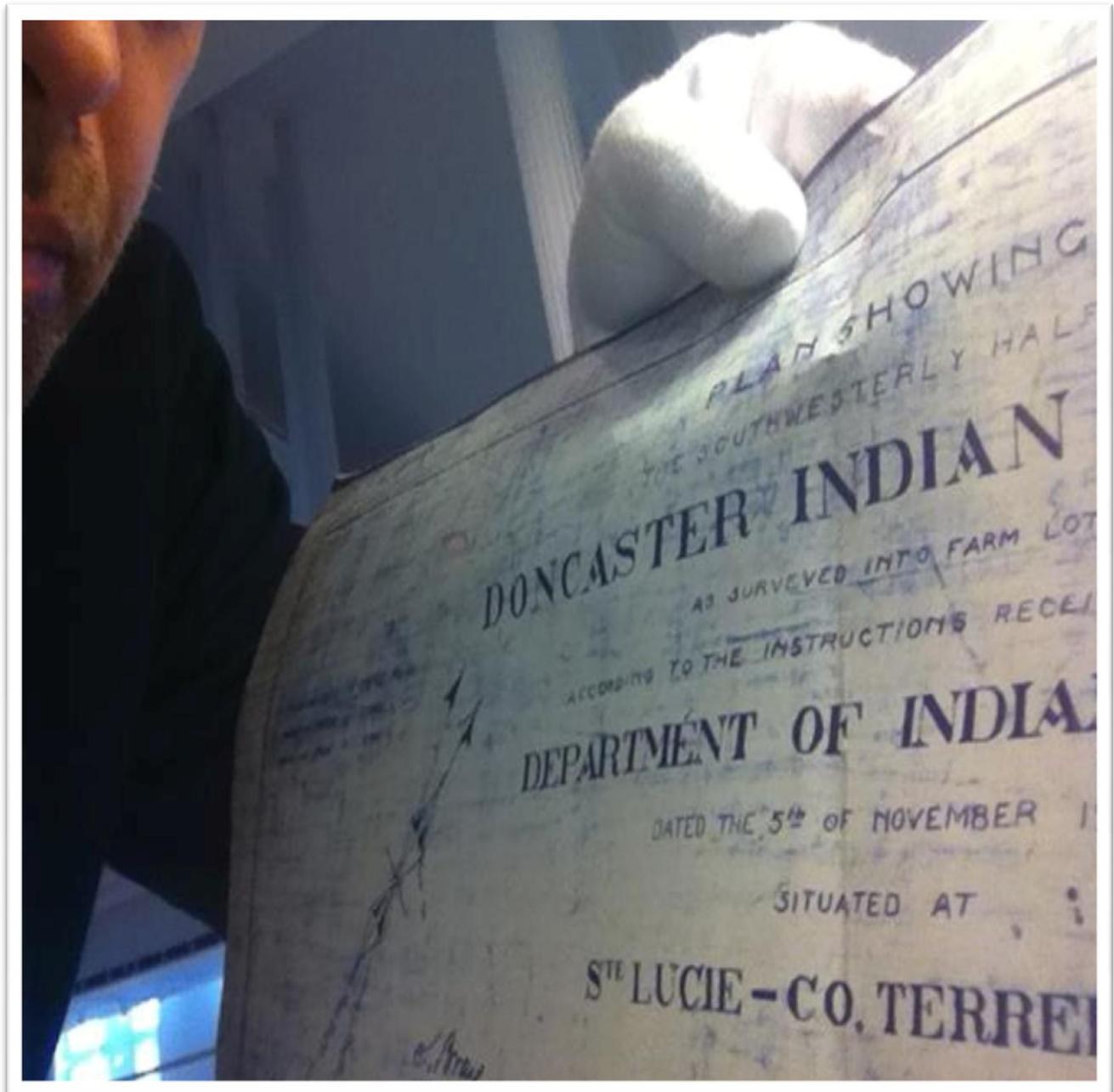


Archives and history of Tiowero:ton

Conducted for the
Community of Kanesatake



Eric Pouliot-Thisdale, February 2018

Research conducted by Eric Pouliot from the year 2015 to 2017 period, based on previous publications from the same, as well as new maps, in order to expose the creation of the Tioweroton reserve, previously named Ste-Lucie-de-Doncaster, whose management is shared by Kahnawake and Kanasatake, in order to shed light on its history, and the jurisdictions concerning its creation and management.

Eric Pouliot Thisdale is a graduate in social sciences and member of the Faculty of Human Science from University of Quebec in Montreal, (UQAM), and researcher since 16 years in the field of public archives of several sources, including military archives, political correspondences, parish registers, censuses, maps and all associated demographical datas. He also collaborated with certain lawyers cabinets and Band Council considering his supplementary paralegal studies at UQAM and O'Sullivan College.

He also manages a history chronicle for *The Eastern Door*, the weekly Kahnawake paper and published several studies online at Library and Archives Canada and of Quebec at BAnQ (Bibliothèque et Archives nationales du Québec).

Copyrights ISBN: 978-1-988411-13-2

INDEX

Introduction	3
Author’s acknowledgements	5
Chapter 1: Creations of Reserves in Lower Canada 1853	7
-Distribution of the lands set apart according to the 1851 Act	13
-The extended list of documents encountered in the microfilm linked to: Two Mountains-Kanesatake-Oka Indians	24
-Previous jurisdictions: surrounding the creation of reserves	60
-1850-1970 Major themes concerning laws and jurisdictions	60
-An Act respecting Indians and Indian Lands. C.S.L.C. 1860; c. 14	64
Chapter 2: Legal precedent: <i>The Star Chrome Mining Case, 1920</i>	66
- Star Chrome Wood Company: annexed jurisdiction and history	66
- The precedents which had effect for Doncaster-Tioweroton	70
-An Act for the settlement of certain questions between the Governments of Canada and Ontario respecting Indian Reserve Lands, 1924.....	72
-Archives: Star Chrome Jurisdiction 1920-1921	79
-Surrenders following the Star Chrome Jurisdiction 1923-1933	96
Chapter 3: Petitions from Squatters and Mayor of Ste. Lucie claiming lands 1873-1890	155
Chapter 4: Unsuccessful attempt to buy the Doncaster reserve and settlement with the Squatters 1897 to 1905	227
-Solution exposing that the settlers could have their lands: by the government 1902.....	289
-Trade Doncaster for Residential Schools: An attempt was made by the government in order to manage the transfer of funds entitled to Doncaster towards the building and management of the Residential School 1902	305
-Two important historical reports which exposed the history until the management of the departure of the squatters.....	313
-Amable Roussin: segregationist between Oka and Caughnawaga 1902	350
-25 October 1902, vote made against the surrender of Doncaster in exchange for a residential schools	354
-Legal procedure toward surveying and expulsions of the squatters 1902-1905.....	381
Name Encountered	542
Source and Notes	547-552

Introduction

In order to understand the procedure encountered from the creation of Tioweroton until our days, several important periods must be exposed and analysed in order to clarify the several episodes which led to present situation of this Crown land delivered to the people of Caughnawaga and the people of the Mission of the Lake Two Mountains.

Doncaster was officially designated as Doncaster 17 by *Native and Northern Affairs Canada* as a reserve in the Laurentides for the Mohawks of Kanasatake and Kahnawake. It is located 30 kilometres (19 mi) east of Mont-Tremblant in the Doncaster geographic township named after the town in England. It at been since occasionally sparsely inhabited, and used only as a hunting and fishing territory. ¹

It was created to offer hunting grounds, but was not used a lot until the 1900s. Since Mohawks weren't present, several European squatters then took the opportunity to install permanent habitations in order to cut wood which led to a long legal outcome to manage the situation.

On August 30, 1851, the act was authorized to set apart lands in Lower Canada for the use and benefit of the Seven Nations, First Nation tribes. Of course 1851 was the year when all reserves were created and the first in Quebec was the Innu-Montagnais reserve, Mashteuiatsh, previously called Pointe Bleue. Two years later on August 9, 1853, the Governor General in Council approved the distribution list as proposed by the Commissioner of Crown Lands, John Rolph.

That was how Kahnawake and Kanasatake came to co-manage the lands. The political administrators thought they could make use of our agricultural lands from European colonies and give hunting lands to Mohawks, of a lesser economical value.

According to that list, the "Indians of Caughnawaga (Kahnawake) and lake of two Mountains" (Kanasatake), were allotted the south-east quarter of the township of Doncaster, behind the township of Wexford, in an area exposing 16,000 acres (65 km²).

Several questionings from members of both Mohawks communities; Kanasatake and Kahnawake motivated this research, since demographic details about the ancestors who lived there from periodic and partly permanent time sequences seems to be lacking at large for many.

¹ Ste Lucie des Laurentides official website, consulted November 2015
<http://www.municipalite.sainte-lucie-des-laurentides.qc.ca/>

It is supposed that Doncaster was primarily designed for Two Mountains in order to avoid the troubles caused by the religious segregation within mainly Methodists Mohawks vs Algonquins who were mainly Catholics. A popular belief is speculating that when the Sulpicians and the Federal government were looking to relocate the people of Kanesatake and that a member of parliament apparently also suggested relocating Kahnawake as well, which happened.

Unfortunately, such speculations on that behalf often brought mislead theories, so in order to remain neutral; the research was managed *scientifically* through the available archives without any of these speculations.

The notion of Kahnawake having sole ownership grew out of the administrative arrangement that was agreed to at some point: that, based on population and budgetary considerations, Kahnawake would have 2/3 of the financial responsibility and Kanesatake 1/3. Though, from all previous ministerial correspondences, it was always exposed that Doncaster's Indian reserve was managed by both communities.

In a letter from 20 August 1902, Indian Affairs Superintendent Clifford Sifton writes to his Assistant Indian Commissioner James Andrew McKenna there is a mention exposing that only male members aged 21 and older were allowed to vote in Band Councils in Canada until 1951.

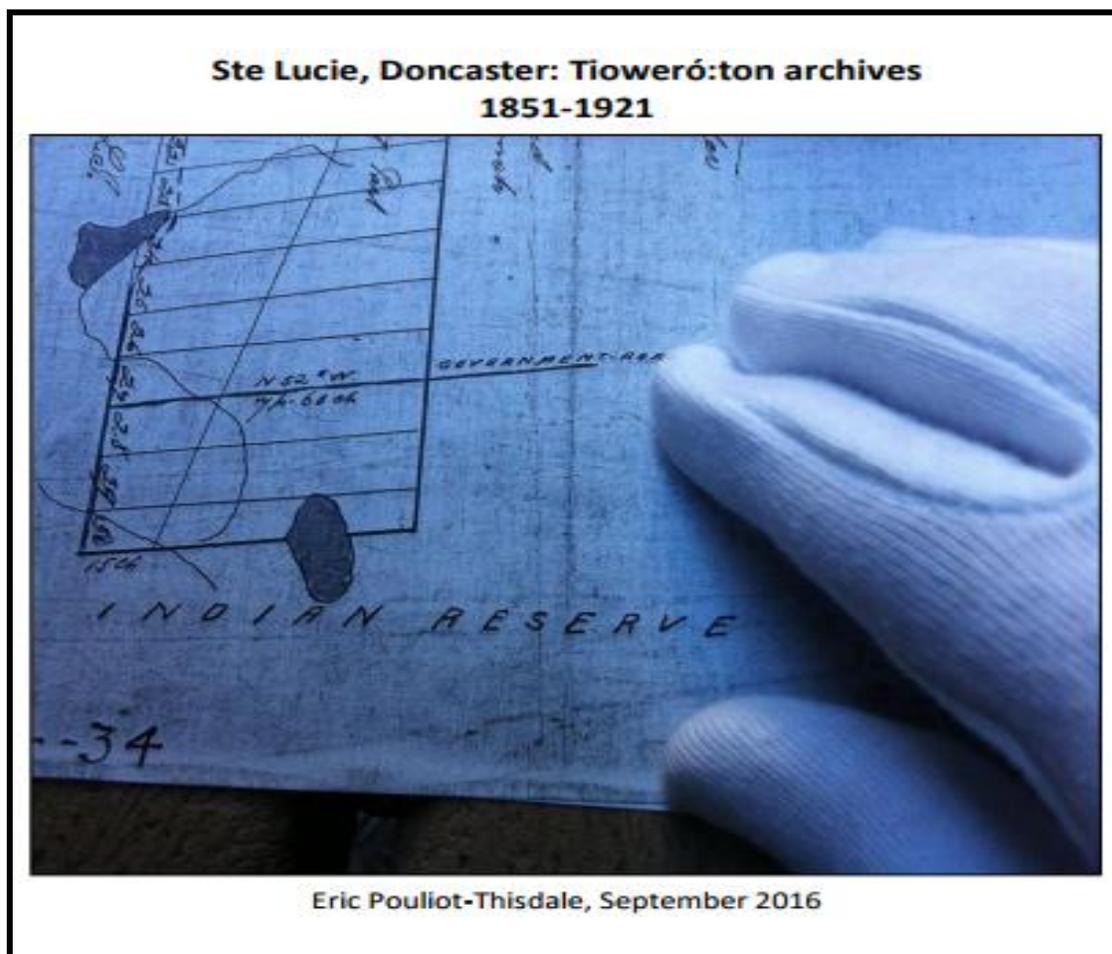
Pursuant to the provision of Section 39 of the Indian Act, Chapter 43 of the Revised Statutes of Canada I, the undersigned, do hereby authorise you to attend a meeting of Council of the Iroquois of Caughnawaga (sometimes called the Iroquois of Sault Saint Louis) band of Indians summoned according to the rules of the said band for this purpose of considering the question of release or surrender of the Doncaster Indian Reserve by the said band to the Crown in accordance with the said Act and of assenting to such release or surrender if so decides by a majority of the male members at the said meeting or Council.

Author's acknowledgements

This exhaustive research managed in a book was inspired from researches which started spontaneously in order to gather more details about potential wedding registers for a book on my behalf started 7 years ago which was published online at Library and Archives Canada as well as at BANQ: Bibliothèque et Archives Nationales du Québec in 2012: *1786-1800 Oka Mission Parish registers Kanehsatà:ke, OKA*.

It brought my curiosity to go further and to observe more maps, surveyors accounts, censuses and those parish registers from the Ste-Lucie-des-Laurentides microfilms which brought my agenda filled with meeting with the archive of Quebec in Montreal, at the conservation center.

It's by observing original maps in order to make lots perimeters analysis that I first published online as the previous parish registers book, at Archives of Canada and Quebec under *Ste Lucie, Doncaster Tiowero:ton archives 1851-1921*. But that wasn't enough, much more needed to be done.



From the author, *Ste Lucie, Doncaster Tiowero:ton archives 1851-1921* 2016

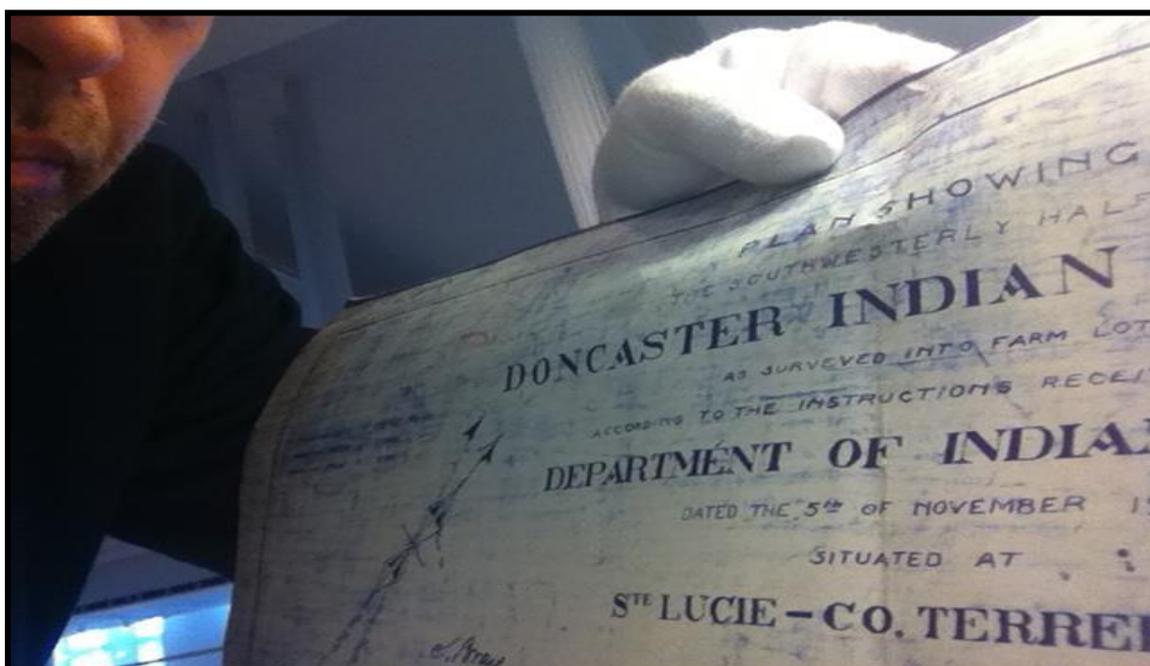
Getting in knowledge of the incredible amount of archived ministerial correspondences, which were never either transcribed or published previously, brought my curiosity to eventually manage to write this present book.

The idea came to me to gather all these archives in order to manage a proper exposition of my sources and what was available to the public online, in order to realize that it was gonna be a premiere to publish such a research.

The present will expose the public ministerial correspondences concerning most reserves created in Lower Canada and the perimeters jurisdictions concerning them are basically all exposed in the present and with the sources references annexed in order to eventually manage similar researches even for other communities of the province. Of course here, the focus will remain for those concerning Ste Lucie, Doncaster Tiowero:ton.

Of course ministerial correspondences and documents from years which are too close to our periods which are not public yet would be compromising to publish and are protected by contractual agreements.

Yes I previously managed researches for several Band Councils and community education departments in Canada concerning several topics. But the subject concerning the creation of reserves in Canada, was lacking.



From the author, 2016

Chapter 1: Creations of Reserves in Lower Canada 1853²

This period brought clarifications through ministerial and politicians correspondences from the 1853 to 1902 period, through transcriptions which are clearly exposing the procedures encountered during the management of the division on the 230,000 acres of lands granted by the Crown in order to make the reserves.

Though, what is inherent to understand is that the lands granted were put in place in order to promote agriculture or any other symbiotic economical sources, considering that previously, through the previous jurisdictions concerning the creation of reserves, the British colonial ministry introduced policies adopted in 1830 to encourage indigenous peoples to adopt the European agricultural customs. By the mid-1830s, treaties covered most of Upper Canada's arable land.

The agreements provided the distribution of goods and money. It is only as the treaty system evolved that the principle of these agreements included a provision for the establishment of Indian reserves started.

A report made in 1844 by the commission of inquiry managed by the Governor General Charles Bagot made the distinction between Upper Canada, where the Crown took surrender of the Indians' *"right of occupancy upon their old hunting grounds"* through treaty, and Lower Canada, *"where settlement had made considerable progress before the Conquest."*

The commission made the extraordinary suggestion under the French regime that the Indians' *"Territorial Possessions had at that time become circumscribed within defined limits, and in many instances were held by Patents under the French Crown"* and it was only *"on the Ottawa, in which the Indians have been dispossessed of their ancient hunting grounds without compensation."*^{3 4}

² LAC, Source mainly used for this Chapter: HEADQUARTERS - CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1920, MIKAN no. 2082318, reel C-11224, (120 items), RG10. Volume/box number: 2457. File number: 95452.

³ Province of Canada, Legislative Assembly of Canada, Journals, 1847, Appendix (T.), "Report on the affairs of the Indians in Canada" at folio 5.

⁴ PRE-CONFEDERATION CLAIMS AND FEDERAL AND PROVINCIAL OBLIGATIONS: A SURVEY OF THE APPLICABLE LAW prepared for the Indian Claims Commission (Revised version) David Schulze with Peter W. Hutchins and Jameela Jeeroburkhan Hutchins Grant & Associés 11 November 2005, page 16, accessed June 11, 2017, : <http://www.dionneschulze.ca/wp-content/uploads/2012/09/pre-Confed-DS-rev-for-ICC.pdf>

In 1850 came the adoption of *An Act for the Better Protection of the Lands and Property of the Indians in Lower Canada* which was followed by the act of 1851, entitled *Act to Authorize the Setting apart of Lands for the use of Indian Tribes in Lower Canada, August 30, 1851*, which authorized the commissary of Crown Lands to put aside extended lands of Lower Canada for Indians.

The act allowed the creations of several reserves of 230 000 acres of lands, administered by the Commissary of Indian Lands, reserved for Indians and shared in 1853: Temiskamingue, Maniwaki, Coleraine (Becancour), Doncaster (Mohawks of Kahnawake and Oka Mission), Coucoucache & Weymontachie (Atikamekws), Roquemont (Hurons-Wendats of Lorette, sold in 1904), Viger (Malecites), Restigouche (Mik'maqs), Pointe-Bleue (Innu of Lac-Saint-Jean), Bersimis (Innu of Manicouagan) and Betsiamites (Innu).

During the establishment of the 1851 statute, even though the negotiation of land cession treaties were already developed in southern Ontario, no treaties were then negotiated in southern Quebec.

In all, 230,000 acres were set aside and divided among the several “*Indian tribes*” according to an Order in Council adopted on 9 August 1853, which included the Mohawks of Kanasatake and Kahnawake who were jointly given a reserve of 16,000 acres in a township, the Doncaster reserve in the Laurentians.^{5 6 7}

It is in 1857 that the adoption of *An Act to Encourage the Gradual Civilization of the Indian Tribes in the Province* was passed by the fifth Parliament of the Province of Canada (formally Upper Canada and Lower Canada).

It is from that jurisdiction that the principle of legal emancipation started occurring, which aimed to encourage Aboriginal men to give up their status and rights in order to be integrated into the Canadian society.

⁵ Canada, Royal Commission on Aboriginal Peoples, Report, Volume 1, Looking Forward Looking Back, Part One, The Relationship in Historical Perspective, Chapter 6, “3. Treaty Making in Ontario, the West and the North”.

⁶ The substance of the Order in Council of 9 August 1853 was published as “Schedule of Lands Appropriated to the Indians of Lower Canada under Act 14 and 15 V. c. 106”, signed for the Commissioner of Crown Lands and dated 8 June 1854, in Province of Canada, Legislative Assembly, Journals, 1858, Vol. 16, App. (No. 21), Appendix No. 34.

⁷ Jacqueline Beaulieu, *Localization of the Aboriginal Nations in Québec - Land Transactions* (Québec: Ministère des ressources naturelles, 1998) page 120, , accessed June 11, 2017, : <http://www.dionneschulze.ca/wp-content/uploads/2012/09/pre-Confed-DS-rev-for-ICC.pdf>

Then in 1860 the Colonial Office assigned the responsibilities of Indian Affairs to the provincial governments. In Quebec, the Indian Affairs fell under the responsibilities of the department of the Crown Lands until 1867 when the adoption of the Constitution under the British North America Act (Later amended by the Constitution in 1982) came in effect, uniting Lower Canada (Quebec) and Upper Canada (Ontario), Nova Scotia and New Brunswick.

By contrast, most Algonquins and Innus then qualified as “Montagnais, Tadoussacs, Papinachois, Nauthapi(Naskapis) and other Nomadic Tribes in the interior of the King’s Post” obtained 70,000 acres in the yet undefined Manicouagan locality, only officially created in 1866.⁸

The Constitutional Law of 1867 allocated to the Parliament of Canada the jurisdiction over *Indians and the lands reserved to the Indians* (article 91) to managed treaty policies.

In 1868 The Federal Parliament adopted *An Act providing for the organisation of the Department of the Secretary of State of Canada, and for the management of Indian and Ordinance Lands, S.C. 1868, c. 42*. The Act was based on the policy of protection, assimilation and Christianization prior to confederation, being a gathering of the previous Indian laws.

These efforts bore fruit in 1851 when the Legislative Assembly of the colony adopted *An Act to Authorise the Setting Apart of Lands for the Use of Certain Indian Tribes in Lower Canada*,⁹ on the terms that “*the Indians of Lower Canada had not received the same aid that those of Upper Canada had, and they were in [a] state of distress.*”¹⁰

In this period, a legal decision clarified that while a surrender could only be made to the federal Crown, the lands contained in an 1851 reserve had to return to the provincial Crown.

On 10 June 1854, the Commissioner of Crown Lands gave instructions for the surveying of the outer boundaries of the township of Doncaster and the Indian lands in Doncaster.¹¹

The creation of new reserves in Quebec then became troublesome to a certain extent by the authorities because of the insubstantiality of its federal legal title.

⁸ Clément E. Deschamps, *Municipalités et paroisses dans la province de Québec* (n.p., 1896) page 986.

⁹ *An Act to Authorise the Setting Apart of Lands for the Use of Certain Indian Tribes in Lower Canada*, S.C. 1851, c.106

¹⁰ Elizabeth Gibbs, ed., *Debates of the Legislative Assembly of United Canada, 1841-1867*, vol. 10, part 1, 1851 (Montreal: Centre de recherche en histoire économique du Canada français) page 199.

¹¹ Earlier, three justices of the Supreme Court of Canada had concluded that title to an 1851 reserve passed to the federal Crown at Confederation: *Attorney-General for Canada v. Giroux* (1916), 30 D.L.R. 123, 4 C.N.L.C. 147 (S.C.C.), per Duff J. at 137-40 and per Idington J. at 132-33.

Since its creation in 1853 several conflicts concerning squatters in both Quebec and Ontario brought a Superior Court precedent through the Star Chrome Mining case. The dispute came from the position of whether the federal government or the province had the authority to dispose of land contained in a reserve created under the 1851 statute, once the reserve lands had been surrendered.¹²

In the 1880s, sixteen European squatters were expelled by the government who had to spend covering legal fees of 28 000\$ in order to put a term to it. Also, around 1889, a wood company did the same, without any warrants and it took several years until Mohawks and/or the government to react.

Various microfilm-reels observed from Library and Archives Canada exposing correspondence regarding the Department of Crown Lands setting aside certain lands for Indians of the Province of Quebec, 1853-1920, presenting extended lists of documents encountered linked to Two Mountains-Kanesatake-Oka Indians **will be exposed in various chapters as a premiere.**

¹² *Attorney-General for Quebec v. Attorney-General for Canada. Re Indian Lands*, a judicial review granted, under the name *Star Chrome Mining* (1920), 56 D.L.R. 373 (P.C.) at 375, 4 C.N.L.C. 238 at page 240.

On May 26, 1890 a petition by squatters was signed in presence of Priest Lajeunesse then in charge, by some of them, 43 inhabitants of the Doncaster Township requesting the abolition of the Mohawk reserve in the township¹³.

Honorable Sir,

Us subsigned, living in the Doncaster District, are asking very humbly for you to use your upmost influence to make the savage reserve disappear from our district and to make a land survey.

This reserve which contains a large number of excellent lands proper to agriculture, located in the middle of occupied lands by a French Canadian population annexed to our village, is observed as an anomaly and all of them are hoping to see it disappear.

Anyways, it can't be of any utility to the savages who will never come to install themselves, since the games are lacking.

Also, the wood is being stolen from all sides, they are taking the wood, so the sooner it will be measures, fewer damages will be done.

We are observing that the reserve in the township of Doncaster is a big obstacle to colonisation progress in our locality.

Our municipality is suffering from it since this reserve contains about the third of the district.

For these reasons, Honorable Sir, we hope that you will favorably accept our request, and we won't stop praying that Ste Lucie of Doncaster.

The Privy Council agreed with the province and ruled in 1920 “*that upon the surrender... of the Indian interest the title to the lands affected by the surrender became vested in the Crown in right of the Province, freed from the burden of that interest.*”¹⁴

The result was a new provincial statute which in 1922 allowed for “*public lands [which] shall not exceed, in all, three hundred and thirty thousand acres in superficies*” to be “*set apart, for the benefit of the various Indian tribes of this Province*” through a transfer “*in trust*” to the federal government.¹⁵

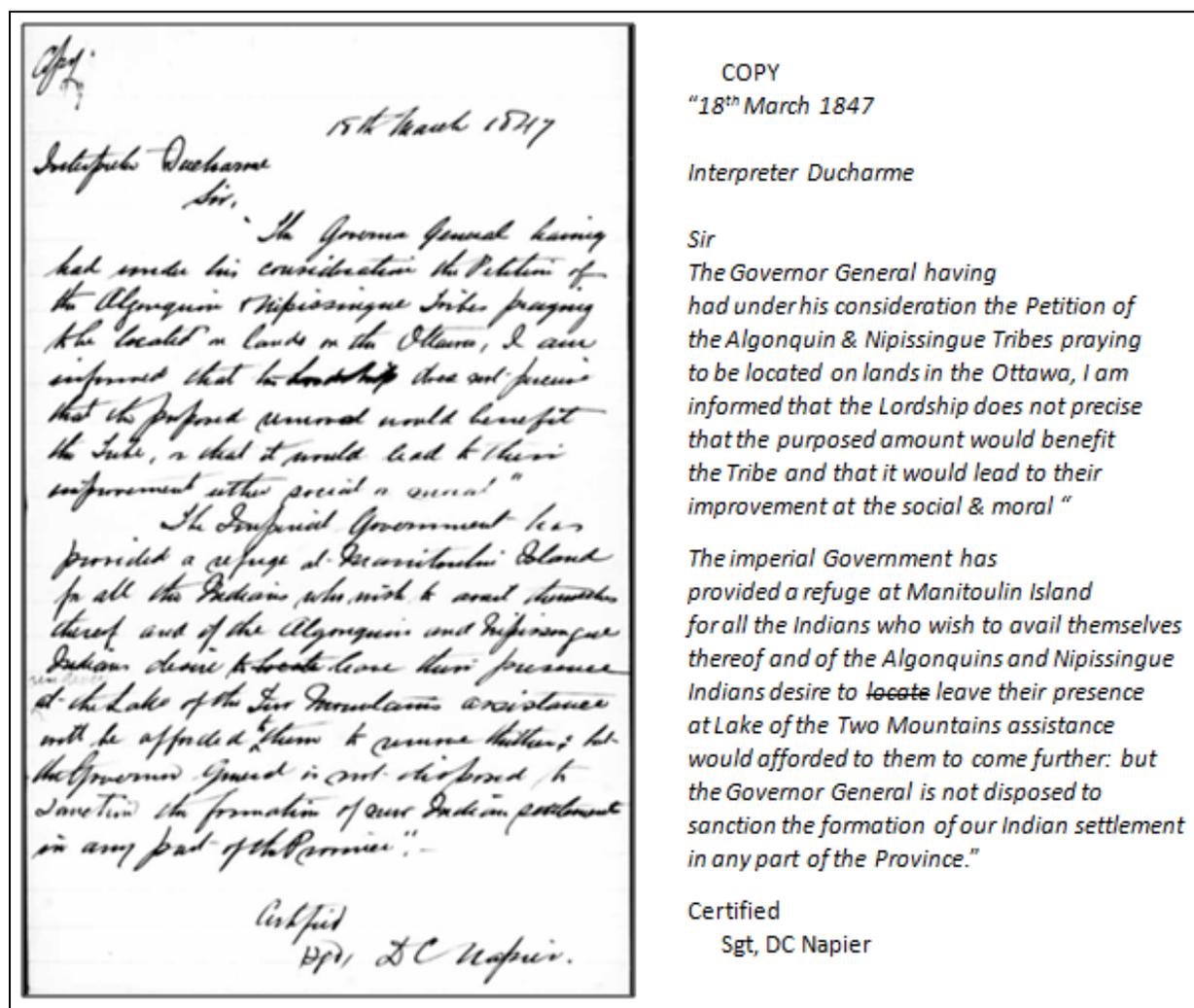
¹³ Caughnawaga Agency - Petition signed by the inhabitants of the Doncaster Township requesting the abolition of the Indian reserve in the township, Library and Archives Canada.

¹⁴ *Attorney-General for Quebec v. Attorney-General for Canada*. Re Indian Lands (sub nom. Star Chrome Mining) (1920), 56 D.L.R. 373 (P.C.) at 375, 4 C.N.L.C. 238 page 240.

¹⁵ Ibid 3

The Indians' title was to be usufructuary (has the right to use (usus) the property and enjoy its fruits (fructus)) and inalienable and the lands were to “*return to the Government of the Province, without formality whatsoever*” if the Indians ceased to occupy them. Moreover, Quebec carefully excluded mining rights from the grant.¹⁶

As for the Algonquins, they presented several claims in order to be relocated to their ancestral hunting lands, including this claim exposed on 18 March 1847 by the interpreter Dominique Ducharme, who was previously entitled as the Captain of the Warriors in the War of 1812-14 including Mohawks, Algonquins and Nipissings of the Two Mountains Mission write this letter as the interpreter.¹⁷



¹⁶ An Act respecting lands set apart for Indians, S.Q. 1922, c.37, s.1.

¹⁷ LAC, Oka agency - Lake of Two Mountains - dispute between the band and the Seminary of St. Sulpice as to who holds title to the land in the Seigniory, 1853-1920, Microfilm reel C-11138

Distribution of the lands set apart according to the 1851 Act

On June 8, 1853, a distribution list for the lands set apart, according to the 1851 Act, was proposed by John Rolph, Commissioner of Crown Lands. Conforming to that list, the people of Caughnawaga (Kahnawake) and Lake of Two Mountains (Kanesatake) were allotted one quarter of the township of Doncaster, behind the township of Wexford. The area indicated is 16 000 acres.

In a document entitled “*Schedule Showing the distribution of the area of land set apart and appropriated under the Statute 14 & 15th Vic Chp 104 for the benefit of the Indian Tribes in Lower Canada*”, Doncaster is cited as being part of the county of Leinster.

John Rolph, then Commissary of the Crown Land Department, gave his agreement in a letter from July 14, 1853, exposing his grace upon the Indian lands surveys.

On August 9, 1853 William H. Lee. (C.E.C.; Clerk of Executive Council of Indian Affairs) exposed that the Schedule Showing the Distribution of lands under the Statute 14 and 15 Vict. Cap 106 is approved by his Superior instance. The same day on REGISTRATION NUMBER 15565, the Governor General in Council approved the distribution list submitted two months earlier by the Commissioner of Crown Lands.

Also in this chapter, several interferences of woodcutting and mining companies which brought several important cases mentioned through correspondences of S.W. Parent, Minister of Lands, Mines and Fisheries in 1901-1903, are exposed in the several instances of provincial and federal court concerning the natural resources exploited directly from the parcels of Crown lands.

A precedent entitled *The Star Chrome Mining Case* (1886-1920), was ruled in 1920, in favour of First Nations, but the provincial instances in Quebec managed to keep their right in exploitations in the fields of mining and natural resources.

From Quebec, on the 13th August 1853 the Esquire of Crown Lands Department in Quebec, Jean Langevin exposed this letter to Superintendent of Indian Affairs, Robert Bruce.

Sir, The Schedule of Lands set apart for the Indian Tribes in Lower Canada leaving date 8th June last, submitted to the Governor General in Council and approved by order in Council of 9th June being it appears mislaid; I have the honour of enclosing herewith a copy that certified by E.T. Fletcher Esq. Of the LC (Land Crown) Surveying Branch. I Have the honor to remain Sir Your most Obediant Servant Jean Langevin for C.C.L. (Council Crown Lands)

The management of the organisation of the creation of reserves was already occurring in previous letters, such as from 9 February 1853 by Superintendent of Indian Affairs, Robert Bruce to the Commissary of Crown Lands, which wrote:

Encloses schedule of the Distribution of the Indian Lands amongst the different Tribes of Lower Canada, 730,000 acres. I recommend their being surveyed and the boundaries defined.

On the left side of the same document a note by William H. Lee. (C.E.C., Clerk of Executive Council of Indian Affairs wrote as:

Execution Council Office, 23rd May 1853, Return of the Crown Lands Office for preparation of an amended schedule containing the suggestions contained in the letter from the Superintendent General, dated 15th March For order William H. Lee.

Indian Department, Quebec 7th February 1853, Referred to Colonel Napier Who will plan in return it with His remarks thereon. By command, Robert Bruce, Superintendent of Indian Affairs.

Then in a letter from Quebec on 15th March 1853 from Robert Bruce, Superintendent of Indian Affairs to John Rolph, the Commissioner of Crown Lands exposed:

Indian Department, Quebec 15th March 1853. Sir, I am dictated by the Governor General to acknowledge the receipt of your letter of the 9th ulto (Upto: the present month) enclosing a Schedule of the proposed distribution of the Lands set apart by the SC: 106, 14th & 15th Vic among the Indians of Lower Canada, and to state that His Excellency is of opinion this arrangement with two or three slight modifications which now proceed to submit for you in consideration will prove a great boon with these Tribes.

1st The reserve of Maniwaki on Lake Desert was exposed as:

might be allotted to the Tetes de Boules Nepissings and Algonquins Indians of the Ottawa and the Lake of Two Mountains, these being homogeneous tribes.

2nd The Becancour Indians are mentioned as being:

in a very destitute condition are omitted, perhaps they might be included with the St. Francis Indians at the La Tuque Reserve.

3rd paragraph, concerning St. Regis, Lake of Two Mountains and Caughnawaga Indians:

3rd, The St Regis Indians being already comparatively well provided for the tract at Doncaster County Leinster to be appointed to the Iroquois of Caughnawaga and of the Lake of the Two Mountains. There for (Therefore), Signed **R Bruce**, Superintendent of Indian Affairs.

Then, the *Schedule showing the distribution of the lands set apart according to the 1851 Act, a distribution list for the lands set apart and appropriated under the Statute 14 & 15th Vic Chapter 106 for the benefits of the Indian Tribes in Lower Canada* was proposed on June 8, 1853 by John Rolph, Commissioner of Crown Lands.

Here the schedule was exposed by K.T. Fletcher, Secretary for the Commissary of Crown Lands, who was then representing John Rolph, the Crown Lands Commissioner.

SCHEDULE		
Showing the distribution of the area of land set apart and appropriated under the Statute 14 & 15th Vic Chp 106 for the benefit of the Indian Tribes in Lower Canada.		
COUNTY	TOWNSHIP OR LOCALITY	NUMBER OF ACRES
OTTAWA	{ Lake Temiscaming	38,400
	{ Maniwaki or River Desert	45,750
MEGANTIC	Coleraine	2,000
LEINSTER	Doncaster, North River	16,000
PORTNEUF	{ La Tuque	14,000
	{ Rosmont	9,600
RIMOUSKI	Viger	5,650
BONAVENTURE	Mann	9,600
SAGUENAY	{ Peribonka River	16,000
	{ Metabetchouan	4,000.
	{ Manicouagan	70,000
Total		230,000

**CROWN LAND DEPARTMENT
QUEBEC, 8th JUNE 1853
(signed) K.T. Fletcher
for Commr. of Crown Lands**

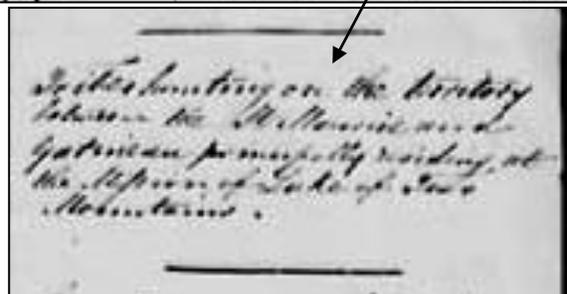
A distribution list for the lands set apart was proposed on June 29, 1853 entitled: *Schedule sharing the distribution of the case of lands set apart and appropriated under the Status 15 & 15 Vic Chapter 106 for the benefit of the Indian Tribes, Lower Canada, by John Rolph signed underneath.*

What is strange is that in this schedule, the Nipissings AKA Tetes de Boules with the Algonquins and Iroquois of Two Mountains are listed in the column “Names of the Indian Tribes” in the County of “Ottawa”, Township or Locality of “Maniwaki and River Desert”.

Then, Those from Caughnawaga & St. Regis are listed in the County of “Leinster”, Township of “Doncaster and North River” “16,000 acres, a quarter behind the Township in Bedford”.

County	Township or Locality	No of Acres	Description of the Boundaries.	Names of the Indian Tribes	Remarks.
Ottawa	Mattawan	38,300	Abundant extending along the River Ottawa or the L'Angeles 9 Miles in breadth from the international boundary between Upper Canada made at the head of Lake Mattawan in 1763 by the 11th in depth.	Nipissings Algonquins & Ojibwas	Remains distinct including the Country owned by the Ottawa Indians with Hudson Bay Territory.
	Maniwaki or River Desert	45,750	Abundant on the West bank of the Ottawa bounded on the North West by the River St. Lawrence on the West & North by the large branch carrying 9 Miles in front by 8 in depth.	Tetes de Boules Algonquins & Iroquois	Residing hunting on the territory between the Mattawan and Gatineau principally residing at the Mission of Lake of Two Mountains.
Leinster	Doncaster and North River	16,000	A quarter Township in rear of Bedford	Iroquois	Caughnawaga & St. Regis

Tribes hunting on the territory between the Mattawan (Mattawan) and Gatineau principally residing at the Mission of Lake of Two Mountains.



On August 9 1853, when William H. Lee.” (C.E.C., Clerk of Executive Council of Indian Affairs) exposed the *Schedule Showing the distribution of the area of land set apart and appropriated under the statute 14 and 15 Vict. Art 106 for the benefit of Indians Tribes in Lower Canada*, we can observe several irregularities which were eventually corrected, since Caughnawaga was mentioned and not Two Mountains.

Then, a schedule Showing the distribution of the area of land set apart and appropriated under the statute 14 and 15 Vict. Art 106 for the benefit of Indians Tribes in Lower Canada from 23 February 1858, by Joseph Wauhebe, responsible of Crown Lands exposes:

Note: here the Iroquois of Two Mountains were added

SCHEDULE: Shewing the distribution of the area of land set apart and appropriated under the Statute 14th and 15th Vict., Ch. 106, for the benefit of Indian Tribes in Lower Canada.

County	Township or Locality.	No. of Acres.	Description of Boundaries.	Names of the Indian Tribes.	Remarks.	
Megantic, Leinster	Plaine Doncaster	2,000	Lots N.48 123 1758 in 10 th Q 688 in 12 th R Lot ...8 ...	Becancour Indians	Village Becancour.	Surveyed.
	North River St. Laurence	16,000	Aquatic Township in rear of Wexford	Iroquois of Caugh nawaga and 2 Mountains	Caughnawaga	Surveyed.

At the bottom of the board was written:

Certified a true copy of the original of record in this Department.(Sgd.) E.
E. TACHÉ, Assist.-Commissioner, Department of Crown Lands, Quebec, 30th
April, 1889. Crown Land Department, Toronto, 23rd February, 1858, Ind.
(Sgd.) Joseph Wauhebe, P.L.

In 1858 occurred the official *Statement of the Indian Lands in Lower Canada. –Set apart by 14th and 18th, Vict. Ch. 106.-*

In a letter on the 20/24 July 1858, Andrew Russell the Assistant, Commissioner of Crown Lands “*transmitted plans of the tracts lot apart in the township of Mann, Doncaster, Viger, Temiscaming and Maniwaki for the Indian Tribes in Lower Canada*” to Richard Theodore Pennefather who was then superintendent-general.

Pennefather, was the official head of the Indian Affairs. His greatest contribution to Canada was his chairmanship of a three-man commission which conducted an inquiry from 1856 to 1858 into the Indian Department’s operations.

A report-letter of 20 February 1858 provided a complete picture of the department and of the Indian bands of the province through use of a massive number of statistics. It was noted with surprise that efforts to “civilize” the Indians were still piece-meal despite almost 30 years of such a policy. Because the Indians did not respond to attempts at “civilization,” and because of the lack of organization and funding in the department, conditions among the Indians were not good in the late 1850s.¹⁸

CROWN LANDS OFFICE
Toronto, 20th Feby. 1858

Sir,

In compliance with the request at your desire contained in Mr. Chesley's communication of the 26th ultimo, to furnish your office with two sets of Plans of the different allotments of land to the various tribes in Lower Canada, comprising the 250,000 acres granted for their use, I have the honor to transmit you the herewith accompanying plans so far completed, namely, the Tracts in the Township of Mann, Doncaster, Viger, Temiscaming and Maniwaki.

The copies of the plans of the remaining Tracts appropriated for the Indian Tribes in Lower Canada are in hand and will be furnished your office in the course of next week

I have the honor to be, Sir

Your Obedt. Servt.

(signed) T. McM Russell
 Assist. Commissioner

R. T. Pennefather, Esqr.
Supt. Genl. of Indian Affairs

¹⁸ Douglas Leighton, “PENNEFATHER, RICHARD THEODORE,” in *Dictionary of Canadian Biography*, vol. 9, University of Toronto/Université Laval, 2003–, accessed May 5 2017, http://www.biographi.ca/en/bio/pennefather_richard_theodore_9E.html.

