

pose, to direct and appoint for the benefit of the said trade; and we do hereby authorise, enjoin, and require the governors and commanders in chief of all our colonies respectively, as well those under our immediate government, as those under the government and direction of proprietaries, to grant such licenses without fee or reward, and the security forfeited in case the person to whom the same is granted shall refuse or neglect to observe such regulations as we shall think proper to prescribe as aforesaid.

And we do further expressly enjoin and require all officers whatever, as well military as those employed in the management and direction of the Indian affairs within the territories reserved, as aforesaid, for the use of the said Indians, to seize and apprehend all persons whatever who, standing charged with treason, misprision of treason, murder, or other felonies or misdemeanors, shall fly from justice, and take refuge in the said territory, and to send them under a proper guard to the colony where the crime was committed of which they shall stand accused, in order to take their trial for the same.

Given under our Court at St. James's, the 7th day of October, 1763, in the third year of our reign.—God save the King.

It is an important additional fact in regard to the light in which Indians of North America were once looked upon, that their rights are stipulated for in the treaty of Utrecht. But on the other hand, modern writers on the laws of nations seem inclined to exclude them from its benefits. And modern statesmen carry this theory further, so as to sacrifice them by positive injustice in practice. Sir Francis Bond Head recommended the discontinuance of payments due by treaty to certain tribes, on the ground of those tribes being at war with our present allies the people of the United States—a matter undoubtedly deserving grave consideration in reference to the point especially raised, viz., the supply of arms; but which also involves a question of international rights, on this occasion much too summarily disposed of by the Canadian Governor. Lord Glenelg hesitated to adopt his recommendation, but his lordship does not seem to have taken entirely a just view of the case. (*Message of Sir Francis Bond Head to the Legislature of Upper Canada, 29 January, 1838.*)

VI. It is strictly within the limits of truth to say, that ^{Wrongs of the Indians,} neither the Home Government, nor the Colonial authorities have acted up to the injunctions of those two documents of 1670, and 1763, which are unquestionably binding to this day; and the extent to which those injunctions have been neglected, fully accounts to us for the ruin of the Indians. That extent is proved,

1st. By the unjust and improvident manner in which the land of the Indians has been dealt with by us,—their insecurity of title,—and their actual removal from it in late remarkable cases under an oppressive and fraudulent treaty,—and by unjust contracts.

2nd. By the neglect of obvious means of securing justice to Indians in courts of law, in their participation of civil rights; and in just regulations of trading with them.

And 3rd. By the small provision of direct means of improving the Indians, in missions, in schools, and other institutions.

Unquestionably the various benefits contemplated by the royal instructions of 1670, have not been conferred: and the frauds and