

certain that if Sir John Macdonald's construction of the statute could be maintained, it would be in direct contradiction to the spirit and intention of the Act, and a gross act of injustice. I proceed to the second charge. The duty of the Arbitrators was to find the true boundaries of Ontario, and they are charged with declaring "a mere conventional or convenient boundary." Now, for my present purpose, I shall refer merely to those pretensions which specially engaged the consideration of the Arbitrators as affecting the south-western boundary. On the claim under the Proclamation of 1791, which the Arbitrators held to be valid, notwithstanding the able arguments of counsel, of the Hon. Mr. Mills and others, including the Messrs. Dawson, one of whom, the Chairman of the Committee of 1880, fixed the boundary at the White Earth River, 450 miles west of the Lake of the Woods, they concurred in the judgment of the Quebec Court in 1818 that no territory could be awarded to Ontario that was not comprised in the old Province of Quebec as created by the Act of 1774, modified by the Treaty of 1783 with the United States and by subsequent treaties. They entirely rejected the Dominion claim to a boundary on what is known as the due north line, and having no doubt whatever that the Mississippi River was the western boundary of the old Province of Quebec by the Act of 1774, and that by the Treaty of 1783 the south-western boundary must be either at the international boundary at the north-western angle of the Lake of the Woods, or still further west, they decided in favour of that boundary which they were clearly of opinion Ontario was entitled to. On the north-east they were clearly of opinion that the height of land boundary could not be sustained, and that the true point of departure was the point on James's Bay due north from the head of Lake Temiscamingue.

CHARGE OF ADOPTING A CONVENIENT LINE REFUTED.

The sole ground for the charge that they adopted a conventional or convenient boundary, is that the line connecting the north-eastern and south-western boundaries was adopted for the sake of convenience. The Arbitrators were guided in their decisions solely by Acts of Parliament, Proclamations authorized by Orders in Council on the authority of Acts of Parliament, and international treaties. They found in the Proclamation of 1791, that after reaching James's Bay, the description proceeded thus : "including all the territory westward and southward of the said line to the utmost extent of the country commonly called or known by the the name of Canada." If the critics of the award believe such language susceptible of the construction that it lays down a precise spot on the