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and discuss the legality of the matter, but he could not refrain from explaining his views of the difficult position in which he conceived the members for Quebec to be placed.

If the award bore any semblance of legality, or was based on any principle, so that they would have been able to say to their people that the judgment appeared to be according to law, they would have endeavoured to submit, but they were not able to say so, they could not say that judgment had been given by a proper authority, or that they had their property taken from them on any recognizable principle.

With regard to the points raised as to the residence in Ontario of the Dominion Arbitrator, and the necessity for an unanimous decision, he did not intend more than to mention those questions, but he thought that the main difficulty consisted in this, that the law required that the tribunal should be constituted of three, while at the time of the award, the award was not only given by two, but by those two at a time when the third had ceased to be one of their number, and it was perfectly manifest that whereas the Court was required to be composed of three it was in reality composed of two. The circumstance of the third having been notified of the continuance of the proceedings had no bearing on the subject, for any individual might just as well have been so notified as Judge Day for any connection he then had with the matter.

It was pretended that because he had accepted the post, and commenced the duties, he was therefore bound to carry the matter out to the end, but he thought such a proposition could not be supported, as it would be absurd to suppose that when a man once commenced an undertaking, no possible circumstance could relieve him from carrying it out. It was further contended that if it were admitted that two Arbitrators could not make an award, therefore no award would ever be arrived at, but he denied that, for though Judge Day might cease to be an Arbitrator there was nothing to prevent the Province of Quebec from naming another in his stead. But had that Province ever been asked to name another person? No. On the contrary the remaining Arbitrators continued their sittings on the very day that Judge Day resigned, and on the following day, on being served with a prohibition from the Superior Court of Montreal, they at once removed to Toronto, and immediately with the most extraordinary haste the whole matter was wound up, and the award given by the two remaining Arbitrators.

For this reason, independent of others, they could not face their people and advised them to submit to the decision. If it could have been urged that though perhaps not legal, the award was just, and that their best plan was to accept it, and so avoid all further difficulties, they might have consented to do so, but such was not the case, for on looking into the matter they found Ontario with an immense preponderance of assets, and that while Ontario commenced the Union in debt and came out rich, the reverse was the case with Quebec. He did consider that they were entitled to be judged on some principle, and not that they should be judged on one principle one day, and then when that principle acted to their advantage that the opposite one should be taken. They had been told

that if the award had been on a partnership basis as they had proposed they would have been in a worse position than at present, but even then they would have had some satisfaction in knowing that they had been judged on the principle for which they contended. Under the circumstances, they could not advise their people to submit to the award, but were compelled to endeavour by all the constitutional means in their power to escape from that award.

The present question, however, was how the House should deal with the matter. The hon. member for Châteauguay had asked them to lay aside the whole proceedings of the late Province of Canada, and ask the Imperial authorities to give to the Parliament of Canada authority to deal with the matter, but looking at the question, not in Quebec, but a Dominion point of view, he thought such would be most undesirable, and he did not see why they should seek to throw such an apple of discord into their midst—and if such were done, and they were called upon to make an award, he was sure they would fail far more signally than the arbitrators had done. It had been contended that they were bound to notice the award, and act upon it, but in his opinion, they had acted far more wisely, as the judgment was of such a nature that it was impossible for them to act upon it, and all they could do was to leave the matter to be decided by the proper tribunal. This would be the result of the motion of the hon. Minister of Militia. But there was one difficulty in bringing the matter before the Judicial Committee of the Privy Council, namely, that the question would have to be argued simply in its legal aspect, without regard to the merits of the case. If that Committee should decide in favour of Quebec, the matter would remain in very much its present position, while, if the decision should be in favour of Ontario, which he did not believe possible, the difficulty would still not be removed. He thought, therefore, that if the matter could be settled without reference to the Privy Council, such should be done.

The hon. member for Lotbinière had objected to any member refusing to vote for a motion, because, while he agreed with the principle, it involved a want of confidence, but he thought it perfectly proper, while agreeing with an abstract proposition, not to vote for it, when couched in such a way as to be a direct attack on a Government he desired to support, and while he agreed with the motion of the member for Châteauguay, he would not vote for it in its present shape. If some arrangement could be made by which the Dominion should assume the debt, in a satisfactory way to both Ontario and Quebec, the whole difficulty would be overcome, and he was sure the Dominion would suffer no less. He understood that the Premier of Quebec, in the event of the amendment of the hon. member for Châteauguay being lost, had intended to prepare a further amendment, having a similar object, but not couched in such disagreeable terms, but he very much regretted to say that his hon. friend had been compelled to leave the city on account of serious illness in his family.

**Mr. GEOFFRION** said there were three parties interested in this matter, the two Provinces and the Dominion Government. It was the duty of the latter to be in a position to express an opinion on the award. It was, therefore, quite proper for the hon. member for