

In Prince Edward Island the only reserves for the benefit of the Indians were one granted in 1859 by the Crown, in lieu of the grant of 204 acres made in 1846 for the benefit of eight Indian families expressly named; and one of 1,400 acres purchased by the Aborigines Protection Society, and conveyed to them in trust for the use and benefit of the members of the Micmac Tribe—natives of Prince Edward Island. By Act of Assembly, 19 Victoria, Cap. 10, there was authorized the appointment of Commissioners for the Superintendence of Indian Affairs in a manner similar to that prevailing in Nova Scotia and New Brunswick.

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In Quebec or Lower Canada, as it was known prior to Confederation, the reserves consisted of lands given by the Jesuit Fathers, or lands granted to the Jesuits in trust for the Indians, also of lands granted by private individuals to the Indians, and lands claimed by the Indians as their habitat of which they had never been dispossessed by the Crown. In addition lands to the extent of 230,000 acres had been set apart and appropriated in different parts of Lower Canada for the benefit of different tribes there, under Statutes 14-15 Vic. Cap. 106.

By 13-14 Vic., Cap. 32, all lands or property in Lower Canada appropriated for the use of any tribe or body of Indians became vested in trust for such tribe or body in the Commissioner of Crown Lands for Lower Canada, who was authorized to concede, lease, or charge such lands subject to instructions from the Governor, to whom he was accountable for all moneys received.

In Ontario, formerly Upper Canada, the Government adhered to the spirit of the Royal Proclamation of 7th October, 1763, 3, George III., whereby the purchase in the name of the Crown of the so-called Indian title over ungranted lands was authorized, and the purchase by private persons prohibited. Although the Quebec Act, 1774, Imperial Statutes, abrogated the force of the Royal Proclamation, Treaties were from time to time made with the Indians inhabiting Ontario, whereby there was surrendered to the Crown whatever usufructuary right was held in the lands over which they roamed, generally in consideration of the grant or reservation for their exclusive benefit of defined areas of land, and of the payment of small annuities. In recognition of the loyalty to the British Crown of the Confederacy of the six nations during the American War, a large block of land of 674,910 acres was, in 1784, appropriated by the Crown for their benefit. By 2 Vic. Cap. 15 of Upper Canada, provision was made in Upper Canada for the protection from encroachment of lands for the cession of which no Agreement had been made by the Crown with the Indian Tribes occupying the same; and the Lieutenant-Governor was authorized to appoint Commissioners to this end. By 23 Vic. Cap. 151 of the Province of Canada, the Commissioner of Crown Lands was declared to be the Chief Superintendent of Indian Affairs.