

were ever included in the Province of Upper Canada. The British Government being bound by this admission, surely Ontario must be.

In 1871 a Commissioner was appointed by each of the Governments of the Dominion and Province of Ontario for the settlement of the northerly and westerly boundaries of the Province.

The instructions given to the Commissioners on behalf of the Dominion were that—

1. The boundary in question is clearly identical with the limits of the Province of Quebec, according to the 14th Geo. III., ch. 83, known as the "Quebec Act," and is described in the said Act as follows, that is to say: Having set forth the westerly position of the southern boundary of the Province as extending along the River Ohio "*westward to the banks of the Mississippi*" the description continues from thence (*i. e.*, the junction of the two rivers) "*and northward to the southern boundary of the territory granted to the Merchant Adventurers of England trading to the Hudson's Bay.*"

Having determined the precise longitude, west of Greenwich, of the extreme point of land making the junction of the north and east banks respectively of the said river, you will proceed to ascertain and define the corresponding point of longitude or intersection of the meridian passing through the said junction with the international boundary between Canada and the United States.

Looking, however, to the tracing enclosed, marked A., intending to illustrate these intersections, it is evident that such meridian would intersect the international boundary in Lake Superior.

Presuming this to be the case, you will determine and locate the said meridian, the same being the westerly portion of the boundary in question, at such a point on the northerly shore of the said lake as may be nearest to the said international boundary, and from thence survey a line due south to deep water, making the same upon and across any and all points or islands which may intervene, and from the point on the main shore formed as aforesaid, draw and mark a line due north to the southern boundary of the Hudson's Bay Territory before mentioned. This will complete the survey of the westerly boundary line sought to be established.

You will then proceed to trace out, survey and mark, eastwardly, the aforementioned *southern boundary of the territory granted to the Merchant Adventurers of England trading to Hudson's Bay.*

This is well understood to be the height of land dividing the waters which flow into Hudson's Bay from those emptying into the valleys of the Great Lakes, and forming the northern boundary of Ontario; and the same is to be traced and surveyed, following its various windings till you arrive at the angle therein between the Provinces of Ontario and Quebec, as the latter is at present bounded, having accomplished which, the same will have been completed.

The Privy Council of Ontario on receiving a copy of above instructions advise the Dominion "that the Province of Ontario claims that the boundary line is very different from the one defined by the said instructions, and cannot consent to the prosecution of the Commission for the purpose of marking on the ground the line so defined, and that the Commissioner appointed by the Government of Ontario should be instructed to abstain from taking any further action under his commission. (Ont. Docts., pp. 340-1.)

The boundaries the Ontario was willing to accept are set forth in an Order-in-Council. (Ont. Docts., p. 243.)

Until the boundaries could be definitely adjusted, provisional boundaries were agreed upon on the 3rd of June, 1874, as follows: On the west, the meridian line passing through the most easterly point of Hunter's Island, run south until it meets the Boundary Line between the United States and Canada, and north until it intersects the fifty-first parallel of latitude; and the said fifty-first parallel of latitude shall be the Conventional Boundary of the Province of Ontario on the north. (Ont. Docts., p. 347.)