

statutes which the Opposition claimed it was not expedient to make while the case was pending in the Courts. He still maintained this ground, with this additional position—that whenever a bill of the Local Legislature presumes to take away the property of an individual without compensation it is unsound, and the Federal authorities were empowered to disallow that bill. In reference to the license question he could join in the congratulations on account of the Supreme Court having decided that the Provincial Governments had jurisdiction over this matter. However, if the temperance wave continued to sweep over the country as it had been doing, and the Scott Act were passed in every county it would not matter much where the licensing power rested. Speaking of the harvest he thought the remarks of the hon. member for South Wentworth on that subject were out of place.

NO MAN WITH ANY SENSE

expected that prices could be enhanced under such circumstances by any tariff placed upon them. (Cries of "Oh! oh!" and laughter.) He asked what the Government policy was, and said it was to make things worse by closing the factories. Referring to the promised Bill for extending the franchise, he said the people had looked for that in vain. It had been promised last session, but not brought down. From that side of the House there would be every effort made to secure a liberal franchise. There was one thing, at all events, that the country would expect, that when this extension did take place a gross injustice should be remedied by giving the sons of mechanics and others the right to vote as well as the sons of farmers. Replying to the reference to educational matters, he wondered that while hon. gentlemen were in a congratulatory mood they did not mention their gratification that the Minister of that Department had been able to solve the great school book question by placing in the hands of three publishing houses a monopoly for ten years to come. With respect to the debate on the Address, it seemed to him that it would be more in the interest of

RAPID LEGISLATION

if the House adopted the plan taken in the Mother Country and at Ottawa now of dispensing with any lengthened discussion. He desired to say that now they were getting rid of some of the sources of acrimony inside and outside of this House, he trusted that they would be able to get rid of some of the feeling that had existed between members. He did not desire to go out of the ordinary way in saying anything here, but it seemed strange that there should be so much discord in the pursuit of a common purpose. He apprehended that whatever they might say in the heat of discussion here everybody believed that from his own standpoint he was anxious to consider the best interests of the country. In a few closing words he gave a tribute to his late colleague the member for Lennox, Mr. Roe, who had been removed by the hand of death since last session.

MR. MOWAT'S SPEECH.

Mr. MOWAT—I am glad to know that a better feeling prevails; I am glad to know that my hon. friend is now of opinion that every member of this House is desirous of doing the best for the country from his own standpoint. (Hear, hear.) It will be a satisfactory thing if our friend finds himself able to act in the spirit he has just proclaimed. I hope also that he will be able to induce certain organs of his to say nothing with regard to public matters which is not true, and make no charge which they know cannot possibly be well founded. (Cheers.) Our friends who moved and seconded the resolution are not new to this House; they are not new to public life; they have rendered valuable services to the country. During several sessions we have often heard their voices in debates, and they have always been heard with attention and respect, and we only regret that the illness of one may prevent him from speaking more frequently. He never speaks but in a way creditable to himself and the House. I propose saying a few words on most of the topics touched upon in the speech of my hon. friend. As to the settlement of the Boundary question my hon. friend still strongly lays claim for the leader of the Dominion Government having made a proposal in 1872 that the matter should be left with the Privy Council. What we blame that right hon. gentleman for, and what we blame his party for is that they set up

AN UPRIGHT UNFOUNDED CLAIM

with respect to these boundaries and did their best to deprive us of our right in the territory other than by legal means. (Applause.) The fact is that after that suggestion of a reference to the Privy Council was made the Government did not remain long in office and the Government that succeeded it thought it more fitting that a question of this kind between two Governments should be decided by arbitration here instead of going to the Privy Council. That was the reasonable thing to do and it is the course followed in a controversy between two Governments. (Applause.) It is a comparatively rare thing—indeed there is no record of the existence of a boundary dispute between two Governments being referred to a legal tribunal in the way suggested. The question of arbitration was accepted by the people's representatives, and they were never called upon to express an opinion in regard to leaving this matter to the Privy Council. Indeed, it was never

