the part of the Imperial Government towards Canada brought about the withdrawal of the regular troops and a large quantity of military stores belonging to them, from the Dominion, at the time the hon. Minister of Militia led the House to believe that about 40,000 rifles, the property of the Imperial Government would be by the liberality of Her Majesty's Government transferred to the Dominion authorities. He (Mr. Masson) thought it was important that the House should know in what condition the military stores of the Dominion were, in case an emergency should require them to be used. There was a rumour current that no stores but a few old arms had been left, and he asked for these returns in order to relieve the apprehensions to which this rumor had given rise.

Hon. Sir GEORGE-É. CARTIER said he was glad that the hon. member had brought this matter before the House. There could be no objection to furnishing the returns asked for, but he believed the information required would be found in correspondence already in course of preparation to be submitted to the House. He would inform the hon. member, however, that the Imperial Government had made a gift of Snider and Spencer rifles to the amount of something like 40,000 stand of arms to the Dominion Government.

The motion was allowed to stand.

* * *

THE ARBITRATION AWARD

Hon. Mr. DORION moved that an humble Address be presented to Her Majesty, representing that an equitable and satisfactory division of the surplus debt of the late Province of Canada, between the Provinces of Quebec and Ontario is not likely to be effected in the manner provided by the British North America Act, 1867, and that the difficulties which beset the question have been greatly aggravated by the award rendered by the Arbitrators appointed by the Dominion Government and by the Government of Ontario, in the absence of any Arbitrator for the Province of Quebec, which is regarded by the Government and the people of Quebec as illegal and unjust, and praying that Her Majesty be pleased to recommend the passing of an Act by the Imperial Parliament so amending the British North America Act as to authorize the Parliament of Canada to deal by Legislative enactment with all questions connected with the said surplus debt.

He said he had heard that the Dominion Cabinet proposed to refer this question to the Privy Council for settlement, but he hoped that the Quebec members did not join or acquiesce in this determination. He saw by some of the papers published in the Province of Quebec that this was the best thing that could be done, that it would remain ten years before that tribunal, which would not prove beneficial to Quebec, but he did not approve of allowing this question to remain rankling between the two Provinces. This delay would only aggravate the difficulties which now beset the question, because the balance of population would be still greater against Quebec ten years hence than it was now. Another reason for promptitude was that, taking the basis of population of 1861, Ontario should have paid a great deal more interest on the debt than was assigned to her. Doubtless her population had increased more in the period between 1861 and 1867 than had the population of Quebec. Thus it would be found that Quebec was losing as to population, while the difference against her as to subsidy was on the increase. If Ontario had about two millions of people in 1867 and Quebec 1,400,000, by making the calculation on this basis, it would be seen that Quebec was losing yearly $300,000, which should have been allowed her, and that Ontario was receiving that amount more than was due her even on the basis of population. He had stated that the basis of the division should have been made on the revenue paid by the Provinces respectively, and by this test also it was plain that Ontario had been granted more than she was entitled to. The question should be settled as soon as possible, in the interest of Quebec. A delay must complicate it by the increase of representatives in the House, from Ontario, which must result from the increase of population in the Western section of the Dominion. Canada should obtain permission to settle the question of the division of assets and debts and all other questions therewith connected. He was convinced, as he had been all along that the best plan would be for the Dominion to assume the surplus debt and give equitable compensation to the Lower Provinces. In so doing, they would bring that surplus into the exact position it occupied before 1867, when both Provinces were equally responsible for it.

