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INDIAN DEPARTMENT (CANADA).

COPIES or EXTRACTS of CORRESPONDENCE
between the Secretary of State for the Colo-
nies and the Governor General of *Canada*,
respecting Alterations in the Organization of
the INDIAN DEPARTMENT in *Canada*.

(*Mr. Blake.*)

Ordered, by The House of Commons, to be Printed,
25 August 1860.

[*Price 1 s.*]

595.

Under 8 oz.

INDIAN DEPARTMENT (CANADA).

RETURN to an Address of the Honourable The House of Commons,
dated 20 August 1860;—*for*,

“COPIES or EXTRACTS of CORRESPONDENCE between the Secretary of State for the Colonies and the Governor General of *Canada* respecting Alterations in the Organization of the INDIAN DEPARTMENT in CANADA (in continuation of Parliamentary Paper, No. 247, of Session 1856).”

Colonial Office, }
24 August 1860. }

C. FORTESCUE

(*Mr. Blake.*)

Ordered, by The House of Commons, to be Printed,
25 August 1860.

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DESPATCHES FROM THE SECRETARY OF STATE	-	-	-	p. 39

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COPIES or EXTRACTS of CORRESPONDENCE between the Secretary of State for the Colonies and the Governor General of *Canada* respecting Alterations in the Organization of the INDIAN DEPARTMENT in *Canada*.

Despatches from the Governor General.

— No. 1. —

(No. 112.)

COPY of a DESPATCH from Governor General Sir *Edmund Head*, Bart., to the Right Honourable *H. Labouchere*, M. P.

Government House, Toronto, 22 July, 1856.

(Received, 12 August 1856.)

Sir,

(Answered, No. 130, 22 August 1856, page 39.)

WITH reference to your Despatch of the 21st February, No. 42,* respecting the reports of Mr. Oliphant and Lord Bury on the state of the Indians in this Province, I have the honour to inform you that I have appointed Messrs. Worthington and Talfourd to be Commissioners, in conjunction with the Superintendent General of Indian Affairs, for the objects specified in the following Minute of Council:—

“Copy of a Report of a Committee of the Honourable the Executive Council, dated 11th July 1856, approved by his Excellency the Governor General in Council on the 12th of the same month.

“On a memorandum dated 11th inst., from the Honourable the Attorney General for Upper Canada, suggesting the expediency of the issue of a commission under the statute 9 Vict. c. 38, for the purpose of inquiring and reporting upon the following points:—

“1st. As to the best means of securing the future progress and civilization of the Indian tribes in Canada.

“2d. As to the best mode of managing the Indian property, so as to secure its full benefit to the Indians without impeding the settlement of the country.

“The Committee recommend that a Commission issue for the purpose above set forth, and that the expense attending the same be defrayed out of the sinking fund in the Indian department.”

The “sinking fund” of which mention is made in this Minute relates to a per-centage which has since the 1st April last been, by my direction, deducted from the proceeds of the sales of Indian lands. The greater part of this it is intended to invest, and allow to accumulate for the purpose of ultimately forming a fund to meet the expense of management of the Indian property, and the incidental expenses connected therewith.

I have, &c.
(signed) *Edmund Head*.

No. 1.
Governor General
Sir E. Head, Bart.,
to the Right Hon.
H. Labouchere,
M. P.
22 July 1856.

* *Vide* House of
Commons' Paper,
No. 247 of 1856,
p. 39.

— No. 2. —

No. 2.
 Governor General
 Sir E. Head, Bart.,
 to the Right Hon.
 H. Labouchere,
 M.P.
 4 November 1856.

(No. 152.)

COPY of a DESPATCH from Governor General Sir *Edmund Head*, Bart.,
 to the Right Honourable *H. Labouchere*, M. P.

Government House, Toronto, C. W., 4 November, 1856.
 (Received, 24 November 1856.)

Sir,

(Answered, No. 181, 8 December 1856, page 39.)

I HAVE the honour to enclose a copy of a report made to me by the Commissioners appointed in pursuance of the Order in Council, of which a copy was contained in my despatch of the 22d July last (No. 112.)*

This report relates to the Moravian Reserve, as it is called, in Western Canada, a tract of land situated in a country which is rapidly advancing in population and wealth, but which is thus unfortunately retained in a state of wilderness, to the loss and injury of the Indians themselves as well as to that of the province.

In my opinion, the Moravians have no right or title of any kind to the land in question. They were originally nothing but trustees, and their position and title as trustees was never completed. The fee of the land is still in the Crown, and if the Crown applies the property for the benefit of the Indians—the real *cestui que trust*—the Moravians can have no just cause of complaint.

I recommend, therefore, that the advice of the Commissioners be acted upon, and that the lands be brought into the market with a view of applying the proceeds to the benefit of the Indians interested therein.

The forcible retention of large uncultivated tracts of land in a country rapidly settling and increasing in value, is detrimental to the material interests of the Indians themselves, and must inevitably provoke remonstrances, if not Legislative action, on the part of the white population whose progress it impedes.

If permission be granted to deal with the lands in question, I shall endeavour to consult the wishes of the Indians themselves, and obtain a regular surrender of the land. I confess, however, it appears to me that the Crown holding the fee for the benefit of them in a state of pupillage, might at all events properly and conscientiously act for the best on behalf of its wards according to its own discretion.

I have, &c.

(signed) *Edmund Head.*

Enclosure in No. 2.

MEMORANDUM on the Indian Reserves at New Fairfield, or Moravian Town.

Encl. in No. 2.

THE tract of land occupied by the Lower Delawares in the valley of the Thames, is peculiar in the tenure by which it is held. In 1798 the soil, by an order of the Executive Council of Upper Canada, was vested in certain gentlemen residing in England, belonging to the Moravian Brethren's Society, for the use of their Indian converts.

The Surveyor General was directed to have a survey made of the tract, in order that a patent might issue in accordance with the above trust.

The patent was not made out; but, though their legal title was thus incomplete, the rights of the trustees were respected by the Government, except on two occasions, in 1819 and 1836. In the latter year, Sir F. B. Head obtained from the Indians themselves the cession of a large portion of the reserve, in consideration of a small annuity.

This elicited such strong remonstrances from the Moravian Society, that Lord Glenelg in his despatch, No. 130, of the 22d August 1838, directed that, "except on the express authority of Her Majesty's Government, no future negotiations should be set on foot respecting this land otherwise than through the Moravian Mission."

The decision of the Secretary of State would seem in a great measure to have been arrived at in consequence of a representation made to him by the Rev. Mr. Latrobe, dated 29th September 1837.

The Commissioners respectfully submit that this representation, however consistent with the facts at the time, is by no means borne out by the present condition of things.

The majority of the Indians on the reserve now belong to the Methodist persuasion, and are at complete variance with the resident Moravian missionary. The village does not now contain two-thirds of the number stated by Mr. Latrobe, most of the seceders having settled in other parts of the reserve. Instead of 600, there are now only about 350 acres in good cultivation by the Indians, with the exception of the land personally occupied by the missionary. No trades are taught to them, nor is there any school permanently open in the reserve, situated as the tract is, more than 60 miles from the visiting superintendent, it is

is impossible to exercise much control over it; and there is no person in the neighbourhood who could be properly appointed a special Commissioner under the Act 2 Vict. c. 15.

Depredations are carried on to a considerable extent, and only last winter, timber, to a considerable amount, was taken from the reserve under a sale or bargain in property obtained from the resident missionary and some of the chiefs; there was also a large quantity plundered from the rear of the reserve.

The band is as squalid and wretched as any that have come under the notice of the Commissioners, and though occupying upwards of 25,000 acres in one of the finest districts of Western Canada, is reduced by vice, dissipation, and idleness to great misery.

The Commissioners further are convinced that owing to the religious feuds in the tribe, any attempt to negotiate through the resident missionary would fail, while the abortive attempt would rouse the suspicions and jealousy of the Indians.

They therefore respectfully suggest that the consent of the Imperial Government should be obtained in order that a surrender of such portion of this reserve not required by the Indians for cultivation, may be tried for by the Indian Department communicating directly with the tribe, so that the land now much in demand and which would realize large prices may be sold for the benefit of the present occupants with their descendants, and some more efficient measures taken for their civilization and improvement.

(signed) *R. T. Pennefather.*
Froome Talfourd.
Tho. Worthington.

— No. 3. —

(No. 162.)

COPY of a DESPATCH from Governor General Sir *Edmund Head*, Bart.,
to the Right Honourable *H. Labouchere*, M. P.

Government House, Toronto, 11 December, 1856.
(Received, 29 December 1856.)

Sir,

(Answered, No. 6, 2 January 1857, page 39.)

I HAVE the honour to enclose the annual report made to me by the Superintendent General of Indian Affairs of the tribes under his charge.

Annexed to this document are the returns called for in your despatch of 21st February last, No. 42,* of Indians enjoying pensions from the Imperial Government, and of those aged persons who are recommended as fit objects for the bounty of a blanket annually in lieu of the presents which they have hitherto received.

I have, &c.
(signed) *Edmund Head.*

Enclosure in No. 3.

Indian Department, Toronto, 24 November 1856.

To his Excellency Sir *Edmund W. Head*, Bart., Governor General of British
North America, &c. &c. &c.

May it please your Excellency,

I HAVE the honour to submit to your Excellency the annual report on the state of Indian affairs in Canada.

In preparing this document, I have met with difficulties arising from the short period during which I have been connected with the department, and the consequent meagerness of much of the information which I have acquired from personal acquaintance therewith. The limited time also which I have been able to devote to travelling among the various tribes has contributed to this result.

Until the Commissioners now inquiring into the state of the native tribes shall have terminated their sittings and sent in their report, I feel some hesitation in entering upon the general topics which have more particularly engaged their attention. I shall, therefore, pending these deliberations, confine myself almost entirely to such statistical and other details, as will enable your Excellency to judge of the present position of the Indians relatively to that which they held last year.

The chief subjects now under the consideration of the Commissioners may briefly be set forth as follows:

The management of the Indian lands in such a manner as to secure to the present possessors and their descendants the full benefit of such lands, without allowing them to be a check or hindrance to the settlement of the country. The demand for land on the part of the immigrants to this province is so constant and so urgent, as to render it sooner or later difficult,

No. 3.
Governor General
Sir E. Head, Bart.,
to the Right Hon.
H. Labouchere,
M. P.
11 Dec. 1856.

* Vide House of
Commons Paper,
No. 247, of 1856,
page 39.

Encl. in No. 3.

Indian Commission.

difficult, even if it were politic, to withstand the pressure, and persist in locking up large tracts of some of the most fertile land in the colony.

At the same time the present anomalous position of the Indians, at once labouring under the disabilities imposed by law upon minors, and enjoying some of the territorial privileges of independent sovereigns, involve any measure of this kind in difficulty, which it will be the province of the Commissioners to solve.

In accordance with the wishes of the Imperial Government, they will endeavour to devise some scheme whereby the expenses of the Indian department, and of the management of their territory, may be defrayed from the funds arising therefrom. They will consider how far it may be practicable to improve the present school system. All the Indians of Upper Canada who possess annuities, with the exception of the Mohawks of the Bay of Quinté, at present tax themselves to the extent of 25 per cent. on their annuities for the support of the industrial schools, and in addition, they all defray the expense of local schools for each tribe.

In return for this large outlay they receive but small benefit. Even at the central establishment, apart from religious training, the instruction merely comprises reading, writing, arithmetic and the elements of geography. The questions before the Commissioners will be, whether it may be possible to diminish the cost of their education, or for the same money to afford one more commensurate with the outlay.

It will also rest with them to recommend what changes, if any, it may in their opinion be advisable to make in the social and political position of the Indians as members of the Canadian community.

Census.

It is difficult in the present careless way in which the census of the Indians is annually taken, to determine whether they are really decreasing or not. The computation has been, until last year, made solely with a view to the adjustment of the presents, and no examination has for the most part been hitherto made, whether the variation in the annual strength of a tribe arises from migration of some of its members, or from a difference in the relation of births to deaths; but the result of the inquiries I have made, and of my researches into the records of the office, tend to show that the resident and Christianized tribes are not decreasing.

The western district is the only one in which the census has been taken in such a manner as to show this distinction in the causes of fluctuation. The returns from that section go to prove that the decrease from mortality is, on the average, scarcely appreciable, while in some bands the births have exceeded the number of deaths.

The following table shows the numbers of the settled Indians in Western Canada in the year 1856, with the amount of their income:—

	Number.	Revenue from Land.			Annuities.		
		£.	s.	d.	£.	s.	d.
Six Nations (A.) - - - - -	2,330	8,326	5	4	-	none.	
Mohawks, Bay of Quinté - - - - -	550	594	10	-	450	-	-
Saugeen and Owen Sound (B.) - - - - -	520	42	-	-	1,250	-	-
Chippewas of Lakes Huron and Simcoe - - - - -	639	269	-	-	1,200	-	-
Chippewas of Christian Island - - - - -	45	} - Included in the foregoing.					
Sandy Island - - - - -	127						
Mississagas of Alnwick - - - - -	224	231	10	-	642	-	-
Mississagas of Rice, Mud and Skugog Lakes - - - - -	310	-	none	-	740	-	-
Chippewas of Sarnia - - - - -	559	279	-	-	1,100	-	-
Chippewas of Walpole Island - - - - -	824	-	none	-	} divided between these two bands.		
Chippewas of Thames and Munsee Indians - - - - -	620	196	-	-	600	-	-
Moravian Delawares - - - - -	255	-	none	-	150	-	-
Wyandotts of Anderdon and Chippewas of Point Pelée (C.) - - - - -	368	219	16	-	-	none.	
Oneidas of the Thames - - - - -	519	-	none	-	-	none.	

The Munsees have no revenue of any sort.

(A.) In addition to the above, there is about 12,000 *l.* in hand ready for investment for the Six Nations.

(B.) About 20,000 *l.* additional is about to be invested for the Saugeen and Owen Sound Indians.

(C.) The Wyandotts now derive 615 *l.* yearly, in addition to this sum, from the rent of their quarries. The Chippewas do not share the revenues of the Wyandotts.

Progress of civilization among the Indians.

The education and civilization of these people, I regret to say, seem to progress but very slowly. Their apathy, and their unsettled habits, render them, for the most part, averse from continuous application of any sort. Nor do I see much hope of permanent improvement unless by the reduction of the size of their reserves, a system be adopted of locating them in fixed places of residence like other settlers. By some such means they may be more carefully superintended,

superintended, and the children have fewer inducements to wander, as they now do, with their parents.

In parts of the country, as about Port Sarnia, white labour is so scarce, that the Indians can readily find employment at the saw mills and at other work, at one dollar a day and their board, throughout the year. At particular seasons, such as harvest time, they can earn much more. If a man has a team he can make about 12s. 6d. a day.

Demand for labour influences the position of the Indian.

The immediate remuneration of their services under this system has an irresistible charm for the thriftless Indian, when contrasted with the patient drudgery required in farm work, and the interval which must elapse between seed time and harvest.

This, without doubt, is one of the external causes which have militated against the extension of their clearings; and I have little doubt that the apparent retrogression in the agricultural condition of some of the Indians, may be partly accounted for in this way.

The loyal spirit by which the Indians have always been actuated, and which was so strikingly evinced by their unsolicited contributions to the Patriotic Fund, remains unchilled. The Six Nations have shown their readiness to be enrolled as a militia corps, to aid in the defence of the province, an example which would, I doubt not, be followed by the tribes in the other parts of the country if their services were required.

Militia corps.

I have thought it unadvisable, pending the decision of the Commissioners, to suggest any important change in the matter of education.

Normal schools.

The two normal schools are open; that at Mount Elgin has been enlarged by the addition of a wing containing a new dormitory, a dining-room, and other offices.

There were in attendance at my visit, 25 boys and 26 girls; a larger number than can, I fear, be maintained with a due regard to their health, as the dormitories are very much crowded, and the arrangements for ventilation are bad.

The children seemed well and contented, and their progress in learning was satisfactory. Upon the whole I was much pleased by what I saw, but parts of the house were not so clean as they should be, and some repairs are wanting to the building.

The Reverend Mr. Musgrove, resident missionary in charge, is anxious to introduce handicraft trades as a means of eventually reducing the current expenses of the establishment, and of giving employment to the boys, in addition to their work upon the farm.

The school at Alnwick, which was closed last year on account of fever breaking out in the house, has been re-opened under the charge of the Reverend Mr. Hurlburt, with 49 scholars. I have not visited this establishment, but the account given to me by Mr. Talfourd and Mr. Worthington lead me to form strong hopes of the success of the school under its present management.

The arrangement by which these institutions were made subject to the control of the Methodist Conference has expired, and it will therefore be a good opportunity for considering whether any modification of such arrangement can be agreed upon, which will lessen the expenditure now incurred.

The average amount learned by the children at these schools is, I apprehend, small; but there are some who become qualified to take their places among the white population.

One of the youths educated at Mount Elgin, is now giving great satisfaction, both to his own people and the resident missionary, as schoolmaster at Walpole Island.

The general prosperity of the country has not been without its advantage to the Indians. The rise in the value of landed property has extended itself to the sales of their lands in every part of the country, but nowhere in a more marked manner than in the territory lately ceded by the Chippewas of Saugeen and Owen's Sound.

Indian sales.

The first sale of the Indian lands in the Saugeen Peninsula took place this autumn, after a delay of nearly 12 months, caused principally by the dilatoriness of the person entrusted with the preliminary survey.

Saugeen auction.

The two southern townships, comprising about 144,000 acres, were put up to auction, and nearly all disposed of at very high prices: it may not be amiss to exhibit, in a brief form, the run of prices obtained at this sale.

The bids varied for farm lots, from 84½ dollars an acre to 105, the last being the upset price for some of the inferior land.

For park lots (i. e. those of upwards of one acre in the immediate vicinity of the town plots), sums varying from 98 l. currency = \$ 392 per acre, to 5 l. were offered; while for the town lots, purchasers were found who were willing to give 150 l. or \$ 600 for half an acre, being at the rate of 300 l. = \$ 1,200 per acre.

The result of the sale may be summed up as follows:—

		Estimated Value.	Sum realized.
		£.	£.
Acres put up to auction	144,000	78,476	—
Acres unsold, not being bid for	35,000	16,397	—
Acres, sold	109,000	62,079	119,332

From this latter sum must be deducted about 4,000 l., which has not been paid up by those to whom the lots were knocked down, and we must expect that there will be some further

further defaulters when the subsequent instalments become due; in this latter case, however, the amount already deposited will be, by the terms of the sale, forfeited. When nothing has been paid, should the lots subsequently be disposed of for a smaller sum, the original bidder will be held responsible for any loss arising to the Indians from his default.

If at any future period the land now occupied by the Newash Indians should be surrendered and sold, the lots withdrawn from the late auction as being unsaleable, will probably realize the value at which they were estimated, if not an advance thereupon.

The sum actually received up to this date, as the first instalment of one-third of the price of the lands sold is upwards of 34,000 £, and we may still look for some payment from parties hitherto in default; upon the whole, therefore, it does not seem extravagant to calculate on 100,000 £ as the gross proceeds of these two townships, an amount equal to the value of the whole peninsula, as estimated by Mr. Oliphant in his report of 1854; from this, however, must be deducted the cost of the survey, and the incidental expenses connected with the sales. We may fairly count on a net increase to the Indian capital of 80,000 £, producing an annual income of 4,800 £.

The Indians will not, however, reap the full benefit of this for six years to come, as the remaining two-thirds of the purchase-money are spread in annual instalments over that space of time.

I append to this report a statement made to me by Mr. W. R. Bartlett, who conducted the sale at Owen Sound on behalf of the Indian department; I venture to recommend to your Excellency's favourable consideration, the energy and ability displayed by that gentleman; as also the efficient assistance rendered to him by Mr. Edward Chesley on that occasion.

