

(Memorandum.)

DEPARTMENT INDIAN AFFAIRS, OTTAWA, 13th June, 1882.

The undersigned has the honor to submit a letter dated the 30th ultimo, from the Under Secretary of State, communicating the contents of a despatch from His Honor the Lieutenant-Governor of Ontario, relative to the Island of "La Cloche" and other islands in Lake Huron, held in trust by this Department, to be sold for the benefit of the Ojibeways and Chippewas of Manitoulin Island.

The undersigned begs to state, in connection therewith, that by a Treaty made at Manitowaning on the 9th of August, 1836, by Sir Francis Bond Head, with the Ottawas and Chippewas, who claimed the Islands known as the Manitoulin group, as well as the Islands on the north shore of Lake Huron, and which were also claimed by "the English." Sir Francis Bond Head, withdrew on behalf of His Majesty, all claim to these Islands, with a view to their being made a place of residence for any Indians who wished to be civilized, as well as to be totally separated from the whites.

By the same Treaty the Ottawas and Ojibeways relinquished their respective claims to these Islands, and agreed to their being made the property, under the Crown, of all Indians who might be allowed to reside on them.

It will therefore be seen that both the claims of the Crown to these Islands, except as a place of abode for Indians who might subsequently go there, and the claim of the Ottawa and Chippewa Indians, who disputed the right of the Crown to them, were relinquished by Sir Francis Bond Head, on behalf of the Crown, and by the Chiefs and principal men of the Ottawa and Chippewas Nation, who signed the Treaty on behalf of their people.

Consequently, the Islands in questions ceased to be, on that date, the property of either the Crown or of the Chippewa and Ottawa natives, and became the property of all Indians who might be allowed to reside on them.

On the 6th of October, in the year 1862, a treaty was made with the last named Indians, who, after removing to the Islands, became known as the Ojibewas and Ottawas of Manitoulin Island, by the Superintendent-General of Indian Affairs (under authority of an Order by His Excellency in Council, dated the 12th of September, 1862), by which those Indians surrendered all their right, titles and interest and claim to the great Manitoulin Islands, and to "the Islands adjacent, which have been deemed or claimed to be appurtenant or belonging thereto," to have and to hold the same and every part thereof to Her Majesty, Her heirs and successors, forever, in consideration of a sum of money paid in hand, and in further consideration of such sums as may be realized, from time to time, as interest upon the purchase money of the lands thereby surrendered, to be sold for their benefit. It would, therefore, appear from the foregoing that this Department had a right to sell "La Cloche Island," which is adjacent to the Great Manitoulin Island, and certainly formed one of the groups referred to in the Treaty of 1836.

With regard to the amount realized for the sale of that Island, the undersigned has the honor to state that the sum of \$2,500 was paid in full therefor, and not \$1,500, as stated in the despatch from His Honor; and that price was based on the valuation, made by the local Indian Superintendent on Manitoulin Island.

As respects the Duck Islands, about the sale of which enquiry is also made by His Honor, the undersigned begs to state that these islands were sold on the 4th of October, 1881, and the price paid for them was 50 cents per acre; the purchaser being at the expense of surveying them.

The rate charged is the same as that at which lands surveyed at the expense of the Department on the Manitoulin Islands are sold.

As regards the Islands claimed by the Provincial Government on the north shore of the Georgian Bay, the facts above stated would go to show that all the Islands on the north shores of Georgian Bay and Lake Huron belong properly to the Dominion Government; and that the Treaty of 1850, made by the Hon. William Robinson, with the Ojibeways of Lake Huron, whereby they undertook to surrender, along with the lands on the north shore, the Islands opposite thereto, was *ultra vires*, in so far as