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The questions to be submitted for the opinion of said Court shall be such as may be mutually agreed upon by Canada and the Province.

22. It is further agreed that under part one of the Enquiries Act a Commission of three persons shall be named as may be agreed upon between the Province and Canada to enquire and report whether any, and if any, what consideration, in addition to the sums provided in paragraph 19 hereof, should be paid to the province in order that the Province may be placed in a position of equality with the other provinces of Confederation with respect to its natural resources as from September 1st 1905, such commissioners to be empowered to decide what financial or other considerations are relevant to the enquiry, and the report to be submitted to the Parliament of Canada and to the Legislature of Saskatchewan; and if by the said report, the payment of any additional consideration is recommended, then, upon Agreement between the Governments of Canada and of the Province following the submission of such report, the said Governments will respectively introduce the legislation necessary to give effect to such Agreement.

23. Notwithstanding anything contained in the immediately preceding paragraph it is understood and agreed that the decision of the Supreme Court of Canada or of His Majesty in Council as the case may be, shall determine whether the commissioners shall have regard to the whole period from the year 1870 onwards or only to the period from September 1st 1905 onwards in deciding what financial or other considerations are relevant to the inquiry, it being hereby declared that in the event of the Supreme Court of Canada or of His Majesty in Council as the case may be, holding that the province has in fact some legal right to, or interest in, the natural resources within the boundaries of the Province as now constituted for any period prior to September 1st 1905, the commissioners shall be bound to take cognizance of such finding or decision in directing their inquiries. And it is further expressly understood and agreed that in any event and notwithstanding an adverse decision of the Courts as to the legal claims of the Province with respect to any period prior to September 1st 1905, the said commissioners shall be entitled to have, and shall have, regard to the period from September 1st 1905 onwards in deciding what financial or other considerations are relevant to the inquiry and in making their inquiry and report.

RECORDS.

24. Canada will, after the coming into force of this Agreement, deliver to the Province from time to time, at the request of the Province the originals or complete copies of all records in any department of the Government of Canada relative exclusively to dealings with Crown lands, mines and minerals, and royalties derived therefrom within the Province, and will give to the Province access to all other records, documents or entries relating to any such dealings and permit to be copied by the Province any

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W.L. Mackenzie King Papers
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