A further surrender of a small block of valuable land has been already obtained in that territory, and I have some hopes that before long, a considerable tract may be brought into the market.

A careful inspection of the records in the Indian Office has brought to light several old surrenders not yet acted on, some of which will benefit both the Indians and the country at large, by opening up for settlement lands hitherto considered to be locked up in the reserves, while in other cases, money can be collected for the Indians from squatters who had occupied their land without paying in any shape for it.

In connexion with this subject it may be well to remark, that the regulations made during this year for the restriction of trespass and plunder on the Indian reserves, promise to work well; by them, the Indians who are parties to any such transaction, are liable to forfeiture of their share of the annuity due to the band. Hitherto individuals of a tribe, for some paltry personal consideration, have been in the habit of assisting the whites to plunder the timber, and as they were secure from the operation of the law, it was very difficult to restrain them.

The large and valuable quarries belonging to the Hurons, in the township of Anderdon, have been leased for a period of 21 years, at an annual rental of 615 £. currency, an amount more than twice what was formerly enjoyed by that tribe; as this band numbers but few persons, such a sum, added to the proceeds of their land sales, will place them in a state of comparative affluence, even after the losses they have suffered by the defalcations of Colonel Clench, their late superintendent.

The New Credit Band have had, during the past year, to deplore the death of their leading chief, the Rev. Peter Jones, whose vigilant care over their temporal as well as spiritual welfare, being strengthened by his influence over them as one of their race, contributed greatly to render them one of the most thriving and orderly tribes in Western Canada. We may trust, however, that the result of his labours will not expire with him, but that his energy and example will have had a permanent effect upon his people.

In the course of my short tour in the western district, I visited the Indians on Walpole Island, who had not seen any officer of the department from head quarters, for many years; I was favourably impressed with their physical condition, and the Rev. Mr. Jamieson spoke hopefully of the result of his teaching among them. A very large proportion are still pagans, but he numbers an attentive and well-conducted congregation of upwards of 100, besides school children.

These Indians support themselves entirely by their agricultural pursuits, finding a tolerable market for any surplus produce of their farms, on the American side of the river.

Matters continue in a not very satisfactory condition in Lower Canada. Some of the nomade tribes, near the head waters of the Saguenay, have suffered much from famine. Such means as were at the disposal of the department have been used for their relief, but it is to be feared that they are still in great misery. They have, it is true, blocks of land reserved for their use, but removed as they are from all practical supervision, and to a great extent from any example of white industry and agriculture, their territory is of little use to them at present. They depend almost exclusively on fishing, and on the produce of the chase for a livelihood, and in a bad season are reduced to actual starvation.

In the more civilized districts, the depredations of the white population bordering on the reserves, have led to much ill-feeling, and in some cases to crime. It is to be hoped, that by a more careful supervision, and by the enforcement of regulations, such as those already alluded to, the evils may for the future be avoided.

There is a large increase in some of the Lower Canada bands. I have not been able to discover from what cause accurately, but I am inclined to attribute it to excess of births over deaths, as some of the bands have for years past been steadily becoming more numerous from this cause. The annexed table shows the difference in numbers between the present time and 10 years ago.

The

Appendix, No. 1.

Old surrenders.

Penalties upon the Indians for encouraging trespass.

Anderdon quarries.

New Credit Indians.
Death of Rev. Peter Jones.

Walpole Island Indians.

Lower Canada.
Montagnais Indians.

Troubles at Caughnawaga.

Census.

The education of the Lower Canadian tribes languishes. I regret to say that the schools are few and ill attended; a new one has, it is true, been just established among the Micmacs of the Restigouche, but there is a difficulty in providing funds for the salary of the teacher. Schools, Lower Canada.

By the arrangements previously decided upon, the distribution of presents has ceased, and the last issue took place at Manitoulin Island. They had diminished so much in quantity and value, that the principal sufferers by their cessation are the aged, a large number of whom will be compensated by the annual issue of blankets, as recommended by Viscount Bury. In obedience to instructions received from your Excellency, I append a list of those who are recommended by the local superintendents as fitting objects to receive this bounty. Presents.

I also annex to this Report, a nominal return of the Indians enjoying pensions from the Imperial Government, which your Excellency was pleased to inform me has been called for by Her Majesty's Secretary of State for the Colonies. Pensions.

All of which is respectfully submitted.

(signed) R. T. Pennefather, Superintendent General.

Appendix, No. 2.

Appendix, No. 3.

CENSUS RETURN OF INDIANS.

Under the Superintendence of *Duncan C. Napier*, made on the 18th day of September 1856.

T R I B E.	Adults.		Youths.		Children.		Total Number.	Increase since last Census.	Decrease since last Census.
	Males.	Females.	Males.	Females.	Males.	Females.			
1. Huron of Lorette - - - -	51	67	11	15	38	60	232	48	—
2. Amalicate and Micmac Indians of Isle Verte, &c. - - - -	42	46	14	17	12	16	147	5	—
3. Abenquois of Becancour - - - -	20	19	14	16	8	10	87	6	—
4. Algonquin, District Three Rivers - - - -	15	25	3	5	10	9	67	—	12*
5. Iroquois of Caughnawaga - - - -	362	360	86	66	292	253	1,419	387	—
6. Iroquois of St. Regis - - - -	127	143	48	47	159	134	658	120	—
7. Abenquois of St. Francis - - - -	79	97	36	23	80	72	387	34	—
8. Nipissings and Têtes de Boule, of Lake of Two Mountains - - - -	68	73	30	31	87	82	371	4	—
9. Algonquin, of Lake of Two Mountains - - - -	65	70	27	19	91	69	341	1	—
10. Iroquois, of Lake of Two Mountains - - - -	79	78	29	34	95	88	403	64	—
11. Micmac of Ristigouche, &c. - - - -	115	134	40	45	105	116	655	131	—
GRAND TOTAL - - - -	1,023	1,112	338	318	977	899	4,667	800	12

* Principally employed as hunters by the fur traders.

Indian Office, Montreal, }
18 September 1856. }

(signed) D. C. Napier.

Appendix, No. 1.

Sir,

Toronto, 20 November 1856.

His Excellency the Governor General having been pleased to entrust to me the conduct and management of the first auction sale of a portion of the Indian territory in the Saugeen peninsula, I have the honour to submit with my return all the books and maps connected therewith, and a tabular statement in detail, showing the result of the sale.

The two southern townships, Keppel and Amabel, containing about 144,000 acres, were the ones sold. Every lot was put up by the auctioneer; and of the whole number of acres offered, 35,364 were not bid for. They therefore remain over for the next sale.

The town plot of Southampton on the north side of the Saugeen River, at its entrance to Lake Huron, comprising 38 park lots from 1 to 19 acres, and 279 town lots of about half an acre each, was included in the sale of these two townships, and every lot sold.

The town plots of Oliphant and Warton, each containing 1,000 acres, laid out in town and park lots, are both situated in the township of Amabel. These were not included in my instructions, and were not brought forward. They also remain for future disposal.

Ten shillings and threepence was the average upset price for farm lots, and 18 s. 6 d. an acre the average rate at which they sold.

The farm lots sold at an average advance of 80 per cent.

The park lots at an average advance of 150 per cent, and

The town lots at an average advance of 325 per cent. on the upset prices.

Some few remaining farm and park lots were also sold on what is termed the half mile Indian strip, a portion of which was formerly surrendered to the Government by the Indians, and sold for their benefit.

It is to be supposed there will be some defaulters who will not make good their payments; but their number is comparatively small, considering the large amount of land sold and instalments paid upon it.

Assuming that the unsold farm lands sell at a future sale for no more than the upset price, which is a low amount to set them down at, seeing the average advance is 80 per cent. on their upset price, the whole produce of the two townships of Keppel and Amabel (exclusive of the town plots of Oliphant and Wiarton) will give for the benefit of the Indians the large sum of 135,730 £.

The Au Sable mill site, comprising 1,100 acres of land, offered at 2,000 £, sold for 2,390 £.

The mill site near Owen Sound, containing 45 acres, put up at 500 £, sold for 760 £.

The amount of the first instalment of one-third of the purchase money, which has been paid into the bank by the buyers at this sale, is 34,061 £. 1 s. 7 d. currency.

The Caughnawaga tract, situated very advantageously on the Owen Sound Bay, the surrender of which was only obtained from the Indians during the progress of the late sale, though small, is reported to be good land. Instructions had been forwarded to me, by direction of his Excellency the Governor General, to offer the same at the first sale; but having got through all the land, and closed the auction two days before these instructions reached me, and the people having nearly all dispersed and returned to their homes, many of whom had been waiting for this land, I felt that I could not, in justice to the department, and without causing much dissatisfaction, carry out that order. This tract will therefore remain to be offered at another sale.

The large tracts of some of the best land in the Peninsula, still held as reservations by these tribes of Indians, and lying as they do upon the borders of the surrendered portions, are considered a great bar to the rapid settlement of those portions already sold. These lands are unoccupied and uncultivated, and will probably remain in that state until they are given over to the management of the department.

If therefore, a surrender of these reservations could be obtained, it would tend very much to the benefit of the tribes, and be the means not only of settling the country, but of adding materially to their income.

Due notice having been given in the principal papers of the province, the sale was commenced at Owen Sound, and continued for five days in succession. The audience was large and highly respectable, being composed chiefly of the yeomen of the country, and numbered throughout the days of sale upwards of 1,000 persons.

The greater part of the farm lands were purchased by farmers, many of whom had been waiting more than a year for this opportunity of buying farms for themselves and their sons; and from the opening to the close of the sale, the competition was keen and spirited. The greatest good order and good feeling prevailed amongst the buyers, throughout the progress of the sale, and all expressed themselves well satisfied with the arrangements of the department.

R. T. Pennefather, Esq., Superintendent
General of Indian Affairs, &c.

I have, &c.
(signed) W. R. Bartlett,
Agent for the Sale.

STATEMENT showing the result of the first Auction Sale of the Saugeen Indian Lands.

Number of acres of farm land in the tract	-	-	-	144,000
„ acres sold	-	-	-	109,000
„ acres unsold	-	-	-	35,000
				144,000

	Farm Lots.		Park Lots.	Town Lots.	£.	
	£.	s.	d.	£.		£.
Total value at upset price	55,823	-	-	4,305	1,950	62,079.
Total sale price	100,341	-	-	10,609	8,382	119,332.
Average upset price per acre	-	10	3	-	-	-
Average price per acre for which they sold	-	18	6	-	-	-
Average advance upon the upset prices	80 per cent.		150 per cent.	325 per cent.	-	-
					£.	
Total Amount sold	-	-	-	-	119,332	
Upset Value of unsold land	-	-	-	-	10,398	
					£. 135,730	

Appendix, No. 2.

RETURN of the Aged Indians recommended for the annual issue of a Blanket.

TRIBE.	Men.	Women.	TOTAL.
Chippewas of Saugeen and Owen's Sound	7	9	16
Chippewas of Lakes Huron and Simcoe	9	14	23
Mississagas of Rice, Mud and Skugog Lakes	6	6	12
Mississagas of Alnwick	6	2	8
Mohawks, Bay of Quinté	11	14	25
Sandy Island Band	1	3	4
Six Nations	56	34	90
Mississagas of the Credit	10	11	21
Chippewas and Pottawatomes of Surnid and Kettle Point	11	13	24
Chippewas and Pottawatomes of Walpole	17	19	36
Chippewas and Munsees of the Thames	10	12	22
Moravians of the Thames	6	4	10
Wyendotts of Anderdon and Chippewas of Point Pelee	3	5	8
Indians of the north shores of Lakes Huron and Superior	32	40	72
Iroquois tribe of St. Regis	7	15	22
Iroquois tribe of Caughnawaga	35	25	60
Iroquois tribe of Lake of Two Mountains	7	10	17
Abenaquois tribe of the St. Francis	12	13	25
Abenaquois tribe of the Becancour and Three Rivers	6	0	6
Huron tribe of La Jeune Lorette	7	7	14
Amalците and Micmacs of Isle Verte	6	0	6
TOTAL	-	-	521

Appendix, No. 3.

RETURN of PENSIONS borne on the Imperial Grant for the Indian Department

NAME.	Amount Sterling per Annum.		
	£.	s.	d.
G. Maccomber, retired interpreter	36	-	-
Ignace Portneuf, wounded chief	21	13	4
Pierre Nicajona, wounded warrior	15	3	4
William Solomon, late interpreter	52	10	-
J. B. Assickinach, late interpreter	15	-	-
Mrs. Elliott, widow of late Colonel Elliott	74	6	-
	£.	214	12 8

— No. 4. —

(No. 171.)

COPY of a DESPATCH from Governor General Sir Edmund Head, Bart., to the Right Honourable H. Labouchere, M. P.

Government House, Toronto, 20 December 1856.

(Received, 5 January 1857.)

(Answered, No. 9, 7 January 1857, p. 40.)

Sir,

I HAVE the honour to transmit herewith an estimate of the probable expenses of the Indian Department in Canada during the year commencing the 1st April 1857, and by it you will perceive a reduction of 1,172 l. 2 s. sterling from last year's estimate.

No. 4.
Governor General
Sir E. Head, Bart.,
to the Right Hon.
H. Labouchere,
M. P.
20 Dec. 1856.

• *Vide* House of Commons Paper, No. 247, of 1856, page 39.

In the item of presents, there is a saving of 800*l.*, after providing for a blanket each to 521 of the most aged and deserving persons in the various tribes, which, under the instruction conveyed in your Despatch, No. 42,* of the 21st February, I have estimated at 300 *l.* sterling.

In the article of provision, the sum of 56 *l.*, to provide for 11 wounded and infirm Indians of Lower Canada, is set against 300 *l.* last year, whereby a further saving of 244 *l.* is effected; from the ordinary contingencies a reduction of 50 *l.* is made, and the article of gunpowder being discontinued, 78*l.* 2*s.* is taken off for that item.

I have, &c.
(signed) *Edmund Head.*

Enclosure in No. 4.

Indian Department, Toronto, 20 December 1856.

ESTIMATE of the Expenses of the Indian Department, from the 1st April 1857 to the 31st March 1858.

	Sterling.		
	£.	s.	d.
Salaries - - - - -	2,255	7	-
Pensions to retired officers and to widows - - - - -	177	16	-
Pensions to wounded Indians - - - - -	52	10	-
Ordinary contingencies - - - - -	700	-	-
Provisions for 11 Indian pensioners at the villages of St. Regis, Coughnawaga, Lake of Two Mountains and St. Francis - - - - -	56	-	-
Blankets for 521 aged and deserving Indians of the various tribes in Canada - - - - -	300	-	-
	£.	3,541	13 -

Amounting to Three thousand five hundred and forty-one pounds thirteen shillings sterling.

Approved,
Edmund Head.

Certified,
S. Y. Chesley, Accountant.

By Command,
R. T. Pennefather, Superintendent General.

— No. 5. —

(No. 104.)

COPY of a DESPATCH from Governor General the Right Honourable Sir *Edmund Head, Bart.*, to the Right Honourable *H. Labouchere, M. P.*

Government House, Toronto, 4 December 1857.

(Received, 21 December 1857.)

(Answered, No. 2, 4 January 1858, p. 41.)

Sir,

I HAVE the honour to transmit herewith copy of a letter from the Chief Superintendent of Indian Affairs, reporting the substance of an address from a deputation of the principal Chiefs of the Six Nations.

I have, &c.
(signed) *Edmund Head.*

No. 5.
Right Hon. Sir
E. Head, Bart., to
the Right Hon.
H. Labouchere,
M. P.
4 Dec. 1857.

1 Dec. 1857.

Enclosure in No. 5.

Indian Department,
Toronto, C. W., 1 December 1857.

Encl. in No. 5.

Sir,

I HAVE the honour to report, for your Excellency's information, that on the 26th November last a deputation from the Six Indians arrived here to make certain representations touching their lands and timber.

The deputation consisted of a leading chief from each tribe, headed by their speaker.

In the course of his speech that functionary, Chief Seneca Johnson, on behalf of the other deputies, as well as in his own name, took occasion to express their lively sympathy with English interests in India, and their earnest prayer for the success of the Queen's arms.

He also requested me to convey to your Excellency the assurance of their readiness to evince their loyalty, by raising a corps among their own people, whenever their services may be called for.

I trust that it will be gratifying to your Excellency to receive these renewed proofs of the good feeling and patriotism of this portion of Her Majesty's subjects.

I have, &c.
(signed) *R. T. Pennefather,*
Superintendent General.

His Excellency the Governor General.

— No. 6. —

(No. 1.)

COPY of a DESPATCH from Governor General the Right Honourable Sir *Edmund Head, Bart.*, to the Right Honourable *H. Labouchere, M. P.*

Government House, Toronto, 2 January 1858.

(Received, 13 January 1858.)

(Answered, No. 11, 22 January 1858, page 41.)

Sir,

I HAVE the honour to enclose the Annual Estimate of the Expenses of the Indian Department in this Province, from the 1st of April 1858, to the 31st March 1859.

It has been made out in accordance with the form prescribed in your Despatch of 7th January 1857, No. 9.* The only change which has been made is the addition of 2887., being the amount of the retired allowance granted to Colonel Napier, late Visiting Superintendent for Lower Canada. The sum inserted for salaries has not been reduced, as either a successor must be appointed to that gentleman, or, in the meantime, these tribes must be visited from head quarters. The sub-agents resident among the tribes will necessarily have to be paid for the increased trouble and responsibility entailed upon them, if they are employed as the direct channel of communication between the Indian Department here and the several bands of Indians.

I learn from the annual statement made to me by the Superintendent General—herewith enclosed—that the Report to be made by the Commissioners for the investigation of matters connected with the Indian department, will soon be ready. I hope that this, as well as other points, will then be definitively adjusted.

I have, &c.
(signed) *Edmund Head.*

No. 6.
Right Hon. Sir
E. Head, Bart., to
the Right Hon.
H. Labouchere,
M. P.
2 January 1858.

* Page 40.

28 Dec. 1857.

CORRESPONDENCE RESPECTING ALTERATIONS

Enclosure 1, in No. 6.

Indian Department, Toronto, 22 December 1857.

Encl. 1, in No. 6. AN ESTIMATE of the Expenses of the Indian Department in Canada, from the 1st April 1858, to the 31st March 1859.

Items of Expenditure.	Amount.		REMARKS.
	£.	s. d.	
Salaries - - - - -	2,255	- -	288 £. added for D. C. Napier's retired allowance.
Pensions to retired officers and to widows -	450	10 -	
Ditto to wounded Indians - - - - -	52	10 -	
Provisions and gunpowder for the use of Indians who live by the chase; also for blankets for aged and deserving Indians -	630	- -	
TOTAL - - - £.	3,388	- -	

Amounting to Three thousand three hundred and eighty-eight pounds sterling.

Approved,
*Edmund Head.*Certified,
*S. Y. Chesley, Accountant.*By Command,
R. T. Pennefather, Superintendent General.

Enclosure 2, in No. 6.

Indian Department, Toronto, C. W., 28 December 1857.

Encl. 2, in No. 6.

May it please your Excellency,

In laying before your Excellency the statement of the condition of Indian affairs during the past year, I have the honour to report that it has been upon the whole satisfactory.

I regret, however, that illness on my part by interfering with some of my projected visits to the tribes will prevent me from speaking of many matters from personal observation. I have too abstained from entering into any questions relating to the future management of the Indians, and the topics connected therewith, as these will be more properly discussed at length in the Commissioner's report which is in course of preparation, and which we hope shortly to lay before your Excellency.

Accidental causes, such as the destruction of their crops by fire, added to their own improvidence, occasioned much distress during last winter among several of the bands. The Six Nations in particular suffered from these evils. Nothing but the timely relief granted by your Excellency saved both them and the Saugeen Indians from absolute starvation.

