

at is not in His Excellency's power to comply with your petition.

With reference to the observation contained in the latter part of your Memorial, in respect to the plans sanctioned by the late Lord Metcalfe, for the location of the Indians, I am directed to remark, that His Excellency would be very unwilling to depart from these arrangements on the assumption, that the Indians are incapable of Civilization and improvement.

I have the honor to be, Sir,

Your obedient servant,

(Signed) T. CAMPBELL, MAJOR,  
*Civil Secretary.*

D. Fraser, Esq.

The above short and very unsatisfactory answer, seems to be based upon the opinion, that the legal and moral claims which the Settlers have to the consideration of the Government, for the improvements, &c., were fairly tried in the Court of Chancery, and that the plan for the expulsion of the Whites, and location of the Indians, was sanctioned by Lord Metcalfe. Such, however, is not the case, and this is a clear perversion of His Lordship's views being diametrically opposed to it, for says he—"neither justice, nor a due regard to the Indians interest, require or justify such a proceeding." The Vice-Chancellor said, that the Statute did not give him the power to decide against the Crown—shewing that there is one law for the Crown, and another for the people! He said he would not interfere, unless the appellants could produce Patents for the lands, although the Statute alludes not to Patents, but does except persons holding under a *Location* from Government. It was argued by our Counsel, Mr. Fraser, that no particular words were necessary to make a power of location, that it

\* See Page 21.