





O K A.

To the Editor of the Canadian Gleaner.

Your correspondent, the Rev Mr Rogers, doubtless a warm friend of the Okas and with pen and tongue is not only ready to prove that they have been basely wronged, but equally ready, if called on, to go out with his brethren of the Protestant faith to turn public attention thruout the Dominion to the down-trodden tribe, yet his sympathies can be scarcely right adjusted when, with the same breath, he expresses thankfulness for your interest in the sufferings and then seeks to shelter from your reflections and censorship those of whom the Indians are wards. If Mr Rogers was one of a crew ready to start to the help of a sinking ship, and those who had the ordering of the life-boat, either from lack of courage or apathy, delayed sending him and his willing men to the rescue till it was too late, we should understand how he could express indignation for one party and sympathy and deep sentiment for the other, but if he would cover both with the one garment of charity, its breadth would not be compatible with fair judgment. With my good brother, I have an instinctive respect for our rulers in Church and State, but it is so allied with conviction of their responsibilities to defend the wronged and protect the helpless that, if they fail in taking up these accompaniments of power, my regard for Justice more than halves the respect I should willingly cultivate for their honor.

For the Indians of Oka there are two strong parties entitled to speak: The Dominion Government and The Governing Officers of The Methodist Church. The Indians are joint wards of each, and the authority of these Parties surely brings with it responsibilities to speak out if their wards, from any cause, are unjustly oppressed. That these wards are oppressed, and helpless to avert the oppression, a visit to Oka will convince any impartial judge. Two seigniories, or townships, set apart 160 years ago for their support by the King of France, when they were Romanists, under the care of 21 priests, called the Seminary of St Sulpice, are now claimed and seized by a larger body of priests calling themselves by the same name; the Indians may not take timber for building or repairing their tumble-down houses, or for fuel, their forests are cut down before their eyes and sold as firewood to strangers, and their lands are being rapidly transferred to French Canadian occupants. That the existing so-called Seminary, with Machiavelian skill, has begirt the original arrangement for the Indians with great difficulties, is painfully apparent, but that to solve those difficulties and enforce with impartiality the original compact is "ultra vires" beyond the wisdom, power, and control of the governing officers of this Dominion, we don't allow. The question raised by the Civil Defence Alliance, "Have the Indian wards any rights?" is as yet unanswered, because the voice of the Government has not been heard repeating it. "The Seminary" afraid of the question and afraid of examination about its own rights, has acted the

part of the Irish obstructionists in the British Parliament, and hitherto no brave "Speaker" has first warned and then used his power to remove them. The Government, from political inducements no doubt, has avoided collision with the Priests, and twice has sought to compromise the matter by engaging to remove the Indians to lands of the Upper Ottawa or Lake Huron. But if the Government of the Dominion has shown a lamentable timidity in dealing with this subject on its merits, has the governing body of the Methodist church come to the rescue, determined to strengthen the enfeebled political knees, and used its extensive influence and power for the helpless wards Providence has assigned to its charge? 'Tis the petitions from it have asked for redress, true it has appointed a strong man from its body to look after and do battle for the one man can do, but if a commander-in-chief of a well-ordered army would be content to appoint one man out of it, even his bravest, to do what the united army together was barely sufficient for, could he expect either success or applause. Not a few times in the past 25 years, as my friend Mr R. knows, educational and collegiate matters have been deemed worthy the attention and good will of the general public. Was a one-man-effort reckoned sufficient to secure the ears and hearts of all? Did not the call of Conference go forth and deputations of great name sound it in towns and cities, and, it may be, men of lesser name echoed it thru village and township, and the pens of ready writers took it up and public prints and pamphlets were made to reiterate the arguments, and Canada saw and felt that The whole Methodist Church had laid the subject it advocated to heart and was in earnest about it, and its many friends looked on well pleased and said, "bravely done." Let the same means and machinery, without stint, be put in motion at this time for Oka. Let the question raised by the Civil Defence Alliance, argued out by Dr Borland, obstructed by the so called Seminary, not yet lifted up by the Dominion Government,—let it be put, not by Conference merely, but as the request of Conference by its adherents from every town and city and village and hamlet of Ontario, "Have the Indians of Oka any right on the lands set apart for their use?" Let its organ, the strong tongued Guardian, ring out with the intimation that it shall not cease making the demand till a judicial answer be returned. Let the Methodists wake up at the honest call for action, and get on their feet, and there is not a Protestant congregation in the Dominion that would not join, or a municipality that would not back us, and the question honestly taken up everywhere outside the doors of Parliament by us will, from necessity, be put within its Halls, and the obstructionists, if ten times stronger than they are, will be warned, and must go backward, downward, before a church demanding only fair play and equity for its members.

Less than taking up the matter by the machinery of the whole Methodist church, is but trifling with great issues and courting overthrow for the Indians and for ourselves. Better far, Bro. R., that we acknowledge we have been derelict and somewhat delinquent, and, in the name of our Master, begin again. If we can show a united Church, all in action, there will be seen to follow a State in action, ending the controversy by swinging without partiality, expediences or compromise, the balance of right between our Indians

## THE OKA QUESTION.

We print this morning a letter from Mr. George W. Beers, the acting secretary of the Civil Rights Alliance, concerning the famous letter of the Minister of the Interior on the subject of the Oka Indians. Will Mr. Beers be good enough to take counsel with his own antecedent utterances, and then say whether in common honesty he is justified in adopting the tone which he ventures to adopt in his letter, to which we give place this morning? His high toned horror of the suggestion of any party politics being mixed up with this affair, is hardly respectably put on. He says he kept back the letter of the Government on purpose, without any suggestion from any one connected with the Government, and simply with the object of preventing the subject being dragged into the arena of party conflict. Perhaps so. But in that case is it not remarkable that he should have been willing that the public should know that a letter had been written by the Government, and that that letter was not at all satisfactory to the friends of the Indians. Mr. Beers has this merit, and it is a rare one: he has the courage of his convictions. When he wants to say something he never hesitates about taking the whole responsibility for it. We wish there were others as manly in this respect. The letters G. W. B. at the foot of a communication are as well understood by the public as if the name was printed in full. Well, on the 22nd of April the GAZETTE contained a letter with those initials, from which we make a couple of quotations:—"A lengthy document has been received from the Government on this question, which for gross and unjustifiable impertinence and undignified threatening has rarely had a rival." And further on again, "If the Government has determined to champion the claims of the Seminary and ignore those of the people, it is well that the country should know it. To my mind this is its intention; and free from any political or party animus, I believe it is a policy which its own justice loving friends will not permit it to carry out." That is rather remarkable language for one who was determined that this question should be kept clear of politics, and that no use should be made of it by either party in the election.

We have no desire to criticise very closely Mr. Beers' letter, for the reason that we know him to be influenced by an all-controlling interest in the cause of these poor Indians. But were we disposed to do so, we think our readers will admit that there is enough in the letter to justify the remarks of the GAZETTE. We are told that the letter, although bearing date the 23rd March, had to pass through the hands of the agent at Oka, by whom it was copied, had then to be sent to Mr. Borland, had to be submitted to a meeting of the Alliance for its action, had to go to a special committee for the drafting of an answer, had to await consultation with the Indians at Oka and their lawyer, had to await the action of another meeting of the Alliance called to ratify the reply to it, and that, therefore, "there is nothing at all wonderful in the delay of four weeks to do all this." If that means anything, it means that the delay was the result of these proceedings, and yet almost in the next sentence, Mr. Beers says, "I wrote the reply myself, submitted it to the Council, and sent it direct the next day, without waiting to transmit it through the agent at Oka." We are not given the date of this, but it must have been some time before the elections; for Mr. Beers says that "a few days afterwards" he had an interview with Mr. Mills, and it is certain that on that occasion the party use which was being made of this question was the subject of conversation. After that interview, Mr. Beers had "a three hours' discussion with a Government official," and here we have this remarkable statement, "There it was again said to me that those of us who were Conservatives, desired to embarrass the Government by bringing on this question on the eve of the elections. There again I assured him that no use would be made of the document until the elections were over." Surely it is not necessary to say anything further to prove that this letter was purposely held back until after the elections, and that it was so held back as the result of communication, directly or indirectly, with members of the Government. As to our statement that it was held back at the request of

the Government, we have to say that it was made on the authority of Mr. Green, whose interest in this question is only second to that of Mr. Beers himself; and most people will be disposed to agree with us that the letter which we publish this morning is very far from justifying the strong terms in which the statement is contradicted.

What we think is that the withholding of this letter, by whomsoever it was done, was a wrong to the people who are interested in this question, and that withholding it because the elections were pending was in fact standing by with the proof in hand to dispel the illusion, while people were exercising their franchise under the impression that their Protestant interests were safer in the hands of the Liberals than of the Conservatives. We do not believe the publication of the letter would have had the slightest effect upon the elections. The Protestant Liberals of Montreal, from the *Witness* down or up, whichever may suit best, are not the people to be influenced by anything of this kind. It might have affected some Protestant Conservatives and made them feel how utterly dishonest were the appeals made to them on religious grounds to support the Liberals. But even that we doubt. But whether it had any effect or not, the Civil Rights Alliance, if, as it says, it is free from party bias, had but one duty to perform, and that was to take the public into its confidence, altogether irrespective of whether there was an election going or not. By the way, there is another little matter that the public would like to know about. The lawyer for the Indians has complained that he has been unable to get a test case before the Courts, because it can only be brought in the name of the Crown, and that has hitherto, as we understand it, been refused. Now that there is an Attorney-General in Quebec, after Mr. McLaren's own heart, has any application been made to him on the subject? Or are we to have another illustration of the fact that the interests of the Indians must not be permitted to embarrass the Joly Administration and its friends?

Montreal Gazette  
May 1878

them is accepted, would arrange all minor details connected with their removal, respecting which Mr. Borland makes enquiry, as he might find it best in their interest.

I am, Sir, Your Obedient Servant,

(Signed,)

E. A. MEREDITH,  
Deputy Minister of Finance.

John McGirr, Esq., Indian Agent, Oka, P.Q.

ANSWER OF THE CIVIL RIGHTS ALLIANCE TO THE GOVERNMENT.

MONTREAL, 23rd April, 1878.

DEAR SIR,—As the legal defence of the Oka Indians, and the settlement of the questions between them and the Seminary of St. Sulpice have been transferred from the Methodist Church to the Civil Rights Alliance, the letter from the Department of the Interior of the 23rd ult., respecting certain proposals made by the Seminary of St. Sulpice had to be submitted to the council. The Civil Rights Alliance is composed of all political and religious creeds, organized to secure the civil and religious rights of any creed or class, and is not a body to “interfere between the Government and the Indians.”

The Council of the Alliance regrets that the letter of the Minister of the Interior is a plea in defence of the Seminary, containing not only an undignified threat as to the removal of the agent placed in Oka, but a further retraction of concessions proffered by the Government. The Alliance has no political or religious *animus*. It simply seeks to secure certain rights for a people to whom these rights were given, and which rights were recognized for over a century by the very corporation which now aims to reject them. The questions between the Oka Indians and the Seminary of St. Sulpice are not mere questions of sentiment, but of momentous fact and inalienable legal claims. It may have happened, that in the multitude of advisers, voluntary and even official, who have persistently urged the Government to do justice between these claimants, that some conflicting opinions have obtained, as to the real claims and demands of the Indians.

It does not appear that “the best possible legal advice” taken by Government, has been directed to the real question at issue, inasmuch as the letter of the Minister of the Interior declares that this legal advice “has uniformly been that the Indians have no legal title to the soil, that the Gentlemen of the Seminary are not trustees for the Indians, but absolute proprietors of the land, and that no suit against the Seminary to *obtain possession of the property for the Indians* could be successful.” Eminent legal gentlemen have given the opinion that the titles under which the Seminary claim an absolute ownership of the Seignories, destroy instead of establishing their claim; that the ordinance of the Special Council of 1840, merely confirmed the original grants with the same obligations; that the Act abolishing the Seigniorial Tenure put the Seignories under the common law, as it did the Seignory of Sault St. Louis, the abolition being for the Indians respectively, who should receive the constituted rent in lieu of *cens et rentes*, and the indemnity for the abolition of *loids et ventes*, or the interest of the capital set apart for such indemnity. The 16th section of the ordinance in question (3 and 4 Vict., cap. 30, now cap. 42 of the Consolidated Statutes of Lower Canada), preserves the rights of the Indians.

capable of being converted into canoes: when the Indians require any, we allow them to take them, but on the condition that they will not sell them. In general we cut wood on the lands reserved for the Indians *at their demand only*, either to enlarge their fields or to make new ones; and *if sometimes we have cut some without consulting them*, it was on unoccupied or deserted lands.” Again on page 36, in a letter dated 26th February, 1870, he repeats, “The Seminary has always allowed the Indians of the Lake to take firewood in the forest for their own use. They have also been allowed, when asked for, to take timber for building purposes.” Again in the “Historical Notice” of the question published in 1876 under the names of the present Curé of Oka and the advocate of the Seminary, pages 17 and 26, the admissions are made: “Each head of a family of these tribes of Indians has had permission to take in the Domaine of the Seminary all the wood necessary for building and heating purposes.”

If these statements were at all correct, one of the most serious grievances of the Indians could or would have had no existence. But they are directly contradicted by the plain facts that in every instance where the Indians have attempted to cut wood for these purposes, the Seminary has invariably caused their arrest and prosecution since they have seen fit to change their creed. It has also been stated that permission had to be asked from the forest-keepers; but it is a fact, known to residents of the Seignories, that these forest-keepers were solely appointed for the purpose of keeping the French population at the rear of the domaine from cutting wood. They never interfered with the Indians until within the last eight or ten years, but frequently arrested French residents for trespass and cutting wood. It is also wholly incorrect that since the Indians have changed their creed they have been allowed to cut wood. The residence of the Methodist Missionary, owned by an Indian, had to be repaired with lumber bought by private gentlemen; many houses are badly in want of repair, and the Seminary will not let the people cut wood for this purpose; houses have fallen into decay from age, and hundreds of the Indians and their families have been obliged to leave Oka for want of house and home, and are now residents in various parts of Quebec and Ontario. Several families are crowded into small dwellings for want of sufficient houses. The necessary firewood has only been obtained by purchase, and by using decayed stumps found on the lands or canoed from across the Lake. These matters are here enlarged upon to show the Department of the Interior, that the statements made by the Rev. Mr. Baile are utterly disproved by facts; and that in no instance have the Protestant Indians of Oka enjoyed the ancient privileges, which have been continued uninterruptedly to the few Indians on the Seignory who are Roman Catholics.

