

responsible for the sake of his own good name he hoped he did not hold himself responsible. (Laughter.) What was the position the Provincial Government assumed in making their suggestion with regard to the provisional arrangements when they went to the Privy Council? His hon. friend had read something to show the position of the Provincial Government. What Mr. Meredith had not pointed out was that the Provincial Government had always said:—"This is our position—What are the best terms we can get from you? If you won't accept our position tell us what terms you will accept, and on what terms you will settle, and then it will be for the Legislature to consider whether these are the terms we should adopt." He (Mr. Mowat) read part of the despatch of the 31st of December, 1881, to which his hon. friend had referred. The Lieutenant-Governor used this language with reference to the subject:—

"If the Dominion Government is not willing to agree to the arrangement suggested, my Government would be glad to be informed what the best terms are to which your Government is prepared to agree for the final settlement of the question of right, and for the provisional government of the territory in the meantime. I beg to remind you once more that, since the award, no terms have ever been proposed to this Government with reference to either matter, unless it may be in the informal, and so far nugatory, negotiations which have recently taken place with the Attorney-General."

His hon. friend also read an extract from a despatch, and he asked what was their best terms:—

"The expressed object of my despatch of the 31st December last was to ascertain officially whether your Government could not be induced without making further unnecessary delay to consent to some just and adequate arrangements for the government of the country, the preservation of the timber, the granting of titles to settlers, and the recognition of an undisputed authority to enforce order and administer justice. The evils of the existing state of things in the disputed territory are already so great and increasing so rapidly, and it had become so important that this Province should without further delay have peaceable and undisputed possession of whatever limits it is entitled to, that my Government were willing with the concurrence of the Legislature to submit the matter to the Privy Council on condition of consent being given by the Dominion Government, and that of Manitoba, to just arrangements for the government of the country in the meantime. Without such 'provisional arrangements' my despatch stated that the Province might as well wait for the confirmation of the award by another Parliament as go to the expense and have the unavoidable delay of a second litigation. I, therefore, desired to know whether the Dominion Government were willing to agree to the provisional arrangements which had therefore from time to time been suggested in written communications by this Government and by the Attorney-General on their behalf, and which my despatch repeated, and if your Government were not willing to agree to the arrangements specified I desired to be informed what the best terms were to which your Government were prepared to agree."

The Provincial Government stated as clearly as possible what they believed would be just arrangements, and what this Province could fairly and justly claim. They found that substitutions which were unreasonable were offered. He did not think the provisions they asked, or the interim arrangements they demanded were unjust, unfair, or unreasonable. His hon. friend had reminded the House that the Provincial Government were arranging that during litigation the laws of this Province should prevail in the disputed territory. They did ask this, and he thought it was extremely reasonable. The Province of Manitoba had agreed to all they had asked, so far as related to the territory south of the height of land. The House would remember that when the Manitoba Extension Bill was before the Government at Ottawa, the leader of the Government pointed out that things south of the height of land were in a state of great uncertainty. He pointed out that any one there might dispute the jurisdiction of the Ontario courts, and dispute the validity of the grants of land under which the titles were held. It was of great importance to the Ontario Legislature that the titles to the land should be undisputed south of the height of land. So far as Manitoba had jurisdiction, they could not dispute them now. If his hon. friends had read the agreement entered into between the two Provinces, they would find that there was an expressed provision under which Manitoba gave up all right of jurisdiction, and assumed Ontario laws there. Manitoba had no jurisdiction over the land. The population south of the height of land was about seven-eighths of the whole population of the disputed territory so far as he (Mr. Mowat) could make out. It was not merely that there was seven to one of the population of the disputed territory there, but there was more than seven to one of the business transacted there. There was more than seven to one of the wealth of the disputed territory south of the height of land. They had all they ever asked in relation to population, wealth, and business transactions, or seven-eighths of the whole disputed territory. (Hear, hear.)

Mr. MEREDITH—Did not the Dominion Government ever offer to give you the whole?

