

place, suggested an arbitration for the settlement of this question. He reported officially on the 9th of March, 1872, (that was in his second report) that he "suggested in a friendly unofficial way, to members of the Dominion Government, and of the Government of Ontario, the expediency of appointing, before the Commissioners begin their discussion, a third person of ability and position unconnected with Canada, to act as umpire in case of dispute, subject of course to the approval of Parliament; and then he says, so far as "he could judge, Sir John A. Macdonald and Sir George E. Cartier, to whom he made the suggestion, viewed it favourably." I do not present this as any argument to prove whether the proposal once made by hon. gentlemen opposite, namely, to refer the matter to the Privy Council, or that proposed by the late Administration, to have Arbitrators named on this side of the Atlantic to decide the question was the best, but I mention it as showing that at one time our scheme was favourably entertained by the hon. gentleman at the head of the Government. We conceived it to be the best, because we believed that access to such documents as could only be obtained in England and France could as well be obtained for use here in this country, and a larger amount of evidence could be obtained on this side of the water, where the whole question was better understood than in England; and we believed, that people on this side were much better acquainted with the history of, and all matters connected with, the subject than any Judges of the Privy Council could possibly be. This, I admit, is a matter of opinion; but we had no doubt upon the question; and we informed Parliament when the Arbitrators were appointed. The hon. gentleman at the head of the Government took exception yesterday because only one legal gentleman sat as an Arbitrator, although that one occupied the highest position that could be attained at the Bar of the Province of Ontario. The late Judge Wilmot, of New Brunswick, was named by the Dominion Government; but, before the Arbitrators could meet, he died. It then became the duty of the Administration to select someone in his place, some one of position, and possessed of high abilities; and their selection fell upon Sir Francis Hincks. I think no one will

venture to say that that gentleman was not eminently fitted to undertake the office. He had been Prime Minister of Canada for years, and subsequently acted as Governor of another Colony; had spent most of a long life in the country, and was well qualified, from his natural abilities, to fulfil a duty of this kind. No objection was taken to him at the time; and only now is the objection taken, because he was not a member of the legal profession. It has been the custom in appointing Arbitrators to select one legal gentleman, while the other two are laymen, so that no real exception can be taken on that ground to the Arbitrators. The hon. the Minister of Justice yesterday, and the mover of the motion before the House, made some remarks. I am not quite sure that the Minister of Justice said much on the point, but the mover of the motion, did say that the parties who were appointed by the Dominion Government to conduct the case before the Arbitrators were not able to conduct the proceedings.

MR. McDONALD (Pictou): I said nothing of the kind.

MR. MACKENZIE: That was certainly implied. The gentleman who moved the resolution, however, did not hesitate at all in saying so.

MR. DAWSON: The hon. gentleman will pardon me, but I did not say so.

MR. MACKENZIE: The hon. gentleman even impugned the integrity of the award, and stated that the proceedings were not properly conducted. The award might be wrong, but, at the same time, nothing can be alleged against its integrity. The hon. gentleman who moved the resolution reflected upon all those who were managing it. He said the case on the part of Ontario was admirably conducted and was altogether better managed than that of the Dominion. Now, Sir, in the first place, the hon. gentlemen opposite appointed a very eminent lawyer in Montreal, Mr. Ramsay, and he prepared the case. A pamphlet, which was published and was before the Arbitration, contained Mr. Ramsay's case. That gentleman became a Judge, if I recollect aright, before the proceedings had gone very far. I do not say that Mr. Ramsay was appointed to appear before the Arbitrators, but he was appointed to prepare the case before the Government of the hon. gentlemen opposite left office, and they had, of course,