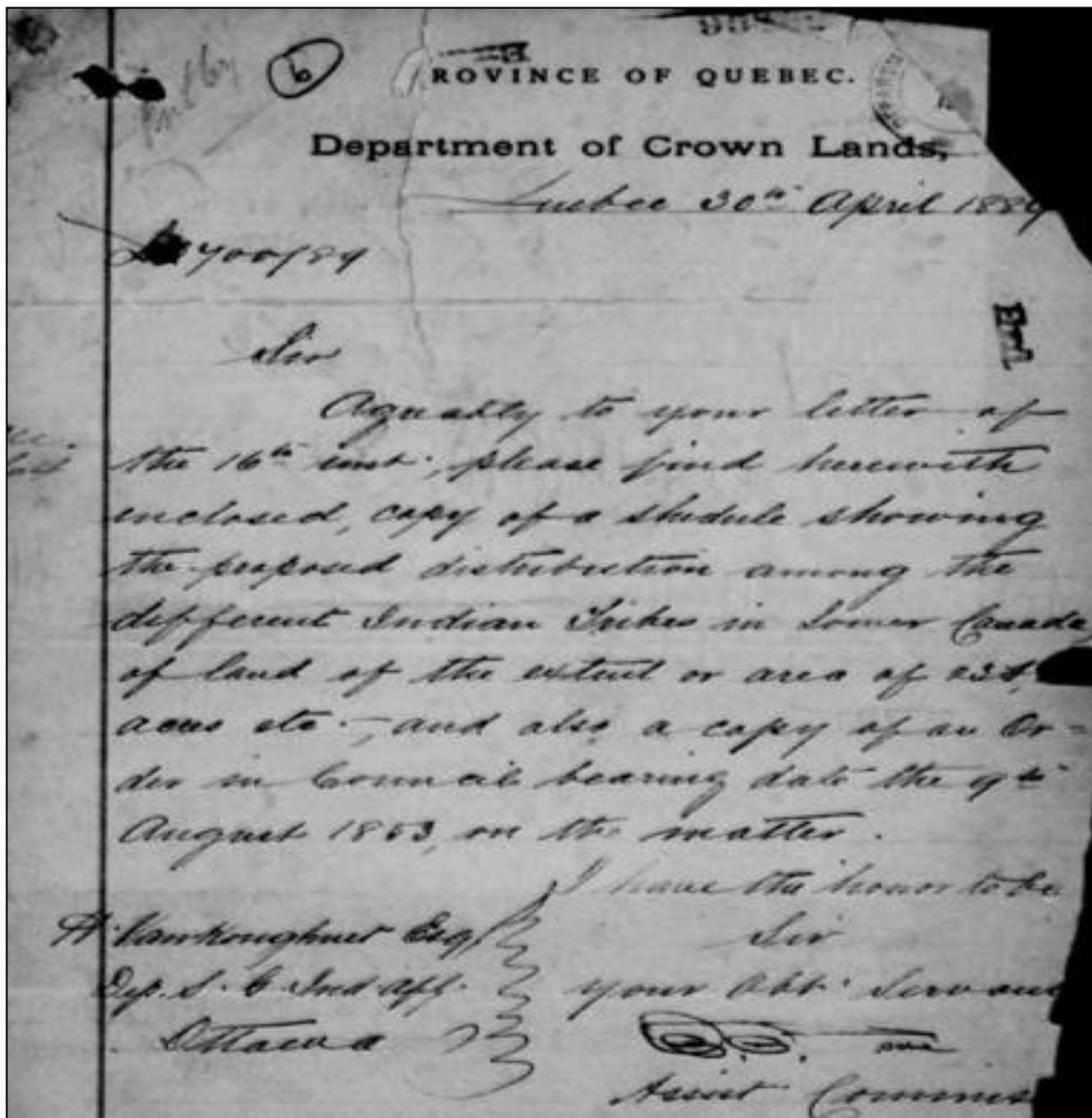
Then a in letter from 30 April 1889 the Assistant of Crown Lands of the Province of Quebec to H. Vankoughnet, Esquire Superintendent General of Indian Affairs is citing the previous letter.

Province of Quebec, Department of Crown Lands, Quebec 30th April 1889

Sir, Agreeably, to your letter of the 16th inst, please find herewith enclosed, copy of a schedule showing the proposed distribution among the different Indian Tribes in Lower Canada of Land of the extent or acres of 23 acres etc. And also a copy of an Order in Council bearing date the 9th August 1853 on the matter. I have the honor to be Sir Your

Obt. Servant, Assistant Commissioner.

(Perhaps Andrew Russell)



An extract of a letter from the Indian Agent J.A. Macrae, Ottawa, from 27 August 1901 citing the previous legal contentious of *white men cutting wood, exploiting the reserve of Maniwaki, "State, Character and Utilisation of the Reserve"* was annexed with a *Memorandum on the Subject of Indian Reserves in the Province of Quebec*, from S.W. Parent, Minister of Lands, Mines and Fisheries, from 27 August 1901 annexed by Macrae, from March 3, 1902.

Ottawa 27th Aug 1901, (Maniwaki), State character and utilisation of the Reserve.
 From the Agent's books it sounds that the land now reserved for this band has an area of 44603 acres odd, That of the original reserve 133 acres odd have been surrendered for sale. That Indians are located for 6198 acres odd. That of this 6198 acres, 275 acres odd are leased to whitemen, That whitemen also lease 622 acres odd of unlocated land, And that 37, 789 acres odd are lying unused and unsettled. The land is if the best, level, and little broken except along the river fronts. Thout (Though) 771 acres of the 44,663 acres in the reserve are cleared and of those 726 acres are cultivated, 393 acres by Indians and 333 acres by leases. The day when 25,000 or 30,000 acres may be profitably marketed for the benefit of the band should I think, be looked for.
 Sgd J.A. Macrae I.I.A&R. (Intendent Indian Affairs & Reserves)

"Memorandum on the Subject of Indian Reserves in the Province of Quebec", from **S.W. Parent**, Minister of Lands, Mines and Fisheries, from **27 August 1901** annexed by **Macrae**, from **March 3, 1902**. (First page 1/4, translation)

-Memorandum on the Subject of Indian Reserves in the Province of Quebec. In virtue of the Act 14-16 Vic., C. 106. (1851) the Governor in Council received authority to make reserves on Crown lands for the needs of the Indian tribes of Lower Canada.-

By an order in Council of the 9th April, 1852, the then Governor did in fact in different parts of the province make the reserves required for the Indian tribes of Lower Canada. Amongst the reserves thus erected was that of the township of Coloraine, containing an area of 2000 acres in range 10, 12 and 13 of this township, for the Abenakis tribe of Becancour. [...]

(Second page 2/4, translation)

[...] Sections 106-109 and 117 relate to the division of the different proportions between the provinces and the Federal government. Clause 96 of section 91 grants the Federal government the power to legislate in regard to Indians and the lands of Indians.

Observe, however, that this clause does not grant to the Federal government the ownership of lands reserved for the Indians, but only legislative authority in regard to Indians and lands reserved for the Indians.

In the case of the "St. Catherine' Milling and Lumbering Company and the Attorney General for Ontario" judged by the Privy Council in 1886, this question of the jurisdiction of the Federal government and the Local government was treated at length,

and in the case admitted in that suit question was decided in favour of the government of Ontario.

The following are the facts of the case. In 1873, the Federal government made with a tribe of Indians called the Saulteux tribe of Ojibway Indians a treaty in virtue of which this tribe renounced in favour of the Federal government all its rights to the lands on its reserve except for hunting and fishing. Part of the lands of the reserve in question are within the province of Ontario.

On the conclusion of this treaty the Federal government granted a license to cut timber on the lands of the reserve in favour of the “St. Catharine’ Milling lumbering Company”.

The Attorney General for Ontario then intervened and instituted an action against the Company (...) this license to cut timber, in order that the court (...)[...]

(Third page 3/4, translation)

[...]...declare that the Company had the right to the timber cut under the license from the Federal government and as that it might be ordered to cease cutting under that license and be considered to pay damages for the timber cut.

All the courts of Ontario decided in favour of the Attorney General for Ontario. The case was carried to the Supreme Court, and the majority of that court confirmed the judgments of the courts of Ontario, and finally all those judgments were confirmed by the Privy Council.

The judgment of the Privy Council is in effect that, while in virtue of clause 24 of section 91 of the British North American Act the Federal government has authority to legislate in regard to the Indians and the lands reserved for the Indians.-

1. It has no right to the ownership of these lands.
2. That in virtue of clause 100 of the Act of 1867 those lands and the mines contained therein remain the property of the provincial government, but are subject to the charges, “trusts”, which they here before confederation.
3. That one of those charges, or “trusts”, is the title in virtue of which the Indians are in possession thereof.
4. That the title of the Indians to those reserves of lands is simply a usual right of usufructus (**droit personnel d’usufruit**) depending on the pleasure of the Crown.
5. That the moment those lands are encumbered of the Indian title’ they revert to the provincial government.

Applying these principles to the case submitted in the suite of the “St. Catharine’ Milling and Lumbering Company” the Privy Council judged that by (...)[...]

(Last page 4/4, translation)

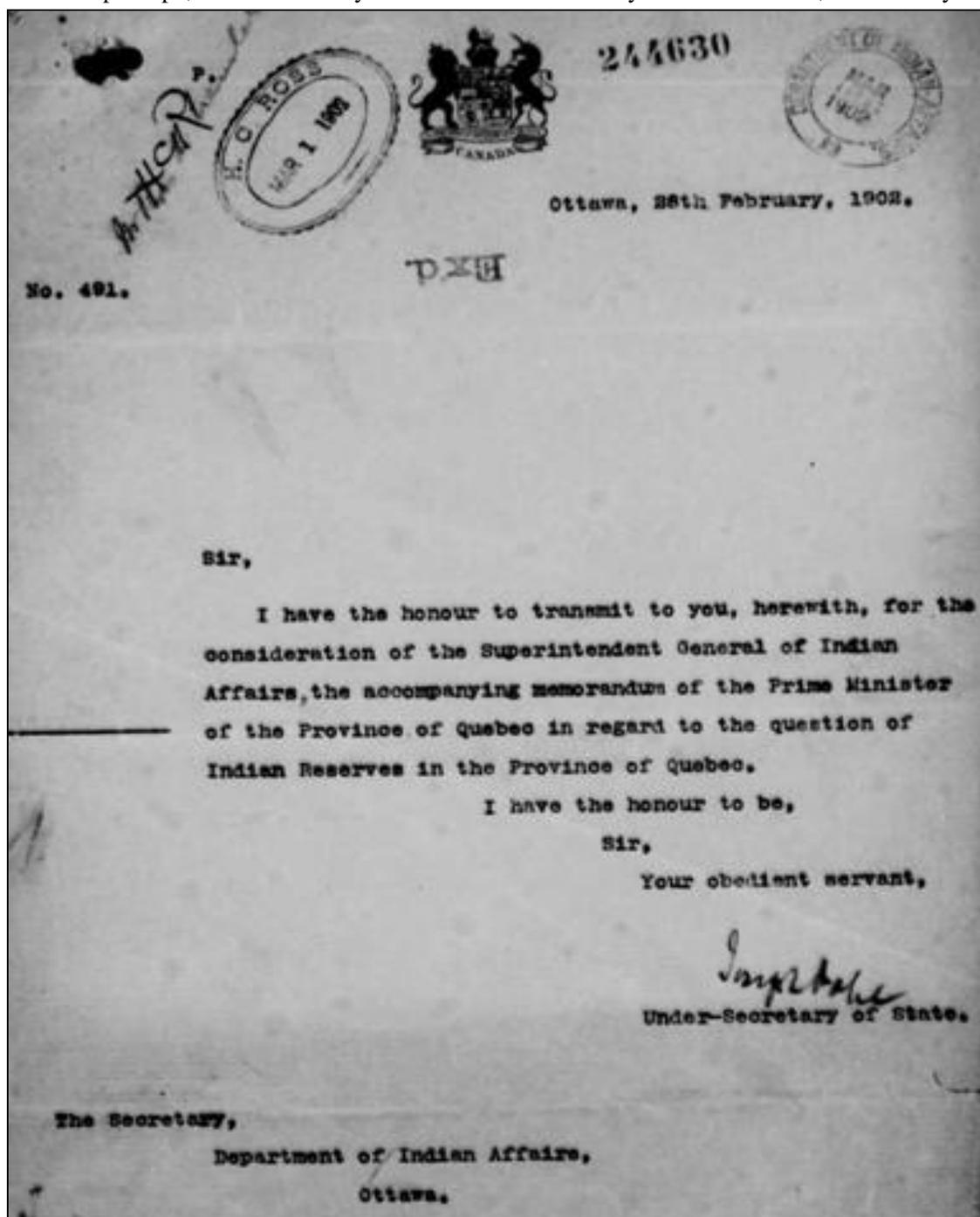
[...]... Fraser, a case of the Province of Ontario in which the learned Judge following the authority of the judgment of the Privy Council in the case of the “St. Catharine’ Milling and Lumbering Company and the Attorney General for Ontario’ judged and concluded as follow,-

‘I conclude, therefore, that the Dominion had no power to sell or grant Indian lands whether sur-rendered or unsurrendered’.

The undersigned submits that those authorities are decisive in the matter, and hopes that the Dominion government will cease all encroachment in the matter in future, without prejudice to any recourse by the provincial government for that has been done in the past in regard to grants by the government within Indian reserves in this province.

The whole humbly submitted,
S.W. Parent,
Minister of Lands, Mines and Fisheries.”

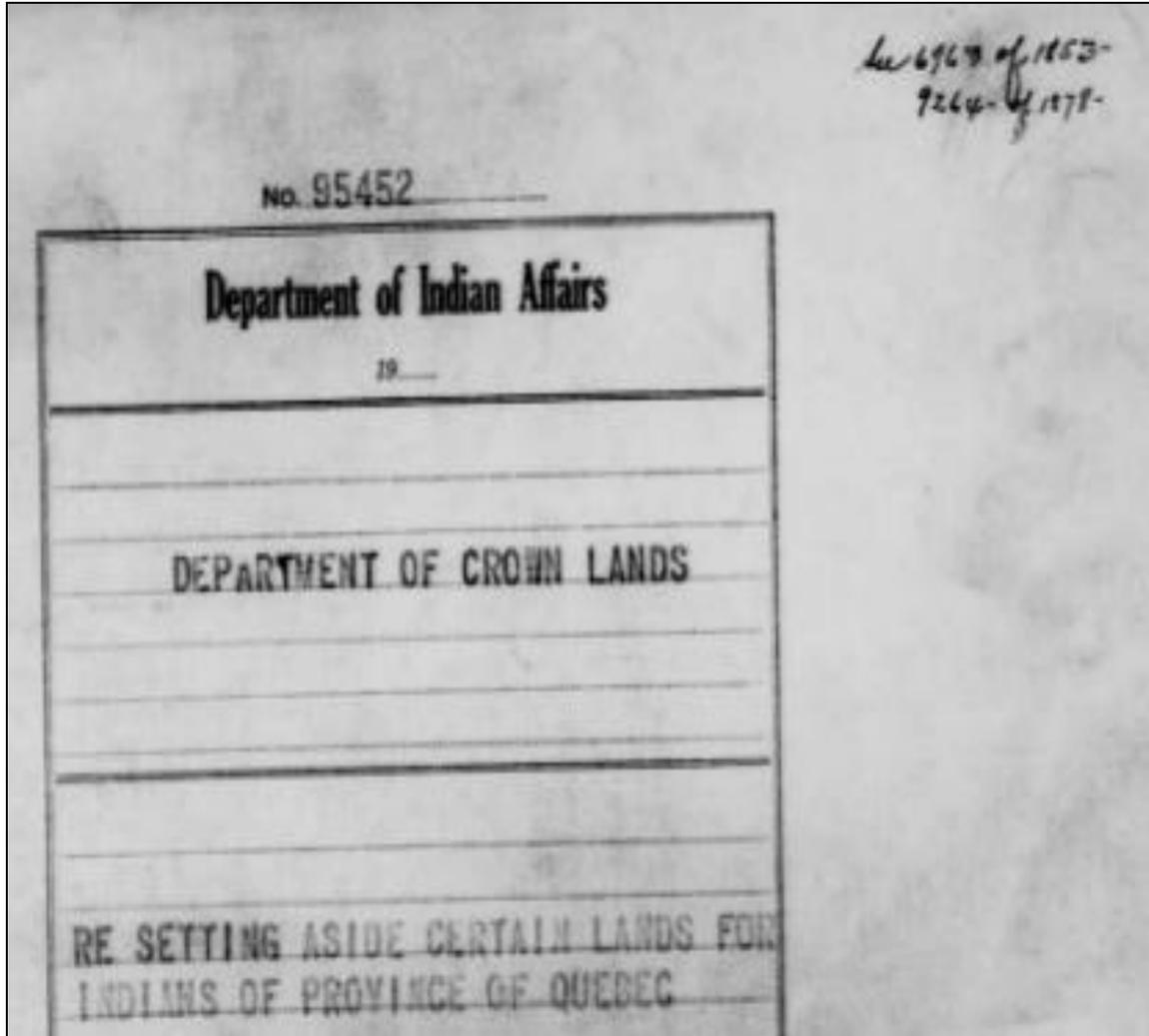
Letter from Joseph Pope, Under-Secretary of State¹⁹ to the Secretary of Indian Affairs, 28 February 1902.



¹⁹ P. B. Waite, "POPE, Sir JOSEPH," in *Dictionary of Canadian Biography*, vol. 15, University of Toronto/Université Laval, 2003–, accessed May 5, 2017, http://www.biographi.ca/en/bio/pope_joseph_15E.html.

**The extended list of documents encountered in the microfilm linked to:
Two Mountains-Kanesatake-Oka Indians: page 28 to 63**

Page 1 Creations of reserves in Lower Canada 1853-1878



Page 2: *Distribution of the lands set apart according to the 1851 Act, a distribution list for the lands set apart* was proposed on June 8, 1853 by John Rolph, Commissioner of Crown Lands.

Here the schedule was exposed by K.T. Fletcher representing John Rolph, the Crown Lands Commissioner.

SCHEDULE		
Showing the distribution of the area of land set apart and appropriated under the Statute 14 & 15th Vic Chp 106 for the benefit of the Indian Tribes in Lower Canada.		
COUNTY	TOWNSHIP OR LOCALITY	NUMBER OF ACRES
OTTAWA	{ Lake Temiscaming	38,400
	{ Maniwaki or River Desert	45,750
MEGANTIC	Coleraine	2,000
LEINSTER	Doncaster, North River	16,000
PORTNEUF	{ La Tuque	14,000
	{ Roquemont	9,600
RIMOUSKI	Viger	5,650
BOHAVENTURE	Mann	9,600
SAGUENAY	{ Peribonka River	16,000
	{ Metabetchouan	4,000.
	{ Manicouagan	70,000
Total		230,000

CROWN LAND DEPARTMENT
QUEBEC, 8th JUNE 1853
(signed) E.T. Fletcher
for Commr. of Crown Lands

Page 3, Schedule Showing the distribution of the area of land set apart and appropriated under the Statute 14 & 15th Vic Chp 104 for the benefit of the Indian Tribes in Lower Canada: citing Leinster, Doncaster.

SCHEDULE		
Showing the distribution of the area of land set apart and appropriated under the Statute 14 & 15 th Vic Chp 104 for the benefit of the Indian Tribes in Lower Canada.		
COUNTY	TOWNSHIP OR LOCALITY	NUMBER OF ACRES
OTTAWA	Lake Temiscaming	38,400
	Maniwaki or River Desert	45,750
MEGANTIC	Coleraine	2,000
LEINSTER	Doncaster, North River	16,000
PORTNEUF	La Tuque	14,000
	Roquemont	9,600
RIMOUSKI	Viger	5,650
BONAVENTURE	Mann	9,600
SAGUENAY	Peribonka River	16,000
	Metabetchouan	4,000.
	Manicouagan	70,000
Total		230,000

CROWN LAND DEPARTMENT
 QUEBEC, 8th JUNE 1853
 (signed) E.T. Fletcher
 for Commr. of Crown Lands

Page 4 Crown Lands Department, Quebec, **13th August 1853** from **the Esquire of Crown Lands Jean Langevin to Superintendent of Indian Affairs, Robert Bruce.**

“Sir,

*The Schedule of Lands set apart
for the Indian Tribes in Lower Canada
leaving date 8th June last, submitted to
the Governor General in Council and
approved by order in Council of 9th June
being it appears mislaid; I have the
honour of enclosing herewith a copy
that certified by E.T. Fletcher Esq.
Of the LC (Land Crown) Surveying Branch.*

I Have the honor to remain

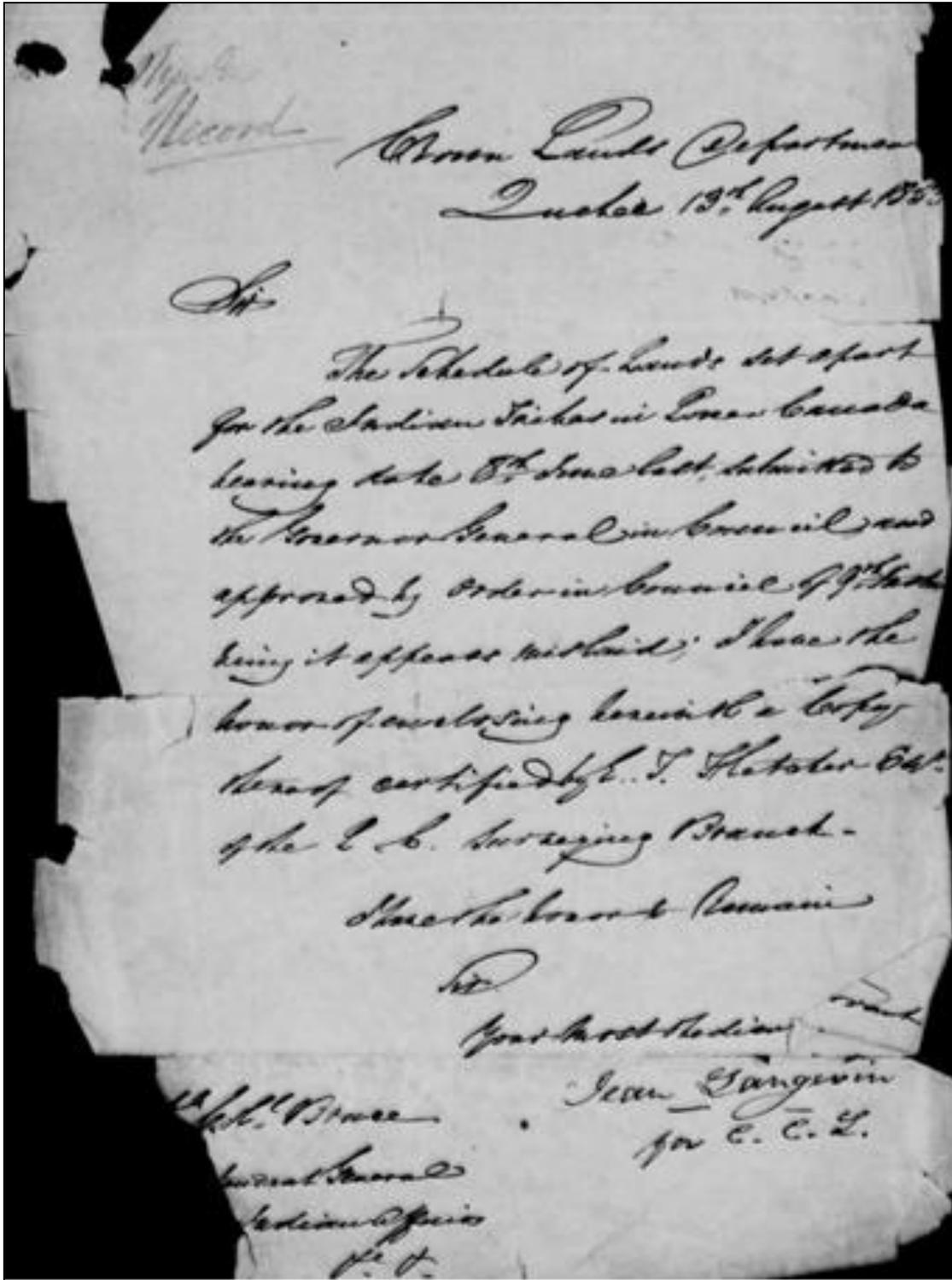
Sir

Your most Obediant Servant

Jean Langevin

for C.C.L. (Council Crown Lands)”

Page 4 Crown Lands Department, Quebec, 13th August 1853 from the Esquire of Crown Lands Jean Langevin to the Superintendent of Indian Affairs, Robert Bruce.

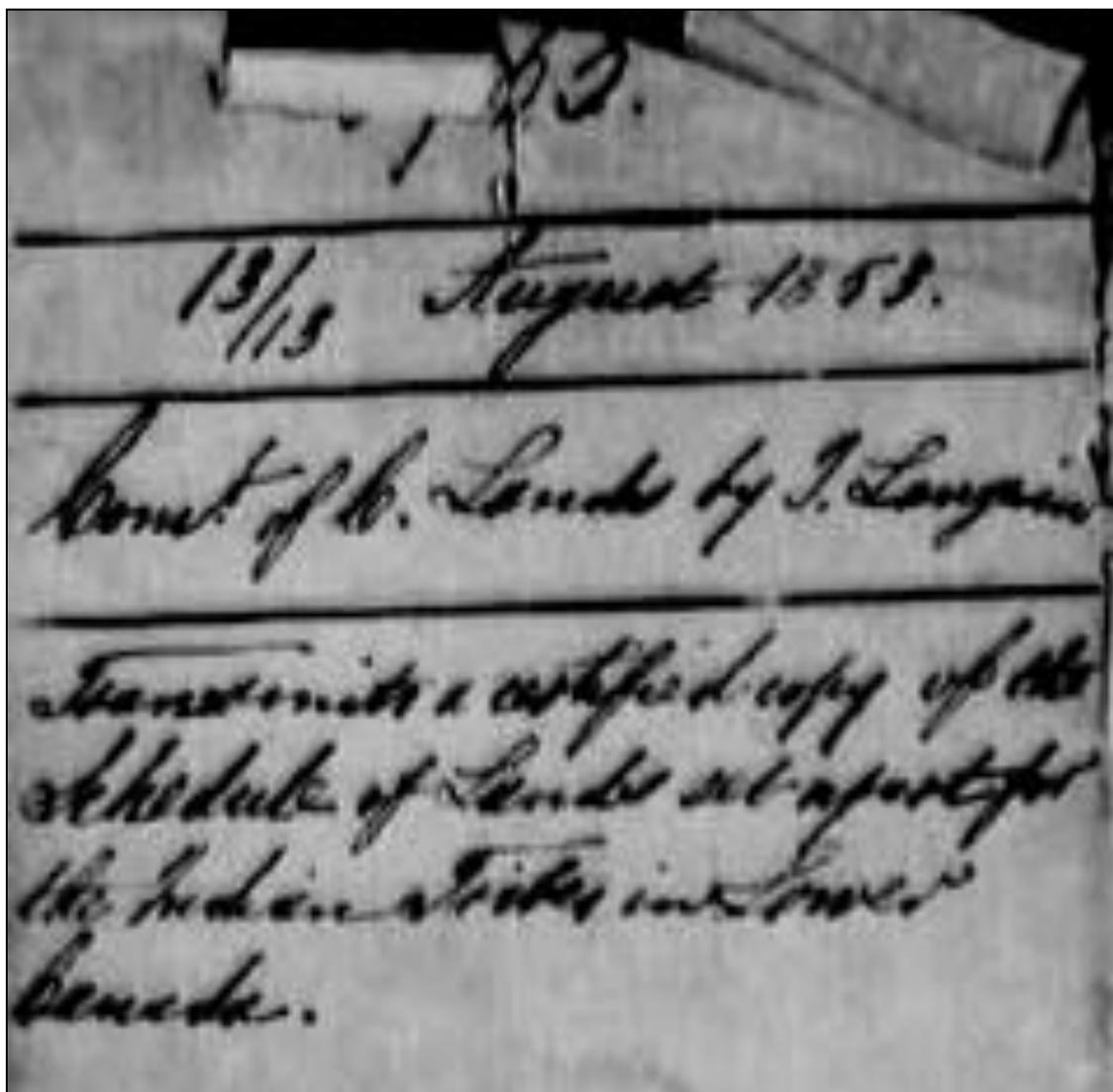


Page 6

"13/13 August 1853.

Count of C. Lands by J. Langevin

*Transmits a certified copy of the
Schedule of Lands set apart for
the Indian Tribes in Lower
Canada."*



Page 7: left side

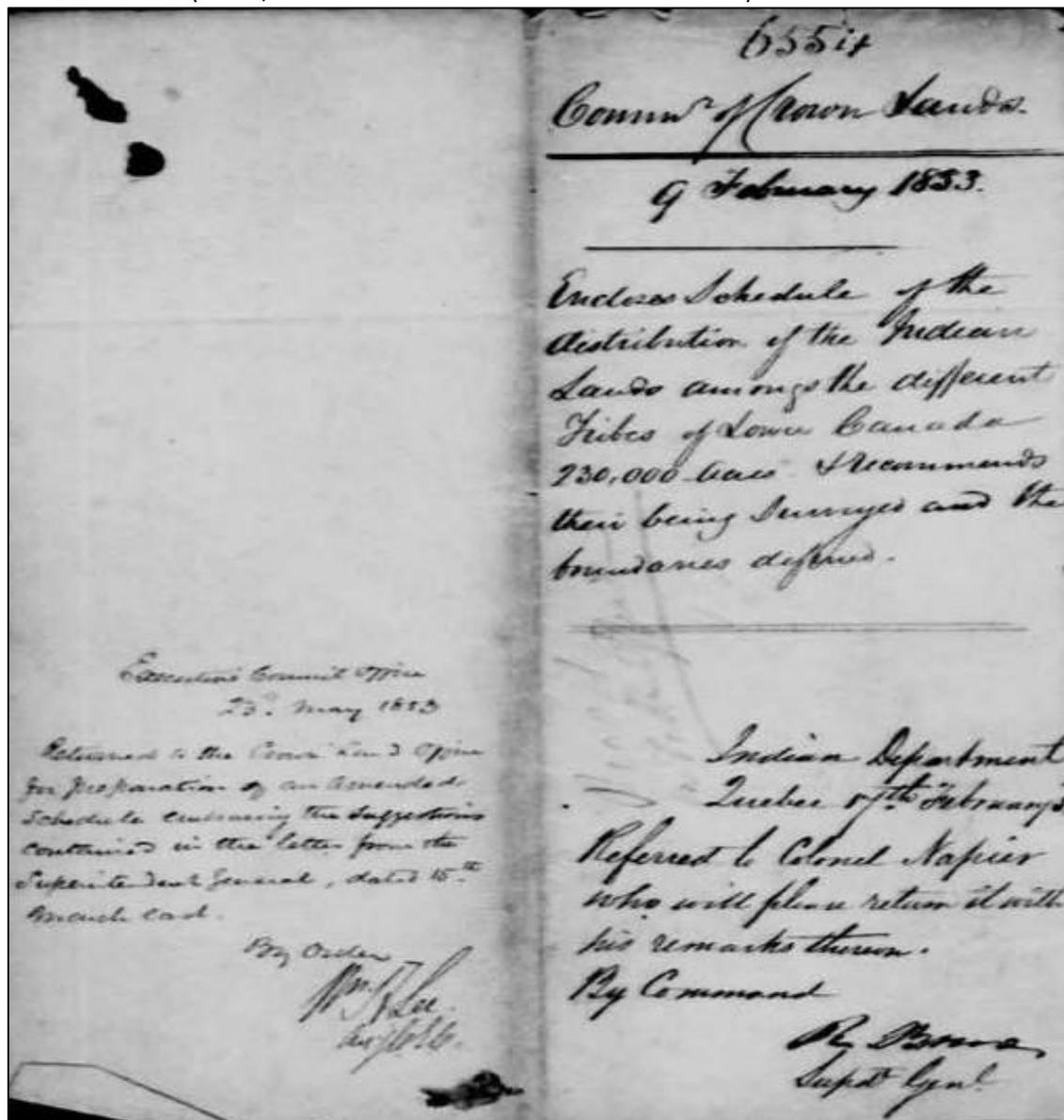
"Execution Council Office

23rd May 1853

Return of the Crown Lands Office
for preparation of an amended
schedule containing the suggestions
contained in the letter from the
Superintendent General, dated 15th
March

For order

William H. Lee." (C.E.C., Clerk of Executive Council of Indian Affairs)



Page 7: right side

"Comm^{sr} of Crown Lands.

9 February 1853

Encloses schedule of the
Distribution of the Indian
Lands amongst the different
Tribes of Lower Canada,
730,000 acres. I recommend
their being surveyed and the
boundaries defined.

Indian Department

Quebec 7th February 1853

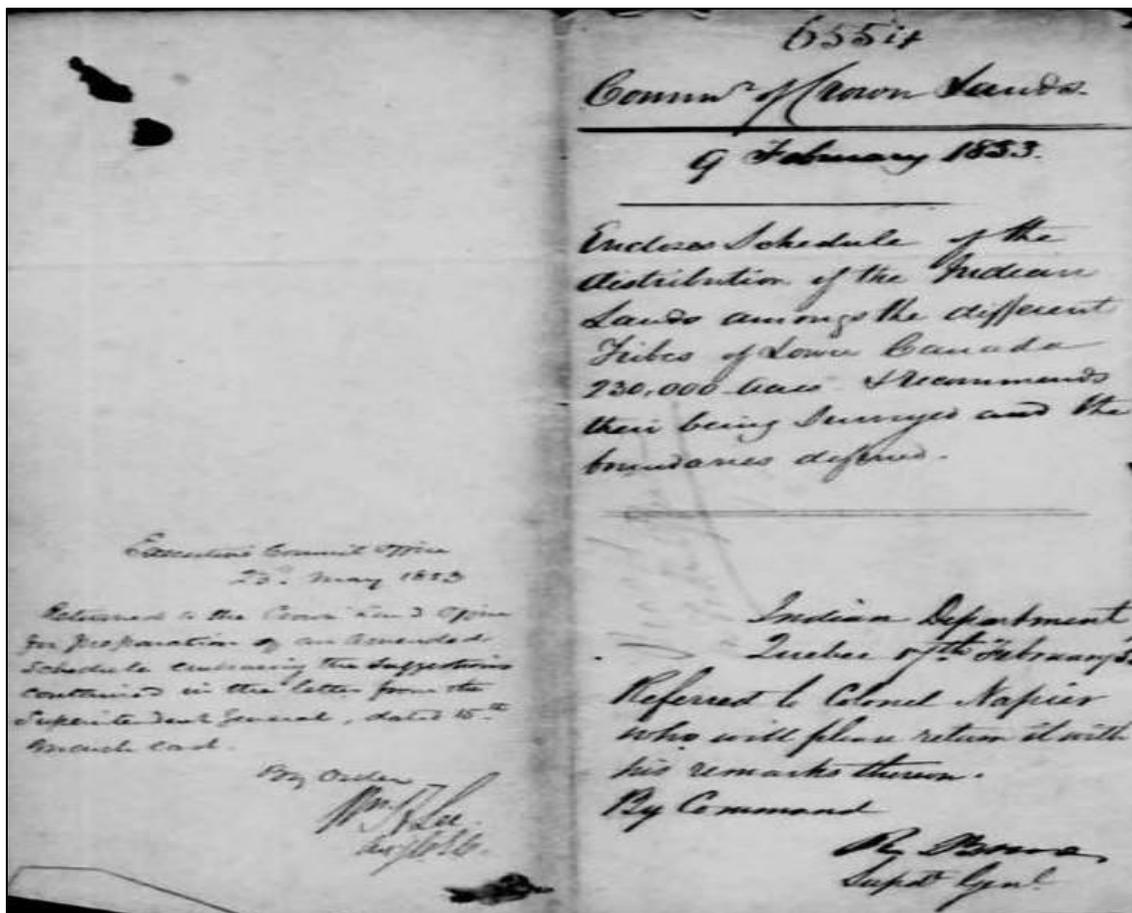
Referred to Colonel Napier

Who will plan in return it with
His remarks thereon.

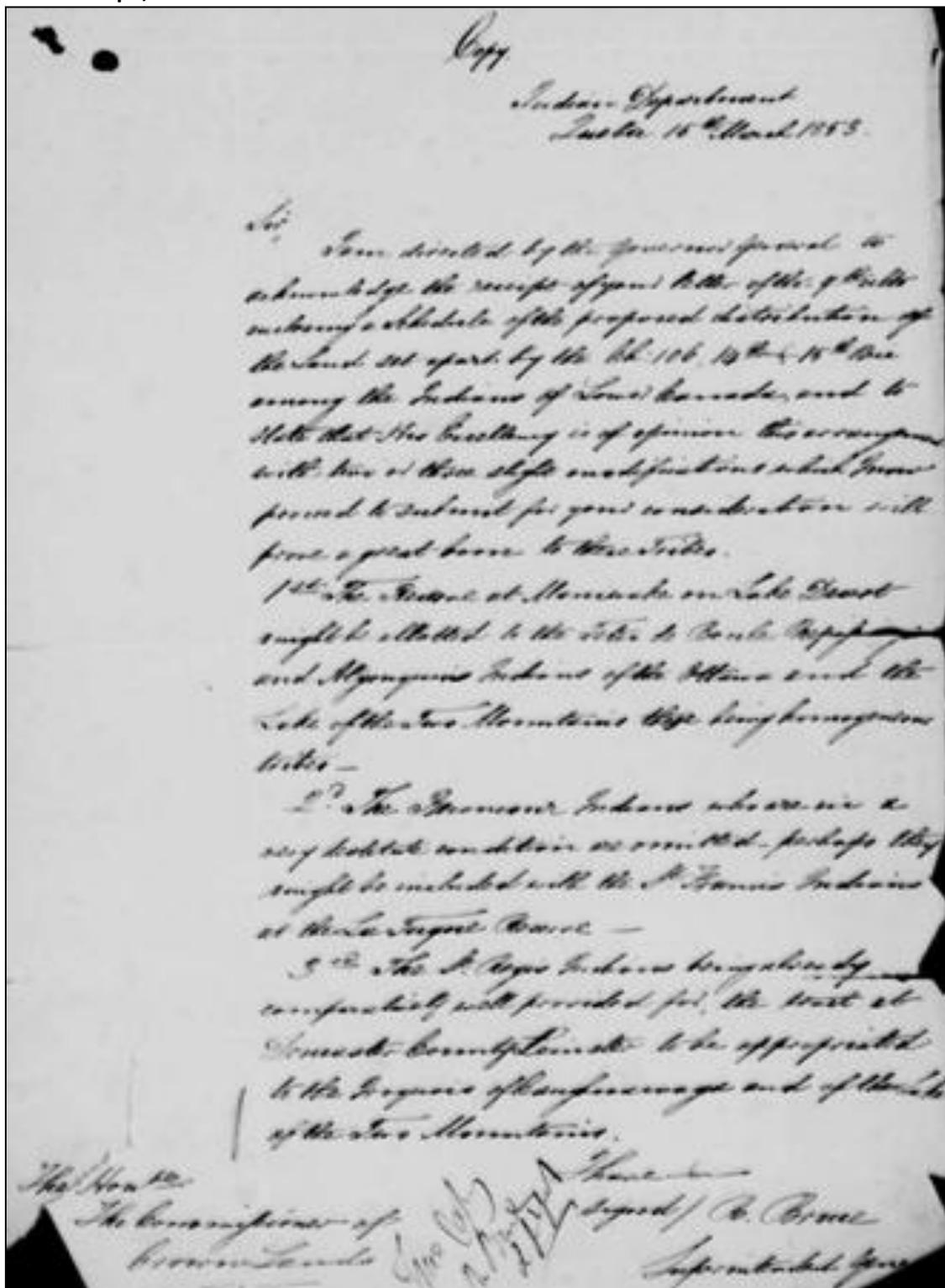
By command

Robert Bruce,

Superintendent of Indian Affairs."



Page 11 Letter of Quebec 15th March 1853 from Robert Bruce, Superintendent of Indian Affairs to John Rolph, the Commissioner of Crown Lands.



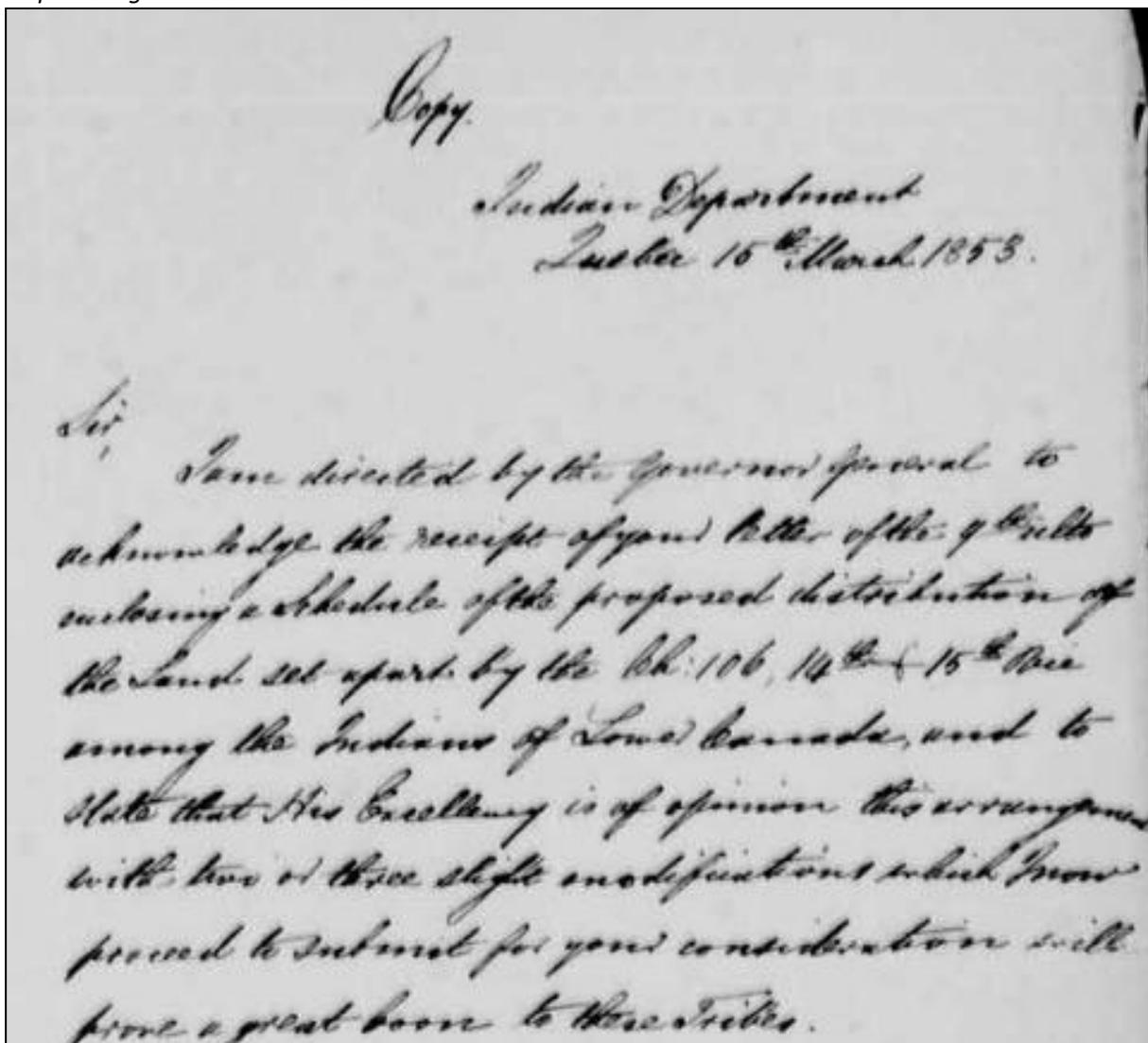
Page 11 1st paragraph: Copy

"Indian Department

Quebec 15th March 1853

Sir,

I am dictated by the Governor General to acknowledge the receipt of your letter of the 9th ulto (Uto: the present month) enclosing a Schedule of the proposed distribution of the Lands set apart by the SC: 106, 14th & 15th Vic among the Indians of Lower Canada, and to state that His Excellency is of opinion this arrangement with two or three slight modifications which now proceed to submit for you in consideration will prove a great boon with these Tribes."



Page 11, 2nd paragraph: Copy citing the first and second point:

1st The reserve of Maniwaki on Lake Desert might be allotted to the Tetes de Boules Nepissings and Algonquins Indians of the Ottawa and the Lake of Two Mountains, these being homogeneous tribes."

2nd The Becancour Indians are mentioned as being "in a very destitute condition are omitted, perhaps they might be included with the St. Francis Indians at the La Tuque Reserve."

1st The Reserve at Maniwaki on Lake Desert might be allotted to the Tetes de Boules Nepissings and Algonquins Indians of the Ottawa and the Lake of the Two Mountains these being homogeneous tribes -

2nd The Becancour Indians who are in a very destitute condition are omitted - perhaps they might be included with the St. Francis Indians at the La Tuque Reserve -

Page 11, 3rd paragraph, concerning St. Regis, Lake of Two Mountains and Caughnawaga Indians.

"3rd, The St Regis Indians being already comparatively well provided for, the tract at Doncaster County Leinster to be appointed to the Iroquois of Caughnawaga and of the Lake of the Two Mountains.