Hon. Sir GEORGE-É. CARTIER said that the course pursued by the hon. member for Hochelaga was the most premature and hostile to the interests of Quebec which could possibly be followed. The motion was mere clap-trap, and was worded merely to commend the vote of Lower Canada in the coming general elections. The hon. members opposite had been trying that dodge for the last twenty years, and the result of it all was to leave them in the pleasant position which they occupied, to the left of the speaker. The motion was exceedingly awkward and likely to defeat the end which the hon. member professed so great a desire to attain. It was an insult to the members from the Lower Provinces, imputing a doubt as to their honesty and fairness. But this was not the first occasion on which the hon. member for Hochelaga had risked the interests of Lower Canada by his awkwardness. He (Hon. Sir George-É. Cartier) would not consent to submit the legal position of Quebec in this matter to a risky decision of a majority of this House. The Government had decided not to take any action on this question till the Committee of the Privy Council had solved the legal point which might be submitted to them. In case that the decision should be unsatisfactory and be appealed from and set aside, another trial of the question would have to be demanded in order that justice might be done to the Province of Quebec. Supposing that this award should be maintained by the Privy Council, the people of Lower Canada would believe that they had been subjected to a grievance. It was incorrect to declare in advance that any grievance existed. He thought he had now proved that the motion of the hon. member for Hochelaga was untimely, imprudent, and unjust. As he (Hon. Sir George-É. Cartier) had promised, he would meet it in a fair, open and direct manner by moving an amendment so as to make the motion read thus: ‘‘That the validity

of award rendered by the Arbitrators appointed by the Dominion Government and by the Government of Ontario, in the absence of any Arbitrator from Quebec, being contested by that Province, and the Government of Canada having come to the conclusion not to act on such award until its validity shall have been determined by a competent judicial tribunal, this House refrains from expressing an opinion on the award so rendered.''

Hon. Mr. CHAUVEAU concurred in some of the views expressed by the Minister of Militia, but considered the motion of the hon. member for Hochelaga open to objection, an objection which was fatal both to Upper and Lower Canada. That motion prayed the Imperial Government to put it into the power of the Dominion Parliament to deal with the matter as it might seem fit. He certainly did not think it would be prudent on the part of the Province of Quebec to put itself in that position, as that position would be inferred to be the one it now occupied. He believed, however, that the amendment of the Minister of Militia was perfectly consistent with the position the Government was obliged to assume in the matter, and he could easily understand why the Government with its responsibility to the country had taken the steps it had taken, and had asked that for the present the matter should be left alone, but he believed the House, and the whole Dominion, should consider the question, and see whether the existing difficulties could not be removed. Although the motion of the hon. member for Hochelaga did not meet his views, and although it would have the fatal effect of placing the position of Quebec in the hands of the House, in which the representatives of that Province were the minority already, and would be still more so after the next census, he was prepared to vote in the direction of the idea brought forward in that motion, as he thought it behoved the whole of the Dominion not to let this bone of contention continue forever, but to see whether it could not make some sacrifice, in order that the difficulty might be removed. He should therefore move an amendment to the amendment prepared by the Minister of Militia so that the motion would read: —That it is highly desirable that the difficulty now existing between the Provinces of Ontario and Quebec concerning the division and adjustment of the debts, liabilities, credits, properties, and assets of Upper and Lower Canada, provided for by the British North America Act, be speedily set at rest, and that this House will give its most favourable consideration to any measure to be introduced by the Government, having this object in view, and involving any aid on the part of the Dominion commensurate with the importance of the object itself, and with our resources, due regard being had to the rights of the other provinces.''

He then proceeded to say, if the award should be decided to be legal, would the question then be ended? Certainly not. The people of Quebec were unanimous in feeling that they had not received fair play, that the award was unjust, that the injustice was evident and apparent. He believed in other arbitration cases manifest injustice had sometimes served to make the award a nullity, and also when arbitrators had exceeded their powers, as it was perfectly clear had been done in the present case—they had exceeded their powers most unmistakably as far as the assets were concerned—the British North America Act provided that certain assets should be the property of the two provinces conjointly, and it was certainly hard to understand how, under such a provision, forty millions could be given to one, and only four millions to the other. The hon. member for Hochelaga, on first addressing the House, had referred to the figures shewing the assets given to Onario, but if he would look more closely he would find that a large number of assets had been given to that province for which no specific amounts had been named, but which amounted in reality to more than two millions. On the other hand, a great many of the assets awarded were no assets at all, but were mere book balances of no value. Such, for instance, was the Aylmer Court House, in which case the Province was to receive a certain sum of money under certain contingencies which would never take place, and the Montreal Court House was in the same position.

