

THE PROVINCIAL ARBITRATION.

It was an exceedingly unfortunate circumstance that the Provinces should have disagreed upon the proposition for settling accounts between them; and it is still more unfortunate that the Legislatures should undisguisedly assume antagonistic sides. In Quebec the only difference of opinion appears to be as to the degree of condemnation in which the award of the two arbitrators ought to be held; in Ontario there seems to be some slight doubt as to the legality of the award; but as the Government sustains it, it may be presumed that it will be upheld with all the force which Provincial authority can give it.

But it cannot be supposed that the arbitration was intended to lead to a breach between the Provinces. On the contrary, the scheme of settlement was expressly framed to avoid this; and lest there should be danger of antagonism the whole subject was postponed until after the accomplishment of Confederation, so that all the parties to the affair should be placed precisely on the same footing; and that they should have, so to speak, no authority to which to appeal. What may be the fate of the address from the Legislature of Quebec praying His Excellency the Governor-General to set the award of the Ontario and Dominion Arbitrators aside, we do not pretend to say. To our view the matter presents as near a case of dead-lock as can well be imagined. The arbitrators, as appointed under the 142nd section of the Union Act, had seemingly absolute authority, the only questions being whether a simple majority could carry an award, and whether two could act in the absence, or after the resignation, of the third. Ontario has sustained the two arbitrators in affirming both propositions, while Quebec backs the third one in denying them. The antagonism could not well be more marked.

But who has authority in the premises? Will the Dominion Government presume to enforce the award? Can it legally impose upon the Province of Quebec a judgment to which its representative was not a party? Let it be remembered that the Provinces did not go into the Court of Arbitration as common suitors, appearing simply by counsel, and under obligation to take such verdict as the Bench, from the law and the evidence, might pronounce. It was solely an equitable arrangement, the very essence of which consisted in the mutual consent of the parties. It is vain to say that such could not have been the case, as thereby there would have been no guarantee for a settlement. We say there is no settlement, and herein is the whole difficulty. No party to the arbitration was under obligation to abide by the award; the act is perfectly silent as to the finality of the judgment; and the presumption therefore is that both parties should have been satisfied as to the justice of the award before its acceptance by either. It may be said that there is no guarantee for a settlement at all upon such terms; but the very object of appointing the arbitration was to procure a settlement that would have been mutually satisfactory; that is such a settlement of the debts and assets as both parties would have accepted. The Dominion arbitrator was not an umpire, but merely a third arbitrator, to assist the other two in arriving at a correct judgment; and it seems difficult to understand why the Dominion, which was but one of three parties to the arbitration, can have power either to reject or enforce the award. It has accepted the responsibility of holding the account against the old Province of Canada in suspense until the Provinces, according to the terms of the Union Act, decide as to the proportion of liability which each will assume. There is nothing in the law giving any one of the three Governments concerned power over the others; nor any two of them power over the third; so that, unless a mutual understanding can yet be reached, it seems that nothing short of fresh Imperial legislation can remove the unpleasant hitch. For the present it matters little whether Judge Day was right and the other arbitrators wrong, or the reverse; the fact is, that the Board of Arbitration was broken up before the award was made; or if this be denied, then it must be conceded that one of the parties to the arbitration withdrew from it before its conclusion, and now refuses to abide by the verdict; and further, that there is no law to compel it to submit. In this state of the question there is much cause for moderation in argument on both sides; and we think an excellent opportunity for the Province of Ontario to volunteer a review of the whole case. In a dispute, the limits of which are so strongly defined by geographical lines, it is quite possible that there may be something, and in fact a good deal, which honour on either side could safely concede; and we are quite sure that the people of both Provinces are not only anxious for a friendly settlement, but particularly desirous that they shall come out of the affair without even the appearance of having desired an injustice to the other. But at present it would be a mere waste of time to discuss the character of the award; we have first to determine whether it was pronounced by a com-

petent tribunal, for that is the real question—and that question we do not think the Dominion Government has any power to answer. Unless the Provinces can be induced to make an amicable settlement, we do not see any escape from the difficulty except in fresh legislation, and it would be a misfortune to have to resort to that.

TORONTO VIEWS.

On pages 392 and 393 will be found four small views of Toronto buildings reproduced from the photographs taken by Mr. O. Thompson, and published by him in his series of views entitled Toronto in the Camera.

The first of these is the Bank of Toronto, a handsome building on the north-west corner of Church and Wellington streets. The bank was founded in 1856 by a number of persons engaged in the produce trade, and from small beginnings has risen to an important position. It was at first located on Church street, occupying the premises then just vacated by the City Bank of Montreal, which it occupied until 1863, when it removed to the present building, which was erected from designs by W. Kauffmann, Esq.