This distress must be considered only as partial and temporary, and not affecting the condition of the tribes considered collectively.

In pursuance of the policy approved of by your Excellency, I have endeavoured to obtain surrenders from the different bands, of all the land that they could be induced to cede. I am happy to say that I have been to a certain extent successful in these attempts. A valuable tract of land in the Saugeen Peninsula has been already surveyed and sold for the benefit of the tribes surrendering. While that large block of land in the valley of the Thames, known as the Moravian Reserve, has also been obtained from the miserable remnant of the Delawares, in whose hands it lay so long neglected and waste. The importance of this treaty can hardly be over-estimated.

Independent of the intrinsic value of the soil, and the timber which still remains upon it, the condition of the tract situated in the middle of the most fertile parts of Canada West, was a great inconvenience to the neighbouring settlers, who might wish to pass through the township, or into the adjoining counties; so long as the land was kept as an Indian reserve, they were obliged to travel many miles out of their way.

This tract has also been surveyed, and will be brought into market upon the first favourable opportunity.

In this case, as well as in the recently obtained surrender in the Saugeen Peninsula, the plan has been adopted of locating the Indians upon small farms, varying in size from 25 to 37½ acres. Each family will receive for these farms a sort of inalienable title or perpetual license of occupation. The object of this provision in the treaty is to prevent internal bickerings and misunderstandings among the members of the tribe. So long as they have no settled interest in their respective lots, or have undefined limits to their patches of cleared land, such dissensions are very likely to arise.

In the case of the Saugeen surrender a further experiment has been tried. On the western side of the bay opposite to Sydenham, a town plot was laid off. To make the

terms

terms of payment easier to the purchasers of these town lots, I allowed them the option either of purchasing at the price at which the lot was knocked down to them, and paying down the instalment of one-fourth of the purchase money; or, secondly, of taking a lease for 10 years of the land. In this case they would pay in advance an annual rent equivalent to six per cent. on the purchase-money. At the expiration of the lease they may convert their tenure into a freehold by paying the original sale price, with an addition of 25 per cent. Should they be disposed to pay up in full before the termination of the lease, they will then be entitled to a discount of two per cent. annually deducted from the sum which they would have had to pay at the end of the 10 years.

If the lease from any cause becomes forfeited, the land, with all the improvements thereon, may be re-sold for the benefit of the Indians. The plan therefore virtually amounts to a sale on a credit of 10 years; while the Indians have the advantage, from the day of sale, of the interest accruing from the whole purchase-money, and also an addition of one-quarter of the sum arising from the sale of such land.

This latter will be, of course, invested for their benefit.

The agent who conducted the sale reports that the plan promises, so far, to work most successfully.

The town lots were disposed of rapidly at a great advance for the most part on the upset prices, while the buyers who attended the sale declared that if the instalment of one-fourth had been required to be paid but a very small portion of the town plot would have been sold.

The stringency of the money market and the low price of farm produce have had their effect upon the prices realized at this sale. Good lots, however, fetched very high prices; and, while much of the land went at its upset value, I cannot but consider the sale to have been a satisfactory one, as it enabled us to dispose of nearly all the lands in Keppel and Amabel, for which, last year, no bids were made.

Appendix, No. 1, being the report made to me by the agent who conducted the sale, will show your Excellency the details of the prices at greater length than I think it necessary to embody in this report.

Surrenders have also been obtained of some islands in Lake St. Clair, and in the river of the same name. Though small in extent they are valuable as fisheries, and will be the means of increasing the scanty revenue of the Chippewas of Walpole Island.

Negotiations have also been set on foot for the cession of the large reserve occupied by the Batchewaning Bay band; but I regret to say that they have not as yet proved successful, owing to the exorbitant demands made by the Indians themselves, and in great measure to the intrigues of parties whose interest it is to oppose any surrender, in order that they may reap their own profit from the reserve.

It appears to me that it would be highly advantageous to the interest at once of the Indians and of the Province at large, if the several Acts and Ordinances which have been passed, relating to the Indians, were consolidated and codified. There is a doubt how far the latter are still in force, and some of the provisions of the former are over-ridden and rendered nugatory by subsequent legislation, so that it is difficult to arrive clearly at the present state of the law.

Were some such course adopted as that which I now propose, the law would be more accessible to and better understood by the people generally than it is at present; and thus many of the difficulties which so constantly arise in reference to trespass on the Indian lands would in future be avoided.

It is not a very uncommon thing for a man newly arrived in this country to be guilty of a breach of the law by squatting on Indian reserves, or entering into agreements with the occupants thereof for the purchase of their land or timber. So long as the law remains in its present complicated condition such an offender has a certain excuse for pleading ignorance of its provisions; and the Commissioners appointed to enforce it are sometimes perplexed by the obscurity or conflict of different Acts. Much trouble has arisen among the Mohawks of the Bay of Quinty, from illegally cutting timber on their reserve. The railroad running through their land offers an irresistible temptation to transgress the law by affording a ready market for the plundered wood. I have, however, appointed a warden at an annual salary of 100 dollars, payable from the Mohawk funds, whose duty it will be to protect the timber from pillage.

Considerable dissatisfaction has been occasioned among the Indians of Lake Superior, with reference to their annuity.

This has always been paid through the Honourable the Hudson's Bay Company, who kindly took charge of its distribution, as their ports afforded them unusual facilities for so doing, and the Indian Department is much indebted to them for the accurate way in which they have discharged their trust. As might be expected from the nomadic life of an uncivilized people, it has frequently occurred that an individual entitled to share in the annuity is absent from the band at the time of its distribution. In such a case his portion, as was just, was retained for him in expectation of his return. Many of these stragglers have never re-appeared, and the tribes have for some time pressed that the accumulations reserved for them should be considered forfeited, and be distributed among the band at large. Influences have been at work by which the Indians have been led to believe that the Company and the Government are trying to defraud them by holding back the annuity. Misled by this delusion, some of them have refused to accept their money this year. Under these circumstances, I have, with your Excellency's sanction, followed Sir George Simpson's suggestion, and divided most of the arrears among the tribes, reserving only the unclaimed shares

shares of the last year to be paid to the absentees, should they return before the next distribution.

The Indians on the Maintoulin Islands have remonstrated against the license of occupation for a post on the island granted to the Hudson's Bay Company, alleging that encroachments on their lands have been made under cover of it. As the matter is now before your Excellency in Council, I forbear to enter at length into the question here.

In Lower Canada, a vacancy has occurred by the resignation of his office as Visiting Superintendent, by Colonel Napier.

His district comprised the whole of that section of the Province. Some of the bands, however, have local agents attached to them, who are under bonds to the Government, but whose remuneration is wholly derived from a per-centage levied on the rents which they collect.

For many years past, Colonel Napier's infirmities have prevented him from giving that active supervision to the distant tribes which would have been conducive to their progress in civilization. They have been almost entirely dependent on the gratuitous labours of the missionaries who visit them.

Looking to the necessity for the economical administration of the Indian Department, when the Imperial grant is withdrawn, I would submit for your Excellency's consideration, the propriety of not filling up at present the vacancy caused by Colonel Napier's retirement. When your Excellency, after the reception of the Commissioner's report, shall have definitively decided upon the line of policy to be pursued, final arrangements can be made in this respect. As a temporary measure, however, I would propose to appropriate a portion of the salary now attached to the office of superintendent, for the payment of a small stipend to each of the resident agents belonging to the principal bands of Lower Canada, who should henceforward correspond directly with head quarters, and be charged with the conduct of all the business of such tribe.

As it now stands, much is necessarily carried on through persons unpaid by, and virtually irresponsible to the Government. Such an augmentation as I propose to the pittance they now receive from the Indian rents, would render them more zealous in the discharge of their duties.

There is one tribe in particular to which I beg to draw your attention, the Micmacs of the Restigouche. By their geographical position, they are virtually isolated from their brethren in the valley of the St. Lawrence, from whom they are divided by upwards of 100 miles of a perfectly wild country. It is impossible, therefore, that any effectual supervision can be exercised over them directly from head quarters.

Until my visit this summer, they had seen no officer of the department for 15 years; nor in any case could more than an annual visit be paid to them by an officer having under his charge, superintendence of the tribes in the whole of Lower Canada.

It would seem to me, therefore, of importance, that their interest should be protected by an agent residing on the spot. Their reserve is coveted by the neighbouring settlers, and has already been extensively encroached upon.

I was much pleased with their appearance on my visit to them, and their missionary gives the most satisfactory account of their progress in civilization, and their desire for improvement.

They complained much of the destruction of their salmon fishery in the Restigouche, but it would, I fear, be very difficult to remedy this grievance, inasmuch as the laws of Canada for the preservation of the fisheries are different from those in New Brunswick.

They expressed themselves very grateful for the assistance granted by the Provincial Parliament, for the payment of a schoolmaster in their village.

The troubles among the St. Francis Indians relative to the sales and leasing of part of their reserve, and the complaints against their agent, still continue. I have had the honour of submitting to your Excellency a proposal made by part of this tribe, to remove to another location.

Split into two parties as this band is by religious dissension, I should be glad if it be found possible to adopt some such compromise, and I await your Excellency's commands upon the subject.

At Caughnawaga, too, the disturbances consequent upon plunder of timber and the intrusion of the whites are yet unchecked. I have found it impossible as yet to bring the tribe to any satisfactory arrangement for the adjustment of these deficiencies, nor do I see much hope of any satisfactory settlement, so long as they remain under the influences which are brought to bear upon them in their present location.

None of the Indians have as yet taken advantage of the Act of last Session, but I am in hopes that this will not long continue. Considerable delay unavoidably took place in the distribution of copies of the Act among the different tribes, but I have lately received several applications from individual Indians for additional copies. This shows that the subject is beginning to excite interest among the more educated, the very class who will be likely to profit by its provisions.

I submit herewith a copy of the account current furnished by the Commissariat to this department. It appears, upon inquiry, that, as is usual with the money voted by Parliament, the large balance standing to the credit of the Indians is only shown upon paper, and is not actually available for any expenditure. As, however, it represents the accumulations resulting from the balance to the credit of the account at the end of each year for some time back, it is clear that it has been actually granted by the Imperial Parliament for the use of the Indians, but not drawn from the public chest. If it were possible to
apply

apply any part of it to the purchase of annuities as pensions for some of the old officers of the department, it would at once be a well earned acknowledgment of their long labours, and would tend to place the department in a more effective condition, by introducing younger men into the service.

The whole respectfully submitted.

His Excellency the Governor General,
&c. &c. &c.

(signed) *R. T. Pennefather,*
Superintendent General.

Sir,

Toronto, 30 September 1857.

I HAVE the honour to report the result of a portion of the Indian land sale, which was opened as advertised, at Owen Sound, on the 15th, and closed on the 22d instant.

The audience was not quite so large as that at the sale last year, owing in some measure to the lateness of the harvest, in the northern and western parts of the Province, which prevented many farmers from attending; and it was observed that there were fewer speculators at this than at the former sale.

Nevertheless, this sale may, on the whole, be considered a very good one.

In terms of my instructions, a choice of two modes of payment was given to purchasers of the town plot of Brooke. One was that of a 10 years' lease, the interest on the amount at which the lots were bid off to be paid in advance annually, and 25 per cent. to be added to the price of the land at the end of that period, on changing the tenure from leasehold to that of freehold.

The other mode was the payment of an instalment of one-fourth of the purchase money down, at the time of sale, and the remaining three-fourths in six annual payments, with interest.

The plan of leasing was entirely successful, and nearly all who purchased preferred taking a lease and paying the interest. Very few indeed paid the instalment; and I feel quite sure that if this system had not been adopted, the sale of this portion of the property would have been a failure. It was the easy terms of payment upon which they were offered that induced people to bid for the town plot, and nearly the whole have been sold.

It is impossible at this early period to render an exact return; but the result of the sale of the town plot of Brooke will not vary much from the following:

One hundred and twenty-one small park lots of five acres each, which were all sold at an average advance of more than 100 per cent. above the upset prices. They were put up at 2,614 £., and sold for 5,531 £.

The town lots numbered about	-	-	-	-	2,000
Deduct unsold	-	-	-	-	257

Leaves sold	-	-	-	-	1,743

These were put up at prices varying from 3 £. to 11 £. a lot of about one-fourth of an acre each, and were offered at 9,686 £., and sold for 17,419 £., or a trifle less than 100 per cent. advance on upset prices.

RECAPITULATION:

Park lots - upset	-	-	-	-	£. 2,614
Town lots - „	-	-	-	-	9,686

				-	£. 12,300

				-	£. 5,531
				-	17,419

				-	£. 22,950

Of the lots unsold, four had houses on them which were valued at 40 £. each, and was considered too high a valuation. They were not bid for. Three others, on which were the Indian Church and Parsonage, were withheld from sale.

I shall, with as little delay as possible, complete the return of the farm lands, and will then furnish you with a detailed report.

With regard to the leases, I promised to have them completed and furnished to the lessees at an early date, and have given receipts to them for one year's interest in advance, paid to the agent of the Bank of Upper Canada, at Owen Sound, and at Toronto.

I have, &c.
(signed) *W. R. Bartlett,*
Agent for the Sale.

R. T. Pennefather, Esq.,
Superintendent General, Indian Affairs,
&c. &c. &c.

Sir,

Toronto, 19 December 1857.

I HAVE the honour to submit my report, with detailed returns, showing the result of the second sale of Indian lands, which was opened at Owen Sound on the 15th, and closed on the 22d September last.

Although the number of farm lots offered for competition was less at this than at the former sale, the time occupied by the auctioneer in selling was two days longer. This was occasioned by the sale of the large town plot of Brooke, which was comprised of 2,032 town and small park lots, each of which was put up separately.

The whole of the park lots (123), and 1,634 of the town lots were bid off, making a total of 1,757 lots sold.

My instructions were to offer two modes of payment to the purchasers of lots in Brooke. One by an instalment of one-fourth of the purchase money to be paid down, and six annual payments for the remainder; the other on a 10 years' lease; the purchaser or lessee to pay one year's interest at six per cent. in advance, yearly, on the amount of the lots bid off for the term of the lease; and at the end of that period, to pay an addition of 25 per cent. on the original purchase price.

The latter mode was considered the most favourable, and was generally chosen by a large majority of the buyers; as, of 1,162 lots settled for, only 173 were taken on the payment of the instalment of one-fourth down.

In the town plot of Brooke there are numbers of Indian houses, eight of which were valued at 40 l. to 50 l. each, and one at 100 l. Of these only two were sold and paid for, the valuation being considered too high.

As regards the principle of leasing, and judging by what I heard from numbers of the people present at the sale, I feel persuaded that if that system had not been adopted, the sale of the town plot could not have been effected.

The time for holding the sale was well chosen. There had been, for a short time previous, a slight pressure for money, which, doubtless, in some measure affected the receipt of instalments paid in at Owen Sound; but the effect of the monetary crisis since the close of the sale has been very apparent, in the small amount of instalments paid into the banks here. Many of the large purchasers at the first sale of lands in 1856 had been allowed to complete their payments in this city, and the same parties who had purchased at the recent sale, promised, and, doubtless, intended to deposit their instalments here, but have failed to do so.

There will, consequently, be a large number in default, whose lots will be forfeited, unless the Department should think proper, under the circumstances, to grant those persons an extension of time to make good their payments.

The amount due for the first instalment is \$ 18,632. See Table No. 2.

It will be seen in Table No. 4, that a large number of purchasers of the lands in Sarawak are behind with their instalments; there being 4,299½ acres, or nearly half the lots in the township unpaid. I imagine that nothing but the extreme difficulty in procuring money could have prevented these persons from making their payments; for these were the most desirable lands offered at the sale, were much sought after, and there was consequently a spirited competition amongst the bidders.

I had prepared my returns in the currency heretofore used, but, according to your directions, have changed the entries of all the lots to dollars and cents, the form prescribed by the Provincial Act passed last Session, which goes into operation on the 1st of January next.

I append five tables.

No. 1. Return of all land sold.

No. 2. Shows the portion in which the instalment is paid and unpaid, and the amount due to the Department.

No. 3. Return of unsold land and its value at the upset price.

No. 4. Detail of the sale of the town plot of Brooke.

No. 5. Shows the amount of money paid in for instalments, and the tribe to which it belongs.

I have, &c.

(signed) *W. R. Bartlett,*
Agent for the Sale.

R. T. Pennefather, Esq.,
Superintendent General, Indian Affairs,
&c. &c. &c.

(No. 1.)

RETURN of Indian Lands sold in September 1857.

PLACE.	Total Acres sold.	Sum for which they were bid off.		
Albemarle - - - - -	50,264	<i>Doll.</i>	<i>Cts.</i>	} \$ 153,066 ³⁵ / ₁₀₀
Amabel - - - - -		90,007	60	
Keppel - - - - -				
Caughnawaga - - - - -	1,599	8,398	70	}
Sarawak - - - - -	9,748	49,188	30	
Half-mile Strip - - - - -	78½	5,471	75	
	61,689½			
Southampton (Town) - - - - -	49 lots	2,856	60	} Improvements on the lots leased.
Town of Brooke - - - - -	1,757 lots	88,136	-	
		1,054	-	
		\$	245,112 95	

Farm lots, 61,689½ acres sold for \$ 153,066, being an average of \$ 2.48 per acre.

	Upset.	Sold for.
	<i>Doll.</i> <i>Cts.</i>	<i>Doll.</i> <i>Cts.</i>
Highest rate per acre for farm lots - - - - -	6 -	20 20
Lowest ditto for ditto - - - - -	- 50	- 50

(No. 2.)

Showing the Lands on which the Instalments are paid and unpaid, with the Amount due.

PLACE.	Instalment Paid.		Instalment Unpaid.		Amount of Instalment due.
	On Acres.	Sold for.	On Acres.	Sold for.	
		<i>Doll.</i> <i>Cts.</i>		<i>Doll.</i> <i>Cts.</i>	<i>Doll.</i> <i>Cts.</i>
Albemarle - - - - -	34,385	57,582 60	4,730	4,993 -	1,248 25
Amabel - - - - -			4,673	12,000 -	3,000 -
Keppel - - - - -			6,476	15,432 -	3,858 -
Caughnawaga - - - - -	1,387	7,077 50	212	1,321 20	330 30
Sarawak - - - - -	5,448½	18,754 30	4,299½	30,434 -	7,608 50
Half-mile Strip - - - - -	18	1,939 75	60½	3,532 -	1,024 25
	41,238		20,451½		
Town of Southampton	35 lots	2,255 60	14 lots	601 -	150 25
Town of Brooke -	1,162 lots	65,634 -	595 lots	23,556 -	1,413 36
				\$	18,632 91

CORRESPONDENCE RESPECTING ALTERATIONS

(No. 3.)

List of Unsold Lands, and their Value at the Upset Prices.

P L A C E.	Acres.	Value at Upset Price.	
		Doll.	Cts.
Albemarle - - - - -	31,322	31,581	75
Amabel - - - - -	1,396	3,444	-
Keppel - - - - -	18,831	34,678	25
	51,549	69,704	-
Town of Brooke, Town Lots -	275 lots	7,754	-
Total Value of Unsold Lands - - \$		77,458	-

(No. 4.)

TOWN OF BROOKE.

RETURN showing particulars of the Sale in 1857.

No. of Lots.	Amount sold for.	REMARKS.
173	<i>Dollars.</i> 9,486	Paid by instalment of $\frac{1}{3}$ down.
989	55,094	Taken on a 10 years' lease, and the first year's interest on that sum, at 6 per cent., paid in advance, producing \$3,305.
-	1,054	There were small improvements on the leased lots, the amount of which was paid in full, viz., \$1,054.
595	23,556	Purchasers in default on these lots; instalment of interest unpaid, which amounts to \$1,413 $\frac{38}{100}$.
	\$ 89,190	Total value of all the lots sold.
275	- - -	Unsold, of the value of \$7,754 at the upset price.

