

Judgment of the court below reversed.

Sir R. Finlay, K.C., Geoffrion, K.C., and Geoffrey Lawrence, for appellants. *Rowlatt, for respondents. Brosseau, K.C., for intervenant.*

ATTORNEY-GENERAL FOR ONTARIO *v.* ATTORNEY-GENERAL FOR CANADA.

Lords Loreburn, Macnaghten, Atkinson, [May 17.
Shaw, and Robson.]

*B.N.A. Act, 1867—Supreme Court Act, R.S.C. 1906, c. 139—
Right of reference to Supreme Court.*

Held, that an Act of the Dominion Parliament of Canada authorising the putting of questions either of law or fact to the Supreme Court, and requiring the judges of that court to answer them, on the request of the Governor in Council is not ultra vires.

Judgment of the court below affirmed.

Sir R. Finlay, K.C., Nesbitt, K.C., Geoffrion, K.C., and Geoffrey Lawrence, for appellants. *Newcombe, K.C., and Atwater, K.C., for respondents.*

Province of Nova Scotia.

SUPREME COURT.

Full Court.]

[July 29.

BOEHNER *v.* HIRTLE.

Trespass—Crown grants—Conflicting claims—Evidence—Allotment proceedings—Admission derogating from grant—Insufficient area—Possession with title—Boundaries—Plan—Overlapping.

In an action of trespass plaintiff relied upon allotment proceedings preliminary to a township grant and the registry of the allotment in 1765 and possession thereunder; and also upon a grant of that year, although lot taken out of the government office, and upon a grant of the township in 1784 to a large number of persons, including plaintiff's earliest predecessor in title,