

THE CHAIRMAN: That is just what I thought.

MR. McMASTER: Yes.

MR. HUDSON: Excuse me just there. It was not the St. Catharines Case that decided that.

MR. PLAXTON: It is the St. Catharines Milling case, as I understand, that decided the point that when the Indian title was extinguished the province got full title---plenum dominium, as they call it---to the land.

THE CHAIRMAN: Although it was extinguished by treaty made by the Federal Government?

MR. PLAXTON: Although it was extinguished by treaty made by the Federal Government.

MR. HUDSON (To Mr. McMaster): It was the North-West Angle case that you referred to.

MR. McMASTER: But in that case (the St. Catharines Milling Company case) Lord Watson said words to the effect that, in view of the fact that the province was going to get the benefit of this extinguishment of title, it would only be equitable that the province should recoup the Dominion for the amount that the Dominion would have had to spend in obtaining this extinguishment, the sentence of Lord Watson's being as follows---I quote from "The Canadian Constitution and the Judicial Committee," a book by Mr. Cameron, the Registrar of the Supreme Court, at page 403:

"St. Catharines Milling and Lumber Company versus the Queen.---Seeing that the benefit of the surrender accrues to her, Ontario must, of course, relieve the Crown, and the Dominion, of all obligations involving the payment of money which were undertaken by Her Majesty, and which are said to have been in part fulfilled by the Dominion Government."

That would appear to me to be---

THE CHAIRMAN: "Ontario must," it says?