The Alliance and its advocates do not consider that the Government has any such relations with the Okas as with other Indian bands. The Seminary of St. Sulpice voluntarily assumed the same direct Trusteeship of these Indians

of the Interior wish it to be understood that the Government has no fund to (2) for these Indians what it has done and is doing for others?

Does the Department intimate that by withdrawing its agent at Oka, and "leaving the responsibility of the consequences to the friends of the Indians," that it is willing to expose the Okas to the annoyances and open persecutions they have endured for so many years? This must inevitably follow, and the Alliance urges the Minister of the Interior to reconsider the position in which these people would then be placed—one dangerous to the peace and prosperity of the country.

In regard to the Test Case, said in the letter of the Minister of the Interior to have been offered in the interest of the Indians, the offer was made by the previous Government, but no case has been secured under which the questions at issue could be tested, and the Seminary has refused to agree to such a case as will make this possible. It has been the constant aim of the advisers of the Indians to obtain a legal settlement of the difficulty, but the Seminary has systematically resisted every effort to bring a proper test case before the Courts, by harrassing the Indians by criminal proceedings and arrests, without ever yet having secured a verdict,—these arrests having been almost exclusively for attempting to exercise the privilege of cutting wood, which the Rev. Mr. Baile declares they "have always been allowed to exercise."

No such judicial opinion has been solicited as that expressed in the letter of the Minister of the Interior, viz., that "the Department is convinced that the only result of taking the case into Court would be to confirm the Seminary in what they claim to be their rights," and "that in that event the Indians would receive nothing." This, it seems to us, is the jurisdiction of the Courts to decide, and it is the earnest desire of the Alliance that if no fair settlement can otherwise be made, such a test case be entered in the Courts by Government as will finally settle the disputed points. It does not appear to us probable that if the Seminary believed the Okas "have no legal rights," they would offer them even \$20,000 "for what rights they may have."

In the consideration of the proposal to give the Indians \$20,000, the fact stated in the letter of the Minister of the Interior that "out of this sum lands would have to be purchased for the Indians elsewhere," at once renders such a compromise impossible. The fact, too, that Cockburn Island has been deserted by less civilized Indians is certainly no inducement for the Okas to remove there. The letter of the Department speaks strongly in the interests of the Seminary. It offers very poor encouragement to the Indians. Removal under such circumstances would reduce these Indians to the condition of pauperism, which the Department says it is undesirable should occur. Not only is the sum offered wholly inadequate, but the Alliance speaks the earnest desire of the Indians themselves, and speaks it authoritatively, that they be secured on the lands where they have lived so long, the rights they claim, and previously enjoyed undisturbed.

In conclusion, the Alliance cannot advise the Indians to accept the very small sum offered by the Seminary, and the conditions of removal imposed by the Government; and thus not only create the Seminary absolute owners beyond dispute, according to the original title, but place themselves in a much worse position, and remove themselves from the sympathy and support of friends who have done more to educate and enlighten them in ten years than the Seminary of St. Sulpice with all its wealth and power did in a century. This view is that of the people themselves.

The Alliance would respectfully suggest and urge the appointment of a commission, composed of three gentlemen of the Seminary, three members of the Alliance, the head-chief of Oka, with one legal Counsel of the Seminary and one of the Alliance, to discuss the claims of the Indians, the best and most peaceful arbitration or settlement, and to present a signed report to the Department of the Interior. In the event of disagreement, the Alliance will then pray the Government to enter a test case to finally settle the difficulties in the Courts.

The Alliance trusts that immediate action will be taken to bring about some settlement.

Soliciting an early reply,

I have the honour to be, Sir,

Your obedient servant,

W. GEO. BEERS,

Secretary *pro tem.* Civil Rights Alliance.

Hon. DAVID MILLS,

Minister of the Interior, Ottawa, Ont.

## THE BUSINESS SITUATION.

The incompetency of the Parliament at Ottawa to deal with the trade difficulties is daily becoming more and more apparent. The Governor General's speech, the accounts, the estimates,—all of the most ordinary routine character,—have occupied the attention of the House these ten weeks or more, and still the ineffectual palaver goes unblushingly on. The active population in general, you may imagine, are very differently employed; those of them at least having any responsibility in merchandising, manufacturing and producing, are absorbed in a death-struggle to keep their heads above water; but their strenuous endeavours, too frequently proving unavailable, they are swept along to the shades of dishonor and bankruptcy, without hardly a sign of sympathy for the general condition being manifested by their representatives at Ottawa. And yet, in a few weeks, if not already, these same majorities of hopeless dead-heads will have the effrontery to present themselves to their outraged constituencies for re-election! What grievance can compare in magnitude with having this fine country—unrivalled in natural resources—sacrificed to the stupidity and indifference of men possessed of little or no business training for the discharge of public duties they have had the temerity to assume? Not a man on either side of the House has ventured an explicit explanation of the *adverse balance of trade*. If the statement of that simple but important fact is beyond their capacity, what can the country reasonably expect from their handy-work?

The Alliance is unaware that any hint of making the Okas "pensioners upon the country" has been made by their friends. Societies by the hundred for the relief of the poor of enfranchised communities are necessary; yet the relief which it has been found necessary to extend to the Okas, has been solely in consequence of the curtailment by the Seminary of the privileges and rights they always previously enjoyed to maintain themselves. The people were independent of charity until the Seminary infringed upon their rights. Government has been frequently solicited to relieve communities of white people. Whatever the faults of the Indians may be—and they bear no comparison to those of the more privileged pale face public—an Indian mendicant among the Okas has not been known within the last eight or ten years. In their present distress they have suffered without themselves soliciting aid.

It would be a cruel blow to the interests of the Indians to remove the Agent appointed by the Department. The Alliance is fully satisfied that his presence alone has tended to peace, and is confident that his personal observation and inquiry will convince the Government, that the reports and statements made by the Alliance are fully borne out by facts; and that statements prejudicial to the conduct of the Indians are unworthy of belief. The Alliance would rather suggest that in the interval of the settlement of these questions, the Agent now at Oka, who has evidently familiarized himself with both sides, be given higher discretionary powers, so as to secure to the Indians the acknowledged right to cut what wood they require for building and heating purposes. A serious grievance would thus be removed. The Minister of the Interior will see, that if the Seminary is sincere in its expressions, as represented by the Rev. Mr. Baile, a simple plan is here presented to prove it, and one to which it is hoped the Seminary will consent.

In reply to the questions in the letter of the Minister of the Interior, as to "whether the gentlemen who are interfering between the Government and the Indians are prepared to guarantee that the Indians will not lose by rejecting the offer of the Seminary," &c., the Alliance is satisfied, from the statements of the Indians themselves, that if they are secured in the rights they enjoyed for over a hundred years, and are not persecuted by the Seminary for daring to change their religious creed, their content and material progress will be almost a certainty.

The Alliance would gladly see the Government relieved from anxiety in this whole matter, and will second any fair and reasonable effort to this end. The "personal wants" of the Indians will be secured by themselves once they are allowed to live and labour undisturbed. Responsible gentlemen are willing to try experiments to promote the social and material progress of this special band,—experiments which will cost the Government nothing, and be of deep interest to the Department of the Interior. It is desirable to engage them in various branches of mechanical industry, for which they have shown special capacity. To accomplish this, it is necessary to secure the civil and religious rights of the people, the safety of their present conveyance, and the retention of their property in their present condition. No movement is made by this Association on their behalf without first consulting their Chiefs and obtaining their approval. The Alliance would feel it a deep injustice and wrong, were the Okas to be left to their own untutored opinion, in a dispute with gentlemen like the Seminary of St. Sulpice, and as the Department of the Interior seems disposed to deny that the Okas have any legal rights in the Seminary.

I take the solitary and abortive attempt of Mr. J. McDonald, Toronto, as a fair example of what we mean. You would expect from a gentleman who has been successful at dealing in dry goods to a large extent, some little comprehension of the subject. Judge for yourself. He takes the customs' records for four years, out of the last ten, and assumes on these figures that imports are ninety-one millions in excess, and calls that a solution, blaming the importers, bankers, and British manufacturers no less, for their confiding credit! Mr. McDonald's own leaders reject all confidence in the mere figures—uncontroverted—but he does not appear to know that much.

Since the advent of Confederation, over a hundred millions dollars cash capital has been imported; the question in point is, Where has it gone to? It does not appear to have been invested in foreign securities, nor have capitalists been importers of Canadian securities from London. If industry is inadequate to pay for the goods imported, then of necessity the capital is consumed; in other words, exported to pay for imports. Canada has a foreign cash account, as well as a foreign merchandise account. If in the latter, exports paid for imports, the cash borrowed by the Government and Loan Societies would be still circulating in the country, which capital would tell decidedly in a reduction of the rate of interest. But no such change being perceptible is additional proof of its absence from the channels of Canadian trade! The sum of cash imported added to the unsettled balances against Canadian importers make up the adverse balance of trade,—the excess of imports! This principle of arriving at the adverse balance is the true one, being supported, not by illusory customs records, but undeniable facts. As regards the principle, we simply challenge contradiction.

The unsettled balances of goods are what is pressing hard on the trade just now. The banks of this country have doubtless assumed a large share of it, depending on the retail trade meeting their obligations at maturity. As to the cash account, we are informed by the Finance Minister that he contemplates effecting another loan to extend maturing bonds between now and 1880! What we have been describing is the actual condition. The question now arises, What are those causes which force trade into the customary channels, leading to excess of credit, excess of imported goods, the borrowing of large sums of money by the Government, and the consequent commercial difficulties? If any one imagines that the trade of the country naturally seeks these channels irrespective of legislation, he is ill prepared to give an intelligent opinion as to the causes and cure of the depression of trade.

We may save ourselves the trouble of seeking for those causes beyond our own mismanagement. In one word, the sole and adequate cause of excessive credit and excessive imports is to be found in the present banking law, which rejects the investment in real estate, and confines the trade of the country to the use of the investment of the capital in the personal property. The consequence is that 400 to 500 millions dollars' capital is ruled out of use, and has no more bearing on the money market than if it were at the bottom of the sea. Under the present law you start a bank with so much paid-up capital, which is

"Nothing in this Act or in the ordinance aforesaid contained, shall extend to destroy, diminish, or in any manner to affect, the rights and privileges of the Crown, or of any person or persons, society, or corporate body, excepting such only as this Act and the said ordinance expressly and specially destroys, diminishes or affects."

Yet this is not the present question between the Okas and the Seminary, and no such desire has been officially expressed to the Government by this Alliance, as the dispossession of the gentleman of the Seminary, and the installation of the Indians as absolute proprietors. It seems evident that the legal advice taken by Government has been directed to an issue not now in question, and one likely to prejudice public opinion against the interests and real claims of the Okas.

The simple questions are these: 1st. Has the Seminary of St. Sulpice obligations to fulfil towards the Indians? 2nd. What are these obligations? 3rd. Will the Government or the courts compel the Seminary to fulfil them?

The Minister of the Interior will perceive that the legal advice received by his Department, as expressed in his letter of the 23rd ult., has no bearing at all upon these questions, and that much of the argument contained in his letter, therefore, fails to meet the real issue.

The Alliance recognizes the fact that the Act of 1840 confirmed certain claims of the Seminary. It does not, however, recognize any revocation of the obligations imposed upon the Seminary by the concessions of the King of France. It rather sees therein an explicit confirmation of those obligations. To satisfy the Minister of the Interior that this position is tenable and just, it would fix his attention upon a few undeniable facts. 1st. The Act of 1837-38, which sought to confirm the Seminary as absolute owners with no obligations to the Indians, was disallowed by the Crown. 2nd. The Act of 1840 was only allowed by the Crown because it contained the very obligations towards the Indians and others which the disallowed Act was made to evade. 3rd. Until within the last forty years or thereabouts, the gentlemen of the Seminary faithfully fulfilled the obligations this Alliance now seeks to have continued, to wit: Erecting house and home for the people, or at least permitting them to erect house and home for themselves with timber from the seignories; prosecuting in the name of and as the guardians of the Indians, trespassers who cut wood on the lands; permitting the people to cut what wood they require for fuel or building purposes, as well as for the small industries upon which much of their existence depends; providing means for moral and religious instruction, and acting in every sense as Trustees.

Attention is requested to the admissions of the Rev. T. A. Baile, Superior of the Seminary, in his letter of the 12th October, 1868 (Parliamentary Return, Third Session, First Parliament, 33 Vict., 1870, page 13), in which he says, "We allow them to take what wood they require for building purposes or for firewood, but we do not allow them to sell it." Also to his reiteration of this statement on page 23, same Return. "If they want any firewood or timber for building purposes, we allow them to have it." "We have but a few pines

and the lands, which the Government now occupy towards other Indian bands. Proof of this is apparent from the statements in the letter of the Minister of the Interior, that "there is no fund in the possession of the Government belonging to the Oka Indians," and that "the Department have no means of purchasing these or any other lands for the Oka band, other than such as the amount given by the Seminary."

The Okas occupy a peculiar legal position by no fault of their own. The Seminary petitioned the King of France in 1717 for the Seignory of the Lake "as a Mission to these Indians," plainly expressing the desire to secure it for "the advantage of the Indian Mission, not only because of the conversion of the Indians, who being further from the city would also be beyond the danger of becoming drunkards, but also to the colony, which in this way would be protected from the incursions of the Iroquois in time of war." It must be remembered that when England took possession of this country, this band of Indians were then under the guardianship and special care of the Seminary of St. Sulpice, on the very seignory where they still remain; and that from that period till the confirmation of the Seminary Title in 1840, the highest legal opinions held that the estates of the Seminary were being held illegally, having become by the capitulation the property of the Crown. It was no fault of the Indians if they were placed by old legislation in this peculiar position, and left by the ordinance of 1840 under the Seminary trusteeship instead of exclusively Government control. In fact, the Crown is directly responsible for this peculiar relationship, as it disallowed the Act of 1837-38, by which the Seminary tried to get rid of their obligations to the Indians, and put their care upon the Crown.

The plain reason therefore why the Government has no fund belonging to the Okas is that the Seminary of St. Sulpice hold and have always held this fund in trust; have held the position towards the Indians for over two hundred years, one hundred and sixty of which have been in Oka. The Government occupy a certain relation towards the Caughnawaga, St. Regis and other Indian bands, which gives it the exclusive control of these Indian funds. The Seminary of St. Sulpice, by the original deeds of concession and the ordinance of 1840, occupy a similar relation towards these Okas, which has given it the exclusive control of the funds belonging to the Okas.