Taking these and other similar instances into consideration, he found that while Ontario, under the award, would receive $40,241,000, Quebec would only receive $4,049,000. The position taken by the counsel for Quebec was a very strong one in point of equity, and was sustained by the peculiar wording of the Union Act, which certainly intended that the debt existing at the commencement of the union of the two Provinces should be taken into consideration. Every one remembered that at the time of the passing of the Union Act by the Imperial Parliament, the saddling of the debt of Upper Canada and Lower Canada was denounced in the strongest terms, both in the House of Commons and in the House of Lords, one having termed it ''downright robbery.'' Without going into the question of law, and particulars of public accounts, he asked the House to look simply at the result of the Arbitration, and at the position of Quebec under the award that had been pronounced. He remembered reading in stories for children of a mill in which old people were ground young, and certainly the Arbitration had proved a mill into which one Province had gone rich and had come out the reverse; while the other had entered with a debt of five millions, and had come out not only with the debt wiped off, but with assets in excess of the amount of seven or eight millions.

He thought, therefore, that in all its bearings and consequences the question was more of a political question than legal—and it was impossible to suppose that Quebec would submit to such injustice, seeing that while it entered the union with Upper Canada with a balance in its hands, and Upper Canada a large debt, at the end Quebec should have a large debt, and Upper Canada, assets to an enormous amount in excess of its share of the debt. He did not desire to criticise the Union Act, as no doubt very great difficulties existed at the time it was framed, but while everyone, seeing the benefits of Confederation, and the proud position to which it was raising the people of Canada, would bless Confederation, yet they must regret the defects in the Act which had resulted in raising such difficulties. The only way now of speedily settling the question, and the best way of settling it was for the Dominion to assume the whole debt, and if it could not assume that debt without some compensation let it take some of the assets, as the circumstances of the Provinces might justify. In following the course implied in his

amendment the Dominion Government would be securing the stability of the institutions of the country, and also her prosperity, and would remove a great difficulty, in which the amount of money sank into utter insignificance compared with the harm that might ensue from the fact of one section of the country being in antagonism to another.

He did not desire in any way to blame the Government; he perfectly understood that the course they had taken was the only one hitherto open to them, and he also believed that those members of the Government who were connected with the Province of Quebec had done the best they could under the circumstances, but it behooved the people and representatives of that Province to call the attention of the House, and of the whole Dominion to the importance of a real settlement which would be satisfactory to both Provinces. His great objection to the motion of the hon. member of Hochelaga was that it left the question to the Dominion Parliament, to be dealt with in any way they might think proper.

Hon. Mr. DORION: Your motion does the same.

Hon. Mr. CHAUVEAU: Certainly not. He invited the Government to deal with the matter in a stated way, and he thought the hon. member for Hochelaga would have done better if he had kept to the idea of the resolutions he had first submitted, instead of asking the Imperial Parliament to deal with the matter, without pointing out any way in which the difficulty could be removed.

Mr. MILLS said that as the amendment to the amendment now proposed involved an appropriation of money, it could only come before the House in a message from His Excellency.

Hon. Mr. CHAUVEAU maintained that his motion was in order, and quoted previous decisions of the Speaker in similar cases.

The SPEAKER read the amendment, and decided that as aid was spoken of, the question was certainly one of money, and the amendment was therefore out of order under the rules of the House.

