

Judgment. 36

THE COURT: There has been a working out of the segregation of the lands reserved for Indians by means of a commission: these lands reserved by the commissioners have been recognized as properly reserved by the successive representatives of the Crown, from the date of their reservation, and have not at any time been occupied by the Dominion representatives and so far as I can see it would be virtually a trespass upon the lands for the Provincial Government to accept any pre-emption record. No formal transfer or conveyance was necessary to effectually segregate these lands. This was a transaction altogether outside the regular course which is provided for in the local statutes. These reserves, segregated under the Terms of Union, I think were well reserved without any formal notice in the Gazette.

I am unable to see that the Petitioner is entitled to any relief. Petition is dismissed.

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I hereby certify the foregoing to be a true and accurate report of the said proceedings.

JUSTIN GILBERT.

Official Stenographer.