

*By the Chairman :—*

35. In your works, do you refer to the disturbances which occurred in the country intervening between Lake Superior and what is now Manitoba. It is known that in 1817, and I think you refer to it in your first work, that the Hudson Bay Co's Governor, and also of the Colony of Selkirk, was killed with 17 of his followers?—Governor Semple was killed in the vicinity of the present City of Winnipeg. In my report I refer to other disturbances. It was not those which occurred within Upper Canada that rendered the Act necessary.

36. This murder took place in the country intervening between Lake Superior and Manitoba. Lord Selkirk had called in a regiment of soldiers and they carried on war in this country, between Lake Superior and what is now known as Manitoba or Winnipeg. Is it not highly probable, and, in fact, evident, that this Act of 1821 was passed to provide a means of maintaining order where these disturbances occurred?—That is a matter of opinion, not a matter of fact. There were other acts of violence in other districts. I have my views, but, as it is a matter of opinion, it is of no consequence to give it. If the boundary of Ontario is further West, the answer must be, no.

37. *Mr. Robinson :—*The Act was passed in reference to these occurrences shortly after the trials took place.

38. *The Chairman :—*Some of the trials were still pending. The Act was passed in 1821.

*Mr. Mills :—*The trials at Toronto took place in 1817, and at Quebec in 1818. There had been arrests made, and war was going on in the country, between Fort William on Lake Superior and the Rocky Mountains. Some of these conflicts were within the United States. The Judge who sat in the cases tried at Toronto, and the Judges who sat at Quebec, expressed entirely different opinions in reference to the question of the boundary of the Province. The conflicts were very numerous. The debate, if any, on this Act was never reported. I shall not give conjectures as testimony.

*By Mr. Brecken :—*

39. Was that case tried in both Provinces?—They were different cases. The parties tried at Toronto were charged with murder committed further west, and about which there could be no doubt as to the origin of the jurisdiction, if the rule laid down in the Reinhardt case had been the view of the Court.

*By Mr. DeCosmos :—*

40. The case is reported in those works?—Yes. I have never looked carefully through this appendix to know how many of the papers, referred to in the report, are included. Whether the Toronto case is included or not, I can not say. However, it is reported, and will be found in a volume in the library.

*By Mr. Mousseau :—*

41. What was the position taken by the Toronto Judges as to the question of jurisdiction?—That there was no limit to the boundary of Upper Canada on the west.

*By the Chairman :—*

42. Was it not that if Ontario extended that far west, they had jurisdiction; and if not, they had also jurisdiction. In the one case because it was within the Province, and in the other because the Act of 1803 gave them jurisdiction beyond the boundaries of Upper Canada. It was just what I have stated it to be.

*By Mr. Royal :—*

43. Were you not acting as the paid Agent of Ontario in producing these works?—Yes, I would hardly have taken the trouble of visiting public libraries in the United States and Canada, collecting evidence and employing parties to write out the documents of which I wanted transcripts, at my own expense; but my instructions from the Ontario Government were to investigate the subject and report to them my opinion as to where the true boundary of the Province was upon the north and west. I had no instructions to find the western boundary at this place, and the northern boundary at another fixed place. I was put exactly in the position of a discoverer, to enquire into the facts and to inform the Government where the west-