The Seminary maintain that the Okas have no legal rights in Oka; that they are a tolerated people. Government seems to confirm this view. Now if the Okas have no legal rights in the Seignory there, clearly they have no rights anywhere else. Thus they are placed in an inferior and anomalous position, which no other band of Indians occupy. If the ordinance of 1840 was meant to alienate the Indians rights, it was a wrong and an injustice which no Government had or has a legal power to perpetrate, and for which each Government must be held responsible. Nothing is clearer, however, from the original deeds of concession, as well as from the petitions presented to the French King by the Seminary, than that these Indians were specially chosen for special instruction and care, as well as a special defence of the Island of Montreal from Iroquois invasions. The letter of the Minister of the Interior declares that the Government "has no funds belonging to the Oka Indians," and has no means of purchasing land for them. Supposing now, as the letter of the Department intimates, that in the event of the refusal of the Okas to accept a monetary inducement from the Seminary to leave the Seignory, and they are ultimately forced to do so by the same circumstances of annoyance and restriction which have forced hundreds of others to leave, and then there is "no fund forthcoming," does the Department



OKA AND THE GOVERNMENT.

(To the Editor of the Witness.)

SIR,—Your correspondent who writes from Ottawa under date of 19th inst., seems to be very much surprised at your accepting as facts the reports current in that city, in regard to the removal of the Okas to the wilderness of Muskoka, and at the same time attempts to exonerate the conduct of Mr. McGirr in the matter. But he also admits that Mr. McGirr, during his six weeks' sojourn in Ottawa had daily interviews with the Superintendent of Indian Affairs with the object of making some kind of arrangement for the removal of the Indians. This is the very thing that Mr. McGirr is accused of. Why should he act secretly in his negotiations? Why should not the arrangements be made with the Government by the Indians through their chiefs, Mr. McGirr representing the Government, whose agent he is? But this course is not to be followed. Nobody is to know of Mr. McGirr's arrangements, neither of the "issue thereof, no, not even yourself, Mr. Editor, nor your telegraphic correspondent; nor other person can yet tell," and I presume that by this is meant that not even the Indians themselves must know anything about the matter. This must be a very dark transaction, Mr. Editor, when nobody is allowed to see through it; except Mr. McGirr, your Ottawa correspondent, and I may presume the Gentlemen of the Seminary. Now, I hope that your correspondent who has been initiated into the mysteries, and who seems willing to lend his pen to the service of his fellows who are in darkness will answer the following questions that they may be enlightened in some slight degree.

1. What was Mr. McGirr's object in acting as he did at the Council meeting of the band in Oka on March 1st last? At that time a general council was called, at which Chief John Tiwisha presided. Mr. McGirr read a letter purporting to be from the Government, in which the Indians were asked to make an estimate of the improvements on their farms. After a long discussion the matter was brought to a vote, but Mr. McGirr objected to those who intended to go away voting, saying that he had a letter from the Government for them. The Indians voted that they did not intend going, and therefore it was needless to put a value on their improvements. Mr. McGirr at this time, in reply to a question from Chief Tiwisha said that the Government was not prepared to make the Indians any offer, but it would be better for all the Indians to go, because the land is not theirs, and "as I am their agent I will try to get them good farms." In the evening he held a private meeting with those Indians who had consented to go away, and there reported to their friends that the Government were to give them the choice of 60,000 acres of land out of nineteen townships, provisions and clothing for three years, all

*Witness*  
28 July 1881

NESS.

their household requirements, a good farm horse, a milch cow for each family, all the implements requisite for farming, a steam saw and grist mill, and even a certain amount of money yearly. These grand promises induced several of the other Indians to decide to go. Mr. McGirr knew that the Indians were circulating these promises as coming from him, and when ample opportunities were given him to contradict these stories he did not do it.

2. How can Mr. McGirr account for his action in the following instance: After visiting Muskoka with three of his Indians in April last he reported favorably of that place and told his party to be ready, that they were to leave immediately for their new reserve; those who had been induced to promise to go, having faith in his word, sold out their cattle and effects for whatever they could get, and even made boxes to pack up the articles they would have to take with them; and when, as the days passed, and there was no sign of going, and June had nearly come, some of them went to sow their farms, Mr. McGirr forbade them in the name of the Government?

3. How is it that after an absence of some six weeks, during which these Indians who had promised to go to Muskoka, every day were expecting the word to go, has not Mr. McGirr informed the Indians what they may expect?

When these questions are satisfactorily answered I may have some more to ask, for I am in a position to know what is passing in Oka.

Oka, July 20th, 1881.

(To the Editor of the Witness.)

SIR,—I saw by a recent issue of your paper that the Seminary of St. Sulpice have offered to pay the Protestant Indians of Oka to give over their lands and homes to their vast land-grasping and religious corporation, and leave them landlords at Oka. According to this the Indian claim to the reserve must be good, and why should they sacrifice it for a trifle? I have it from good authority that last winter alone the Seminary cut and sold some eighteen hundred cords of hardwood on the reserve. This is nothing to the wood that was sold in previous years, while a large quantity of land has been occupied by French-Canadian settlers. Why not hold this religious body responsible? Must the Indians be deprived of their own? Does not the sunshine for them, loyal subjects to our Queen and country? If the Government of this so-called free country is powerless, let us see that the Indians are not deprived of their rights.

But a few months ago the Government Indian Agent at Oka, Mr. John McGirr, reported that the Indians were settling down to farming; that the Government had provided seed, and means for repairing their buildings, and that he probably might teach a school near by and still retain the agency. But now we hear of his being at the head of affairs, influencing the Indians to favor the Seminary by removing to Muskoka.

A PROTESTANT.

Hudson, P. Q., July 19, 1881.

WITNESS VISITORS FROM OKA. 19 July  
THE PROPOSED PICNIC—THE NEW SCHOOL—LACROSSE—A LETTER FROM OTTAWA.

This afternoon three hearty-looking Indians from Oka arrived in town on business in relation to the proposed picnic to be held there. They paid a visit to this office, and showed that a great deal of interest is being manifested among the members of the tribe in the proposed gathering. The great difficulty arises in connection with the landing at Oka, the Seminary, which professes to control the wharf, having denied permission for any excursion to land. Various means of overcoming this difficulty have been suggested, among them being a proposal to land right opposite the picnic grounds. In any case the Seminary cannot prevent ordinary passengers from landing, and as the Saturday rate is only \$1 return there is little doubt but that many would take advantage of it when the time arrives, but the other plan is much to be preferred, as it saves a long and dusty walk. The Indians speak of many attractions, such as canoe races, lacrosse matches, &c., and a demonstration in Indian costumes.

One of the Indians this afternoon said, with regard to the new school house, that Mr. McGirr had arrived at Oka from Ottawa after a six weeks' stay there but, could give them no definite news. They had made application to be allowed to cut wood for the new school house in the village, but the Government had replied that it would be better to bring the lumber from somewhere else, as the proprietorship in the standing wood was not yet decided. Until the Seminary's claim to it had been disproved, they would have to take it at their risk. The Government would not forbid their taking it, but would not guarantee that they would be undisturbed in taking it. The Indians were very desirous of having a suitable school-house.

When asked if there was anything further known regarding the removal of the band to Muskoka, the three replied that Mr. McGirr could give them no further information about it. Said one of them, "There are only twenty-five families who would agree to go, and there are eighty families who want to remain." There are also about thirty families scattered away from the seigniory, who are waiting for an opportunity to come back to it as soon as they can get house and lands.

Being asked whether the young men of Oka have played lacrosse at all this year, one of them replied, "Since all these difficulties we have not played at all, except some of the little boys."

The following letter has been received from Ottawa:

"I am very much surprised to see by editorials and articles in your paper that you deem it expedient to accept as a fact all the unfounded and silly rumors that become current in this city in regard to the Oka Indians. Every item that appears in this case in any of the papers here is only a conjecture, and merely gathered for the sake of speculation, as it is a well-known fact that nobody knows as yet what arrangements are being arrived at between the Department and Mr. McGirr. The whole matter as yet is absolutely confined to the Government and its agent at that place.

A great deal has been written and said in regard to Mr. McGirr being favorable to the gentlemen of the Seminary, but I know that such is not the case. Rumors that have been current to confirm this feeling have been altogether without foundation, and I think a great injustice has been done to Mr. McGirr, in for one moment entertaining the thought that he was unfavorable to and working against the Indians. I also know as a positive fact that he is doing all he can to further their interests. It is true that he is here at present on business in this connection and has daily interviews with the Superintendent of Indian Affairs, and it would further appear that arrangements of some kind are being made, but what the issue will be neither you nor your telegraphic correspondent nor any other person can yet tell.

"I thought it necessary to make this explanation as I am in position to know most of what is passing and to diffuse any erroneous ideas people may be entertaining in regard to this matter."

ARE THE OKA INDIANS TO BE TURNED OUT?

SIR,—It appears that the negotiations between the Government and the Seminary of St. Sulpice with respect to the Oka Indians has come to this:

1. The Seminary will give the Indians \$20,000 to leave Oka, and thus leave the seigniories its absolute property.

2. The Government will grant the Indians an island in Manitoba.

It is remarkably kind on the part of the Seminary to give a people \$20,000 for nothing. It maintains that the Indians have no claims or rights in the seigniory, yet it is anxious to give them \$20,000 to go away. Here is a hint for impecunious editors, office-seekers, and such people, who may make something handsome by making themselves obnoxious. Yet it is far "too thin," to use an Americanism, and only serves to show that the Seminary fears a legal contest as to the proprietary rights of the Indians.

I am very sorry that any influence should be brought to bear to induce the Indians to accept this proposal. It is no credit to the Government at all, to do now what could as easily have been done without its intervention. That is no satisfactory way of settling it, by creating the Seminary absolute owners, where now we maintain it is only a trustee, under pretence of benefiting the Indians, who will then be sent back to savage life among the wild and uncivilized red-skins of Manitoba, and on an island by themselves at that, far from the Christian and civilizing influences which have brought about their conversion.

This Oka question is a great national question, and every man in the Dominion is interested in it. The Oka Indians are needed in this Province. They have silently suffered many years; their influence has been shown in the very jail where they were confined. As a French Catholic gentleman [once a bitter opponent to them] said to me in Ste. Scholastique, "The Seminary fear the prolonged contrast of the conduct of this people with the ignorance and superstition about them. They (the Indians) are civilizing the bigoted Catholics of this county (Lake of Two Mountains), and I hope their friends will keep them where they are."

An effort can be made to raise the necessary funds to test the legal right of the Indians and the claims they have to maintain themselves on and out of the Seigniory. It may take a year or two, but *victory is certain*. It is natural to weary of hard work, but this work is a great national duty, as much our own interest and that of our Roman Catholic friends who do not want to be oppressed by an overpowering ecclesiastical grip upon the prosperity of the Province, as it is that of the Indians.

I think, from present appearances, that the Okas will not have to depend so much upon their friends for support as formerly, as various means are being used to get them work. But it will be a lasting disgrace to us if we now give in, and acknowledge by our withdrawal that the defence of persecution and wrong in our Province is a hopeless task.

B. P. S.—Why is there "No Report" of the Oka agency in the last blue book of the Department of the Interior? The Government is afraid to publish it!

Oka.—(Witness) Sir.—"Shall we compromise a felony?" A large, rich and highly infatigable corporation offer to buy—sell would be the best term—out the "Oka India" as and ransom them to the north pole. I ask—shall the people of Canada quickly submit to the banishment of the original owners of this continent from their homes, which they own, and have occupied the last one hundred and fifty years?—Oka. Montreal, 13th March, 1878.

letters of gold in their houses and in their hearts, and the poor would come in for more general generosity.  
SANTA CLAUS.

### THE OKA MISSION.

The Rev. J. A. Dorion, Methodist missionary at Oka, is very glad to be able to inform the friends of this mission through the WITNESS, that there are now two day schools in good working order on his mission, one in the village of Oka, with 65 scholars in attendance, taught by Miss Ella Akin, a graduate of the McGill Normal School of Montreal, and the other school in the country, about four miles from the village, with 23 scholars in attendance, taught by Miss Charlotte Catherine, an Indian woman, who has been educated in the mission school at Oka. The English is the only language taught in the schools; there is also a very good Sunday-school in connection with this mission. He also acknowledges with thanks the receipt of building materials that he received from friends in Montreal last fall to build the new school house in the country, as follows: Four windows and a door from Mr. James Shearer; door hangings from Mr. Tabb; one keg of shingle nails from Mr. Watkins; one keg of board nails from Mr. Hersey; one box of nails from Mr. Parks; one can of turpentine and a can of putty from Mr. Millen; one box of glass and a can of linned-oil, and two cans of paint from Mr. Kimber; two thousand feet of

Witness

14 Dec 80

### DAILY WITNESS.

lumber from Mr. Ward; one thousand feet of lumber from Mr. Grier; seven hundred feet of lumber from Mr. Maxwell; eight thousand shingles from Mr. Henderson; a stove from Mr. Gurney; twenty lengths of stovepipe and two elbows from Mr. Prowse, and a large door-lock from Mr. Walker, and also a box of clothing and one dollar from M. E. G., of Quebec, and one dollar from Mr. W. H. Taylor, of Moulinette, per Mr. J. A. Mathewson, of Montreal.

### OKA NEWS.

Mr. McGirr left Oka rather suddenly last Saturday evening, and it is reported by some of the party who wish to leave Oka, that he has gone to Ottawa to negotiate with the Government for the immediate removal of the Indians. Others say that he has gone to Toronto with \$10,000, given to him by the Seminary, to purchase the sixty thousand acres in Muskoka.

Chief John Tuvisha, accompanied by Mr. Ignace Attonion, started for Ottawa this morning to have a conference with the Hon. Superintendent of Indian Affairs, about certain matters which concern the Okas.

Witness  
7 April 81

St. Catharines, Feb. 7th, 1880.

