

but beyond that, nothing had ever come of the suits; and, he supposed, could not. That he would never take a lease of the land, or pay rent, and if driven off, he would burn the buildings and devastate the land.

He told me that he came on the land in May, 1840; this year he has put up a house, and got in a crop. He has taken possession of a clay-bank, for the purpose of commencing the manufacture of brick, and also of a Mill Privilege, intending to set up a Mill forthwith. I gave him a notice to desist and quit the Property, when he admitted that he came there without any authority, merely because he saw many others do so with impunity, and he thought he also might as well have some benefit from the Indian Land.

While ranging the front of the Reserve, I discovered a quantity of Scantling, (in all twenty one pieces,) cut and hauled to the bank of the Saint John, ready to be taken away. This I seized, and directed the Indians to remove to the Village for security. I then went on to seize some Birch Timber, and while absent, the Indians proceeded to get away the Scantling. The trespasser who had cut it, came with a party of men and attempted a rescue. I returned immediately with the party of Indians who accompanied me, when the other party withdrew, and the Scantling was brought off and deposited at the Village.

Mr. — admitted to me that he had cut the Scantling without leave; that a Crown Officer had seized it, but told him that he might take it away on settling with the Indians, which he had not done. Much angry feeling was displayed by Mr. — and his party on this occasion, and in mere wantonness, they destroyed the canoe of a poor Indian who landed at a Store on the opposite side of the River to purchase goods.

It was stated to me broadly by Mr. — that it had so long been the custom for every person to cut as they pleased on Indian Land, that they considered it right and lawful to do so, and if any objection were made (that is, if detected in the act or before the removal of the Timber,) the payment of Stumpage made all right.

I learned at the Tobique that a number of persons had cut Timber on the Reserve during the past winter, and that Mr. — had been sent up to seize it, with instructions to give it up to the several parties on their satisfying the Indians. Under this arrangement the Indians received the trifling sum of eight pounds four shillings and six pence, chiefly paid in provisions at enormous prices. — cut a quantity of Birch Timber, which was seized; he then promised to pay the Indians at the rate of half-a-dollar for each tree, but succeeded in getting it away before payment, and now refuses to pay, as do others under like circumstances.

I found seven pieces of large Birch Timber just hauled out, which I seized, and I desired him to let it remain there until further orders; he promised that it should not be removed. On my return from Madawaska, I found that it had been carried off.

From all these circumstances, His Excellency will at once perceive the impropriety of allowing Timber wilfully cut on the Indian Reserve, to be given up, upon any terms. The only mode of stopping these constant trespasses is to confiscate the Timber in all cases, and when it is found that this course is adopted and rigidly adhered to, the wholesale plunder now going on, will be brought to an end, and the morals of the neighbourhood greatly improved.

The Timber seized from — was placed by the Indians with the scantling intended for their Chapel, and they beg to be allowed to use it in that building.

The Indians having stated to me that the Mill erected on the Tobique, at the mouth of the Little Pokiock, was within the rear line of their land. I went up to the line, and found the Mills half-a-mile within it, on the Reserve. On my return to Fredericton, I made a careful examination of the Plans in the Crown Lands' Office, and found that half the grant (including a valuable Mill Privilege) is actually part of the Indian Land.

Within the last few years, a grant has passed of 550 acres of land to the Parish Church for a Glebe. By the grant-plan, the land appears to be bounded on the one side by the lower line of the Reserve, and on the other by a lot granted to Henry Merritt. On examination of the land, I found that the lower line of the Reserve, and the line of Merritt's lot, were one and the same line, and consequently no vacancy between. On enquiry at the Crown Lands' Office, I found that the mistake had arisen from a Plan in that Office, exhibiting a vacancy, and that such Plan was a *Compilation* made by the late Surveyor General Sproule.

A grant having passed the Great Seal, for land which does not exist, the parties interested have seized upon the lower end of the Reserve, and claim to occupy it under their grant. As this may lead to serious difficulty, the matter should be enquired into and adjusted speedily, as an act of justice to all parties.

I was requested to ascertain the feelings of the Indians, with respect to a lease of the Mill Privilege at the foot of the Tobique Narrows. These Narrows commence about half-a-mile from the mouth of the Tobique; they are about three-fourths of a mile in length, the River for that distance being hemmed in between lofty and nearly perpendicular cliffs of very good roofing Slate. In times of flood, these Narrows present a serious obstruction to the navigation of the River, a great volume of water being forced with much violence through a crooked and confined passage.

