

of the debt to the present creditors, found it correct with all the items in view that were before the Commission; and now a more complete justification of it as a final act of Government could not possibly be found than the late investigation itself, by the figures it officially brought to light, affords.

The account should therefore stand as it has been found in the books. For there has in fact been no report upon the objects of the Commission, which were to deal with "matters in difference," while we are yet left entirely in the dark as to anything whatever having been in difference, and the so-called report can only be looked upon in the light of a little smoke left in camp to cover a hasty retreat, while the figures brought to light remain and establish the accounts and balance.

The "accounts and matters unsettled, undetermined and in difference," were the objects of investigation and, reduced to the fewest possible words, were embraced in the demand made by the Dominion Government by dispatch of 11th February, 1878, for the payment of a debt due by New Brunswick to the late Province of Canada, and the reply of the Government of New Brunswick on 23rd Jan. 1879, denying the debt in toto, and further declaring that in so far as such a debt had ever existed, she had a set off to balance it. Such being the issue, it is an elementary principle of law that no Court of Justice would accept or confirm a report, or award, of experts that did not deal with and state their finding on each and all of the points submitted, and that no other points were considered. And if further correspondence between the Governments gave rise to any complication, besides that above stated, the more *imperative* would it be that each point in "difference" should be so dealt with and the finding thereon stated, and without this, the report or award, would be held to be null and void.

With regard to the costs incurred in prosecuting the matter I think it must be conceded that the Government is bound in some way to make good the amount to the creditors.

For the present, however, I have the honor simply to request, on behalf of the creditors, that the liquidated Dominion debt, established by the Order in Council of August 1877, calculated to the date of payment, be paid to them, and the question of such further payment, as they may be found entitled to, taken into early consideration.

I may state in conclusion that the Order in Council of 30th August 1877, being thus fully justified, and, after the sole condition of it had been fulfilled, permission given to negotiate for money, under the obligation it represented on the part of the Dominion Government, and such negotiation having been actually accomplished through a broker and money paid thereunder, I would respectfully suggest that this is a matter of such grave importance as to require the prompt and immediate attention of Ministers to the true nature of the responsibility resting upon them in relation to a legal and accepted debt of the Dominion.

I have the honor to be,

Sir,

Your most obedient servant,

A. J. CHRISTIE.