his hon. friend was reduced to hard straits when he took such ground as that, Governments did not pass Acts to confirm awards yet to be made. But they always did immediately after the award was reached. In point of form it was submitted for the sanction of Parliament, but good faith and all precedent required that awards shall be sanctioned by Parliament. (Hear, hear.) No one would for a moment say that a great question of this kind, involving 100,000 square miles of territory, should depend upon the willingness of one of the parties to accept or reject it at pleasure. It was an insult to the arbitrators. (Applause.) He knew of no instance where two Governments entered into an arbitration that both did not feel in duty bound to accept the award reached in accordance with the reference. The course of the present Dominion Government, in refusing to accept the award was an unprecedented one, while on the other hand if Mr. Mackenzie had ratified the award in advance, as the hon. gentlemen said he should have done, he would have been taking an unusual course. He would have been glad if he had.

Mr. MEREDITH—Did not the hon. gentleman ask the Dominion Government to pass a confirmatory Act?

Mr. MOWAT said there had been some conversation about it, and no doubt there were reasons given for not passing a Bill at that time. It was to be remembered that it was not 100,000 square miles that Ontario claimed, but a million square miles. The Province of Manitoba was afterwards established, and that Legislature made no objection, though they did not feel at liberty to withdraw any part of their claim previously set up. If Mr. Mackenzie had proposed to pass an Act confirming the result of the arbitration which, if favourable to Ontario, might give this Province a million square miles of land it would have been binding. But the friends of the hon. gentleman complained of a difficulty when the amount was only 100,000 miles. The hon. member for London (Mr. Meredith) said that the reason for the Government at Ottawa withholding its sanction to the award was the jealousy of the other Provinces. But if they found that objection insuperable what would have been their objection before the award was made, and when an Act must have committed the Parliament to the sanctioning of Ontario's full claim for one million square miles? Therefore that unusual procedure of ratifying the award prior to its declaration would have involved the Mackenzie Government in ten times the difficulty which the present Government seemed to have found insuperable. (Cheers.) Then to increase the difficulty, in 1872 two of the Ministers of the day had pronounced upon the subject, one, Mr. Mills, having investigated the matter before he became a Minister, and to have asked these Ministers to have passed an Act in advance of the award, would have undoubtedly involved the Government in the greatest difficulties, difficulties which had no application whatever to the present Government. (Cheers.)

It being six o'clock, Mr. MOWAT moved the adjournment of the debate.

The House adjourned at six o'clock.

#### NOTICES OF MOTION.

Mr. McMahon—On Monday next—Bill to amend the Act respecting the rights and liabilities of innkeepers.