

35. The decision of the Privy Council shall be carried into full effect by such (if any) future legislation as may be necessary, or as may be recommended by the said Judicial Committee.

36. If, in any suit or proceeding within Provincial jurisdiction, the boundary between Ontario and Manitoba do in the meantime come in question, the court or other judicial authority before which the question arises is, in dealing therewith, to take judicial notice of all the documents and facts which it is above agreed to submit to the Privy Council on the same question, and without the said documents and facts being put in evidence before such Court or other judicial authority, and is to have power to draw such inferences from the said documents and facts as may be necessary.

37. To give legal effect to the present Agreement, the Government of each Province will introduce at the next session of the Legislature thereof, and procure to be passed, a Bill in the terms of the Bill in that behalf hereto annexed.

38. The costs of the Reference shall be in the discretion of the Judicial Committee of the Privy Council, which is to have power to award or withhold costs.

39. The said Agreement is understood to be entered into on the part of the Ontario Government, without prejudice to any question which there has been, or may be, between the Dominion and Ontario Governments in relation to the territory in dispute between them, or in relation to any matters which have been the subject of negotiation or correspondence between the Dominion and Ontario Governments; and the rights or claims of the Province of Ontario as to the same, are hereby expressly reserved.

TORONTO, 18 December, 1883.

O. MOWAT,

Attorney-General of the Province of Ontario.

JAMES A. MILLER,

Attorney-General of the Province of Manitoba.

IN THE PRIVY COUNCIL.

IN THE MATTER OF THE BOUNDARY BETWEEN THE PROVINCES OF ONTARIO AND MANITOBA, IN THE DOMINION OF CANADA.

BETWEEN THE PROVINCE OF ONTARIO, OF THE ONE PART,

AND

THE PROVINCE OF MANITOBA, OF THE OTHER PART.

SPECIAL CASE.

The Province of Ontario claims that the westerly boundary of that Province is either (1) the meridian of the most north-westerly angle of the Lake of the Woods, as described in a certain Award made on the 3rd August, 1878, by the Honourable Chief Justice Harrison, Sir Edward Thornton and Sir Francis Hincks, or (2) is a line west of that point.

The Province of Manitoba claims that the boundary between that Province and the Province of Ontario is (1) the meridian of the confluence of the Ohio and Mississippi Rivers, or (2) is that portion of the height of land, dividing the waters which flow into Hudson's Bay from those which empty into the valley of the great lakes, and lying to the west of the said meridian line.

It has been agreed to refer the matter to the Judicial Committee of Her Majesty's Privy Council, and an Appendix has been prepared containing the materials agreed to be submitted with this case for the adjudication of the dispute. Each and every of the particulars in the said Appendix is submitted *quantum valet* and not otherwise.

In addition to the particulars set forth in the Appendix, any historical or other matter may be adduced which in the opinion of either party may be of importance to the contention of such party;

JOINT
APPENDIX.

Sec. I.
*Reference to the
Privy Council.*

Agreement
between
Ontario and
Manitoba,
18th Decem-
ber, 1883.

Special Case—
Ontario and
Manitoba.