

Of Thomas Splitlog and seven others, the head chiefs and warriors of the Huron or Wyndott nations of Indians, shewing: That from time immemorial that nation has possessed without interruption a tract of land, seven miles square, lying between Sandwich and Amherstburg, and also an island called "Fighting Island" nearly opposite; that they have been unjustly deprived of the same by the Provincial government, which, at the instigation of George Ironside, superintendent and others, conceded to the half-breed indians who had no claim thereon, these lands belonging to the proper Wyndots, and which were reserved to be enjoyed by them after the manners and customs of their forefathers—that they have frequently applied to the Provincial government and were informed that these things were done with its consent and their remonstrances were rejected—that one Thomas Paxton has taken possession of "Fighting Island," from whose encroachments they have not been protected by the King

Of T Splitlog and 7 others, praying to be put in possession of certain lands unjustly taken from them.

whom they were always accustomed to consider their father and protector—that these lands were ceded to them by the Chippewas and others (the lake confederacy of Indians) and reserved at the sale of lands in the Western district, for their use, with a special request that they might not be disturbed in the possession of them—that in the year 1811, being aggrieved by the encroachments of the whites, they petitioned Lieutenant Governor Gore, requesting His Majesty would give them a deed in fee of their lands, who replied that this was impossible, as the Wyandots themselves had the better title, assuring them at the same time, that the King would always protect them in the possession of their lands—that they had peaceable possession ever since, till disturbed by Ironside and others of Amerstburg—and that the government has broken thro' the usages and customs established by treating with the half-breeds, who only live on sufferance among them—that they are sorely grieved that the protecting hand of their great father the King has been withdrawn from them, which must have arisen, they think, from the misrepresentations of some wicked persons, seeking only to destroy them; that memorialists are a remnant of one of the great tribes of the western world, who from fighting from time immemorial against the enemies of their great father, are now reduced to a very small number: that they have long since been converted to the christian religion and wish to reside near their friends the white people; that they have daily examples in the United States of their brethren being driven into the wilderness and hunted like the deer of the forest,—but that until now they always had sufficient confidence in their great father to believe that he would not treat them as the red people were treated by the government of the United States; that they have no desire to desert the christian religion, and return to the customs and habits of the heathens; but that all their wish is, that their great father will leave them in the undisturbed possession of the little handful of land that belongs to them. Memorialists pray the House to represent, by address, their situation, to the King their great father, and to request him to interfere in the proceedings of his provincial government against them, and that he will prevent the said government from wresting their little piece of land away from them.

Memorialists further state that there is a small portion of their tribe have resided in the United States on lands possessed by them before Jay's treaty—that they remained neutral during the war for the sole object of saving their lands; but that from the present disposition of the government and the people, they are anxious to remove once more into the country of their Great Father, whom they always loved: and that their brothers (the memorialists) are desirous of receiving them and giving them cornfields along side of them, on their little piece of ground: memorialists refer to accompanying documents in support of what they say, &c. &c.

Of Tho's Splitlog  
and others.

On motion of Mr. Mackenzie, seconded by Mr. Gibson,  
*Ordered*—That the petition of Thomas Splitlog and others, Chiefs  
of the Wyandot nation; be referred to a select committee, to consist of  
Messrs. Wilkinson, Lount, McIntosh, and Wilson, with leave to report  
by address or otherwise.

Of Tho's Splitlog  
and others.

On motion of Mr. Richardson, seconded by Mr. Caldwell,  
*Ordered*—That two hundred copies of the petition of Thomas  
Splitlog and seven others, head chiefs and warriors of the Huron or  
Wyandot nation, be printed for the use of members.

Committee on petition of Splitlog, report address.

Mr. Mackenzie from the committee to which was referred the petition of Splitlog and others, Indians of the Wyandott tribe, reported the draft of an address to His Excellency the Lieutenant Governor, which was received, and read twice.

On the question for adopting the Address, Mr. Richardson, seconded by Mr. Caldwell, moves in amendment, that the Address be taken into consideration in committee of the whole House on Thursday next.

Which was lost.

Address adopted.

The address was then adopted, read a third time and passed, and is as follows:

*To His Excellency Sir Francis Bond Head, Knight Commander of the Royal Hanoverian Guelphic Order, and of the Prussian Military Order of Merit, Lieutenant Governor of the Province of Upper Canada, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY :

Address to His Excellency on Splitlog's petition.

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly represent to Your Excellency, that Thomas Splitlog, Thomas Clarke, Nicholas Laford, Matthias Splitlog, John B. White, Matthias Barnett, Joseph B. White, and Peter Roundhead, Chiefs and Warriors of the Huron or Wyandott Nation—have by memorial to this House, complained of George Ironside, the Indian superintendent and others, for that they had instigated the government to divide among and concede to the half-breed Indians, not entitled thereto, a tract of land between Sandwich and Amherstburgh, containing about seven miles square, although the said Wyandott Nation had held and peaceably enjoyed the same from time immemorial, and resided on the same, living after the customs and manners of their fathers.

