

for the purpose of excluding these people from the territory. A large number of these, when this proclamation was issued, crossed the Mississippi and settled at that point now known as St. Louis. Others were settled at other points. It was found that the course recommended was one likely to offend the French people of Quebec. Further difficulties were growing up between the English colonists proper and the Imperial Government, and it was felt that it was desirable to pursue towards the population of Quebec a policy of conciliation instead of the harsh policy which had been pursued during the earlier years immediately succeeding the conquest. With this object in view the Government proposed to extend the limits west of the River Mississippi on the west and the Hudson's Bay territory on the north. I need not refer to the various views put forward at this time, but there was strong objection taken to the proposition of the Government by Mr. Burke, who was at that time agent of the Province of New York. Mr. Burke's objection was founded on this condition of facts. The English Government, shortly after the war with Pontiac, in which nearly all the Indians of the North American continent were allied against them, sought to satisfy the Indians who lived in Western New York, known as the Six Nations. With this object in view they sought to exclude the settlers from the land that the Indians desired to hold, and entered into treaty with those Indians, through Sir William Johnson, which is known as the Treaty of Fort Stanwix. It drew a division line through the country open for settlement to the Indian settlers of west Pennsylvania, extending from a point near where the present city of Oswego is situated, south along the Oswego river, then up the branch known as Canada Creek, then across the country to a branch of the Susquehanna, then from the nearest point to the Ohio River. Any one who will take a map will see that the whole of western New York was reserved for the Indians, and the white population excluded from that territory. What Mr. Burke feared, when this Act was submitted, establishing the provinces by an Act of Parliament, when the Act said that the boundary should be extended to the old provinces on the south, was, that under that provision the territory recognized as Indian territory in the western part of the State of New York would be included in this new Province of Quebec. It is very obvious, from the observations made by him at the time, that it was his intention that should be done, because, he says, until you reach the highlands south of Lake Ontario and the St. Lawrence, you do not come to any English settlement, but you do meet with French settlements; and it is desirable that all those who speak the French language should be embraced in the Province of Quebec. This made Mr. Burke all the more obstinate in insisting on the southern boundary being defined. There was no attempt to alter the proposition made by the Government to extend the boundary of the Mississippi, nor to give more narrow limits to the north, but a proposition requiring the Government to lay down in the Act precisely the line on the south, otherwise we might find British subjects living under a system of Government, wholly unsuited to Englishmen. Mr. Burke insisted that the boundary on the south should be clearly defined, so that, with a view to meeting his object, important alterations were made in the phraseology of the Bill. Now, I make this statement for the purpose of making it perfectly obvious why it is that the boundary is minutely described on the south of the Province of Quebec, in this Act of 1774, and no boundary is indicated anywhere else. The whole country is described as extending northward from this southern boundary to the limits of the territory of Hudson's Bay. I wish to state this fact to the House that, when you look at the logical subject and predicate in this section of the Act, you will see that the word northward does not apply to the western boundary but to the whole of the territories, countries and islands between the Baie des Chaleurs on the east, and the banks of the

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Mississippi on the west. From that southern boundary northward to the shores of Hudson's Bay, the country is to constitute the Province of Quebec. It is clear that the word northward can only mean a due north, line when there is no reason for varying the line east or west; but if there is the slightest reason for varying to the eastward or westward, that reason must govern. I will mention one case in point, decided by the King in Council many years ago, in the case of the Province of New Hampshire. In that case it is stated that the easterly boundary of that province was extended north-westward to the highlands which separate the waters that flow into the St. Lawrence from those that flow in an opposite direction, and it was to be of a certain length. New Hampshire contended that the boundary should be drawn not due north-west, but only one or two degrees west of north, and the decision of the Commissioners was in accordance with that construction. An appeal was had to the King and Council, who held that looking at the terms of the charter, that was a proper construction to be put on those words. The strong point against you, if you assume northwards to apply to the western boundary, is this: That the object of the Bill was to include certain French settlements and colonies that were not embraced in the Province of Quebec. Look at the words of the Act. In the preamble it says: "And, whereas, that by arrangements made by the said Royal Proclamation a very large extent of country, within which there are several colonies and settlements of the subjects of France who claim to remain therein." The object of the Bill was to embrace these colonies. Where were they situated? Four-fifths of them were situated on the eastern bank of the Mississippi, and four-fifths at points where, if a line were drawn due north from the junction of the Ohio and the Mississippi they would not be included, and so would defeat the object the Government had in view. And, according to all rules of interpretation, you must interpret an Act to give effect to the object of the legislature. The territory west of the Mississippi belonged to a foreign country. It is a well settled rule of public law that, when you reach a boundary, which is a boundary between nations as well as between provinces, you are to follow that separating line unless there is some clear reason for a departure from it. Is it reasonable to suppose that the Imperial Government, seeking to provide a Government for the French population, not included in the old Province of Quebec, would draw a line that would leave three-fourths of them along the territory 600 miles in length and 50 in width, excluded from the domain of any Government whatever. I wish to call the attention of the House for one moment, to the words of the first section of this Act. It is said that "all the territories, islands and countries in North America, belonging to the Crown of Great Britain, bounded on the south by a line from the Baie des Chaleurs," etc. Now, when I come to the Mississippi, it says to the banks, "along the bank of the river Ohio along the bank of the St. Lawrence, along the bank of the Lake," and so on "to the banks of the Mississippi." You have the plural form in Mississippi, and the singular form in other cases. It is not reasonable to suppose that this was done without an object, but I will not trouble the House about that, but will call their attention to a point I was about to submit to them. Northward is not a word that applies to the western boundary. There would be no sense in saying, bounded by a line on the south, northward. The subject is not a line, but all the territories, countries, and islands, bounded on the south by this particular line, extending between these particular points, the point of the Baie de Chaleurs on the one side and the point of the Mississippi on the other, northward to the Hudson Bay Territories. That territory, so indicated, is to be included in the Province of Quebec. This is perfectly clear. You cannot analyze that long complicated sentence, describing the