There for (Therefore)

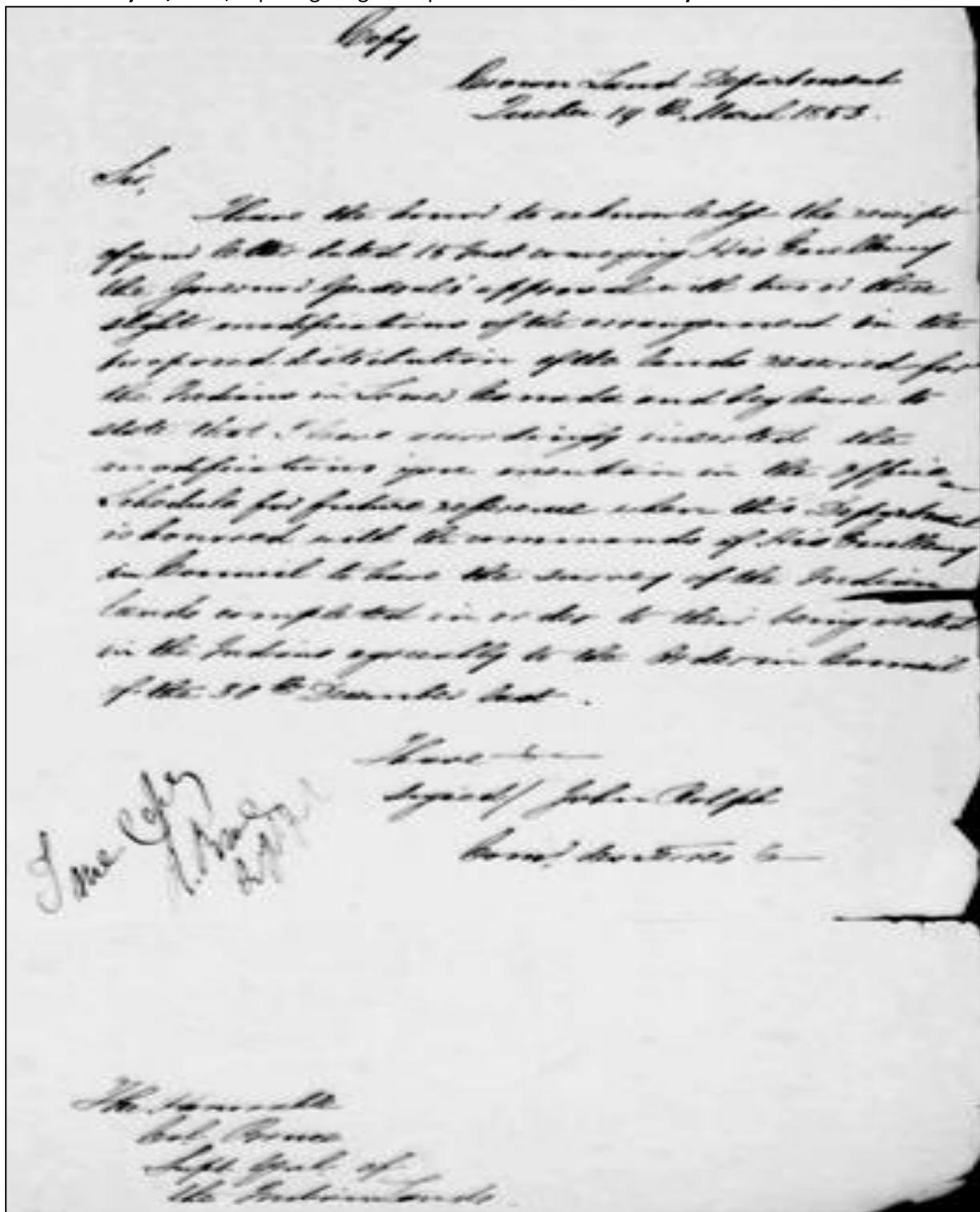
Signed **R Bruce**,
Superintendent of Indian Affairs"

3rd The St. Regis Indians being already comparatively well provided for, the tract at Doncaster County Leinster to be appropriated to the Iroquois of Caughnawaga and of the Lake of the Two Mountains.

The Hon^{ble}
The Commissioners of
Crown Lands

I have the honor
to be signed / R. Bruce
Superintendent of Indian Affairs

Page 12 Letter from John Rolph, Land Commissary to the Crown Land Department, Quebec, from July 14, 1853, exposing his grace upon the Indian lands surveys.



Page 12 Letter from **John Rolph, Land Commissary to the Crown Land Department, Quebec**, from **July 14, 1853**, exposing his grace upon the Indian lands survey. ENLARGED

Crown Land Department
Quebec 14th March 1853.

Sir,

I have the honor to acknowledge the receipt of your letter dated 15th Inst conveying His Excellency the Governor General's approval with two or three slight modifications of the arrangement in the proposed distribution of the lands reserved for the Indians in Lower Canada and beg leave to state that I have accordingly inserted the modifications you mention in the official Schedule for future reference when this Department is honored with the commands of His Excellency in Council to have the survey of the Indian lands completed in order to their being vested in the Indians agreeably to the Order in Council of the 30th December last.

I have the honor to be,
Sir, your obedient servant,
Signed/ John Rolph

Page 13-14: Letter concerning Becancour, 9 February 1853.

Page 15 A distribution list for the lands set apart was proposed from June 29, 1853 entitled: Schedule showing the distribution of the case of lands set apart and appropriated under the Statute 15 & 15 Vic Chapter 106 for the benefit of the Indian Tribes, Lower Canada, by John Rolph signed underneath.

Schedule showing the distribution of the case of lands set apart and appropriated under the Statute 15 & 15 Vic ch 106 for the benefit of the Indian Tribes, Lower Canada.

County	Township or Locality	Acres	Description of the Boundaries.	Name of the Indian Tribe	Remarks
Ottawa	Schumacher	58,300	A tract extending along the base of Ottawa or the Jacques 6 miles in breadth from the divisional boundary between the two counties at the head of Lake Beauport to the lake in 1840.	Wapitongue Algonquin & Catawago	Remains to be divided by the Ottawa and the Hudson Bay Territory.
	Huronville or New South	45,750	A tract on the West bank of the Ottawa bounded on the North East by the line of the 4 th and 5 th Concessions and on the South by the line of the 8 th Concession.	St. Lawrence Algonquin & Yagouais	Settled by the Ottawa and the Hudson Bay Territory.
Leinster	Commecheville	16,100	A square township in rear of the 1 st Concession.	Algonquin	Reserve for the St. Regis
Bedford	La Tuque	16,100	A tract on the West bank of the Ottawa bounded on the North East by the line of the 4 th and 5 th Concessions and on the South by the line of the 8 th Concession.	St. Lawrence Algonquin & Yagouais	Settled by the Ottawa and the Hudson Bay Territory.
	Beaufort	9,600	A tract on the West bank of the Ottawa bounded on the North East by the line of the 4 th and 5 th Concessions and on the South by the line of the 8 th Concession.	Algonquin	Indian Settlement
Huronville	Beige	3,650	A tract in rear of the 1 st Concession bounded on the North East by the line of the 4 th and 5 th Concessions and on the South by the line of the 8 th Concession.	Algonquin	Indian Settlement
Demeritsville	Maria	9,100	A tract on the West bank of the Ottawa bounded on the North East by the line of the 4 th and 5 th Concessions and on the South by the line of the 8 th Concession.	Algonquin	Indian Settlement
Jacques	Beauport	16,100	A tract on the West bank of the Ottawa bounded on the North East by the line of the 4 th and 5 th Concessions and on the South by the line of the 8 th Concession.	Algonquin	Indian Settlement
	Beauport	16,100	A tract on the West bank of the Ottawa bounded on the North East by the line of the 4 th and 5 th Concessions and on the South by the line of the 8 th Concession.	Algonquin	Indian Settlement
	Beauport	70,000	A tract on the West bank of the Ottawa bounded on the North East by the line of the 4 th and 5 th Concessions and on the South by the line of the 8 th Concession.	Algonquin	Indian Settlement
	Total	238,050			

John Rolph
Comptroller of Crown Lands

On page 15, strangely in that in this schedule, the **Nipissings AKA Tetes de Boules** with the **Algonquins and Iroquois of Two Mountains** are listed in the column "**Names of the Indian Tribes**" in the County of "**Ottawa**", Township or Locality of "**Maniwaki and River Desert**".

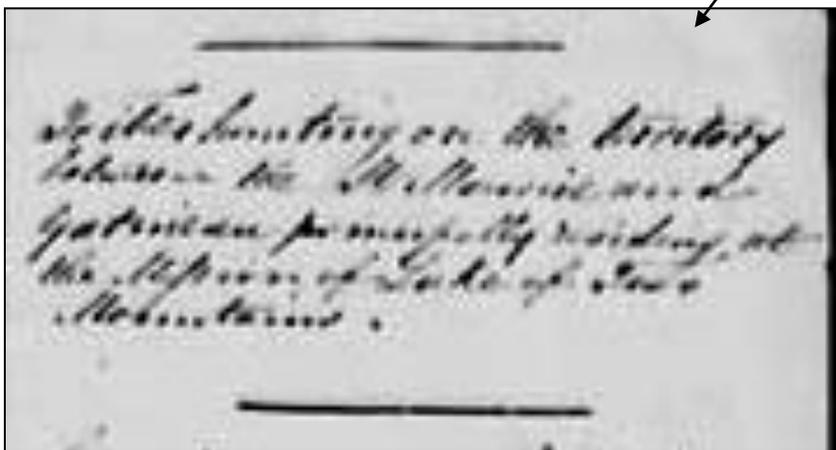
Then, Those from **Caughnawaga & St. Regis** are listed in the County of "**Leinster**", Township of "**Doncaster and North River**" "**16,000 acres, a quarter behind the Township in Bedford**".

County	Township or Locality	No. Acres	Description of the Boundaries.	Names of the Indian Tribes	Remarks.
Ottawa	Caughnawaga	38,400	Front extending along the base of Ottawa or the Laurentians 4 miles in breadth from the divisional boundary between Upper and Lower Canada at the head of Lake Simcoe in depth by the 11th in depth.	Nipissings Algonquins & Ojibwas	Remains of the territory of the County of Ottawa adjacent to the Hudson Bay Territory.
	Maniwaki or River Desert	45,750	Front on the West bank of the Ottawa bounded on the North East by the River Desert on the North West by the Caughnawaga and 9 miles in breadth by 8 in depth.	Ojibwas Algonquins & Iroquois	Distinction on the territory between the Algonquins and Iroquois formerly residing at the Mouth of Lake of Two Mountains.
Leinster	Doncaster & North River	16,000	A quarter Township in rear of Bedford	Iroquois	Caughnawaga & St. Regis
Bedford	La Tuque	16,000	Front on the West of Maniwaki 16 miles square.	Ojibwas Algonquins & Iroquois	Front on the West of the Maniwaki and the Laurentians in the County of the West of the Province.

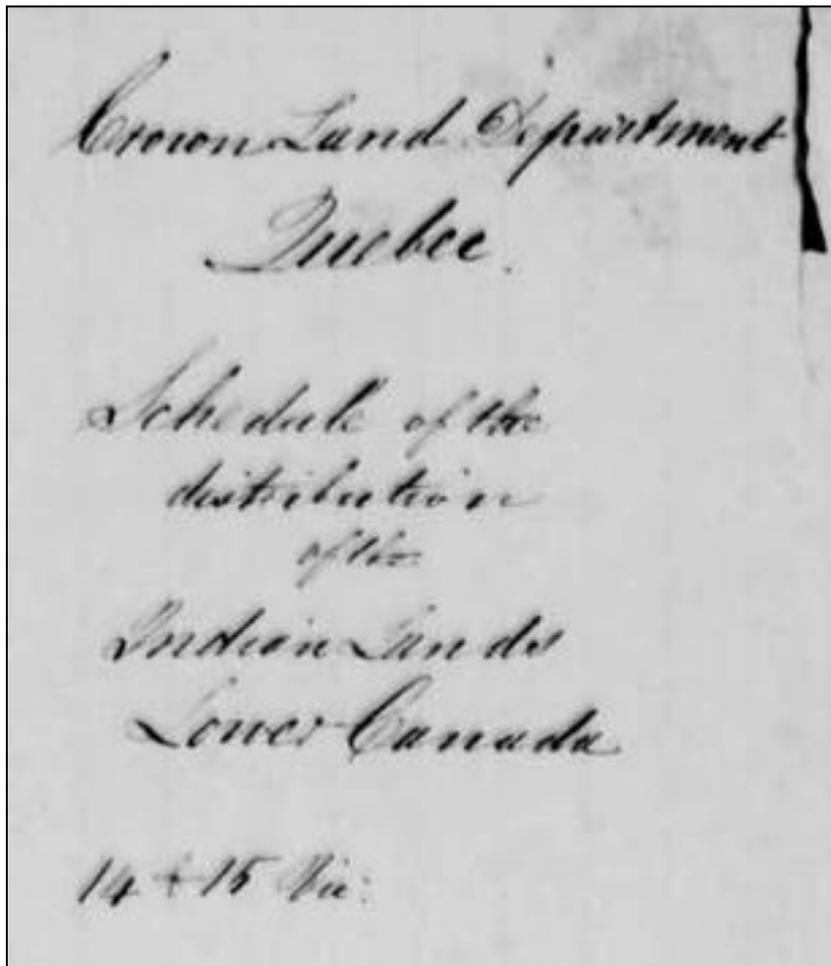
Page 15: Enlarged

County	Township or Locality	Acres	Description of the Boundaries.	Names of the Indians etc.	Remarks.
Maurice	Sakawamungon	58,300	A tract extending along the River Ottawa or the Timagies 6 Miles in breadth from the divisional boundary between Upper and Lower Canada at the head of Lake Simcoe in width by the Lake in depth.	Mepingone Algonquins Ojibwas	Remains subject to the hunting by the Ottawa adjacent to the Hudson Bay Territory.
	Mattawan or Two Rivers	45,750	A tract on the West bank of the Lake is bounded on the North West by the Two Rivers on the North East by the Caye Branch averaging 9 Miles in front by 8 in depth.	Sto. d. Ronk Algonquins Yoguis	British hunting on the territory between the Mattawan and Gatineau principally residing at the Mission of Lake of Two Mountains.
Leinster	Comanche	16,100	Square Township in rear of Project	Acquis	Caughnawaga & Regis

Tribes hunting on the territory between the Mattawan (Mattawan) and the Gatineau principally residing at the Mission of Lake of Two Mountains.



Page 16 Crown Land Department Quebec,
Schedule of the distribution of the Indian Lands, Lower Canada, 14+15 Vic



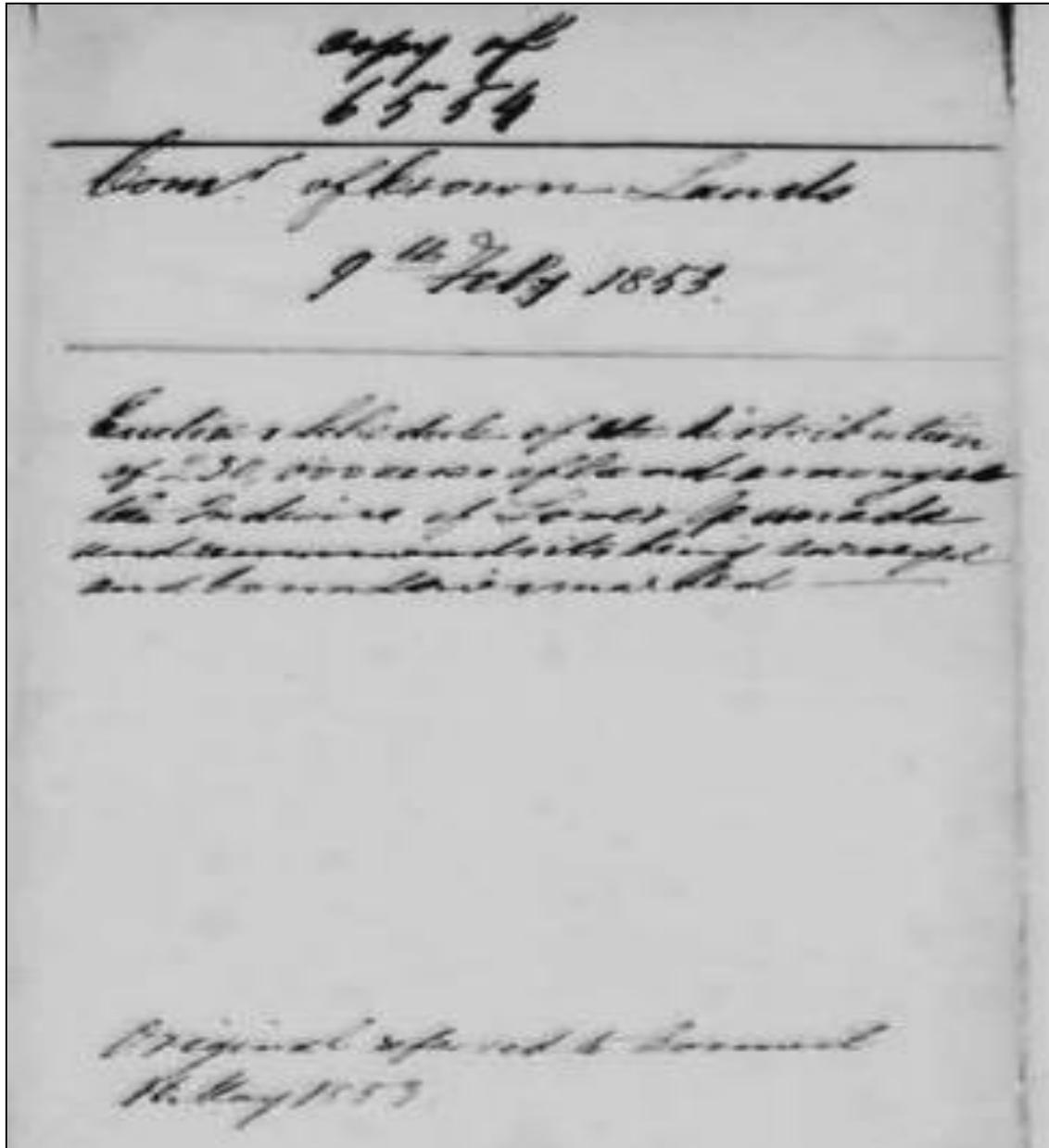
Page 17-18

Letter from **February 1853** concerning: Becancour, St. Francis and Sillery, from **John Rolph, Commissioner of Crown Lands** to the **Honorable Colonel Bruce, Superintendent General of Indian Affairs**.

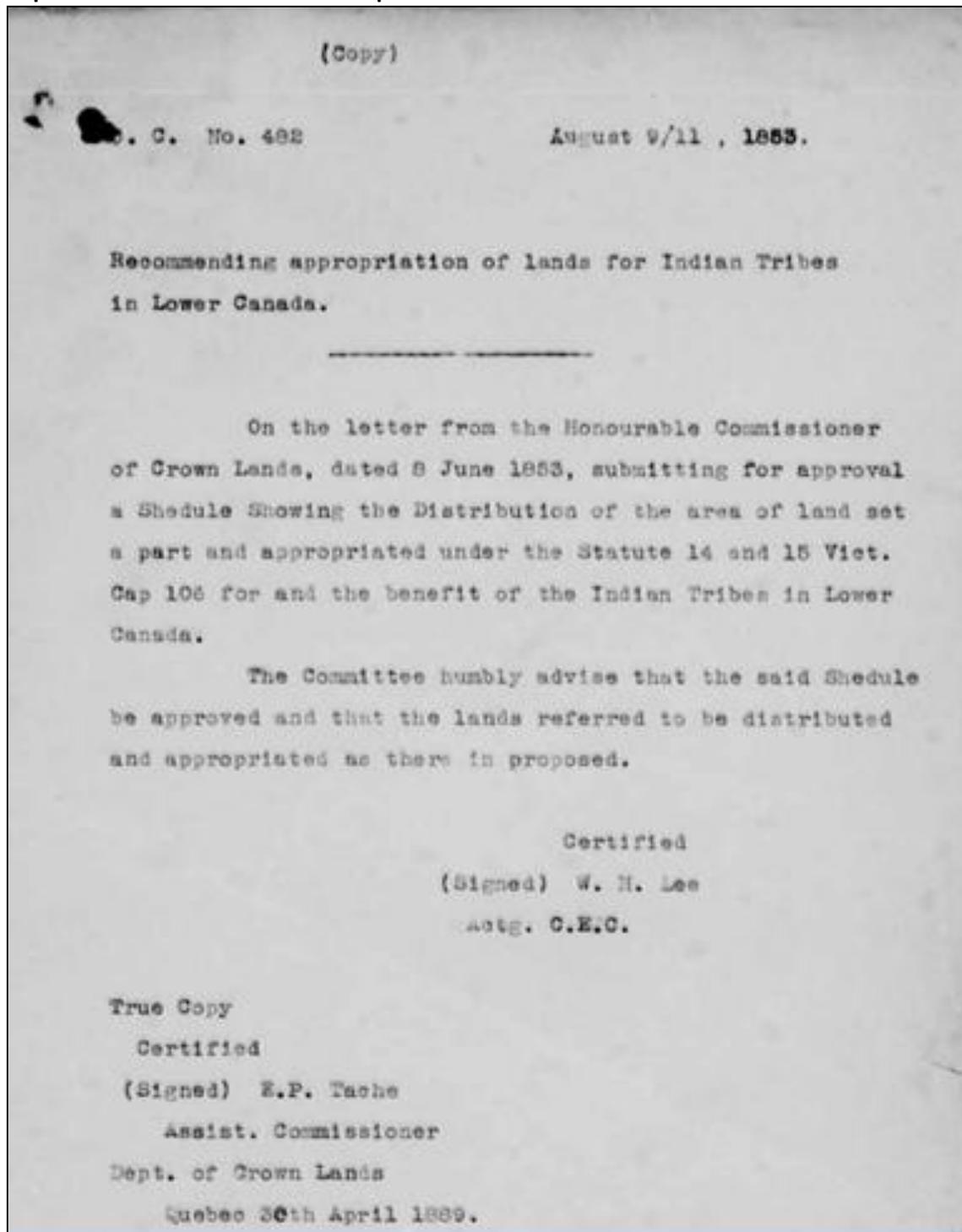
Page 19:

*"Encloses Schedule of the distribution
Of the 230,000 acres of land acreages
to the Indians of Lower Canada
and recommend its being acreaged
and boundaries marked."*

*"Original in the Council
10th May 1853."*



Page 20 William W. H. Lee." (C.E.C., Clerk of Executive Council of Indian Affairs) exposes that the Schedule Showing the Distribution of lands under the Statute 14 and 15 Vict. Cap 106 is approved by his Superior instance. Approved by E.P Tache, Assistant Commissioner of the Department of Crown Lands on 30 April 1889.



Page 21 Schedule Showing the distribution of the area of land set apart and appropriated under the statute 14 and 15 Vict. Art 106 for the benefit of Indian Tribes in Lower Canada.

Schedule
Showing the distribution of the area of land set apart and appropriated under the Statute 14th & 15th Vict. ch. 106 for the benefit of Indian Tribes in Lower Canada.

County	Township or Locality	No of acs	Description of the Boundaries	Name of the Indian Tribe	Remarks	
Ottawa	Lake Temiskamingue	35,400	A tract 1/2 mi long along the River Ottawa or Des Quatre Lacs in breadth from the international boundary between the Prov. of Ontario and Lower Canada at the head of Lac Temiskamingue by 1/2 mi in depth	Nipicongue, Algonquins & Ojibwas	Yamadic Tribe inhabiting the County situated by the Ottawa adjacent to Hudson's Bay Territory	
	Mamouche or Riviere Desaut	45,700	A tract on the west bank of the Lac Beauport bounded on the N. & E. by the Riviere Desaut & on the W. by the Riviere Desaut, averaging 1/2 mile in front by 5 in depth	Tetes de Boeuf, Algonquins & Ojibwas	Tribe inhabiting on the Territory between the St Maurice & Lac Beauport principally residing at the mission of Sts of St. Mountain	
Magpie	Ormeau, Descais, North River, St. Lawrence, La Pique	2,110 16,000 16,000	Lot 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	Beaucoum Indian, Council of Council, through St. Vincent, St. Jean, Algonquins & Beaucoum	Village of Beaucoum Canghmaraga Dwelling on the bank of the St. Maurice settled in the vicinity of Three Rivers at St. Francis Indian Council, Selby	Surge do do do
Portneuf	Artemont	9,600	A tract 3/4 mi long on the N.W. Branch of the Riviere Desaut by 5 in depth	Council	Indian Council, Selby	
Compton	Viger	3,600	A tract in rear of the land bounded N. & E. by 1/2 mi, ranged by lot 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000	Amalut	Resident Tribe upon an allocation by Government	do
Compton	Mamou	9,600	A tract 3 miles in front by 5 in depth at summit of the Riviere Desaut	St. Jean	Miscellaneous Point, Pointe-aux-Lacs	do
Compton	Pointe-aux-Lacs	16,000	A tract 5 miles on the Riviere Desaut, North of Lake St. John	Montagnais, St. Jean & Esquimaux	Indians having their hunting grounds along the Riviere Desaut situated	do
Compton	Metabetchuan	4,000	Two ranges 1 st & 2 nd South of Lake St. John	St. Jean	Indians having their hunting grounds along the Riviere Desaut situated	do
Compton	Mamouche	70,000	On the Riviere Desaut, from the Riviere Desaut to the Riviere Desaut	St. Jean & Esquimaux	Indians having their hunting grounds along the Riviere Desaut situated	do

Page 21 Schedule Showing the distribution of the area of land set apart and appropriated under the statute 14 and 15 Vict. Art 106 for the benefit of Indians Tribes in Lower Canada. ENLARGED.

County	Township or Locality	No of acres	Description of the Boundaries	Name of the Indian Tribes	Remarks	
Ottawa	Lake Temiscamingue	35,000	A tract of 35,000 acres along the River Ottawa & Des Ganges 6 miles in breadth from the divisional boundary between the Province of Quebec and Lower Canada at the head of Lac Temiscamingue by 11 miles in depth	Mikisongue, Agokongue & Outaouais	Nomadic Tribes inhabiting the County situated by the Ottawa adjacent to Hudson's Bay Territory	
	Maniwaki or Riviere des Outaouais	45,760	A tract in the West bank of the Ottawa bounded on the N. E. by the Riviere des Outaouais, on the N. W. by the Bay of Agokongue & on the S. by the Riviere des Outaouais, 9 miles in front by 8 in depth	Etits de Pele Al Agokongue & Agokongue	Tribes hunting in the Territory between the St Maurice & Ottawa not settled here principally residing at the mouth of Lake St Maurice	
Montreal	Riviere des Outaouais	2,110	Lot 1st 125, 170, 180, 185, 190, 195, 200, 205, 210, 215, 220, 225, 230, 235, 240, 245, 250, 255, 260, 265, 270, 275, 280, 285, 290, 295, 300, 305, 310, 315, 320, 325, 330, 335, 340, 345, 350, 355, 360, 365, 370, 375, 380, 385, 390, 395, 400, 405, 410, 415, 420, 425, 430, 435, 440, 445, 450, 455, 460, 465, 470, 475, 480, 485, 490, 495, 500, 505, 510, 515, 520, 525, 530, 535, 540, 545, 550, 555, 560, 565, 570, 575, 580, 585, 590, 595, 600, 605, 610, 615, 620, 625, 630, 635, 640, 645, 650, 655, 660, 665, 670, 675, 680, 685, 690, 695, 700, 705, 710, 715, 720, 725, 730, 735, 740, 745, 750, 755, 760, 765, 770, 775, 780, 785, 790, 795, 800, 805, 810, 815, 820, 825, 830, 835, 840, 845, 850, 855, 860, 865, 870, 875, 880, 885, 890, 895, 900, 905, 910, 915, 920, 925, 930, 935, 940, 945, 950, 955, 960, 965, 970, 975, 980, 985, 990, 995, 1000	Beaucoum Indians	Village of Beaucoum	Surveyed
Quebec	North River of St Lawrence	16,000	Aquatic Township near of Weyford	Agokongue & Agokongue	Agokongue & Agokongue	
Portneuf	La Pique	16,000	A tract on the River St Maurice 5 miles square -	Etits de Pele Al Agokongue & Agokongue	Agokongue & Agokongue	

Page 21 Schedule Showing the distribution of the area of land set apart and appropriated under the statute 14 and 15 Vict. Art 106 for the benefit of Indians Tribes in Lower Canada. **ENLARGED.**

Megantic, Leinster:

Plaine Doncaster, 2000 acres, **Becancour Indians.**

North River St. Laurence, 16,000 acres, Aquatic Township in rear of **Wexford, Iroquois, Caughnawaga, Montreal.**

NOTE: in this one: Only Caughnawaga is mentioned and not Two Mountains.

<p>Megantic Leinster</p>	<p>Plaine Doncaster 2000</p>	<p>Act 14 & 15 1853</p>	<p>16,000 acres in Aquatic Township in rear of Wexford</p>	<p>16,000 acres in Aquatic Township in rear of Wexford</p>	<p>Montreal Caughnawaga</p>	<p>enlarged</p>
<p>Montreal</p>	<p>St. Laurence 16,000</p>	<p>Act 14 & 15 1853</p>	<p>16,000 acres in Aquatic Township in rear of Wexford</p>	<p>16,000 acres in Aquatic Township in rear of Wexford</p>	<p>Montreal Caughnawaga</p>	<p>enlarged</p>

Page 22 Schedule Showing the distribution of the area of land set apart and appropriated under the statute 14 and 15 Vict. Art 106 for the benefit of Indians Tribes in Lower Canada. **ENLARGED.**
 Megantic, Leinster: **from 23 February 1858, by Joseph Wauhebe:**

Plaine Doncaster, 2000 acres, Lots N.48 123 1758 in 10th Q 688 in 12th R Lot ...8 ... Rang Becancour Indians.

North River St. Laurence, 16,000 acres, Aquatic Township in rear of Wexford, Iroquois, Caughnawaga and 2 (Two) Mountains.

Note: Here the Iroquois of Two Mountains were added

	Megantic	45,750	A tract in the ... of the ... bounded on the ... by the ... on the ... by the ... growth, average 9 mubs on front by 5 in depth	Petit ...	Indians hunting on the ...	
	Plaine Doncaster	2,000	Lot ...	Rang Becancour	Village of Becancour	Enlarged
	North River St. Laurence	16,000	Aquatic Township in rear of Wexford	Caughnawaga		do
	La Pique	16,000	A tract on the ... St. Maurice 5 miles square	Algonquins	Indian Lorette, Lally	Enlarged
	Reymont	9,600	A tract 3 m on front ... by 5 m in depth	Caron		Enlarged
	Viger	3,600	A tract in rear of ... bounded ... by 3 m ...	Amalut	Resident Tribe upon an ...	do
	Mann	9,600	A tract 3 miles in front ... by 5 m in depth ...	Montagnais	Mission Point Restigouche	do
	Peulmea River	16,000	A tract 5 miles on the ... North of Lake St. John	John & ...	Indians having their hunting grounds along the ...	do
	Metabetchuan	4,000	3 ranges ... South of Lake St. John			do
	Manonagan	70,000	On the River St. Laurence, from the River des ...			do
		237,000				

Crown Land Department
 Toronto 23 July 1858
 (Signed) Joseph Wauhebe

Certified true copy of the original
 of record in this Department.
 Assistant Commissioner
 Department of Crown Lands, Quebec, 25th 1858

Page 22

SCHEDULE: Shewing the distribution of the area of land set apart and appropriated under the Statute 14th and 15th Vict., Ch. 106, for the benefit of Indian Tribes in Lower Canada.

County	Township or Locality.	No. of Acres.	Description of Boundaries.	Names of the Indian Tribes.	Remarks.	
Megantic, Leinster	Plaine Doncaster	2,000	Lots N.48 123 1758 in 10 th Q 688 in 12 th R Lot ...8 ...	Becancour Indians	Village Becancour.	Surveyed.
	North River St. Laurence	16,000	Aquatic Township in rear of Wexford	Iroquois of Caughnawaga and 2 Mountains	Caughnawaga	Surveyed.

Certified a true copy of the original of record in this Department.

(Sgd.) E. E. TACHÉ,

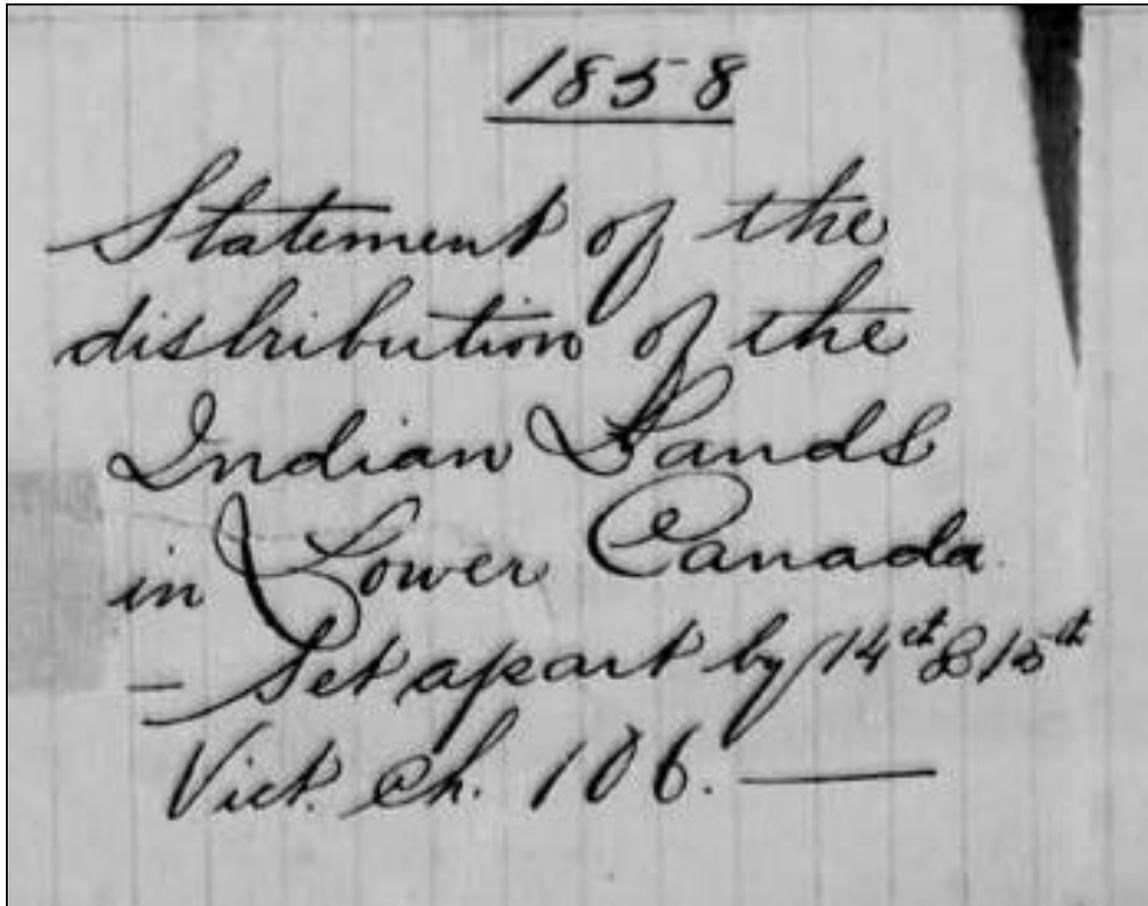
Assist.-Commissioner,

Department of Crown Lands, Quebec, 30th April, 1889.
Crown Land Department, Toronto, 23rd February, 1858, Ind.

(Sgd.) Joseph Wauhebe,

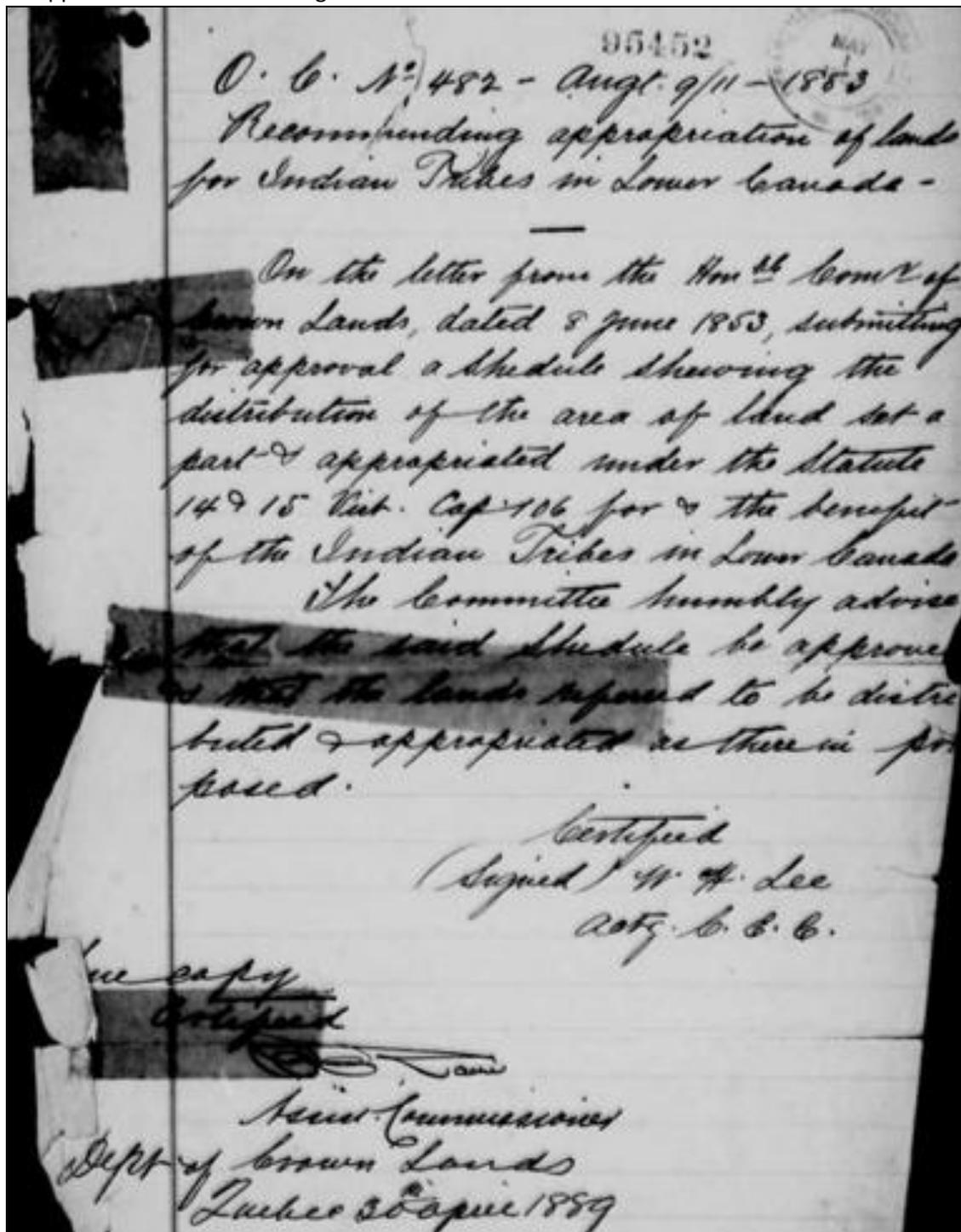
P.L.

Page 23 Page title: **1858: statement of the Indian Lands in Lower Canada. –Set apart by 14th and 18th, Vict. Ch. 106.-**

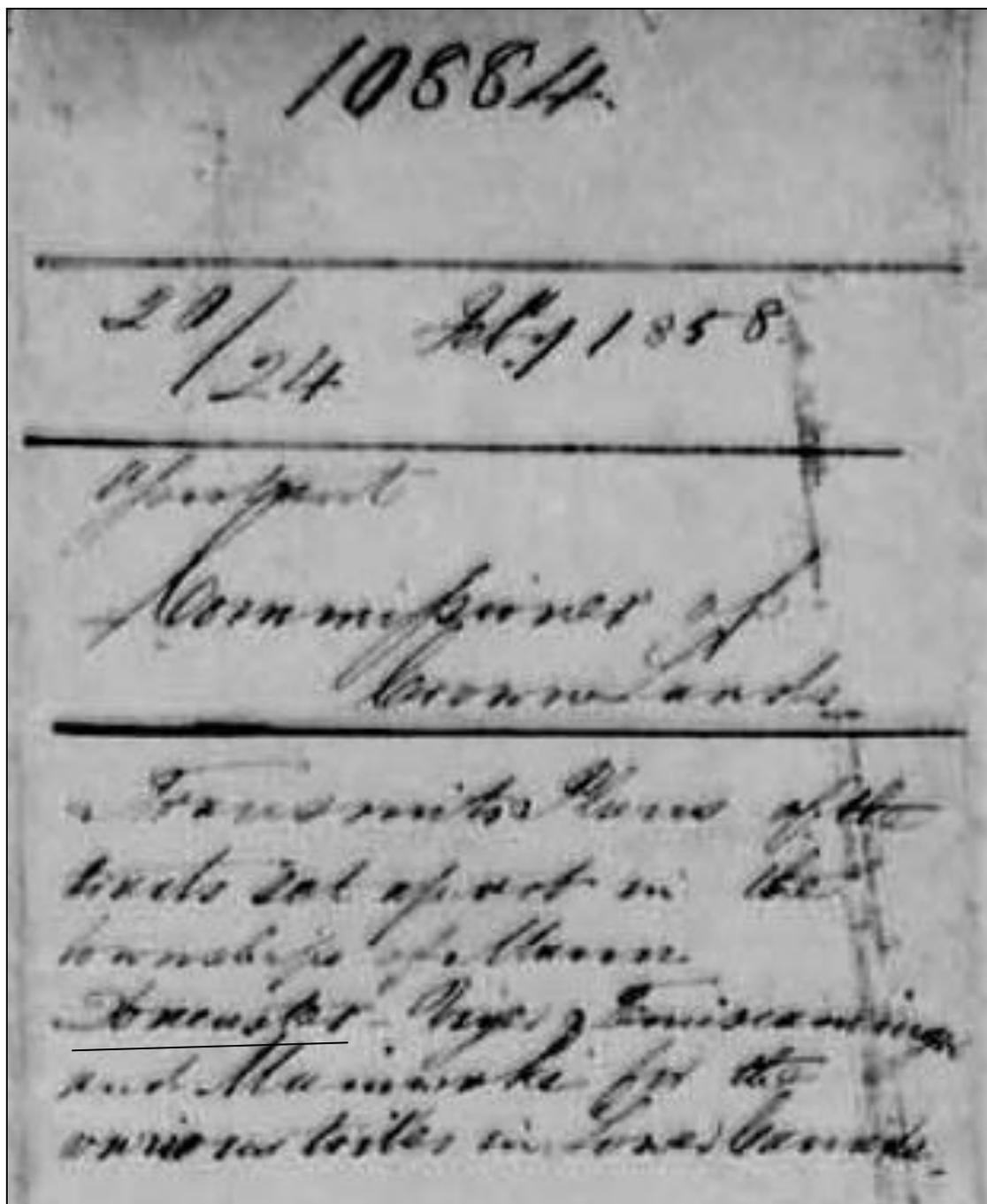


1858
Statement of the
distribution of the
Indian Lands
in Lower Canada.
— Set apart by 14th & 18th
Vict. Ch. 106. —

Page 24 Letter from **William H. Lee** (C.E.C., Clerk of Executive Council of Indian Affairs) from **August 9/11, 1853**, Recommending appropriation of Land for Indian Tribes in Lower Canada, citing a letter from the **Superior Commissary of Crown and Lands** from **8 June 1853**, submitting for approval a schedule showing the distributions of acres.



Page 25 Letter of **20/24 July 1858**, **Assistant, Commissioner of Crown Lands** transmits plans of the tracts lot apart in the township of Mann, **Doncaster**, Viger, Temiscaming and Maniwaki for the Indian Tribes in Lower Canada.

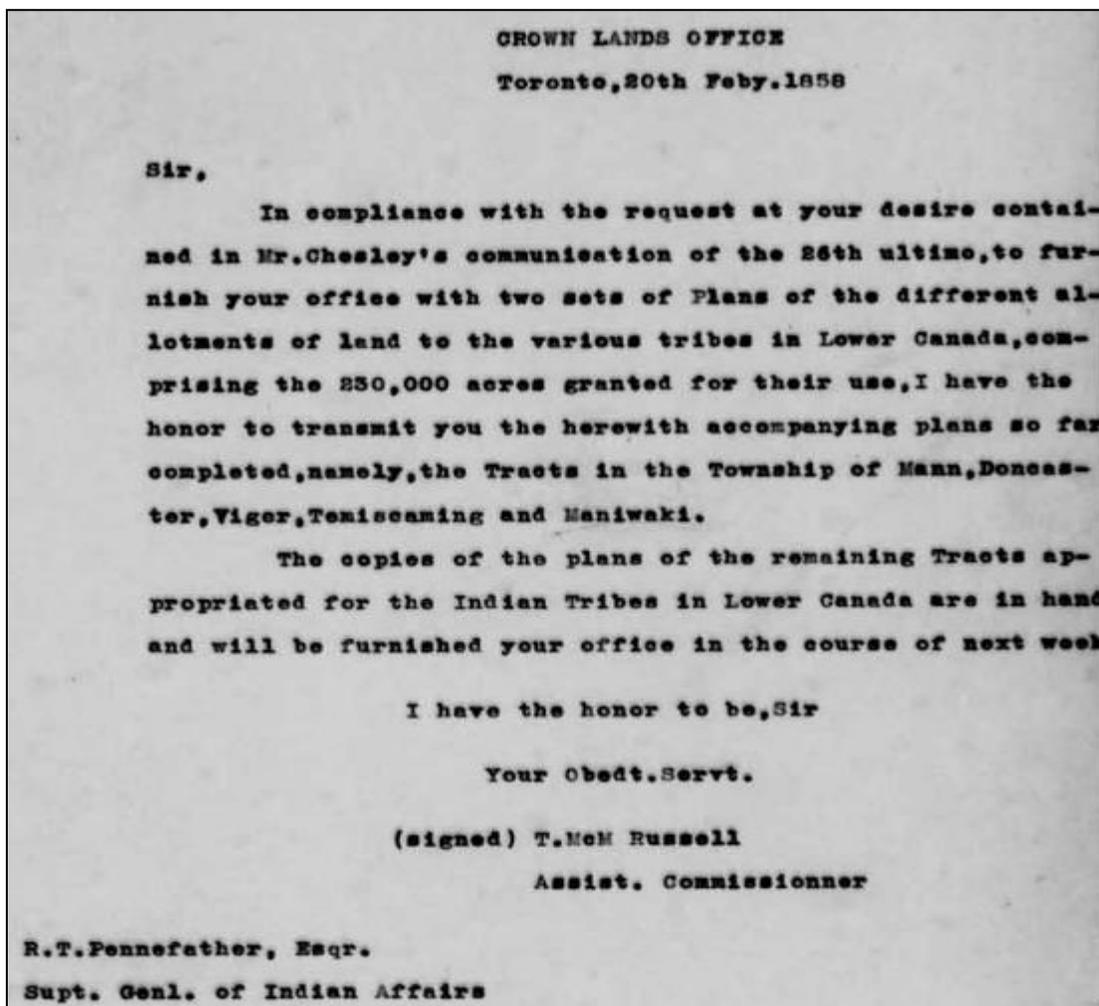


Page 26-27 were retranscribed in typewriter on pages 28-29, double (Copy)

Letter from **Andrew Russell, Assistant Commissioner** to **Richard Theodore Pennefather, superintendent-general**, from **February 20, 1858** (Signed).

