an exclusive principle which shut out the right of competition among those who had agreed to it;not one which could annul the previous right of those who had not agreed to it. (Apply this principle to Conclusion 13 of this Report) It regulated the rights given by discovery among the European discoverers,but could not effect the rights of those already in possession,either as aboriginal occupants or as occupants by virtue of a discovery made before the memory of man. It gave gave the exclusive right to purchase,and did not found that right on a denial of the possessor to sell.

********** The relation between the Europeans and the Natives wasdetermined in each case by the particular government which asserted and could maintain this primitive privilege in the particular place. The United States succeeded to all the claims of Great Britain, both territorial and political,but no attempt,so far as it is known,has been made to enlarge them. So far as they existed merely in theory,or were in their nature only exclusive of the claims of other European nations,they still retain their original character and remain dormant. (Apply this to the case of the Skeena Indians,who until recently had never been disturbed or threatened in the quiet possession of the lands occupied by them in British Columbia.) So far as they have been practically exerted they exist in fact;are understood by both parties,are asserted by the one and admitted by the other.

********** Soon after Great Britain determined on planting colonies in America the King granted charters to companies of his subjects who associated for the purpose of carrying the views of the Crown into effect, and of enriching themselves. The first of these charters made before possession was taken of any part of the country. They purport generally to convey the soil from the Atlantic to the South Sea. This soil was occupied by numerous and warlike nations,equally able and willing to defend their possessions. The extravagant and absurd idea that the feeble settlements made on the sea-coast,or the companies under whom they were made,acquired legitimate power by them to govern the people,or occupy the lands from sea to sea did not enter the mind or the common law of any European sovereigns respecting America. They conveyed what they might rightfully convey and no more. This was the exclusive right of purchasing such lands as the Natives were willing to sell.

******** Certain it is that our history furnishes no example from the first settlement of our country of any attempt on the part of the Crown to interfere with the internal affairs of the Indians,further than to keep out the agents of foreign powers who as traders, and otherwise,might seduce them into foreign alliances. The King purchased their lands when they were willing to sell,at a price they were willingnto take;but never coerced a surrender of them. He also purchased their alliances and dependence by subsidies;but never intruded into the interior of their affairs,or interfered with their self-government so far as respected themselves only.

******** The third article of the Treaty of Hopwell acknowledges the Cherokees to be under the protection of the United States of America,and of none other. This stipulation is found in Indian treaties generally. It was introduced into their treaties with Great Britain and may probably be found in those with other European powers. Its origin may be traced to the nature of their connection with those powers,and its true meaning may be discerned in their relative situation. The general law of European sovereigns respecting their claims in America limited the intercourse of Indians,in a great degree,to the particular potentate whose ultimate right of domain was acknowledged by the others. This was the general state of things in time of peace. It was sometimes changed in war. The consequence was that their