seriously straining the doctrine which is here enunciated, as to the contingent or terminable character of the possession declared to have been enjoyed, to apply it to the interpretation of the guarantees under which the Six-Nations occupy their Reservation. In Church *vs.* Fenton, 5 S.C.R., 239, it was held that those lands reserved for the Indians, which are placed under the exclusive jurisdiction of the Parliament of Canada, are such Indian lands only as have not been surrendered by the Indians, and have been reserved for their use, and do not include lands to which the Indian title has been extinguished.*

How grating, I have often thought, to the sense of the more advanced, the thinking Indian must be the expression in the Indian Act, "the band to which the Reserve *belongs*." What magnificent irony dwells for him in the definition—what refined disingenuousness dictated its use!

* NOTE.—The strictness with which an Indian must make out his possessory title was strongly exemplified in an action—for mense profits—of Jones *vs.* Mike, instituted about twelve years ago. A provision of the Indian Act that "no Indian shall be deemed to be lawfully in possession," unless there has issued to him a ticket *in triplicate*, was, in that case, held by Rose, J., not to be satisfied by showing due assent of the Indian Council to the location; although the only remissness that appeared lay, in reality, at the door of the Indian Department, which had neglected to confirm the plaintiff in possession, in the formal manner prescribed by the statute.