Hon. Mr. HOLTON said that he desired to move an amendment to that proposed by the Minister of Militia, that would bring the subject back to the manner in which it had been treated in the Resolutions previously proposed by his hon. friend from Hochelaga, and as the Premier for Quebec had expressed his regret at the withdrawal of those resolutions, he trusted to have his support in the present motion. He moved that all the words in the amendment after ‘‘that’’ be left out, and the following inserted instead thereof: This House regrets that His Excellency the Governor General has not been advised to recommend to this House to adopt an address to Her Majesty representing the division between the Province of Ontario and the Province of Quebec, of the surplus of the debt of the former Province of Canada, over and above the sum of $62,500,000 assigned to the Dominion of Canada, by the British North America Act, presents great difficulties, which have not yet been overcome in a satisfactory manner; that the difficulties resulting as well from the uncertainty of the amount, as from the absence of an acceptable basis for making such division, threaten to give rise to serious embarrassment, and that for the avoidance of such difficulties the debt of the former Province of Canada should be assigned entirely to the Dominion, as if it had been so from the first, compensation being made to the Provinces of Nova Scotia and New Brunswick for the share which those Provinces would have paid of the surplus of that debt—and praying that Her Majesty would be pleased to recommend to the Imperial Parliament, the passage of an Act to amend the British North America Act, in accordance with such representations.’’

Hon. Mr. HOLTON said that a good many comments had been made on the motion made by his hon. friend from Hochelaga, and, among others, the Hon. Minister of Militia had endeavoured to induce his audience to regard the reference to the Government and people of Quebec, as implying a want of confidence in the representatives of the other Provinces, but the hon. gentleman must have been aware that that reference was merely a reason, and a most cogent reason for that dissatisfaction which existed, and which it was the object of the motion to remove. His confidence in the representatives of the people of all the Provinces was shown most conclusively by his principal position, which was to bring before the House the whole question of the solution of the difficulties. He did not desire to traverse the ground which had been already gone over as he could add nothing to what had been stated by his hon. friend from Hochelaga, and he would therefore at once place his amendment before the House.

Mr. DELORME (Saint-Hyacinthe) regretted that they could not discuss every question without angry words. The real question, on every occasion should be whether the motion before the House was right or wrong. He regretted very much that he was not able to vote for the amendment proposed by the leader of the Government, but he could not do so, as he thought it very important that the question should be decided. It was all very well for the Minister of Militia to say that the question be left to a judicial tribunal, and supposing the matter to be decided against Ontario that would be all very well, but if it were to be decided against Quebec, how were they to stand. He thought some measures should be at once taken to settle the matter amicably.

Hon. Mr. CAMERON (Peel) said the Hon. Premier of Quebec and others of that Province had treated the question as if it concerned Quebec only, but he thought that Ontario should also be thought of. The motion of the hon. member for Châteauguay was simply one of those flank movements for which he was so celebrated, but he did not think he would catch any of the representatives of Ontario in the net he had prepared for them. That hon. gentleman had made a motion which he well knew to amount to a vote of want of confidence in the Government and he (Hon. Mr. Cameron) for one was certainly not prepared to agree to such a vote in this case. His view of the case was that Ontario had a perfect right to say that the award was legal and valid, and they would

continue to say so until some competent authority decided otherwise. Ontario had not the slightest desire to come into collision with Quebec, or to take from that Province anything to which it was not entitled, but in every case of arbitration, the award was invariably unsatisfactory to both parties, and that was certainly the case now. If any complaint was to be made against the Government, he thought it should be on the part of Ontario, on account of the award not being acted upon. The Government had however intimated that it was not desirable that the award should be carried into effect until a competent authority had pronounced upon it, and he believed the majority of the people of Ontario were willing that such should be done.

Hon. Mr. McDOUGALL (Lanark North): No, no.

Hon. Mr. CAMERON (Peel) said, of course he merely expressed his personal belief in the matter, but he thought the majority in Ontario were satisfied, because the effect of the enquiry, if it maintained the award, would be to give them all they contended for, and if that award had created those heartburnings of which the gentleman from Quebec had spoken, the people of Ontario would be most willing to agree to some mode of arrangement which would remove those heartburnings. He believed that two abitrators had given a fair and honest award according to their judgment.

With regard to the point raised by the Premier of Quebec in connection with the assets, that the word ‘‘jointly’’ in the Act meant ‘‘equally,’’ and that the assets could not therefore come within the powers of the Arbitrators, he might say the Arbitrator for Quebec had agreed with the Arbitrators for Ontario and the Dominion in the discussion arrived at on that question. He believed that the present difficulties never would have arisen if the Quebec Arbitrator had remained in his position, dissenting from the award if he thought proper, instead of throwing up the whole matter, and leaving it in the hands of the others to decide as best they might.