2,032 Total lots in Brooke.

		Upset Price.	
Highest price obtained for town lots	- -	\$ 408 - -	- \$ 44
Lowest ditto ditto	- -	12 - -	- 12
Highest rate obtained for park lots	- -	176 an acre.	- 32 an acre.
Lowest ditto ditto	- -	12 „	- 12 „

(No. 5.)

STATEMENT showing the Amount of Money received at the Sale of Indian Land in September 1857, and the Tribe to which it belongs.

Chippewas of Saugeen and Owen Sound, or the whole Band of the Peninsula.		<i>Dol. Cts.</i>
Amount received for second instalment on last year's sales	- - - -	1,538 73
For payments on land sold this year in Albemarle, Amabel, Keppel, and Southampton, &c.	- - - -	15,740 65
		17,279 38
NEWASH BAND.		
For first instalment of one year's interest in advance on lots sold in Brooke, on a lease of 10 years, for the sum of \$55,094 as principal	- - - -	<i>Dol. Cts.</i> 3,305 10
For improvements on the above lots paid up in full	- - - -	1,054 80
For instalments on sales in Sarawak, Caughnawaga, and Brooke	- - - -	13,922 71
		18,282 61
		\$ 35,561 99

	<i>Dol. Cts.</i>
Paid to Receiver General's credit in Bank, per receipts	- 35,347 75
Deposited by Keeshiek, for which there is no receipt	- 215 13
	\$ 35,562 88
Surplus, deduct	- - - 89 occasioned by alteration of currency.
	\$ 35,561 99

CANADA EAST.

THE INDIAN DEPARTMENT, under the Authority of His Excellency the Governor General, in account current with the Right Honourable the Lords of Her Majesty's Treasury, from 1st April to 30th September 1857.

No.	Date. 1857.	Dr.	Amount Sterling.	No.	Date. 1857.	Cr.	Amount Sterling.
	1 April.	To remains of presents in store on 31st March 1857	£. s. d. 345 19 -		1 April.	By Parliamentary Grant for the year ending 31st March 1858	£. s. d. 4,000 - -
		Payments made to Indian Department:		1	30 Sept.	By sums received on account of the Indian Department	nil.
1	30 Sept.	To Contingencies	£. s. d. - 38 1 7	2	30 Sept.	By value of presents remaining in store this 30th September 1857	345 19 0
2	30 Sept.	„ Salaries	- 211 2 11				
3	30 Sept.	„ Pensions	- 31 - -				
			256 4 6				
4	30 Sept.	„ Value of provisions issued to Indians	13 19 7				
		To Balance	3,705 15 11				
			£. 4,345 19 -				£. 4,345 19 -

Commissariat, Canada,
Montreal, 30 September 1857.

(signed) C. A. Clarke,
Deputy Commissary General.

CORRESPONDENCE RESPECTING ALTERATIONS

CANADA WEST.

THE INDIAN DEPARTMENT, under the authority of His Excellency the Governor, in account current with the Right Honourable the Lords Commissioners of Her Majesty's Treasury, from 1st April to 30th September 1857.

No.	Date. 1857.	Dr.	Amount Sterling.	No.	Date. 1857.	Cr.	Amount Sterling.
			£. s. d.				£. s. d.
1	1 April.	To remains of presents in store on 31 March 1857 - - -	133 3 8		1 April.	By Parliamentary Grant for the year ending 31 March 1858 - - -	13,380 - -
	30 Sept.	To value of presents purchased in Canada West this period - - -	127 17 -	1	30 Sept.	By sums received on account of Indian Department - - -	- - -
		Payments made to Indian Department:		2	30 Sept.	By remains of presents in store this 30th September 1857 - - -	261 - 8
2	30 Sept.	To Contingencies - - -	155 19 11				
3	30 Sept.	„ Salaries - - -	882 14 1				
4	30 Sept.	„ Pensions - - -	63 7 2				
			1,102 1 2				
		To Balance - - -	12,277 18 10				
			£. 13,641 - 8				£. 13,641 - 8

Commissariat, Canada,
Montreal, 30 September 1857.

(signed) C. A. Clarke,
Deputy Commissary General.

— No. 7. —

(No. 41.)

No. 7.
Right Hon. Sir E.
Head, Bart., to the
Right Hon. Lord
Stanley, M.P.
7 April 1858.

COPY of a DESPATCH from Governor General the Right Honourable
Sir Edmund Head, Bart., to the Right Honourable Lord Stanley, M.P.

Government House, Toronto, 7 April 1858.

(Received, 26 April 1858.)

(Answered, No. 38, 1 May 1858, page 43.)

My Lord,

I HAVE had the honour of receiving your Lordship's Despatch of March 15,
No. 10,* relating to Indian matters.

I am informed that the Report of the Commissioners on this subject is
finished, and is now being printed. So soon as it is placed in my hands I shall
not fail to forward it for your consideration.

In the meanwhile I enclose a copy of a memorandum from the Superintendent
General, respecting the concluding paragraphs of your Lordship's Despatch.

I have, &c.

(signed) Edmund Head.

Enclosure in No. 7.

MEMORANDUM.

THE Superintendent General of Indian Affairs has had the honour of perusing the
Despatch from the Secretary of State for the Colonies, dated 15 March 1858, No. 19.

He deeply regrets the decision of Lord Stanley respecting the blankets. These were
issued last year as a gratuity, in consequence of a suggestion from Viscount Bury, when at
the head of the Indian Office. The distribution was sanctioned by Mr. Labouchere in
these words:—

“But it has been represented that there is a certain number of aged and destitute Indians
who would feel severely the loss of their annual blanket. * * * Lord Bury appears to
have addressed a circular letter to the officers of the department, calling for a return of
really deserving objects coming within the terms of the foregoing description. He proposes
that only the oldest and best conducted Indians should be admitted to the boon, that none
of them should be less than 60 years of age, and that no fresh names should be hereafter
added to the list. Kept within these limits, and supposing that the total pecuniary cost
should be as moderate as is expected by Lord Bury, I have little doubt that Parliament
would be willing to continue the small grant requisite for this bounty, viewing it as a charity
to the individuals, and a mark of consideration for the tribes to which they belong. I
shall be glad to receive from you, as soon as it can be made out, a complete return of the
numbers

Report, paragraph
49, Printed Parlia-
mentary Paper,
2 June 1856.

Mr. Labouchere to
Sir E. Head, Bart.,
No. 2, 21 Feb.
1856.

7 April 1858.

Encl. in No. 7.

numbers of persons recommended for the continuance of the yearly blanket, and an estimate of the cost."

Such lists have been furnished, and the expense has not exceeded the 300 £. proposed.

As regards the estimate for provisions, the Superintendent General respectfully remarks, that the provisions issued under this grant, amounting in value to 56 £. sterling, are the sole support of 10 indigent Indians in Lower Canada, who receive them in the light of a pension, being precluded by bodily infirmity from obtaining their own living. The balance of the grant would probably not be required except in the case of famine among the bands who have no revenue or cultivated land of their own.

As regards the pensions, Mr. Labouche, in the above cited despatch, distinctly promises their continuance without any stipulation. He says:—

"The pensions will continue to be paid during the lives of the holders."

The whole respectfully submitted.

Indian Department, Toronto,
7 April 1858.
His Excellency the Governor General.

(signed) R. T. Pennefuther,
Superintendent General.

— No. 8. —

(No. 56.)

COPY of a DESPATCH from Governor General the Right Honourable
Sir Edmund Head, Bart., to the Right Honourable Lord Stanley, M.P.

Government House, Toronto, 12 May 1858.

(Received, 31 May 1858.)

(Answered, No. 8, 14 June 1858, page 43.)

My Lord,

I HAVE at length the satisfaction of submitting to your Lordship a copy of the report* of the Commissioners appointed by me for the purpose of reporting on the condition of the Indian tribes, and the management of their affairs.

The report contains a very large mass of valuable and detailed information. The Commissioners suggest, too, more than one scheme for conducting the business, and defraying the expenses of the Indian Department.

After much consideration, I am of opinion that if the expenses of the Department, and the assistance to the Indians, cease to be a charge on the Imperial funds, the management and control of the whole must necessarily devolve on the Provincial Government, and be subjected to the control of the Provincial Parliament.

Accordingly, I have submitted the report to my Council, with a memorandum, of which a copy is enclosed.

Your Lordship will see from this memorandum what is the outline of the plan which it appears to me possible to adopt; and I shall be glad to receive the opinion of Her Majesty's Government on its general character. The danger will always be, that the control of the Provincial Legislature, to which any Provincial Department must be subject, will not effectually prevent complaints on the part of the Indians of encroachments by individuals, or check the infringement of rights and privileges originally guaranteed by the Crown of England under a different state of things. It may be inevitable that in the course of the change which has taken place in the relations of Great Britain to these Colonies this risk should be run, and from what has already passed, I infer that such is the conviction of Her Majesty's advisers in England. A difficult question may arise as to the "patented lands" referred to in my memorandum. The patents are no doubt binding in good faith and honour, but it may be very doubtful whether they have any legal force, inasmuch as the Indian tribes in whose favour they were granted had not, I conceive, any such corporate existence as would give them the capacity of taking an estate under an instrument of this kind.

This principle is affirmed in the judgment given by the Court of Queen's Bench at Toronto during Trinity Term in the year 1850, in the case of Ramsay et al. v. William Bull Sheldon.

I cannot yet say whether the Executive Council will be prepared to adopt a plan in accordance with the outline which I have laid before them. If they do so, and the Bill is properly drawn, I still hope that the remaining rights and privileges of the Indians will be at least as well secured as they have hitherto been.

Until

* The Report which accompanied this Despatch is a bound volume, consisting, with the evidence, of 293 printed pages, and is not, on account of its length, reprinted.

No. 8.

Right Hon. Sir E.
Head, Bart., to the
Right Hon. Lord
Stanley, M.P.
12 May 1858.

11 May 1858.

Until the preparation of this report, it was difficult to ascertain the exact state of any particular tribe, or to refer to the facts affecting their property. I feel grateful to these three gentlemen who have succeeded in placing within my reach information of so important a character. Your Lordship will see from the statistics that no proof whatever exists of the gradual wasting and diminution of the Indians as at present going on.

I have, &c.
(signed) *Edmund Head.*

Enclosure in No. 8.

Encl. in No. 8.

MEMORANDUM.

His Excellency the Governor General desires to solicit the consideration by the Executive Council of the Report from the Indian Commissioners appointed in pursuance of the Order in Council of July 12, 1856.

The Council will see that in addition to a mass of valuable information, the Report contains several schemes or plans for the future management of the Indian business.

His Excellency has long been of opinion that the time is rapidly approaching when the management of the Indian Office ought to be placed on a different footing, and should in some shape be brought under the consideration of the Legislature. His Excellency is inclined to believe that, with all regard for justice and good faith towards the Indians, steps may be taken for causing the Indian business to be conducted under a direct responsibility to the Provincial Legislature; but the treaties made with the several tribes, and the peculiar position of this people, require great care and consideration in securing their just rights whilst their lands are opened for settlement.

In pursuance of the Order in Council of 12th July 1856, the foundation has been laid for forming out of the Indian property a fund for meeting, in part at least, the expenses of the control and management of their property.

His Excellency is inclined to think that the Council might cause a draft Bill to be prepared, founded in some degree on the principles set out in the annexed memorandum (A). The good faith of the Imperial Government is so much involved in the dealings with the native tribes, that his Excellency would desire to submit such draft to the Secretary of State for the Colonies before its introduction in the Provincial Legislature, with a view to avoiding any controversy on the principle of the measure itself while it shall be passing through Parliament, or after its adoption by the Legislature.

If the Executive Council agree with his Excellency in their views, the draft might be prepared and laid before the advisers of Her Majesty in England in the course of the next summer, so as to admit of its final discussion by the Council before the next Session of Parliament.

In this case, however, it would be very desirable that no legislation of a partial character on the same subject should take place in the course of the current Session, but that the matter should remain to be dealt with as a whole in the Bill to be prepared.

His Excellency will be ready to assist in every way the adoption and preparation of any scheme which will tend to open to settlers the lands now held in reserve for the Indian tribes, and will secure the control of the Provincial Parliament over the general management of their affairs; always provided that such a scheme can be reconciled with the observation of good faith towards the native tribes, and the due protection of their real interests.

His Excellency does not at present see his way to extending the plan in question to the lands of the Six Nations and of the Mohawks in the Bay of Quinté, for which patents have issued, and which therefore stand on a different footing from those of the other tribes.

It is possible, however, that existing prejudices and fears on the part of these tribes may hereafter be got over, and that their consent may be obtained to some modification of their rights and claims; a power to make certain terms with them on obtaining such consent might at any rate form a portion of the Bill to be introduced.

His Excellency draws the attention of the Council to the several claims of the individual tribes set forth in the Report at pages 23, 27, 38, 39, 41, 44, 45, 46, 88, and 91.

(signed) *Edmund Head.*

Toronto, 11 May 1858.

(A).

1. After the 1st of January 1860, the Indian Department shall be a Provincial Department, with a permanent head appointed by the Governor General by the advice of his Council.

2. The President of the Committees of Council shall be the Minister responsible to Parliament for the management of the Indian Department, and the permanent head of such Department shall be his deputy, and shall give security.

3. A draft

3. A draft Bill shall be prepared embodying the following provisions :

1st. All Indian lands and reserves not patented by the Crown shall be vested in the President of the Council for the time being.

2d. Any reserve as a whole may be surveyed and sold at an appraised value for the benefit of the Indians themselves, subject to the condition that 25 acres be given under license of occupation to each head of a family ; the licenses to be renewable for ever. Such 25 acres to include a reasonable quantity of woodland, in proportion to the number of the tribe, to be set apart for fuel, fencing, and building timber.

3d. That no such sale take place without the previous authority of the Governor in Council, on a Report from the Indian Department.

4th. All monies accruing from such sales shall (subject to the charge of 10 per cent. to be set apart in pursuance of the Order in Council of July 12, 1856) be invested, with the sanction of the Court of Chancery in Upper Canada, and the Chief Justice of the Superior Court in Lower Canada ; and all charges in such investments shall be sanctioned in like manner.

5th. The expenses of the Indian Department after 1860, so far as they are not covered by the said 10 per cent., shall be defrayed from the ordinary revenue of the Province.

6th. The Government shall pay annually a sum of 2,000 dollars, to be devoted to the improvement of the Indians in civilisation and education.

7th. The pensions already granted shall be part of the charge.

8th. The Indian accounts shall be audited by the Provincial Auditor, as in any other Public Department.

4. The estimated charge in 1860, without the salary of the Superintendent General, may be put at 16,000 dollars ; and the Reserve Fund will probably by that time produce 10,000 dollars, but will increase as instalments or sales are paid up and more land is sold.

— No. 9. —

(No. 73.)

COPY of a DESPATCH from Governor General the Right Honourable Sir *Edmund Head*, Bart., to the Right Honourable Lord *Stanley*, M. P.

Government House, Toronto, 5 June 1858.

(Received, 21 June 1858.)

(Answered, No. 14, 28 June 1858, p. 44.)

My Lord,

I HAVE the honour to acknowledge your Lordship's Despatch of 1st May, No. 38.* I mistook the meaning of your preceding communication, because I did not contemplate the possibility of taking the 300 l. applicable to individuals of all tribes, some of whom have no property or estates, from the proceeds of estates or property belonging to particular tribes.

The enclosed Memorandum from the Superintendent General of Indian Affairs shows how many persons, at present recipients of the bounty, would, under the existing division of the Indian revenues, cease to enjoy it if it has to be provided for from the funds of the estates.

The same paper also shows the reductions of expenditure which have become necessary in consequence of the stoppage of the allowance for contingencies from the Imperial Grant. I fear that the reduction will bear hardly on the settlement on Manitoulin, and will greatly affect the condition of the Indians on that island, where they have no revenue of their own arising from land.

Considerable changes will have to be made if the funds of the several tribes are to be made liable to charges for the benefit of individuals belonging to other bands. I do not at present see my way towards bringing such a system, which in fact would be a sort of poor law, into operation, consistently with good faith to the various parties interested ; some of whom ceded their property on the understanding that the proceeds were to be applied for their own benefit, and not for that of other tribes.

At the same time, if, as I infer from your Lordship's Despatch, the decision of Her Majesty's Government on these matters is final, I must endeavour to make the best of it until some other arrangement is settled.

I have, &c.
(signed) *Edmund Head*.

No. 9.
The Right Hon.
Sir Edmund Head,
Bart., to the Right
Hon. Lord Stanley,
M. P.

5 June 1858.

* Page 43.

Enclosure in No. 9.

MEMORANDUM.

Encl. in No. 9.

The Superintendent General of Indian Affairs has had the honour of perusing a Despatch of the Secretary of State for the Colonies, dated 1st May 1858, respecting the vote for the Indian Department.

If the decision be adhered to of directing the blankets and provisions to be provided for out of the Indian estate, the Superintendent General respectfully urges that such decision is tantamount to a stoppage of these gratuities, as a very large proportion of the blankets, as well as of the provisions, has been distributed among bands who have no funds of their own.

The annexed list exhibits the number of such Indians who were last year recipients of the gratuity. As they are not contributors in any shape to the "General Fund," they have no claim to share in its profits. All other sources of revenue are appropriated to particular tribes, who are entitled to the whole of the annual interest arising therefrom. The stoppage of the Imperial Grant would therefore exclude from the boon of the annual blankets the 166 individuals designated in the above-mentioned list, even if the bands who have funds consent so to appropriate a portion of their money to the relief of the aged members of their own tribes.

But the Superintendent General is convinced that the Indians will regard with deep dissatisfaction the withdrawal of a bounty which was granted "as a charity to the individuals, and a mark of consideration for the tribes to which they belong."

The reduction of the Imperial Grant has already seriously crippled the endeavours of the Indian Department to improve the condition of the bands under its charge; and the appended correspondence will show that the aid hitherto afforded for medicines to the Indians on the Manitoulin Islands, and in support of the schools (containing 145 children) there, has been obliged to be withdrawn.

(A.)
Mr. Oliphant's
Report, p. 8.
Parliamentary
Paper, 2 June 1856.

(A.)

STATEMENT showing the Number of INDIANS receiving BLANKETS, who are not in the Receipt of any Income.

TRIBE.	Men.	Women.	TOTAL.
Ojibewas, Lake Huron and Superior	26	37	63
Sandy Island	2	2	4
Potowatomies of Walpole	7	10	17
Munsees of Thames	4	6	10
Chippewas of Point Pelée	2	2	4
Iroquois, Lake of Two Mountains	7	10	17
Abenakis of St. Francis	12	13	25
Abenakis and Algonquin Indians of Becancour, and neighbourhood of Three Rivers	6	-	6
Huron tribe of La Jeune Lorette	7	7	14
Amlicite and Micmac Indians at Isle Verte	6	-	6
TOTAL	79	87	166

(B.)

Indian Department, Manutowdning.
30 April 1858.

Sir,

I beg leave to transmit to you the requisitions for articles necessary for the service of the department at this post for the current year.

S. J. Pennefather, Esq.,
Superintendent General, Indian Affairs, Toronto.

I have, &c.
(signed) Geo. Ironside,
S. I. Affairs.

Indian Department, Toronto,
4 June 1858.

Sir,

I AM directed to acknowledge your letter of the 30th April, transmitting requisitions for stationery for your office, as well as for the two schools on the Manitoulin Islands for medicines, and for articles for the service of the Indians.

