

“ to define an equally restrictive and equally important similar condition, should omit
 “ to use the least word or phrase to specify *how* the same boundary was to proceed
 “ ‘northward,’ I cannot conceive. I am therefore obliged to hold that by northward he
 “ meant north.

“ 18. Mr. *Trow* asked whether the word “northward” might not be held to apply
 “ to the extension generally of the territory in a northerly direction from its southern
 “ boundary, throughout its entire length in an eastern and western direction?—Such a
 “ word can be correctly used in surveying or geographical description, to imply the
 “ general extension in area, in any given direction from any given limit or boundary,
 “ all along such boundary, but in the case in point, the difficulty would still remain as
 “ to what should constitute the western limit of such general northerly extension.

“ 19. Mr. *De Cosmos* asked—Am I to understand that you consider the boundary
 “ laid down on this map (pointing to a certain line on the map of the Province of
 “ Ontario on the table) the western boundary of Ontario?—I do, if that line is correctly
 “ drawn as the direct prolongation of a line due north from the confluence of the Ohio
 “ and Mississippi Rivers.”

Another expert, Mr. Wm. Murdoch, Civil Engineer, was examined and he gave evidence to the same purport as that of Col. Dennis and Mr. Russel. (page 144). He handed in a document shewing that the Anglican Bishops of Rupert's Land have, since 1845, held letters patent, from the Queen, appointing them to the See of Rupert's Land, the southern territorial boundary of which was, in their view, the Height of Land, up to which limit they exercised ecclesiastical jurisdiction.

Mr. Murdoch also submitted a Proclamation issued by Sir John Coape Sherbrooke in 1816, which was given to him by an Indian Chief who had preserved it carefully.

This Proclamation was issued under the authority of the Act 43 Geo. III, cap. 138, for extending the jurisdiction of the courts of justice in the Provinces of Lower and Upper Canada to the Indian Territories.

And it is of value as shewing that the country to the west of the St. Lawrence water shed, where a sort of private war was then in progress between the adherents of the North-West Company and the Hudson Bay Company's employees, was at that time treated as Indian territory. The Hon. Donald A. Smith, formerly Governor of the Hon. Hudson Bay Company's territories, testified that the Height of Land or St Lawrence water-shed was the southern boundary of the territories granted by King Charles II, in 1670, to the merchant adventurers of England trading into Hudson's Bay, and he handed in a copy of the Royal Grant, together with the opinions of eminent counsel, both of the past century and the present, as to the validity of the charter and the territories which it covered, all of which will be found with his evidence.

Both Mr. Smith and Judge Johnson gave important evidence in respect to the colony of Assiniboia, which will be noticed further on.

Mr. McMahon, Q.C., who at one time acted as counsel for the Dominion, was not examined because his engagements in important cases before the courts would not admit of his attendance, but his statement of the case and his argument will be found in the Appendix. In these documents he holds that the due north line already referred to, forms the western boundary of Ontario, and the Height of Land the northern boundary.

The Hon. David Mills, M.P., in the concluding paragraph of his work to which he has referred the Committee, defines the boundaries of Ontario as follows:—

“ The limits of the Province of Ontario, then, are the International Boundary
 “ upon the south, westward to the Rocky Mountains; the Rocky Mountains from the
 “ International Boundary northward to the most north-westerly sources of the Saskat-
 “ chewan; the northern water-shed of the Saskatchewan eastward until it intersects the
 “ boundary line midway between Lake Winnipeg and Port Nelson, at the mouth of
 “ Nelson River; and upon the north-east, the line already indicated drawn midway
 “ between the posts held by England and France just before Canada was ceded to