

granting this reserve, made the order of Sulpicians their trustees, and they were to educate and protect them. They carry on many little industries, which they sell to the white man ; but dissensions crept in ; they were refused permission to cut wood, forbidden to listen to or embrace any other faith than that of Rome, and those who did so suffered great persecutions. Tired of this, a few years ago a number of them moved to the township of Gibson, in Muskoka, whither strong persuasion has been used to make all those Indians go, who are Protestants ; but they refuse to leave their homestead to which they are attached, and where they desire to be buried with their fathers. As a last endeavor to move them, the letter from the Superintendent-General of Indian Affairs, which has been so much commented on, was written to them, followed by a second, stating, "the Government cannot assist or protect these Indians who persist in remaining on land which does not belong to them, and over which the Government has no control."

Now, we find in history, that the relations between the discovering nations and the natives were matters of regulation ; but it became the universal rule that where the lands were in the possession of the Indians, the ultimate fee should be in the discovering sovereign and its successors. They accordingly made grants of land occupied by Indians, conveying a title to the grantees, subject to the Indian right of occupancy. The grant did not annul the rights of the Indians, or stop them from claiming the same ; but by its terms expressly preserved their rights. In 1888, a case similar to that of Oka came before the Supreme Court of the State of California, *Byrne vs. Alas* and others, which fully confirmed the position taken by the Indian counsel, that grants of lands are subject to the rights of the Indian occupants, and that such occupants cannot legally be ejected. This decision was looked upon at Washington as having a very important bearing on the welfare and rights of Indians ; and is the most valuable thing which has been definitely secured for them since public attention has been turned to their sufferings and wrongs ; and the Report of the Indian Commissioner for 1888, says : "Had that decision been rendered several years ago, it would have prevented no small part of the