Pennefather, was superintendent-general, was the official head of the Indian Affairs. His greatest contribution to Canada was his chairmanship of a three-man commission which conducted an inquiry from 1856 to 1858 into the Indian Department's operations.

The report of 1858 provided a complete picture of the department and of the Indian bands of the province through use of a massive number of statistics. It was noted with surprise that efforts to "civilize" the Indians were still piece-meal despite almost 30 years of such a policy. Because the Indians did not respond to attempts at "civilization," and because of the lack of organization and funding in the department, conditions among the Indians were not good in the late 1850s.²⁰



²⁰ Douglas Leighton, "PENNEFATHER, RICHARD THEODORE," in *Dictionary of Canadian Biography*, vol. 9, University of Toronto/Université Laval, 2003–, accessed May 5, 2017, http://www.biographi.ca/en/bio/pennefather_richard_theodore_9E.html.

Page 26-27 were retranscribed in typewriter on pages 28-29, double: (Copy)

Letter from Andrew **Russell**, Assistant Commissioner to **Richard Theodore Pennefather**, **superintendent-general**, from **February 20, 1858** (Signed).

Signature on the original:

appropriated for the Indian Tribes
in Lower Canada, are in
hand and will be furnished
your Office in the course
of next week.

I have the honor to be,
Sir,
Your Obedt. Servt.

Andrew Russell
Asst. Commissioner

Page 30 Letter from Assistant of Crown Lands of the Province of Quebec to H Vankoughnet, Esquire Superintendent General of Indian Affairs from 30 April 1889.

"Sir,

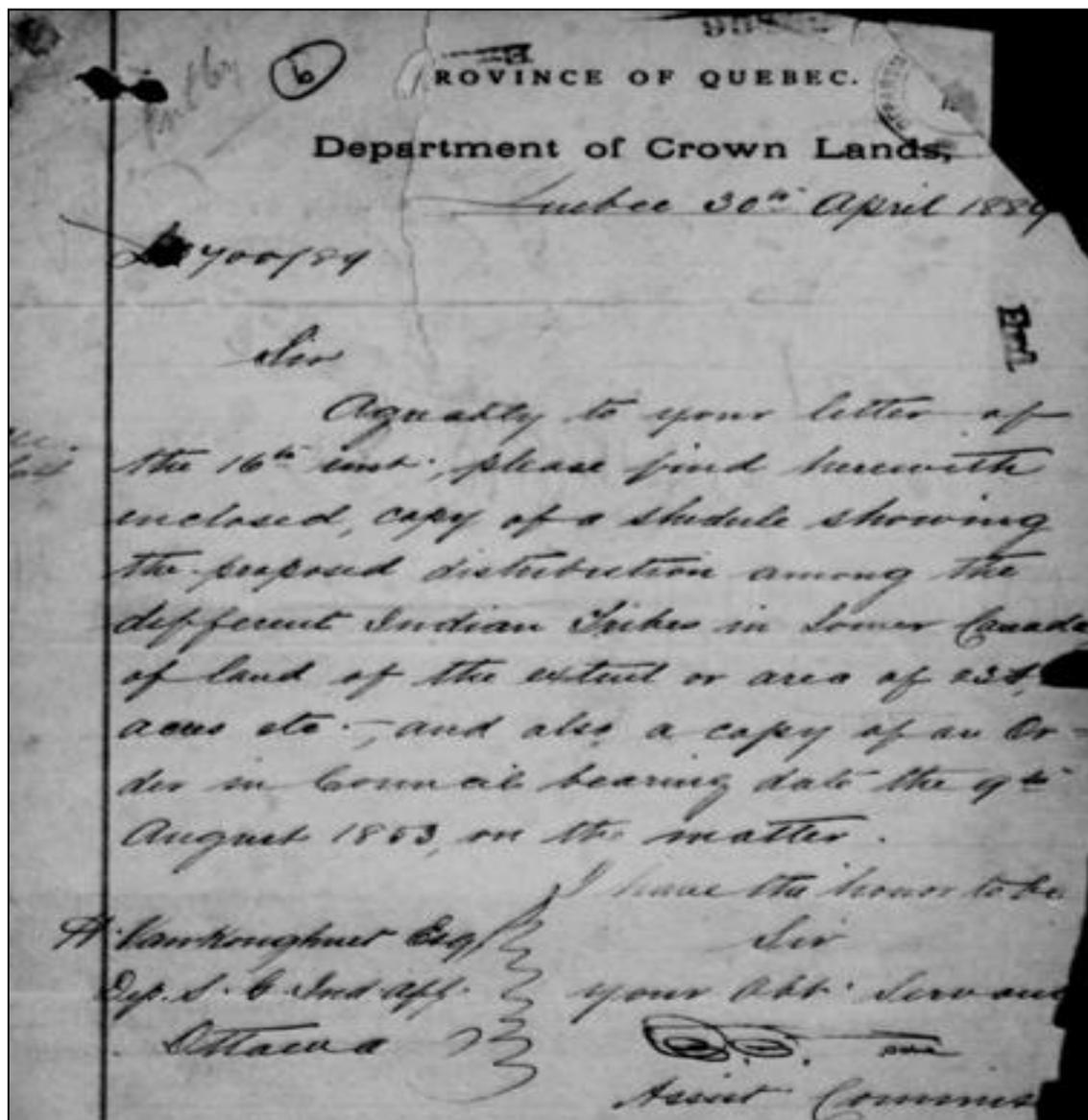
Agreeably, to your letter of the 16th inst, please find herewith enclosed, copy of a schedule showing the proposed distribution among the different Indian Tribes in Lower Canada of Land of the extent or acres of 23 f acres etc. And also a copy of an order in Council bearing date the 9th August 1853 on the matter.

I have the honor to be Sir

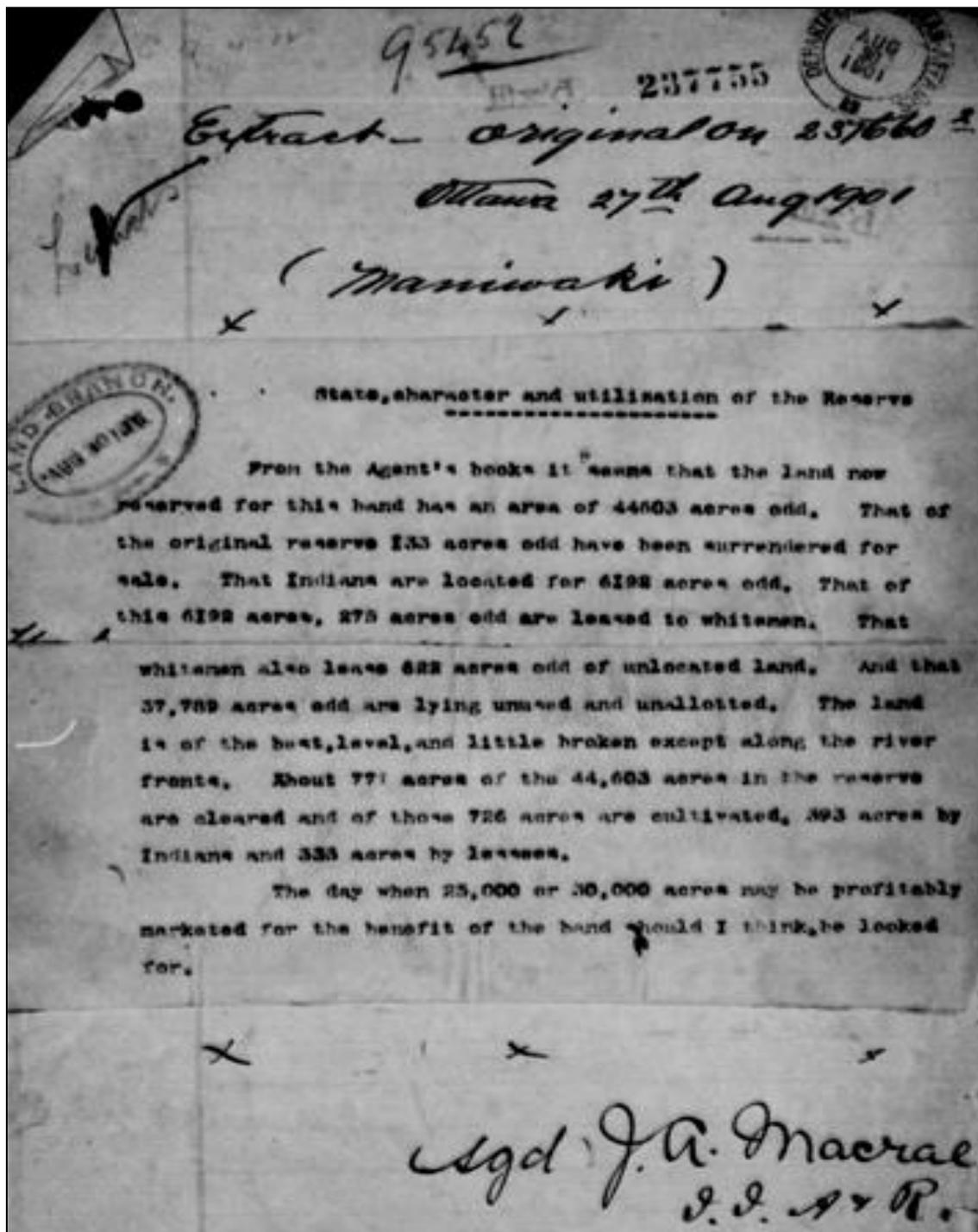
You Obt. Servant

(Perhaps Andrew Russell)

Assistant Commissioner

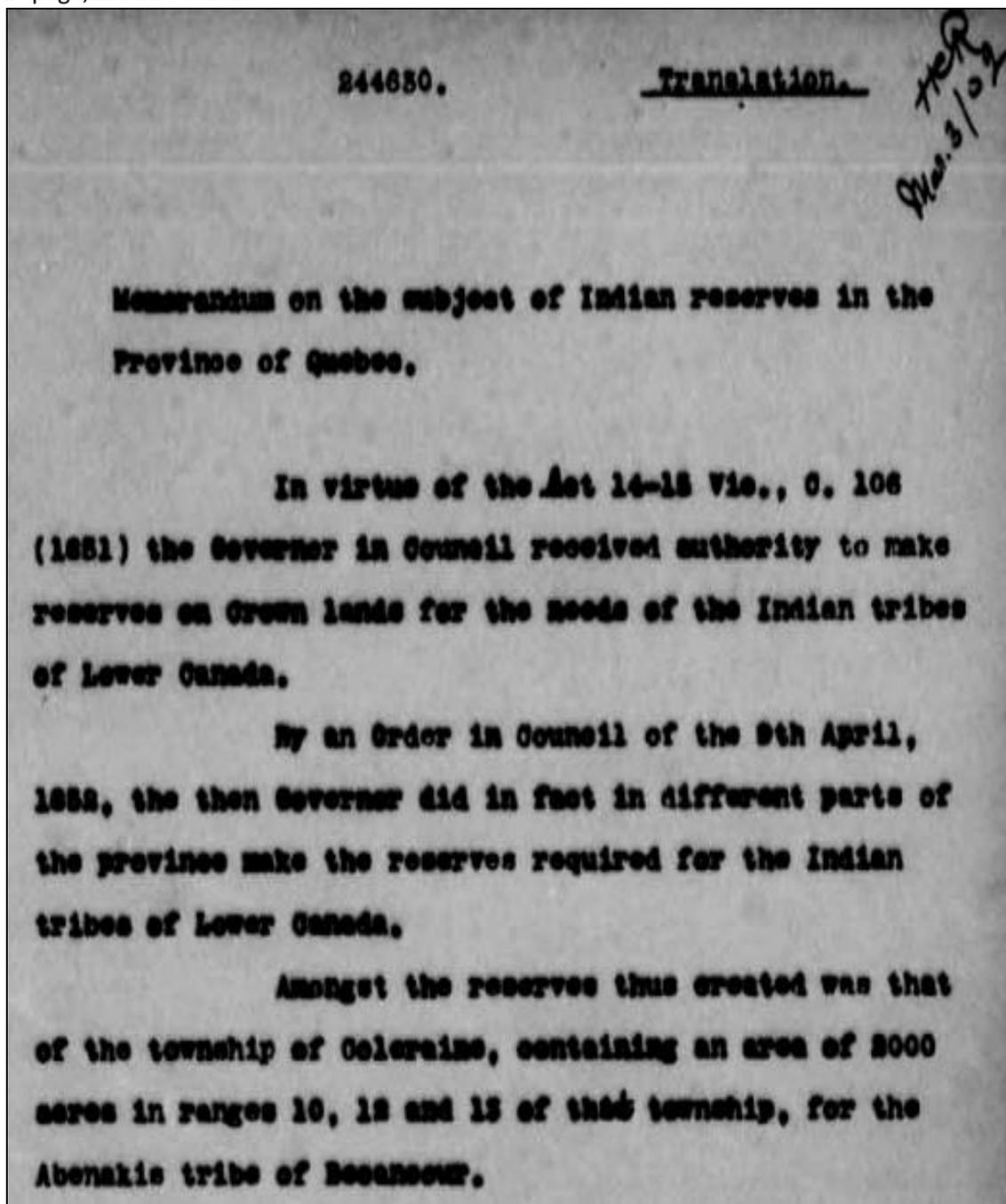


Page 31 Extract of a letter from the **Indian Agent J.A. Macrae**, Ottawa, from **27 August 1901** citing the previous legal contentious of *white men cutting wood, exploiting the reserve of Maniwaki*, "*State, Character and Utilisation of the Reserve*" annexed with a "*Memorandum on the Subject of Indian Reserves in the Province of Quebec*", from **S.W. Parent, Minister of Lands, Mines and Fisheries**, from **27 August 1901** annexed by **Macrae**, from **March 3, 1902**.



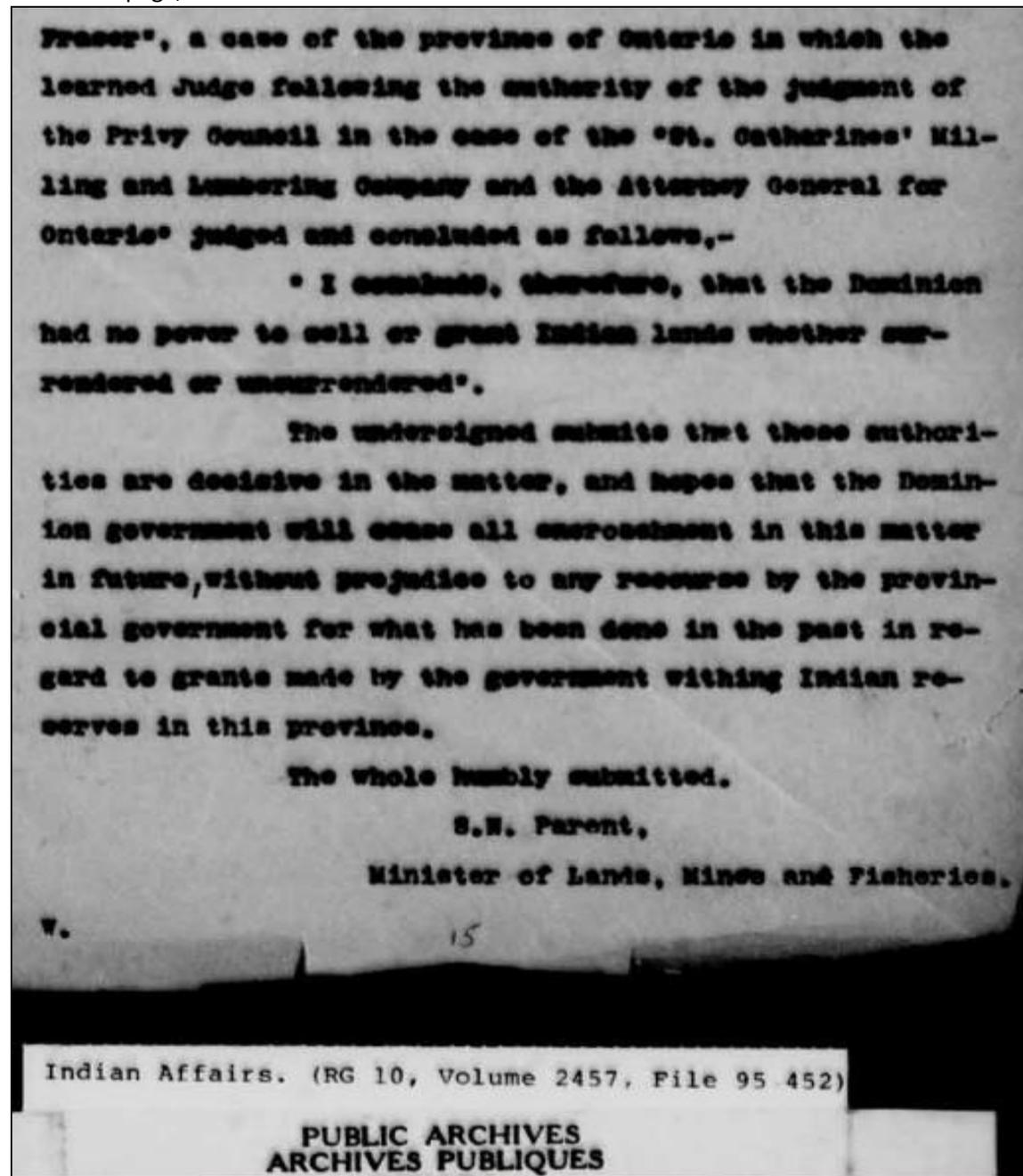
Page 32 "Memorandum on the Subject of Indian Reserves in the Province of Quebec", from S.W. Parent, Minister of Lands, Mines and Fisheries, from 27 August 1901 annexed by Macrae, from March 3, 1902. (First and last page 1/4)

1st page, 1: FIRST PAGE

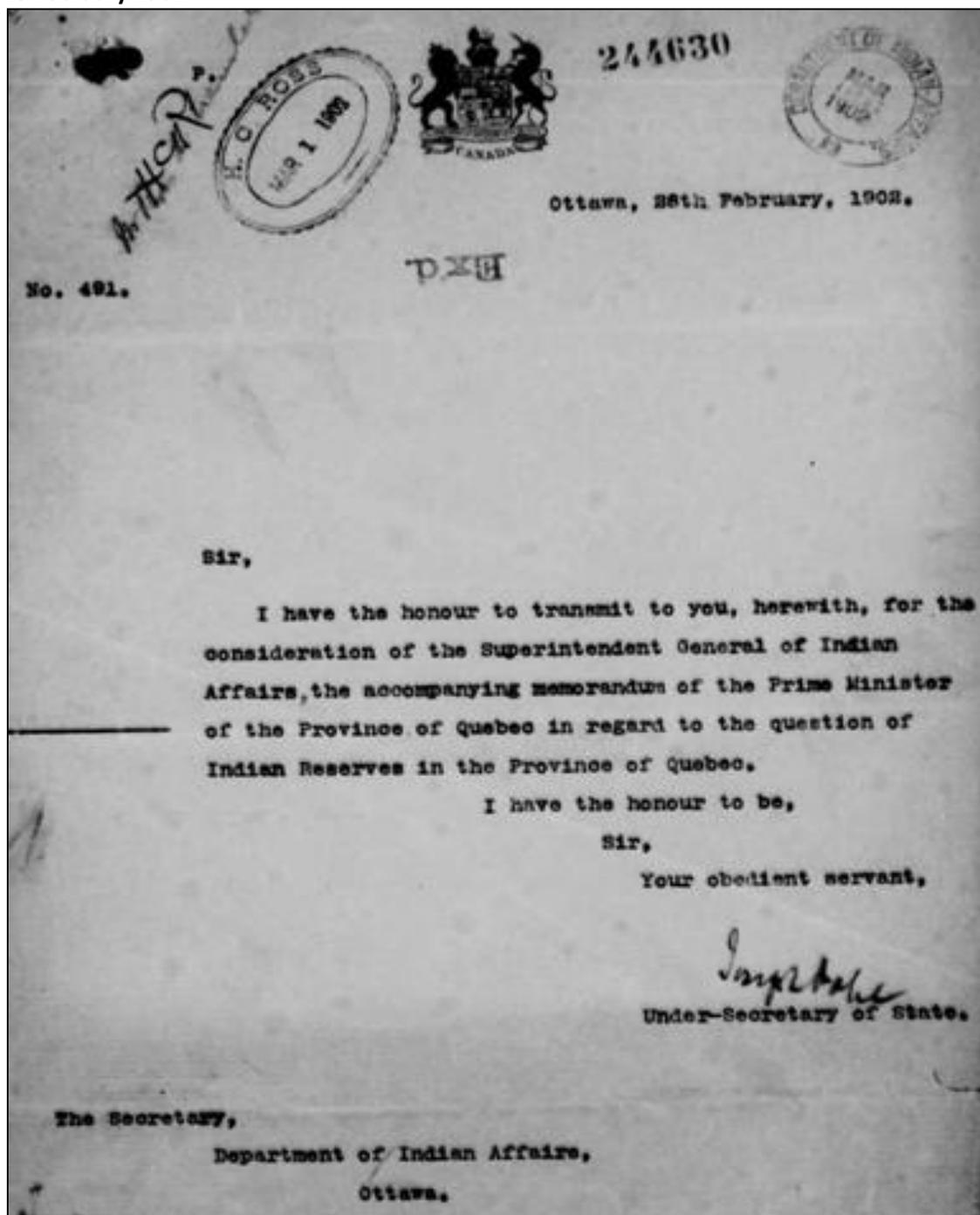


Page 35 "Memorandum on the Subject of Indian Reserves in the Province of Quebec", from S.W. Parent, Minister of Lands, Mines and Fisheries, from 27 August 1901 annexed by Macrae, from March 3, 1902. (Last page 4/4)

1st and last page, 4: LAST PAGE



Page 36 Letter from Joseph Pope, Under-Secretary of State²¹ to the Secretary of Indian Affairs, 28 February 1902.



²¹ P. B. Waite, "POPE, Sir JOSEPH," in *Dictionary of Canadian Biography*, vol. 15, University of Toronto/Université Laval, 2003–, accessed May 5, 2017, http://www.biographi.ca/en/bio/pope_joseph_15E.html.

Page 37

Letter from **G.M. Matheson** to the **Secretary of Indian Affairs** regarding “*Memorandum on the Subject of Indian Reserves in the Province of Quebec*”, from **S.W. Parent, Minister of Lands, Mines and Fisheries**, from **27 August 1901** annexed by **Macrae**, from **March 3, 1902**, as previously seen on page 32, with web-link to Library and Archives Canada²², presenting a copy of the same on page 38 to 41.

Pages 38 to 60

A booklet gathering several provincial precedents, jurisprudences and a memorandum linked to *Ste Catherine’s Milling and Lumbering Company*, from **S.W. Parent, Minister of Lands, Mines and Fisheries** from **1902**.

Pages 61 to 120

Maniwaki and Ouatchouan: Several Jurisprudences concerning mining companies.

²² LAC reel c-11224, consulted on March 2014

http://collectionsCanada.gc.ca/pam_archives/index.php?fuseaction=genitem.displayItem&rec_nbr=2082318&lang=eng&rec_nbr_list=2082319,2082318

-*An Act for Upper Canada* (Ontario) prohibited dealing with Natives, to enter their lands, and prohibited them from seizing or settling on these lands under any pretext whatsoever.

-The Canadian government recognized two types of Indian lands; hunting territories and lands granted to natives directly through the missionaries. The act provided a compensation of a *1 000 pounds* yearly to be distributed among the nations including those lands which have been usurped or ruined by the development of Canada.

1857

Adoption of ***An Act to Encourage the Gradual Civilization of the Indian Tribes in the Province was passed by the fifth Parliament of the Province of Canada*** (formally Upper Canada and Lower Canada).

This was the beginning of the principle of legal emancipation, which aimed to encourage Aboriginal men to give up their status and rights in order to be integrated into the Canadian society.

1860

The Colonial Office assigned the responsibilities of *Indian Affairs* to the provincial governments. In Quebec, the Indian Affairs will be under the responsibilities of the department of the Crown Lands until 1867 managed under ***An Act respecting Indians and Indian Lands***.²³

²³ *An Act respecting Indians and Indian Lands*, taken from *Christian Aboriginal Infrastructure Developments* website–, accessed June 2, 2017
<http://caid.ca/http://caid.ca/IndLanAct1860.pdf>

1850-1970 Major themes concerning laws and jurisdictions

1867

Adoption of the Constitution under the **British North America Act** (Amended by the Constitution in 1982), uniting Lower Canada (Quebec) and Upper Canada (Ontario), Nova Scotia and New Brunswick. The Constitutional Law of 1867 allocates to the Parliament of Canada jurisdiction over "**Indians and the lands reserved to the Indians**" (article 91) Canada will pursue treaty policies.

1868

The Federal Parliament adopted **An Act providing for the organisation of the Department of the Secretary of State of Canada, and for the management of Indian and Ordinance Lands, S.C. 1868, c. 42**. The Act is based on the policy of protection, assimilation and Christianization prior to confederation, bringing together all the previous Indian laws.

1869

Adoption of an amendment to the **Indian Act** entitled **An Act for the gradual enfranchisement of Indians, the better management of Indian affairs, and to extend the provisions of the Act 31st Victoria, Chapter 42, S.C. 1869, c. 6m** which gave greater powers to the Superintendent of Indian Affairs. It establishes municipal administrations on reserves. It also aims to teach the Amerindians how the whole of European society works and to facilitate their assimilation within it.

1876, The Indian Act

The overhaul of all laws concerning Natives gave birth to **The Indian Act**: aiming to assimilate aboriginals with the compulsory emancipation of women who marry non-Indians (they lose their Indian status). It also establishes a guardianship over the Indians and their lands.

Cultural events are also monitored closely. Subsequent legislation will prohibit certain traditions, including Aboriginal ceremonies and dances. The administration of Indian affairs in Canada is still based on **The Indian Act** adopted in 1876.

Considered temporary, it aimed at the assimilation of Aboriginal people into white society. Until the mid-1950s, Indian Affairs officers controlled virtually every aspect of the lives of Aboriginals on reserves.

1880

An amendment on **The Indian Act** allowed the "emancipation" of any Indian who obtains a university degree". Emancipation is a renunciation of the Indian Status.

1884

An amendment to **The Indian Act** prohibits "*potlatch*", traditional ceremonies where goods are redistributed among Aboriginal peoples.

This prohibition stayed in force until 1951: the return of the veterans medalists was a major point of this modification to make Canada look good in international appearance, during their appointments for past services.

1850-1970 Major themes concerning laws and jurisdictions

1889

An amendment to *The Indian Act* allows the federal government to override opposition from Indian bands to lease their land.

1898-1899

Federal government imposes band councils to Aboriginal communities.

1922, *The Quebec Lands and Forests Act of 1922*, which had straight effects on Tiowero:ton.

The Quebec Lands and Forests Act of 1922 authorizes the Government of Quebec to reserve lands for the use of Aboriginal peoples. Under the Act, the maximum area of Indian reserves in Quebec is increased from 230,000 acres to 330,000 acres.

1923

Creation of more northern reserves (James Bay and Northwestern Quebec).

1927

An amendment to *The Indian Act* prohibits aboriginal peoples from raising funds for claims without the written consent of the Superintendent to Indian Affairs. The authorization of the Department of Indian Affairs becomes necessary in order for a lawyer or other individual to be paid for the recognition of their rights by Aboriginal people.

1933

An amendment to *The Indian Act* forces the "emancipation" of any aboriginal person who obtains a university degree.

1960

Aboriginals get the right to vote at the federal level.

1960

With Aboriginal responsibility under federal jurisdiction, closer relations between the province of Quebec and the Aboriginal peoples began in the 1960s.

1969

Aboriginal people get the right to vote at the provincial level. (Applied in 1976 1st time.)

1970

The federal government funds Aboriginal groups and organizations to conduct research on Aboriginal treaties and rights.

An Act respecting Indians and Indian Lands. C.S.L.C. 1860; c. 14.²⁴

This legislation had a pervert impact on the lives of our ancestors considering the restrictions presented which then seemed to be relieving at first, giving eventual chances, or perhaps hopes, for further developments for our communities.

Though, the restrictions and limitations incurring under the paternal hand of the Crown managed by diplomats who mainly had industrial and mining developments in mind led to creating a pass for the squatters until the to the *Star Chrome wood company's* precedent in Ontario's court which had its impact in Quebec as well for several First Nations communities, as exposed in the next chapter.

Even though *An Act respecting Indians and Indian Lands* which obtained effects in 1860, the articles exposed below, seemed void considering the provincial managements of natural resources, as in the province Quebec then since after Canadian Confederation in 1867, the responsibilities for provincial crown lands and for natural resources were assigned to the provinces (Ontario and Quebec) while the responsibility for fisheries and Indian Affairs were transferred to the new federal government.

The **Commissioner of Crown Lands** was a member of the Executive Council for the *Province of Canada* responsible for administering the surveying and sale of Crown land, the forests, mines, and fisheries of the Province. From 1841 to 1867 the Department of Crown Lands was the biggest of the Province of Canada's departments. It assumed responsibility for mining in 1846, for fisheries in 1857, and for Indian Affairs in 1860. It functioned on a dual basis, with each branch divided into two separate sections, one for Upper Canada and one for Lower Canada.²⁵

Protection of property of Indians was an active article on the *An Act respecting Indians and Indian Lands* of 1860, under the Article 7 entitled *Appointment of a Commissioner of Indian Lands- His powers and duties*. It writes:

“The Governor may appoint from time to time a Commissioner of Indian Lands for Lower Canada, in whom and in whose successors by the name aforesaid, all lands or property in Lower Canada, appropriated for the use of any tribe or body of Indians, shall be vested in trust for such tribe or body, and who shall be held in law to be in the occupation and possession of any lands in Lower Canada actually occupied or possessed by any such tribe or body in common, or by any chief or member thereof or other party for the use or benefit of such tribe or body, and shall be entitled to receive and recover the rents, issues and profits of such lands and property, and shall, in and by the name aforesaid, subject to the provisions hereinafter made, exercise and defend all or any of the rights lawfully appertaining to the proprietor, possessor or occupant of such lands or property”

²⁴ Ibid 17

²⁵ "Report of the Minister of Lands and Forests for the Province of Ontario, For the Year ending 31st October, 1928". Legislative Assembly of Ontario. 1929. pp. 7–8. Retrieved 4 October 2013.
<https://archive.org/stream/reportofminister192730ontauoft#page/n150/mode/1up>

Also, the Art.12 of the Act entitled *Powers to extend to certain lands* exposed:

“Tracts of land in Lower Canada, not exceeding in the whole two hundred and thirty thousand acres, may, (in so far as the same has not been already done under the Act 14, 15 Victoria, chapter 106) under orders in council to be made in that behalf be described, surveyed and set out by the Commissioner of Crown Lands, and such tracts of land shall be respectively set apart and appropriated to and for the use of the several Indian tribes in Lower Canada, for which they arc respectively directed to be set apart in any order in Council, made as afore-said, and the said tracts of land shall accordingly, by virtue of this Act, and without any price or payment being required therefore, be vested in and managed by the Commissioner of Indian lauds for Lower Canada, under this Act.”

Chapter 2: Legal precedent: *The Star Chrome Mining Case, 1920* Star Chrome Wood Company: annexed jurisdiction and history

This chapter will expose the litigious positions of the Province of Quebec through funds given by the Federal Government following the CHROME MINING court precedent giving compensations to the provinces for Native Lands and reserves exploited by companies and colonisation and squatters.²⁶

The important microfilm collection from Library and Archives Canada observed during this research exposed important themes concerning the precedent court cases, to those that affected Ste Lucie of Doncaster named Tioweroton. In that period, the province of Quebec was then led by Prime Minister Taschereau who tried by several attempts to give his conditions in order to gain an interest rate for the time spent during the procedures of buying lands exploited by European so-called Squatters then, but was turned down through the previous Federal precedents from the Province of Ontario as exposed below.

In Attorney General of Quebec v. Attorney General of Canada in *The Star Chrome Mining* Case the Privy Council concluded that title and ownership was in the Crown in the right of the province: The Dominion Government had, of course, full authority to accept the surrender on behalf of the Crown from the Indians, but to quote once more the judgment of the Board in the St. Catherine's Milling Co.'s Case it had "*neither authority nor power to take away from Quebec the interest which had been assigned to that Province by the Imperial statute of 1867.*"

Duff, J. for the Privy Council, described the Indian interest in the reserve lands then under consideration as "a usufructuary right only and a personal right in the sense that it is in its nature inalienable except by surrender to the Crown". The reserve lands had been "*set apart and appropriated to and for the use of*" the Indians pursuant to an 1851 statute and had "*vested*" in a Commissioner for Indian lands pursuant to an 1850 Act for the Better Protection of the Lands and Property of the Indians in Lower Canada.

The decision of the Privy Council in *Star Chrome Mining* is not considered to require the conclusion that the Indian interest in all reserve lands is properly described as merely "usufructuary". **Duff, J.** observed that the language of the statute did "*not point to an intention of enlarging or in any way altering the quality of the interest confirmed upon the Indians by the instrument of MINERAL RIGHTS appropriation or other source of title*".

²⁶ LAC, Microfilm reel C-11224, HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1954, 222 pages

The characterization of the Indian interest as a "*usufructuary right*"²⁷ may bear upon those exceptional reserves established by executive action in Ontario and those held under original Indian title, but is not applicable to those established by agreement treaty, deed or purchase. The "*quality*" of the Indian interest, in the words of **Duff, J.** in such reserves and the mineral entitlement therein must depend upon the construction and effect accorded the particular instruments by means of which the reserves were established. It should be observed that the content of the usufructuary interest in Indian reserves has not been clearly defined in Canada.²⁸

United State jurisprudence has established the right to the commercial exploitation of the natural resources of the land insofar as "*the right of perpetual and exclusive occupancy of the land is not less valuable than the fee*". Consideration of civilian notions of the usufruct right (has the right to use-*usus* the property and enjoy its fruits-*fructus*) provides no clear analogy by which to determine Indian mineral entitlement. The concept of the right to "continue an exploitation [of mineral resources] that has already begun seems peculiarly inapplicable to the notion of the communal Indian usufruct that stretches over thousands of years in changing forms. Whatever the uncertainty of the mineral content of the usufruct generally it is suggested that it probably does not extend to precious metals.

The courts are likely to adhere to a common law notion, that the transfer of gold and silver from the Crown requires a clear expression of intention to that effect. Such conclusion comports with that already suggested with respect to reserves set apart by executive act without deed, treaty or agreement.

²⁷ Usufruct is a limited real right (or in rem right) found in civil-law and mixed a jurisdiction that unites the two property interests of *usus* and *fructus*: *Usus* (use) is the right to use or enjoy a thing possessed, directly and without altering it.

²⁸ Richard H. Bartlett, *Indian Reserves in Quebec*, ISBN 0-888880-140-8, 1984, 44 pages.

The precedent which had its repercussions for Tiowero:ton

From Ontario: the Seebold & Star Chrome Mining Case.

In 1888 the Privy Council at *St Catharine's Milling and Lumber Co. V The Queen*, 14 AC 46 that under the British North America Act, section 109, the title of lands in Ontario, reserved to First Nations through the *Royal Proclamation* of 1763, was assigned by the Crown a right of the provinces subject to Indian interests.

Upon the surrender of these lands through treaties, the full beneficial interest assigned to the Crown in the right of the province. The decision speculated difficulties for the federal instance in the establishment of Indian reserves following surrenders of the Indian title by treaties as well as the disposition of reserves concerning surrenders under the *Indian Act*.

These complexities were observed in *Ontario Mining Company v. Seybold*, [1903] AC 73 by the Privy Council in litigation between claimants relying upon letters patent issued by Canada and a claimant relying upon letters patent issued by Ontario.

The land had been surrendered by the First Nation under *Treaty #3*, set apart as reserve and then surrendered for sale under the *Indian Act* for the benefits of First nations. The Privy Council exposed the letters patent issued by Ontario which expressed:

“Lord Davey

Their Lordship agree with the Courts below that the decision of this case is a corollary from that of the *St Catharine's Milling Co. V. Reg.* The argument of the learned counsel for the appellants at their Lordship's bar was that at the date of the letters patent issued by the Dominion officers to their predecessors in title the land in question was held in trust for sale for the exclusive benefit of the Indians, and the province of Ontario. This argument assumes that the Reserve 38 B was rightly set out and appropriated by the Dominion officers as against the Government of Ontario, and ignore the effect of the surrender of 1873 as declared in the previous decision of this Board. By s.91 of the British North America Act, 1867, the Parliament of Canada has exclusive legislative authority over “Indians and lands Reserved for the Indians.” But this did not vest in the Government of the Dominion any proprietary rights in such lands, or any power by legislation to appropriate lands which by the surrender of the Indian title had become the free public lands of the province as an Indian reserve, in infringement of the proprietary rights of the province. Their Lordship repeat for the purpose of the present argument what was said by Lord Herschell in delivering the judgement of this Board in the *Fisheries Case* as to the broad distinction between proprietary rights and legislative jurisdictions. Let it be assumed that the Government of the province taking advantage of the surrender of 1873, came at least under an honourable engagement to fulfill the terms on the faith of which the surrender was made, and, therefore, to concur with the Dominion Government in appropriating certain undefined portions of the surrendered lands as Indian Reserves. The result, however, is that the choice and location of the lands to be so appropriated could only be efficiently made by the joint action of the two Governments.

In 1920, the Privy Council was required to consider the title to lands set apart for the use of Indians in Quebec pursuant to an 1851 statute and subsequently surrendered for sale pursuant to the *Indian Act* for the benefit of the Indians. Canada argued that title under the 1851 statute was conferred to the Commissioner of Indian Lands, who held the entire beneficial interest for the Indians. Canada accordingly argued that title did not vest in the province under section 109 of the *British North America Act*.

Previous court cases and jurisdictions concerning milling and lumber companies leading to legal precedents in the Maritimes, in Ontario, in Manitoba and in Quebec.²⁹

The claims to ownership of an interest in resources on Indian reserves of the Province of Ontario is founded upon section 109 of the *British North America Act*: All lands, mines, minerals and royalties belonging to the several provinces of Canada, Nova Scotia, and New Brunswick at the Union, and all sums then due or payable for such lands, mines, minerals or royalties shall belong to the several provinces of Ontario, Quebec, Nova Scotia, and New Brunswick in which the same are or arise, subject to any trusts existing in respect thereof, and to any interest other than that of the Province in the same.

In *St. Catherine's Milling and Lumber Co. v. The Queen* in 1889³⁰, the Privy Council declared that the effect of Treaty #3 was to vest the plenum dominium in the Crown in the right of Ontario with respect to the lands in the Province thereby ceded: The ceded territory was at the time of the union, land vested in the Crown, subject to "*an interest other than that of the Province in the same*", within the meaning of section 109; and must now belong to Ontario in terms of that clause.^{31 32}

²⁹ -*St. Catharines Milling and Lumber Co. v. R.* 1886 CanLII 30, 13 Ont. App. R. 148 (20 April 1886), Court of Appeal (Ontario, Canada)
-(1885), 10 O.R. 196

-*St. Catharines Milling and Lumber Company v The Queen*[1888] UKPC 70, [1888] 14 AC 46 (12 December 1888)

- "*Ontario-Manitoba Boundary Case*". 22 July 1884. Retrieved 18 January 2013.

- "*Canada (Ontario Boundary) Act, 1889, 52-53 Vict., c. 28 (U.K.)*". 12 August 1889. Retrieved 18 January 2013.

- *The Ontario Mining Company Limited and The Attorney General for the Dominion of Canada v The Attorney General for the Province of Ontario* [1902] UKPC 46, [1903] AC 73 (12 November 1902) (on appeal from Canada) as approved by *An Act for the settlement of certain questions between the Governments of Canada and Ontario respecting Indian Reserve Lands*, S.C. 1924, c. 48 and *The Indian Lands Act, 1924*, S.O. 1924, c. 15

-*Indian Lands Agreement (1986) Act*, S.C. 1988, c. 39, with corresponding provincial approval in the *Indian Lands Agreement Confirmation Act, 1989*, S.O. 1989, c. 26 (repealed in error by the *Legislation Act, 2006*, s. 98(3), as enacted by the *Access to Justice Act, 2006*, S.O. 2006, c. 21, Sch. F, and subsequently reenacted by the *Indian Lands Agreement (1986) Confirmation Act, 2010*, S.O. 2010, c. 1, Sch. 10)

³⁰ *St. Catharines Milling and Lumber Company v The Queen*[1888] UKPC 70, [1888] 14 AC 46 (12 December 1888)

³¹ *Ibid* 17

³² MINERAL RIGHTS ON INDIAN RESERVES IN ONTARIO RICHARD H. BARTLETT, College of Law, University of Saskatchewan, Saskatoon, Saskatchewan, Canada, S7N 0W0, 1983.

The precedents which had effect for Doncaster-Tioweroton ³³

History of the precedents created by *The Star Chrome decision*, from:

2nd instance, Ontario Court of Appeals

St. Catharines Milling and Lumber Co. v. R., 148 Vid. S.C. 13 S.C.R. 577

Date: 1886-04-20

148 Vid. S.C. 13 S.C.R. 577.

3rd instance

Supreme Court of Canada

St. Catharines Milling and Lumber Co. v. R., 13 S.C.R. 577,

Date: 1887-06-20

The St. Catharines Milling and Lumber Company, (Defendants) Appellants;

And The Queen, on the Information of the Attorney General for the Province of

Ontario, (Plaintiff) Respondent.

St Catharines Milling and Lumber Co v R was the leading case on Aboriginal title in Canada for more than 80 years. The Judicial Committee of the Privy Council, affirming a ruling by the Supreme Court of Canada, held that Aboriginal title over land was allowed only at the Crown's pleasure, and could be taken away at any time. This case, involving Ojibway Treaty No. 3 which had never been previously litigated before any court, is a leading decision in Canada on the differences between the division of legislative powers and property rights under the Constitution of Canada.

Background

At issue were treaty lands thought to be within Rupert's Land when Canada entered into Treaty 3 in 1873. Following the *Ontario-Manitoba Boundary Case*, the *Canada (Ontario Boundary) Act 1889* placed about two-thirds of the treaty area in Ontario. Canada believed that it was entitled under the Treaty, and its legislative authority under section 91 (24) of the *Constitution Act, 1867* for "Indians and Lands reserved for the Indians", to administer Treaty lands. The lumber company was granted a federal permit to a timber berth on Lake Wabigoon, and that permit was challenged by the Province.

The courts below

In 1885, Chancellor Boyd of the Chancery Division held that the phrase "*Lands reserved for the Indians*" referred only to "*Indian Reserves*", and "*such words do not cover lands which have never been the subject of treaty or surrender, and as to which the Legislature or executive Government have never specifically appropriated or 'reserved' for the Indian population.*"

In appeal, the Court of Appeal affirmed this, as well as stating that the lands transferred by the *1889 Act*, other than that covered by Indian reserves, vested in the Crown in right of Ontario. This was affirmed on appeal to the Supreme Court of Canada.

³³ CANLI website, Canada, –, accessed June 2, 2017

<https://www.canlii.org/en/ca/scc/doc/1887/1887canlii3/1887canlii3.html>

At the Privy Council

The Supreme Court of Canada's ruling was affirmed by the Board. Lord Watson identified the source of Aboriginal title as the *Royal Proclamation of 1763*, and he noted: It was suggested in the course of the argument for the Dominion, that inasmuch as the proclamation recites that the territories thereby reserved for Indians had never '*been ceded to or purchased by*' the Crown, the entire property of the land remained with them.

That inference is, however, at variance with the terms of the [Proclamation], which show that the tenure of the Indians was a personal and usufructuary right (has the right to use-*usus* the property and enjoy its fruits-*fructus*), dependent upon the good will of the Sovereign. The lands reserved are expressly stated to be "*parts of Our dominions and territories;*" and it is declared to be the will and pleasure of the sovereign that, "for the present," they shall be reserved for the use of the Indians, as their hunting grounds, under his protection and dominion.³⁴

There was a great deal of discussion at the Bar with respect to the precise quality of the Indian right, but their Lordships do not consider it necessary to express any opinion upon the point. It appears to them to be sufficient for the purposes of this case that there has been all along vested in the Crown a substantial and paramount estate, underlying the Indian title, which became a *plenum dominium* whenever that title was surrendered or otherwise extinguished.

Impact

Other issues arose from this decision. The Privy Council said, for example, that Ontario must relieve Canada of its obligations under the treaty since Ontario had the benefit of it, but subsequent litigation by Canada failed on that point too. In *Ontario Mining Co. v. Seybold*, the Privy Council extended the rule to deny the Indians any beneficial interest in the reserves that had been set apart for them under the Treaty.

It took a series of federal/provincial agreements, culminating in the *Canada/Ontario Indian Reserve Lands Agreement*, to provide an interim solution to the problems created these decisions. A further resolution was reached in 1986, with the passage of the *Indian Lands Agreement (1986) Act*.

