

PREFACE.

The Indians, both in the United States and British Provinces, are divided into separate Bands or Tribes, each having its own land distinct from other lands. In 1827 the St. Clair Band of Chippeways—being the Memorialists, then numbering 440 persons—ceded their Hunting lands in the London and Westminster Districts to the Crown for £1100. Another Band of Chippeways, then numbering 240 persons, ceded their lands in the Longwood Tract in the year 1822 for £600. Although the Tracts so ceded are joining, yet the two Bands never interfered with each other, their annuities are kept in separate accounts and each Band receives annually its own money.

The Foreign Indians of the Sarnia Reserve have their own lands in their own country, but as long as they remain in Canada they cannot receive any benefits therefrom, because the United States consider them out of their jurisdiction. The St. Clair Band of Chippeways think they make no unreasonable demand from the Government to be protected and guaranteed in the maintenance of their rights. Their intention of withdrawing their liberality by hereafter excluding the Foreign Indians from participating in their annuity is a fair comparison of the action taken by the Government when it withheld the "Presents" formerly granted and distributed to the Indians.

The "Presents" were withheld because it was found that there was no direct pledge given by the Crown to continue them; they were given to the Indians for their loyalty, and were continued for many years through mere custom.

Just so in respect to the case now in question, no direct pledge has ever been given to the Foreign Indians whereby they might become the joint proprietors of the Sarnia Reserve and the annuity moneys. The relation of the Indians with the Government resemble that of a Ward to his guardian, and I think that the guardians cannot have the power of paying the money, belonging exclusively to a certain Tribe, to other Indians who have lands and moneys elsewhere.

WM. N. FISHER.

Walpole Island, December 30th, 1870.