

468. 3RD AWARD—13TH FEBRUARY, 1895.

To all to whom these presents shall come :

The Honourable John Alexander Boyd, of the City of Toronto, and Province of Ontario, Chancellor of the said Province; the Honourable Sir Louis Napoléon Casault, of the City of Quebec, in the Province of Quebec, Chief Justice of the Superior Court of the said Province of Quebec, and the Honourable George Wheelock Burbidge, of the City of Ottawa, in the said Province, Judge of the Exchequer Court of Canada, send greeting :

Whereas, it was in and by the Act of the Parliament of Canada, 54-55 Vict., Chap. 6, and in and by an Act of the Legislative Assembly of Ontario, 54 Vict., Chap. 2, and in and by an Act of the Legislature of Quebec, 54 Vict., Chap. 4, among other things provided that for the final and conclusive determination of certain questions and accounts which had arisen or which might arise in the settlement of accounts between the Dominion of Canada and the Provinces of Ontario and Quebec, both jointly and severally, and between the two Provinces concerning which no agreement had heretofore been arrived at, the Governor General-in-Council might unite with the Governments of the Provinces of Ontario and Quebec in the appointment of three arbitrators, being judges, to whom should be referred such questions as the Governor General and Lieutenant Governors of the Provinces should agree to submit ;

And whereas, we, the undersigned, John Alexander Boyd, Sir Louis Napoléon Casault and George Wheelock Burbidge, have been duly appointed under the said Acts and have taken upon ourselves the burdens thereof ;

And whereas, it was provided in and by the said Acts that such arbitrators or any two of them should have power to make one or more awards, and to do so from time to time ;

And whereas, certain questions respecting a claim made by the Dominion of Canada against the Provinces of Ontario and Quebec in respect of Indian claims arising out of the Robinson Treaties, and respecting a certain other claim made by the Dominion of Canada against the Province of Ontario for certain immigration expenditure, and a certain other claim made by the Province of Ontario against the Dominion of Canada in the first instance, and by notice to the Province of Quebec against that Province for the recovery of a balance of the Upper Canada Municipalities Fund, have been submitted to such arbitrators and they have heard the parties thereto ;

Now, therefore, the said arbitrators, exercising their authority to make a separate award at this time respecting the said matters, do award, order and adjudge in and upon the premises as follows, that is to say :—

I. In respect of the claim made by the Dominion of Canada against the provinces of Ontario and Quebec in reference to the Indian claims arising under the Robinson Treaties :—

1. That if in any year since the treaties in question were entered into the territory thereby ceded produced an amount which would have enabled the Government, without incurring loss, to pay the increased annuities thereby