Even though some of Lord Watson's observations were later varied by the Supreme Court of Canada in *Guerin v. The Queen*, this case is the starting point for an understanding of Aboriginal law in Canada.³⁵

³⁴ Bradford Morse, *Aboriginal Peoples and the Law*, McGill-Queen's Press - MQUP, Feb 15, 1985, page 58.

³⁵ *Ibid* 21.

**Ontario: An Act for the settlement of certain questions between the
Governments of Canada and Ontario respecting Indian Reserve Lands,
1924³⁶**

S.C. 1924, c. 48, Assented to 1924-07-19

An Act for the settlement of certain questions between the Governments of Canada and Ontario
respecting Indian Reserve Lands

His Majesty, by and with the advice and consent of the Senate and House of Commons of
Canada, enacts as follows:

Marginal note: Agreement binding, and Governor in Council authorized to carry out its
provisions

1 The agreement between the Dominion of Canada and the Province of Ontario, in the terms set
out in the schedule hereto, shall be as binding on the Dominion of Canada as if the provisions
thereof had been set forth in an Act of this Parliament, and the Governor in Council is hereby
authorized to carry out the provisions of the said agreement.

SCHEDULE

Memorandum of Agreement made in triplicate this 24th day of March 1924.

Between the Government of the Dominion of Canada, acting herein by the Honourable **Charles
Stewart, Superintendent General of Indian Affairs**, of the first part,

And the Government of the Province of Ontario, acting herein by the **Honourable James Lyons,
Minister of Lands and Forests**, and the **Honourable Charles McCrea, Minister of Mines**, of the
second part.

Whereas from time to time treaties have been made with the Indians for the surrender for
various considerations of their personal and *usufructuary* rights to territories now included in
the Province of Ontario, such considerations including the setting apart for the exclusive use of
the Indians of certain defined areas of land known as Indian Reserves;

And Whereas, except as to such Reserves, the said territories were by the said treaties freed, for
the ultimate benefit of the Province of Ontario, of the burden of the Indian rights, and became
subject to be administered by the Government of the said Province for the sole benefit thereof;

And Whereas the surrender of the whole or some portion of a Reserve by the band of Indians to
whom the same was allotted has, in respect of certain Reserves in the Provinces of Ontario and
Quebec, been under consideration in certain appeals to the Judicial Committee of the Privy
Council, and the respective rights of the Dominion of Canada and the Province of Ontario, upon

³⁶ Justice and Law Department website, Canada, –, accessed June 2, 2017
<http://laws-lois.justice.gc.ca/eng/acts/l-7.2/FullText.html>

such surrenders being made, depend upon the law as declared by the Judicial Committee of the Privy Council and otherwise affecting the Reserve in question, and upon the circumstances under which it was set off;

And Whereas on the 7th day of July, 1902, before the determination of the last two of the said appeals, it had been agreed between counsel for the Governments of the Dominion of Canada and the Province of Ontario, respectively, that, as a matter of policy and convenience, and without thereby affecting the constitutional or legal rights of either of the said Governments, the Government of the Dominion of Canada should have full power and authority to sell, lease and convey title in fee simple or for any less estate to any lands forming part of any Reserve thereafter surrendered by the Indians, and that any such sales, leases or other conveyances as had theretofore been made by the said Government should be confirmed by the Province of Ontario, the Dominion of Canada, however, holding the proceeds of any lands so sold, leased or conveyed subject, upon the extinction of the Indian interest therein and so far as such proceeds had been converted into money, to such rights of the Province of Ontario as might exist by law;

And Whereas by the said agreement it was further provided that, as to the Reserves set aside for the Indians under a certain treaty made in 1873 and recited in the Schedule to the Dominion Statute, 54-55 Victoria, chapter 5, and the Statute of the Province of Ontario, 54 Victoria, chapter 3, the precious metals should be considered to form part thereof and might be disposed of by the Dominion of Canada in the same way and subject to the same conditions as the land in which they existed, and that the question whether the precious metals in the lands included in Reserves set aside under other treaties were to be considered as forming part thereof or not, should be expressly left for decision in accordance with the circumstances and the law governing each;

Now This Agreement Witnesseth that the parties hereto, in order to settle all outstanding questions relating to Indian Reserves in the Province of Ontario, have mutually agreed, subject to the approval of the Parliament of Canada and the Legislature of the Province of Ontario, as follows:

1- All Indian Reserves in the Province of Ontario heretofore or hereafter set aside, shall be administered by the Dominion of Canada for the benefit of the band or bands of Indians to which each may have been or may be allotted; portions thereof may, upon their surrender for the purpose by the said band or bands, be sold, leased or otherwise disposed of by letters patent under the Great Seal of Canada, or otherwise under the direction of the Government of Canada, and the proceeds of such sale, lease or other disposition applied for the benefit of such band or bands, provided, however, that in the event of the band or bands to which any such Reserve has been allotted becoming extinct, or if, for any other reason, such Reserve, or any portion thereof is declared by the Superintendent General of Indian Affairs to be no longer required for the benefit of the said band or bands, the same shall thereafter be administered by,

and for the benefit of, the Province of Ontario, and any balance of the proceeds of the sale or other disposition of any portion thereof then remaining under the control of the Dominion of Canada shall, so far as the same is not still required to be applied for the benefit of the said band or bands of Indians, be paid to the Province of Ontario, together with accrued unexpended simple interest thereon.

2- Any sale, lease or other disposition made pursuant to the provisions of the last preceding paragraph may include or may be limited to the minerals (including the precious metals) contained in or under the lands sold, leased or otherwise disposed of, but every grant shall be subject to the provisions of the statute of the Province of Ontario entitled "The Bed of Navigable Waters Act", Revised Statutes of Ontario, 1914, chapter thirty-one.

3- Any person authorized under the laws of the Province of Ontario to enter upon land for the purpose of prospecting for minerals thereupon shall be permitted to prospect for minerals in any Indian Reserve upon obtaining permission so to do from the Indian Agent for such Reserve and upon complying with such conditions as may be attached to such permission, and may stake out a mining claim or claims on such Reserve.

4- No person not so authorized under the laws of the Province of Ontario shall be given permission to prospect for minerals upon any Indian Reserve.

5- The rules governing the mode of staking and the size and number of mining claims in force from time to time in the Province of Ontario or in the part thereof within which any Indian Reserve lies shall apply to the staking of mining claims on any such Reserve, but the staking of a mining claim upon any Indian Reserve shall confer no rights upon the person by whom such claim is staked except such as may be attached to such staking by the Indian Act or other law relating to the disposition of Indian Lands.

6 -Except as provided in the next following paragraph, one-half of the consideration payable, whether by way of purchase money, rent, royalty or otherwise, in respect of any sale, lease or other disposition of a mining claim staked as aforesaid, and, if in any other sale, lease or other disposition hereafter made of Indian Reserve lands in the Province of Ontario, any minerals are included, and the consideration for such sale, lease or other disposition was to the knowledge of the Department of Indian Affairs affected by the existence or supposed existence in the said lands of such minerals, one-half of the consideration payable in respect of any such other sale, lease or other disposition, shall forthwith upon its receipt from time to time, be paid to the Province of Ontario; the other half only shall be dealt with by the Dominion of Canada as provided in the paragraph of this agreement numbered 1.

7- The last preceding paragraph shall not apply to the sale, lease or other disposition of any mining claim or minerals on or in any of the lands set apart as Indian Reserves pursuant to the hereinbefore recited treaty made in 1873, and nothing in this agreement shall be deemed to detract from the rights of the Dominion of Canada touching any lands or minerals granted or conveyed by His Majesty for the use and benefit of Indians by letters patent under the Great Seal of the Province of Upper Canada, of the Province of Canada or of the Province of Ontario, or in any minerals vested for such use and benefit by the operation upon any such letters patent of any statute of the Province of Ontario.

8- No water-power included in any Indian Reserve, which in its natural condition at the average low stage of water has a greater capacity than five hundred horsepower, shall be disposed of by the Dominion of Canada except with the consent of the Government of the Province of Ontario and in accordance with such special agreement, if any, as may be made with regard thereto and to the division of the purchase money, rental or other consideration given therefore.

9- Every sale, lease or other disposition heretofore made under the Great Seal of Canada or otherwise under the direction of the Government of Canada of lands which were at the time of such sale, lease or other disposition included in any Indian Reserve in the Province of Ontario, is hereby confirmed, whether or not such sale, lease or other disposition included the precious metals, but subject to the provisions of the aforesaid statute of the Province of Ontario entitled "The Bed of Navigable Waters Act", and the consideration received in respect of any such sale lease or other disposition shall be and continue to be dealt with by the Dominion of Canada in accordance with the provisions of the paragraph of this agreement numbered 1, and the consideration received in respect of any sale, lease or other disposition heretofore made under the Great Seal of the Province of Ontario, or under the direction of the Government of the said Province, of any lands which at any time formed part of any Indian Reserve, shall remain under the exclusive control and at the disposition of the Province of Ontario.

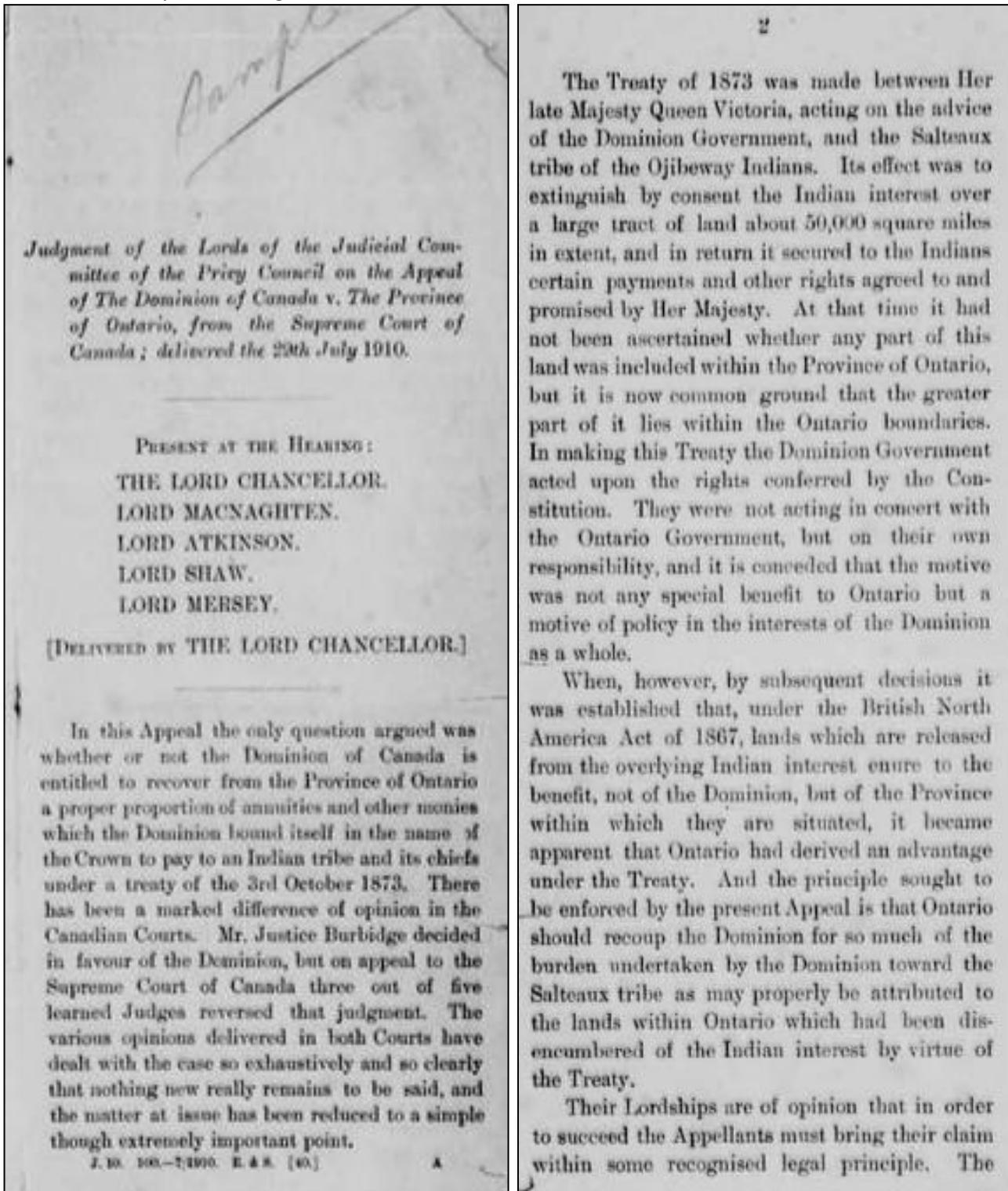
10- Nothing herein contained, except the provision for the application of "The Bed of Navigable Waters Act" aforesaid, shall affect the interpretation which would, apart from this agreement, be put upon the words of any letters patent heretofore or hereafter issued under the Great Seal of Canada or the Great Seal of the Province of Ontario, or of any lease or other conveyance, or of any contract heretofore or hereafter made under the direction of the Government of Canada or of the Province of Ontario.

In Witness Whereof these presents have been signed by the parties thereto the day and year above written.

*Signed on behalf of the Government of Canada by the Honourable **Charles Stewart, Superintendent General of Indian Affairs**, in the presence of
DUNCAN C. SCOTT.*

*Signed on behalf of the Government of the Province of Ontario by the **Honourable James Lyons, Minister of Lands and Forests**, and by the **Honourable Charles McCrea, Minister of Mines**, in the presence of
W. C. CAIN.*

The Ontario precedent which had an impact on Tioweroton actually originated from a decision of a "Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of the Dominion of Canada v. The Province of Ontario, from the Supreme Court of Canada; delivered the 29th July 1910." Pages 1-2 /6



Court of Exchequer, to which, by statutes both of the Dominion and the Province, a jurisdiction has been committed over controversies between them, did not thereby acquire authority to determine those controversies only according to its own view of what in the circumstances might be thought fair. It may be that, in questions between a Dominion comprising various Provinces of which the laws are not in all respects identical on the one hand, and a particular Province with laws of its own on the other hand, difficulty will arise as to the legal principle which is to be applied. Such conflicts may always arise in the case of States or Provinces within a Union. But the conflict is between one set of legal principles and another. In the present case it does not appear to their Lordships that the claim of the Dominion can be sustained on any principle of law that can be invoked as applicable.

To begin with, this case ought to be regarded as if what was done by the Crown in 1873 had been done by the Dominion Government, as in substance it was in fact done. The Crown acts on the advice of ministers in making treaties, and in owning public lands holds them for the good of the community. When differences arise between the two Governments in regard to what is due to the Crown as maker of treaties from the Crown as owner of public lands they must be adjusted as though the two Governments are separately invested by the Crown with its rights and responsibilities as treaty maker and as owner respectively.

So regarding it, there does not appear sufficient ground for saying that the Dominion Government in advising the treaty did so as agent for the Province. They acted with a view to great national interests, in pursuance of powers derived from the Act of 1867, without

the consent of the Province and in the belief that the lands were not within that Province. They neither had nor thought they required nor purported to act upon any authority from the Provincial Government.

Again, it seems to their Lordships that the relation of trustee and *cestui que trust*, from which a right to indemnity might be derived, cannot, even in its widest sense, be here established. The Dominion Government were indeed, on behalf of the Crown, guardians of the Indian interest and empowered to take a surrender of it and to give equivalents in return, but in so doing they were not under any special duty to the Province. And in regard to the proprietary rights in the land (apart from the Indian interest) which through the Crown enured to the benefit of the Province, the Dominion Government had no share in it at all. The only thing in regard to which the Dominion could conceivably be thought trustees for the Province, namely, the dealing with the Indian interest, was a thing concerning the whole Canadian nation. In truth, the duty of the Dominion Government was not that of trustees, but that of Ministers exercising their powers and their discretion for the public welfare.

Another contention was advanced on behalf of the Appellants—that this is analogous to the case of a *bonâ fide* possessor or purchaser of real estate who pays money to discharge an existing encumbrance upon it without notice of an infirmity of his title. It is enough to say that the Dominion Government were never in possession or purchasers of these lands, that they had, in fact, notice of the claim thereto of the true owner, though they did not credit it, and that they did not pay off the Indian encumbrance

for the benefit of these lands, but for distinct and important interests of their own.

This really is a case in which expenditure independently incurred by one party for good and sufficient reasons of his own has resulted in direct advantage to another. It may be that, as a matter of fair play between the two Governments, as to which their Lordships are not called upon to express and do express no opinion, the Province ought to be liable for some part of this outlay. But in point of law, which alone is here in question, the Judgment of the Supreme Court appears unexceptionable.

If the opinions of Mr. Justice Burbidge and of the two dissenting Judges in the Supreme Court are examined, it will be found that they rely almost entirely upon a passage in the Judgment delivered by Lord Watson at this Board in the case of *St. Catherine's Milling and Lumber Company v. The Queen*, 14 A. C. 60. It must be acknowledged that this passage does give strong support to the view of those who rely upon it, and their Lordships feel themselves bound to regard this expression of opinion with the same respect that has been accorded to it by all the learned Judges in Canada. They consider, however, that Mr. Justice Idington and Mr. Justice Duff have stated conclusive reasons against adopting the dictum alluded to as decisive of the present case. The point here raised was not either raised or argued in that case, and it is quite possible that Lord Watson did not intend to pronounce upon a legal right. If he did so intend, the passage in question must be regarded as *obiter dictum*.

In the course of argument a question was mooted as to the liability of the Ontario Government to carry out the provisions of the Treaty so far as concerns future reservations of land for

the benefit of the Indians. No such matter comes up for decision in the present case. It is not intended to forestall points of that kind which may depend upon different considerations, and, if ever they arise, will have to be discussed and decided afresh.

Their Lordships will humbly advise His Majesty that this Appeal should be dismissed. There will be no order as to costs.

Archives: Star Chrome Jurisdiction 1920-1921

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC 1853-1934.³⁷

other important themes from the second part of the documents from the same reel as the previous chapter, the HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, are exposing the various litigious position of the Province of Quebec through moneys given by the Federal Government following the CHROME MINING court precedent giving compensations to the provinces for Native Lands and reserves exploited by companies and colonisation and squatters.

For instance, a very important correspondence on page 90, from the *Statutes of Quebec of 1927, Chapter 27 of An Act respecting the granting of titles to settlers for certain lots comprised in the Indian reserves, disappropriated* is exposed following the court case of *The Star Chrome Decision*, clarifying the positions of all parties in during the procedures.

Of course, several important names of politicians; deputies and ministers and other figures exposed though these correspondences are described in alphabetical order in the annexes at the end following the conclusion.

Edmund Leslie (E.L.) Newcombe, Deputy Minister of Justice, Ottawa.

John D. McLean, Secretary of the Department of Indian Affairs

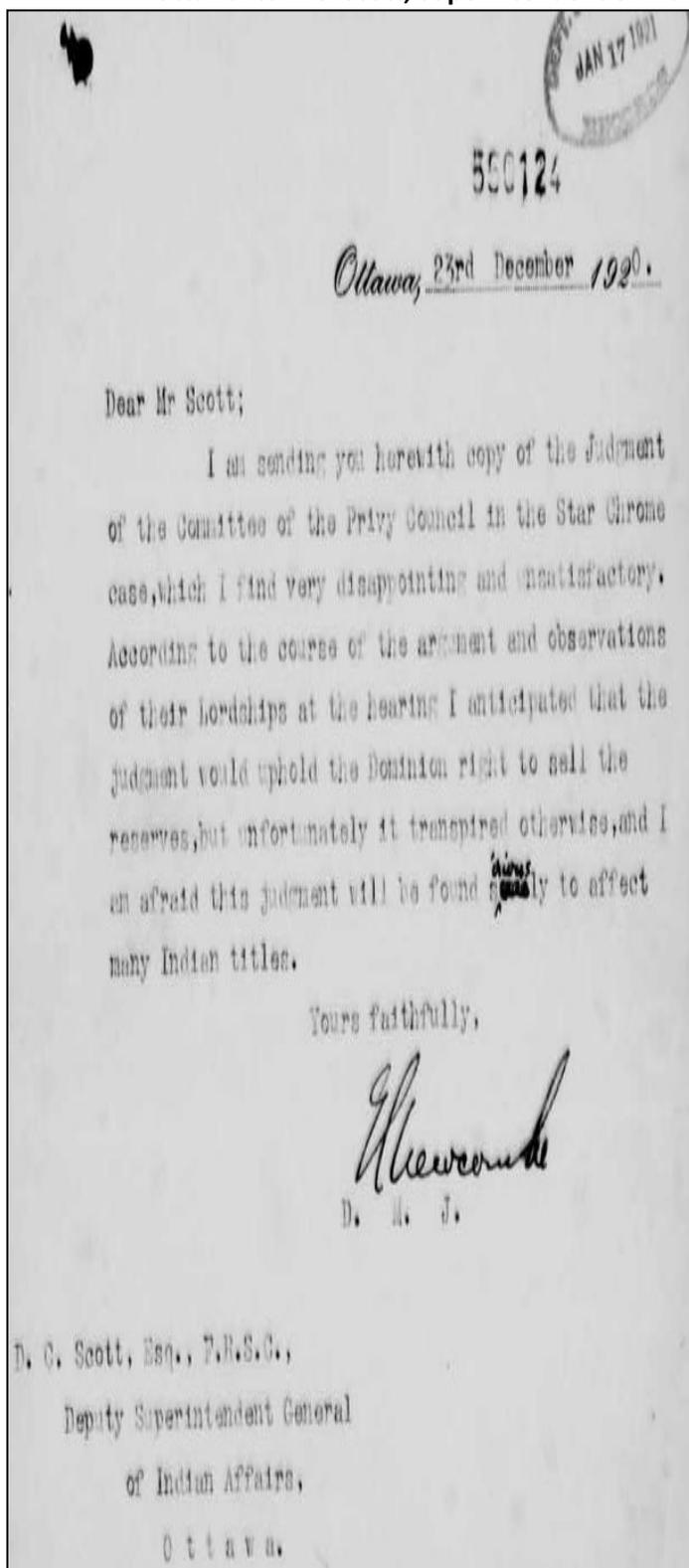
Elzear Miville-Deschene, Deputy Minister of the Department of Lands and Forests of the Province of Quebec

W.A. Orr, Officer in charge for the Department of Indian Affairs at Lands and Timber Branch,

Duncan C. Scott, Superintendent General of Indian Affairs

³⁷ LAC, MIKAN no. 2082318, reel C-11224, (222 items), RG10. Volume/box number: 2457. File number: 95,452-1.

Page 1 -Star Chrome case Correspondence from **E.L. Newcombe, Deputy Minister of Justice, Ottawa.** to **D.C. Scott, Superintendent of Indian Affairs,** from **23 December 1920.**



Doc: 560124

"Ottawa, 23rd December, 1920.

Dear Mr Scott:

I am sending you herewith copy of the Judgement of the Committee of the Privy Council in the Star Chrome case, which I find very disappointing and unsatisfactory. According to the course of the argument and observations of their Lordships at the hearing I anticipated that the judgment would uphold the Dominion right to sell the reserves, but unfortunately it transpired otherwise, and I am afraid this judgment will be found seriously to affect many Indian titles.

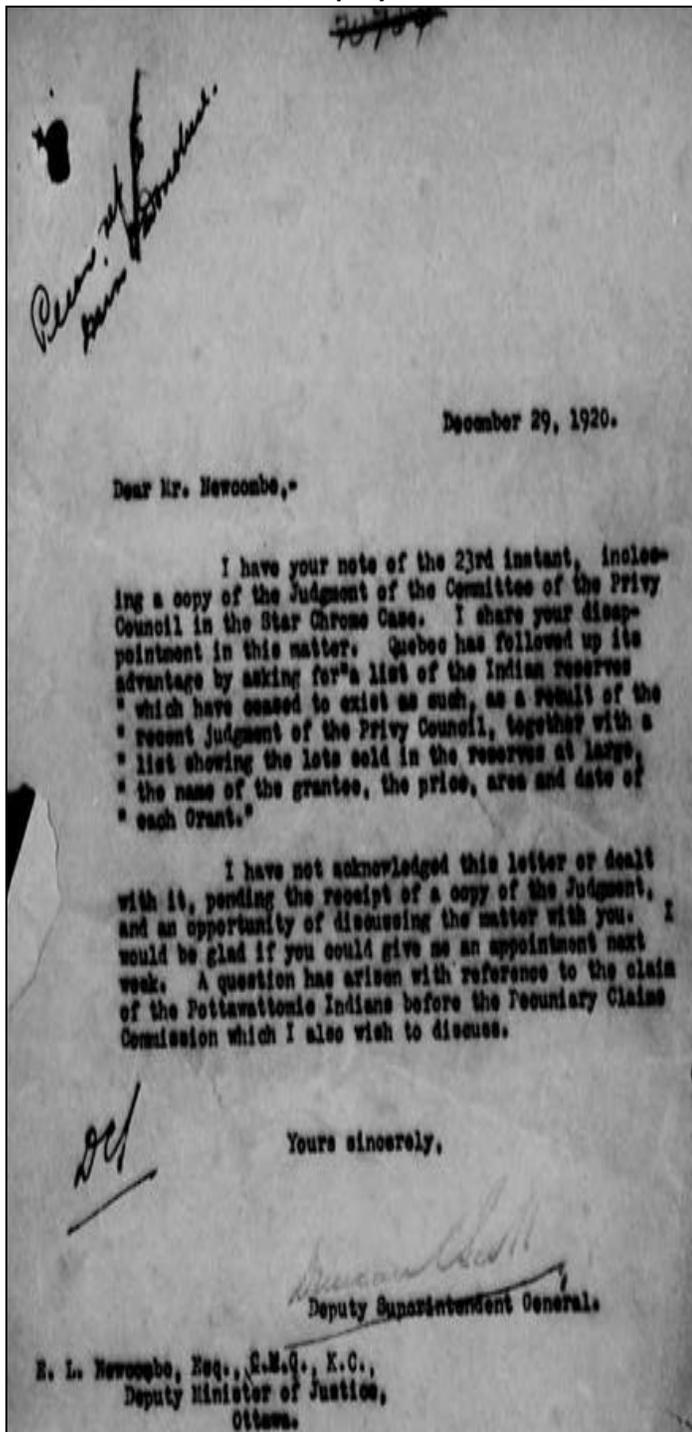
Yours faithfully,

E.L. Newcombe

D.M.J."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Page 2-3 (Identical, copies) Letter from **D.C. Scott, Superintendent of Indian Affairs** to **E.L. Newcombe, Deputy Minister of Justice** from 29 December 1920.



"December 29, 1920.

Dear Me Newcombe,-

I have your note of the 23rd instant, including a copy of the Judgement of the Committee of the Privy Council in the Star Chrome Case. I share your disappointment in this matter. Quebec has followed up its advantage by asking for a list of the Indian reserves " which have ceased to exist as such, as a result of the " recent judgement of the Privy Council, together with a " list showing the late lots sold in the reserves at large, " the name of the grantee, the prize, area and date of " Each Grant."

I have not acknowledged this letter of dealt with it, pending the receipt of a copy of the Judgement, and an opportunity of discussing the matter with you. I would be glad if you could give me an appointment next week. A question has arisen with reference to the claim of the Pottawattomie Indians before the Pecuniary Claims Commission which I also wish to discuss.

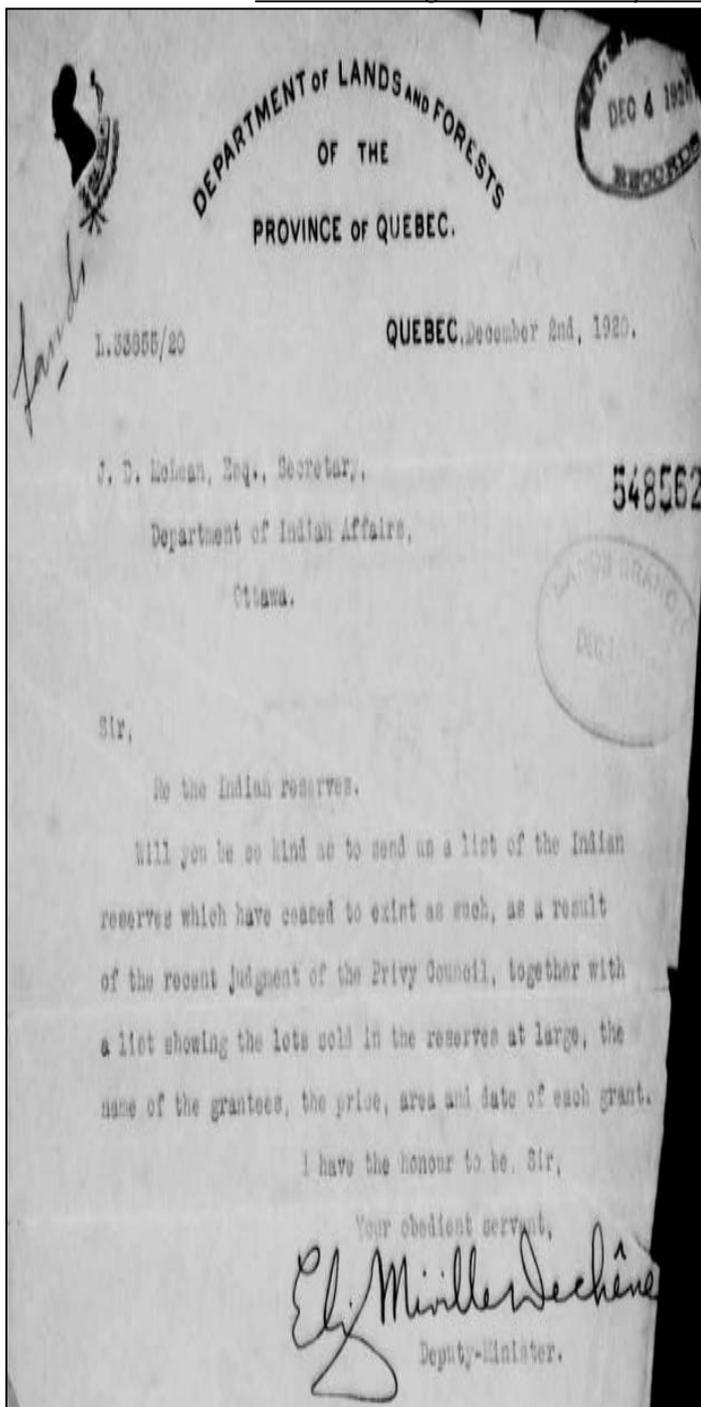
Yours sincerely

Duncan C. Scott

Deputy Superintendent General."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Page 4 Letter from **Elzear Miville-Deschene Deputy Minister of the Department of Lands and Forests of the Province of Quebec L.33855 /20**, asking **J.D. McLean, Secretary of the Department of Indian Affairs** for a list of the Indians Reserves which have ceased to exist as a result of the recent Judgment of the Privy Council, on **December 2nd, 1920**.



Doc-page 548562

"Department of Lands and Forests of the Province of Quebec L.33855 /20 December 2nd, 1920.

*Sir
Re the Indian Reserves.*

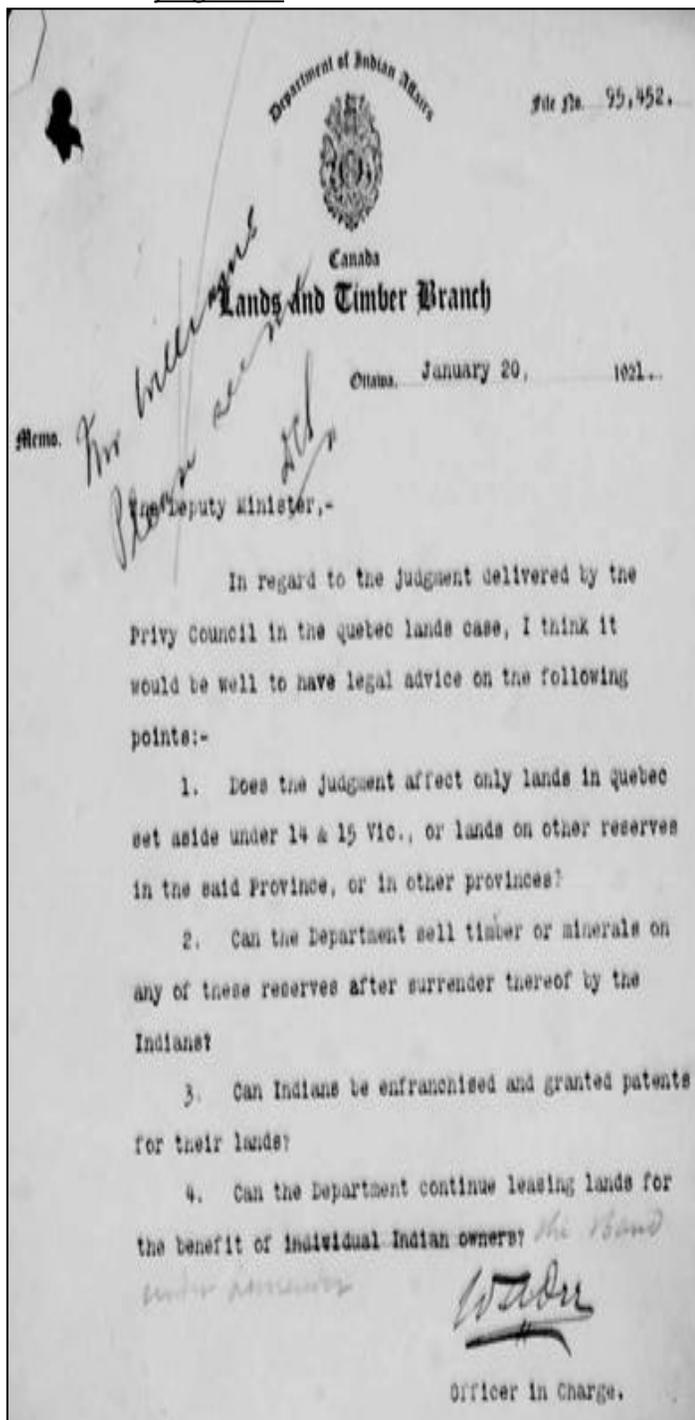
Will you be so kind as to send as a list of the Indian reserves which have ceased to exist as such, as a result of the recent judgment of the Privy Council, together with a list showing the lots sold in the reserves at large, the name of the grantees, the price, area and date of each grant.

*I have the honour to be Sir,
Your obedient servant.*

*El. Miville-Deschene
Deputy Minister."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Page 5 Letter-Memo from **W.A. Orr** Officer in charge for the **Department of Indian Affairs** at Lands and Timber Branch, to his superior the **Superintendent Duncan Scott** from **January 20, 1921** exposing certain questions concerning the clarification of the repercussions of the said judgement.



On the right corner file number 95, 452

"Ottawa, January 20, 1921

Memo

The Deputy Minister.-

In regard to the Judgment delivered by the Privy Council in the Quebec lands case, I think it would be well to have legal advice on the following points:-

1. Does the Judgment affect only lands in Quebec set aside under 14 & 15 Vic. Or lands on other reserves in the said Province, or in other provinces?

2. Can the Department sell timber or minerals on any of those reserves after surrender thereof by the Indians?

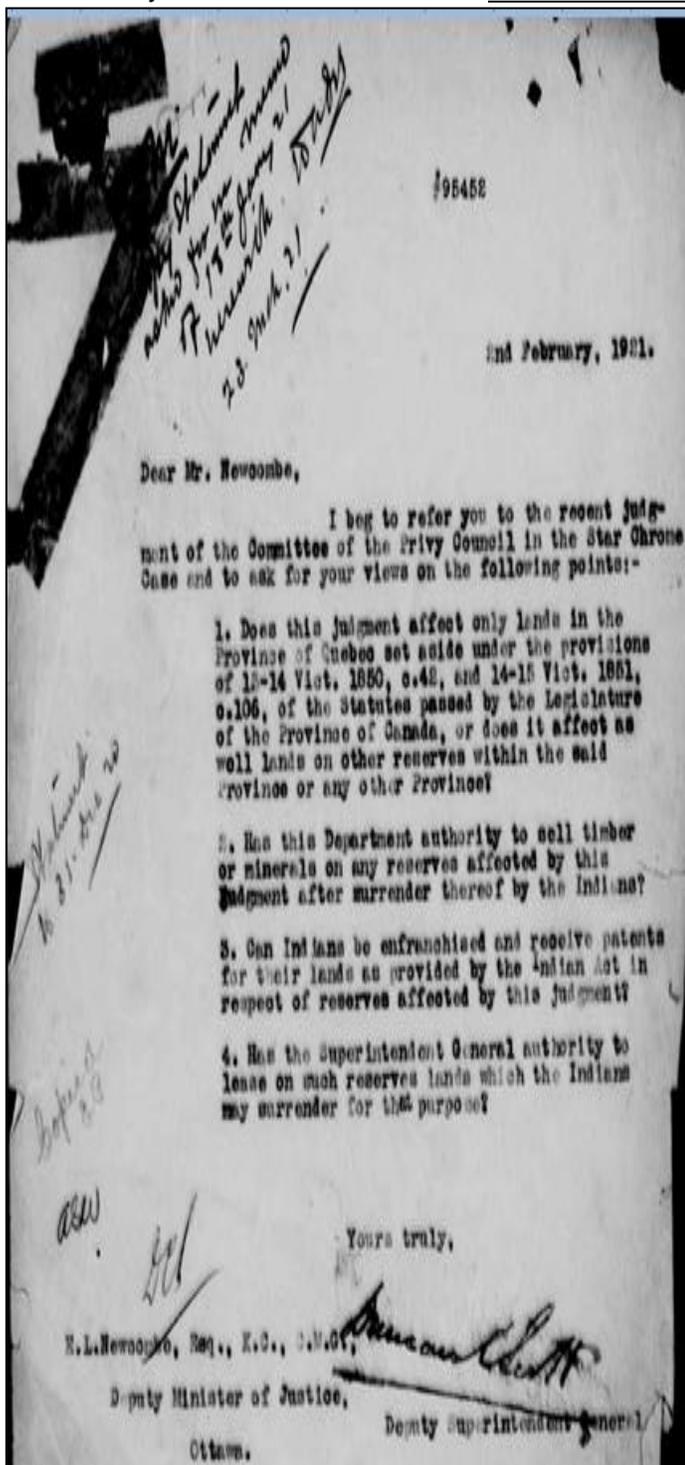
3. Can Indians be enfranchised and granted patents for their lands?

4. Can the Department continue leasing lands for the benefit of individual Indian owners? (written beside: "those band under surrender")

W.A. Orr
Officer in charge."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Page 8 Letter from **February 2nd, 1921** from **Duncan Scott, Deputy Superintendent General of Indian Affairs** to **E.L. Newcombe, Deputy Minister of Justice**, asking details about the jurisdictions encountered in *the Star Chrome* decision of 1920.



On the right corner file number 95, 452

"2nd February, 1921

Dear Mr Newcombe,
I beg to refer you to the recent judgement of the Committee of the Privy Council in the *Star Chrome* Case and to ask for your views on the following points:-

1. Does this judgement affect only Lands in the Province of Quebec set aside under the provisions of 12-14 Vict. 1850 C.42 and 14-15 Vict. 1851 O.106 of the Statutes passed by the Legislature of the Province of Canada, or does it affect as well Lands on other reserves within the said Province or any other Provinces?

2. Has this Department authority to sell timber or mineral on any reserves affected by this Judgement after surrender thereof by the Indians?

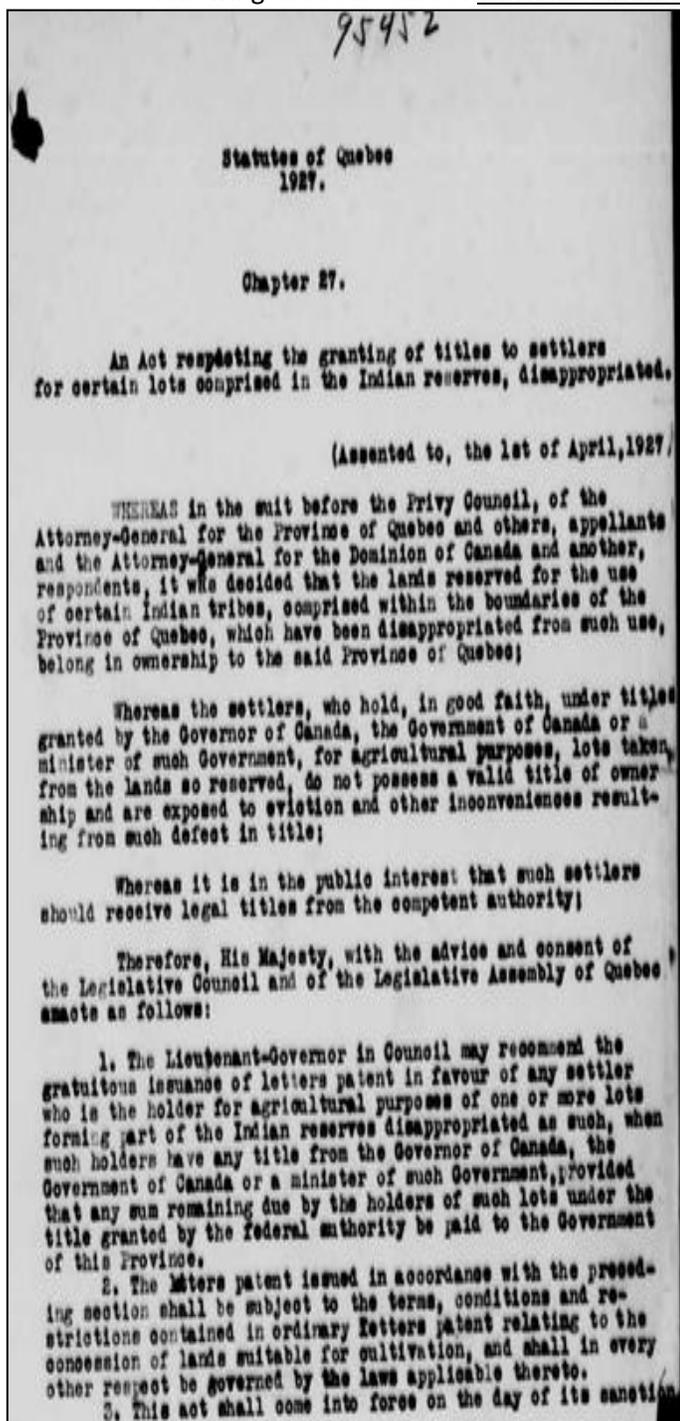
3. Can Indians be enfranchised and receive patents for their lands as provided by the Indian Act in respect of reserves affected by this judgment?

4. Has the Superintendent General authority to lease on such reserves lands which the Indians may surrender for the purpose.

Your truly
Duncan Scott, Deputy, Superintendent
General."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Page 9 From the Statutes of Quebec of 1927, Chapter 27 of *An Act respecting the granting of titles to settlers for certain lots comprised in the Indian reserves, disappropriated* is exposed following the court case of *The Star Chrome Decision*.



Document-page 95452

*"Statutes of Quebec
1927*

*An Act respecting the granting of titles to settlers
for certain lots comprised in the Indian reserves,
disappropriated.*

(Assented to, the 1st of April, 1927)

THEREAS in the suit before the Privy Council, of the Attorney-General for the Province of Quebec and others, appellants and the Attorney-General for the Dominion of Canada and another, respondents, it was decided that the lands reserved for the use of certain Indian tribes comprised within the boundaries of the Province of Quebec, which have been disappropriated from such use, belong in ownership to the said Province of Quebec;

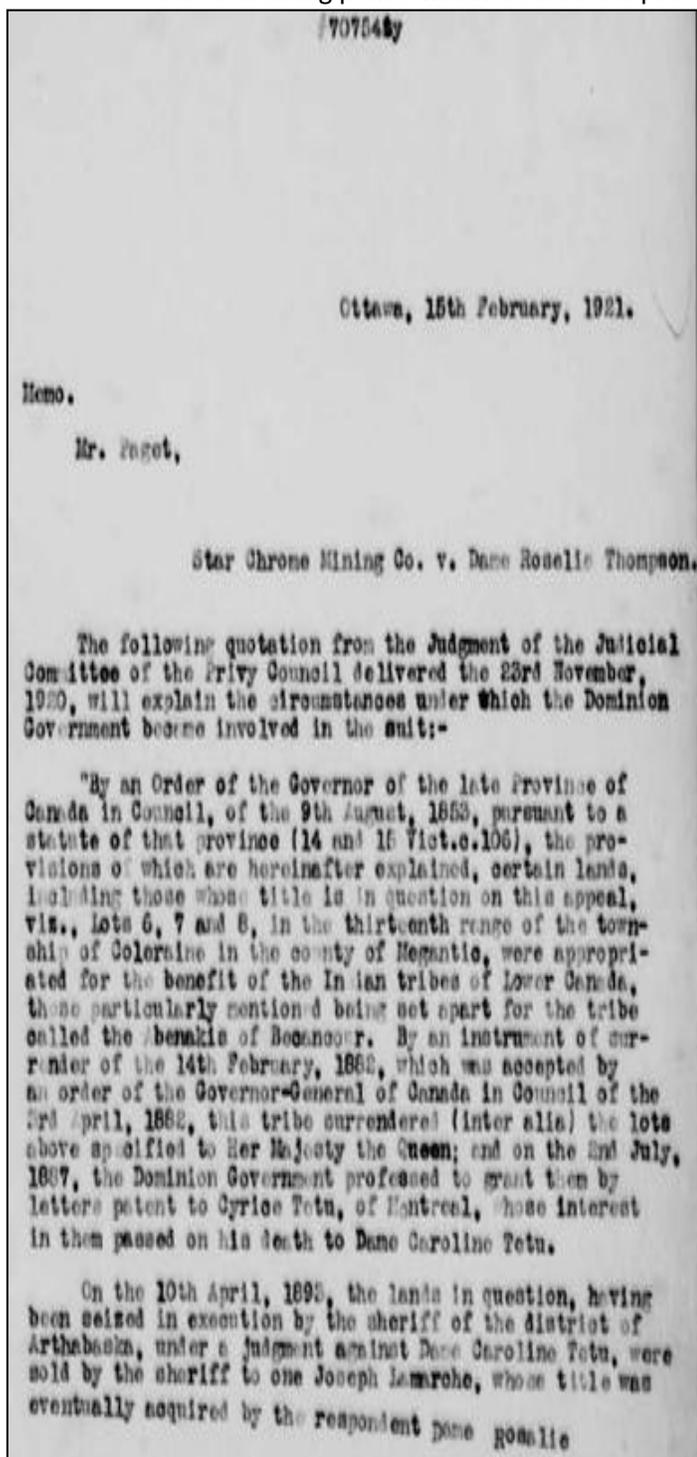
Whereas the settlers, who hold, in good faith, under titles granted by the Governor of Canada, the Government of Canada or a minister of such Government, for agricultural purposes, lots taken from the lands so reserved, do not possess a valid title or ownership and are exposed to eviction and other inconveniences resulting from such defect in title;

Whereas it is in the public interest that such settlers should receive legal titles from the competent authority;

Therefore, His Majesty, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec enacts as follow:

- 1. The Lieutenant-Governor in Council may recommend the gratuitous issuance of letters patent in favour of any settler who is holder for agricultural purposes of one or more lots forming part of the Indian reserve disappropriated as such, when such holder have any title from Governor of Canada, the Government of Canada or a minister of such Government, provided that any sum remaining due by the holders of such lots under the title granted by the federal authority be paid by the Government of this Province.*
- 2. The letters patent issued in accordance with the preceding section shall be subject to the terms, conditions and restrictions contained in ordinary letters patent relating to the concession of lands suitable for cultivation, and shall in every other respect be governed by the laws applicable thereto.*
- 3. This act shall come into force on the day of its sanction."*

Page 10-11 In a letter intended to **Indian Affairs Accountant F.H. Paget**, the Supreme Court Case involving Star Chrome Mining Co. V. Rosalie Thompson from **23 November 1920** is exposed with the concerning points which created the precedent.