In reply, I am to inform you, that the stationery required by you for official purposes will be forwarded to you without delay, but his Excellency greatly regrets that that asked for for the schools, as well as the medicines, cannot be granted.

The cost of these has hitherto been defrayed from the Imperial grant; but, owing to the reductions which have been made in this, the amount previously accorded for contingencies has been struck out, and there is consequently now no portion of this grant properly applicable to the purchase of medicines or stationery.

As the Indians of Lake Huron do not in any way contribute to the general fund, no portion of it could, consistently with justice to other tribes, be devoted to any expenditure for them.

His Excellency is deeply sensible of the privation thus entailed upon the Indians by the refusal of these requisitions, and he especially deplores that so serious a check should be given to the instruction of the children attending the schools, but, under the circumstances above mentioned, no other course is open to him.

With respect to the remaining requisition, his Excellency would have no objection to sanction the purchase of these articles, provided the individual Indians requiring them agree before such purchase to the expenditure of their share of this year's annuity in such a manner. If, therefore, they forward, through you, such a requisition for axes, or other useful articles, on the understanding that they are to be paid for out of their annuity, the money can be so laid out for them; otherwise his Excellency has no funds at his disposal which can be allotted to this object.

I have, &c.
(signed) R. T. Pennefather,
Superintendent General.

Captain Ironside, Manitoulin Island.

— No 10. —

(No. 4.)

COPY of a DESPATCH from Governor General the Right Honourable Sir Edmund Head, Bart., to the Right Honourable Sir E. B. Lytton, Bart., M.P.

Government House, Toronto, C. W.,
17 January 1859.

(Received, 31 January 1859.)

(Answered, No. 26, 11 February 1859, page 44.)

Sir,

I HAVE the honour to enclose the estimate for the expenses of the Indian Department for the year terminating 31st March 1860, together with a memorandum of the Superintendent General of Indian Affairs, relative to the reduction which has been made in the item of salaries.

I have, &c.
(signed) Edmund Head.

No. 10.

The Right Hon. Sir Edmund Head, Bart., to the Right Hon. Sir E. B. Lytton, Bart., M.P.
17 January 1859.

Enclosure 1, in No. 10.

Indian Department, Toronto,
10 January 1859.

THE Superintendent General, in submitting the accompanying estimate for approval, begs respectfully to draw his Excellency's attention to the item of salaries. Encl. 1, in No. 10.

The Despatch from the Secretary of State of the 15th March 1858 (No. 10), stated, that, "subject to any further light which may be derived from the Commissioners' Report, if it arrive in time, the grant for salaries will be reduced next year by one-half, and cease in the following year, leaving it to you, with the advice of the proper officers on the spot, to provide for the department out of the large estates which it administers."

The Commissioners' Report having proposed a scheme for the management of the Indian Estate irrespective of the Imperial grant, the estimate for the year 1859-60 has been prepared in accordance with the foregoing directions of Lord Stanley.

The Superintendent General, however, believes that no action has hitherto been taken by the provincial government upon the above-mentioned report. Under the circumstances, he would represent that there are no funds as yet to meet the deficiency caused by the reduction of the Imperial grant, and he would humbly urge on his Excellency that a representation

CORRESPONDENCE RESPECTING ALTERATIONS

representation may be made to the Secretary of State for the continuance of the grant until provision is made for the payment of the officers of the department by the local government. If some arrangement of this sort be not made, the Superintendent General does not see how the Indian business is to be carried on.

His Excellency the Governor General,
&c. &c. &c.

The whole respectfully submitted,
R. T. Pennefather,
Superintendent General.

Encl. 2, in No. 10.

Enclosure 2, in No. 10.

ESTIMATE of the EXPENSES of the Indian Department in Canada, from the 1st April 1859 to the 31st March 1860.

ITEMS OF EXPENDITURE.	Amount in Sterling.			REMARKS.
	£.	s.	d.	
Salaries - - - - -	1,127	10	-	Reduced one-half, as per Despatch, No. 10, 15 March 1858.
Pensions to retired Officers and to Widows - - -	678	4	8	Addition of 277 <i>l.</i> 1 <i>s.</i> 8 <i>d.</i> currency to T. G. Anderson, Despatch 35, 23 April 1858.
Pensions to wounded Indians - - - - -	36	16	8	Reduction of 15 <i>l.</i> 13 <i>s.</i> 4 <i>d.</i> by the death of Portneuf.
Blankets for certain deserving aged and infirm Indians, and for relief in cases of necessity - - - - -	500	-	-	Authorised by Despatch 14, 28 June 1858.
	£.	2,342	11 4	

Amounting to Two thousand three hundred and forty-two Pounds Eleven Shillings and Fourpence sterling.

Approved,
(signed) *Edmund Head.*

By Command,
(signed) *R. T. Pennefather,*
Superintendent General.

Certified.
(signed) *S. Y. Chesley,*
Accountant.

Indian Department, Toronto,
7 January 1859.

— No. 11. —

(No. 6.)

No. 11.
The Right Hon.
Sir Edmund Head,
Bart., to the Right
Hon. Sir E. B.
Lytton, Bart., M. P.
18 January 1859.

COPY of a DESPATCH from Governor General the Right Honourable Sir *Edmund Head*, Bart., to the Right Honourable Sir *E. B. Lytton*, Bart., M. P.

Government House, Toronto, C. W.
18 January 1859.

(Received, 4 February 1859.)

(Answered, No. 27, 11 February 1859, page 45.)

Sir,

I HAVE the honour to enclose the Report of the Superintendent General of Indian Affairs for the year just ended of the department under his charge.

I have, &c.
(signed) *Edmund Head.*

Enclosure in No. 11.

Indian Department, Toronto,
11 January 1859.

Sir,

Encl. in No. 11.

I HAVE the honour to lay before your Excellency the following report on the condition of the Indian tribes in Canada, and the state of the department under my charge during the year 1858.

In the course of the past summer Captain T. G. Anderson, one of the oldest and most valuable officers in the service, retired upon a pension granted him by the liberality of Her Majesty's Government. Mr. W. R. Bartlett succeeds him as visiting superintendent in the eastern district of Upper Canada.

In consequence of the absence of pupils at the Manitowaning School, the teacher, Mr. Rawson, has received notice of his dismissal on the 1st July next. This reduction will cause a saving of 75*l.* sterling a year. The expenditure of the department has also been contracted by the stoppage of 400 dollars, formerly paid to the Deputy Receiver General for his share in superintending the Indian accounts.

The salary of the chief clerk at head quarters has been augmented by 200 dollars, as recommended by the Commissioners, and an additional allowance of 80 dollars has been granted to Mr. Assickennach since the increased rates of living made it impossible for him to subsist on his previous pay. There is thus, on the whole, a net saving of 485 dollars in the salaries for this year.

The blankets granted by the Imperial Government to the aged Indians have been distributed: the number of the recipients has been reduced by death from 516 to 465 since last year.

The "Moravian Tract," in the townships of Orford and Zone, was brought last autumn into the market. The scarcity of money in the country, and the consequent difficulties entailed on many of the inhabitants, acted most unfavourably on the sale. The land realised only 116,867 $\frac{35}{100}$ dollars, being an average of 6.30 dollars per acre, about one-half of what it was valued at two years ago. The instalments have, however, been well paid, and few, if any, forfeitures have taken place. There remain unsold 4,774 acres, valued at 30,076 $\frac{28}{100}$ dollars. I have, in accordance with your Excellency's commands, instructed the local superintendent to dispose of this by private sale as opportunity may occur, if he can get the upset price for the land. This has been found advisable, in consequence of the difficulty of preserving the timber from plunder. The band is settled on its new reserve, where houses are being erected for them.

I regret to say that I cannot speak favourably of the working of the industrial schools during the past year. The institution at Mount Elgin contains 42 pupils, while but 16 are inmates of that at Alnwick; of these, 12 belong to the Alnwick tribe, and two to the band at Rice Lake, only 9 miles distant.

I received remonstrances this autumn from every tribe that contributes to this latter school against the continuance of their subscription, amounting to 3,832 $\frac{16}{100}$ dollars annually. The Commissioners recommended the closing of this school, and suggested the appropriation of the building by Government to some other purpose. It is nearly, if not quite, useless to the Indians at present, as will appear from the annexed Table, showing the number of children and youths belonging to the bands which contribute to the school, with the actual proportion of scholars sent from each tribe.

NAME OF BAND.	Children, 1 to 14.	Youths, 14 to 21.	TOTAL.	Sent to the Alnwick School.
Saugen - - - -	90	13	112	- - none.
Cape Croker - - -	114	11	125	- - none.
Colpoys's Bay - - -	35	1	36	- - none.
Beausoleil - - - -	91	16	107	1
Rama - - - -	69	4	73	1
Snake Island - - -	73	5	78	- - none.
Skugog - - - -	20	2	31	- - none.
Mud Lake - - - -	43	2	45	- - none.
Rice Lake - - - -	60	6	66	2
Alnwick - - - -	91	4	95	12
	704	64	768	16

During the last Session of the Legislature notice was given by Mr. Christie, then member for East Brant, of a Bill to repeal the 13 & 14 Vict. c. 74, and 20 Vict. c. 26, on the ground that the protection afforded to the Indians by these Acts was used by individuals of the Six Nations as a method of defrauding their creditors, and that section 1 of the latter Act extended the immunity from legal proceedings to parties not affected by the Act of 1850.

It was, I presume, not deemed advisable that any legislation should take place while so many questions respecting the Indian Department were awaiting the action of the Executive. An arrangement was made by which the proposed Bill was withdrawn, and a Commission appointed for the investigation and settlement of such just and reasonable claims for debts contracted by the Six Nations as could have been recovered in court previous to the passage of the 20 Vict. c. 26, but which were cut off by that Act.

This Commission is now sitting, and has not yet reported. I fear, however, that it will be found that the claims of one sort and another made against individuals of these tribes amount to a very large sum. Applications have also been made to the department for payment of claims made against members of other bands, to the extent of some thousands of dollars, and there is no doubt that the alleged liabilities now brought forward do not include a great many outstanding accounts. It will be my duty hereafter to lay before your Excellency the result of the investigation which is now proceeding.

A grave question, however, arises: how far it is expedient to uphold the third clause of 13 & 14 Vict. c. 74.

This clause enacts, "That no person shall take any confession of judgment or warrant of attorney from any Indian within Upper Canada, or by means thereof, or otherwise howsoever obtain any judgment for any debt, or pretended debt, or upon any bond, bill, note, promise, or other contract whatsoever, unless such Indian shall be seised in fee-simple in his own sole right of real estate in Upper Canada, the title to which shall be derived directly or through others by letters patent from the Crown, and shall be assessed in respect of such real estate to the amount of 25*l.* or upwards."

Now, it appears, from the evidence already brought forward before Mr. Morgan, the Commissioner for investigating the claims against individuals of the Six Nations, that it is not the really destitute Indians whose names appear in the traders' books; it is the reckless and improvident, who obtain things on credit. Money, too, is advanced largely on the orders of the chiefs, and articles have been supplied which could not be deemed necessaries: for instance, in one case a bill is sent in for a set of silver-plated harness, supplied to an individual of the Six Nations.

Little consideration need be paid to the fact that there is always a lurking hope that the Government will not allow such debts to remain unpaid, and that it is on such expectation that credit is given. There can be no doubt that the merchants trading in this way are aware of the risk of non-payment, and charge proportionably to such risk. Their accounts, too, are in some cases sent in with 10% interest on the charges. There have been instances also where the articles furnished to the Indians are called by other names in the bills sent into this office. Thus, in one case, a requisition was made by a tribe for oxen, seeds, and agricultural implements, said to have been furnished them by a trader. The detailed bill, when called for, is found to be principally made up of "cash advances," "payments of chiefs' orders," "merchandise for goods account," and similar items.

It is the discovery of transactions of this character which causes the chief difficulty in the settlement of claims made against Indians. There may be, I have little doubt, *bonâ fide* instances of provisions and necessaries supplied to prevent distress and starvation, and these I should be inclined to look more favourably on; but it is indisputable that frequent attempts at fraud have been practised.

It appears to me, that were the clause in question modified, so as to protect the common property of the tribe, namely, the land, but to leave the personal property of the individual debtor liable to legal process, great advantages would be gained. Not only would the trader be free from the temptation of falsifying his accounts, by entering as provisions or necessaries advances of money or goods of very different descriptions, but the Indian, not being able to obtain credit, would be forced to work for his livelihood, and adopt habits of self-dependence and industry.

Another point to which I respectfully beg to draw your Excellency's attention with reference to this is, that the protection of Indian lands is by the Acts 2 Vict. c. 15, and 13 & 14 Vict. c. 74, restricted to Commissioners appointed for that purpose. No emolument is attached to this office, so that it is difficult to prevail upon parties to accept the duties. The visiting superintendents are of course Commissioners, but their districts are so extensive as to render it impossible for them to examine every case of trespass reported to them. When they make their visits to the bands, their coming is known beforehand, and the offenders withdraw until after their departure. The same may be said for neglect of statute labour. It might also be well to extend the protection to lands surrendered by the Indians to be sold for their benefit, but which have not been so disposed of. It may fairly be argued, that if the land should be protected while the common property of a tribe, it is equally entitled to protection while in process of being prepared to be sold for their benefit. As the law now stands, the moment the treaty of cession is concluded, the land ceases to be within the provisions of the Acts above mentioned, and may be squatted on, and stripped of its timber with impunity, before it can be surveyed and brought into the market.

The Acts 3 Vict. c. 13, and 13 & 14 Vict. c. 74, s. 6, are likewise inconsistent. The former law enables any justice of the peace to fine in the amount of 20*l.* any person convicted of selling spirituous liquor to an Indian. The latter reduces the penalty to 5*l.*, but makes the offence

offence a misdemeanor; as such, it cannot be disposed of summarily, but has to be brought before a court of competent jurisdiction.

There is great difficulty in getting the witnesses together to appear before the court of quarter sessions, as the defendant has time to make arrangements whereby the witnesses are induced to stay away. Much trouble and expense are also involved. The infringer of the law, from these causes, frequently escapes with impunity. It appears, from the annexed copy of an opinion of the Attorney General, Canada West, that there is some doubt whether the earlier Act is in force or not, and that in his judgment legislation is advisable on this point. I believe that this most pernicious traffic could be more effectually checked if the power of punishment were left as provided by the 3 Vict. c. 13, namely, by summary proceedings before any justice of the peace, though the fine might perhaps without impropriety be reduced.

Much uneasiness is manifested by the Indians with reference to the course likely to be pursued with regard to the management of their affairs in future. A great council was held last autumn, in which the tribes of Upper Canada almost unanimously refused to surrender any more land. As the council was not called with the sanction of the Government, I did not attend it, and have abstained from noticing the representations made thereat.

As the Imperial grant for salaries will this year be reduced one-half, it would be a great advantage if the Executive Government could be induced to take some action on the scheme now before them for providing for the expenses of the Indian Department. There are no funds now available for supplying the deficiency caused by the withdrawal of the aid given by the British Government.

The amount invested in Consolidated Municipal Loan Fund Debentures on Indian account during the last year has been 33,541 $\frac{1}{10}$ dollars. As these securities have been at a discount, this sum procured debentures to the amount of 34,600 dollars, being a saving to the fund of 1058.86 dollars. There is in hand for the Upper Canadian tribes 17,500 dollars, which might be invested, besides 3,000 dollars interest on the Management Fund. There is also a sum of 12,364 $\frac{1}{10}$ dollars, being the accumulations of the Provincial Parliamentary grant for the Lower Canadian tribes, after providing for the expenses charged against this fund. This might be invested for their benefit should the Government sanction its application in this manner. The surplus accumulations were similarly invested by Order in Council in the year 1854.

Before closing this report, there is one point to which I beg to draw your Excellency's attention as likely to become, before long, of great importance to the Indians of the whole province, and especially the Eastern section.

Under the Fishery Act of last Session, many rivers are about to be leased as fishing stations, from which the Indians in Lower Canada have been in the habit of procuring a large part of their sustenance. The tribes, too, on the north shore of Lakes Huron and Superior and the Manitoulin Islands rely very much on the fisheries for their support. These, I understand, are also to be leased. Several tribes also, numbering some thousands of souls, are completely dependent on the stations of the Hudson's Bay Company, or "King's Posts, in Eastern Canada," for their supplies. Now that the King's Posts are going to be given up, and that the fisheries will be preserved by private individuals, who have no interest in the support of the Indians, I would respectfully urge the claims of the native tribes upon the Government. It is useless to expect them to devote themselves to agriculture, or settled pursuits. The inhospitality of the climate on the north shore of the Lower St. Lawrence, the poverty of the soil on the tracts allotted to the Indians, added to their own indolence and unsettled habits, render it impossible to entertain any well-grounded hope that the bands in that locality can, for many years to come, become independent. They are then, I think, fairly a charge upon the Government, and I would respectfully press that some provision may be made for them, as well as the indigent tribes in the north west, to save them from starvation, when their present means of existence are cut off.

The whole respectfully submitted.

His Excellency the Governor General,
 &c. &c. &c.

(signed)

R. T. Pennefather,

Superintendent General.

Office of Attorney General for Upper Canada,
 Toronto, 17 November 1858.

Sir,

I HAVE the honour, by desire of Mr. Attorney General Macdonald, to acknowledge the reference, No. 10,807 of Mr. Thorburn's letter, desiring the Attorney General's opinion as to whether the 2d Vict. c. 13, s. 2, imposing a penalty of 20 *l.* on any person contravening the provisions of that Act, is repealed by 13 & 14 Vict. c. 74, s. 6, reducing the penalty for selling liquor to Indians to 5 *l.*

I am to inform you that the Attorney General thinks (with doubt) that the latter Act supersedes the former one, and that there should be legislation on the matter to settle the doubt.

R. T. Pennefather, Esq.

I have, &c.
 (signed) *H. Bernard.*

— No. 12. —

No. 12.
The Right Hon.
Sir Edmund Head,
Bart., to the Duke
of Newcastle.
30 April 1860.

(No. 36.)

COPY of a DESPATCH from Governor General the Right Honourable
Sir *Edmund Head*, Bart., to the Duke of *Newcastle*.

Government House, Quebec, 30 April 1860.

(Received, 17 May 1860.)

My Lord Duke,

In consequence of the withdrawal of the vote by the Imperial Parliament from the Indian Office in Canada, it has become necessary to provide for the transfer of the management of such office to the hands of some officer responsible to the Colonial Parliament, from whom any funds hereafter required will have to be derived.

* *Vide* p. 37.

Accordingly, the Bill (of which a copy is enclosed*) has been introduced into the Legislative Council by the Chief Commissioner of Crown Lands, and is now under discussion in the Legislative Assembly.

Your Grace will, I think, see that it makes no change whatever in the right of the Indian tribes, and provides such security as the nature of the case admits for consulting their wishes and interests in dealing with their reserved lands. I propose at any rate reserving this Bill (if it passes) for Her Majesty's special sanction.

I have, &c.
(signed) *Edmund Head*.

— No. 13. —

No. 13.
The Right Hon.
Sir Edmund Head,
Bart., to the Duke
of Newcastle.
9 May 1860.

(No. 42.)

COPY of a DESPATCH from Governor General the Right Honourable
Sir *Edmund Head*, Bart., to the Duke of *Newcastle*.

Government House, Quebec, 9 May 1860.

(Received, 25 May 1860.)

My Lord Duke,

(Answered, No. 63, 16 June 1860, page 45.)

I HAVE the honour to enclose a petition addressed by the Indian tribes of Lakes Huron and Simcoe, in Upper Canada, to Her Most Gracious Majesty: I also forward a copy of the Report of the Superintendent General of Indian Affairs upon it.