### THE OKA INDIANS.

#### AN IMPENDING EVIL.

SIR,—It was with much regret I read the appeals for relief to the suffering Indians of Oka. I have done what I could in answer to the call, as I believe all are bound to do who hold the faith dear for which these Indians are now suffering, and which places them peculiarly in the position to which our Lord's words apply, viz. Verily I say unto you, inasmuch as ye have done it unto one of the least of these my brethren, ye have done it unto me," Matthew 25th chap. 40 verse. After making the noble stand these Indians have done on the Lord's side, it would be grievous to see them fall into a state of pauperism, degrading eventually their religious and moral character, and I write to enquire if any plans have been thought of to rescue them from such evil, and by which they could be put into the way of maintaining themselves, and so avoid the necessity of periodical appeals to the charity of others, which would have but one result, that of lessening their principle of self-respect and self-reliance. D.

### AN IRISHMAN ON IRELAND.

...sidered a very crude measure.

### WHY THE OKAS MUST GO.

Curé Rousselet announced yesterday at the Church of Notre Dame that several of the French Order of Monks recently expelled from France, and known as the Trappists, were en route for Canada. He intimated that they would probably decide, with the permission of the diocesan authority, to form a branch of their order at the Lake of the Two Mountains, where the Seminary offered them a "magnificent property."

Witness  
8 June 1880

### THE

### THE OKA QUESTION.

A DECIDED EXPRESSION OF OPINION.

(From Our Special Correspondent.)

OKA, June 7.

A meeting of the twelve Councilmen was held this evening, the two Chiefs Jean Tiwasha and Michel Frett in the chair, with the object of protesting against and denying the "news" which has appeared in the newspapers, alleging that all the chiefs and Indians are willing to leave Oka and live in Muskoka. It is absolutely false. They have never entertained the idea of leaving their Seigniori of Oka which was given them by King Francis (Onontero). It is for this that they forbade the Seminary to buy the land of those Indians who wished to leave Oka. The law says that no white person has the right to buy the land of any Indian. As to the Government agent, Mr. McGirr, they are convinced that he is the author in conjunction with ex-Chief Sanation of all the trouble which exists among the Indian tribe in Oka, he being in favor of those who wish to leave. Ninety Indian families at least have never desired to leave the place.

political reasons."   
 THE OKAS.

Mr. McGirr, who was sent by Government to protect the interests of the Oka Indians, seems to have become the agent of the Seminary to get rid of them. A telegram says he is in Ottawa completing the arrangements for the removal of the Indians to Muskoka. The Indians are, according to this, to leave their seigniori eighteen miles long by eight or nine in breadth, where they now have reasonably comfortable houses and partly cleared farms, and to accept ten thousand acres, equal to about a hundred acres apiece, of rough land in a wilderness, the most of which is uncultivable, along with an unknown quantity of provisions and farm implements. This land is bought from the Government at fifty cents an acre by the Seminary,

16 July 1881

Witness

THE MONTREAL

which also undertakes the whole cost of the transfer. Mr. McGirr says some of the Indians decline to be removed on the ground that they "do not approve of the scheme," but he thinks their objections will soon be got over. What are the facts? Simply that the Indians know as yet nothing about what is to be done for them. Some few of them talk of going, giving the fear of further persecution from Brother Philippe as one principal reason for desiring a change, and are under the impression that Government is going to give them sixty thousand acres. The majority of the Indians have no thought of moving. They have not expressed any disapproval of Mr. McGirr's scheme, since it has never been communicated to them. Statements were indeed made which have since proved false, and the Indians were asked to place themselves in the hands of Mr. McGirr and trust to him that all would be well, to which they naturally demurred, seeing that the only thing they had any assurance of was exile from their present homes. They declined to bind themselves till they had a business-like offer which they could lay before their friends. This did not suit Mr. McGirr, and he thenceforth recognized in his negotiations only such Indians as were not averse to a change. Mr. McGirr's opinion that all the Indians will go when the proper time comes is not based on any present intention or feeling of the Indians, who are more and more attached to their present homes, in which they are beginning to prosper, and who are less ready than ever to flee from persecution. The bane of Indian communities is their tribal form. Government should by no act perpetuate it, but should encourage the Indian in every way to aspire to the position of citizen. If the Oka Indians could sell their present farms for value, they would probably one by one find their way to Manitoba and elsewhere, where they might have an equal chance with others to grow into wealthy and leading citizens.

THE WELL PAID WITNESSES AGAINST THE OKA INDIANS.

MORE FACTS.

(To the Editor of the Witness.)

SIR,—The Gazette correspondent who writes about the payment of \$1.50 to the Seminary's witnesses at Alymer, knows not of what he speaks. The statute quoted by him distinguishes between those Crown witnesses who make affidavit before the Judge, &c., that they are poor and needy, and who are allowed one dollar per diem above their actual expenses, and those who are neither poor nor needy and who have failed to make the affidavit in question—these latter being entitled to their actual travelling expenses and their actual disbursements for board and lodging, not exceeding one dollar per diem, (C. S. L. C., c. 107, 32 ¶ 1-2.)

Now, to come to the facts. The Crown witnesses in the Oka trials made no affidavit of poverty or need. They were allowed the price of first-class passages from Oka to Ottawa, notwithstanding that the majority of them were steerage passengers, and that arrangements had been made between the Seminary and the steam-boat line for a reduction in their case. The Attorney-General ordered the payment to them of one dollar and fifty cents per diem, notwithstanding that their actual disbursements were seventy-five cents. It is idle for anyone to deny the above facts, as the writer speaks from personal knowledge. Many a poor farmer has been dragged during the haying season to the Court House at Alymer, and kept there as a witness for eight or ten days, and because he came in his own waggon and stopped at a friend's, he was told at the end of the time that he was, under the statute, entitled to nothing, as he had expended nothing for travelling expenses or for board and lodging. Contrast such a case with that of Louis Nikarantasa, who received twenty-one dollars and a first-class steamboat passage from Oka to the Court House, in order to enable him to mutter perjured statements, until the Judge begged of the Crown Prosecutor not to allow him to blacken his soul any longer, and to make him leave the witness-box.

EYE-WITNESS.

OKA AND THE GOVERNMENT.

(To the Editor of the Witness.)

SIR,—Your correspondent who writes from Ottawa under date of 19th inst., seems to be very much surprised at your accepting as facts the reports current in that city, in regard to the removal of the Okas to the wilderness of Muskoka, and at the same time attempts to exonerate the conduct of Mr. McGirr in the matter. But he also admits that Mr. McGirr, during his six weeks sojourn in Ottawa had daily interviews with the Superintendent of Indian Affairs with the object of making some kind of arrangement for the removal of the Indians. This is the very thing that Mr. McGirr is accused of. Why should he act secretly in his negotiations? Why should not the arrangements be made with the Government by the Indians through their chiefs, Mr. McGirr representing the Government, whose agent he is? But this course is not to be followed. Nobody is to know of Mr. McGirr's arrangements, neither of the "issue thereof, no, not even yourself, Mr. Editor, nor your telegraphic correspondent; nor other person can yet tell," and I presume that by this is meant that not even the Indians themselves must know anything about the matter. This must be a very dark transaction, Mr. Editor, when nobody is allowed to see through it; except Mr. McGirr, your Ottawa correspondent, and I may presume the Gentlemen of the Seminary. Now, I hope that your correspondent who has been initiated into the mysteries, and who seems willing to lend his pen to the service of his fellows who are in darkness will answer the following questions that they may be enlightened in some slight degree.

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Commons,  
Feb. 21, 1880.

### THE OKA TRIAL.

To the Editor of the Canadian Gleaner.

THE Oka trial has passed into the future and will never be resurrected unless the Seminary once more brings it to life.

Many ask, What will be the next play on the programme? Echo answers, a change of venue. The Seminary asked for a change of venue, which they got at Aylmer, and what then? why the jury could not agree, nor will any jury agree unless a straight colored set of twelve men be found who will be obliged to believe a charge similar to the one given to the jury at Aylmer. We know for a fact, that before the charge to the jury, on last trial, the twelve men, honest and true, stood eleven to one for acquittal. I would simply ask, why should eleven men (honest and true) agree upon acquittal before the Judge's charge? Was the Judge biased, or was it because of the address of the Attorney for the Seminary? Perhaps the learned counsel can inform us. The Attorney for the Seminary did his best to influence the Jury by referring to creed, nationality, &c. Contrast his address to the Jury with that of Mr Maclaren's, attorney for defence, who said not a single word in regard to religion, creed, or nationality, but gave a clear statement of proof as given by the several witnesses, and then left the whole matter with the Jury. Mr Foran, Mr Maclaren's associate for the defence, in a forcible speech, made the case very plain to the Jurors, and to him much credit is due. Mr Foran is a rising lawyer of our good city, and will be sure to make his mark.

There is one point on which the taxpayers of this poor Province of Quebec have much to say, and it is this: You have been taxed to the tune of some \$10,000, for three trials, and will you submit to a fourth, merely to satisfy the desire of some one to convict these poor persecuted Indians? I think not. So far, there has been no evidence but that of the man Perillard, of whom many witnesses swear positively he was not at the point of observation he (Perillard) swears he was, just when the fire was set. Also, it is a well-known fact that several of the witnesses for the prosecution were absent from Oka at the time of the fire, yet they swear positively as to facts. Further comment is not necessary, as British fair play

seems to be getting played out in this our Province of Quebec.

SAKOTANARAS, Chief.

Montreal, Feby. 17th, 1880.

[The trial was an expensive one for the Okas. Over fifty witnesses had to be taken all the way from Oka to Aylmer, and kept there for a fortnight, while Mr Foran received his well-earned fee. A number of warm friends of the persecuted tribe have subscribed liberally to pay these expenses of the defence, but there is still a balance due of \$110. Any subscriptions left at the Gleaner office will be forwarded. The Indians, wearied of always being the prosecuted, have turned the tables by causing the arrest of Bully Fauteaux for cutting wood on their reserve. He has been committed for trial at the first assizes—ED. G.]

WEATHER REPORT BY DR SHIRRIFF.

cannot be increased, the public will come to their aid by supplementing it, but so long as there is an expectation abroad that an exception will be made in their case, and an adequate allowance set aside from the funds, the voluntary subscription will make slight progress. If the officials in charge of the fund knew the importance of letting the public know at once what they mean to do, we are sure they would not longer delay in coming to a decision. During the past week we have received \$2 from Daniel M'farlane, \$2 from a lady, and \$2 from a friend of the oppressed, making \$26 in all received at this office.

BRIGHT DAYS IN OKA.

A DAY AMONG THE INDIANS—THE FARMING COMMUNITY—FULFILLED PROMISES.

On Saturday evening a WITNESS reporter took the train to Vaudreuil, thence drove along the river shore to Como, crossed over to Oka, and there received a hearty welcome from Rev. Mr. Dorion, the missionary of the reserve. Mr. Dorion had nothing but favorable reports of the great majority of the Indians. They have been clearing more land; their houses are much better looking, and more comfortable than for years past, and the ones recently built have enabled the Indians to live in a more civilized manner than they had been accustomed to do. But, perhaps, the most pleasant sign of all was the garden which stretched out in front of or behind each house, and in which the universal potato forms the principal feature.

In the morning the first order was a drive out to

THE NEW SCHOOL HOUSE

in "the country," about four miles up the river from the village—amongst the farmers. This is now the only public building the Indians possess, and is a very substantial and comfortable place of meeting, but altogether too small for religious services. The drive to it is a very beautiful one. From the top of the sand hill the view is one to excite admiration. Right below glide the waters of the Ottawa, hemmed in by verdure clothed banks, rising up behind which are eminences graceful in form and rich in color. Down the river on the opposite side the steeple of Vaudreuil Church is visible, and the green waters of the St. Lawrence, and on the north side, the Back River, beyond which rises Mount Royal. A cool, invigorating breeze comes up from the river. We are now on the Indian common, which stretches for some distance. In it were seated some twenty Indians waiting for the teams which their friends from the country are accustomed to send to bring them to the church. The common is fenced in, and has a gate guarded by one man so that no cattle may trespass on the cultivated land. The caretaker is recompensed for his trouble by the free enjoyment of a house and plot of ground. On passing this gate we are

IN THE FARMING DISTRICT.

The division between properties is rather indefinite, there being no fences or any visible evidence of boundary. Some farms are fairly cultivated after a primitive fashion, but much more might be made out of the majority of them, if not all. The Indians, however, are settling down to farming for a livelihood, and the probability is that they will turn out excellent farmers. A sad evidence of official bungling was the farm of ex-Chief Louis Sanation, which, last year, had been cleared for him, the Indians making a "bee" for the purpose. This year it has been neglected, and as a result is overgrown with saplings. In a subsequent conversation he said that the reason he did not cultivate nor let it on shares was that the Government had forbidden him to do so. The same policy seems to have been pursued in regard to the whole of the Indians who expressed their intention of going to Muskoka. They were

NOT PERMITTED TO SOW THEIR CROPS;

they have sold their household effects; the money obtained for them has gone; the Government have not moved them as yet; the Government agent has been away for a month, and the majority of those who have trusted to the promises of removal are in very straitened circumstances.

The school-house was filled to overflowing, some worshippers having to sit on the steps outside. The total congregation would number about 130 persons. A great improvement was visible in the dress of both the men and women. The younger men had white shirts and Byron or Shakespeare collars, and suits of respectable black were visible here and there. One, a man of middle age, who, however, has taken as his consort a Frenchwoman, had assumed the dignity of a black silk hat. It is a much less expensive matter for the Indian women to dress in the height of fashion than the men. With many and bright-colored shawls and a good pair of boots, or with slippers which show the least bit of a bright colored stocking, an Indian belle is happy. But amongst the congregation on Sunday morning there were some six hats of the shapes peculiar to feminine taste—usually with broad brims tucked up here and there, and set off with a feather and flowers. It is evident that the Indian women have adopted a fashion that once prevailed in the higher circles. There were several snuff boxes in church, and occasional pinches were indulged in, and the box was never taken out without being passed around to all within the immediate

*Witness*

neighborhood. The men, however, indulged in no such luxury. The service was especially interesting. The Rev. Mr. Dorion preached in French, his subject being the Temptation of Jesus. His remarks were interpreted by the interpreter into Iroquois, not interpreted by sentence, but half the sermon at a time. At the conclusion of the preaching service a class meeting was held, in which there were evidences of much interest and spirit. The singing was especially good. In the evening a united prayer and class meeting was held in Chief John's house, which also was crowded. Here, so interested were the Indians, on several occasions two stood up and spoke at the same time, but still the meeting was very orderly and there was

AN ABSENCE OF SNUFF.

