

the establishment of the boundary line had been appointed, in consequence of instructions given by the Government of Canada to their Commissioner, to start from a defined point and from that point to ascertain the boundary, the Government of Ontario had ordered their Commissioner to desist from acting under the Commission.

MR. McDONALD (Picton): I said they had started from a defined point, giving the course due north from that point.

MR. BLAKE: The hon. gentleman thinks there is only one line. There was a good deal more in the instructions than he has stated. It will be found that, whereas, up to the time to which I refer, it had been assumed that that Commission was for the purpose of ascertaining and establishing the boundary line, the instructions to the Commissioner, which I have before me, limited his functions to marking upon the ground, to the location upon the ground, of a boundary northerly and westerly according to certain defined lines laid down in the instructions. A tracing was given to the Commissioner showing the point of commencement and indicating the due north line to which the hon. gentleman refers; and thus disposing of one part of the boundary. But the Commissioner was to run a line due north until he struck the southern boundaries of the Hudson's Bay Territory, and the instructions then proceed to state what that southern boundary is. They state:

"This is well understood to be the height of land dividing the waters which flow into Hudson's Bay from those emptying into the Valleys of the great lakes, and forming the Northern boundary of Ontario; and the same is to be traced and surveyed, following its various windings till you arrive at the angle therein between the Provinces of Ontario and Quebec, as the latter is at present bounded, having accomplished which the same will have been completed."

Therefore, it is plain that the instructions to that Commissioner were simply to lay down on the ground the whole of the boundary according to certain directions which are contained in the instructions. These directions involved the cession by the Province of Ontario of territory which it had long before occupied, settled and organised, and in respect to which it was then exercising jurisdiction, in respect to

which claims for money therein expended had been advanced by the Canadian Government and conceded by the Provincial Government on the ground that they were moneys spent within the Province of Ontario. Those who were responsible for the conduct of affairs in Ontario were not able to accede to the view that that was the true boundary line between Ontario and Quebec, and, because they were not able to do so, they declined to permit the prosecution of that Commission. In response to a communication announcing that decision, regret was intimated that the Province of Ontario had not on its part declared what it believed to be the true boundary line, and a communication was made in reply stating what the Province of Ontario thought was the boundary line; subsequently, a suggestion was made for a reference of the whole matter to the Judicial Committee of the Privy Council. That the matter should be referred to some tribunal was agreed to be reasonable, but it was thought by Ontario that the tribunal might better be constituted on this side of the Atlantic, and that suggestion was made on behalf of the Province, and the negotiations for some time stood at that point. In the year 1875, if I rightly remember, the Government of my hon. friend the member for Lambton acceded to the proposal that the tribunal for the disposal of the matter should be formed upon this, instead of the other side of the Atlantic, and with that view a Commission composed of eminent persons was named. Now, that Commission was formed for the ascertainment of the boundary, not for the marking, upon the ground, of a boundary line according to directions and instructions to be given to the Commissioners, but for the purpose of determining what the boundary line was, its marking being a process to be reached subsequently. Parliament was informed during the ensuing Session of the policy of the Government, and of what had actually been done—that the Government had agreed to the reference of this matter to a Commission—and no exception was taken so far as I remember—none, I am confident, by vote—to that policy and action. Then passed before the Commission sat—its operations being delayed by the acceptance by one of its members of an office, thought incompatible with the execution of its duties—