

United States, on the north by the Hudson's Bay Territory and the Grand or Ottawa River, on the east by the Province of Lower Canada, and on the west its limits are not easy to ascertain. They may perhaps fairly be considered to be formed by the head waters of the rivers and streams that fall into Lake Superior, at or about the height of land on the Grand Portage in longitude—west. The vast section of country appertaining to the British Dominions to the west and north-west of this point is generally known by the denomination of the Western Country or North-West Indian Territories. The line of demarcation between this Province, that is Upper Canada, and the United States, from the monument of St. Regis, on the parallel of the 45th degree of north latitude, westward to the Lake of the Woods, was sufficiently settled by the commissioners appointed to decide the same with reference to the treaty of 1783, under the Treaty of Ghent, at least as far as that line runs from St. Regis through the rivers and lakes to the Strait of St. Mary's, as will appear on reference to the report of those commissioners, Appendix No. 1.

An enumeration of the islands from their magnitude and importance most worthy of note, comprehended within the limits of this Province, will be found in the note on page 16.

From the western limit of Lower Canada, this Province is bounded by the Ottawa as far as Lake Temiscaming, thence by a line drawn due north to the southern boundary of the Hudson's Bay Territory. This line has been generally understood to indicate a range of highlands dividing the rivers and streams which fall into Hudson's and James' Bays, from those which fall into the Rivers St. Lawrence and the lakes of Canada, and forming, naturally, the northern boundary of the Province.

Page 72.—From the same point, stretching in a north-western course, it continues to divide the waters falling into Lake Huron from those emptying themselves into Hudson's and James' Bays, and terminates in the grand ridge of highlands separating the waters of Hudson's Bay from those of the great lakes.

(I.)

(From the Published trial of *DeReinhardt*.)

There are, however, two other quartets which require your consideration.

First, Upper Canada. The western boundary of Upper Canada is a line drawn due north from the junction of the Rivers Ohio and Mississippi, in the latitude of 37° 10' north, 88° 50' west longitude. I am bound to tell you that it is the Court who are to decide upon the law, and you who are to judge of the facts, and according to law, we heard the arguments of counsel on the subject yesterday, and to-day, we have decided that the western line of Upper Canada is the line which I have mentioned; if, then, the Dalles are to the east of that line they are in the Province of Upper Canada, and consequently, not within our jurisdiction.

Page 292 and 293.—The Statute describes the entire line of circumspection of the Province which it erects under the name of the Province of Quebec, and describes it very exactly.

The part I have been so particular in reading is the part upon which it is considered that a misdirection has been given by the Court to the jury. It is necessary to observe, relative to this line, that it is a curved line in some parts and a straight line in others. That, whilst going along the banks of the Ohio it is curved, but as soon as it reaches the banks of the Mississippi it becomes a straight line.

It follows the banks of the Ohio in a curve, but the words of the Statute are imperative; when it reaches the mouth of the Mississippi it is to proceed northward in a straight line; if it had been intended that it should continue on along the banks of the Mississippi, it would have said so. It carries the line to the bank of the Mississippi, and what right have we to say that it should run along or within the banks where they who framed the Act omit it. They say thence it is to run northward; you have contended that this means to incline north according to the course of the river; it is impossible for us to say so, we are bound to take the Statute in its words. It is im-