before the public until after the award was made. The fact is that not one word of opposition to the award was heard. Everybody consented to the proposition, and it was admitted that if it was the only, it was the best means of settling the matter. In order to justify the refusal to accept the award, the position was taken that it was in substance bad. It gave such an enormous extent of territory, and this was the ground on which objection was made. What we claim, and what we charge against the friends of hon. gentlemen opposite, is that they did not endeavour to get the sanction of Parliament to the award. If the leader of the Government had submitted it to Parliament, and used his best efforts to get the award sanctioned, and failed, he would not have been to blame. But he used all his influence, his colleagues used all their influence to prevent Parliament from ratifying the award. He proclaimed the award to be such a one as not a court in the world would support. He and his party declared that to much of the territory, Ontario had no claim, and that Ontario should

NOT HAVE ONE STICK OF TIMBER,

nor one pound of minerals. Then what we always felt was that this unrighteous repudiation of the award on the part of the Conservative party and their leaders, was dangerous to the interests of the Province; what we always felt was the danger that if we allowed the whole matter to go to the Privy Council without conditions it might be kept there any number of years. They wanted to deprive us of the territory and they adopted what they considered to be the best means to attain their end. They brought Manitoba into the affair; they made grants of land to their friends, and took every step possible for the purpose of depriving us of the territory and compelling us to come to their terms—whatever those terms might be. We knew therefore that the danger of litigation was that the matter might be kept in the Courts any number of years. I have mentioned these circumstances to show that we had grounds for apprehension, but we have had now matter to demonstrate the same thing. The course we took in making known our determination to hold the land we were rightfully possessed of had the effect of showing Manitoba that it was to her interest that the matter should be settled; that it was entirely opposed to the interests of that Province that there should be a conflict going on up there. A contest going on was a cause of expense which that Province could not stand, and therefore pressure was brought to bear on the Dominion Government to consent to a reference. My hon. friend knows quite well—he is a CONSTITUTIONAL LAWYER ENOUGH FOR THAT—that where territory is in dispute the party in possession is held by the court to be rightfully there for all the purposes that come before it until it is proved to the contrary. We were bound, therefore, to hold possession, and if we had not held possession we should not have been there to-day. Everything was done to prevent us holding possession and to prevent us taking the course which the rights of the Province demanded. All kinds of opprobrious epithets were used against us; one of them being "pirates," and one of the newspapers went even further and made us out to be murderers. But our course made it necessary to Manitoba to settle and to settle at once, and accordingly we were able to make an agreement for a settlement—they acceded to all the terms necessary to accomplish our end. But the Province of Manitoba was interested only in our western boundary, and we urged strongly that the whole question should be left with the Privy Council. Correspondence was had and an Order in Council was actually made by the Government at Ottawa according to that view. More than that the order in Council was actually communicated to this Government, and the Council settled upon a case for the purpose; and after all that we could not get them to go. (Loud applause.) I mention that just for the purpose of demonstrating the impropriety of the cause which was urged upon us that we should go to the Privy Council without terms or conditions whatever.

Mr. MEREDITH—No, no.

Mr. MOWAT—I say yes, yes. I never heard any terms mentioned; I have no recollection of any terms being mentioned. I don't think the resolutions offered here mentioned any reasonable terms or conditions. The point is that we could not give up possession, because if we did practically the territory would belong to the Dominion. Even while we were in possession there they made grants of our timber; in spite of our protests they made grants of our land, and even after the decision of the Privy Council they have gone on making grants of our timber, and refused us the courtesy of giving us an account of what they have granted though we have repeatedly applied for it. You will see, therefore, that it was