Yesterday morning a Council meeting was called for the early hour of 6.30 to protest against the disposal of the land of the reserve to any not members of the Indian band in whose interest the reserve is supposed to be held. Chief John in introducing the subject of discourse said that the band first was settled on the Island of Montreal, and thence moved to Sault au Recollet and afterward to Oka. They are quite satisfied with their present reserve and intend to remain on it. Some thirteen years ago, when they had some trouble with the Seminary, a deputation was sent to Ottawa and was informed by Mr. Sprague, Deputy Minister of Indian Affairs, that the seignory belonged to them and that the Seminary were simply their guardians. They, therefore, have resolved that they would from this time resist the settlement of any whites amongst them in violation of the law regarding Indian reserves. This resolution being put in form was passed by a unanimous standing vote of the Council.

While the meeting was in progress the "Princess" arrived in sight and our reporter left on it. On arriving at Montreal the wharves presented a striking appearance from their bareness and the want of life on them.

MR. GAULT'S GIFT

TUESDAY, JULY 12, 1881.

The French residents at Oka are very sore because the Indians have not gone away, and there is no sign of them leaving. Many of them were all ready to take possession of the Indians' farms. A French mechanic from Montreal visited Oka in June to select his house. He told the Rev. Mr. Dorion that it had been given out in the French parish church in Montreal that the Indians were all going away, and the Seminary invited members of their congregation to go there to reside. Oka was pictured as a most important place, which yet would rival Montreal.

Those Indians who thought of going away seem to have no plan of action. Chief Louis returned from Ottawa at the close of last week, where he had been searching for information. His report, according to general rumor amongst his adherents, is that all is ready now except the \$40,000 which the Seminary are to pay the Government for the Indians. When this is paid everything will be all right.

The Indians are very anxious to have their Montreal friends pay them a visit, and are about preparing the grove for a picnic.

TO THE EDITOR OF

SIR,—If the statements  
today on the Oka question  
could afford more material

did "scandal;" but whatever certain parties or papers would like to make of this matter, be they Conservative or Liberal, it has friends enough on both sides who care more for justice than they care for party, and who will expose any attempt to use it for "party purposes." It is perfectly consistent with one's political attachments to keep this Oka question unspotted from party purposes. If not, then it is better to be no partizan, and to be honest.

1. The reasons why the Government letter was not published "until after the elections" are very simple. Though dated 23rd March, it had to pass through the hands of the agent at Oka, who, after copying it, sent it to the Rev. Mr. Borland at St. Johns. A meeting of the C. R. Alliance was then called, a special committee appointed to frame a reply. The Indians at Oka and the lawyer here had to be consulted, the reply had to be written, and another meeting of the Alliance called to ratify it. There is nothing at all wonderful in the delay of four weeks to do all this, especially as the former Secretary of the Alliance had, in the meantime, got into public difficulty, and I had to assume his office, *pro tem.*, and get the Alliance books and papers out of seizure. There was every excuse here for delaying the whole matter "until after the elections," but there was no delay whatever.

2. It is absolutely untrue "that the publication was delayed at the request of the Government until the elections were over." The falsity of this charge might have been obtained by one minute's inquiry from me, before making such an accusation. I wrote the reply myself, submitted it to the Council, and sent it direct the next day to the Hon. Mr. Mills, without waiting to transmit it through the agent at Oka.

A few days afterwards I had a private interview with Mr. Mills in Ottawa. I think I removed some wrong impressions he held. He certainly paid great attention to what I had to say, and showed an impartial desire to have the question settled. He did not say one word about the "elections," made no allusion to the question being used for "party purposes," but without any hint from him I assured him that certain rumors were untrue, that those of us who were Conservatives were trying to make political capital out of the letter of the Government. I had been told this in Ottawa, and Mr. Bowell, when introducing me to Mr. Mills, remarked that "it was certainly not a Conservative movement, as the largest proportion of the Council were Liberals." I do not fear to say here that I was personally solicited by leading Conservatives to publish the Government letter before the elections, just as I am sure some leading Liberals would gladly do, if the tables were turned. When there are partizans eager enough to use the vilest tool they can handle to harm harm "the other party," it is no wonder that even mild partizans should be eager to use this Government letter.

It is a fact that some Liberals in the Alliance opposed the publication, but no party arguments were used on one side or the other. It is a fact too, which common fairness compels me to state, that most of them urged its publication—not likely for "party purposes."

THE GOVERNMENT OKA INDIAN AGENT'S REPORT.

(To the Editor of the Witness.)

SIR,—In one of your recent issues is a report to the Government from Mr. John McGirr, their agent at Oka. I desire to call attention to two statements in it, which, because of their defectiveness, are calculated—designed, I fear, for such an end—to make a false impression. On the arcon case, Mr. McGirr remarks: "It is hoped that this unprecedented case will soon be brought to a termination, and save the Indians further trouble and expense." What expense Mr. McGirr would have them saved from is hard to determine, seeing in each trial all their expenses have been borne for them, even to providing them with passage to and from the place of trial, supplying them with provisions and a place to stay in, while in certain instances their families at Oka have had to be supplied with provisions. Again, "referring to educational matter," he says, "some twenty-five families, residing about four miles from this village, finding it impossible to send their children to the village school, have decided upon erecting a school house in their own neighborhood, where the wants of over forty children of school age will be met in the way of learning; operations have already been commenced, and it is expected that the building will be completed and ready for occupation in a few weeks. It is a commodious one, and will be useful for other purposes as well."

Now, in reference to the school-house here referred to, there are facts—some of them of a painful nature, in which Mr. McGirr figured—which render it out of the question that he should be ignorant as to how this school-house was built, at whose instance, and by whose means; and that to none of these the report should have the slightest reference is a strange fact when viewed alone, and separate from other facts to which I must refer. When at Oka last September I called the attention of the Indians to their need of a school at the place where these forty children lived. Further, I said to them, if they got out from the forest the timber necessary for the body of the house, we would get them the other materials necessary for the building. This they agreed to, and Mr. Dorion accompanied me to Montreal and was successful in collecting lumber, planed and rough shingles, door and windows, with glass, paint and putty, with brick and lime, &c., &c. In a word, all that was needed for the house beyond the rough timber which the Indians got out of the woods. And further, Mr. Dorion had to supply these Indians with provisions all the time they were engaged in the work.

Why Mr. McGirr can ignore the work of the Methodist Church in Oka in behalf of the Indians is beyond my apprehension, unless it is that I declined giving him our school to teach at Oka, and shortly afterward Mr. Dorion refused to allow him the use of our school material to use in a night school which he subsequently opened for his own emolument. Whether or not these are the reasons for Mr. McGirr's conduct toward the Methodists at Oka, one thing is certain that from that time his conduct has been positively that of antagonism, of which I could give a number of instances. One I will give which will speak clearly to the point. From a report Mr. McGirr sent the Indian Department, an extract was sent by the Department to Dr. Sutherland, our Missionary Secretary at Toronto, and by him forwarded to me, with following remarks: "I have just received a communication from the Department enclosing an extract from Mr. McGirr's report complaining of the non-progressive condition of the school, that the attendance was small and irregular, especially during the last half of the year; that the parents express great dissatisfaction with the English teacher, Mrs. Dorion, that she has been careless and unfaithful in the discharge of her duties." Now I felt persuaded the whole statement was a misrepresentation. I had examined the school in the presence of a number of friends, Indians and others. I never saw the school at Oka in a more efficient and progressive condition. And testimony to this fact was given by the Rev. Mr. Carson from the other side of the lake; while Chief Louis said, how thankful they ought to be that such instruction was given their children.

However, I took Dr. Sutherland's letter and went to Oka, and made enquiry of a number of Indians if they had heard from anyone a complaint about the school, and of Mrs. Dorion's attention to her duties as a teacher, and they all declared they never had, and looked surprised at such questions being asked.

Ere I left Oka, I copied from Dr. Sutherland's letter the portion referring to the school and left it with Mr. Dorion. Shortly afterward I got a letter from Mr. Dorion, saying he had called on Mr. McGirr, and showing him the extract from his report asked how he could make such a statement about the school. He at once admitted that he had no knowledge of the school himself, but had drawn his report from the statements made to him by several Indians. When asked who those Indians were, he said for peace sake he would not give their names.

But, said Mr. Dorion, you once visited the school during Mrs. Dorion's absence, she having gone to see her mother who was dangerously ill at the time. Yes, he said, I did visit the school at that time; and examined the children in reading, spelling, arithmetic and geography, and was much pleased with them.

Comment on the above, I submit, is unnecessary. JOHN BORLAND.

Granby, 5th April.

CHURCH PARADES.

(To the Editor of the Witness.)

SIR,—We do not raise the question of church parades, although in the case of a volunteer force or citizen soldiery their necessity and utility is questionable. But we think the band is an unnecessary accompaniment on such occasions. If the parade is at the usual hour of service, and the military get out a few moments before some neighboring church, then the music disturbs some congregation at the celebration of communion or some other part of the service. If it is held in the afternoon, the temptation to the boys of the Sunday-schools to be late or to absent themselves is very great. In this city we

TUESDAY, APRIL 26, 1881.

think we have quite enough of Sunday processions and parades without regiments going to Protestant services in a fashion which disturbs the solemnity of the Sabbath. It is worthy of note in this connection that in Halifax, N.S., and in garrison cities in other parts of the empire, more especially in Scotland, the regimental bands do not play on the march to or from church. We hope our volunteers will follow the example of courtesy and consideration for the feelings of others, thus set them by their brethren of the regular army.

OBSERVER.

WHY IT IS...

After my interview with Mr. Mills, I had a three hours discussion with a Government official well posted on the question, but this discussion was with a few friends in the evening, and had no official meaning. There it was again said to me that those of us who were Conservatives, desired to embarrass the Government by bringing on this question on the eve of the election. There again, I assured him that no use would be made of the document until the elections were over. So that instead of a Liberal scheme to keep back the letter, it was solely my own doing, and I did it simply because I saw that an attempt would be made to use it at the time. The Government had no more to do with delaying its publication than the man in the moon. I might have easily sent it to the papers in time to cause the profound sensation at its arbitrary and undignified tone, which it has since caused. I took upon myself the responsibility of keeping it back, and am willing to be blamed for doing so. What I personally think about the letter has been made public; but I do not wish to see the question used either to embarrass or exonerate one party or the other. Any excuse is used now-a-days to have a fling at a party in or out of power, and I know many would be glad to make such use of this question.

It ought to give you satisfaction that the Okas' friends "roar as gently as any sucking dove." You have yourself strongly condemned "strong writing from the friends of the Okas." To-day you are disappointed at not finding it, and pay us the compliment of sarcasm for now discussing the matter in the very dispassionate way you yourself suggested it should be discussed. The reply of the alliance is strong in its facts. It can afford to leave "strong writing" to people who have no facts to deal with.

Your allusion to "the Jesuits" is irrelevant. In the correspondence with the Government, no such language has been used against the Jesuits as has been editorially produced in the GAZETTE. It once suited the policy of the GAZETTE to say rough things about the Jesuits. It may yet suit its policy to say great and good things about the Okas. People who cannot separate a question like this from politics are not the friend of the Okas. I think I would rather have the reputation of being their foes than their friends.

Yours,

W. GEO. BEERS.

May 9, 1878

THE OKA ARSON CASE.

A CHAPTER OF NOTE-BOOK JOTTINGS, ILLUSTRATED.

A reporter's note-book at any interesting trial most invariably contains many items which, through haste in the preparation of his daily roll manuscript, or other reason, never see the light. On this occasion, however, advantage is taken of the portraits which appear in this number of the *Illustrated* to collect a few of these straggling items, which probably will prove of some interest. Withstanding the statement made at an early stage of the trial that the character 8, often seen in the Indian names, represents the consonant sound of the English *w*, it doubtless has proved a stumbling block to many in the pronunciation of these names. The Iroquois language was first written by a Frenchman. Meeting in the Indian the consonant sound represented by the letter *w* in English, which is not indicated in the French, he was forced to represent it by some character not in their alphabet. Perhaps not knowing English or more probably being too proud to borrow a letter from the alphabet of the traditional foe of his country, or because he preferred to go farther back to the Greek, he adopted the character 8. It is said that this is a corruption of the Greek *8* or *ou*, and in support of this the statement is advanced that some of the earlier representations of the Indian language were in Greek characters.

Regarding this language, some good things were got off during the trial by His Honor Mr. Justice Johnson. The Indian witnesses were, like the rest of the race, naturally phlegmatic and very slow in speech. The delay in giving their testimony from this cause was aggravated by the fact that the questions to them had to be



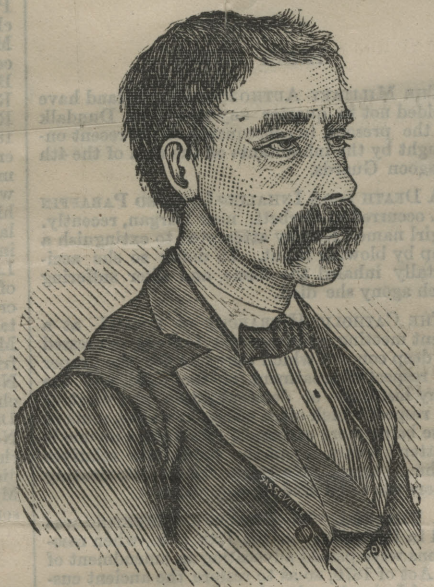
REV. FATHER LACAN.

translated from English or French into Iroquois, then back into French by one interpreter and into English by another. His Honor, who had expected the whole trial to last but a few hours, was naturally enough disappointed to see before him an array of some forty such witnesses, and on one occasion, during a dispute as to the proper translation of evidence, expressed himself somewhat as follows: I do not think there is any place in the world except Lower Canada where such a mode of trial would be allowed. First a question is asked; then it is translated by an interpreter who is sworn to tell the truth—a very proper man I have no doubt;—then the witness makes a noise of some kind which we may infer is speech; then it is diluted into French; there is a dispute over it; it is again turned over into English; and you call it—evidence. Well I suppose it's all right, but it would be allowed in no other country in the universe.

