

Letter 1418 continued
notice at the Village, I am opinion, that these Indians would be greatly benefited by such an Appointment.

Adverting to the objects of the Chiefs' visit to England, as explained in Sir Augustus D'Este's Letter to the Secretary of State, and particularly to the representation of these Indians, that they have been deprived of a portion of their Reservation, I have to report, that the Micmac Chiefs presented a Petition to the late Earl of Durham dated 21st May 1838, upon the subject of their Land Claims, to which His Lordship returned an Answer in the following terms namely, "that if the representations therein contained, as to the sufferings of these Indians from deficiency of Land should upon enquiry on the spot, turn out to be correct His Excellency will think it his duty to provide a remedy for the grievance by awarding to them an additional quantity of Land:—that with respect to the proposed purchase by the Government for the Indians, of the Land of Mr Christie, there are no funds for such a purpose; but that if the Indians should prefer the Land of Mr Christie to any Grant that might be made to them by the Crown, and if Mr Christie should be willing to exchange his Land for Crown Land of equivalent Value, there would be no objection to such an Arrangement—that such an Arrangement could only be made on the spot, and that His Excellency will adopt some measure for its being carried into effect, as soon as the necessary enquiries shall have been made".

Lord Durham returned to England in the month of November 1838, and the Petition was referred to a Committee of the Executive Council by order of Sir John Colborne (Lord Seaton), but nothing was done in the matter until the 8th July 1839 when the Committee made a Report upon it of which the following is an Extract:—

"The Committee have carefully examined the voluminous documents accompanying Your Excellency's

reference relative to a proposed purchase of lands for the use of the Micmac Indians at Restigouche, and as it may be convenient to shew Your Excellency upon what grounds they claim in addition to the Lands upon which they are settled, the Committee avail themselves of a Report made by the Commissioner of Crown Lands, dated 5th September 1838, as containing a correct narrative of the whole proceedings, and from which the following is an Extract:

"The tract now solicited by the Indians formed part of a seignior called Cherydon, confirmed to the heirs of Captain DE by the French Government in 1730, but which has since been, and is now, in the possession of the Crown: It may be observed, that the Indians produce no written Title to the Land they occupy anterior to the Adjudication made by the Gaspe Land Commissioners in 1824. — At the period when the British Government first determined to invite Loyalists to form settlements in the Baie des Chaleurs, immediately after the independence of the United States was recognized, this Tribe of Indians was settled on the River Restigouche and claimed as Hunting grounds, the whole Land along the shores of the Bay — to quiet these absurd pretensions and ensure tranquillity to the settlers it became necessary to establish some known boundary and to acquaint the Indians with the extent to which the Bounty of the Crown would be extended towards them, for these purposes Commissioners were named by Sir Guy Carleton (Lord Dorchester) and a note of the talk (as it is called) had with them, is in existence, and can be referred to, it ended in an abandonment on the part of the Indians of all pretensions which could impede the formation of settlements and by their throwing themselves on the liberality of the Crown, in full confidence that justice would be done to them".

"One particular Act of the Government, rendered the establishing a boundary between it and the Indians necessary with a grant made to Mr E. J. Mann, whose Western line joined the