The Ontario Bank building stands on the north-east corner of Scott and Wellington streets, extending 34 feet along the latter and 88 feet on Scott street. It was erected in the spring of 1862 from designs by Joseph Sheard, Esq. The building presents a handsome substantial appearance, and is considered one of the most beautiful architectural ornaments of the city. It is designed in the palatial style of Italian architecture. The ground floor externally is rusticated on the pillars and groins of the windows and doors, vermiculated alternately, and terminated by an enriched lace-band having a scroll worked on it. The arches of the windows, which spring from the pillars, are also vermiculated and have boldly carved leaves on the key-stones, some of them having classical heads in full projection. There are piers at the angles, running the whole height of the building, which are also ornamented with vermiculated rustics. There are three stories to the building, rising to a height of 50 feet. The ground-floor is occupied by the offices of the bank, and the rest of the building is devoted entirely to the use of the manager, who resides on the premises.

The Masonic Hall buildings are situated on Toronto street, next to the Post Office. Their elaborately finished front recalls to mind somewhat of the exterior of the stately Cathedral at Milan, to which city its style of architecture is said to be peculiar. The richness, variety and beauty of the numberless perpendicular lines, carry the eye at once upwards to their entire height, and give a lightness and elegance to the whole structure.

The buildings were erected in 1857-8, by the enterprising firm of A. & S. Nordheimer, and take their name from the ancient order of Free and Accepted Masons, whose hall and lodge rooms occupy the whole of the upper story. On the ground-floor there are four extensive shops, the fronts of which are fitted up with ornamental cast-iron columns. The window-sashes and shutters are also of iron. The whole of the upper part of the front is carried out in richly carved Ohio freestone. The main entrance to the upper part is in the centre, where a wide staircase leads to the spacious halls above. These halls run the whole length of the building, and divide the first and second floors into handsome double offices. The entrance to the Masonic Chambers is by a separate staircase. These consist of an ante-chamber, armoury, coat, chapter, supper, and encampment rooms. The buildings are 102 feet front by 75 deep, and are five stories high; the centre part is six. They are amply provided with every convenience for public offices and mercantile purposes. The architect was Mr. William Kauffmann. The cost of the buildings and site was \$100,000.

Cooke's Church, or Free Presbyterian Church, stands on the corner of Queen and Mutual streets, in the eastern part of the city. It was erected from the designs of William Thomas & Sons, architects, in 1857-8, and was opened for public worship on the 25th of July, 1858. It is of white brick, in the Lombardian style of architecture, and is of a plain but substantial character, the chief ornamentation being in brickwork, with a projecting corbel table to eaves and gables. The building is 102 feet in depth, with a frontage of 55 feet. The flanks are divided by large flat buttresses into five bays, having windows of two lights each, with semi-circular heads, corbels, and architraves in ornamental brickwork. The front has three divisions with towers on each angle, and boldly projecting entrance porch. The angle towers are each 14 feet square, and are 110 feet in height from ground to tops of spires. The spires are of wood covered with shingles painted with fire-proof paint, slate colour; the towers are divided into separate stages with ornamental and corbelled brick strings, with a projecting cornice and four large pinnacles at base of spire. The church has sitting accommodation for nine hundred and fifty persons.

SANDERSON FALLS.

In our last issue we gave a view and description of the Labelle Falls, on the North River. We give this week a view of the Sanderson Falls, a portion of the same rapids as those wherein the Labelle Falls occur. The description which appeared last week is equally applicable to the present illustration.

A STREET NUISANCE.

"Cabby" is an institution in every city, and sometimes he makes himself offensive by collectively crowding on the sidewalk, to the great annoyance and interruption of passers-by. Montreal is not by any means the only city victimized in this way; on the contrary, we believe that, considering its dimensions, it is perhaps as free from such nuisances as could well be anticipated. But those who have occasion to pass by the south side of Victoria Square; those who have business about the Place d'Armes; those whose vocations call them by way of Chaboillez Square, the Champ de Mars, the crossing of Mountain with St. Antoine Street, &c., must know that the cabman nuisance is a substantial one in Montreal, and ought, if possible, to be abated. A slight understanding between the policemen and the cabmen would adjust the whole matter. Suppose "cabby" were told that he has no exclusive right to the whole sidewalk; suppose he were even warned that he had to surrender it to foot-passengers; and that in case he should happen to forget what was his duty, why, that the "bobby"

would lug him off to the lock-up. We are quite sure that the most moderate interference on the part of the police would stop the insolent, over-bearing conduct of the cabmen, as it is only because they are allowed to do so without remonstrance that any trouble is given by them.

THE CROWN PRINCE OF PRUSSIA AT WORTH.