Speaking of the witnesses recalls an extraordinary difference in the treatment between those for the Crown and those for the defence. At the beginning of the trial Mr. Mousseau moved that all witnesses be removed from Court. The Crown witnesses were then placed in a hall or room opening out from the Court room from which every word intended for the jury could be heard while the witnesses for the defence were locked up in a small room downstairs in which they were almost stifled by the heat from a huge stove, while no ventilation could be obtained until Mr. James A. Mathewson, one of the incarcerated, managed to break open one of the windows.

statute, but under it the whole jury could be English-speaking, the only limitation being as to the number who spoke that language. But notwithstanding this agreement only five of the jury were English-speaking, which was made the subject of a protest on the part of the defence, which, in the case of a conviction, would in all probability have upset the trial. It is interesting to learn something of how these jurors were selected. Two, at least, out of the English-speaking jurors at first summoned, Messrs. Watson, of the Lachute Road, and John Smith, of Cushing, were over age, and in the case of Smith the clerk of the municipality had previously given due notice of that fact. But, nevertheless, they were summoned, and, of course, refused to serve. Their selection in the first place may have been a mistake, but it is remarkable that the name of but one English-speaking juror was added to the supplementary list to fill their place, that of the twelfth English-speaking juror being filled by one whose language is French. This English juror, whose name was added to the supplementary list, with two others, was challenged by the Crown when the time for selecting the panel in the arson case came, no cause being given. The reason subsequently advanced by a court official was that the three stayed in the same hotel with Mr. McLaren, and one or two other English-speaking citizens. The strength of this objection is very manifest when it is considered that nearly all the jurors put up at the same hotel as Mr. Mousseau, the counsel for the prosecution, and he could easily understand that the counsel for the defence was quite as wideawake as himself. However, he made two slight mistakes, for he challenged a man from his own hotel, evidently in mistake, and Mr. McLaren kept his self-respect entirely above suspicion, as far as influencing the jury by any but legitimate means was concerned. But to come back to the juror whose name was on the supplementary list. He is Mr. Dudderidge, carriage builder of Lachute. His portrait is one of the illustrations of this article, and is given to show the kind of man who would not suit the Crown for a juror. Mr. Mousseau is fortunate sometimes in his selection of a jury, as for instance that memorable one which, after three days' evidence and speeches did not know whom they were trying and brought in the prosecutor not guilty. It is quite evident that Mr. Dudderidge would not suit him, and his anxiety to have the case tried in Montreal, where such a jury as he desires might be obtained without very much difficulty, may thus be explained.

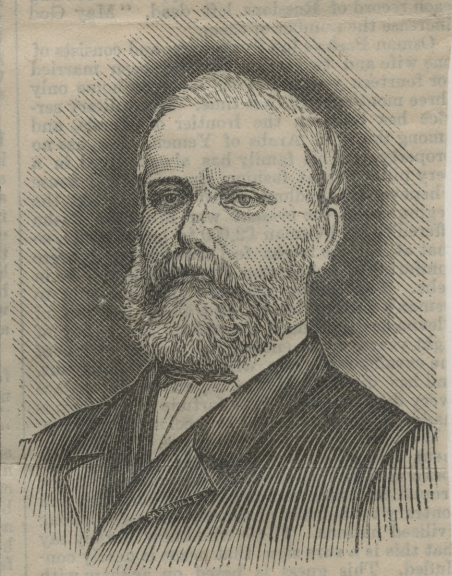
Mr. Dudderidge had not much to regret that he was not accepted, although he and the others who were challenged with him, Messrs. Dunbar and Crozier, from that time out, were known as "the rejected of Argenteuil." The jury were locked up for five days and four nights. From all accounts the room which these twelve men occupied witnessed some strange scenes. The two divisions of the jury did not amalgamate very well and kept themselves a little separate, although the best of feeling prevailed. The French speaking majority occupied Sunday in turns by playing cards, praying, fiddling and dancing, singing and shouting, until it would seem as if they had taken lessons in Pandemonium. But at eight o'clock on Sunday evening, in the midst of this racket, a beautiful, sweet sound came stealing through the building, and for a moment everything was hushed. The Indian prisoners were singing hymns in their language to those beau-



JOSEPH PERRILLARD.

assisted in the cross examination of the witnesses for the defence. Thus the prosecution in this crown case was fully represented by a member of Parliament, and two ex-members. But this number caused a little disagreement when the time for speech making came. There could only be two speeches, one in English and one in French. There are many surmises as to how the matter was arranged, but when the time for speech-making came Mr. Cayley was absent, and Mr. Prevost addressed the jury in French in a manner which set them on fire, his descriptive and dramatic power being so great, that the scene as represented by him was actually more vivid to the minds of his hearers than—even if such had occurred—they had seen it with their own eyes. He appealed with much address to religious feelings from which Mr. Mousseau and his antagonists honorably abstained.

It was a common subject of remark in the Court by those who understood both languages that the Judge, in charging the French jurors, omitted a number of points in favor of the prisoner which he had referred to in English, while he seemed to lay even greater stress on the evidence for the prosecution. Surprise was expressed at the omission of all reference in the charge



MR. DUDDERIDGE.

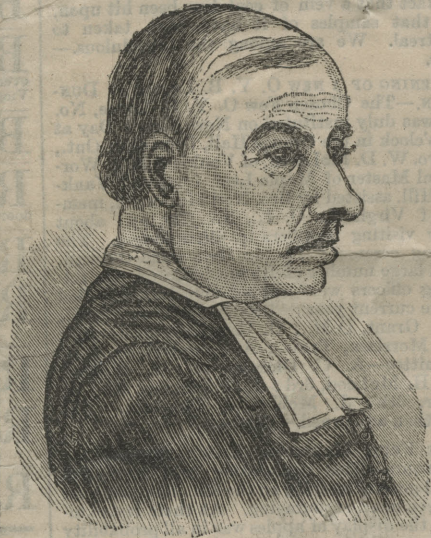
(A JUROR REJECTED BY THE CROWN.)

in both languages to what seemed some of the strongest points for the defence. For instance, three witnesses, two for the Crown and one for the prisoner, were immediately after the firing of the cannon at the same tree as Perrillard, who swore that for fifteen minutes after the cannon was fired he was there, and on the same side as they, but not one of them saw him, while all swore that if he had been there they would have seen him. Again Perrillard swore he was at the tree for fifteen minutes after the firing of the cannon, and was fully dressed, while two witnesses, one for the Crown and one for the defence, who were not contradicted or attacked, swore that immediately after the cannon was fired they saw him near his own house a quarter of a mile away from the tree, without either hat, coat or shoes, and rubbing his eyes as if he had just got out of bed. The Judge never alluded to this testimony. He also strangely omitted all reference to the firing of the cannon as something which could serve as a point of demarcation as serving to distinguish what passed before it was fired from what happened after, although clocks and watches might vary as to the exact time it was fired.

During the last day of the trial your artist was the admired of all admirers. His sketches were glanced at and admired by all the officials in the court room and unanimously approved of as correct. Perrillard was taken when the jury had retired, and around him were an admiring crowd of rustics, some of whom stood on the chairs and desks to obtain a glimpse of the rapidly-made sketch. As has been narrated, Father Lacan, when told that his features had been immortalized, consulted legal authority as to what means might be put into force to prevent this honor; but being informed that the picture was not a caricature but a life-like portrait, and consequently no libel, he contented himself by remaining out of danger's way for the future.



Mr. Mathewson had a narrow escape of getting into a trouble of another kind. When the Indian prisoners were brought up to be arraigned, Chief Joseph, who had been released on bail, was on his way from Oka. Immediately on his name being called, Mr. Jules Berthelet, the clerk of the Crown, began giving the usual peremptory calls to Mr. James Adams Mathewson to produce the body of the missing prisoner or forfeit his bail. Mr. McLaren explained that the chief would be present in a few minutes, and His Honor restrained the impetuosity of the Crown's over-



BROTHER PHILIPPE.  
(BERNARD LACASSE.)

zealous clerk. Mr. Berthelet also gave evidence of his zeal in many other ways. For instance on one occasion an Indian witness in answer to the usual question as to his occupation, mistook the question, thinking it referred to his business in the court, and said that he was there to give his testimony. The Clerk of the Crown, turning to the jury, translated the answer as follows:—"This one says he's paid to give evidence." Another man, a laborer, believing that he was asked his trade,—a trade being their highest ideal of usefulness—replied that he had none. This was translated as follows by the indefatigable clerk. "This one's like all the rest—he does nothing."

It was this same clerk who on being requested by His Honor to transcribe the arrangement in regard to the mixed jury on the back of the indictment, wrote down that it was agreed that "the jury should be one half English and one half French." His Honor had dictated as follows: "A jury half of whom should speak the language of the defence, to wit English." The latter is not only according to the wording of the

tiful old tunes, well-known to church-going Protestants. One of the jurors said he never remembers hearing music so beautiful, and certainly none ever affected him so much, for it reminded him of Paul and Silas, bound and in prison, yet singing praises unto the Lord.

The hilarity of a portion of the jury was not altogether natural, for they united their funds to buy a choice assortment of whiskey, beer and other kinds of spirituous and malt liquors which added considerably to their liveliness, and which they considerably offered to their English-speaking friends to partake of.

A very interesting case of disputed interpretation came up in Perrillard's evidence which was given in French and rendered into English by Mr. Bernard, the Court interpreter of Montreal. Perrillard was recounting the conversation he says he heard between the prisoner Karentatissi and Anerente in the guard-house. Perrillard says that one of them made use of an expression in Iroquois, which he rendered into French as "*Quand le feu a été mis, et quand on a mis le feu.*" This ambiguous expression was translated, "When the fire was set and when we set the fire." Mr. McLaren at once objected to this translation, and on the ground that the prisoner should have the benefit of the doubt—after the witness stated that he could not give the original Iroquois on account of nervousness—the expression given to the jury was, "When the fire was set."

This Perrillard is a most interesting study. When asked to sit for his portrait he at first refused, but soon after came in, set himself in a good position, and struck attitudes. The result is to be seen in the picture given to-day. Father Lacan was an unconscious subject for the penciller's art, and would have been an unwilling one had he known of his danger before it was too late. His portrait indicates his character. He is one of those ascetic, conscientious in his way, narrow-minded, unsophisticated cloister ecclesiastics, who were never meant to battle with the world. He is a very different man indeed from Brother Philippe. The latter represents another class of the Roman Catholic ecclesiastic, but both types will be recognized and appreciated. During the whole of the trial these two men were in the court house with their eyes fixed on the jury, and during the addresses of the counsel for the defence and prosecution their anxiety was very perceptible.

There was some little interest occasioned in Court by these addresses. Mr. Cayley, Q.C., is the Crown prosecutor of the District, and as such in a case brought by the Crown it was his duty, and his only, to attend to the business of the court. But by some means or other the Quebec Government did not seem to think that Mr. Cayley was heavy enough for a case in which the Seminary was so deeply interested, and Mr. Mousseau was engaged by them to attend to this special case. But it was noticed that Mr. Prevost was also present on the same side and almost invariably

THE ICE BRIDGE which formed opposite the city on Thursday night broke up near St. Lambert long wharf, and clear water is now to be seen as far down as the lower end of St. Helen's Island. It is evidently not safe to cross at Longueuil yet, as the water has risen since yesterday morning, and the noise of ice cracking along the shore shows that it is still rising. Several *habitants* came in early this morning by the Grand Trunk Railway with fresh butter, &c., rather than risk their lives on the ice. Now is the time to avoid the fatal accidents that occur annually, particularly as crossing is later this year, and more dangerous than it has been for many years back.



It was my intention to have observed at some length upon the evidence adduced, and the various incidents connected with the prolonged investigation, to which you have devoted for so many days past, your patient and attentive consideration, but the time already spent, and your anxiety to close the proceedings, induces me to confine myself to a recapitulation of some of the most prominent facts and circumstances of the enquiry, leaving the testimony at length, which must be fresh in your recollection, to be sustained by the written depositions, which will accompany you for reference, in the consideration of the verdict, which the law calls upon you to render. It is proper to observe, in the first instance, that the Inquests of the Coroner, and the judicial investigations which the Law requires him to conduct, are in no case conclusive, and that any one affected by them either collaterally or otherwise may deny their authority, and put them in issue, whilst at the same time it is clear, that evidence as well against the interest of the Crown as for it, must be received, for there is no person to be condemned to death by the inquest, but only the fact to be inquired into, an inquiry truly how the death happened rather for information of the truth of the fact, as near as the Jury can assert it on their oaths, than for an accusation; accordingly it has been for the Coroner's Inquest to find the matter as they judge it was. I shall only add, that the Jury must in all cases consist of twelve, at the least, and that twelve must agree in the verdict.

It would appear from the testimony, that apprehensions having been entertained, that violence would be used, to interrupt a public lecture announced to be delivered by a noted individual named Gavazzi in Zion Church, on the evening of the 9th June last, the Mayor of the City, the Honorable Charles Wilson, adopted precautionary arrangements by bringing to the ground the Municipal Police Force, together with a division of Her Majesty's 26th Regt. of foot, then recently arrived in Montreal; the former were posted under their Superintendent and Officers, in the immediate vicinity of the Church, and the latter under cover and out of sight, in the Engine-house, at from six to seven hundred yards distance,—the Church having been obtained for the lecture in consequence of the previous permission granted for the use of the City Hall having been withdrawn by the Mayor upon threats of violence, and upon remonstrances made to him that Gavazzi would not be allowed to lecture there; it was at the same time well known throughout the city, that a similar lecture at Quebec, by the same individual, two or three days before, had been accompanied by bloodshed and tumult. On the occasion in question, the church was filled by a crowded auditory, of both sexes, and the lecture had continued without interruption for some time, when a turbulent mob collected in the street, in the immediate neighbourhood; excited to violence by the applause given to the lecture within the church, endeavoured to force an entrance and with loud shouts and cries "let us have out Gavazzi" assailed the church and the Police force with stones and missiles and discharged fire-arms in the direction of the church; the collision between the mob and the police becoming alarming, and fears arising that the latter would be overpowered, the auditory were called upon by persons outside to defend themselves; in the interval of time between those occurrences and the posting of the military, two parties came out from the church at different periods, the first at the above call, who returned without having used fire-arms, the latter after having used them: it was in that interval that Walsh, who had been prominent among the assailants, fell mortally wounded. The evident intention of the mob was to force their entrance into the church for the purpose of committing personal violence upon Gavazzi, and if obstructed in that object, it must be apparent, that they would not have failed to assault his supporters and defenders. The troops did not take up their positions until after Walsh had been wounded and the dispersion of the assailants on the church. The upper division was posted facing the Unitarian Church, and the lower facing McGill street. The remaining casualties which you have been called upon to investigate, occurred from the firing of these two divisions. By the firing of the lower division, Macrae and O'Neil met their deaths; and by that of the upper, Pollock, Gillespie, Adams, McGrath, Bonally, Clarke and Hutchinson.

