that British Columbia also by early official acts during colonial days acquiesced like the State of Georgia 'in the universal conviction that the Indian Nations possessed full right to the lands they occupied until that right should be extinguished' by or with the consent of the Imperial Government. See page of this Report.)

******* In opposition to the original right, possessed by the undisputed occupants of every country, to this recognition of this right, which is evidenced by our history in every change through which we have passed, are placed the charters granted by the monarch of a distinct and distant region, parcelling out a territory in possession of others, whom he could not remove and did not attempt to remove. The actual state of things at the time, and all history since, explain these charters; and the king of Great Britain at the treaty of peace could cede only what belonged to his crown. (Similarly the King of France in 1760 could only cede in Canada to the King of Great Britain what had been actually under his control.) These newly-asserted titles can derive no aid from the aritcles so often repeated in Indian treaties extending to them first the protection of Great Britain and afterwards that of the United States. For these articles are associated with others recognizing their title to self-government. The very fact of repeated treaties with them recognizes it; and the settled doctrine of nations is that a weaker power does not surrender its independence by associating with a stronger, and taking its protection. A weak state in order to provide for its safety may place itself under the protection of one more powerful without stripping itself of the right of government and ceasing to be a state.

****** The Cherokee nation then is a distinct community occupying its own territory, which the citizens of Georgia have no right to enter but with the assent of the Cherokees themselves, or in conformity with treaties and with acts of congress. The whole intercourse between the United States and this Nation is, by our constitution and laws, vested in the Government of the United States.(By substituting 'British Columbia' for 'Georgia'; Skeenas' for 'Cherokees', and 'Dominion' and 'Imperial' Government for 'Government of the United States' this case is very applicable to the situation in British Columbia to-day.)

~~A similar American case puts still greater emphasis upon the inherent strength of the Indian Title.~~

A similar American case puts still greater emphasis upon the inherent strength of the Indian Title. It is that of Mitchell et al. v United States(9 Peters U.S. Supreme Court Reports), to which I have already referred. ~~In this case a claim~~ This case arose over a claim made to lands in East Florida, the title to which was derived from grants by the Creek and Seminole Indians, ratified by local Spanish authorities before the cession of Florida by Spain to the United States. It was objected to the title claimed in this case that the grantees did not acquire under the Indian grants a legal title to the lands. This title was however confirmed by the Supreme Court, which in