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THE BOUNDARY DISPUTE.

The disputed boundary on the west of Ontario, has been dealt with by the Governments of Ontario and Manitoba, in a spirit at once conciliatory and patriotic. The wretched wrangles and actual collisions between the two parties, at Rat Portage, were aimless, since they did not advance the question one jot nearer a settlement. This phase of the dispute all sensible people can only desire to forget. Unfortunately the agreement now made does not cover the whole ground of the dispute. It leaves out one of the parties interested—the Dominion—and one of the two boundaries: that on the north of Ontario. Whether the Dominion was asked to join in the agreement does not appear. Ontario and Manitoba have shown a disposition to do what they can to procure a judicial decision of the litigated points; and the Dominion will place itself in a false position if it holds back and does not show a disposition to make such a reference as will cover the whole ground and finally settle the whole difficulty. Mr. Mowat, who is now certain of a majority in the new House, might have held back and played the waiting game. But that would not have been a patriotic game; and Mr. Mowat deserves credit for having taken the best course open to him. He not only might have played the waiting game; he was under temptation to do so. His Government may possibly outlive that of Sir John Macdonald; and a change of rulers at Ottawa would probably go far to remove the difficulties which this question has met there, since the resignation of Mr. Mackenzie. If Mr. Mackenzie had remained in power, it is highly probable that the award would have been ratified by the Dominion. Sir John cannot so well afford to wait as Mr. Mowat could. Mr. Mowat has acted when waiting might have suited him just as well; Sir John, we must believe, from what has passed, is in favor of a reference to the Privy Council; but for some reason unexplained, the Dominion is not included in the reference agreed upon.

The agreement between the two Provincial Governments embraces two objects. It provides for a joint administration of the disputed territory and for a reference of the disputed questions to the Privy Council. Each Province is to appoint a commissioner of police for the municipality of Rat Portage and these functionaries are to be *ex-officio* police magistrates, for the territory north and west of the Height of Land. They are to have co-ordinate authority and are to act

together whenever it is possible, as it ought generally to be. Of course there is the possibility of their disagreeing; but as the whole arrangement is intended to promote harmony, any difficulty of this kind will be minimized by the spirit of the compact. Still honest differences of opinion will arise between any two judicial functionaries; and the thing is, when a court is equally divided, to prevent a dead lock. The commissioners when they come to appoint a police force, will enter on one of the most delicate parts of their functions. But the old spirit of antagonism must give way to a desire of mutual accommodation. The police commissioners will find their duty in preventing, not making, occasions of trouble. They are to issue a limited number of tavern licenses; the licenses previously issued being confirmed. Here both Provinces agree to act as if the license law of the Dominion had not been passed. There is here a question of constitutional jurisdiction to be settled; and we suppose the services of the Privy Council will, once more, be called into requisition.

The functions of two opposing municipal councils of Rat Portage are to be suspended; and the by-laws they have respectively passed are to share the same fate. After this agreement has been ratified by the legislatures of the two Provinces, a Municipal Board, to be composed of five members, is to be elected. The Municipal Board of Rat Portage, after it has been elected, is to "possess every power and authority possessed by municipal councils of towns in either of the said Provinces." A body governed by two sets of laws may sometimes find itself in a difficult position; and the members will have need of as much forbearance as municipal councillors generally find themselves possessed of. No court is to be held at any place at which a court has not been previously held within the disputed territory, without the consent of the two governments.

The joint case is put in a few words:

"The Province of Manitoba claims that the boundary between that Province and the Province of Ontario is the meridian of the confluence of the Ohio and Mississippi rivers.

"The Province of Ontario claims that the westerly boundary of that Province is either the meridian of the most north-westerly angle of the Lake of the Woods or is a line west of that point.

"It has been agreed to refer the matter to the Judicial Committee of Her Majesty's Privy Council, and the Appendices contain the material agreed to be submitted for the adjudication of the dispute."

Then follows a list of the appendices. The questions to be submitted to the Privy Council are:

"(1) Whether the Award is or is not under all the circumstances binding.

"(2) In case the Award is held not to settle the boundary in question, then what on the evidence set forth in the appendices, is the true boundary between the said Provinces.

"(3) Whether in case legislation is needed to make the decision effectual or binding. Acts passed by the Parliament of Canada and the Provincial Legislatures of Ontario and Manitoba, in connection with the Imperial Act 34-5 Vic., cap. 28, or otherwise, will be sufficient, or whether a new Imperial Act for the purpose is necessary."

This seems to cover the whole ground of the dispute between the two Provinces.

But Hamlet is left out of the play; the Dominion is conspicuously absent. A decision, under this reference, would leave the northern boundary unsettled. That boundary, as given in the award, is a boundary of convenience, chosen because it has the great advantage of being a natural boundary and as such would save the expense of extensive and costly surveys. But a boundary of convenience has some chances against its being the true boundary. It is very doubtful whether the Privy Council, with all the evidence submitted to it, could decide where the northern boundary is. The western boundary there is plenty evidence to decide; and the reference, on that boundary alone, is almost sure to result in a decision favorable to Ontario.

This agreement secures peace in the meantime. It prevents the possibility of bloodshed; and it ought to secure a decision on the question of where the western boundary line is to be drawn. This is so far well; but it is only one half of the cherry. The Dominion, which has more interest in a speedy settlement than Ontario has, should now make its views known, and if possible procure a complete settlement of the whole question.

Meanwhile, what authority is to control the sale of timber, in the disputed territory? Any agreement between the two provinces cannot derogate from the rights of the Dominion, whatever they may be. The two local Governments deserve the thanks of the whole country, for their action on this subject; it now remains for the Dominion to do its part towards a final settlement of this too long protracted dispute.

MANITOBA FARMERS' CONVENTION.

Attempts have been made to show that the Farmers' Convention, held at Winnipeg last week, was a misnomer. Of the delegates sent to Ottawa, we are reminded that one was a lawyer, one an editor, and the third a land speculator. But farmers might choose to entrust these persons with the advocacy of their interests. The delegates go in a representative capacity; and there is no more reason why the delegates of a Farmers' Convention should be farmers than that the representatives in Parliament of rural constituencies should be farmers.

Of the convention itself, one good thing can be said. It had the good sense to negative a motion, offered by way of amendment to an original resolution, which looked to the breaking up of the Confederation, and forming a new government out of the North-West and British Columbia. The consent of British Columbia, we imagine, was not asked. This brilliant scheme was supported by the frothy eloquence of a Col. Atwood, of whom we have heard before now. This speaker's mode of breaking up the Confederation is to get the Privy Council to strike the blow. This fact gives us the measure of Col. Atwood's calibre as a politician. Of the new confederacy there was more than one advocate. There were just two, all counted. These persons wanted to make Hudson's Bay the front door of exit and entrance for the new Utopia. The convention had the good sense to brush aside the cobweb woven by Col. Atwood and Mr. Charles