No mob, riot, or excitement whatever, is proved to have existed in front of the upper division when they fired, nor since the troops were brought to that position; the auditory, men, women, and children were quiet, and peaceably leaving the church, and proceeding homewards, and some of Her Majesty's Officers were immediately in front of the line of fire. With respect to the lower division, one or two shots having been fired near the American Church, which caused alarm, and a scattering of the people proceeding across the square,—the Mayor, at that time, deemed it necessary to read the riot act, and the lower division immediately fired upon the people, and passengers in front of them.

Your investigation will necessarily, therefore be subdivided into three branches. First, the cause or manner of the death of Walsh; secondly, the circumstances attendant upon the deaths caused by the firing of the lower division; and, thirdly, the circumstances connected with the death of the persons who suffered from the firing of the upper division.

Walsh's death was evidently caused by the fire of persons coming from the Church, and occurred, at from fifty to sixty paces distance between him and them; but whether he fell under the general fire of either of the parties, or of the person who discharged the revolver, or of him who discharg-

ed notice to all thoughtless people who, without any malevolence, are mixed with the multitude to separate from the ill-meaning; and moreover, Mr. Wilson was under double ties, for besides the general obligations of duty and humanity as a magistrate, a particular confidence was reposed in him as Mayor of the city, which, at the peril of his life, he was bound to account for and sustain.

To justify a recourse to this extreme necessity, a riot must exist, and to constitute a riot, three or more persons must be unlawfully assembled together; and to constitute this crime, it is not necessary that personal violence should have been committed; it is sufficient that there is some circumstance, either of actual force or violence, or at least of an apparent tendency thereto, naturally apt to strike a terror into the people, or even into one of Her Majesty's subjects, as the show of firearms, threatening menaces, or turbulent speeches; nor is it necessary to constitute a riot that the riot act should be read: before the proclamation can be read a riot must exist, and the effect of the proclamation will not change the character of the meeting, but will make those guilty of felony who do not disperse within an hour after the proclamation is read.

You will then find under what circumstances the military did fire and whether under the sanction of civil or military authority. It will be scarcely necessary to state that the firing without command and not for self-defence would entail the charge of murder, that the firing even by command would be equally criminal if no apparent or justifiable necessity for the act existed, and in that case the Commanding Officer is equally implicated with his men. That the firing without such necessity, even under a mistake of the command proceeding from the officer would not relieve the soldier firing, from a similar charge, and that the firing by command, whilst it might relieve the soldiers if some necessity did in fact exist would attach that criminality upon the commanding officer, unless it be shewn that such necessity was real and apparent, no order from any magistrate whatever can justify the homicides caused by the firing of the troops without necessity. Had the Mayor ordered the officer to fire upon the people when there was no just cause for so doing, such an order might subject the Mayor to the penal consequences which attend murder, but could not acquit the officer who might order the fire, who was not bound to obey such illegal order, and who, therefore, would have acted at his peril.

With reference to the evidence adduced before you, it is marked with the incongruities and contradictions which are the usual consequences of much excitement, and of protracted investigations into its causes. It will be your duty to weigh it dispassionately, bearing in mind that no negative evidence can take away a positive proof.

I will only add that it is consistent with public interest as well as with that of the parties connected with the subject of your investigation, that a fair and strict enquiry should be made to the end, that power conferred for the preservation of the public peace should not be lightly or from any unjust motive, turned to the destruction of the people, and that whoever shall have so unjustifiably caused so cruel a loss of life, may be made an example to restrain others in similar circumstances from the like dangerous mis-conducts for the future.

The FOREMAN requested that the Jury should be furnished with the depositions, the list of soldiers handed in by Adjutant Wallace, the plans of the ground and the Coroner's charge. Messrs. Stuart, Mack, and Devlin objected to the latter being given to the jury, but the Coroner acceded to the request of the Foreman.

The jury then retired, taking the charge and the other documents along with them.

At nine o'clock, the Jury returned into Court, after an absence of four hours and a half.

The Foreman, Mr. MULHOLLAND, said the Jury had been unable to agree upon a verdict, but he was now prepared to hand in special returns—one signed and agreed to by 9, and another signed and agreed to by 7, and the remaining 3 had subscribed to an addition to the report signed by the 7. This was the only decision they had been able to come to in the matter. Mr. Mulholland then read the several reports as follows:—

We, the undersigned Jurors, find—

First,—That the deceased James Macrae and Thomas O'Neil came to their deaths by gun-shot wounds, inflicted by the fire of a certain division of Her Majesty's 26th Regiment, being one of two divisions of a detachment of 103 men of that Regiment, called out by the Hon. Chas. Wilson, Mayor of the City of Montreal, to aid the civil power, in consequence of anticipated disturbances on the 9th day of June last, on the occasion of the lecture then given by one Gavazzi, in Zion Church, in Radegonde Street in this City, which division was composed of the following officers and men, viz.:

Lieut. Finnies A. Quartley,

[Here follow the names of 49 men.]

The whole under the command of Lieut. Colonel George Hogarth, C.B.

That this division of troops fired by the order of the said Hon. Chas. Wilson, Mayor aforesaid, delivered, after reading the Riot Act, by him directly to the soldiers of the said division, and not to the officer in command either of the said division, or of the detachment.

That the said soldiers fired the aforesaid shots without any order from either the officer in command of the detachment or the divisions; that there was no riot or disturbance to justify or render necessary the giving of the said order or firing; and the said James Macrae and Thomas O'Neil at the time of the infliction of the

shots, heads and limbs, and fired by the troops who had been called and stationed in two divisions, described at the Inquest as "upper" and "lower" divisions, on the said evening of the 9th of June last past, on the Haymarket Square, in order to quell any riots which might occur in consequence of a lecture being at the time delivered in Zion Church by one Gavazzi. Said gunshots so fired by the said troops and which caused the death of the last named persons appear to the Jurors to have been discharged in consequence of military words of command uttered by a person unknown, other than Col. Hogarth, Captain Cameron, Lieut. Quartley, or other officer in command of the said troops, immediately before the time the said fire took place. The discharge of the military is the more to be regretted inasmuch as, though the Mayor may have been justified in reading the Riot Act at the time he did it in consequence of an assemblage of persons, who were conducting themselves in a riotous and threatening manner, and discharging fire-arms at a certain distance from the troops, that it was nevertheless unnecessary to have recourse to such discharge by the military to disperse a mob which only threatens at the time the lives of those concerned in it; and that such assemblage could have been easily dispersed by other means, without perhaps any sacrifice of lives; more particularly as there was not at the time in any place near where the troops were stationed any riots or tumultuous assemblage. Although the undersigned Jurors do not reproach the military with having acted against the rules of military discipline, they nevertheless think it their duty to express themselves strongly against the precipitation with which the various orders and consequent movements are made by the military on like occasions, and would earnestly recommend that if unfortunately the services of the military should again be required for any similar purpose, the intervals between such different orders should be made long enough to admit of an opportunity to persons likely to be exposed to the fire of the troops to get safely out of reach.

In conclusion the undersigned Jurors cannot refrain from suggesting that it would be desirable in future to rely rather on an armed police, than on the military for the suppression of dangerous riots.

Montreal Court House, 11th July, 1853.

(Signed),

J. BELLE.  
JAMES MEGORIAN.  
J. B. BEAUDRY.  
AMABLE LAFLAMME.  
LOUIS RENAUD.  
THOMAS CONWAY.  
NEIL DOHERTY.

The undersigned Jurors concur in the foregoing report, with the exception of the last paragraph therein contained, respecting an armed Police.

(Signed),

AMABLE PREVOST.  
F. X. BRAZEAU.  
J. A. LABADIE.

The CORONER then discharged the Jury, remarking that, notwithstanding their inability to agree upon a verdict, he was sure the whole country would feel satisfied that the manner in which they had devoted their time and attention to this long protracted investigation was in the highest degree creditable to them, and that they had acted conscientiously in the performance of the duty which had been assigned them.

FOR SALE, A Double-Geared SCREW PUMP, with Cording Apparatus complete, made together of Iron.

FOR SALE, 1000 boxes IC, IX, DC, IJ, other sizes, both Charcoal and Co.

FOR SALE, 500 boxes CANADA PLATES—500 boxes Canada.

FOR SALE, 1000 boxes TIN PLATES—1000 boxes IC, IX, DC, IJ, other sizes, both Charcoal and Co.

FOR SALE, by the Subscriber—300 tons NO. 1 SCOTCH IRON, in brands.

WM. MEIKLEHAI 6 St. Sacramento St.

FOR SALE, DRY GOODS Merchants, &c.

TUESDAY MORNING

# COMMERCIAL



COMMERCIAL BANK



# The

## COMMERCIAL GAZETTE.

TUESDAY MORNING. JULY 12, 1853.

### FOR SALE.

**CANADA PLATES**—500 boxes Canada Plates For Sale  
**JESSE JOSEPH.**  
 July 5. d—108

**TIN PLATES**—1000 boxes IC, IX, DC, DX and other sizes, both Charcoal and Coke, for Sale  
**JESSE JOSEPH.**  
 July 5. d—108

**FOR SALE** by the Subscriber—  
 300 tons No 1 SCOTCH PIG IRON, selected brands  
**WM. MEIKLEHAM,**  
 6 St. Sacramento Street.  
 June 15. 91

**To Dry Goods Merchants, &c.**  
**FOR SALE,** a Double-Geared SCREW PRESS with Cording Apparatus complete; made altogether of Iron.  
**WM. MEIKLEHAM,**  
 6 St. Sacramento Street.  
 June 15. 91

**FOR SALE** by the Subscribers—  
 500 lb Extra No 1 Hops, in Lots to suit Bakers  
 London Stout, Porter, pints and quarts  
 East India Pale Ale  
 Fine Old Brandy, Pale and Dark  
 Choice Fresh Teas ex "John Dugdale"  
 Superior Prize Cheese  
 No 1 Butter in tins  
 Best Small White Beans  
 Fresh Oatmeal  
 Do Indian Cornmeal  
 Do Buckwheat Flour  
 With a Choice Assortment of General Groceries.  
**CHAS. D. PROCTOR,**  
 13 McGill Street.  
 June 6, 1853. 83

**IN STORE**—  
 15 hhd's "Otard, Dupuy & Co's" BRANDY, Vintage 1850-51. For Sale by  
**HUGH FRASER,**  
 11 St. Sacramento Street.  
 June 3. 81

**Labor-Saving Soap.**  
**150 BOXES LABOR-SAVING SOAP,** Barton & Stickney's, (late Barton & Fenn's) just received and for Sale by  
**JOHN M. GILBERT.**  
 August 17. 145

**Anchor and Chain Cables.**  
**FOR SALE** by the Subscribers—  
 A good assortment, of best proved quality.  
**FROTHINGHAM & WORKMAN.**  
 March 12. 31

**East India Pale Ale.**  
**FOR SALE**—Now Landing ex "Pearl"—  
 20 hhd's PALE ALE, in draft  
**E. HAMILTON,**  
 184 Notre Dame Street.  
 May 18. 67

**Printed Delaines.**  
**A FEW CASES NEW GOODS.**  
**ALEXANDER WALKER.**  
 192 St. Paul Street.  
 April 5. 41

**LANDING** ex Ships in Port—  
 James & Co's White Paints  
 Do Dry, White and Red Lead  
 Cox & Co's White Paints  
 Do Dry, White and Red Lead  
 Do Lead and Composition Pipe  
 Do Shot  
 Bottles, Wine, Beer, Pench, Soda Water, Castor Oil, &c  
 Refined Iron, Flat, Round, Half-round & Oval  
 Pot Ash Kettles  
**PHILIP HOLLAND.**  
 June 20. 95

**Embroideries.**  
**WILLIAM BENJAMIN & CO.**  
**HAVE JUST RECEIVED,** ex "Canada" Steamer, TWO CASES of  
**NEEDLE WORK,**  
 consisting of CHEMIZETTS, HABIT SHIRTS, SLEEVES, COLLARS, and FLOUNCINGS—all of the Latest Fashion.  
 June 21. 96

### FOR SALE.

**JUST RECEIVED,**  
 THE LARGEST AND BEST ASSORTMENT OF  
**ARTISTS' GRAINING, & GILDERS' TOOLS,**  
 EVER IMPORTED TO CANADA,  
 Comprising every description of  
 Badger, Sable, Camel and Hog Hair Brushes and Pencils, Blenders, Lever Grainers, &c., selected personally in London and Paris, and selling at 50 per cent below the usual rates.  
**RAMSAY & McARTHUR,**  
 Oil and Colourmen,  
 58 & 60 McGill Street.  
 June 2. 80

**FOR SALE**—  
 Ashton's New Fancy Prints } Under all the  
 Thos. Antiboc & Co do do } Agents  
 Holye's do do do }  
 A Choice Lot of Tissue and Silk Check Barege  
 Summer Long Shawls 25 per cent less than they can be laid down for  
 Scotch Tweeds newest styles, Cloth, Cassimeres and Satinets, Moleskins slightly damaged  
 Very Cheap Grey Cottons do do  
 Heavy Twill Regattas and American Cottons  
 With a varied and general Stock worth the attention of all good buyers.  
**WALTER MACFARLAN,**  
 160 St. Paul Street.  
 June 6. 83

**FOR SALE**—  
 English and American Grey Cottons  
 Moles, Drills, Nankeens and Ducks  
 Hargreave's and Ashton's Prints  
 Orleans, Coburgs and Moire Antique do  
 Chambord Coburgs and Embr'd Lustres  
 Croton Coatings and Lastings  
 Printed Delaines, Bayadere Robes  
 Cashmere, Indiana and other Shawls  
 Broad Cloths, Cassimeres and Doeskins  
 Satinets and Merino Cassimeres  
 Brown, Black and Slate Hollands  
 Hosiery, Gloves, Braces, Web Shoes  
 Linen Threads, Crotchet do, Wire do  
 Clark & Co's Paisley Sewing Threads  
 Small Wares in full assortment  
**ROBERT ADAMS,**  
 227 St. Paul Street.  
 May 21. 70

