

number of judges. When the business before the Court of Appeal is light, the Lords Justices of that Court descend to the Court below, and devote their spare moments to assisting the judges of the Queen's Bench Division. Sometimes three Lords Justices have thus been assisting at once in the Queen's Bench Division.

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SUPREME COURT OF CANADA.

OTTAWA, 9 Dec., 1895.

THE PROVINCE OF ONTARIO V. THE DOMINION OF CANADA AND  
THE PROVINCE OF QUEBEC. IN RE INDIAN CLAIMS.

*Constitutional law—Province of Canada—Treaties by, with Indians  
—Surrender of Indian lands—Annuity to Indians—Revenue  
from lands—Increase of annuity—Charge upon lands—B. N. A.  
Act, s. 109.*

In 1850, the late Province of Canada entered into treaties with the Indians of the Lake Superior and Lake Huron districts, by which the Indians' lands were surrendered to the Government of the Province in consideration of a certain sum paid down, and an annuity to the tribes, with a provision that "should all the territory thereby ceded" by the Indians "at any future period produce such an amount as will enable the Government of this province, without incurring loss, to increase the annuity hereby secured to them, then, and in that case, the same shall be augmented from time to time."

By the B. N. A. Act, the Dominion of Canada assumed the debts and liabilities of the Province of Canada, and sec. 109 of that act provided that all lands, etc., belonging to the several provinces of Canada, Nova Scotia, and New Brunswick at the Union, and all sums then due or payable for such lands, etc., should belong to the several provinces of Ontario, Quebec, Nova Scotia, and New Brunswick, in which the same were situate, "subject to any trusts existing in respect thereof, and to any interest other than that of the province in the same."

The lands so surrendered are situate in the Province of Ontario, and have for some years produced an amount sufficient for the payment of an increased annuity to the Indians. The Dominion