

covering what they conceived to be errors therein, presented afterwards a Petition to His Excellency Sir George Prevost, in which they pointed out the said errors, and prayed a new reference, which was granted. Upon this second reference, a Report was made by the Acting Attorney General, which will also be found in the Appendix to this Report.

In December 1821, a Petition was presented by the Huron Indians to His Excellency the Earl of Dalhousie, upon which he was pleased to order a reference to the Law Officers of the Crown. The Report upon this, the reference, will also be found in the Appendix. The last mentioned papers will be found in the Appendix to this Report under the Letter (F)

The Huron Indians had previously made an application to His Majesty's Government in England through Lieutenant Colonel Bouchette, they were, as might have been expected, referred to the Provincial Authorities.

The examination of Lieutenant Colonel Bouchette upon this part of the subject before your Committee, will be found in the Appendix under the Letter (G.)

Your Committee have carefully examined the three several Reports of the Law Officers of the Crown upon the claims of the Petitioners.

It appears by these Reports, that the before-mentioned Grant of 1651, was on the eleventh day of April 1658 enregistered in the Parliament of Paris.

By the Constitution of France no Acts were required to be enregistered in the Parliament, except Legislative Acts and Acts concerning the State; and once enregistered they could only be set aside by the concurrent authority of the King and the Parliament according to the known maxim, that *unumquodque dissolvitur eodem ligamine quo ligatur*.

It is true that the Deed of 1699, was enregistered in the Superior Council of Quebec, but it is to be observed, that by the Constitutional Law of France, the words "saving the rights of others in the premises, and of the King in all things," are usually expressed in Patents, and when not expressed are implied, and that at this time the Indians had themselves *no legitima persona standi in Judicio*, but were represented by the very Jesuits who obtained the enregistration of the Patent for themselves, which as the Tutors and Administrators of the Indians, it was their duty to have opposed.

So also, the King of France could not more than the King of England re-enter upon Lands granted by him, by reason of any alledged breach of the Conditions of the Grant, without judicial proceeding establishing the forfeiture and re-uniting the Lands to the King's Domain.

No such proceedings appear to have been had, nor indeed does it seem that there were any grounds for pretending that a forfeiture had been incurred.

Under these circumstances their only remedy appeared to be in a Court of Law, by bringing an action against one of the Censitaires, holding