

HIS MAJESTY THE KING v. BONHOMME.

1918

ON APPEAL FROM THE EXCHEQUER COURT OF CANADA.

*May 28.

*June 10.

Crown grant—Indian lands—Adverse possession.

APPEAL from the judgment of the Exchequer Court of Canada (1), dismissing the action of the plaintiff appellant.

This is an information of intrusion exhibited by the Attorney-General of Canada, whereby it is claimed that the Island of St. Nicholas, situate in navigable waters of the River St. Lawrence, in Lake St. Louis, be declared a portion of the Caughnawaga Indian Reserve and that the possession of the island be given the Indians. On the other hand, the Province of Quebec, claiming the ownership of the island, sold it in 1906 to the respondent.

The Supreme Court of Canada, after argument, reserved judgment and eventually affirmed the judgment of the Exchequer Court.

Appeal dismissed with costs.

F. J. Bisailon K.C. and *P. St. Germain K.C.* for the appellant.

F. L. Beique K.C. and *N. A. Belcourt K.C.* for the respondent.

*PRESENT:—Sir Charles Fitzpatrick C.J. and Davies, Idington, Anglin and Brodeur JJ.