

cordance with those views the proclamation of 1763 was issued ; that a boundary line was laid down in that proclamation and an effort made from that time until 1768 to prevent English settlers crossing the Alleghany Mountains, and from going into the Indian territory ; that notwithstanding those efforts, they did so, some 20,000 having crossed from the State of Pennsylvania alone ; that their settlement in the Indian country, on lands not surrendered was rapidly involving the whole country in a second Indian war, and the deputy Indian agent, Mr. Croghan, was sent home to the Imperial Government to secure its consent to the surrender of that territory, and an alteration in the boundaries fixed by the Proclamation of 1763. This matter was discussed in England, and Mr. Johnson, the Indian agent for the northern department, was authorised to negotiate a treaty with the Indians. I will say here, that before 1754, each province had an Indian agent of its own. But in 1754, before the seven years' war, and with a view of resisting the encroachments of the French who had settled down the valley of the Ohio, and established military trading posts across the continent from Lake Erie to the Gulf of Mexico—the English with a view to strengthen their position in North America, made an attempt to confederate the whole of the Provinces, and a meeting was held in Albany to discuss the question. With the view of preparing the country for Confederation, the whole control of the Indian matters was taken out of the hands of the provinces, and placed in the hands of two agents, one called the agent of the northern and the other of the southern department. Mr. Johnson, as I have said, was the agent of the northern department. On account of the settlement beyond the line fixed in the proclamation of 1763, a treaty was made called the treaty of Fort Stanwix, and you will find in my first report a map showing where the boundary line in that treaty was laid down. The policy of the English then was to promote the surrender of the country west of the Alleghany Mountains as far as the Ohio River, and there make a stand against further colonization, similar to the stand intended to be taken at the Alleghanies by the proclamation of 1763. No settlers were allowed to go west of that; and in order to accomplish that object, they concluded to embrace the whole of that section of the country that had been ceded by the French as far west as the Mississippi River, in the Province of Quebec. A Bill was introduced in the House of Lords for that purpose. One object was to exclude the English traders from going into the Indian country altogether, because it was believed they would, if they went in, make settlements there. When the Quebec Act was introduced it was for the purpose of annexing the country westward to the Mississippi. The statement in the Act introduced in the House of Lords, was all that country extending southward to the Ohio, westward to the Mississippi and northward to the Hudson Bay Company's Territory shall be included and annexed to the Province of Quebec. Then I would just say, at this point, that if the words northward and southward were used without qualifying words meant due north and due south, then all the country between the old Province of Quebec and a line drawn due north from the eastern extremity of the Ohio River would not have been embraced in any Province at all ; that there would have been a large section of the country separating the old Province of Quebec, established by proclamation, from the territory that would have been annexed, and the Committee may consider this fact as having some bearing on the construction of the Act. The statement in the Act shows that in all these cases the establishment of the boundaries of a Province was the prerogative right of the King. He could alter or amend them, and there were various ways in which this power was exercised by the Crown.

*By Mr. DeCosmos :—*

48. Aside from the Statute?—It was not a statutory power at all. In every case when Parliament undertook to mention boundaries it always reserved the King's prerogative. The King sometimes exercised this prerogative by proclamation, sometimes by Order in Council, and it may be sometimes by commission to the Governors, and sometimes by Royal instructions.

49. Then he can extend or diminish them?—Yes; by proclamation or Order in Council.