

gentleman at the head of the Government based a long argument, mixed with a good deal of declamation upon the fact that the word "determine," which was the word used in the Ontario Act, did not convey the idea of a final definition of the true boundary line but of a conventional line. It so happens that the word "determine" does not bear the meaning that the hon. gentleman attached to it, and that it was used through all the correspondence and negotiations—in the first Order in Council passed by the Dominion Government on 12th Nov., 1874, appointing Mr. Wilmot to represent the interests of that Government; in the Ontario Order in Council, appointing the Hon. Mr. Richards, late Chief Justice of Ontario and of the Dominion; and the award of the Arbitrators proceeds in this way:—

"The undersigned having been appointed by the Governments of Canada and Ontario as Arbitrators to 'determine' the Northernly and Westernly Boundaries of Ontario, do hereby 'determine' and decide that the following are
* * * such boundaries."

Then comes the specification of the boundaries, followed by a description of the true boundaries as there ascertained. The word "determine" is not only in itself a perfectly proper word, but it happens to be a word that was used throughout all those documents, where the object was to ascertain the true boundary. The preamble of the Ontario Act of 1879, containing the foregoing, then proceeds as follows:—

"Whereas, the effect of the said award is to give to this Province less territory than had been claimed on behalf of the Province, and more territory than the Government of Canada had contended to be within the limits of the Province, or than was contained within the Provincial boundaries aforesaid."

After which follows an extract from Cap. 28 of 34 and 35 Vict. giving the authority to define and alter boundaries. This language in the preamble, and in the recital of the above Act, was assumed by the hon. gentleman opposite to be in itself an acknowledgment that Ontario received more than she was entitled to, whereas the language was simply used as a recital of the authority by which the Legislature was empowered to declare in conjunction with the Dominion Government the boundary ascertained. The

claim of Ontario was one which the Arbitrators had no difficulty in coming to a conclusion upon. The hon. gentleman, therefore, cannot claim that the mere recital of the words which were used in the Imperial Act could be used to vitiate the claim of the Province of Ontario, or to imply that the Ontario Government conceded that it was obtaining territory it was not entitled to or expected. It was in fact using the language of the Imperial Act. The language of the first section of the Ontario Act was sufficiently extensive to put beyond dispute any claim in the future which might be brought up in the Courts of Justice, as to whether this was or was not the true boundary. Assuming that it is possible that the Arbitrators have made a mistake, even if a mistake has been made in any particular, the award nevertheless remains as a final award, and the boundaries so declared will be for all future time the true boundaries of the Province of Ontario. The hon. gentleman at the head of the Government seems to think it is a very light thing to set aside an Arbitration of this kind; he seems to think that because a new Administration is in office, it is quite competent for it to treat the old Government and all their Acts very much as the Stuarts after the Restoration treated all the administrative acts and legislation of Oliver Cromwell. Our Administration would appear to have been treated as a usurpation of authority, and the hon. gentleman himself and his friends to be the true rulers, by divine right, of this country. That appears to be the hon. gentleman's doctrine, and it is his doctrine in relation to many things beside the case under discussion. I have no objection whatever to the hon. gentleman using his power in this House to set aside the legislation of the last Government if he thinks it wrong, but I fear that, if he were living in another country, he would find some difficulty in setting aside solemn treaties that have been entered upon, such as the Treaty for the settlement of the San Juan question. If the decision on that occasion of the Emperor William were to be set aside, it would be as justifiable from an International point of view as the setting aside of the award in the present case. The hon. gentleman would have no more right to set aside the award than he would have to set aside