That Fighting Island belongs to them, but has been kept possession of by one Thomas Paxton, who had, they say, paid them no rent since a licence of occupation was granted him by the government.

That they had made several applications to the government for its aid and protection, which had been denied them.

That at the sale made to the government of the lands in the Western district, the tract now attempted to be taken from the said Wyandott Indians, was specially reserved for them, with a particular request of the Indians of the Lake confederacy, that the King and his officers would not disturb them in their possession of the same.

They also pray this House to inquire into the merits of their case, and if found deserving, to ask the royal interference on their behalf, so that His government here might be prevented "from wresting their little piece of land away from them."

We humbly request that Your Excellency would give direction that there be laid before this House, all such documentary and other evidence in the possession of the government or its offices, relative to the said Huron reserve or of the proceedings of the government had thereon, as would enable this House to ascertain whether its further interference on behalf of the Wyandott Indians is required.

MARSHALL S. BIDWELL,  
Speaker.

Commons House of Assembly, }  
February 15th, 1836. }

Com. report His Excellency's answer to address on Splitlog's petition.

Mr. Shaver from the committee to wait upon His Excellency the Lieutenant Governor with the address of this House on Indian affairs, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN,

Answer to address on Splitlog's petition

It is with great reluctance I feel it necessary to state, that without authority from the Secretary of State, I am unwilling to submit to the House of Assembly "the documents and other evidence in the possession of the government or its officers, relative to the Huron reserve, or to the proceedings of the government had thereon, as would enable the House to ascertain whether its interference on behalf of the Wyandott Indians is required."

My objections on this subject, are those of policy, rather than of law—and without denying the constitutional right of either of the two Houses of the Legislature to enquire into any subject in which they may consider the public interests to be involved, I am of opinion that the disclosure of documents and evidence of the character alluded to, would be attended with evil consequences to those whom it is intended to benefit, by rendering the Indians doubtful of the all-sufficient and paternal protection of His Majesty, on which they have hitherto solely relied.

Without reverting to the anomalous history of the aborigenes of this land, I will merely observe, that in Upper Canada, the Indians have hitherto been under the exclusive care of His Majesty, the territories they inhabit being tracts of crown lands devoted to their sole use as "*His Allies*."

Over these lands His Majesty has never exercised his paramount right, except at their request, and for their manifest advantage.

Within their own communities, they have hitherto governed themselves by their own unwritten laws and customs—their lands and property have never been subject to tax or assessment, or themselves liable to personal service.

As they are not subject to such liabilities, neither do they yet possess the political privileges of His Majesty's subjects generally. The superintendents, missionaries, schoolmasters, and others who reside among them for their protection and civilization, are appointed and paid by the King—to his representative all appeals have until now been made, and with him has all responsibility rested. In every respect they appear to be most constitutionally within the jurisdiction and prerogative of the Crown, and as I declare myself not only ready but desirous to attend to any complaint they may offer me; I consider it would be highly impolitic (especially for the object of redressing a trifling grievance) to sanction the adoption of a new course for their internal government.

To this general view of the subject, I have only to add, that as regards the particular memorial submitted to the House of Assembly by Thomas Splitlog, Thomas Clarke and six others, of the Huron or Wyandot nation, a counter petition signed by eleven individuals of similar tribe and rank has been presented to the House, stating :

"We have the fullest confidence in the justice and fatherly protection of our beloved sovereign and his representative the Lieutenant Governor."

## 2nd Sess. 12th Parl. 6th Wm. 4th. Feb. 20 1836.

Mr. Richardson, seconded by Mr. Caldwell, moves, that two hundred copies of the answer of His Excellency, the Lieutenant Governor, to the address of this House on the subject of the petition of Splitlog and others, be printed for the use of members in the Journal form.

Motion for printing 200 copies of above answer.

On which the yeas and nays being taken, were as follows :

Division.

### YEAS—MESSIEURS.

Caldwell,                      Richardson,—2.

Yeas 2.

### NAYS—MESSIEURS.

Boulton,	Gibson,	Morrison,	Smith,
Brown,	Gilchrist,	Parke,	Thorburn,
Bruce,	Lewis,	Robinson,	Walsh,
Chesser,	McDonell, <i>Glengary.</i>	Roblin,	Waters,
Christolm,	McDonell, <i>Stormont.</i>	Rymal,	Wells,
Cook,	Mackenzie,	Shaver	Wilkinson,
Cornwall,	McLean,	Shibley,	Wilson,
Duncombe, <i>Norfolk,</i>	Malloch,	Small,	Woolverton—34.
Dunlop,	Moore		

Nays 34.