Document-page 95452

Written: 707548y

Page 1

"Ottawa, 15th February, 1921

Memo

Mr. Paget,

Star Chrome Mining Co. V. Dame Rosalie Thompson.

The following quotation from Judgement of the Judicial Committee of the Privy Council delivered the 23rd November, 1920, will explain the circumstances under which the Dominion Government become involved in the suit:-

"By an Order of the Governor of the late Province of Canada in Council, of the 9th August, 1853, pursuant to a statute of that province (14 and 15 Vict.c.106), the provisions of which are hereinafter explained, certain lands, including those whose title is in question on this appeal, viz., Lots 6, 7 and 8, in the thirteenth range of the township of Coleraine in the county of Megantic, were appropriated for the benefit of the Indian tribes of Lower Canada, these particularly mentioned being set apart for the tribe called the Abenakis of Becancour. By an instrument of surrender of the 14th February, 1882, which was accepted by an order of the Governor-General of Canada in Council of the 3rd April, 1882, this tribe surrendered (inter alia) the lots above specified to Her Majesty the Queen; and on the 2nd of July, 1857, the Dominion Government professed to grant them by letters patent to Cyrice Tetu, of Montreal, those interest in the past on his death to Dame Caroline Tetu.

On the 10th April, 1895, the lands in question, having been seized in execution by the sheriff of the district of Arthabaska, under a judgement against Dame Caroline Tetu, were sold by the sheriff to one Joseph Lamarche, whose title was eventually acquired by the respondent Dame Rosalie ..."

Page 10-11 In a letter intended to **Indian Affairs Accountant F.H. Paget**, the Supreme Court Case involving Star Chrome Mining Co. V. Rosalie Thompson from **23 November 1920** is exposed with the concerning points which created the precedent.

Thompson. The appellants, the Star Chrome Mining Company, Limited, having purchased the property from the respondent Dame Rosalie Thompson, in February, 1907, the Company took proceedings against the vendor, claiming rescission of the sale and demanding repayment of the purchase money with damages, on the ground that the property was in the Crown in the right of the Province of Quebec, and that the vendor was consequently without title at the time of the sale.

The action of the appellants having come on for trial on the 4th June, 1909, the trial was adjourned, and on the 29th June, 1912, an order was made suggesting that the Dominion Government and the Government of Quebec, should intervene for the purpose of determining the controversy touching the authority of the Dominion Government to dispose of the lands in question on behalf of the Crown. On the 2nd October, 1914, the appellant, the Attorney-General of Quebec, intervened, claiming by his intervention that the grant to Cyrice Tetu, of the 2nd July, 1887, was null and void, on the ground that the lands which the grant professed to dispose of were the property of the Crown in the right of Quebec; and on the 7th October, 1914, the respondent, the Attorney General of Canada, met the intervention of the Attorney General of Quebec by a contestation in which he maintained the validity of the grant to Cyrice Tetu. On the 7th May, 1917, the Superior Court pronounced judgment rejecting the intervention of the Attorney-General of Quebec, and the appeal from this judgment was dismissed by the Court of Kings Bench on the 20th November, 1917, Mr. Justice Lavergne dissenting.

Document-page 95452

Written: 707548y

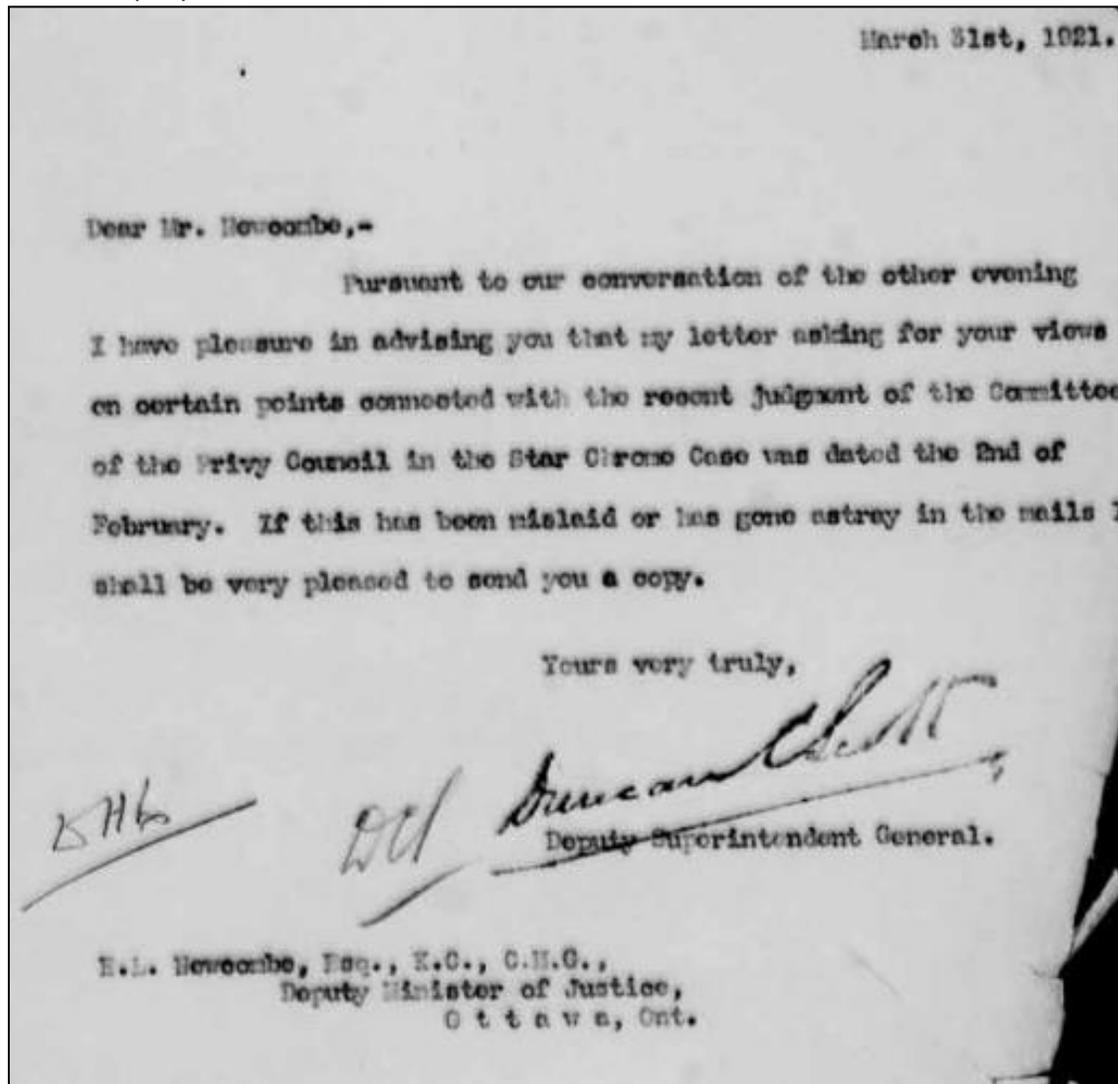
Page 2

"...Thompson, The appellants, the Star Chrome Mining Company, Limited, having purchased the property from the respondent Dame Rosalie Thompson, in February, 1907, the Company took proceedings against the vendor, claiming rescission of the sale and demanding repayment of the purchase money with damages, on the ground that the property was in the Crown in the right of the Province of Quebec, and that the vendor was consequently without title at the time of the sale.

The action of the appellants having come on for trial on the 4th June 1909, the trial was adjourned, and on the 29th June, 1912, an order was made suggesting that the Dominion Government and the Government of Quebec, should intervene for the purpose of determining the controversy touching the authority of the Dominion Government to dispose of the lands in question on behalf of the Crown. On the 2nd October, 1914, the appellant, the Attorney-General of Quebec, intervened, claiming by his intervention that the grant to Cyrice Tetu, of the 2nd July, 1887, was null and void, on the ground that the lands which the grant professed to dispose of were the property of the Crown in the right of Quebec, and on the 7th October, 1914, the respondent, the Attorney General of Quebec by a contestation in which he maintained the validity of the grant to Cyrice Tetu. On the 7th May, 1917, the Superior Court pronounced judgment rejecting the intervention of the Attorney-General of Quebec, and the appeal from this judgment was dismissed by the Court of Kings Bench on the 20th November, 1917, Mr Justice Lavergne dissenting."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

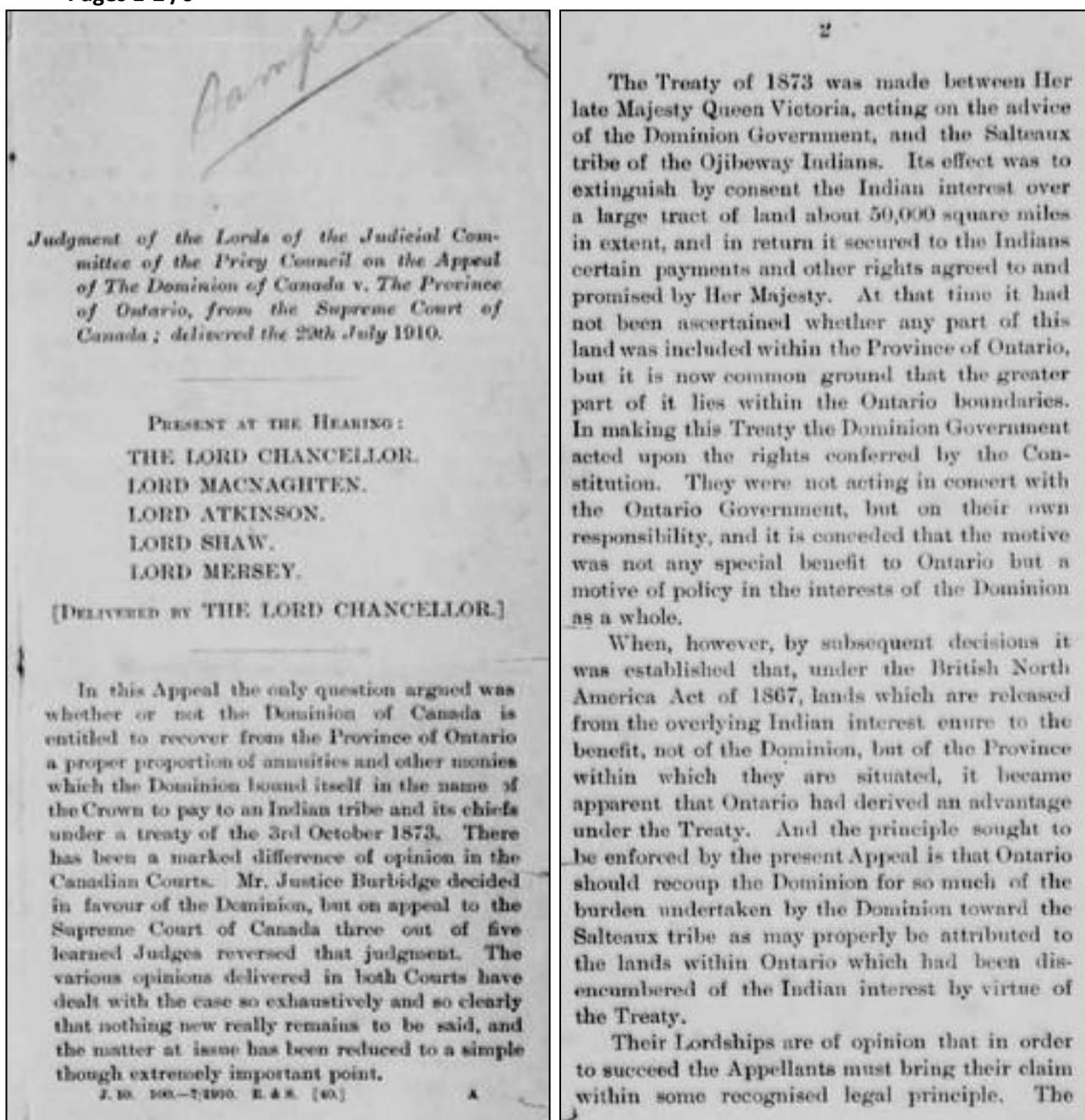
Page 12 Later on **March 31th 1921**, **Duncan C. Scott the Deputy Superintendent General of Indian Affairs** sent a letter to the **minister of Justice E.C. Macombe** exposing that he did not receive the his last letter exposing his views and points on the last judgment of the Star Chrome wood Company.



HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Pages 13-18 One of the Ontario precedent which had an impact on Tioweroton actually originated from a decision of a "*Judgment of the Lords of the Judicial Committee of the Privy Council on the Appeal of the Dominion of Canada v. The Province of Ontario, from the Supreme Court of Canada; delivered the 29th July 1910*" about an Ojibway Treaty of 1873.

Pages 1-2 /6



Pages 15-16

Pages 3-4 /6

3

Court of Exchequer, to which, by statutes both of the Dominion and the Province, a jurisdiction has been committed over controversies between them, did not thereby acquire authority to determine those controversies only according to its own view of what in the circumstances might be thought fair. It may be that, in questions between a Dominion comprising various Provinces of which the laws are not in all respects identical on the one hand, and a particular Province with laws of its own on the other hand, difficulty will arise as to the legal principle which is to be applied. Such conflicts may always arise in the case of States or Provinces within a Union. But the conflict is between one set of legal principles and another. In the present case it does not appear to their Lordships that the claim of the Dominion can be sustained on any principle of law that can be invoked as applicable.

To begin with, this case ought to be regarded as if what was done by the Crown in 1873 had been done by the Dominion Government, as in substance it was in fact done. The Crown acts on the advice of ministers in making treaties, and in owning public lands holds them for the good of the community. When differences arise between the two Governments in regard to what is due to the Crown as maker of treaties from the Crown as owner of public lands they must be adjusted as though the two Governments are separately invested by the Crown with its rights and responsibilities as treaty maker and as owner respectively.

So regarding it, there does not appear sufficient ground for saying that the Dominion Government in advising the treaty did so as agent for the Province. They acted with a view to great national interests, in pursuance of powers derived from the Act of 1867, without

4

the consent of the Province and in the belief that the lands were not within that Province. They neither had nor thought they required nor purported to act upon any authority from the Provincial Government.

Again, it seems to their Lordships that the relation of trustee and *cestui que trust*, from which a right to indemnity might be derived, cannot, even in its widest sense, be here established. The Dominion Government were indeed, on behalf of the Crown, guardians of the Indian interest and empowered to take a surrender of it and to give equivalents in return, but in so doing they were not under any special duty to the Province. And in regard to the proprietary rights in the land (apart from the Indian interest) which through the Crown enured to the benefit of the Province, the Dominion Government had no share in it at all. The only thing in regard to which the Dominion could conceivably be thought trustees for the Province, namely, the dealing with the Indian interest, was a thing concerning the whole Canadian nation. In truth, the duty of the Dominion Government was not that of trustees, but that of Ministers exercising their powers and their discretion for the public welfare.

Another contention was advanced on behalf of the Appellants—that this is analogous to the case of a *bona fide* possessor or purchaser of real estate who pays money to discharge an existing encumbrance upon it without notice of an infirmity of his title. It is enough to say that the Dominion Government were never in possession or purchasers of these lands, that they had, in fact, notice of the claim thereto of the true owner, though they did not credit it, and that they did not pay off the Indian encumbrance

Pages 17-18 (page 19 is a double of page 18)

Pages 5-6 /6

5

for the benefit of these lands, but for distinct and important interests of their own.

This really is a case in which expenditure independently incurred by one party for good and sufficient reasons of his own has resulted in direct advantage to another. It may be that, as a matter of fair play between the two Governments, as to which their Lordships are not called upon to express and do express no opinion, the Province ought to be liable for some part of this outlay. But in point of law, which alone is here in question, the Judgment of the Supreme Court appears unexceptionable.

If the opinions of Mr. Justice Burbidge and of the two dissenting Judges in the Supreme Court are examined, it will be found that they rely almost entirely upon a passage in the Judgment delivered by Lord Watson at this Board in the case of *St. Catherine's Milling and Lumber Company v. The Queen*, 14 A. C. 60. It must be acknowledged that this passage does give strong support to the view of those who rely upon it, and their Lordships feel themselves bound to regard this expression of opinion with the same respect that has been accorded to it by all the learned Judges in Canada. They consider, however, that Mr. Justice Idington and Mr. Justice Duff have stated conclusive reasons against adopting the dictum alluded to as decisive of the present case. The point here raised was not either raised or argued in that case, and it is quite possible that Lord Watson did not intend to pronounce upon a legal right. If he did so intend, the passage in question must be regarded as *obiter dictum*.

In the course of argument a question was mooted as to the liability of the Ontario Government to carry out the provisions of the Treaty so far as concerns future reservations of land for

J. 10.

B

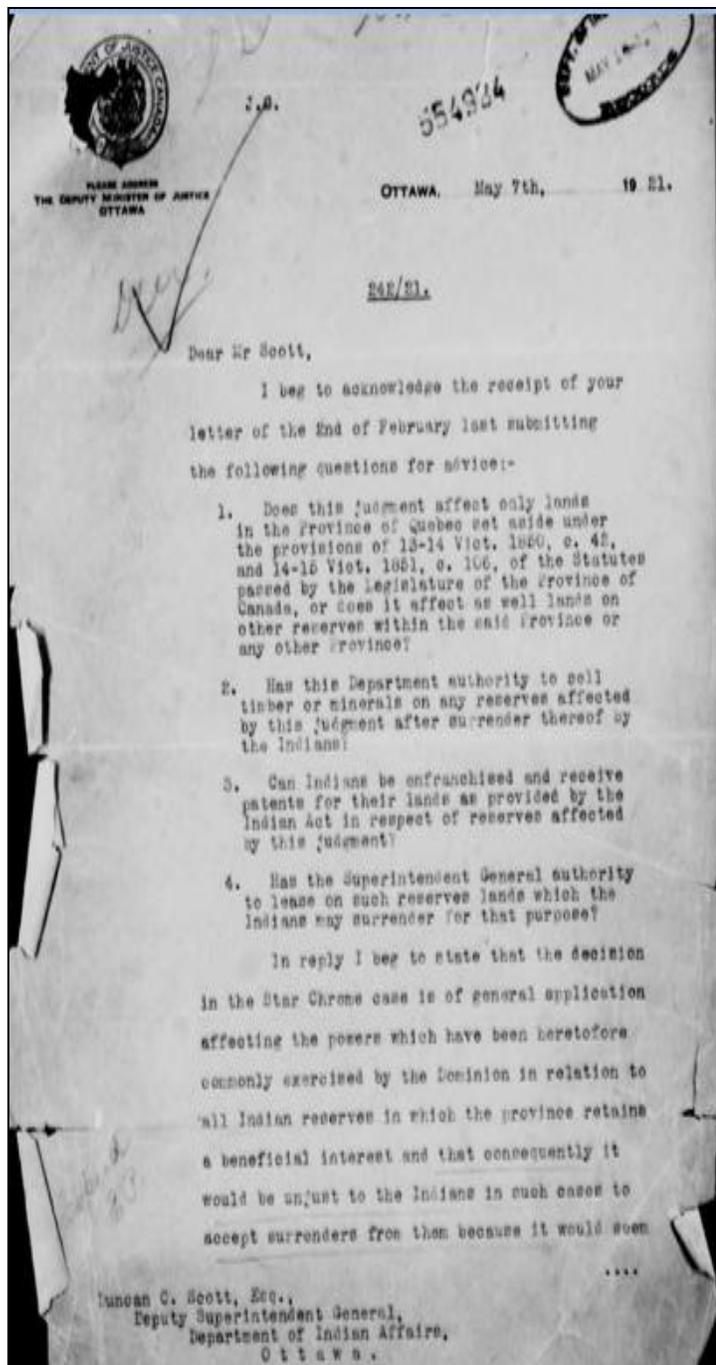
6

the benefit of the Indians. No such matter comes up for decision in the present case. It is not intended to forestall points of that kind which may depend upon different considerations, and, if ever they arise, will have to be discussed and decided afresh.

Their Lordships will humbly advise His Majesty that this Appeal should be dismissed. There will be no order as to costs.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Page 23 (pages 20-22 are letters from Privy Council of the Dominion of Canada exposing the receptions of the letters between **Deputy Minister of Lands and Forest Miville-Deschene** and **J.C MacLean Esquire at Indian Affairs** from **April 12, 1921.**) Later on **May 7th 1921**, the **Minister of Justice E.C. Macombe** asks **Duncan C. Scott the Deputy Superintendent General of Indian Affairs** in Ottawa if the precedent from Star Chrome wood Company Ontario touches Qc Jurisdictions.



The Deputy Minister of Justice Ottawa
"Ottawa, May 7th, 1921.
242/21

Dear Mr. Scott,
I beg to acknowledge the receipt of your letter of the 2nd of February last submitting the following questions for advice:-

1-Does this judgment affect only lands in the Province of Quebec set aside under the provisions of the 13-14 Vict. 1850, c. 42, and 14-15 Vict. 1851, c. 106, of the Statutes passed by the Legislature of the Province of Canada, or does it affect as well lands on other reserves within the said Province or any other Province?

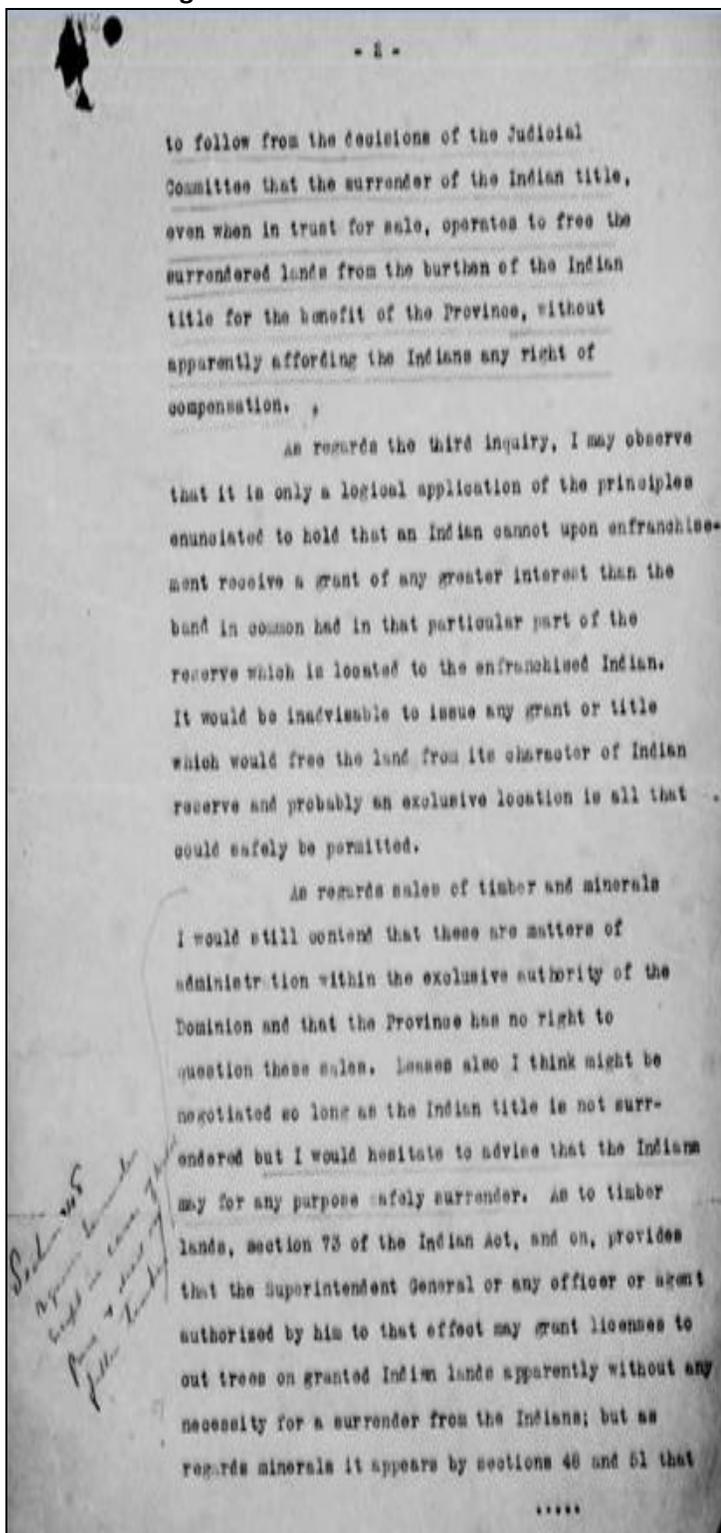
2-Has this Department authority to sell timber or minerals on any reserves affected by this judgment after surrender thereof by the Indians:

3-Can Indians be enfranchised and receive patents for their lands as provided by the Indian Act in respect of reserves affected by this judgment?

4-Has the Superintendent General authority to lease on such reserves lands which the Indians may surrender for that purpose?

In reply I beg to state that the decision in the Star Chrome case is of general application affecting the powers which have been heretofore commonly exercised by the Dominion in relation to all Indian Reserves in which the province retains a beneficial interest and that consequently it would be unjust to the Indians in such cases to accept surrenders from them because it would soon"

Page 24



Page 2

"... to follow from the decisions of the Judicial Committee that the surrender of the Indian title, even when in trust for sale, operates to free the surrendered lands from burthen³⁸ of the Indian title for the benefit of the Province, without apparently affording the Indians any right of compensation.

A regards the third inquiry, I may observe that it is only a logical application of the principles enunciated to hold that an Indian cannot upon enfranchisement receive a grant of any greater interest than the band in common had in that particular part of the reserve which is located to the enfranchised Indian. It would be inadvisable to issue any grant or title which would free the land from its character of Indian reserve and probably an exclusive location is all that could safely be permitted.

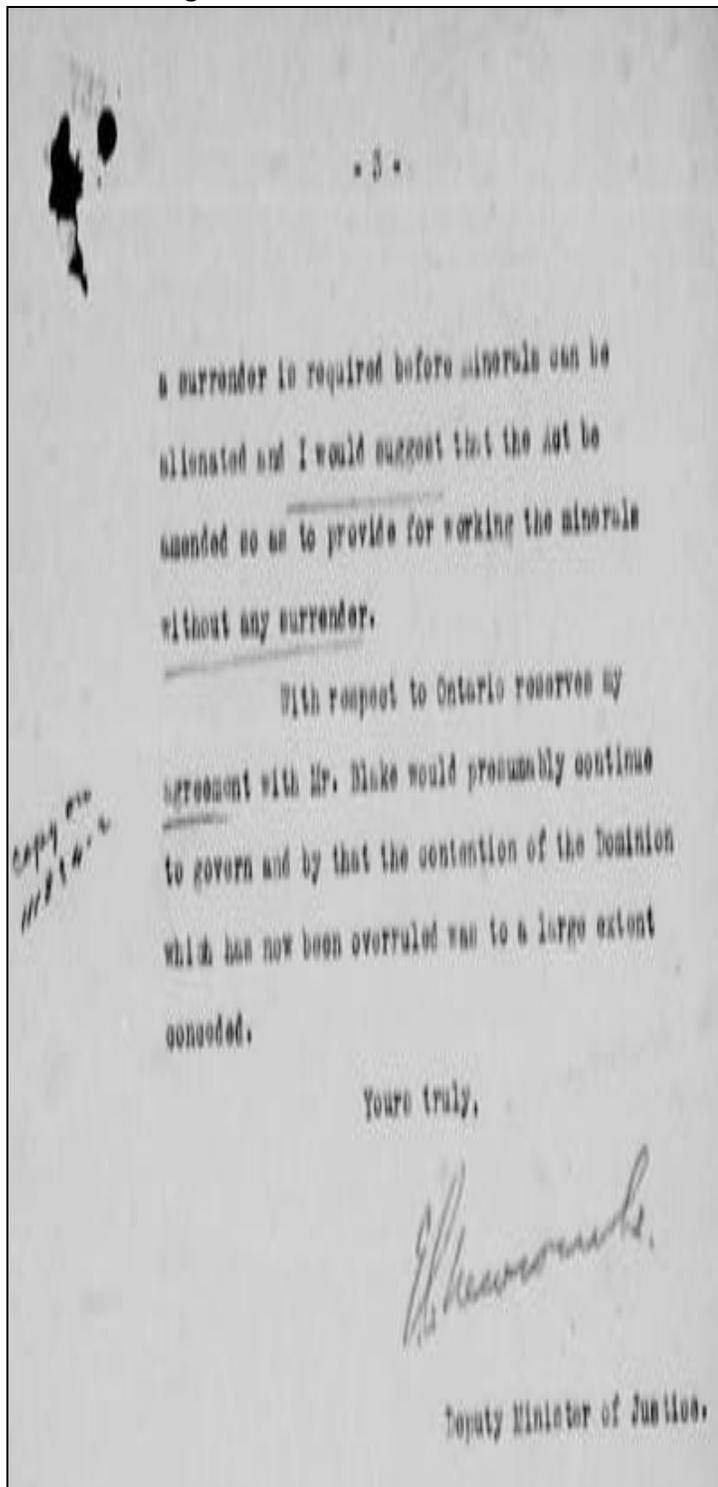
As regards sales of timber and minerals I would still contend that these are matters of administration within the exclusive authority of the Dominion and that the Province has no right to question these sales. Leases also I think might be negotiated so long as the Indian title is not surrendered but I would hesitate to advise that the Indians may for any purpose safely surrender. As to timber lands, section 73 of the Indian Act, and on, provides that the Superintendent General or any officer or agent authorized by his to that effect may grant licenses to out trees on granted Indian lands apparently without any necessity for a surrender from the Indians; but as regards minerals it appears by sections 48 and 51 that

....."

³⁸ Burthen: etymology: the terms that which is borne with difficulty; obligation; carrying capacity.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Page 25



Page 3

"... a surrender is required before minerals can be alienated and I would suggest that the act be amended so as to provide for working the minerals without surrender.

With respect to Ontario reserves my agreement with Mr. Blake would presumably continue to govern and by that contention of the Dominion which has now been overruled was to a large extent conceded.

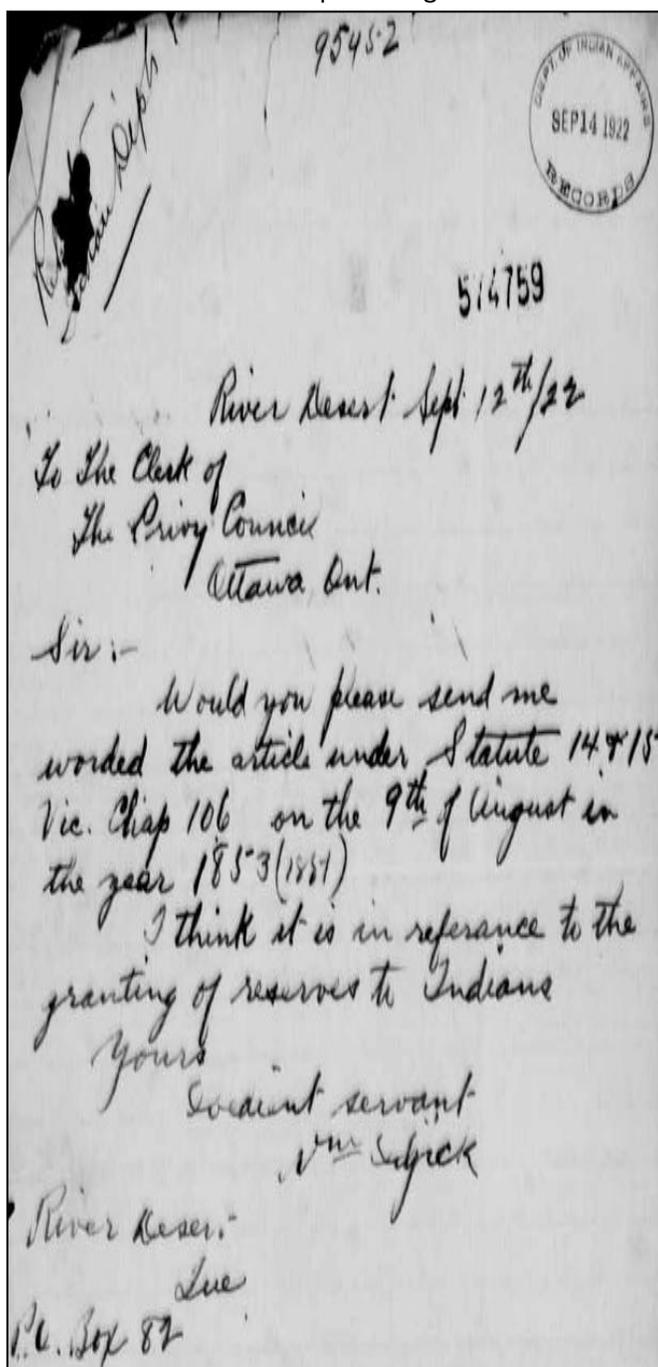
*Yours truly
E.C. Macombe
Deputy Minister of Justice."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Star Chrome Jurisdiction

Page 26 A letter of **12 September 1922** from **Odjick, Algonquin Chief** to the Clerk of the Privy Council in Ottawa asking to get a copy of the Statute 14 & 15 Vic, Chapter 106 on the 9th of August 1853, mentioning: "It is in reference to the granting of reserves to Indians."

-Note that Odjick was often mentioned in several books from Eric Pouliot-Thisdale, though censuses and parish registers.

Page-564759
Document 9545-2



"River Desert, Sept. 12th / 22

To the Clerk of
The Privy Council
Ottawa, Ont.

Sir, Would you please send me
worded article under Statute 14 & 15
Vic, Chapter 106 on the 9th of August in
The year 1853.

I think it is in reference to the
granting of reserves to Indians

Yours,
Obediant servant
Wm Odjick
River Desert
P.O. Box 82"

Surrenders following the Star Chrome Jurisdiction 1923-1933 ³⁹

This chapter includes Taschereau, Quebec's Prime Minister's reluctance to see Ottawa manage the "Surrenders" compensation's, by putting the emphasis on managing the funds from its office in Quebec.

On 11 November 1927 from W. Stuart Edward, Deputy Minister of Justice, Ottawa to Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs attempting to calm the tension created towards Charles Lanctot, Deputy Attorney General of Quebec, considering the reluctance of Quebec to collaborate with the Star Chrome Court Decision.

Then on 13 September 1928 from Charles Lanctot, the Solicitor General, and Deputy Attorney General of Quebec to Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs exposing that he is now disposed of granting to money back to squatters under the conditions and administration of the provincial government, once they receive the funds necessary.

Latter a letter from 1 March 1929 from Prime Minister of Quebec, Taschereau, is exposed in an attempt to give his conditions in order to gain an interest rate from the Federal, in which he wrote:

"The ultimate interest of the Province is fully protected by the agreement and it is provided that when an Indian band become extinct the monies and lands formerly the property of such band, remaining in the custody of the Department, shall be returned to the Province.

The values in Indian reserves in the Province of Ontario exceed those in the Province of Quebec and we are still hopeful that Quebec will grant like terms to the Dominion for the benefit of the Indians. What the Dominion asks is that the Province shall not take from the Indians monies received from the sale of these lands and shall give the Indians the full use under a statutory agreement of the reserve lands set apart for them, which area considering the extent of the Province, is negligible. The funds in hand and in prospect in comparison to the wealth of the Province may also be considered relatively unimportant.

If the Province still wishes to take the legal position it follows that this Department will not be able to ask the Indians for any surrenders of land, and from our standpoint, it is not considered that such a position of affairs be in the interests of the development of localities adjacent to Indian Reserves.[...]"

³⁹ HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, LAC, MIKAN no. 2082318, reel C-11224, (222 items), RG10. Volume/box number: 2457. File number: 95,452-1.

Until April 19, 1932, Taschereau maintains his position not agreeing to cease to management of lands and on May 12, 1932, the Minister put the emphasis on the fact that the precedent that occurred in other provinces had its jurisdiction in Quebec as well.

On page 101, on a copy of the letter from Superintendent General Thomas J. Murphy to Hugh Guthrie, E.C., Minister of Justice on May 18, 1932, he exposes the importance to put the emphasis on the amount expected from the Provincial responsables in Quebec, Prime Minister Taschereau. Murphy enclosed a memorandum exposing:

“MINISTER OF THE INTERIOR CANADA, Ottawa, May 18, 1932

My Dear Colleague, I discussed with your Deputy, Mr. Edwards, a few days ago to claim the Honourable Mr. Taschereau, on behalf of the Province of Quebec, for the payment of all monies received by the Dominion Government from the sale of surrendered Indian lands in that Province, the claim being based on the judgment of the Privy Council in 1920 in what is known as the Star Chrome Mining Company case.

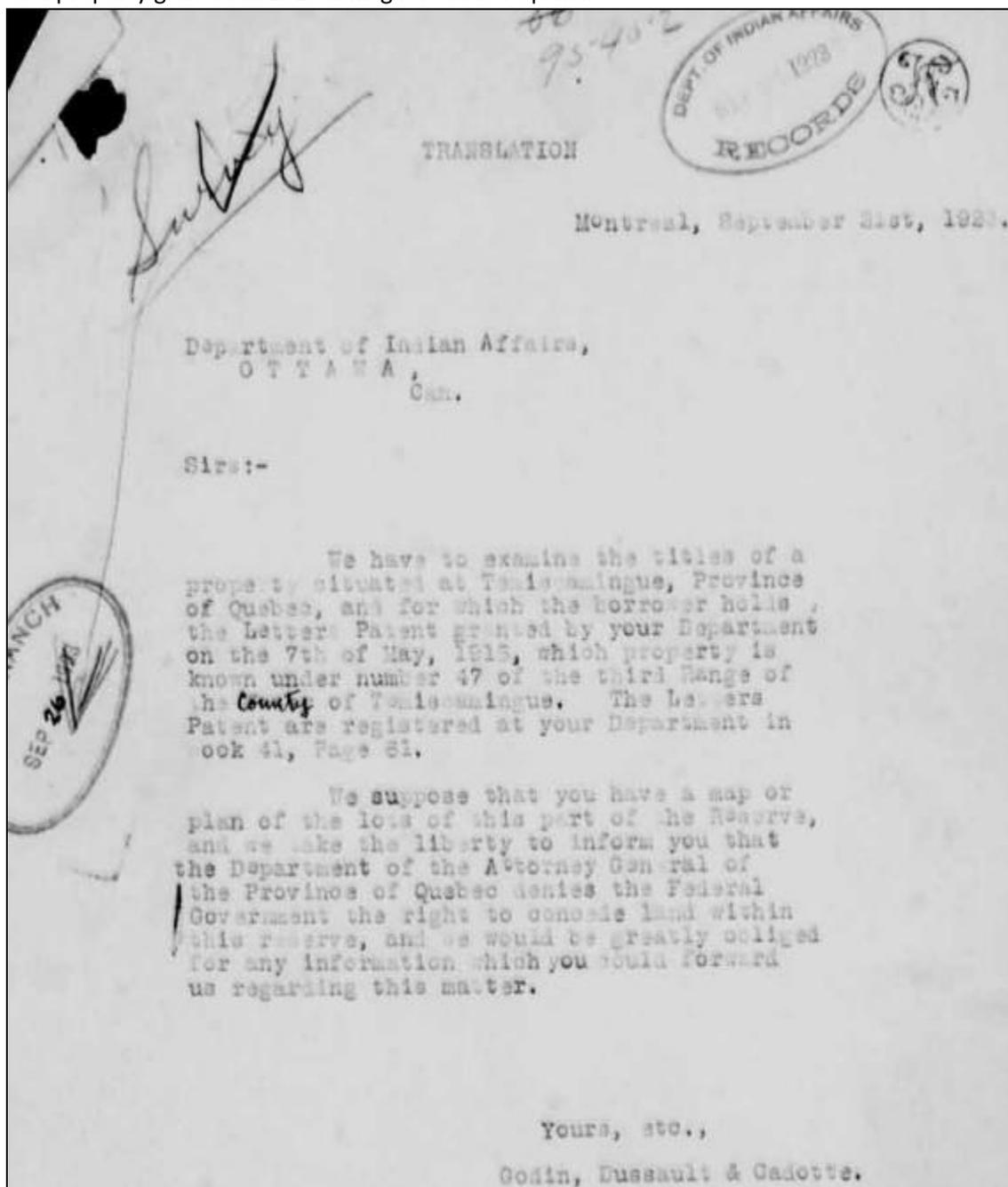
I am enclosing, herewith, a memorandum dealing with the history of the cases and a recommendation to Council providing for the payment to the Province of Quebec of the amount which, in the opinion of the department of Indian Affairs -, ans, I believe, concurred in by your Department- the Dominion Government properly owes to the Province.

As the Prime Minister is anxious that this matter be dealt with at once, I should like to have your opinion some time during the day as to what amount may properly be held as owing to the Province of Quebec by the Dominion Government in respect of the judgment of the Privy Council in the Star Chrome Mining Company case.

Further, I should like you to advise me how, and in what manner, such monies can be paid to the Province. If the recommendation to Council is not in order, would you kindly have your officers draft one which will be in accordance with your judgment.”

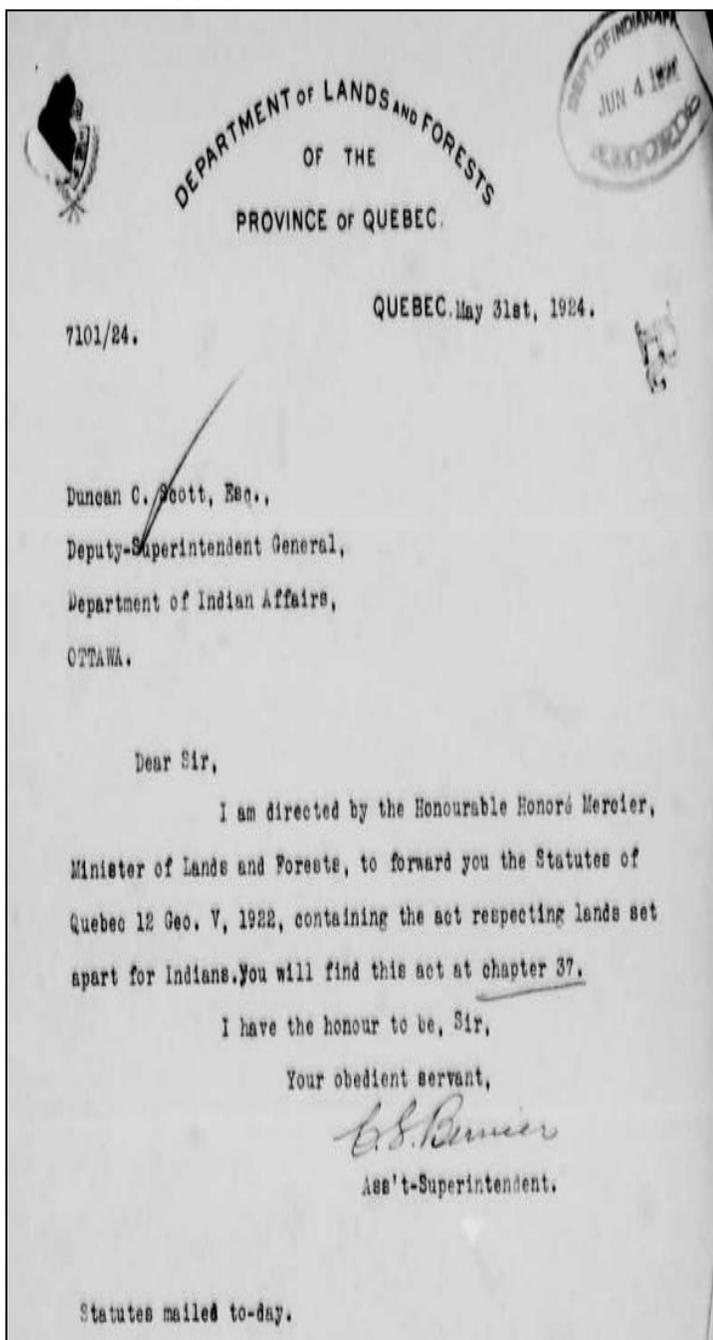
HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 30: Page 29, translated page 30, copy page 31. Correspondences end page 33. **Lawyer office Godin Dussault & Cadotte** from **September 21, 1923** asking the **Minister of Indian Affairs** for a property granted in 1915 asking for cadastre plans.



HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 34- followed by reception of letter, page 35. A letter from **May 31, 1924**, from Quebec from **C.S. Bernier Superintendent of Department of Lands and Forests of the Province of Quebec** to **Superintendent Duncan Scott Esquire of Indian Affairs** directed by Honoré Mercier, Minister of Lands and Forests about a precedent containing the *Act respecting land set for Indians*.



Department of Lands and Forests of the Province of Quebec 7101/24.

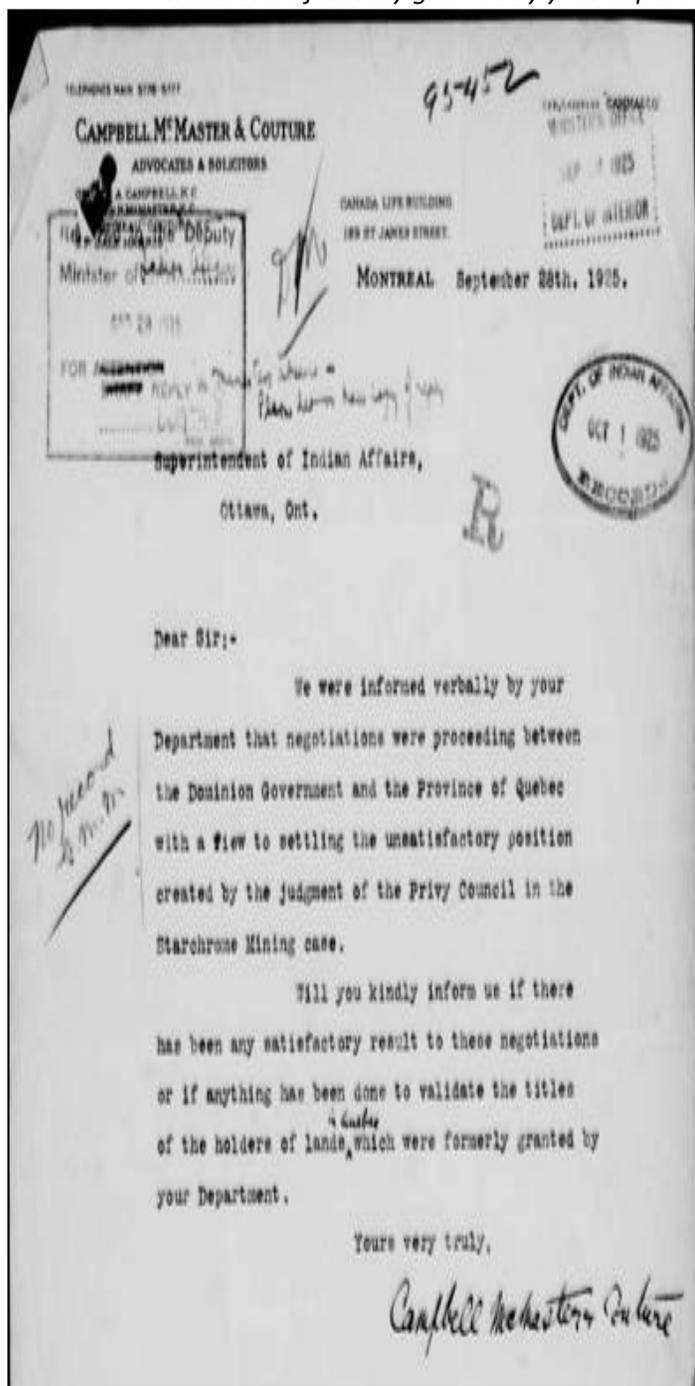
Quebec, May 31st, 1924

*"Dear Sir,
I am directed by the Honourable Honoré Mercier,
Minister of Lands and Forests, to forward
you the Statutes of Quebec 12 Geo.V. 1922,
containing the act respecting lands set
apart for Indians. You will find this act at
chapter 37.*

*I have the honour to be Sir,
Your Obediant servant,
C.S. Bernier
Ass't-Superintendent."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 40 In Montreal, **September 28th, 1925**, **Campbell, McMaster & Couture Law firm** for the settlers asking the **Superintendent of Indian Affairs** to validate the holders of lands (settlers) "*which were formerly granted by your department.*"



Campbell, McMaster & Couture
Advocates and Solicitors

Montreal, September 28th, 1925.

"Superintendent of Indian Affairs,
Ottawa, Ont.

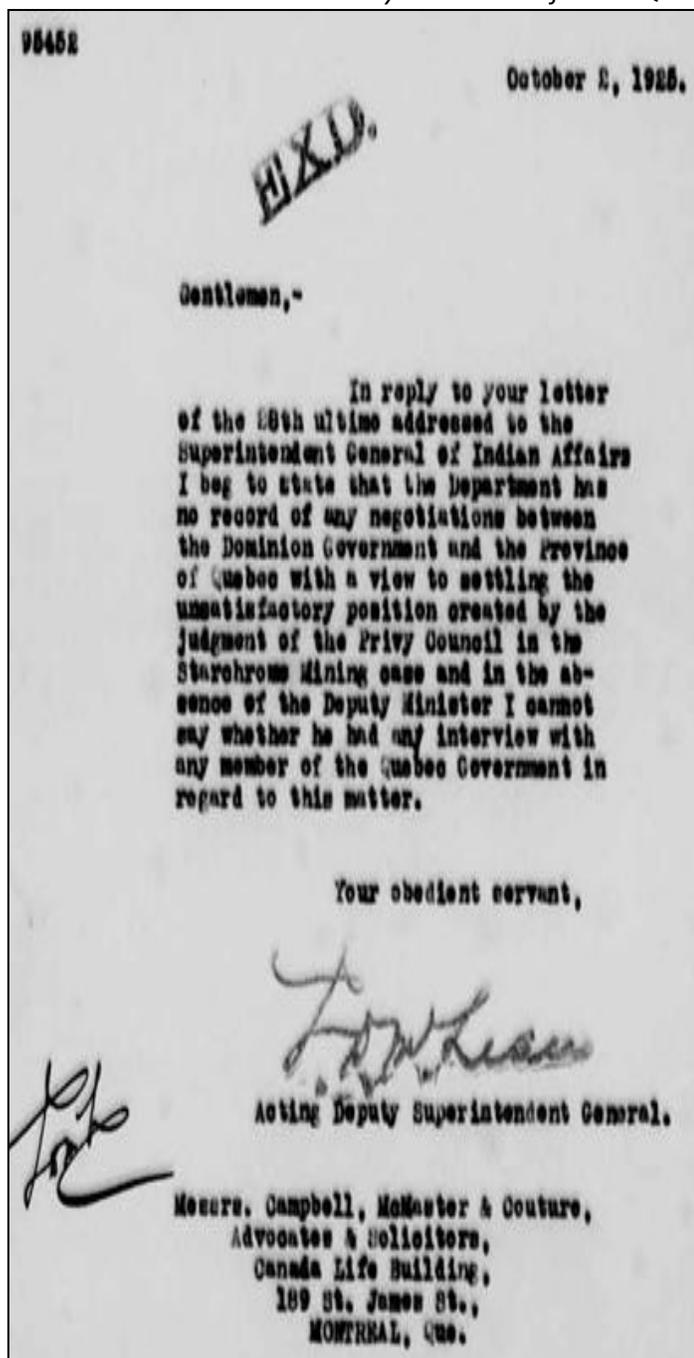
Dear Sir,
We were informed verbally by your Department that negotiations were proceeding between the Dominion Government and the Province of Quebec with a view to settling the unsatisfactory position created by the judgment of the privy Council in the Starchrome Mining case.

Will you kindly inform me if there has been any satisfactory results to these negotiations or if anything has been done to validate the titles of the holders of lands of Quebec, which were formerly granted by your Department.

Yours very truly,
Campbell, McMaster & Couture"

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 41 Letter of 2 October 1925 from J.D. McLean, Secretary of the Department of Indian Affairs to *Campbell, McMaster & Couture Law firm* exposing that *"the Department has no records of any negotiations between the Dominion Government and the Province of Quebec with a view to settling the unsatisfactory position created by the judgment of the Privy Council in the Starchrome Mining case and in absence of the Deputy Minister I cannot say whether he had any interview with any member of the Quebec Government in regard to this matter[...]"*



October 2, 1928

"Gentlemen,

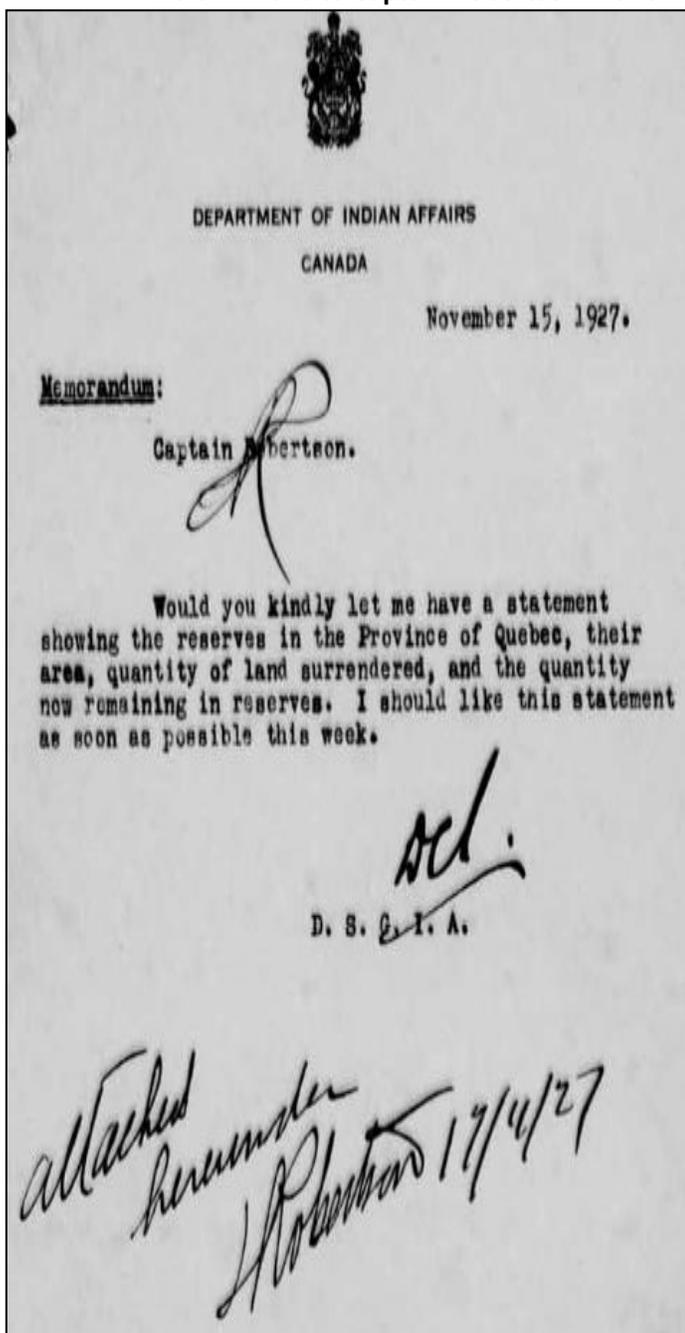
In reply to your letter of the 28th ultimo addressed to the Superintendent General of India Affairs I beg to state that the Department has no records of any negotiations between the Dominion Government and the Province of Quebec with a view to settling the unsatisfactory position created by the judgment of the Privy Council in the Starchrome Mining case and in absence of the Deputy Minister I cannot say whether he had any interview with any member of the Quebec Government in regard to this matter.

*Your obedient servant,
J.D. McLean,
Acting Deputy Superintendent General."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 42 Reception of the letter of **J.D. McLean, Secretary of the Department of Indian Affairs** of the **2 October 1925** confirmed by **Campbell, McMaster & Couture Law firm** on **5 October 1925**.

Page 43 Letter –Memorandum from **15 November 1927**, from **Departmental Secretary of Indian Affairs** to **Captain Robertson** with a mention “*attached hereunder Robertson 14/4/1927*”



**Departmental of Indian Affairs
 Canada**

“November 15, 1927.

Memorandum:

Captain Robertson.

Would you kindly let me have a statement showing the reserves in the Province of Quebec, their area, quantity of land surrendered, and the quantity now remaining in reserves. I should like this statement as soon as possible this week.

“DCL”

*D.S.G.I.A.
 (Department Secretary General of the
 Indian Affairs)*

*Attached hereunder
 Robertson 14/4/1927”*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 44 On **31 November 1927**, the annexed, "*statement showing the reserves in the Province of Quebec, their area, quantity of land surrendered, and the quantity now remaining in reserves*" as asked previously by **Department Secretary General of the Indian Affairs on November 15, 1927**.

COPY

File No. 95430.

Ottawa, November 31, 1927.

Memo.

Deputy Superintendent General,-

In accordance with your recent verbal instruction relating to Indian Lands in the Province of Quebec, I have pleasure in submitting herewith a detailed statement covering these lands, showing what portions have been sold and principal and interest due as on the 30th November, 1927; also lots and area as yet unsold:

<u>Reserves</u>	<u>Prin.</u>	<u>Int.</u>	<u>Area, Acres</u> <u>Unsold.</u>
Quistohouan	\$ 1,747.74	\$ 2,506.65	1,340.66
Tamiskeningue	341.31	194.42	4,102.65
Maniwaki	712.00	308.69	18.38
Quarante Arpentst-----			18.05
	<u>\$ 2,700.55</u>	<u>\$ 3,213.16</u>	<u>5,483.35</u>

in Charge.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 45-46 Letter from **16 September 1927** from **Charles Lanctot, Deputy Attorney General of Quebec** to **W. Stuart Edwards Esquire, Deputy Minister of Justice**, trying to calm the game through correspondence, considering the reluctance of Quebec to collaborate with the Court Decision.

Quebec, September 16th, 1927

W. Stuart Edwards, Esq.,
Deputy Minister of Justice,
O t t a w a .

Dear Mr. Deputy Minister,

As much as possible we are endeavouring on both sides to remove all cause of friction in the administrative questions which arise between the two governments and it is in this spirit that I am writing to you.

We understand from the Department of Crown Lands of this Province that they have been informed that the Federal Officers still contend that it is within their rights to administer the lands which form part of disaffected Indian reserves.

As you know, this matter was ruled upon by the Privy Council in the Star Chrome Case decided in 1920 in the sense that all such lands were vested in His Majesty in the right of the Province of Quebec after the removal of the interested Indians which had been, in several cases operated by way of a surrender of the Indian title.

Shortly after this judgment, one of the Departments of the Government of Canada, I believe that charged with the administration of Indian Affairs, furnished us with a voluminous list of the lands which had, for agricultural, industrial and other purposes, been conceded by the Ottawa Government, so as to facilitate the administration of this part of the provincial domain by the local authorities.

Of course, we have not any doubt at all that the Star Chrome judgment settles the question as far as this Government is concerned once for all. If you are of the same opinion, would it be asking you and the Honourable

"Page 1

Quebec, September 16th 1927
W. Stuart Edward, Esq.,
Deputy Minister of Justice,
Ottawa.

Dear Mr. Deputy Minister.
As much as possible we are endeavouring on both sides to remove all cause of friction in the administrative questions which arise between the two governments and it is in this spirit that I am writing to you.

We understand from the Department of Crown Lands of this Province that they have been informed that the Federal Officer still contend that it is within their rights to administer the lands which form part of disaffected Indian reserves.

As you know, this matter was ruled upon by the Privy Council in the Star Chrome Case decided in 1920 in the sense that all such lands were vested in His Majesty in the right of the Province of Quebec after the removal of the interested Indians which had been, in several cases operated by way of a surrender of the Indian title.

Shortly after this judgment, one of the Departments of the Government of Canada, I believe that charged with the administration of Indian Affairs, furnished us with a voluminous list of the lands which had, for agricultural, industrial and other purposes, been conceded by the Ottawa Government, so as to facilitate the administration of this part of the provincial domain by the local authorities.

Of course, we have not any doubt at all that the Star Chrome judgment settles the question as far as this Government is concerned once for all. If you are of the same opinion, would it be asking you and the Honourable

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 45-46 Letter from **16 September 1927** from **Charles Lanctot, Deputy Attorney General of Quebec** to **W. Stuart Edwards Esquire, Deputy Minister of Justice**, trying to calm the game through correspondence, considering the reluctance of Quebec to collaborate with the **Court Decision**.

2.

Mr. Lapointe too much to communicate in your own way with the proper federal department so as to prevent any difficulties in this connection.

Yours sincerely,

CHARLES LANCTOT.

Deputy Attorney General.

"page 2

... Mr. Lapointe too much to communicate in our own way with proper federal department so as to prevent any difficulties in this connection.

*Yours sincerely,
CHARLES LANCTOT.*

Deputy Attorney General."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 47 (page 1/2) Letter of **11 November 1927** from **W. Stuart Edward, Deputy Minister of Justice**, Ottawa to **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs** attempting to calm the tension created towards **Charles Lanctot, Deputy Attorney General of Quebec**, considering the reluctance of Quebec to collaborate with the Star Chrome Court Decision.

WSE/GLH.

Ottawa, November 11, 1927.

Dear Dr. Scott, -

I enclose herewith copy of a letter which was received in the department some time ago from Mr. Charles Lanctot, Deputy Attorney General of Quebec, upon the subject of the administration of certain Indian reserves in that Province. When you spoke to me upon this subject recently the fact that Mr. Lanctot had communicated with me had escaped my memory, and his letter was only brought to my attention this morning.

If you agree, I will write Mr. Lanctot stating that it would be desirable to have a conference between himself and our officials in the matter, and that if it would suit his convenience we would be glad to attend at Quebec for that purpose.

Duncan C. Scott, Esq.,
Deputy Superintendent General
of Indian Affairs,
OTTAWA.

Page 1/2

"WSE/GLH.

Ottawa, November 11, 1927.

Dear Mr. Scott,-

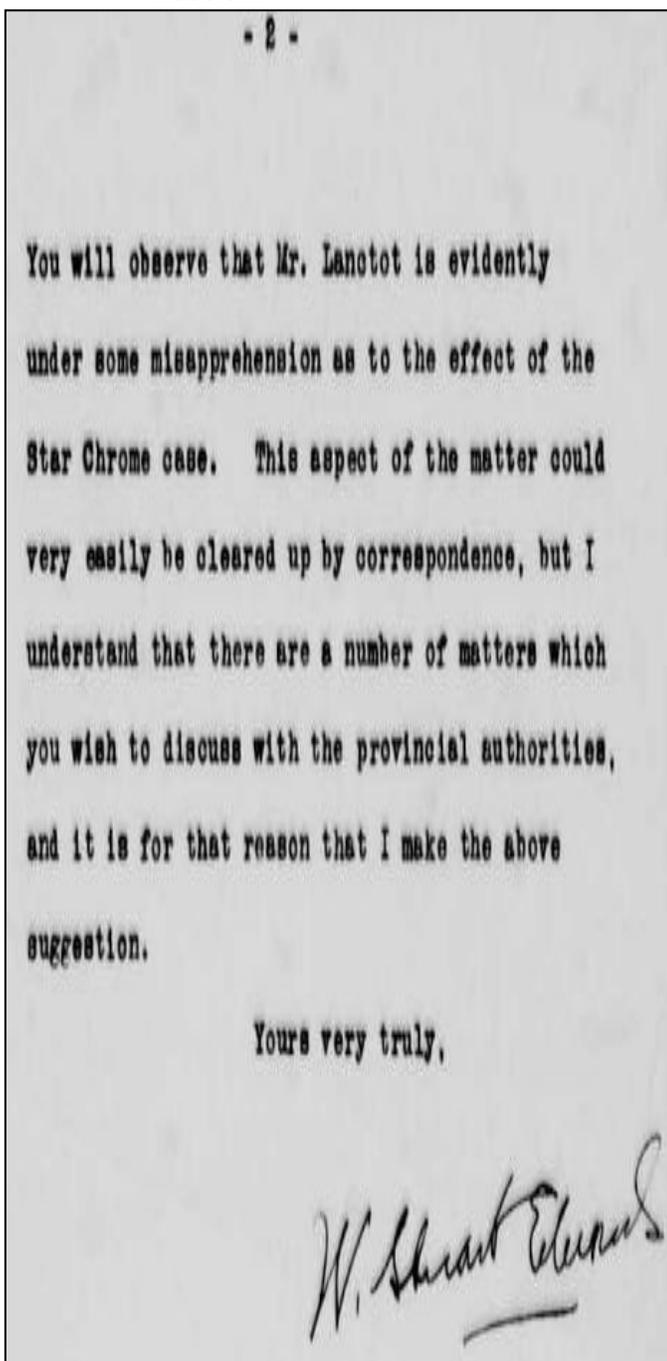
I enclose herewith copy of a letter which was received in the Department some time ago from Mr. Charles Lanctot, Deputy Attorney General of Quebec, upon the subject of the administration of certain reserves in that Province. When you spoke to me upon this subject recently the fact that Mr. Lanctot had communicated with me had escaped my memory, and his letter was only brought to my attention this morning.

If you agree, I will write Mr. Lanctot stating that it would be desirable to have a conference between himself and our officials in the matter, and that if it would suit his convenience we would be glad to attend at Quebec for that purpose.

*Duncan Scott, Esq.
Deputy Superintendent General
of Indian Affairs,
OTTAWA."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 48 (page 2/2) Letter of **11 November 1927** from **W. Stuart Edward, Deputy Minister of Justice**, Ottawa to **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs** attempting to calm the tension created towards **Charles Lanctot, Deputy Attorney General of Quebec**, considering the reluctance of Quebec to collaborate with the Star Chrome Court Decision.



Page 2/2

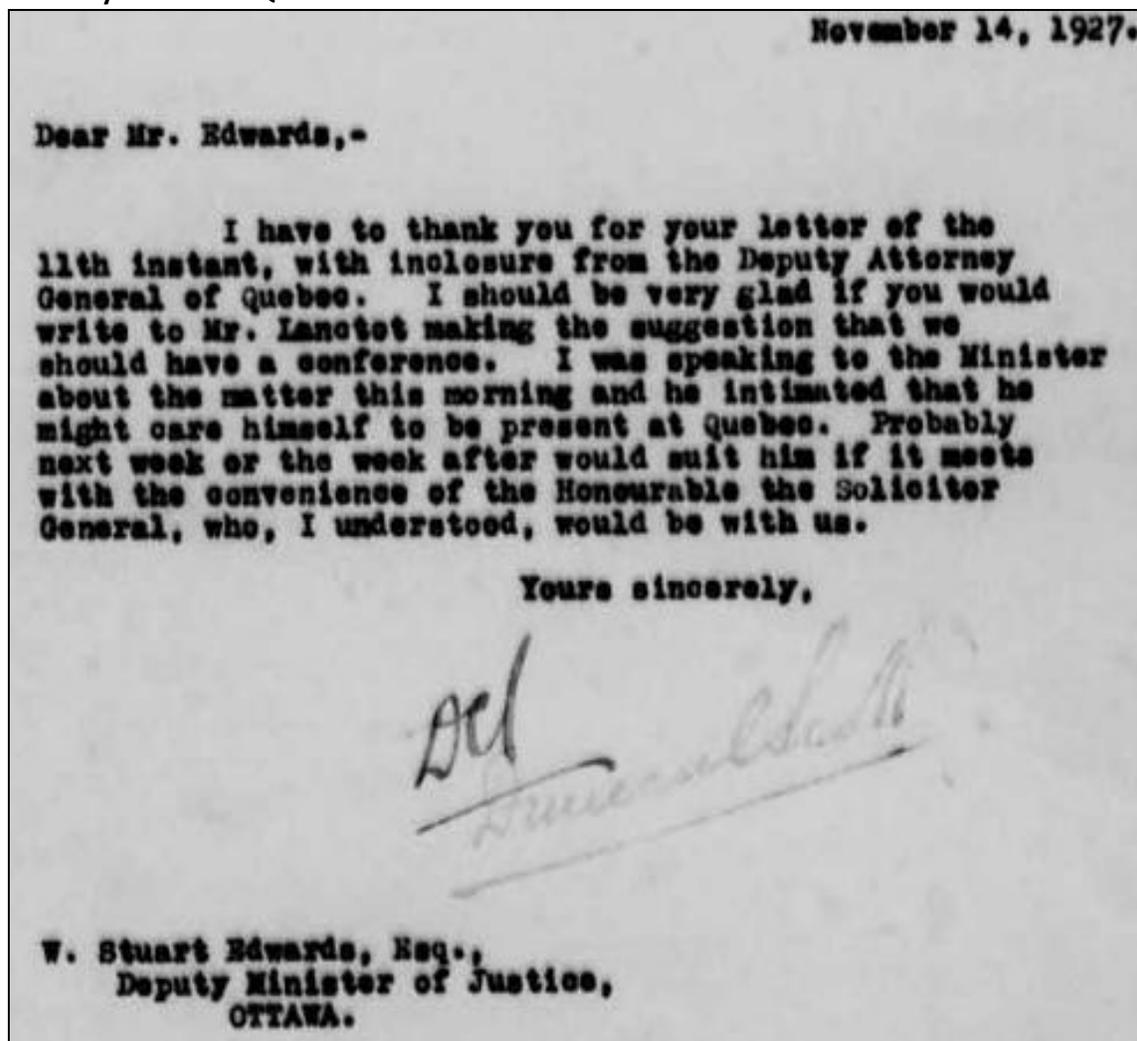
“You will observe that Mt Lanctot is evidently under some misapprehension as to the effect of the Star Chrome case. This aspect of the matter could very easily be cleared up by correspondence, but I understand that there are number of matters which you wish to discuss with the provincial authorities, and it is for that reason that I make the above suggestion.

Yours very truly,

W. Stuart Edwards.”

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 49 Letter from **14 November 1927** from **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs** giving receipt of the reception of the letter of **11 November 1927** from to **W. Stuart Edward, Deputy Minister of Justice, Ottawa**, exposing that they would be willing to attend a meeting with Mr. Lanctot as a conference with the **Minister at Quebec** during the next week or the week after in which **Charles Lanctot the Solicitor General, and Deputy Attorney General of Quebec** would also attend.



HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 50 In a letter from **7 January 1928, Charles Lanctot the Solicitor General, and Deputy Attorney General of Quebec to W. Stuart Edward, Deputy Minister of Justice**, Ottawa agreeing to have a conference adding that he would consider important to have **Mr. Justice L. A. Cannon**.
-Reception of the letter was confirmed on **10 January 1928** by **Stuart Edward**, page 51.
(Note: **Mr Justice** is a term used designating a *Judge* seating at *Supreme Court of Canada*.)

COPY/EV

Quebec, January 7th, 1928

W. Stuart Edwards, Esq.,
Deputy Minister of Justice,
Ottawa.

Dear Mr. Edwards,

Your file No. 1466/27

On my return from Europe I had communication of your letter of the 22nd November last, in which you state that it would be desirable that the Hon. Mr. Cannon, Dr. Scott, and possibly yourself should attend upon the Quebec authorities, in Quebec, in connection with the discussion of the situation in the Province of Quebec relating to the administration of Indian lands.

I talked the matter over with the Premier and he states that if we were informed of Mr. Cannon's next visit to Quebec, we would make it a point to meet him with Dr. Scott and yourself for the purpose of discussing the above matter.

Yours sincerely,
Charles Lanctot.

Copy /EV

"Quebec, January 7th, 1928

W. Stuart Edward, Esq.,
Deputy Minister of Justice,
Ottawa

Dear Mr. Edwards.

Your file No. 1466/27

On my return from Europe I had communication of your letter of the 22nd November last, in which you state that it would be desirable that the Hon. Mr Cannon, Dr. Scott, and possibly yourself should attend upon the Quebec authorities, in Quebec, in connection with the discussion of the situation in the Province of Quebec relating to the administration of indian lands.

I talked the matter over with the Premier and he states that if we were informed of Mt. Cannon's next visit to Quebec, we would make it a point to meet him with Dr. Scott and yourself for the purpose of discussing the above matter.

Yours sincerely,
Charles Lanctot."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 52 Schedule exposing statement of the Indian Affairs concerning the original acres, surrendered acres and present acres

INDIAN RESERVES IN THE PROVINCE OF QUEBEC			
Reserve	Original Area	Surrendered	Present Area
Bel. Isle ✓	63,100.00	--	63,100.00
Es. Masie	97.00		97.00
Becancour	122.17		122.17
Coleraine ✓	2,722.57	1,722.57	
Caughnawaga	12,478.75	146.44	12,478.75
Lorette	40.00	13.25	26.75
Quarante Arpents	1,352.00	1,352.00	
Roosmont ✓	9,600.00	9,600.00	
Marie	416.00		416.00
Maniwaki ✓	44,708.56	2,700.34	42,008.32
Oka	Title not vested in Crown		
Doncaster ✓	18,500.00		18,500.00
Quintachouan ✓	23,000.00	19,230.94	3,779.06
Crespien ✓	8,374.85	8,374.85	
Pierreville			1,538.50
Darham Lands	8,007.50	computed	
Coucoucacha ✓	380.00		380.00
Teynontache ✓	7,407.95		7,407.95
Manuan ✓	1,006.00		1,006.00
Seven Islands ✓	94.57	88.80	5.77
Addition to Seven Islands	255.50		255.50
Restigouche ✓	8,869.42		8,869.42
St. Regis	6,885.77		7,384.44
Teniskaming ✓	25,740.00	25,740.00	14,660.00
Viger ✓	3,685.20	3,685.20	
Cocoune	.44		.44
Whitworth	438.00		438.00
	<u>261,886.77</u>	<u>71,664.39</u>	<u>183,374.06</u>

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 53 Schedule showing Lands allotted under Act 14 and 15 Vic. Chap. 106 and those received, citing Leinster, Doncaster

SCHEDULE SHOWING LANDS ALLOTTED UNDER ACT 14 AND 15 VIC. CHAP. 106 AND THOSE RECEIVED.						
County	Township or Locality	Area	Reserve	Area	Excess	Deficiency
Ottawa	Temiškaming	38,400.00	Temiškaming	38,400.00	--	--
	Nanivaki	48,750.00	Nanivaki	44,708.66	--	1041.34
Megantic	Coleraine	2,000.00	Coleraine	2,722.57	722.57	--
Leinster	Doncaster	18,000.00	Doncaster	18,500.00	500.00	--
Port neuf	La Tuque	14,000.00	(Veymontachi	7,407.96		
	Rocmont	9,600.00	(Coucousoche	380.00	--	4506.06
			(Nanuan	1,906.00		
			Rocmont	9,600.00	--	--
Rimouski	Viger	3,660.00	Viger	3,685.20	35.20	--
Bonaventure	Mann	9,600.00	Hestigouche	8,869.42	--	730.58
Gagony	Peribonko River	16,000.00	Oulatchouan	25,000.00	11574.85	--
	Metabetchouan	4,000.00	Crespien	8,374.85		
	Manicouga	70,000.00	Bersimis	63,100.00	--	--
			Seven Islands	94.57	--	6805.43
		229,000.00		230,749.77	14632.67	12883.40

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 55 exposes the schedule stating the locations of lands allotted, including Doncaster as: Reserve No. 17

No.	Name	Where Situate	Tribe or band	Area	Original Area	Remarks
7	Lorette	County of Quebec about 8 mls from Quebec City.	Hurons of Lorette	26.75	40.00	This village which is said to have contained an area of 40 arpents, had been long occupied by the Hurons. They were confirmed by deed of gift by Jesuit Fathers dated Feb. 25th 1794. Boundaries were defined by Order of Courts in 1887.
8	Quarant Arpents	In County of Quebec about 3 miles from Lorette	Hurons of Lorette		1352.00	Gift from Jesuit Fathers dated Mar. 7 1742 and again confirmed in deed of gift of Feb. 25 1794 mentioned above. Surrendered & sold Mar. 7/04. 1352 ac.
9	Roquemont	In Tp. of Roquemont, County of Portneuf	Hurons of Lorette		9600.00	Set apart under provisions of the Act 14, 15 Vic. Chap 106. Surrendered for sale Aug. 6, 1903.
2	Marie	At mouth of Grand Chacopedia River, in Tp. of Marie, County of Bonaventure	Micmacs	416.00	416.00	Settled on & claimed by Indians from time immemorial
18	Maniwaki	At confluence of Desert River with Gatineau River in County of Ottawa	Algonquins of the Lake of Two Mountains	42008.32	44708.66	Set apart under provisions of the Act 14, 15, Vic. Chap 106. Said to be 45700.00 ac. 1237.34 acres surrendered at different dates, also 1463 ac surrendered by O.C. 18th Aug. 1917. Permission granted to Messrs. Cavanagh to construct a road on lots 30 & 31 to enter their lot 32. See letter June 20, 1918.
16	Oka	N. shore Lake of Two Mountains, Ottawa River, County of Two Mountains.				The title is not vested in the Crown
17	Doncaster	The southerly portion of Tp. of Doncaster in County of Montcalm	Iroquois of Sault St. Louis & Iroquois of Lake of Two Mountains	18500.00	18500.00	Set apart under provisions of the Act 14 and 15 Vic Chap 106. Said to be 18000.00 ac.

17 Doncaster	The southerly portion of Tp. of Doncaster in County of Montcalm	Iroquois of sault St. Louis & Iroquois of Lake of	18500.00	18500.00	Set apart under provisions of the lot 14 and 15 Vic Chap 106. Said to be 15000.00 ac. (acres)
--------------	---	---	----------	----------	---

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Pages 59-72 are accounts relating the Balance in Trusts Funds Account and arrears -Province of Quebec, **November 15, 1927** -NONE CONCERNING DONCASTER-.

Page 59 Relating the Balance in Trusts Funds Account-Province of Quebec, **November 15, 1927**.

(3)

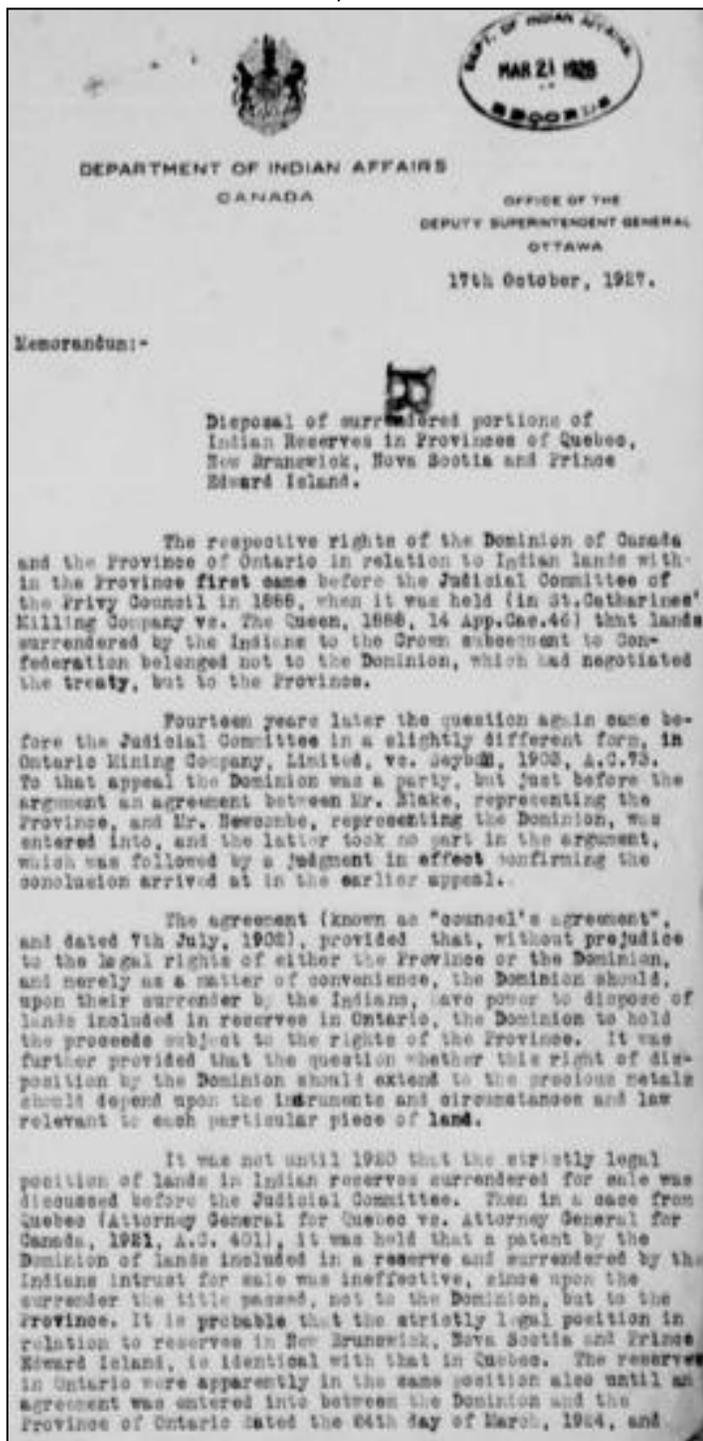
Balances in Trust Fund Accounts - Province of Quebec
November 15th, 1927.

Name of Reserve	Capital	Interest
Abenakis of St. Francis (Pierreville)	3,807.82	336.53
Abenakis of Beaucour	6,369.92 ✓	257.09
Amalecites Isle Verte and Viger	9,934.57 ✓	399.46
Hurons of Lorette	13,107.68 ✓	3,925.05
Iroquois of Caughnawaga	4,582.19 ✓	.....
Iroquois of St. Regis	53,037.47	11,527.39
Lake St. John (Pointe Bleue)	6,474.47	7,904.12
Lake of Two Mountains (Oka)	6,649.39	635.59
Teniskaming	36,415.31	3,065.89
River Desert	68,617.47 ✓	3,945.55
Restigouche	3,403.37	1,846.7
Bersimis	123,635.09 ✓	3,125.0
Coucoucache (Weymontachi)	31,746.57 ✓	235.8
	\$ 367,771.32	\$ 35,1

31,574.77

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 73 (1/3) from pages 73-74-75 Letter-Memorandum of **17 October 1927** from the Office of the **DEPUTY SUPERINTENDENT GENERAL**, Ottawa of the Department of **Indian Affairs** exposing the suggested **DISPOSAL OF SURRENDER PORTIONS** of **INDIAN RESERVES** in Provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island.



"Memorandum:-Disposal of surrender portions of Indian reserves in Provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island.

The respective rights of the Dominion of Canada and the Province of Ontario in relation to Indian lands within the Province first came before the Judicial Committee of the Privy Council in 1888, when it was held (in St. Catharines' Milling Company vs. The Queen, 1888, 14 App. Cas. 461) that lands surrendered by the Indians to the Crown subsequent to Confederation belonged not to the Dominion, which had negotiated the treaty, but to the Province.

Fourteen years later the question again came before the Judicial Committee in a slightly different form, in Ontario Mining Company, Limited. Vs. Seybold, 1903, A.C.73. To that appeal the Dominion was a party, but just before the argument and agreement between Mr. Blake, representing the Province, and Mr. Newcombe, representing the Dominion, was entered into, and the latter took no part in the argument, which was followed by a judgment in effect confirming the conclusion arrived at in the earlier appeal.

The agreement (known as "counsel's agreement", was dated 7th July, 1902), provided that, without prejudice to the legal rights of either the Province or the Dominion and merely as a matter of convenience, the Dominion should upon their surrender by the Indians, have power to dispose of lands included in reserves in Ontario, the Dominion to hold the proceeds subject to the rights of the Province. It was further provided that the question whether this right of disposition by the Dominion should extend to the precious metals relevant to each particular piece of land.

It was not until 1920 that the strictly legal position of lands in Indian reserves surrendered for sale was discussed before the Judicial Committee. Then in a case from Quebec (Attorney General for Quebec vs. Attorney General for Canada, 1921, A.C. 401). It was held that a patent by the Dominion of lands included in a reserve and surrendered by the Indians entrusted for sale was ineffective, since upon the surrender the title passed, not to the Dominion, but to the Province. It is probable that the strictly legal position in relation to reserves in New Brunswick, Nova Scotia and Prince Edward Island, is identical with that in Quebec. The reserves in Ontario were apparently in the same position also until an agreement was entered into between the Dominion and the Province of Ontario dated the 24th day of March, 1924, and ..."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 74 (2/3) from pages 73-74-75 Letter-Memorandum of **17 October 1927** from the **Office of the DEPUTY SUPERINTENDENT GENERAL**, Ottawa of the **Department of Indian Affairs** exposing the suggested DISPOSAL OF SURRENDER PORTIONS of INDIAN RESERVES in Provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island.

confirmed by Chapter 18, Statutes of Ontario, 14 Geo.V, and by Chapter 40, Statutes of Canada, 14-15 Geo.V. Although no steps have been taken to determine the question, the general notion prevails that the Indians' interest in reserves carries with it the right to the base metals but that the precious metals belong to the Crown in the right of the province. Geological formations are such that precious and base metals ordinarily occur together and are only separated in the course of refinement. To deal with the precious metals consequently involves dealing also with the base metals and the said Agreement with Ontario is that upon the sale or other disposition of mineral lands one-half of the total proceeds should belong to the Dominion for the benefit of the Indians and the other half to the Province.

Briefly, this Agreement following the recitals proceeds:-

(a) By paragraph 1 to confirm and define the right of the Dominion to dispose of Indian reserve lands generally, subject to the proviso that in the event of a band becoming extinct, the lands and funds remaining shall belong to the province.

(b) By paragraphs 2 to 6 to permit the disposition also by the Dominion of the minerals including precious metals, subject, however, to the assimilation of the right to stake and the mode of staking mineral claims on reserves to that applicable to adjoining lands in the Province under provincial laws and subject also to the division equally between the Province and the Indians of the consideration obtained for minerals.

(c) By paragraph 7 to exclude this latter arrangement as to minerals from the reserves set apart in 1873 under the Northwest Angle Treaty, which expressly provides that the Indians shall have the benefit of all the minerals, and also to exclude from that arrangement such lands as have been granted for the use of Indians by provincial letters patent which, under the law of Ontario, carry the precious metals as well as other minerals.

(d) By paragraph 8 to prevent the disposition of water powers exceeding 500 horse-power, except on terms agreed to by the Province.

(e) By paragraph 9 to confirm all past transactions by the Dominion or the Province.

(f) By paragraph 10 to prevent the statutory confirmation of the agreement from affecting the interpretation which would, apart from it, be placed upon grants heretofore or hereafter made.

The object of a band in surrendering an area of land is to have it converted into cash to be funded for the benefit of its members. The interest arising therefrom is applied as occasion may require in the way of relief, the purchase of stock, agricultural machinery, &c. In this way property from which no particular benefit is being derived is converted into property from which very great benefit is derived. If, as is the situation at the present time, on a

" confirmed on Chapter 18, Statutes of Ontario, 14 Geo.V and by Chapter 40, Statutes of Canada, 14-15 Geo.V. Although no steps have been taken to determine the question, the general notion prevails that the Indians' interest in reserves carries with it the right to the base metals but that the precious metals belong to the Crown in the right of the Province. Geological formations are such that precious and base metals ordinarily occur together and are only separated in the course refinement. To deal with the precious metals consequently involves dealing also with the base metals and the said Agreement with Ontario is that upon the sale or other disposition of mineral lands one-half of the total proceed should belong to the Dominion for the benefit of the Indians and the other half to the Province.

Briefly, this Agreement following the recitals Proceeds:-

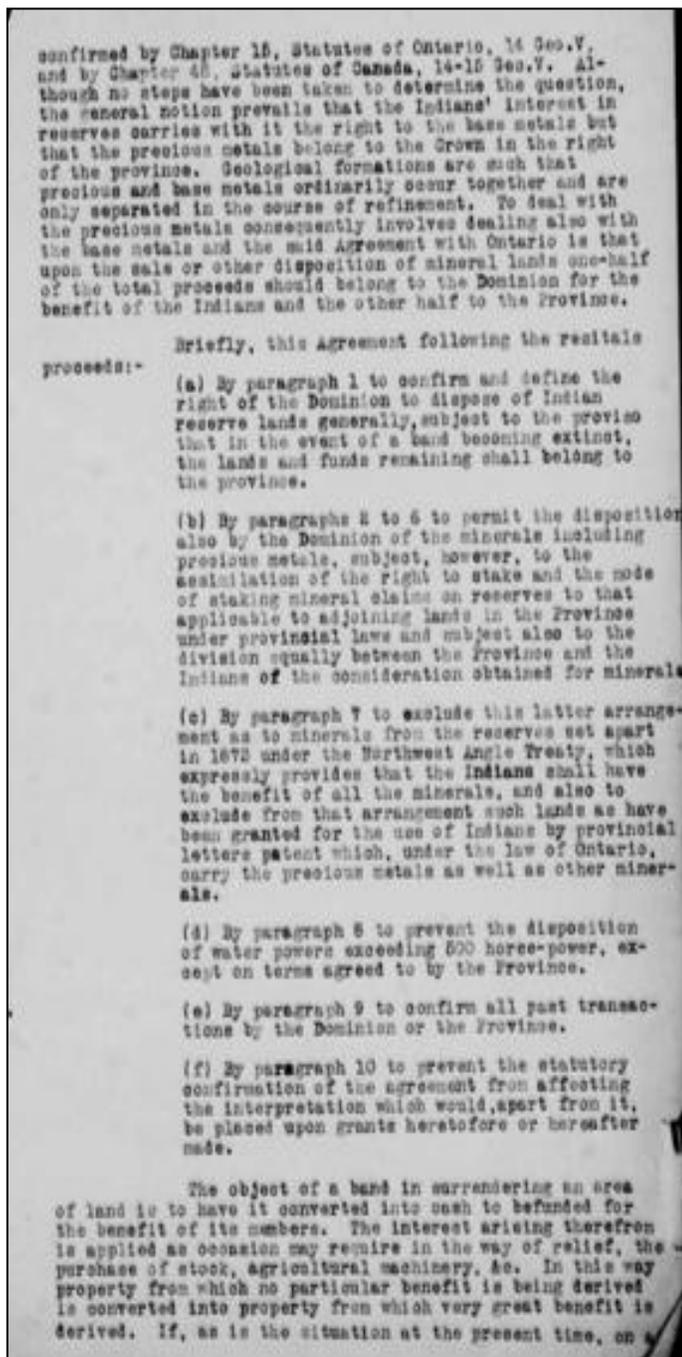
(a) By paragraph 1 to confirm and define the right of the Dominion to dispose of Indian reserve lands generally, subject to the proviso that in the event of a band becoming extinct, the lands and funds remaining shall belong to the province.