Mr. — proposes to erect a Dam at the foot of the Narrows, which will flow back the water for some distance, thus checking the violence of the Stream, and rendering it navigable with ease

and safety at all times. He also offers to construct a Lock for the passage of boats, and keep open a fish-way, to allow the thousands of Salmon which annually frequent this, their favorite River, to pass up to the usual spawning ground.

I brought this matter before the Indians at Tobique, in full Council, and found their sole objection to the establishment of Saw Mills, at the Narrows, was this—that the Salmon Fishery, on which they now mainly depend for support during the summer season, would thereby, sooner or later, be altogether destroyed. The Indian method of taking the Salmon, is altogether by the Spear and torch, and it struck me that they prized much more highly the dash and excitement of the sport in taking the fish, than the profit arising from the sale of them. During my stay at the Tobique, the day was spent by the Indians in almost listless idleness; but so soon as night fell, the torch was lit, the Spear lifted, the canoe launched, and all became life, bustle and activity. The sport was pursued the whole night, and day-light exhibited heaps of glittering Salmon on the bank, and the Indians languidly creeping off, to sleep away another day of total idleness.

The destruction of the Salmon Fishery would perhaps induce the Indians to adopt more settled habits of industry, and pay more attention to the cultivation of the soil than they do at present. The greatest objection to the erection of Saw Mills in their vicinity appears to me to be, the demoralization of both sexes from their intercourse with the loose characters too often found about such establishments, particularly in a remote district.

If a lease of the Mill Privilege at the Narrows is granted to Mr. —, I beg to suggest the following terms:—

The payment of a fair and reasonable rent, and (on public grounds) an obligation to improve and facilitate the navigation of the River, and to maintain a sufficient Fishway. A small portion of land only, should be leased with the Mill Privilege, and no right or title whatever given to the quarries of roofing Slate, which I conceive to be valuable, and should therefore be expressly excepted. The use of nets below the Dam, a very common and destructive practice, should be strictly prohibited, under penalties.

From the Tobique I proceeded to Madawaska, and visited the Indian Settlement at the mouth of the Madawaska River, where I found only twenty seven souls.

These Indians occupy an exceedingly beautiful and very fertile piece of ground, and their crop appeared in a promising state. They cultivate the land upon shares with one of their French neighbours; each party finds half the seed; the Frenchman sows, reaps and delivers them half the crop, as also half the grass from their meadow, which he also cuts and makes into hay. They sowed this year ninety bushels of Wheat and Oats, and thirty bushels of Potatoes, besides Peas, Beans and Flax. They have also fifty bushels of Potatoes planted by individuals on their sole account, and their farm has a very respectable appearance.

The Captain of the Madawaska Settlement is named Louis Bernard, a very respectable industrious man, to whose sole exertions the prosperous state of the farm is to be attributed. He told me that he was upwards of fifty years of age; that he was born on the land, and that his father and grandfather were also born, lived, died, and were buried on this spot. That when he was a boy, the Indians had a very considerable Village here, the wigwams standing in regular streets near the water side; he pointed out to me the former site of their Village, and also the boundaries that were assigned to the Tribe when he was a youth. Their land commenced on the bank of the Saint John, at a small Brook half-a-mile above the mouth of the Madawaska River, and extended down the Saint John, one mile and a half to a point of rocks jutting into the Stream, which point is now the boundary between the Indian land and the property of Alexander Albert.

Within this tract a grant was made some years ago to Simon Hebert, on the East side of the Madawaska, of 200 acres. Hebert purchased from an Indian who then resided on the land, a piece containing nine acres, which was marked out by stakes. Under color of this purchase, he succeeded in obtaining from the Crown a grant of 200 acres. Recently the Government had occasion to take possession of a portion of this grant, 400 yards square, on which to place a Block House, and other Public Works, when Hebert demanded fifteen hundred pounds damages, but was eventually induced, or rather compelled, to take three hundred pounds, in satisfaction of his claim.

That part of the Indian Reserve on the West side of the Madawaska, is now in possession of the same Simon Hebert, under a Licence of occupation at a nominal rent. Hebert makes no use of this land, and appears to hold it with the hope of eventually obtaining title to it, and for that purpose only. Some years before Mons. Hebert obtained a Licence to occupy this land, Pierre Denis, an Indian, had cleared and cultivated a portion of the front, on which he had built a small house, and was living very comfortably. Denis refused to give up possession, and finally an order was passed that Hebert should pay to Denis a certain sum for his house, which was appraised at fifty dollars, and on the promise of that sum being paid, Denis quitted the land in 1837, and yielded up possession to Hebert.

I saw Pierre Denis at the Tobique; he is an old man, childless and in poor circumstances. He complained to me that the fifty dollars had never been paid him, and begged me, while at Madawaska, to call on Mons. Hebert for the amount. I did so, and