I presume that, under the present circumstances, the matters touched upon in this document are such as will be left to be dealt with by the Provincial Government.

I have, &c.
(signed) *Edmund Head*.

Enclosure 1, in No. 13.

Encl 1, in No. 13.

Sir,

Indian Department, 4 May 1860.

THE accompanying document has been numerously signed by the Chippewa Indians of the Saugeen, and Lakes Huron and Simcoe. Although it is quite irregular in its form, and was adopted at a council, which was not sanctioned by the department, I have nevertheless consented to lay it before you, as they expressed great anxiety I should do so.

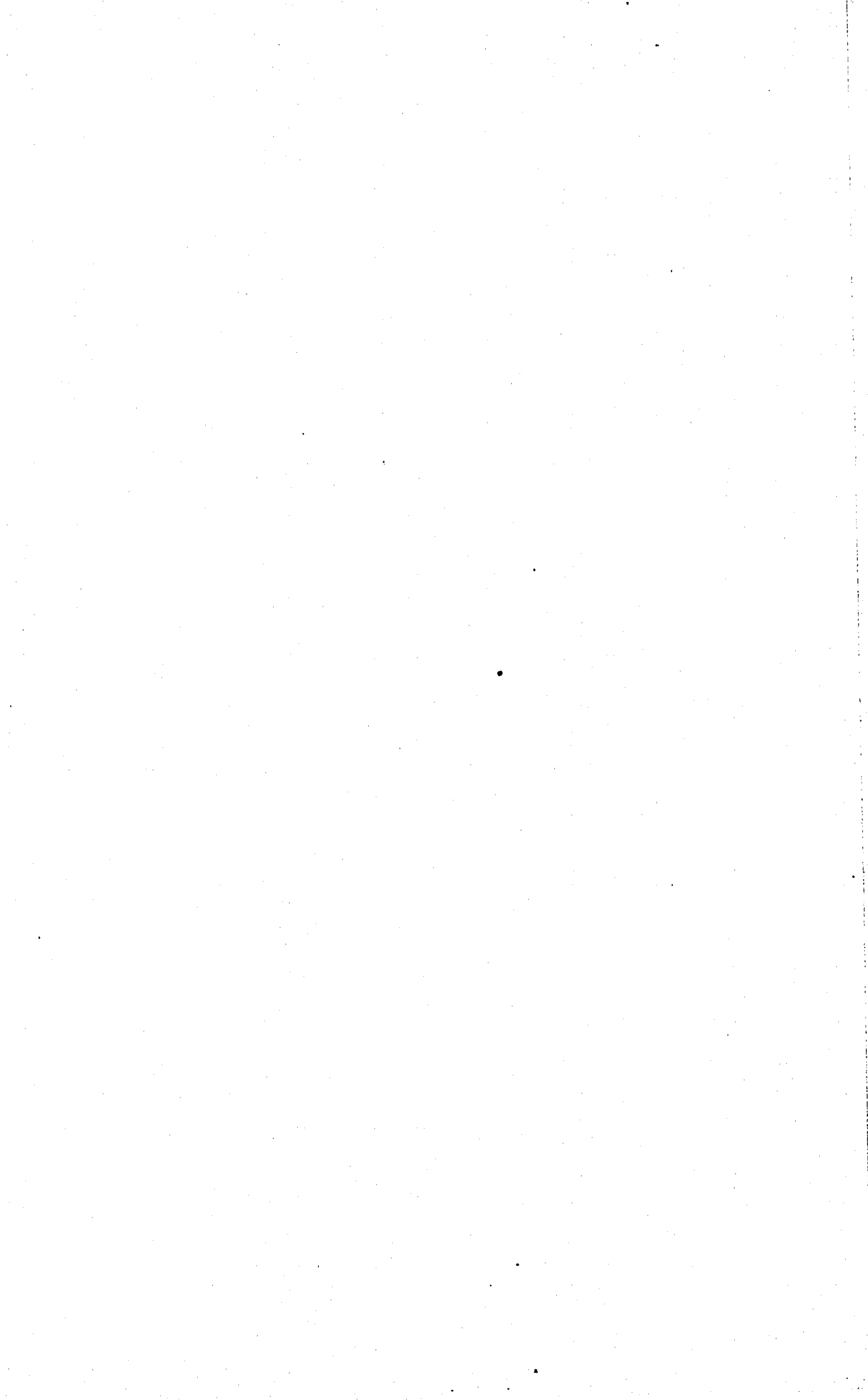
At the same time I explained to the deputation which placed it in my hands that I feared any further trial to obtain a renewal of the presents for which they petition would be unsuccessful. Nevertheless I could wish that it were possible without impropriety to draw the attention of Her Majesty's Government to the desitute condition of such of the tribes as have no lands or funds of their own.

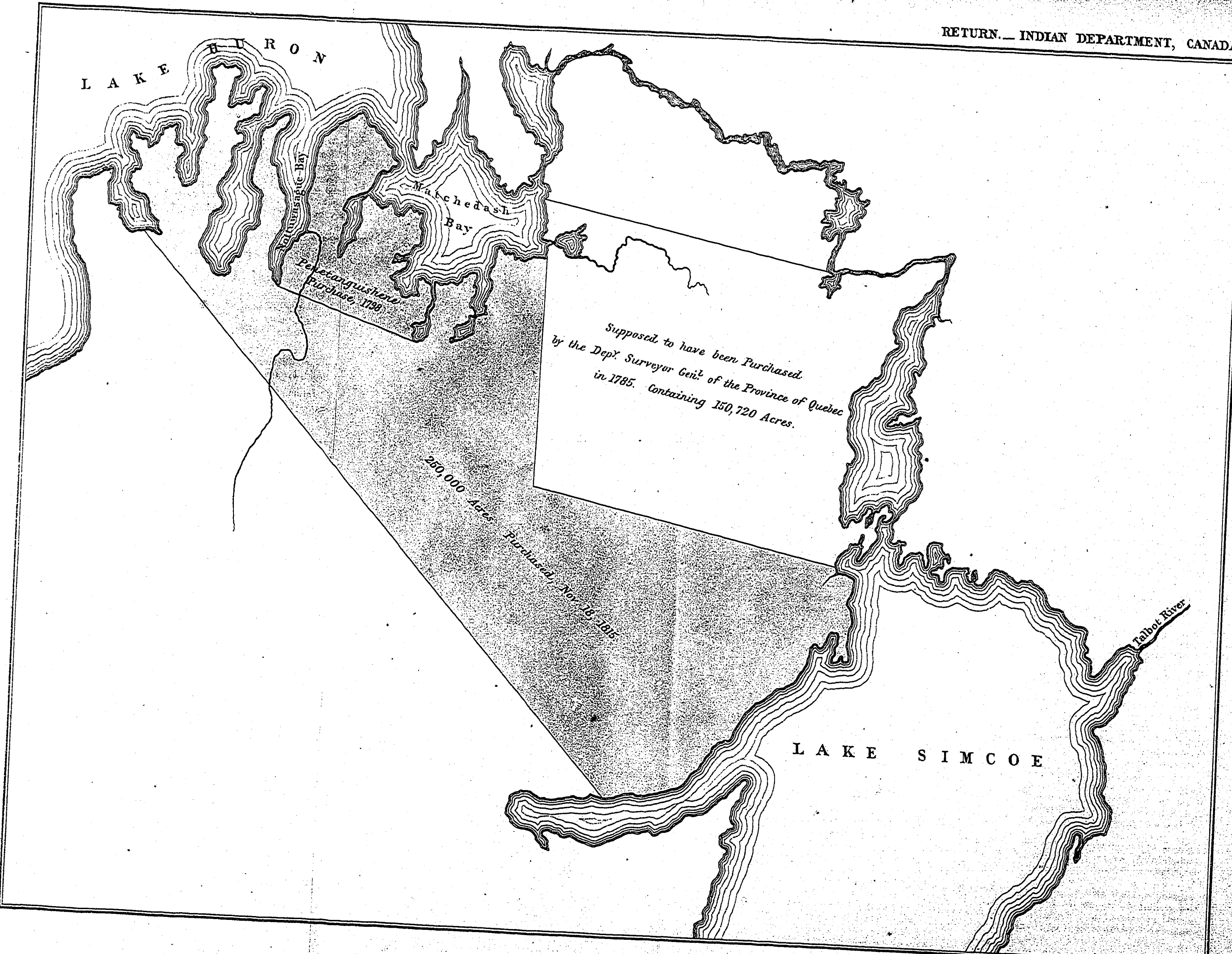
To these bands the withdrawal of the presents has been a great privation. The grant of a blanket, a gun, or a few pounds of powder, would in many cases, by affording protection from the inclemency of the weather, or by giving the means of obtaining a livelihood, alleviate much distress.

I fully appreciate the liberality of the Imperial authorities in granting the three hundred pounds for blankets, as suggested by Lord Bury; but the number was strictly limited, and no fresh names were to be added. There are therefore many aged and deserving Indians among the indigent bands who do not participate in this bounty, as it does not afford any means of meeting fresh cases of distress.

The other points in the memorial are,—

1st. A claim





LAKE HURON

LAKE SIMCOE

Talbot River

Maitland Bay

Pelee Bay

Matchedash Bay

Pelee Islands Purchase, 1789

Supposed to have been Purchased by the Dep't Surveyor Gen'l of the Province of Quebec in 1785. Containing 150,720 Acres.

250,000 Acres Purchased, Nov. 18, 1815

1st. A claim to all surveyed and unsurveyed lands west and north of Lakes Simcoe and Conchiching, and the River Severn to Matchedash Bay, up to the boundary line of the lands surrendered to the Government in the year 1798, and following the boundary line of the lands surrendered to the Crown in 1815, to the carrying place; from thence to the Talbot River, the dividing line between Mosa and Thorah. They likewise claim all surveyed and unsurveyed lands east and north the above-named waters, till they come to the lands owned by other tribes. All the above-named they claim, with the exception of the lands on the Coldwater Road, surrendered by them to Sir Francis B. Head, in the year 1834.

They also claim the islands in Lake Simcoe, known by the following names, viz., Snake Island, Fox Island, and Georgiana Island. They likewise assert their claim to "all the islands in Lake Conchiching, with the exception of Pumpkin Island, lying conveniently to Orillia." They also claim the "Christian Island, Round Island, and Hoop Island, lying in Matchedash Bay, according to the last treaty of Captain Anderson," their late superintendent. They also claim "all the rest of the islands lying in Lakes Huron and Simcoe," in their names and tribes, because they have nothing to show the surrender, and as they received no remuneration for the same.

This part of the memorial, it will be seen, is addressed to Her Most Gracious Majesty.

2d. They request of your Excellency that there may be reserved for them the following tract of land:—

"Two townships, 12 miles square each, including Trading Lake," which they assert have never been surrendered to the Crown.

3d. In behalf of their brethren established at the Lake of Two Mountains, they represent that they owned a large tract of land in the Ottawa and adjoining districts, and that a part of these lands has been surveyed and sold to the whites, which they have not at any time ceded.

4th. The Cape Croker Indians complain respecting the title to their lands, and the loss of money due to them on the sales of their surrendered lands.

5th. The Lakes Huron and Simcoe Indians petition against the fishery law, and state that when they surrendered their lands to the Government, they did not sign over all the game and the fish, and that they think it no more than just that they should have the privilege of selling timber or stone off from their reserves.

With regard to the first point, a surrender is in the Indian department of the whole tract shown on the accompanying diagram, and coloured red. Another block, as will be seen, was purchased in 1798. A further extent was supposed (in 1815) to have been obtained in 1785. The land may also be held to be covered by the Robinson Treaty in the following words:—"From Penetanguishene to Sault Ste. Marie, and thence to Batchewananing Bay, on the northern shore of Lake Superior, together with the islands in the said lakes, opposite to the shores thereof, and inland to the height of land which separates the territory covered by the charter of the Honourable the Hudson's Bay Company from Canada, as well as all unconceded lands within the limits of Canada West, to which they have any just claim."

The Lakes Huron and Simcoe Indians, however, assert, that the tribes on the north shore had no right to cede hunting grounds, which were not occupied by themselves, but by the present petitioners. If this be so, then a portion of the territory south of the Severn River seems to be still unsurrendered.

The Executive Government, by accepting in 1856 a surrender from the Lakes Huron and Simcoe Indians of the islands in the Georgiana Bay, gives a sort of colour to their present claims.

A further doubt exists respecting the land lying between Lake Conchiching and Talbot River. No written surrender of this tract is in existence; but it appears, from the Commissioners' report in 1844, that after the surrender of the Coldwater tract in 1836, the Indians bought the 1,600 acres on which they now reside. This affords a presumption that they had previously given up their claim to the mainland on Lakes Conchiching and Simcoe, while they retained the islands. If this inference be correct, their present claim is unfounded.

Their request for two townships, of 12 miles square each, to be reserved for them round Trading Lake, is one for the consideration of your Excellency; but in my opinion it would not be for the substantial advantage of the Indians to grant it, while it would create an obstacle to the settlement of the back country. If acceded to at all, they should surrender all their land in the front in exchange for it.

In consideration of the claims pressed by the Indians of the Lake of Two Mountains, for compensation for their hunting grounds on the Ottawa River, which had been taken possession of by the white population before they were surrendered, or the Indian interest consulted in any way, the Executive Government granted to these bands, under the 14th and 15th Vict. c. 106, 45,750 acres on the River Desert. A certain number of the Algonquins have embraced the opportunity thus given to them of exchanging the sterile tract at the Lake of the Two Mountains for a fresh location, where they have formed the settlement of Maniwaki, and are beginning to apply themselves to agriculture.

With regard to the complaints of the Cape Croker tribe, a very brief explanation will show that they have no real grievance. The duplicate treaty, after being ratified by your Excellency, was returned to them; but as the acceptance by the Government of the sur-

render

render is contained in a Minute of the Executive Council, that document was filed in the Indian Department, instead of being entrusted to their care.

The licenses of occupation to individuals for their respective lots of 25 acres, are being prepared.

The scarcity of money throughout the country has of course caused some arrears in the payments on the lands sold in the Saugeen Peninsula : hence arises their suspicion of being robbed.

The fishery law has caused considerable dissatisfaction among the native tribes ; but an arrangement, which it is hoped will quiet their apprehensions, has been entered into with the Crown Land Department in their favour. By this arrangement the Commissioner of Crown Lands has agreed that fishery leases should be given to the visiting superintendents for the various bands of Indians in Canada West, at the spots most resorted to by the latter, at rents fixed by the Superintendent of Fisheries for Upper Canada, with the proviso, however, that so long as the Indians confine themselves to the limits fixed by the leases, and do not molest the other lessees, those rents will not be exacted. In effect, they really enjoy the privilege of free fishery for their own use, so long as they do not transgress the law.

The whole respectfully submitted.

His Excellency the Governor General,
&c. &c. &c.

R. T. Pennefather,
Superintendent-General.

Enclosure 2, in No. 13.

Encl. 2, in No. 13. By the Honourable Sir *William Johnson*, Bart., His Majesty's Superintendent of Indian Affairs for the Northern District of North America, Colonel of the Six United Nations, their Allies and Dependents, and of His Majesty's Council for the Province of New York, &c.,

A Proclamation.

WHEREAS I have received His Majesty's Royal Proclamation, given at the Court of St. James', the 11th day of October last, together with a letter from the Right Honourable Lords Commissioners for the Trade and Plantations, of the 10th of October last, signifying His Majesty's commands that I should cause the same to be forthwith made public in the several parts of my jurisdiction, and that I should strictly enjoin all persons whatever whom it might concern to pay a due obedience thereto on their parts, which Proclamation is in the words following :

By the King.

A Proclamation.

George R.

WHEREAS we have taken into our Royal consideration the extensive and valuable acquisitions in America secured to our Crown by the late definitive treaty of peace, concluded at Paris the 10th day of February last; and being desirous that all our loving subjects, as well of our kingdoms as of our Colonies in America, may avail themselves with due convenient speed of the great benefit and advantage which must accrue therefrom to their commerce, manufactures, and navigation, we have thought fit, with the advice of our Privy Council, to issue this our Royal Proclamation, hereby to publish and declare to all our loving subjects that we have, with the advice of our said Privy Council, granted our letters patent, under our great seal of Great Britain, to erect within the countries and islands ceded and confirmed to us by the said treaty four distinct and separate Governments, styled and called by the names of Quebec, East Florida, West Florida, and Grenada, and limited and bounded as following, viz. :

1st. The Government of Quebec, bounded on the Labrador coast by the River St. John, and from thence by a line drawn from the head of that river through the Lake St. John to the south end of the Lake Nipisin; from whence the said line, crossing the River St. Lawrence and the Lake Champlain, in 45 degrees of north latitude, passes along the high lands which divide the rivers that empty themselves into the said River St. Lawrence, from those which fall into the sea, and also along the north coast of the Bay des Chaleurs and the coast of the Gulf of St. Lawrence to Cape Rosieres, and from thence, crossing the mouth of the River St. Lawrence, by the west end of the Island of Anticosti, terminates at the aforesaid River St. John.

2d. The Government of East Florida, bounded to the westward by the Gulf of Mexico and the Apolichicola River, to the northward by a line drawn from the part of the said river where the Chatahouchee and Flint Rivers meet to the source of St. Mary's River, and by the course of the said river to the Atlantic Ocean, and to the eastward and southward by the Atlantic Ocean and the Gulf of Florida, including all islands within six leagues of the sea coast.

3d. The

3d. The Government of West Florida, bounded to the southward by the Gulf of Mexico, including all islands within six leagues of the coast, from the River Apalachicola to the Lake Pouchicetrain, to the westward by the said lake to the Lake Mouripas and the River Mississippi, to the northward, by a line drawn due east from that part of the River Mississippi which lies in 31 degrees north latitude to the River Apalachicola or Chatahouche, and to the eastward by the said river.

4th. The Government of Grenada, comprehending the island of that name, together with the Grenadas and the Islands of Dominico, St. Vincent, and Tobago.

And to the end that the open and free fishery of our subjects may be extended to and carried on upon the coast of Labrador and the adjacent islands, we have thought fit, with the advice of our said Privy Council, to put all that coast from the River St. John to Hudson's Straits, together with all the Islands of Anticosti and Magdelaine, and other smaller islands lying upon the said coast, under the care and inspection of our Governor of Newfoundland.

We have also, with the advice of our Privy Council, thought fit to annex the Islands of St. John's and Cape Briton or Isle Royal, with the lesser islands adjacent thereto, to our Government of Nova Scotia.

We have, also, with the advice of our Privy Council aforesaid, annexed to our province of Georgia all the lands lying between the River Altamaha and St. Mary's.

And whereas it will greatly contribute to the speedy settling our said new Governments that our loving subjects should be informed of our paternal care for the security of the liberties and properties of those who are and shall become inhabitants thereof, we have thought fit to publish and declare, by this our proclamation, that we have in the letter patents under our Great Seal of Great Britain, by which the said Governments are constituted, giving express power and direction to our governors of our said colonies respectively that so soon as the state and circumstances of the said colonies will admit thereof, they shall, with the advice and consent of the members of our Council, summon and call general assemblies within the said Governments respectively, in such a manner and form as is used and directed in those colonies and provinces in America which are under our immediate government; and we have also given power to the said governors, with the consent of our councils and the representative of the people so to be summoned as aforesaid, to make, constitute, and ordain laws, statutes, and ordinances for the public peace, welfare, and good government of our said colonies, and of the people and inhabitants thereof as near as may be agreeable to the laws of England, and under such regulations and restrictions as are used in other colonies; and in the meantime, and until such assemblies can be called as aforesaid, all persons inhabiting in or resorting to our said colonies may confide in our Royal protection for the enjoyment of the benefit of the laws of our realm of England, for which purpose we have given power under our Great Seal to the governors of our said colonies respectively to erect and constitute, with the advice of our said councils respectively, courts of judicature and public justice within our said colonies, for the hearing and determining all causes, as well criminal as civil, according to law and equity, and as near as may be agreeable to the laws of England, with liberty to all persons who may think themselves aggrieved by the sentences of such courts in all civil cases or trials, under the usual limitations and restrictions to us, in our Privy Council.