**Foreign Manufactured Goods,**  
*Ex Brig "Robinson," from Antwerp.*  
**THE** Subscribers are receiving 150 packages FRENCH, BELGIUM and GERMAN MANUFACTURED GOODS, consisting of—  
 Cloths, Vestings, Cotton and Union Tweeds  
 Silk and Woolen Shawls, Piece Velvets and Velvet Ribbons  
 French Merinos, Damasks, Gala Plaids  
 Black and Glacé Silks, Black Satins  
 Fancy & Black Silk & Satin Handkerchiefs  
 Gingham, Hosiery, Gloves, Haberdashery  
 Fancy Dress Goods, and various other articles  
 —ALSO—  
 On hand in Store, a general assortment of British Manufactured Goods.  
**EDWD. MAITLAND, TYLEE & CO.**  
 June 21. 96

**LONDON HAT WAREHOUSE,**  
 93 NOTRE DAME STREET.  
**JNO. HENDERSON**  
**HAS JUST RECEIVED** :—  
 New ENGLISH HATS of a superior finish. A large assortment of YOUTHS' and CHILDREN'S, new styles.  
 LADIES' RIDING HATS.  
 And a few of the celebrated Cambridge, Eglington and Albert HAT, worthy of attention.  
 N.B.—Wholesale Terms Liberal.  
 May 7. 58

**TELEGRAPH AND OTHER WIRE.**  
**THE** undersigned, Sole Agent in Canada for Messrs. RICHARD JOHNSON & BROTHER, Wire Manufacturers, Manchester, is prepared to take orders for every description of WIRE, Galvanized or otherwise. The quality of Messrs. JOHNSON'S WIRE is recognized in England and elsewhere as unsurpassed, if equalled, by any other. It is preferred by the Telegraph Companies which

### FOR SALE.

**American Manufactures.**  
**THE** Subscribers offer for Sale :—  
 Brown Sheetings  
 Cotton Yarn  
 Do Wadding  
 Do Batting  
 Do Wick  
 Do Flannels  
 Shirting Stripes  
 Ticks  
 Denims  
 Drills  
 Kentucky Jeans  
 Fancy Drills  
 Seamless Bags  
 Satinets, &c &c &c  
**GILMOUR & CO.,**  
 9 St. Sacramento Street.  
 May 14. 64

**RECEIVED**  
 PER  
**LATEST ARRIVALS**  
 EX  
**STEAMER AND BY EXPRESS**  
**A** VALUABLE CONSIGNMENT of RIC FANCY GOODS, direct from Paris, selected expressly for this Market.  
 DRESS GOODS, RIBBONS, GLOVES  
 FANCY SILK GOODS, FLOWERS  
 BONNET RIBBONS, FANCY DRESSES  
 CAPES, GENT'S HABERDASHER BOOTS  
 PATENT INDIA RUBBER COATS, &c.  
 All by the PACKAGE.  
 Goods, of all the above Styles, imported to order, from the Manufacturers, by  
**T. D. HALL,**  
 189, St. Paul Street.  
 May 6. 57

**DRY GOODS!**  
**OGILVY, WOOD & CO.**  
**ARE NOW OPENING,** in their NEW PREMISES, a LARGE ASSORTMENT DRY GOODS, consisting in part of :—  
 50 cases 7-8 and 6-4 Delaines  
 25 do Silks and Ribbons  
 100 bales 7-8 and 5-4 Prints  
 50 do White Shirtings, superior finish  
 50 do and cases Fancy Tweeds & Doeskins  
 20 bales Broad Cloths  
 —ALSO—  
 Embroidered and Bayadere Robes, Lace Shawls, Vestings, Hosiery, and complete assortment of Small Wares  
 10000 Two Bushel Twil'd Bags  
 50 bales Forfar Baggings  
 Farmer's Harvest Trowsering, a new article  
**OGILVY, WOOD & CO.,**  
 10, St. Joseph Street,  
 Near St. Paul Street.  
 May 5. 56

**FRESH ARRIVALS**  
 OF  
**British & Continental Fabrics,**  
 By the Ocean Steamers, via Boston and New York, and also by the different Spring Vessels per the St. Lawrence.

**OUR** ASSORTMENT, selected by one of our Firm during the past Winter, comprises very extensive variety of  
 Dress Goods, Shawls, Bonnets  
 Parasols, Gloves, Hosiery, Cloths  
 Cassimeres, Vestings  
 —AND—  
 A superior supply of Small Wares.  
 All of which is offered, wholesale, on liberal terms  
 Our

**CARPETING**  
 AND  
**OIL CLOTH DEPARTMENT,**  
 (WHOLESALE AND RETAIL),  
 Contains nearly every description of CARPETINGS, DRUGGETS, OIL CLOTHS, HEARTH RUGS, MATS, CARPET BAGS, and HASSOCKS; and this season, especially, will be found to embrace the most elegant designs in the several grades of quality.  
 Particular attention has been given to the



# THE OKA INDIANS.

THE SEMINARY'S TITLE to hold the Two Mountain country in fee simple is flatly denied by a correspondent, who seems to possess a good deal of information on the subject. This is the gist of the question which is before the courts, and we shall not attempt to decide it for them. Our correspondent's demands of the Government, however, seem to us to have some basis in reason. There can be no doubt whatever that the original grant to the Seminary from the French king was for the purpose of an Indian reserve. This grant we should think must have created rights on the part of the Indian community which no act on the part of an English governor, done without reference to them, could extinguish. If the English Canadian Government, to buy the support of the clergy at the time of the rebellion of 1837, gave the Seminary a grant which was incompatible with this claim, it is the Canadian Government that is bound to make amends to the Indians to-day. It seems to us that Government is in this dilemma. A decision of the courts annulling the title of the Seminary would dispossess that institution not only of millions of dollars worth of property at Oka, but of vastly larger properties in Montreal, which it holds on similar conditional French titles, similarly confirmed by English authority—a dispossession which would work the coming revolution much sooner than most people have looked for. On the other hand, a decision of the courts confirming their claims would place Government in the position of having forty years ago wronged the Indians in the most tyrannical and cruel manner, and render the redemption of the Indian lands a necessity. Their present immense value would render this almost as impossible a task as the other. No wonder Government shrinks from the question.

## IS THE GOVERNMENT AFRAID OF THE OKA QUESTION?

SIR.—The interview of the last Oka delegation with the Hon. Mr. Mills may lead the public to believe that the Okas might accept a money or a land inducement to leave the Seigniories to the absolute ownership of the Seminary of St. Sulpice. Once again it may be as well to assure those time-servers, or timid people who fear in Quebec to call their souls their own, that Chief Joseph and his people will be neither coaxed, bribed, bullied, nor forced into leaving Oka. Though the tables for the time are turned, and this old hunting-ground of the Iroquois has become the grand hunting-ground of the Seminary, where Indians are hated and hunted instead of deer, and bullies are used instead of hounds, the Okas intend to stay just where they are. There is, I know, inevitable damage to one's peace, and even to one's business in this Province, to side with the right against the wrong, when the wrong is under the wing of the Church of Rome. One must expect too to be set up as a fool or a fanatic for not minding one's own business, and letting ecclesiastical aggression have full swing. But we have a British birth-right to uphold; we are in Canada stewards of British justice and fair play, which extends to man, red or white, as well as to beast. The Okas have legal rights as well as the Seminary. The Okas took upon themselves no obligations of loyalty to persons or creeds when the Seminary was appointed the trustees of their lands. The Seminary did take upon itself conditions and trusts—most of which it has not fulfilled. It was to instruct the Indians, as well as to give them spiritual care. Possibly six out of the thousands during a century and a half were instructed enough to read French. In a few years under their present spiritual regime, most of them have been taught to read and write English and French, as well as to think. Oka has been their home for over a hundred and fifty years. The "intruders" are the French and English, who have no legal right there at all. If the Okas have rights, they want and will get them *all*,—not a tenth or a third. They have at least the right off and out of the Seigniories to maintain themselves from freezing and starving. This is denied them, and "Ste. Scholastique justice"—a by-word in the Dominion let it be, for all that is wrong, a reproach to British law—is the kindly "care" which the Seminary bestows upon the poor people, for doing now what Rev. Mr. Baile the Superior, in a letter to Mr. Langevin, then Secretary of State, said the Seminary had always "allowed" them to do. No one looks to Ste. Scholastique for justice in Oka matters while the present stipendiary magistrate sits on the Bench, but it was expected from the Government. But Government seems afraid. I do not see why it is afraid to be impartial, and it is not impartial if it is indifferent. If the tables were turned, and hordes of red-skins were to crush the Seminary priests by persistent persecution, would the Government take nearly ten years to come to the conclusion that it would soon be time to begin an examination into the troubles? Would the Seminary be content in the *interim* with the salve of profuse promises, studied politeness, a few dollars and a gentlemanly agent? And had the imaginary agent reported as the actual agent has reported, would not the Government have had its eyes opened, and moved in a bold way? But then the Seminary is rich and the Indians are poor. But never mind, justice will be done for all that, as it was in the case of Guibord.

Why does the Government, in its interviews on this subject, try to induce the Indians to leave their old home, and "so settle the trouble?" That would be just what the Indians' enemies want. That would be a direct acknowledgment that the red-skins are squatters with no rights, but who, having lived there for a century and a half, were entitled to some little consideration. That would be a monstrous iniquity—to legalize the so-called "absolute rights" of the Seminary, which the Indians never dreamed of recognizing

and their friends intend at law to contest. The duty of Government is rather to provide means to contest this, but it will be done before the Privy Council of England whether it provides the means or not. By such an act as inducing the Indians to leave Oka, Government would lend itself to the wrong of raising mere trustees to absolute owners forever, and this under pretence of benefiting the Indians, in whose name and on whose behalf the seigniories were obtained! One day we hear the Seminary declare that the Indians have no rights and are mere squatters, but it forgets the day when it offered them \$25,000 to forego their rights and to leave Oka! Many times it hunts them through the bush, intimidates them with Provincial Police kept on hand, and imprisons them for cutting wood for repairing their huts or for fuel; yet its Superior, the Rev. Mr. Baile, recently on oath forgot that he had written a letter to the Secretary of State on the 12th October, 1868, in which he said, "We allow them to take what wood they require for building purposes or for fuel," and had to acknowledge in Court the authenticity of the letter he forgot he had written! Shame on such duplicity! No wonder a Roman Catholic advocate in the Court remarked, "I am astounded at that sort of memory!"

If Government is sincere in its efforts to get justice for the Indians, it must positively get that justice only by getting them their rights in the seigniories,—not in Oka, only, but all of their rights in all parts of the seigniories. The Indians will not leave Oka. Why does not Mr. Mills make overtures to the Seminary to leave Oka? It has in the aggregate elsewhere in Quebec, more land than some of the nations of Europe! Perhaps the gentlemen of the Seminary, the few who have to stay in Oka, would accept in lieu thereof the magnificent reserve among the bears and blueberries of Doncaster, which they wanted the Indians to accept. It would cost much less, too, to move the Rev. Mr. Lacan and staff, with Bully Fauteaux, than the Rev. Mr. Parent and family, with the five hundred Protestant men, women and children, who are attached to their old home, and whose village was named after one of their chiefs. The Indians, too, might compromise, and withdraw the action against the Seminary for false imprisonment and for the cruel demolition of their little Protestant church, just two years ago this month. As big a trade might be done in bearskins and blueberries as in spruce gum. I write this seriously and advisedly, though I know it will be taken as "Protestant intolerance and insult, which we want the Protestants of this Catholic country to understand we will not brook, and if needs be will resent, etc." (The bluster and vulgarity are omitted.)

The question growing upon the people of this Dominion—for the Oka question is more than a local question—is this: "Is the Government afraid?" If it is not afraid why does it allow the Seminary, as if anticipating a speedy downfall to its persecutions and absolute claims, to cut and sell the oak timber on the seigniories, which with any ores, mines or minerals, is the exclusive property of Government. (See Deed of Concession, 26th Sept., 1733.) It is estimated that over 300,000 cords of wood have been cut and sold by the gentlemen at a profit of at least \$1,000,000. Does the Government not intend even to look after its own pecuniary interests in Oka?

I can show the Government one of two ways out of the difficulty. The Okas claim rights all over both seigniories, notwithstanding that the Seminary has sold lands, created villages, etc.—all of which, done as it was done, was done illegally. This large question will likely be for the Privy Council in England to settle. But let the Government change its base, and try to induce the Seminary to leave Oka. We will not insist upon it going to Doncaster. Let the Indians have, say, five miles square of the Lake of Two Mountains, with river frontage; let them have peaceable possession as have the other Indians of Canada, under some Government control, and I venture to say the contrast in ten years will astonish people who have got into the stupid fashion of calling the Indians indolent. I venture to believe their fences and farms, their houses and families, their cleanliness and their culture, will look amazingly big beside that of the flock of the Seminary. Surely if the barbarous stranger, Sitting Bull, is worth a welcome and so generous treatment, Government can afford at least to do bold justice to Chief Joseph and his people, whose tribe were always faithful and loyal to the British Government from its very first to its very last contest on Canadian soil.

Some people are only convinced by figures. They have dry, practical brains which cannot reach beyond the circle of arithmetic. I offer them a mouthful,—which may convince others as well that the Seminary have an intense interest in getting the Indians away from the seigniories. Had I been the Superior, I should long ago have given them half a million when they were in the humor, with seed and provisions in bountiful supply, and get them the best of land anywhere else. Let it be remembered that if the Indians in a body should leave the seigniories, they would forfeit their claims.

Now the Seminary have sold land on a low average at \$40 an acre; some less, but some, as in the village of Oka, at \$400 an acre. There are 95 square miles in the Seigniorie of the Lake of Two Mountains; 72 in the adjoining seigniorie. In this is now included the villages of Oka, St. Placide, St. Pierre, Ste. Scholastique, St. Columban, St. Benoit, Belle Riviere, St. Joseph, part of Point aux Anglais, &c. There are 640 acres in a square mile. This gives us 106,880 square acres in the two seigniories. That of Lake of Two Mountains at \$40 an acre is worth \$24,320,000; that of the adjoining seigniorie, \$18,432,000—making in full *Forty-two Million Seven Hundred and Fifty-two Thousand Dollars!* not including the tithes, taxes and rents. I wonder what body of gentlemen in the world wouldn't be devotedly loyal and courteous to a Government which would maintain them in even one of a dozen such possessions! It is a great crime against the progress and population—Roman Catholic even more than Protestant—of this Province, that any Church should have such a tremendous grip upon its soil, and should, moreover, be sending immense portions of these revenues out of Canada to enrich the Seminary of St. Sulpice in France.

Yours, &c.,

W. G. B.