

dealt with. We take the points of the decision in the order in which they are presented by the treaty under which the tribunal was constituted :

" First: The Portland Canal. There are two channels parallel with each other, with four islands lying between them. The Canadian contention was that the northern channel should be adopted. The United States contended for the southern channel. If the Canadians succeeded it would give Canada the four islands which lie opposite the southern shore of Observatory Inlet and the harbour of Port Simpson. If the United States succeeded it would give them these four islands. These islands named in order as they run from the sea inward are Kannaghunut, Sitklan, Wales and Pearse Islands. When the members of the tribunal met after the argument, and considered this question, the view of the three British Commissioners was absolutely unanswerable. A memorandum was prepared and read to the Commissioners embodying our views and showing it to be beyond dispute that the Canadian contention upon this branch of the case should prevail, and that the boundary line should run northward of the four islands named, thus giving them to Canada.

" Notwithstanding these facts, members of the tribunal, other than ourselves, have now signed an award giving the two islands of Kannaghunut and Sitklan to the United States. These two islands are the outermost of the four. They command the entrance to Portland Channel, to Observatory Inlet and the ocean passage to Port Simpson. Their loss wholly destroys the strategic value to Canada of Wales and Pearse Islands. In our opinion there is no process of reasoning whereby the line thus decided upon by the tribunal can be justified. It was never suggested by counsel in the course of argument that such a line was possible. Either the four islands belong to Canada or they belong to the United States. In the award Lord Alverstone agrees with the United States Commissioners that the islands should be divided, giving the two that possess the most strategic value to the United States.

" Second: The line northward from Portland Channel. Substantially the Canadian contention on this line was that there were mountains parallel to the coast within the meaning of the treaty of 1825, and that the tops of such mountains should be declared the boundary, the mountains nearest the sea being taken. The United States contention was that there were no mountains parallel with