We have also thought fit, with the advice of our Privy Council as aforesaid, to give unto the governor and councils of our said three new colonies upon the continent, full power and authority to settle and agree with the inhabitants of our said new colonies, or with any other persons who shall resort thereto, for such lands, tenements, and hereditaments as are now or hereafter shall be in our power to dispose of, and them to grant to any such person or persons, upon such terms and under such moderate quit rents, services, and acknowledgments as have been appointed and settled in our other colonies, and under such other conditions as shall appear to us to be necessary and expedient for the advantage of the grantees, and the improvement and settlement of our said colonies.

And whereas we are desirous upon all occasions to testify our Royal sense and approbation of the conduct and bravery of the officers and soldiers of our armies, and to reward the same, we do hereby command and empower our governors of our three new colonies, and all other our governors of our several provinces on the continent of North America, to grant, without fee or reward, to such reduced officers as have served in North America during the late war, and to such private soldiers as have been or shall be disbanded in America, and are actually residing there, and shall personally apply for the same, the following quantities of lands, subject at the expiration of 10 years to the same quit rents as other lands are subject to in the province within which they are granted, as also subject to the same conditions of cultivation and improvements:

To every person having the rank of a field officer, 5,000 acres; to every captain 3,000 acres; to every subaltern or staff officer 2,000 acres; to every non-commission officer 200 acres; to every private man 50 acres. We do likewise authorise and require the Governors and Commanders in Chief of all our said colonies upon the continent of North America, to grant the like quantities of land, and upon the same condition to such reduced officers of our navy of the rank as served on board our ships of war in North America at the times of the reduction of Louisbourg and Quebec in the late war, and who shall personally apply to our respective governors for such grants.

And whereas it is just and reasonable, and essential to our interest and the security of our colonies that the several nations or tribes of Indians with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such

such parts of our dominions and territories as, not having been ceded to or purchased by us, are reserved to them, or any of them, as their hunting grounds; we do, therefore, with the advice of our Privy Council, declare it to be our Royal will and pleasure that no Governor or Commander in Chief in any of our colonies of Quebec, East Florida, or West Florida do presume, upon any pretence whatever, to grant warrants, or survey or pass any patents for lands beyond the bounds of their respective Governments as described in their commission; as also, that no Governor or Commander in Chief in any of our other colonies or plantations in America do presume for the present, and until our further pleasure be known, to grant warrants of survey or pass patents for any lands beyond the heads or sources of any of the rivers which fall into the Atlantic Ocean, from the west and north-west, or upon any lands whatever which, not having been ceded to or purchased by us as aforesaid, are reserved to the said Indians, or any of them; and we do further declare it to be our Royal will and pleasure for the present as aforesaid, to reserve under our sovereignty and protection, and dominion, for the use of the said Indians, all the lands and territories not included within the limits of our said three new Governments, or within the limits of the territory granted to the Hudson's Bay Company, as also all the lands and territories lying to the westward of the source of the rivers which fall into the sea from the west and north-west as aforesaid. And we do hereby strictly forbid, on pain of our displeasure, all our loving subjects from making any purchases or settlements whatever, or taking possession of any of the lands above reserved, without our especial leave and license for that purpose first obtained.

And we do further strictly enjoin and require all persons whatever who have either wilfully or inadvertently seated themselves upon any land within the countries above described, or upon any other lands, which, not having been ceded to or purchased by us, are still reserved to the said Indians as aforesaid, forthwith to remove themselves from such settlements.

And whereas great frauds and abuses have been committed in the purchasing lands of the Indians, to the great prejudice of our interests, and to the great dissatisfaction of the said Indians; in order, therefore, to prevent such irregularities for the future, and to the end that the Indians may be convinced of our justice and determined resolutions to remove all reasonable cause of discontent, we do, with the advice of our Privy Council, strictly enjoin and require that no private person do presume to make any purchase from the said Indians of any lands reserved to the said Indians, within those parts of our colonies where we have thought proper to allow settlements; but that if at any time any of the said Indians should be inclined to dispose of the said lands, the same shall be purchased only for us, in our name at some public meeting or assembly of the said Indians, to be held for that purpose, by the Governor or Commander in Chief of our colonies respectively, within which they shall lie: and in case they shall lie within the limits of any proprietary Government, they shall be purchased only for the use and in the name of such proprietaries, conformable to such directions and instructions as we or they shall think proper to give for that purpose; and we do, by the advice of our Privy Council declare and enjoin that the trade with the said Indians shall be free and open to all our subjects whatever, provided that every person who may incline to trade with the said Indians do take out a license for carrying on such trade from the Governor or Commander in Chief of any of our colonies respectively, where such person shall reside, and also give security to observe such regulations as we shall at any time think fit, by ourselves or by our commissioners to be appointed for this purpose, to direct and appoint for the benefit of that said trade; and we do hereby authorize, enjoin, and require the Governors, 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 license without fee or reward, taking especial care to insert therein a condition that such license shall be void 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 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 treasons, misprisions of treason, murders, or other felonies or misdemeanors shall, fly from justice and take refuge in the said territory, and to send them under proper guard to the colony where the crime was committed of which they stand accused in order to take their trial for the same.

Given at our Court at St. James's the 7th day of October 1763, in the 3d year of our reign.
God save the King.

I do, in obedience to His Majesty's command, give this public notice to all persons residing within my jurisdiction (being that country justly claimed by the Six Nations, their allies and dependants) that I will, to the utmost of my power, cause the same to be observed, and I do strictly enjoin all such persons to pay due obedience thereto.

Given under my hand and seal at arms, at Johnson Hall, the 24th day of December 1763, in the 4th year of the reign of our Sovereign Lord, George the Third, by the Grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and "so forth."

By order of Sir William Johnson,
Witham Marsh,
Secretary for Indian affairs.

William Johnson.

God save the King.

To our Great Mother Her Most Gracious Majesty the Queen of Great Britain,
 &c. &c. &c.

WE, your Majesty's dutiful and loyal subjects, the Chippewa Indians, of Lakes Huron and Simcoe, of Western Canada, beg leave to address your Most Gracious Majesty on the subject of your Royal Bounty. When we ceded our lands to the Crown, our Great Father, the Governor of the Province, promised us our presents as long as the sun shines, the grass grows, and the waters run. When we heard the decision of your Majesty's Government in the year of our Lord 1845, viz., that all children born after the 1st day of April, in the year A. D. 1846, should be excluded from receiving presents, we felt very sorry for our children, but when we were informed by our Great Father, the Earl of Elgin, the Governor General, that your Majesty's Royal bounty was about to be withheld, and we were to receive no more presents, this made us feel very sick in our hearts. When our Great Father, the Governor was in trouble, and the enemy threatened to invade these Provinces, he called upon us his red children, and again renewed his promises. He said, "If you will turn out and help me in the war against my enemies, your presents shall be continued to you as long as the sun shines, the grass grows, and the waters run." We joined the army, helped to drive the enemy from our shores, and many of our fathers died, and brethren bled; and when our presents were stopped, we were astonished; we remembered the promise, we looked up to the sun, still shining bright as ever, we turned our eyes downward to the grass, still the grass looked fresh and green; we cast our eyes over the beautiful waters, they continue to flow as usual; we again think of our Great Father's promises, and it troubles us very much; and we are constrained to appeal to our Great Mother, and pray that your most gracious Majesty will again grant your Royal Bounty, and restore to your poor red children these presents as in former years.

To our Great Mother Her Most Gracious Majesty the Queen of Great Britain, &c. &c. &c.

WE are your Majesty's most dutiful and loyal subjects; the Chippewa Indians of Lakes Huron and Simcoe beg leave to address your most gracious Majesty respecting our lands.

We have a claim to all surveyed and unsurveyed lands west and north of Lake Simcoe and Concheching and the River Severn, to Machedash Bay, up to the boundary line of the lands surrendered to the Government in the year 1798, and following the boundary line of the lands surrendered to the Crown in the year 1815, to the carrying place, from thence to the Talbot River, the dividing line between Mara and Thora. We likewise claim all surveyed and unsurveyed lands east and north the above-named waters, till we come to the lands owned by other tribes. All the above-named we claim, with the exception of the lands on the Cold Water Road, surrendered by us to Sir Francis B. Head in the year 1836. We also claim the Islands in Lake Simcoe, known by the following, viz.: Snake Island, Fox Island, and Georgiana Island. We likewise claim all the islands in Lake Concheching, with the exception of Pumpkin Island, lying conveniently to Orillia. We also claim the Christian Island, Round Island, and Hoop Island, lying at Machedash Bay. According to the last treaty of Captain Anderson, our late superintendent, we also claim all the rest of the islands lying in Lakes Huron and Simcoe, in our names and tribes.

Because there is nothing to show the surrender, and as we received no remuneration for the same, we therefore take this opportunity of expressing our attachment to your Majesty's person and Government, humbly hoping your most gracious Majesty will be pleased to grant the prayer of our petition, and your petitioners, as in duty bound, will ever pray for the blessing of the Great Spirit to rest upon you and your Royal Consort, His Excellency Prince Albert, and all the Royal family.

To our Great Father the Governor General of British North America, &c. &c. &c.

WE your red children, the Chippewa Indians of Lakes Huron and Simcoe, comprising the following bands, viz.: Colpoy's Bay, Beausoleil Island, Rama, Snake Island, have agreed in council to request your Excellency to reserve the following tract of land: two townships, 12 miles square, each including Trading Lake. Our lands are nearly all gone from our hands: we are hoping, some future day, to collect our bands together, and invite others who may be disposed to join our tribe.

We have selected lands which we have never surrendered to the Crown. It is altogether unoccupied by white men, there being none within 20 miles of it.

Both the land and fishing are well adapted for an Indian settlement, lying 20 miles north-east from Merskoko Lake.

This land is not surveyed. We wish to have it deeded to our children's children for ever.

We respectfully submit the above for your Excellency's consideration, and humbly pray you will grant our request.

To our Great Mother Her Most Gracious Majesty the Queen of Great Britain,
 &c. &c. &c.

WE, your dutiful and loyal subjects, the Chippewa Indians of Lakes Huron and Simcoe, of Western Canada, in council assembled, at Rama this 8th day of July, A. D. 1859, beg leave to address your Most Gracious Majesty in behalf of our brethren, the tribes established at the lake of Two Mountains, who stated that they owned a large tract of land in the Ottawa and adjoining districts. A part of these lands has been surveyed and sold to the whites. They say that they have not at any time ceded any of their lands to the Crown; they say they are very poor.

We humbly pray that your most Gracious Majesty will take their cause into your serious consideration, as they think no more than just that they should receive some remuneration for their lands as well as their brethren of the lakes Huron and Simcoe tribes. The above-named lands have been their hunting grounds, their fathers, and forefathers. And we do further certify that the above-mentioned lands were owned by the said Indians, their fathers and forefathers.

We humbly pray that your Most Gracious Majesty will grant the prayer of our petition, and your petitioners will, as in duty bound, ever pray, for the blessing of the Great Spirit to rest upon you and your Royal Consort, his Excellency Prince Albert, and all the Royal family.

To his Excellency the Governor General of British North America, &c. &c. &c.

WE, the Chippewa Indians belonging to the Cape Broke band, beg most humbly to approach your Excellency through W. R. Bartlett, S. I. affairs:—

1st. With regard to the last surrender we made to the Crown, the Superintendent General promised us that he would give us a good title for the reserve where we was to go, and he gave us one. We showed it to several gentlemen, and they say that it is not worth anything, on account of a statement made therein which that unless the Governor's seal and signature be there it shall be so.

2d. Since we have surrendered our Peninsula we have not received money that would be equal to the amount received by the sale of the lands, and we are losing monies through somewhere or other. To this we beg your Excellency's most serious consideration. And we will, as in duty bound, ever pray.

To our Great Father the Governor General of the United Provinces of British North America, &c. &c. &c.

WE, your red children the Chippewa Indians of Lakes Huron and Simcoe, in council assembled at Rama, this 9th day of July 1859. We were astonished when we heard from our superintendent, W. R. Bartlett, Esq., that there was a law made to authorise a superintendent of fisheries to rent our fishing grounds without our consent. We were told if we wished to reserve them for our own use we must apply to the superintendent, and pay a rent, or run the risk of being deprived of them. When we surrendered our lands to the Government we did not sign over all the game and the fish. Indians have had always the privilege of hunting wherever they pleased. Again, when we surrendered our lands to the Government, we do not say you must not cut down or sell the timber, nor sell the stone. We think no more than just that we should have the privilege of selling timber or stone off from our own reserves, if we have the opportunity of doing so to advantage.

We humbly submit the above statement to your Excellency's consideration.

(Here follow 77 signatures.)

Council House, Rama Indian Village,
 11 July 1859.

— No. 14. —

(No. 48.)

COPY of a DESPATCH from Governor General the Right Honourable
Sir *Edmund Head*, Bart., to the Duke of *Newcastle*,

Government House, Quebec, 18 May 1860.

(Received, 1 June 1860.)

(Answered, No. 85, 14 July 1860, page 40.)

My Lord Duke,

I HAVE the honour to enclose a certified copy of the Indian Lands Management Bill, which will be reserved at the close of the Session, for the special expression of Her Majesty's pleasure thereon.

Your Grace will perceive that the 1st of July is the day fixed for the transfer of the Indian Department to the Provincial Government; and as being near at hand, I have to request that the Bill may be submitted to the Queen with as little delay as practicable.

I have, &c.
(signed) *Edmund Head*.

No. 14.
Right Hon. Sir E:
Head, Bart., to the
Duke of New-
castle.
18 May 1860.

P.S.—The Session of the Legislature will be closed, and the Bill reserved on the same day that this Despatch leaves, but the mail closes at an earlier hour than that fixed for the prorogation.—*E. H.*

— No. 15. —

(No. 49.)

COPY of a DESPATCH from Governor General the Right Honourable
Sir *Edmund Head*, Bart., to the Duke of *Newcastle*.

Government House, Quebec, 19 May 1860.

(Received, 4 June 1860.)

(Answered, No. 85, 14 July 1860, page 46.)

My Lord Duke,

REFERRING to my Despatch of yesterday, No. 48,* I have now the honour to enclose an authenticated copy of the Indian Lands Management Bill, as reserved by me this day, at the closing of the Legislative Session.

I have, &c.
(signed) *Edmund Head*.

No. 15.
Right Hon. Sir E.
Head, Bart., to the
Duke of New-
castle.
19 May 1860.

* *Supra*.

Enclosure in No. 15.

AN ACT respecting the Management of the Indian Lands and Property.

HER Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:—

1. From and after the 1st day of July next, the Commissioner of Crown Lands, for the time being, shall be Chief Superintendent of Indian affairs.

2. All lands reserved for the Indians, or for any tribe or band of Indians, or held in trust for their benefit, shall be deemed to be reserved and held for the same purposes as before the passing of this Act, but subject to its provisions.

3. All moneys or securities of any kind applicable to the support or benefit of the Indians or any tribe or band of Indians, and all moneys accrued, or hereafter to accrue, from the sale of any lands reserved or held in trust as aforesaid, shall, subject to the provisions of this Act, be applicable to the same purposes, and be dealt with in the same manner as they might have been applied to or dealt with before the passing of this Act.

4. No release or surrender of lands reserved for the use of Indians, or of any tribe or band of Indians, shall be valid or binding except on the following conditions:—

1. Such release or surrender shall be assented to by the chief, or if more than one chief by a majority of the chiefs of the tribe or band of Indians, assembled at a meeting or council of the tribe or band, summoned for that purpose, according to their rules, and entitled under this Act to vote thereat, and held in the presence of an officer duly authorised to attend such council by the Commissioner of Crown Lands; provided always, that no chief or Indian shall be entitled to vote or be present at such council unless he habitually resides on or near the land in question.

2. The fact that such a release or surrender has been assented to by the chief of such tribe, or if more than one by a majority of the chiefs entitled to vote at such council or meeting, shall be certified by the County Court Judge, or the judge or stipendiary magistrate of the district or county within which the lands lie, and by the officer authorised to attend by the Commissioner of Crown Lands, and when so certified as aforesaid, shall be transmitted to the Commissioner of Crown Lands by such judge or stipendiary magistrate, and shall be submitted to the Governor in Council for acceptance or refusal.
5. It shall not be lawful to introduce, at any council or meeting of Indians held for the purpose of discussing, or of assenting to a release or surrender of lands, strong or intoxicating liquors of any kind; and any person who shall introduce at such meeting, and any agent or officer employed by the Commissioner of Crown Lands, or by the Governor in Council, who shall introduce, allow or countenance by his presence the use of such liquors before, at, or after any such council or meeting, shall forfeit 200 dollars, recoverable by action in any of the superior courts of law, half of which penalty shall go to the informer.
6. Nothing in this Act contained shall make a release or surrender of lands necessary in cases in which such release or surrender would not have been necessary before the passing of this Act, or shall render valid any release or surrender other than to the Crown.
7. The Governor in Council may, from time to time, declare the provisions of the Act respecting the sale and management of the public lands, passed in the present session, or of the 23d chapter of the Consolidated Statutes of Canada, intituled, "An Act respecting the Sale and Management of the Timber on Public Lands," or any of such provisions, to apply to Indian lands, or to the timber on Indian lands, and the same shall thereupon apply and have effect as if they were expressly recited or embodied in this Act.
8. The Governor in Council may, subject to the provisions of this Act, direct how, and in what manner, and by whom, the moneys arising from sales of Indian lands and from the property held, or to be held, in trust for the Indians, shall be invested from time to time, and how the payments to which the Indians may be entitled shall be made, and shall provide for the general management of such lands, money, and property, and what per centage or proportion thereof shall be set apart, from time to time, to cover the cost of, and attendant upon such management under the provisions of this Act, and for the construction or repair of roads passing through such lands, and by way of contribution to schools frequented by such Indians.
9. The Governor may, from time to time, appoint officers and agents to carry out this Act, and Orders in Council under it, which officers and agents shall be paid in such manner and at such rates as the Governor in Council may direct.
10. Nothing in this Act contained shall affect the provisions of the ninth chapter of the Consolidated Statutes of Canada, intituled: "An Act respecting the civilisation and enfranchisement of certain Indians," save and except that the same shall hereafter be read and construed as if the words, "the Commissioner of Crown Lands" were substituted for the words "the Superintendent General of Indian Affairs" wherever they occur in the said chapter, nor of any other Act when the same is inconsistent with this Act.
11. The judge, or any one of the judges of the Superior Court for Lower Canada, to whom any district or county in Lower Canada has been last prescribed or assigned by the Governor, shall be deemed to be the judge of such district or county for all the purposes of this Act.

I certify the above to be a true copy of the Bill passed by the Legislative Council and Legislative Assembly of Canada, in the third Session of the Sixth Provincial Parliament of Canada, and reserved by his Excellency the Governor General for the signification of Her Majesty's pleasure thereon, on Saturday the 19th day of May 1860.

J. F. Taylor,
Clerk Leg. Council.

Despatches from the Secretary of State.

— No. 1. —

(No. 130.)

COPY of a DESPATCH from the Right Honourable *H. Labouchere*, M.P., to Governor General Sir *Edmund Head*, Bart.

No. 1.
Right Hon. H.
Labouchere, M.P.,
to Governor
General
Sir E. Head, Bart.
22 August 1856.

Sir,

Downing-street, 22 August 1856.