Referring to the amendment of the hon. member for Châteauguay, he asked how could the representatives of Ontario say that they regretted Government had not taken action as stated in that amendment, when they insisted on the validity of the decision already made by the arbitrators. How could they agree to set aside the rights of Ontario under that award without having any decision on the matter from a competent judicial authority? They could not do so. The people of Ontario might be, and he believed they were rather than there should be any heartburnings, prepared to deal with Quebec fairly and honestly, and although they had a perfect right to go to the Government and say you ought to have acted upon and carried out the award that has been made, they were willing to wait till such time as a judicial opinion should be given, and they would also be willing to allow the Province of Quebec the greatest possible latitude as to the questions to be submitted to the judicial Committee, that should be called upon to decide—for the people of Ontario felt that if they were not legally, equitably and morally entitled to what the award had given them, they would rather not have it. Why then should there be any hesitation on the part of Quebec?

Referring to the amendment of the Minister of Militia as to the House not desiring to express an opinion, he thought it should not desire to express an opinion until it was thoroughly acquainted with the matter. The case was complicated in its nature and would require careful study for hours and days before a fair conclusion could be arrived at. He thought moreover that the House should not express its opinion which would not amount to a decision, but that the question should be settled in the only way in which it could be settled, namely by submitting it to a judicial Committee. If the gentlemen from Quebec were so confident that law and equity was in their favor why were they afraid to go before that Committee? Ontario was not afraid, as they believed the award could be retained in equity, in fact, and in law, but if it should prove to be bad, they would not press its being carried out, and Quebec might rely on their generosity to do neither harm nor injustice and to take away nothing to which they had not a perfect right. He could not vote for the amendment of the hon. member for Châteauguay, even if it had not implied a vote of want of confidence in the Government.

Hon. Mr. CHAUVEAU said the hon. member for Peel had alluded to the position assumed by the Quebec arbitrator, and also to what he had said about the assets, and he could not allow those allusions to pass without a few remarks. He (Hon. Mr. Cameron) had not only alluded to the question of the assets being taken into consideration, but to the distribution of the assets, and he said that the terms of the Union Act implied that if the assets were divided, they should be divided equally. That was the position he had taken, and both questions could still be brought before the Privy Council. The disproportion in the division of the assets was most extraordinary. He admitted that the member for Peel had shown a very great spirit of moderation and conciliation, and he only replied because he felt that he must set the Government of Quebec right in its conduct in the arbitration.

The member for Peel had accused the Quebec arbitrator of throwing up his position at a wrong time, but such was not the case. Their arbitrator had held strong views on the question of taking into consideration the old debt, and he resigned not only because his views on that point were set aside but because such a judgment was given as shut the door to any consideration of the views he held, and because that judgment, by a most extraordinary contradiction, took as a basis for the apportionment, the origin of the local debt. The Quebec arbitrator therefore considered that it was of no use for him to remain there after such a decision. He read an extract from the dissent of Mr. Justice Day, confirmatory of what he had said.

Hon. Mr. McDOUGALL (Lanark North) understood that the point raised by the hon. member for Peel was that the whole of the Arbitrators had agreed that the word ‘‘jointly’’ should not be taken to mean equally.

Hon. Mr. CAMERON (Peel) explained that what he had said was that the question submitted to the Arbitrators was that by the terms of the Act the assets were settled, and did not come within their jurisdiction, and that finally Arbitrators had agreed unanimously that they did come within their jurisdiction.

Hon. Mr. HOLTON here suggested that it being six o'clock the House should rise, it being understood that the debate should be continued after recess, so that it might be settled.

Hon. Sir GEORGE-É. CARTIER thought it much better that the debate should be adjourned till Monday, as the papers being now in the hands of the members, they would by that time have had an opportunity of considering the question, and there being no other important business before the House, he moved that the House should adjourn till three o'clock tomorrow.

The House then adjourned.