NOT VAGUE AND UNFOUNDED APPREHENSION, which caused us to feel that if the terms and conditions of the reference were such as to make it to the interest of the Dominion Government to hurry the matter it would be left to drag along for any number of years which suited them. (Applause.) It is known to this House that the Privy Council in their judgment did not consider it necessary that there should be a reference to the Imperial Parliament and that they were going into effect its decision. I don't think that the Dominion Government will take cognizance of the decision of the Privy Council wa

communicated to the Dominion Government in a despatch by the Imperial authorities for the purpose of ascertaining if they wished an Act passed during the last session of the Imperial Parliament, but even up to a few weeks ago they had not even answered that despatch from the Old Country. I ascertained that the despatch had been sent and also that the despatch was not even answered, and in order that there might be no further cause for delay, I actually drew up a bill and sent it down to the Dominion Government stating that we were willing to accept a bill which would cover the whole Privy Council case. I could not get any answer, however. Our despatches were formally acknowledged by the Under Secretary, who sent a reply:—"We have received your despatch. I have the honour to be, sir, your very obedient servant." So that there can be no question of the position of the Dominion Government upon this subject, and that there was grave danger of our losing the territory if we had not taken the course we did. (Applause.) It has been charged against me that I never would state the award to be legally binding. Now my actual position is this: the inclination of my opinion was, that the award was legally binding. I never pretended that I was perfectly clear, because there was no precedent for the question; but the nearest precedent there was, was in favour of the award. This is in the case of Pennsylvania and Maryland, and the decision was in favour of the right of colonies to settle their own boundaries, so that the only precedent was in our favour. I don't see any substantial difference between the circumstances of this case, and those arising out of our case, and accept readily, without any reserve, the decision the Privy Council arrived at. I think the honourable gentleman exaggerated the position I took in reference to the matter. He says that in these questions in which other Provinces are interested, we ought to consider

THE STRONG PREJUDICES

of the other Provinces. What I object to is that they should stimulate and excite the prejudices of the other Provinces. (Cheers.) My hon. friend relies, for coming over to this side of the House, not upon his own merits or party ties, but upon his party at Ottawa. (Applause.) They have done their best to excite the prejudices of the other Provinces by making them believe that the counsel for the Dominion had thrown away their case.

THE STREAMS BILL

With regard to the Rivers and Streams Bill the judgment of the Privy Council had also been favourable to us. My hon. friend may forget that the Act of which he complains, and which was passed frequently in this House, was one which did provide for compensation. It is to be remembered that the statute was a very old one. It is not one of ours. It was passed in 1849. When this matter came before the Privy Council one of the arguments was that the Rivers and Streams Bill was fixing upon the statute a construction which was unjust; that if that construction contended for was correct, then the Legislature was giving to the public a benefit of streams and improvements they had no right to. The Privy Council did not think that was so unreasonable as hon. gentlemen opposite thought, and did not attach any importance to that argument. Now the next paper to which my hon. friend has referred is the License Law and the decision of the Supreme Court on that subject. Here again the Dominion was all wrong.

Mr. MEREDITH—Not exactly all wrong. There were some inconsiderable exceptions.

Mr. MOWAT—I am not sure they were right with respect to these inconsiderable exceptions. They are too inconsiderable to appeal about, but I see by some of the papers that they propose to appeal from the decision of the Supreme Court, and if they do that I will do the same about the inconsiderable exceptions. I think the whole Act may be declared without these exceptions to be beyond the powers of the Dominion Government. When my hon. friend finds that they are wrong so often, I submit to him whether he can any longer have anything to do with a Government which has always taken wrong views on every question between the Province and the Dominion. (Hear, hear.) If he does not differ from us, certainly the fair and reasonable course would be to withdraw his support from a Government which is

ALWAYS GOING AGAINST

the rights of Ontario and always wrong when going against these rights. The hon. gentleman suggests some policy of ours to have the effect of shutting up the manufactories and withholding work from the working men and mechanics. Why, what we are sorry for is that they are already shut up and that persons are now thrown out of employment. It requires no act of ours, unfortunately, to do that, but we are employing every means we can to prevent that result. My hon. friend spoke next of the extension of the franchise. He is wrong when he denies that this Government has not extended the franchise in the past. We may not have gone so far as we would have liked to go, but we introduced a considerable number of voters who had no right to vote until they got it from us. Well, now my hon. friend complains that we have not brought in the bill before. My hon. friend forgets that his own