I HAVE to acknowledge your Despatch, No. 112,* of the 22d July, reporting the appointment of a Commission of Inquiry into Indian Affairs in Canada.

* Page 1.

My Despatch of the 11th July having crossed the one from you now under acknowledgment, it will be sufficient that I refer you, on the present occasion, to that Despatch.

I have, &c.
(signed) *H. Labouchere*.

— No. 2. —

(No. 181.)

COPY of a DESPATCH from the Right Honourable *H. Labouchere*, M.P., to Governor General Sir *Edmund Head*, Bart.

No. 2.
Right Hon. H.
Labouchere, M.P.,
to Governor
General
Sir E. Head, Bart.
8 December 1856.

Sir,

Downing-street, 8 December 1856.

† Page 2.

I HAVE to acknowledge the receipt of your Despatch, No. 152,† of the 4th November, enclosing a copy of a Report of the Commission appointed to inquire into the affairs of the Indians, on the Moravian Reserve in Western Canada.

I approve of your dealing with this reserve in the way you suggest, and you will therefore act upon the advice of the Commissioners, by directing the sale of the lands, and by applying the proceeds to the benefit of the Indians interested therein.

I have, &c.
(signed) *H. Labouchere*.

— No. 3. —

(No. 6.)

COPY of a DESPATCH from the Right Honourable *H. Labouchere*, M.P., to Governor General Sir *Edmund Head*, Bart.

No. 3.
Right Hon. Sir H.
Labouchere, M.P.,
to Governor
General
Sir E. Head, Bart.
2 January 1857.

Sir,

Downing-street, 2 January 1857.

† Page 3.

I HAVE had the honour to receive your Despatch, No. 162,† of the 11th of December, accompanied by the annual report of the Superintendent General of Indian Affairs. I have to acknowledge the useful information supplied by the statistical and other returns furnished with this report.

The fact of the very large amount produced by the first sale of Indian lands in the Saugeen Peninsula confirms the views which I have formerly expressed, of the propriety of calling on the Indian Department to provide for its own expenses out of the proceeds of Indian property. In order, however, to allow full time for preparing for the requisite changes, as well as to afford Her Majesty's Government an opportunity of considering the report of the Commission of

* *Vide* House of Commons Paper, No. 247, of 1856, page 39.

Inquiry appointed by you, I have not reduced the amount of the aid required from Parliament this year below that indicated in my Despatch, No. 42,* of the 21st of February last. I enclose a copy of the estimate, in the form in which it will be submitted to Parliament. You will see that the same sums are inserted for salaries as last year; that the amount asked for pensions corresponds with the return contained in the report now received from you; and that a small addition is made to the sum taken last year for provisions and gunpowder, in order to provide for the cost of rather more than 500 blankets, to be given to aged Indians. No item is inserted this year for contingencies, as it is considered that they ought to be provided for out of local resources.

I have, &c.
(signed) *H. Labouchere.*

Enclosure in No. 3.

ESTIMATE of the Amount required to defray the Expenses of the Indian Department, *Canada*, for the Year ending the 31st of March 1858.

Three Thousand One Hundred Pounds.

	£.	s.	d.
Salaries	2,255	-	-
Pensions	215	-	-
Provisions and gunpowder for the use of Indians who live by the chase	630	-	-
Blankets for aged Indians			
	£.	3,100	- -

The amount of this Estimate last year was 4,713*l.* The following reductions have been made:—

	£.	s.	d.
Pensions	15	-	-
Presents	1,100	-	-
Office hire, contingencies, &c.	750	-	-
	£.	1,865	- -
Added for blankets to aged Indians		252	- -
Net Decrease	£.	1,613	- -

— No. 4. —

(No. 9.)

No. 4.
Right Hon. H.
Labouchere, M.P.,
to Governor
General
Sir E. Head, Bart.
7 January 1857.

COPY of a DESPATCH from the Right Honourable *H. Labouchere*, M.P., to Governor General Sir *Edmund Head*, Bart.

Sir,

Downing-street, 7 January 1857.

I HAVE received your Despatch, No. 171,* of the 20th of December, accompanied by an estimate of the expense of the Indian Department for the year ending the 31st of March 1858.

In order to avoid inconvenience to the department I will adopt this estimate for the approaching year, instead of the one contained in my recent despatch, No. 6,† of the 2d of January. But you will understand, that after the evidence which has now been given of the ample resources which may be drawn from the Indian

* Page 9.

† Page 39.

Indian estates, it will be necessary that a very large reduction indeed should be made in this estimate next year. On this subject I shall await with interest the report of the Commission of Inquiry which you have appointed, anticipating that it will very soon be found practicable to extinguish altogether the Parliamentary grant.

I have, &c.
(signed) *H. Labouchere.*

— No. 5. —

(No. 2.)

COPY of a DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Governor General the Right Honourable Sir *Edmund Head*, Bart.

Sir,

Downing-street, 4 January 1858.

I HAVE to acknowledge the receipt of your Despatch, No. 104,* of the 4th December, enclosing a copy of a letter from the Superintendent of Indian Affairs, reporting the substance of an address from a deputation of the principal chiefs of the Six Nations, expressing their sympathy with English interests in India, and their readiness to raise a corps among their own people whenever their services may be called for.

I have to request you to cause to be conveyed to the chiefs the expression of satisfaction with which Her Majesty's Government have received this assurance of their patriotism and their loyalty and attachment to Her Majesty.

I have, &c.
(signed) *H. Labouchere.*

— No. 6. —

(No. 11.)

COPY of a DESPATCH from the Right Honourable *H. Labouchere*, M. P., to Governor General the Right Honourable Sir *Edmund Head*, Bart.

Sir,

Downing-street, 22 January 1858.

IN answer to your Despatch, No. 1, † of the 2d of January, I have the honour to inform you that I shall recommend the Lords Commissioners of the Treasury to submit to Parliament this year the Estimate proposed for the Indian Department, amounting to 3,388 l. I trust that the expected report from the Commissioners for the investigation of matters connected with this Department, will soon be received, and that it will include a scheme of some satisfactory provision on the spot for the salaries and expenses of the Indian establishment, as the demands on Parliament for the purpose cannot much longer be maintained.

I have, &c.
(signed) *H. Labouchere.*

— No. 7. —

(No. 10.)

COPY of a DESPATCH from the Right Honourable Lord *Stanley* to Governor General the Right Honourable Sir *E. Head*, Bart.

Sir,

Downing-street, 15 March 1858.

WITH reference to your Despatch, No. 1, ‡ of the 2d of January, and to my predecessor's answer, No. 11, § of the 22d of the same month, upon the expenses of the Indian Department, I enclose, for your information, the copy of a letter from the Treasury.

595.

F

I have

No. 5:
Right Hon. H. Labouchère, M.P., to the Right Hon. Sir E. Head, Bart. 4 January 1858.
* Page 10.

No. 6.
Right Hon. H. Labouchere, M.P., to the Right Hon. Sir E. Head, Bart. 22 January 1858.
† Page 11.

No. 7:
Right Hon. Lord Stanley to the Right Hon. Sir E. Head, Bart. 15 March 1858.
8 February 1858.

Page 11.
§ Page 41.

I have stated to their Lordships, in reply, that from the concluding paragraph of the Report of the Superintendent General, it is evident that the two large sums inserted by the Deputy Commissary General, as Parliamentary grants for the year ending the 31st March 1858, for Canada East and Canada West, in fact, represents the amount left undrawn up to that date, upon former estimates for several years past. But I have to inform you that no such amounts saved in a long course of former years can, consistently with established rules, be used in subsequent years. You will so acquaint the Superintendent General and the Deputy Commissary General, who will, I presume, be also instructed to the same effect from the Treasury.

I am glad to perceive that no practical inconvenience will ensue; for the accounts prepared in the mistaken form show so large a balance, that even when the erroneous credits are struck off, the actual grant of 3,541 *L.* for the year ending the 31st of March 1858, would appear to be more than sufficient to cover the actual expenditure.

The more important question, however, is, whether any reduction can be made in the amount of the Estimate for this year. In the absence of the Report promised from the Commissioners appointed to investigate the affairs of the Indian Department, I have acquainted the Lords Commissioners of the Treasury, that I fear that it is not possible to make any further diminution in the present Estimate; and I have pointed out that the amount proposed to be taken for miscellaneous charges is less by 370 *L.* than last year.

But as the discontinuance of this grant has so long been announced, and as some effectual steps must be taken to execute the decision, I have to apprise you that, subject to any further light which may be derived from the Commissioners' Report, if it arrive in time, the grant for salaries will be reduced next year by one-half, and cease in the following year; leaving it to you, with the advice of the proper officers on the spot, to provide for the department out of the large estates which it administers. Moreover, the last item of 330 *L.* in his present Estimate will be left out of the vote submitted to Parliament next year, and the grant of 300 *L.* for blankets must cease either then or in the following year, as both objects ought to be provided for out of the proceeds of Indian estates.

The pensions, however, stand on a different footing from all other items of the Estimate, and as there is always an implied pledge that grants of that kind are made for life, they will continue to be provided for by application to Parliament, unless it should appear that they can be charged with full security on the revenues of the Indian estates in Canada.

I have, &c.
(signed) *Stanley.*

Enclosure in No. 7.

Sir,

Treasury Chambers, 8 February 1858.

With reference to your letter of the 30th ult., forwarding copy of an Estimate proposed for this year by the Governor General of Canada for the Indian Department, I am directed by the Lords Commissioners of Her Majesty's Treasury to acquaint you, for the information of Mr. Secretary Labouchere, that my Lords would suggest the reconsideration of this Estimate, as soon as he shall have received the expected report from the Commissioners appointed to investigate the affairs of the Indian Department.

They trust that some further reduction will be made in the Estimate now transmitted, before it becomes necessary to submit the same to the House of Commons; and they entirely concur in the opinion expressed by Mr. Labouchere, that the demands on Parliament for this purpose cannot much longer be maintained.

Their Lordships observe among the papers enclosed in your letter, a statement signed by Deputy Commissary General Clarke, in which the Parliamentary grant for the year ending the 31st March 1858, is stated at 13,380 *L.*, whereas the sum voted by Parliament was, as Mr. Labouchere is aware, 3,541 *L.* only; and their Lordships request to be furnished with any information that can be afforded by your department as to this statement, upon which there is an assumed balance to the credit of the Indian Department of 12,277 *L.* 18 *s.* 10 *d.*

H. Merivale, Esq.
&c. &c. &c.

I am, &c.
(signed) *C. E. Trevelyan.*

— No. 8. —

(No. 38.)

COPY of a DESPATCH from the Right Honourable Lord *Stanley*, M. P., to
Governor General the Right Honourable Sir *Edmund Head*, Bart.

No. 8.
Right Hon. Lord
Stanley, M.P., to the
Right Hon. Sir E.
Head, Bart.

1 May 1858.

* Page 20.

Sir,

Downing-street, 1 May 1858.

I HAVE received your Despatch, No. 41,* of the 7th of April, accompanied by a memorandum by the Superintendent General of Indian Affairs on some parts of my communication to you, of the 15th of March, respecting the vote for the Indian Department.

On referring to my Despatch, you will perceive that I never said that the allowance of 300 l. for blankets and any allowance which might be reasonable for gunpowder and provisions ought to cease, but that they ought to be provided for out of the Indian estates.

On the subject of pensions, I hardly know how to state more clearly than I did before, that I consider them to be granted for life, and therefore not to be transferable from one fund to another, except with perfect security.

I have, &c.

(signed) *Stanley*.

— No. 9. —

(No. 8.)

COPY of a DESPATCH from the Right Honourable Sir *E. B. Lytton*, Bart., M.P.,
to Governor General the Right Honourable Sir *Edmund Head*, Bart.

No. 9.
Right Hon. Sir E.
B. Lytton, Bart.,
M.P., to the Right
Hon. Sir E. Head,
Bart.

14 June 1858.

* Page 21.

Sir,

Downing-street, 14 June 1858.

I HAVE received your Despatch, No. 56,* of the 12th of May, accompanied by the Report of the Commissioners appointed for inquiring into the condition of the Indian tribes.

This Report brings together a great amount of useful information on the different bands of Indians, and will doubtless be valuable to those who are engaged in the practical administration of their affairs. I quite approve of the plan of which you submitted an outline to your Executive Council; and I presume that I shall hear further from you when they have adopted their conclusions on the subject.

The only point which appears to require immediate notice from me, is a matter of detail mentioned at page 119 of the Commissioners' Report. They allude to the issue of rations costing less than 100 l. per annum to 10 unfortunate Indians who, from privation of sight or similar causes, are disabled from seeking their own livelihood. These afflicted persons must certainly not be allowed to lose their customary pittance. A sum of 100 l. therefore will be added for this purpose in next year's estimate, to the amount of 300 l., which my predecessor, in his Despatch, No. 10,† of the 15th of March, gave you reason to expect for the provision of blankets. At the end of two years, I hope that, by your plan, the issue of these few rations will be provided for on the spot, in common with all the other miscellaneous expenditure of the Indian Department, but I must recommend the poor persons in question to your special protection, and care should be taken that under no circumstances they should lose the indulgence which they have hitherto received.

† Page 41.

I have, &c.

(signed) *E. B. Lytton*.

— No. 10. —

No. 10.

(No. 14.)

Right Hon. Sir E.
B. Lytton, Bart.,
M.P., to the Right
Hon. Sir E. Head,
Bart.

28 June 1858.

* Page 23.

† Page 41.

‡ Page 43.

COPY of a DESPATCH from the Right Honourable Sir *E. B. Lytton*, Bart., M.P.,
to Governor General the Right Honourable Sir *Edmund Head*, Bart.

Sir,

Downing-street, 28 June 1858.

I HAVE had the honour to receive your Despatch, No. 73,* of the 5th instant, accompanied by a memorandum from the Superintendent General of Indian Affairs, on the effect which the reduction of the Parliamentary grant will produce on some of the more destitute Indians.

In cases where any of the tribes may be wholly without funds for the support of their helpless and destitute members, it must be hoped that hereafter the Provincial Parliament will be disposed to make some provision for the necessities of the original possessors of the soil, which has now become the seat of a great and flourishing people of European race. I should be deeply concerned, however, if in the transition which is now taking place, any disabled or infirm Indians should be reduced to want. In my predecessor's Despatch, No. 10,† of the 15th March, you were informed that the vote of 300 *l.* for blankets would probably continue to be asked until the end of the second year from that period, viz., the 31st March 1860, and from my subsequent Despatch, No. 8,‡ of the 14th June, you will have learned that an additional sum of 100 *l.* per annum for the benefit of some indigent Indians would continue to be applied for to the same date. I have now to state that in order to give you better facilities for meeting any real cases of necessity, a vote of 500 *l.* instead of 400 *l.* as above recapitulated, will be submitted to Parliament for the year ending the 31st March 1860, for the issue of blankets and for any other charitable purposes which you may approve, but after that date I hope that under the plan which you have proposed, provision will be made from public funds in the province for the relief and assistance of any Indians who have no funds belonging to their own tribe on which they can draw for a supply of their indispensable wants.

I have, &c.

(signed) *E. B. Lytton.*

— No. 11. —

(No. 26.)

No. 11.
Right Hon. Sir E.
B. Lytton, Bart.,
M.P., to the Right
Hon. Sir E. Head,
Bart.

11 February 1859.

* Page 25.

COPY of a DESPATCH from the Right Honourable Sir *E. B. Lytton*, Bart., M.P.,
of Governor General the Right Honourable Sir *Edmund Head*, Bart.

Sir,

Downing-street, 11 February 1859.

I HAVE received your Despatch, No. 4,* of the 17th of January, accompanied by an estimate of the expenses of the Indian Department for the year ending the 31st of March 1860.

This estimate is prepared in accordance with conclusions previously announced by Her Majesty's Government, and it will accordingly be submitted to Parliament.

With regard to the subject adverted to in the memorandum of the Superintendent General of Indian Affairs, I regret to learn, that no provision has yet been made for defraying on the spot the salaries of the officers of the Indian Department, but long notice has been given of the necessity which was felt to relieve the British Treasury from bearing this burthen for a service of so specially a Canadian character. I, therefore, cannot undertake to alter the previous decision, but must leave it to you, with the advice of your Council, to take such steps as you may deem proper for keeping up the remuneration of the officers employed in the indispensable duty of watching the interests of the Indians and administering their affairs.

I have, &c.

(signed) *E. B. Lytton.*

— No. 12. —

(No. 27.)

COPY of a DESPATCH from His Grace the Right Honourable Sir *E. B. Lytton* Bart., M.P., to Governor General the Right Honourable Sir *Edmund Head* Bart.

No. 12.
Right Hon. Sir E. B. Lytton, Bart., M.P., to the Right Hon. Sir E. Head, Bart.

11 February 1859.

* Page 26.

Sir,

Downing-street, 11 February 1859.

I HAVE to acknowledge the receipt of your Despatch, No. 6,* of the 18th January, transmitting the Report of the Superintendent General of Indian Affairs for the past year, of the department under his charge.

I have, &c.

(signed) *E. B. Lytton.*

— No. 13. —

(No. 18.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle* to Governor General the Right Honourable Sir *Edmund Head*, Bart.

No. 13.
Duke of Newcastle to the Right Hon. Sir E. Head, Bart.

3 March 1860.

Sir,

Downing-street, 3 March 1860.

WITH reference to former correspondence on the estimate for the Indian Department in Canada, and especially to my predecessor's Despatch, No. 26,* of the 11th February 1859, I have the honour to inform you that in conformity with the announcement which was first made on the 15th of March 1858,† and which has since been repeated at intervals, no further provision for the salaries of officers of the Indian Department will be made in the estimate to be laid before Parliament this year. The same amount as last year will be submitted for pensions, and a sum of 383 *l.* will be proposed for supplying blankets to aged Indians and for any other charitable purposes which may be approved by you, making the total grant amount to 1,100 *l.*

* Page 44.

† Page 41.

I have, &c.

(signed) *Newcastle.*

— No. 14. —

(No. 63.)

COPY of a DESPATCH from His Grace the Duke of *Newcastle* to Governor General the Right Honourable Sir *Edmund Head*, Bart.

No. 14.
Duke of Newcastle to the Right Hon. Sir E. Head, Bart.

16 June 1860.

* Page 20.

Sir,

Downing-street, 16 June 1860

I HAVE to acknowledge the receipt of your Despatch, No. 42,* of the 9th of May, enclosing a petition addressed to the Queen by the Indian tribes of Lakes Huron and Simcoe, together with a copy of a Report upon it by the Superintendent General of Indian Affairs.

I have laid this petition before the Queen.

As you anticipate, the matter treated of in the petition must be left to be dealt with by the Canadian Government. The land questions are such as can only be adequately understood and judged of on the spot.

A vote of 383 *l.* is still retained in this year's estimate for finding blankets for indigent Indians.

I trust that the liberality of the Provincial Government will furnish any further assistance which may be justly claimable from a humane consideration for destitute and helpless Indians.

I have, &c.

(signed) *Newcastle.*

— No. 15. —

(No. 85.)

No. 15.
The Secretary of
State to the
Right Hon. Sir E.
Head, Bart.
14 July 1860.

COPY of a DESPATCH from the Secretary of State to Governor General
the Right Honourable Sir *Edmund Head*, Bart.

Sir,

Downing-street, 14 July 1860.

THE Act No. 2132, passed by the Legislature of Canada in the month of May last, intituled, "An Act respecting the management of the Indian Lands and Property," having been transmitted to this office in your Despatch, No. 48,* of the 18th of May; the Duke of Newcastle reported to Her Majesty in Council his opinion that the said Act should be specially confirmed.

I have now the honour to transmit to you an Order of Her Majesty in Council, dated the 30th of June, approving that Report.

I have, &c.
(signed *G. C. Lewis*.)

* Page 37.

