

that that island did not belong to us, did we hear that decision questioned on the ground that the English Government should have asked the assent of Parliament before appointing the Commission? There was no such argument as that. When we were awarded five millions of dollars under the provisions of the same Treaty, did we hear the objection from the right hon. gentleman that the Joint High Commission was appointed without the consent of Parliament? Not at all. Why, when the American Government agreed to institute an enquiry, similar to the one now proposed, to make objections to the award of the Geneva Arbitrators, and when they raised objections on the same grounds urged by the mover of this Committee, or similar ones, did not Canada rise in indignation at the thought that they should seek to question a tribunal to which they had agreed to submit the case? The American Government confined themselves to making representations to that of England. When these were not entertained, without any further haggling, they honestly paid the money awarded by the Arbitrators. We have instances in England of important steps being taken without the express consent of Parliament. The noble lord at the head of the Government in England, to whom the head of our Government here is said to bear so strong a resemblance took over the island of Cyprus without asking Parliament; he assumed the protectorate of Asia Minor, and made wars without asking the assent of Parliament. Now, Sir, what is the decision come to by the right hon. gentleman as to the course to be pursued? He says the Arbitration was informally appointed, although I cannot see who could have the right to make a binding agreement in the matter, if the Executives of both the Dominion and Ontario could not do so. We are told that a Committee appointed by this House would be better able to consult the interests of Ontario and the Dominion than the Arbitrators to whom the question has been submitted. If Ontario were likely to gain a few thousand square miles by this step being taken, what would be thought of us if we advocated it? Why, the other parts of the Dominion would be entitled to reprobate us for such conduct. It is evident, however, that, if the hon. gentleman who makes the motion wishes the

award to be broken, it is in order to take from Ontario what she has got. It would be very difficult for Ontario to retain what belongs to her under the findings of that Committee; for only two of the gentlemen who are proposed to form that Committee are from Ontario—only two out of twelve composing the proposed Committee.

MR. DAWSON: There are three from Ontario, and the Committee is to consist of eleven, not twelve.

MR. CASEY: Oh, yes, I see, I was mistaken. But even that proportion must weigh unfavourably against the interest of Ontario: besides, the hon. mover of this motion is included in the three nominally from Ontario. He wishes to be the representative of a new Province, and could hardly be trusted to look after the interests of Ontario, since he is the very party seeking to abrogate the award. I wish to refer to some remarks of the hon. member for Halton (Mr. Macdougall). He said very properly that this was a matter of the gravest importance, and he gave figures to show its gravity and solemnity, one which a new Parliament should hesitate to deal with. Yet the appointment of this Committee which he favours will have the effect of breaking up the award and so virtually settle the matter offhand.

AN HON. MEMBER: The Committee, for anything we know, may confirm the award.

MR. CASEY: But, until the Committee does confirm it, the award is virtually done away with. They will have to go into the whole affair *de novo*. Their very appointment will break it up. They may make another award in the same terms or in different terms altogether. He says, further, that we should consider the award carefully before confirming it. Now, when an individual submits to an arbitration, all that he has to consider afterwards is whether the trial has been fairly conducted, and, if it has, he has nothing to do but to submit, unless there is a provision for obtaining a new trial elsewhere in a higher Court. The same rule applies to International arbitrations. If a party to an arbitration is to have the right of complaining against and breaking up an award, because that party does not like it, the possibility of arbitration between Provinces and between nations is gone forever. It has been said