boundaries. He claims to have stated, at St. Jerome, in 1878, that "if the Province of Ontario was to obtain 62,000,000 acres more than the act of confederation gave it, in 1867, that would give the Province of Quebec the right to demand an equivalent compensation." Since "it is impossible for Quebec to remain in the same condition should Ontario gain her cause; for if a large addition be made to Ontario, Quebec ought to gain equally." This is a free translation, the French words being, *si la position d'Ontario se trove agrandie, notre province doit améliorer la sieene egalement*, but it expresses the real meaning. M. Mousseau, speaking apparently for M. Masson as well as himself says that this position on the boundary question, was one of the conditions on which they entered the government, for in uttering the words quoted he says, *je posais les conditions de notre existence dans le gouvernement d'Ottawa.*" He does not say that a stipulation was made, but that he and his col league took the stand mentioned on this question, and when the acceptance of the award became a practical question, they could do so with effect.

The statement does not accord with a recent public utterance on the subject by Sir John Macdonald, who argued that the French Canadians had no motive to oppose the ratification of the award. Whether Sir John's memory may have been defective, or whether M. Mousseau was going out of his way to propitiate Buncombe, we do not undertake to decide. In discussing the award in Parliament, no one took the ground that its confirmation would give Quebec any claim to compensation, and it is quite certain that it would not. In one way, the effect might be to give Quebec a claim, but not by way of compensation. If Ontario be entitled to extend as far as James' Bay, a line continued eastward on the same parallel would give Quebec a larger extent of territory than she is now understood to possess. But it by no means follows that the line could legally be extended eastward at that high level. Possibly the northern boundary of Quebec may become a separate question, and if so there is no reason why every question relating to the boundaries should not not be settled at the same time, except that no case relating to the northern boundary of Quebec has been prepared or perhaps could be got up at short notice.

On the facts, M. Mousseau is quite in error; and his statement affords proof that he had not taken the trouble to understand the question which the arbitrators were called upon to decide. They were to find the old boundaries of Ontario, not to make new ones, to award to that Province what she was legally entitled to when she entered the confederation, and not an acre, much less sixty two millions of acres, more. Whether they found these limits or not, is a question on which the merits of the award turns. But quite apart from the merits of the award, a preliminary question has been raised; and until this question has been settled, it is useless to discuss the award in any form. The ground taken by the Ottawa Government that as a conventional arbitration cannot bind third parties, the award cannot settle all the questions which the boundary issue involves, is legally unassailable. No lawyer has ventured to take the opposite ground. It rests with the Ottawa Government to show that the arbitration was conventional and the award not legal. And Sir John Macdonald does appeal to a prior legal decision on the Western boundaries of Ontario; and however erroneous that decision may have been—and we believe it was erroneous—it has not been set aside. There are conceivable cases in which that judgment would be binding in opposition to the award; cases in which the interests of third parties would be in question. If the true boundary had been declared by the arbitrators, their award would still lack the power to overrule the decision of the court.

If, as is claimed by the Ottawa Government, a blunder was made in leaving the question to arbitration, it must be said that all parties showed about an equal capacity for blundering. Sir John Macdonald himself did, at one time, propose a new arbitration; and it is questionable whether any power short of that possessed by the Imperial Parliament, could make a new award, any more than the old one, binding. It would seem that Sir John himself only very recently hit upon the true legal mode of proceedure to obtain a binding settlement. Of course, the Imperial Parliament could legalize the award which has been given. At this point, objections to the award itself come in; and they take the shape of an allegation that the true legal boundary, on the north of Ontario, has not been found. It is difficult to deny that the selection of a natural boundary, in the shape of two rivers, though a rational thing to do if the arbitrators did not exceed their powers, may be open to this objection. When negotiators, in forming international treaties exceed their powers, that is a sufficient reason for withholding the exchange of ratifications. We do not say that the arbitrators exceeded their powers in this instance; but it is quite competent to either party to take the objection, if grounds for it exist. Farther than this, the merits of the award are not now in question; the objection made at Ottawa is to the mode of proceeding, and denies that the award has power to bind third parties.

CEDAR FOR BLOCK PAVING.

Now that cedar is likely to come extensively into use for block paving, it is necessary to apply some test which will prevent bad or decaying cedar being used. The Corporation of Toronto, in its specifications for this kind of work, requires that none but live cedar be put in; but this condition is far from being always adhered to in practice. There can be no doubt that this restriction is a proper one, and we fail to see on what authority corporation officials authorize a departure from it. It is clear that they have no authority to waive one of the essential conditions of a contract. Cedar dies from various causes: from an excess of moisture, from the ravages of worms, which get below the bark and which eat a slight distance into the *alburnum* or sap-wood; occasionally the roots rot, probably from being lifted up by the frost. No cedar which is cut after it has died is as good as one cut while living, and some are quite rotten when they die. Small cedar which die first at the root are almost invariably rotten by the time the foliage withers. Cedars killed by worms are in a state of decay when they die. Sometimes a tree will stand erect years after it is dead, and these years take so much out of the wear it had in it when it died, yet we see such cedar as this used in Toronto as short posts to support the planks that mark the line between the boulevards and the cedar block roadway. The intention of the corporation has been to reject them, and though the restriction is founded on good reasons, this kind of cedar is very much used for this purpose. It is useless to say that live cedar cannot be got; anyone can get it if he is willing to pay for it.

A distinction should be made between live cedar and green cedar; though the tree should be felled when it is alive, it ought to be allowed some time to dry before it is used. None, however, seems to have been made by the City Council of Toronto; perhaps because if we had to get dry cedar, cut when alive, we should have to postpone the making of some of our cedar roads. But the error is one which ought to be corrected when opportunity offers.

We are satisfied that the rejection of every kind of dead cedar rests on substantial grounds—not that some kinds of dead cedar have not considerable wear in them—and for some purposes they are useful; but if dead cedar were allowed to be used in making block pavements, we should bargain for rottenness and decay, and could not complain when we got them.

Of live cedar, that is best in which the *duramen* or heart-wood forms the greatest proportion of the whole, and the sap-wood the smallest part. The heartwood is permeated by a secretionary matter of a resinous nature, insoluble in water, while the mucilaginous ingredient of the sap-wood is soluble in water. The general and well-known tendency of sap-woods to decay is not less in cedar than in other kinds of wood. Round cedar posts decay on the outside, but in small posts the decay is greatest, because the thickness of the sap-wood relatively to the diameter of the tree is greater. The heartwood of the cedar is peculiarly liable to decay, under some conditions of growth or age. When this decay manifests itself and proceeds far, the sap-wood is the best part of the tree. By the process of kyanzing, which consists of injecting some preservative substance, such as creasote, the sap-wood can be made as durable as the heartwood; but where this is not done, the less the proportion of sap-wood bears to the heart-wood the better. Very small blocks are almost certain to be, in this way, objectionable; and a good rule would be to establish a minimum size, below which no block should be used for paving.

The mechanical decay of cedar, which commences in the live tree, and is carried on by grubs or worms below the bark, probably ceases soon after the death of the tree; for, unlike the operations of the furniture beetle, the ravages of this grub are superficial, and can be traced in a kind of graving on the outside of the tree when the bark is taken off. But when mechanical decay ceases, natural decay, the work of low forms