Few generals have ever possessed to a greater degree the confidence of their soldiers than does the Crown Prince of Prussia. His open countenance, his engaging demeanour and his frank hearty manner never fail to make a favourable impression upon all who come into contact with him, and it was a wise choice that old Von Moltke made when he selected the Prince for the command of the army of the South—composed of Badenese, Bavarians, Wurtembergers and Hessians. Another general might have found it difficult to handle such a mixed host with sufficient tact and impartiality to prevent the kindling of private rancours and petty jealousies: and the Prince has no small thing to boast of, that throughout, from the time he first came into action at Weissenburg, until his arrival before the walls of Paris, not even the slightest symptom of disaffection has made its appearance in the ranks of his victorious army. With all the men of every nationality under his command, the Prince is a great favourite. Never was this more thoroughly proved than after the fight at Worth, when the Prince addressed the troops, thanking them for their loyalty and courage. A storm of cheers greeted him when he concluded, and the men gave themselves up to the wildest enthusiasm. It is to be hoped his popularity will not diminish after three months of idleness before Paris.

THE DEFENCE OF PARIS—GUNBOATS ON THE SEINE.

The weakest side of Paris, so far as artificial fortification is concerned, would seem to be the north-west, in the wide interval between the fortress of Mont Valérien, overlooking the Bois de Boulogne, and the forts about St. Denis, due north of the city. But a double reach of the Seine, in its windings around the peninsula of Courbevoie, Puteaux, and Asnières, just opposite the suburbs of Neuilly and Clichy, seems to offer good natural facilities for defence. The piece of ground nearly inclosed by the river on this side must have been crossed by all visitors who have travelled to St. Germain, or to Havre or Dieppe, by the Chemin de Fer de l'Ouest; and they will be enabled to comprehend the usefulness of a few gun-boats on the Seine below St. Cloud. There is quite a little fleet of such vessels. One of these gun-boats is about the size of one of the Thames steamers which ply between the bridges, but much broader in the beam in proportion to length. She is iron-plated, and the deck is also covered with iron. She has what a sailor would call a "forecastle," which rises above the level of the rest of the deck; and it contains two guns, which point forwards in a line with the keel, with a slight training limit to each side. Having two large helms and double screw, she is intended to turn rapidly so as to face her foes. There are six small projections on each side of the fore-castle; these are probably shields covering loopholes for musketry. Such a craft will be difficult to hit by artillery, and difficult to hurt even when hit; she can keep the middle of the stream, and the banks will be dangerous with a flock of such "canards" on the river.

BEHIND THE DIPLOMATIC SCENES.

A pamphlet by M. Sidney Renouf has just been published at Tours, under the title of "M. Thiers et sa Mission en 1870," which is said to be inspired by M. Thiers himself. M. Renouf takes up the relations between France and Prussia at the time when Count Bismarck was ambassador at Paris. The Count flattered the vanity and fancies of Napoleon, and, while leading him to suppose Prussian support might be obtained for his schemes, endeavoured to impress him with the strength and importance of that nation. At Biarritz he said to the Emperor, in his blunt way, "To speak plainly, we are a couple of wolves; let us carry off a sheep each, and afterwards settle about the skins." While declining to commit himself to any compact, Napoleon agreed not to interfere between Prussia and Austria, and at the same time permitted an alliance between Italy and the former intended to paralyze Austria. After Sadowa Napoleon's policy became fitful and incoherent—one day extremely bold, next day timid to cowardice. M. Drouyn de Lhuys, then Foreign Minister, advocated a vigorous policy, but was constantly checkmated by Count von Goltz, who obtained a private interview with the Emperor, and persuaded him to grant all he wanted. It was in this way that Napoleon was reconciled to the absorption of Hanover and the other States by Prussia. Afterwards, at the urgent instance of M. de Lhuys, the Emperor agreed to a note being sent to Berlin demanding territorial compensation for the aggrandizement of Prussia. The King flatly refused, and Baron von Goltz, in a private interview with Napoleon, soothed him down and secured the withdrawal of the demand before M. de Lhuys could discuss the matter with his Sovereign. The Minister resigned when required to sign the despatch developing the theory of the *trois tronçons* afterwards published with M. de Lavalette's signature. The recent use to which Count Bismarck put the French note asking for compensation, in order to place France in a false position before Europe, is well known. But this was not the only Prussian purpose it was made to serve. When the Bavarian Premier, M. Von den Pförten, came to Berlin to beg pardon for entering, before the war, into an alliance with Austria, Bismarck showed him M. Drouyn de Lhuys' note, in which the Bavarian Palatinate was demanded. "There is what you may hope to obtain," he said, "through the protection of the Tuileries." He then read him a copy of the King's answer, and of Goltz's despatch, telling of the Emperor's easy retraction. Pförten was dumbfounded. In his terror at finding himself deprived of his last hope of a foreign alliance, he concluded the military treaty before he left the room, in which South Germany became the *point d'appui* of Prussia.

The Luxembourg question was, it appears, brought before the Emperor by a "person of the lowest social grade," who then had great influence with the King of Holland. This individual communicated to the Emperor, through one of his chamberlains, that the King of Holland would be glad to sell the Duchy, and the Emperor at one jumped at the offer. Unfortunately the bargain was prematurely disclosed by one of Benedetti's indiscretions. The Emperor after rashly entangling himself in this scrape, found he was not prepared for war, and thought himself fortunate when peace was secured.