

CAP. IV.

An Act respecting the settlement, by arbitration, of accounts between the Dominion of Canada and the provinces of Ontario and Quebec, and between the said two Provinces.

[Assented to 30th December, 1890.]

WHEREAS certain questions have arisen or may here-
after arise in the settlement of the accounts be-
tween the Dominion of Canada and the Provinces of Onta-
rio and Quebec and between the two Provinces, concern-
ing which no agreement has hitherto been arrived at,
and whereas at a conference, held on the 28th November,
1890, by representatives of the Governments of the Do-
minion, of Ontario and of Quebec, it was proposed that
these and all other questions arising out of or incident to
the settlement of these accounts should be referred to ar-
bitrators; Therefore, Her Majesty, by and with the advice
and consent of the Legislature of Quebec, enacts as fol-
lows:

Preamble.

1. For the final and conclusive determination of the
questions above referred to, the Lieutenant-Governor in
Council may unite with the Governments of the Domi-
nion of Canada and the Province of Ontario in the appoint-
ment of three arbitrators, to whom shall be referred such
of these questions as the Governments of the Dominion
and of the two Provinces shall mutually agree to submit.

Appointment
of arbitrators
for settlement
of questions
between
Canada, Onta-
rio and
Quebec.

2. The arbitrators shall consist of three judges, one to
be nominated by the Dominion, and one by each of the
Provinces, and all three shall be approved of by each of
the Governments.

Arbitrators to
be judges and
one to be
appointed by
each.

3. The arbitrators shall not assume to decide any
disputed constitutional questions; but if any are raised,
they will note and report them with their award, but
without delaying their proceedings.

Proviso re-
specting con-
stitutional
questions.

4. Any two of the arbitrators shall have power to make
an award.

Power of two
to make
award.

5. The arbitrators or any two of them shall have power
to make one or more awards, and to do so from time to
time.

More than one
award may be
made.

6. The arbitrators shall not be bound to decide
according to strict rules of law, but may decide upon
equitable principles, and when they do proceed on
their view of a disputed question of law, the award shall

Principles to
govern arbi-
trators in
making their
award.

set forth the same at the instance of either party, and the award shall be subject to appeal, so far as relates to such decision, to the Supreme Court, and thence to the Privy Council of England, in case their Lordships are pleased to entertain the appeal.

Power of
appellate
Court.

7. In case of an appeal on a question of law being successful, the matter shall go back to the arbitrators for making such changes in the award as may be necessary ; or an appellate Court may make any other direction as to the necessary changes.

Appointment,
how to be
made, etc ;
award to be
binding, sav-
ing appeal.

8. The appointment of the said arbitrators by Order in Council and their award in writing, shall bind this Province, save in case of appeal on questions of law as hereinbefore mentioned.

Proviso in
case of va-
cancy.

9. In case of a vacancy, by death or otherwise, among the arbitrators, the same shall be filled in the same way as the appointment was first made, namely, by the nomination of the Government whose arbitrator is deceased or has become incapacitated. approved by the other two Governments.

Expenses, how
to be borne.

10. The share of the expenses of the arbitration authorized by this act, to be borne by the Province of Quebec, shall be paid out of the Consolidated Revenue Fund, by warrant of the Lieutenant-Governor, issued upon the certificate of the Provincial Treasurer.

51-52 Vic., c.
12, repealed.

11. The act 51-52 Victoria, chapter 12, is hereby repealed.

Coming into
force.

12. This act shall come into force on the day of the sanction thereof.

CAP. V.

An Act respecting Lunatic Asylums.

[Assented to 30th December, 1890.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Authority
given to build
or purchase
lunatic
asylums.

1. The Lieutenant-Governor in Council is authorized to build or to purchase one or more lunatic asylums, in time for the expiration of the present farming-out contracts.