Mr. MOWAT explained that they never offered it all. If the Ontario Legislature had relied on the proposal being carried out there would have been a joint jurisdiction south of the height of land, and north of the height of land. His hon. friend imagined that the dis-

puted possession was with reference to the whole of the territory, and he (Mr. Mowat) hoped that his hon. friend would join with the Government in getting this matter put on a satisfactory basis. (Applause.) The Dominion Government said nothing in answer to the petition of the Ontario Legislature. They did not discuss it. He pointed out to the House the advantages which the agreement secured to the Province. His hon. friend had referred to one, and that was that the award had not been abandoned. The matter was then still open and he (Mr. Mowat) believed that they could establish their boundaries under the award. He did not believe, however, that it was in the interests of the country that they should litigate this question in individual suits. He thought it was quite clear that this award was valid legally. If this had been a question between two independent nations the award would have been as valid as any award between two independent nations could be. Further, the settlement of the boundary question was a proper question for the executive authority. It was just and reasonable that the Executive should have this power. He had great hopes that the Privy Council would hold that the Executive had the power. The Executive of the Dominion had the power, and the award made was perfectly valid and binding on both parties. Another point in the agreement was that it had to be ratified by the two Provinces before the case came before the Privy Council. This provision, he held, would be of great value to them. If this matter had not been settled there might have been innumerable questions as to what evidence should be admitted, and if either party decided to protract the case there would not be the least difficulty of doing so. Now all difficulty and danger of that kind was shut out, and they had actually agreed on the case, and to a large extent the evidence. They had also named a date after which no evidence should be admitted, and they had arranged for a hearing of the case in June or July. (Cheers.) This was a matter no longer depending upon any party to the agreement, and as soon as the agreement is ratified by the Legislatures, by the parties concerned, the subject would be practically decided and almost certainly tried by June or July. Now, it was manifest that a provisional agreement for the occupation of the territory was a matter of comparatively little importance under those circumstances as compared with the terms for the occupancy of the country when it was clear that it might possibly last many years. Before the agreement had been come to they had the possibility to face of years being passed before the matter was finally settled, and then it became a question of the greatest possible moment as to what agreement should be come to for the occupancy of the territory. By an arrangement which precluded this state of things subsisting more than a few months they had reduced the importance of the provisional agreement to a minimum. This enabled them to forego some terms in the provisional agreement which they might otherwise have been under the necessity of insisting upon. Now, he had already pointed out that in regard to the territory south of the Height of Land they had exclusive authority and exclusive possession, and with regard to that north of the Height of Land, during the few months which will elapse before the case was settled by the Privy Council, they would lose nothing by the agreement entered into. There was certainly nothing in the agreement which placed them in a worse position than they would have been in if no agreement had been made. (Cheers.) As regards the municipal organization and administration of justice, the *status quo* was fully recognized, and though little inconvenience would arise from this being continued a few months, the case was entirely different, and the inconvenience would have been seriously felt had it been continued for years. There was an additional advantage; in the case of litigation arising, the Courts were obliged to act on the same evidence as that which was to go to the Privy Council.

Mr. MEREDITH—How can you bind any Courts to that?

Mr. MOWAT—As having control of all matters relating to the Province, we can require the Courts to take notice of all matters of Provincial jurisdiction. Resuming, Mr. Mowat said:—It was by this Province that a reference of the award to the Privy Council was proposed, and not the Dominion Government, and when it was proposed in December, 1881, the Dominion Government did not adopt the proposal. They argued that other modes were preferable, such as a reference to the Supreme Court, an English ex-judge, and only then as Ontario and Manitoba desired. We all know the relations between the Manitoba and the Dominion Governments, and if the Dominion Government preferred one way, we all know what Manitoba would have preferred. The position the Government had assumed in holding possession had brought about such a condition of things that both the Manitoba Government and the Dominion Government were satisfied that they had better go to the Privy Council.

Mr. MEREDITH—Didn't Mr. Plumb's resolution propose to go to the Privy Council before you had taken possession?

Mr. MOWAT—It is very clear that the hon. gentleman does not know when we took possession. (Cheers.) We have been in possession