(b) By paragraph 2 to 6 to permit the disposition also by the Dominion of the minerals including precious metals, subject however, to the assimilation of the right to stake and the mode of staking mineral claims on reserves to that applicable to adjoining lands in the Province under provincial laws and subject also to the division equally between the province and the Indians of the consideration obtained for minerals.

(c) By paragraph 7 to exclude this latter arrangement as to minerals from the reserves set apart in 1873 under the Northwest Angle Treaty, which expressly provides that the Indians shall have the benefit of all the minerals, and also to exclude from the arrangement such lands as have been granted for the use of Indians by provincial letters patent which, under the law of Ontario, carry the precious metals as well as other minerals.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 74 (2/3) from pages 73-74-75 Letter-Memorandum of **17 October 1927** from the **Office of the DEPUTY SUPERINTENDENT GENERAL**, Ottawa of the **Department of Indian Affairs** exposing the suggested DISPOSAL OF SURRENDER PORTIONS of INDIAN RESERVES in Provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island.



"...confirmed on Chapter 18, Statutes of Ontario, 14 Geo.V and by Chapter 40, Statutes of Canada, 14-15 Geo.V. Although no steps have been taken to determine the question, the general notion prevails that the Indians' interest in reserves carries with it the right to the base metals but that the precious metals belong to the Crown in the right of the Province. Geological formations are such that precious and base metals ordinarily occur together and are only separated in the course refinement. To deal with the precious metals consequently involves dealing also with the base metals and the said Agreement with Ontario is that upon the sale or other disposition of mineral lands one-half of the total proceed should belong to the Dominion for the benefit of the Indians and the other half to the Province.

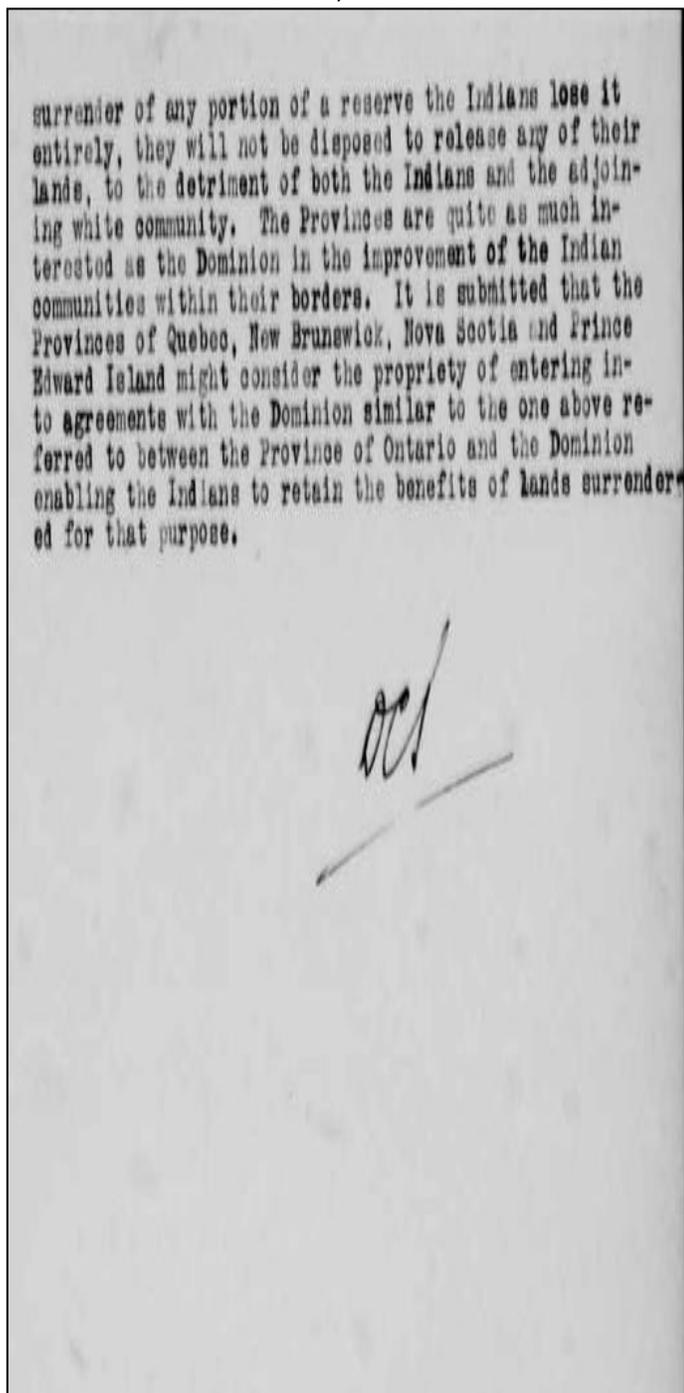
Briefly, this Agreement following the recitals Proceeds:-

- (a)
- (b)
- (c)
- (d) *By paragraph 6 to prevent the disposition of water powers exceeding 500 horse-power, except on terms agreed to by the Province.*
- (e) *By Paragraph 9 to conform all past transactions by the Dominion or the Province.*
- (f) *By paragraph 10 to prevent the statutory confirmation of the agreement from affecting the interpretation which would, apart from it, be placed upon grants heretofore or hereafter made.*

The object of a bans in surrendering an area of land is to have it converted into cash to be funded for the benefit of its members. The interest arising therefrom is applied as occasion ma require in the way of relief, the purchase of stock, agricultural machinery &c. In this way property from which no particular benefit is being derived is converted into property from which very great benefit is derived. If, as is the situation at the present time, on a..."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 75 (3/3) from pages 73-74-75 Letter-Memorandum of **17 October 1927** from the **Office of the DEPUTY SUPERINTENDENT GENERAL**, Ottawa of the **Department of Indian Affairs** exposing the suggested DISPOSAL OF SURRENDER PORTIONS of INDIAN RESERVES in Provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island.



surrender of any portion of a reserve the Indians lose it entirely, they will not be disposed to release any of their lands, to the detriment of both the Indians and the adjoining white community. The Provinces are quite as much interested as the Dominion in the improvement of the Indian communities within their borders. It is submitted that the Provinces of Quebec, New Brunswick, Nova Scotia and Prince Edward Island might consider the propriety of entering into agreements with the Dominion similar to the one above referred to between the Province of Ontario and the Dominion enabling the Indians to retain the benefits of lands surrendered for that purpose.

Page 3

"...surrender of any portion of a reserve the Indians lose it entirely, they will not be disposed to release any of their lands, to the detriment of both the Indians and the adjoining white community. The Provinces are quite as much interested as the Dominion in the improvement of the Indian communities within their borders. It is submitted that the Province of Quebec, New Brunswick, Nova Scotia and Prince Edward Island might consider the propriety of entering into the agreement with the Dominion similar to the one above referred to between the Province of Ontario and the Dominion enabling the Indians to retain the benefits of lands surrendered for that purpose.

*Signed
DCI (Designated clerk)"*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 76 Letter from **10 January 1928** from **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs** to **W. Stuart Edward, Deputy Minister of Justice**, Ottawa hoping that an agreement will the Province of Quebec, still reluctant to jurisdictions well adopted in Ontario.

Copy original on file 477657
File 477658

"10th January 1928.

*Dear Mr. Edwards:
I beg to enclose a Memorandum dated the 17th October last setting forth briefly the facts which led to the Agreement between the Dominion and the Province of Ontario dated the 24th March, 1924 and confirmed by Chapter 15, 14 Geo. V., Status of Ontario, and by Chapter 48, 14-15 Geo.V, Statutes of Canada. It is hoped that we shall be able to enter into a similar agreement with the Province of Quebec and later with the Provinces of New Brunswick, Nova Scotia and Prince Edward Island. The desirability of such an agreement is apparent from the facts set forth in this memorandum. This is the one question in particular that we desire to take up with the Province of Quebec as soon as an agreement can be made for an interview with the Provincial Authorities.*

I am enclosing File No.477658 containing material with respect to treating with the Indians resident on the eastern side of James Bay in accordance with the provision of Paragraph C, Section 2, Chapter 45, 2 Geo.V. This subject may be referred to at the proposed interview but not so as to in any way interfere with the prospect of securing the agreement in respect of Indian Reserves in the Province of Quebec as above referred to.

Yours truly

*Duncan C Scott
Deputy Superintendent General."*

COPY
ORIGINAL ON
File 477657

File 477658.

10th January 1928.

Dear Mr. Edwards:

I beg to enclose a Memorandum dated the 17th October last setting forth briefly the facts which led to the Agreement between the Dominion and the Province of Ontario dated the 24th March, 1924, and confirmed by Chapter 15, 14 Geo. V., Status of Ontario, and by Chapter 48, 14-15 Geo.V, Statutes of Canada. It is hoped that we shall be able to enter into a similar agreement with the Province of Quebec and later with the Provinces of New Brunswick, Nova Scotia and Prince Edward Island. The desirability of such an agreement is apparent from the facts set forth in this memorandum. This is the one question in particular that we desire to take up with the Province of Quebec as soon as an arrangement can be made for an interview with the Provincial Authorities.

I am enclosing File No. 477658 containing material with respect to treating with the Indians resident on the eastern side of James Bay in accordance with the provisions of Paragraph C, Section 2, Chapter 45, 2 Geo. V. This subject may be referred to at the proposed interview but not so as to in any way interfere with the prospect of securing the agreement in respect of Indian reserves in the Province of Quebec as above referred to.

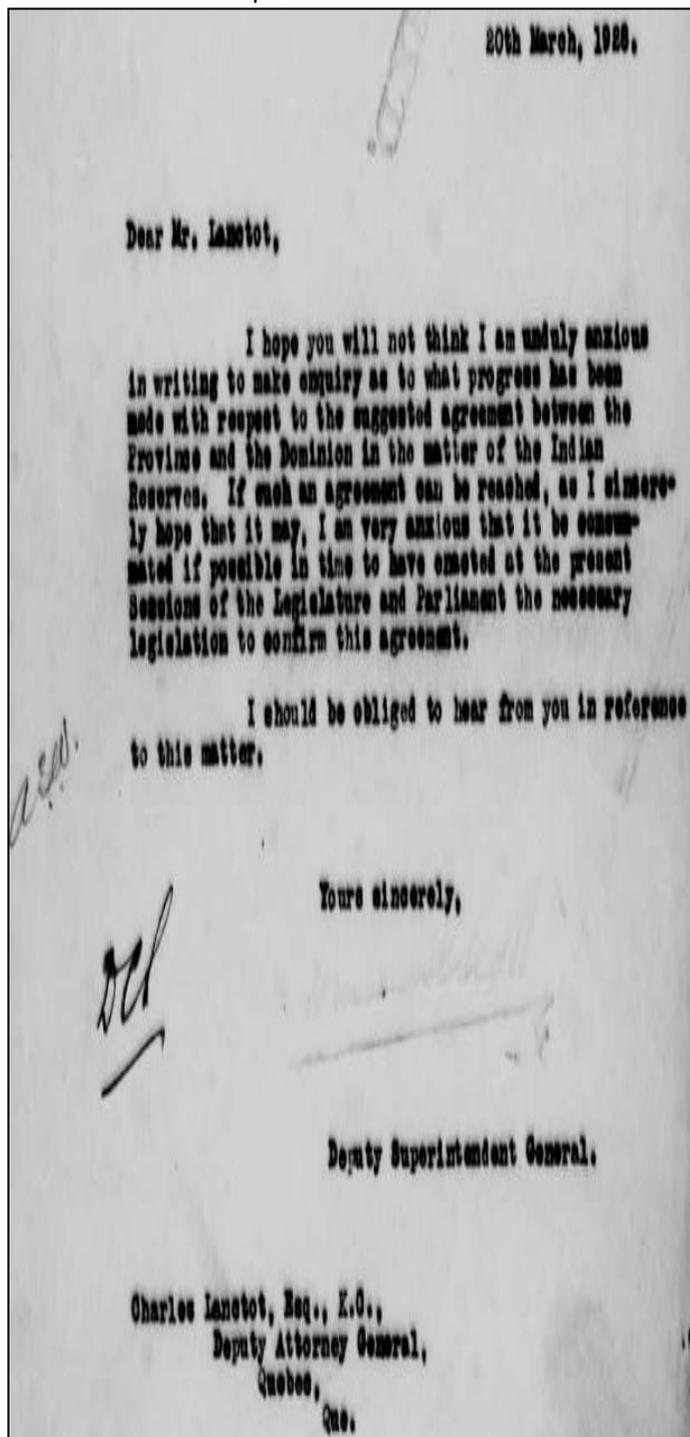
Yours truly,

Enc. DUNCAN C SCOTT.
Deputy Superintendent General.

W. Stuart Edwards, Esq., K.C.,
Deputy Minister of Justice,
O T T A W A.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 77 Letter from **20 March 1928** from **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs** to **Charles Lanctot the Solicitor General, and Deputy Attorney General of Quebec** hoping that an agreement will the Province of Quebec, still reluctant to jurisdictions well adopted in Ontario.



Doc 95452-1

"20th March 1928

Dear Mr. Lanctot.

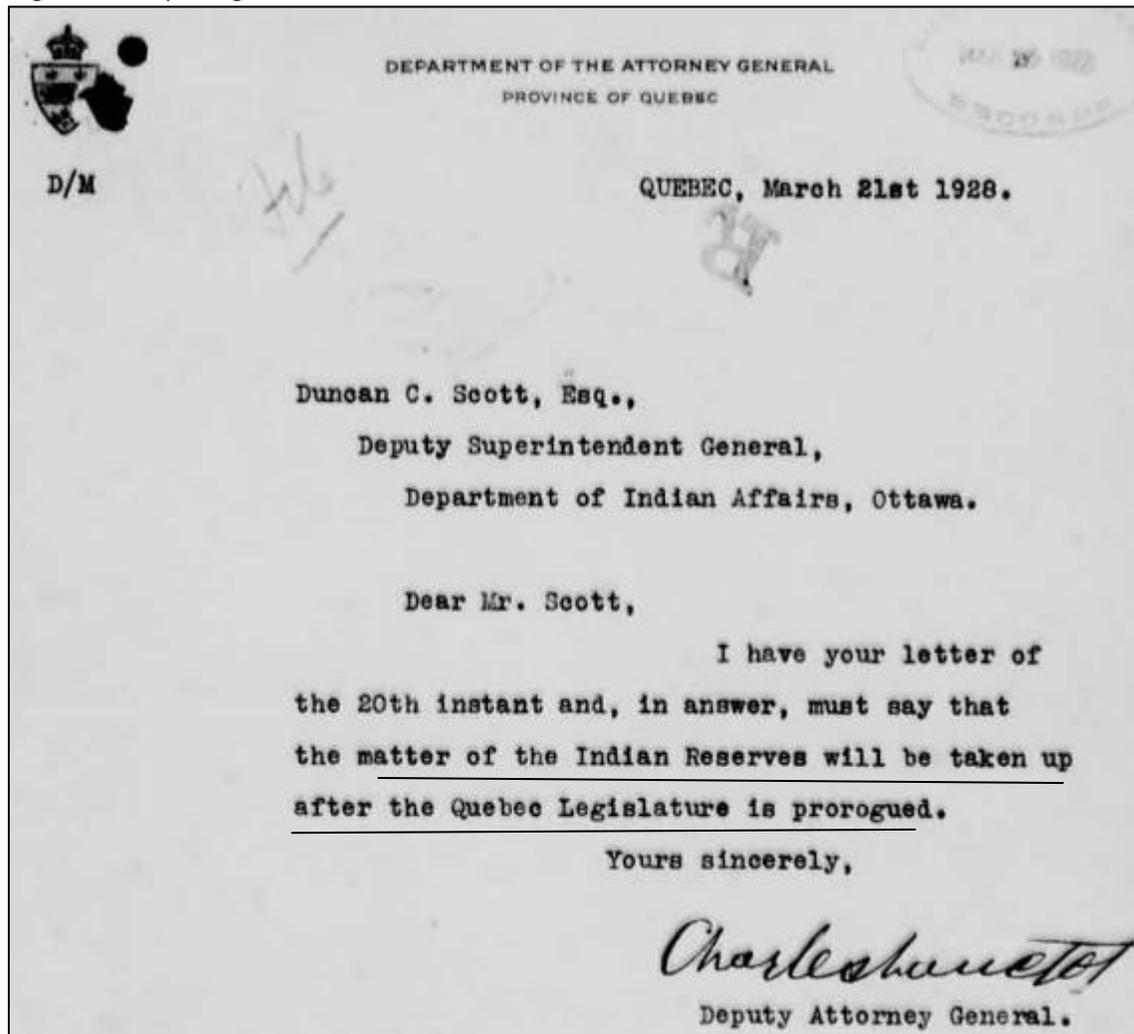
I hope you will not think I am anxious in writing to make an inquiry as to what progress has been made with respect to the suggested agreement between the Province and the Dominion in the matter of the Indian Reserves. If such an agreement can be reached, as I sincerely hope that it may, I am very anxious that it be consummated if possible, in time to have enacted at the present Session of the Legislature and Parliament the necessary legislation to confirm this agreement.

I should be obliged to hear from you in reference to this matter.

*Yours sincerely
 Duncan Scott
 Deputy Superintendent General."*

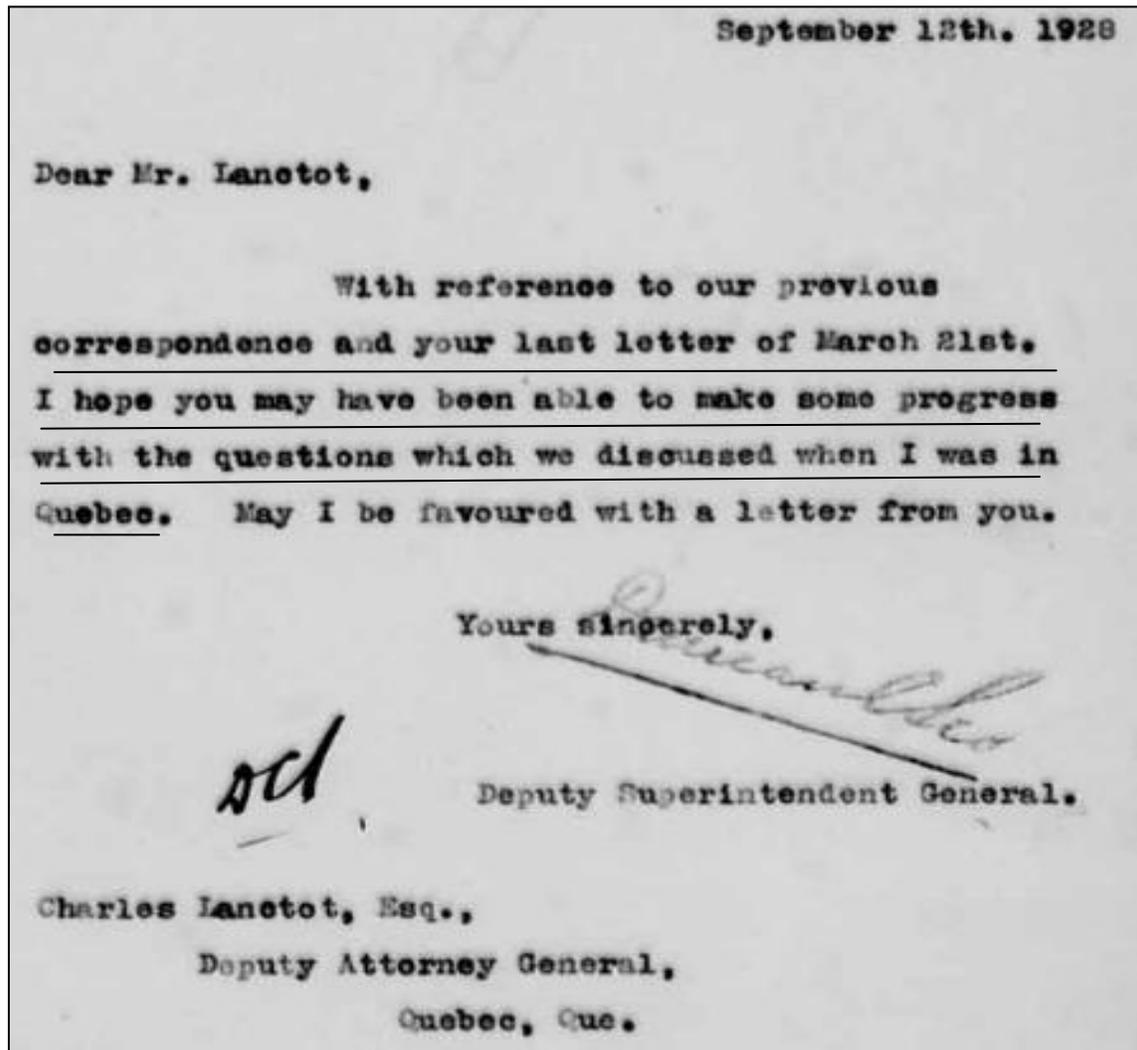
HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 78 Letter from **21 March 1928** from **Charles Lanctot the Solicitor General, and Deputy Attorney General of Quebec** to **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs** exposing that the "*matter of Indian Reserves will be taken up after the Quebec Legislature is prorogued.*". Doc 95452



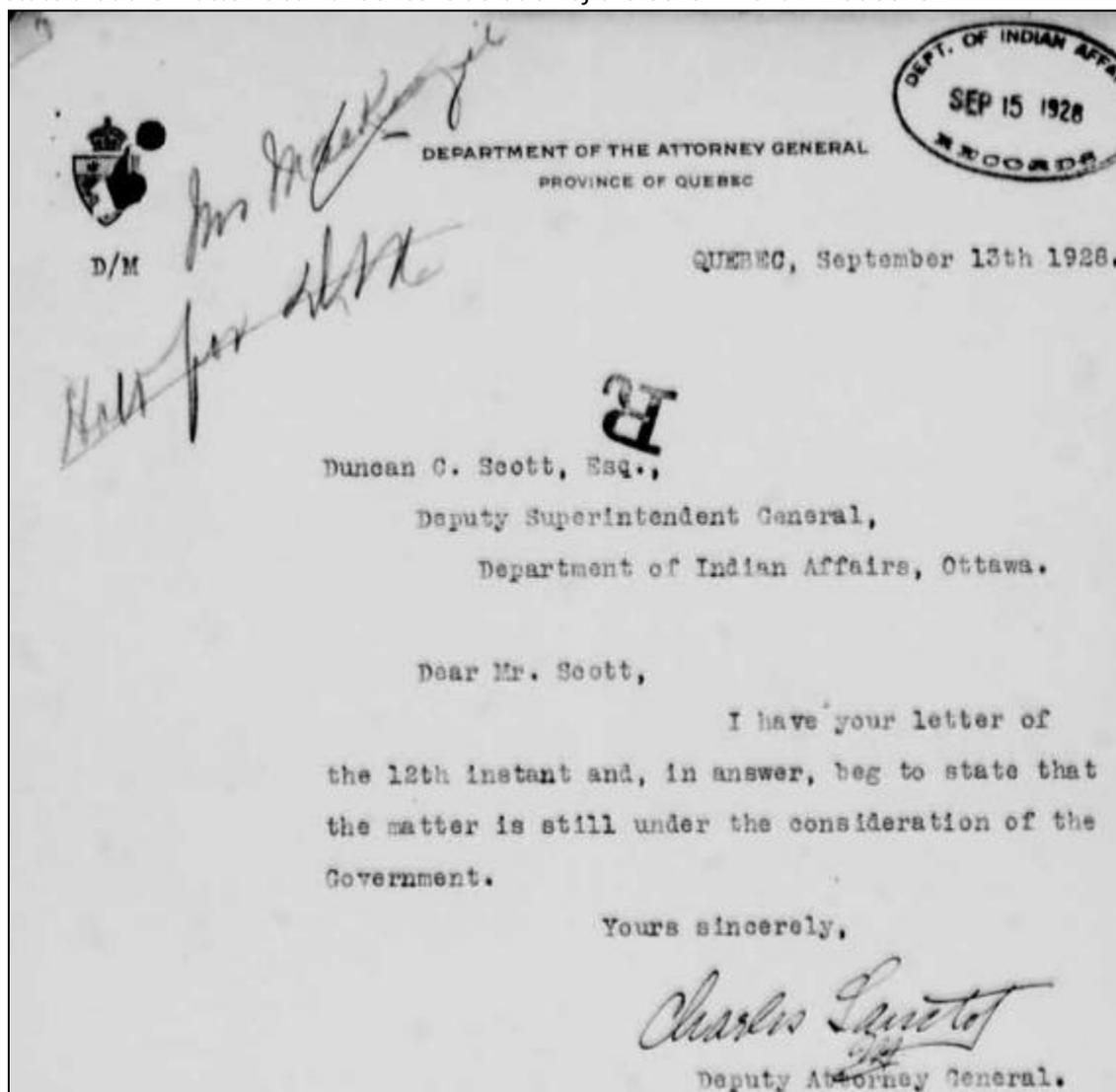
HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 79 Letter from 12 September 1928 from Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs to Charles Lanctot the Solicitor General, and Deputy Attorney General of Quebec "hoping that a progress is in course concerning the questions we discussed when I was in Quebec." Doc 95452-1



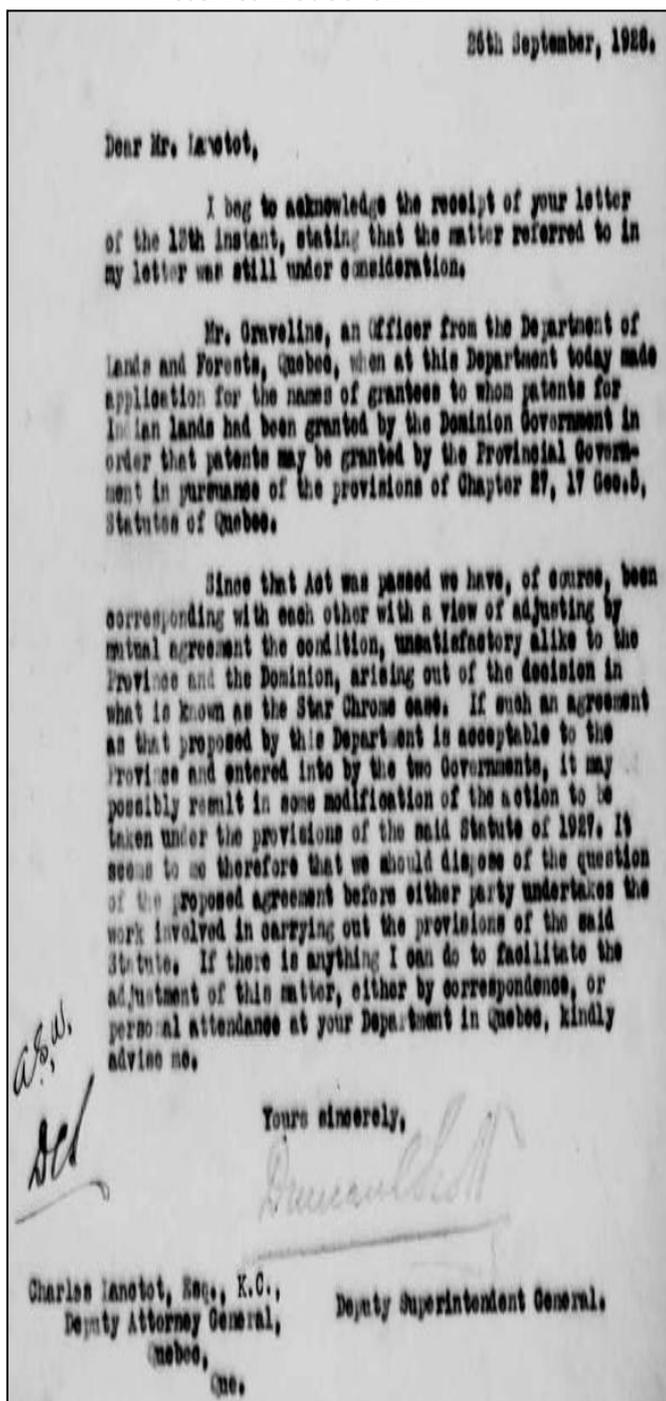
HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 80 Letter from **13 September 1928** from **Charles Lanctot, the Solicitor General, and Deputy Attorney General of Quebec** to **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs** exposing that the "*I have your letter of the 12th instant and in answer, beg you to state that the matter is still under consideration of the Government.*". Doc 95452



HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 81 Letter from **26 September 1928** from **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs to Charles Lanctot the Solicitor General, and Deputy Attorney General of Quebec** hoping that a progress is in course concerning the questions of the Indian Reserves. Doc 95452-1



"25th September, 1928.

Dear Mr. Lanctot,

I beg to acknowledge the receipt of your letter of the 13th Instant, stating that the matter referred to in your letter was still under consideration.

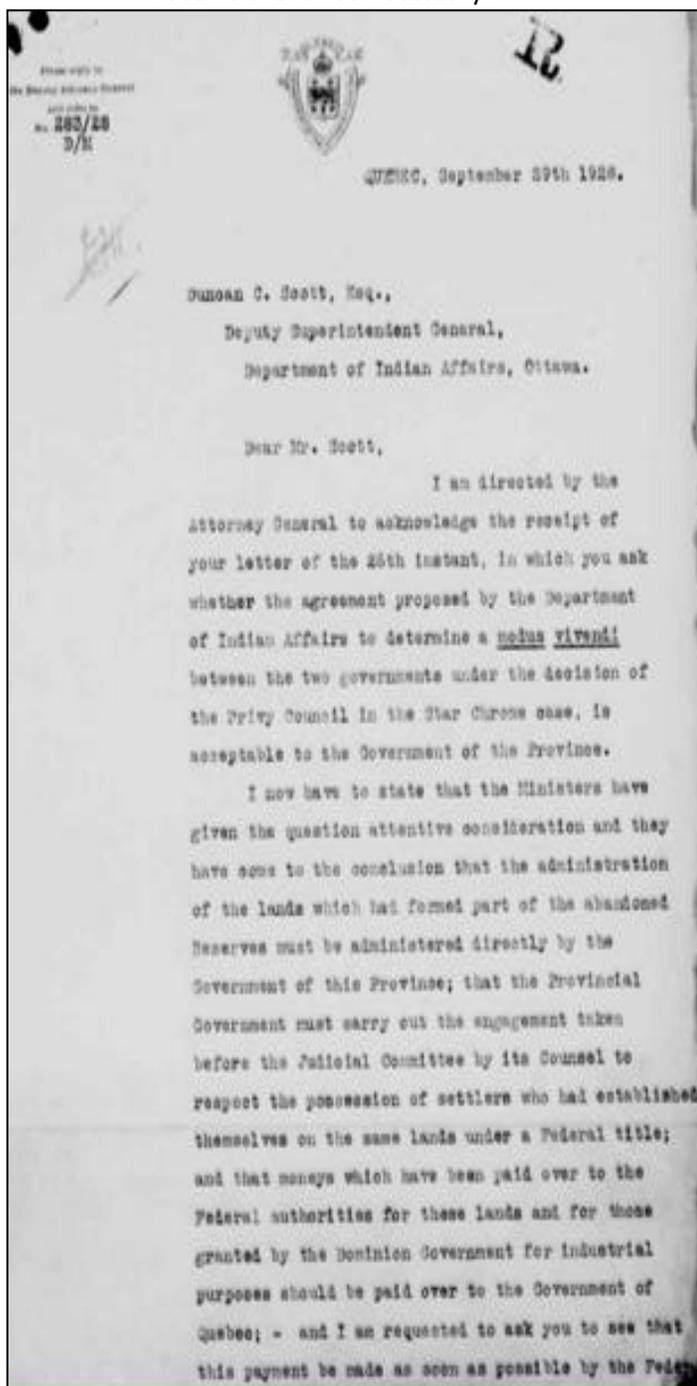
Mr. Graveline, an Officer from the Department of Lands and Forests, Quebec, when at this Department today made applications for the names of grantees to whom patents for Indian lands had been granted by the Dominion Government in order that patents may be granted by the Provincial Government in permanence of the provisions of the Chapter 27, 17 Geo. 5, Statutes of Quebec.

Since the Act was passed we have, of course, been corresponding with each other with a view of adjusting by neutral agreement the condition, unsatisfactory alike to the Province and the Dominion, arising out of the decision in what is known as the Star Chrome case. If such an agreement as that proposed by this Department is acceptable to the Province and entered into by the two Governments, it may possibly result in some modification of the action to be taken under the provisions of the said Statute of 1927. It seems to me therefore that we should dispose of the question of the proposed agreement before either party undertakes the work involved in carrying out the provisions of the said Statute. If there is anything I can do to facilitate the adjustment of this matter, either by correspondence, or personal attendance at your Department in Quebec, kindly advise me.

Your sincerely,
 Duncan Scott
 Deputy Superintendent General."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 83-84 (page 1/2) Letter from **13 September 1928** from **Charles Lanctot, the Solicitor General, and Deputy Attorney General of Quebec** to Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs exposing that he is now disposed of granting to money back to squatters under the conditions and administration of the provincial government, once they receive the funds necessary.
Doc 95452-1



*"The Deputy of Attorney General
Quebec, September 19th, 1928.*

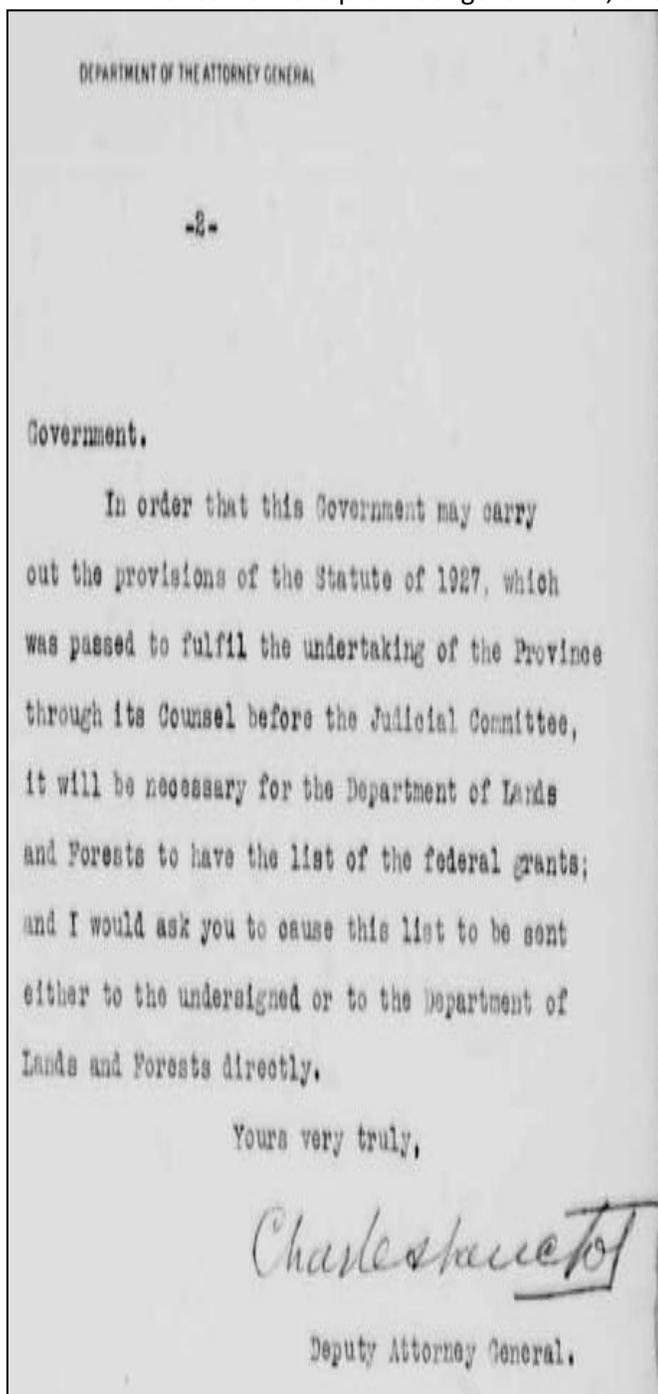
Dear Mr. Scott.

*I am directed by the
Attorney General to acknowledge the receipt of
you letter of the 15th Instant, in which you ask
whether the agreement proposed by the Department
of Indian Affairs to determine a modus vivendi
between the two governments under the decision of
the Privy Council in the Star Chrome case, is
acceptable to the Government of the Province.*

*I now have to state that the Minister have
given the attentive consideration and they
have come to the conclusion that the administration
of the lands which had formed part of the abandoned
Reserves must be administered directly by the
Government of this Province; that the Provincial
Government must carry out the engagement taken
before the Judicial Committee by its Counsel to
respect the possession of settlers who had established
themselves on the same lands under a Federal title;
and that moneys which have been paid over to the
Federal authorities for these lands and for those
granted by the Dominion Government for industrial
purposes should be paid over to the Government of
Quebec - and I am requested to ask you to see that
this payment be made as soon as possible by the federal..."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 83-84 (page 2/2) Letter from **13 September 1928** from **Charles Lanctot, the Solicitor General, and Deputy Attorney General of Quebec** to **Duncan Scott, Esq. Deputy Superintendent General of Indian Affairs** exposing that he is now disposed of granting to money back to squatters, but under the conditions that they manage the administration of funds from the provincial government, once they receive the funds necessary. Doc 95452-1



Page 2

"... Government.

In order that this Government may carry out the provisions of the Statute of 1927, which was passed to fulfill the undertaking of the Province through its Counsel before the Judicial Committee, it will be necessary for the Department of Lands and Forests to have the list of the federal grants; and I would ask you to cause this list to be sent either to the undersigned or to the Department of Lands and Forests directly.

*Yours very truly Charles Lanctot
Deputy Attorney General."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

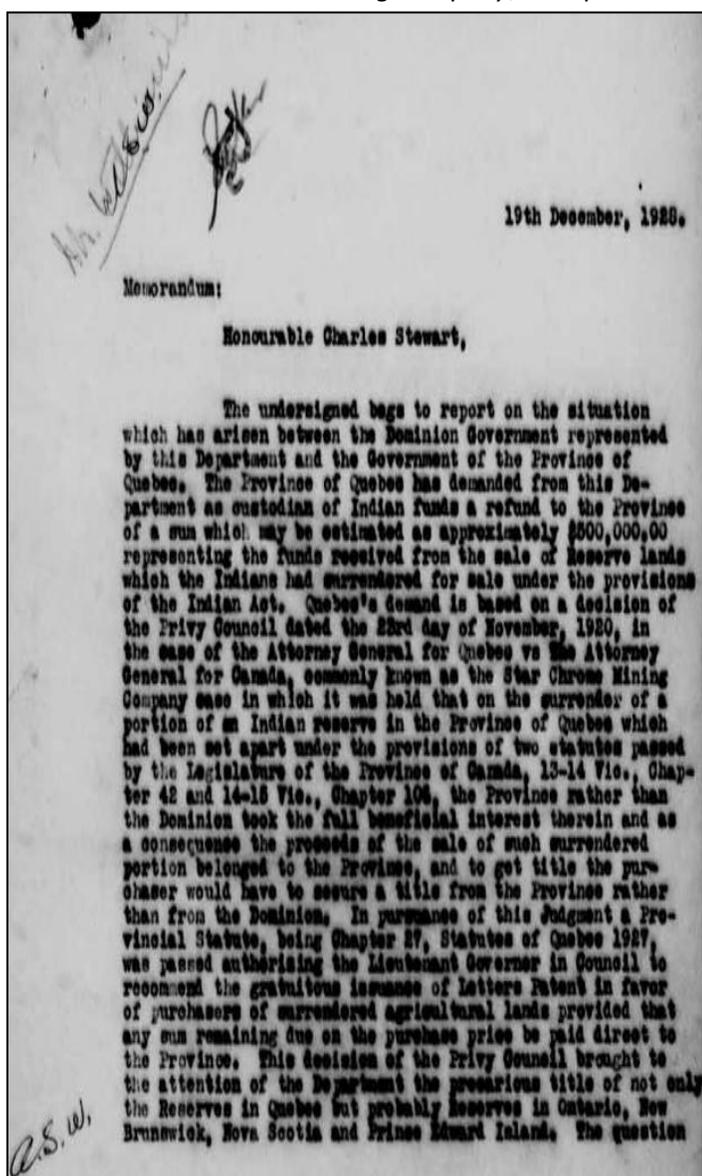
Page 87, 1/3 (Pages 85 & 86 letters receptions confirmations) A letter from **December 19, 1928**, from Quebec from **Duncan Scott, Deputy Superintendent General** to **Charles Stewart, Canadian Minister of the Interior and Mines** in office from December 29, 1921 – June 29, 1926.

He exposed the reluctance of Quebec to let the Federal manage the administration proceed as Ontario in rendering lands to Native communities. Quebec's demanding to manage the administration of funds from the provincial government, once they receive the funds necessary is based on a decision of the Privy Council dated the **23rd day of November 1920**, in the case of *the Attorney General for Quebec Vs the Attorney General for Canada*, commonly known as the *Star Chrome Mining Company*, as exposed in this letter.

19th December, 1928.

"MEMORANDUM

Honorable Charles Stewart,
The undersigned begs to report on the situation which has arisen between the Dominion Government represented by this Department and the Government of the Province of Quebec. The Province of Quebec has demanded from this Department as custodian of Indian funds a refund to the Province of a sum which may be estimated as approximately \$500,000,00 representing the funds received from sale of Reserve lands which the Indians had surrendered for sale under the provisions of the Indian Act. Quebec's demand is based on a decision of the Privy Council dated the 23rd day of November 1920, in the case of the Attorney General for Quebec Vs the Attorney General for Canada, commonly known as the Star Chrome Mining Company case in which it was held that on the surrender of a portion of an Indian reserve in the Province of Quebec which has been set apart under the provisions of the two statutes passed by the legislature of the Province of Quebec, 13-14 Vic, Chapter 42 and 14-15 Vic., Chapter 106, the Province rather than the Dominion took the full beneficial interest therein and as a consequence the proceeds of the sale of such surrendered portion belonged to the Province, and to get title the purchaser would have to secure a title from the Province rather than from the Dominion. In pursuance of this Judgment a Provincial Statute, being Chapter 27, Statute of Quebec 1927, was passed authorizing the Lieutenant Governor in Council to recommend the gratuitous issuance of Letters Patent in favor of purchasers of surrendered agricultural lands provided that any sum remaining due on the purchase price be paid direct to the Province. This decision of the Privy Council brought to the attention of the Department the precarious title of not only the reserves in Quebec but probably reserves in Ontario, New Brunswick, Nova Scotia and Prince Edward Island. The question ..."



HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 2/3, The Province of Quebec exposed its opposition to the precedents active in other Provinces. Page 2

2.

affecting the Province of Ontario was important owing to the extent and value of Indian reserves and the large number of sales of surrendered Indian reserve lands, the Department entered into negotiations with Ontario with a view of securing some agreement by which the Department would have authority to give proper title to reserve lands surrendered for sale and to apply the proceeds of the sale of such lands for the benefit of the Indians. As a result of these negotiations an Agreement dated the 24th day of March, 1924, was entered into between the Dominion and the Province with respect to the disposal of Indian reserve lands and minerals and this Agreement was confirmed by 14-15 Geo.V., Chap.48, Statutes of Canada and by 14 Geo.V., Chap.15, Statutes of Ontario. A copy of the said Agreement is attached. By this Agreement the Dominion may sell and give title to surrendered reserve lands within the Province, and apply the proceeds for the benefit of the Indians. The undersigned was hopeful that Quebec would readily agree to a like arrangement with the Dominion and with a view of promoting such an agreement he visited Quebec last Spring in company with the Departmental Solicitor to interview the Deputy Attorney General of the Province. We both thought the interview favorable, but it now appears that the Province is not disposed to make any concession but rather insists on its strict legal rights.

If Quebec succeeds in having these funds returned to the Province it will seriously prejudice the administration of the Department in the eyes of the Indians who surrendered their lands on the understanding that the proceeds would be applied for their benefit, and it will I am disposed to think be a matter of embarrassment to the Government itself for Quebec's example will in all probability be followed by New Brunswick, Nova Scotia and Prince Edward Island in making similar demands. Before therefore the Government is called upon to provide the funds to meet the demands now made by Quebec, I should like to urge that an arrangement be made for the fullest discussion of the situation arising out of this demand with the Government of Quebec in the hope of securing an agreement similar to that which was secured with the Province of Ontario. The Dominion is, I take it, liable for all funds spent on Indians from the proceeds of the sales, and this will amount to a considerable sum which must be provided by Parliament. The Province is more concerned even

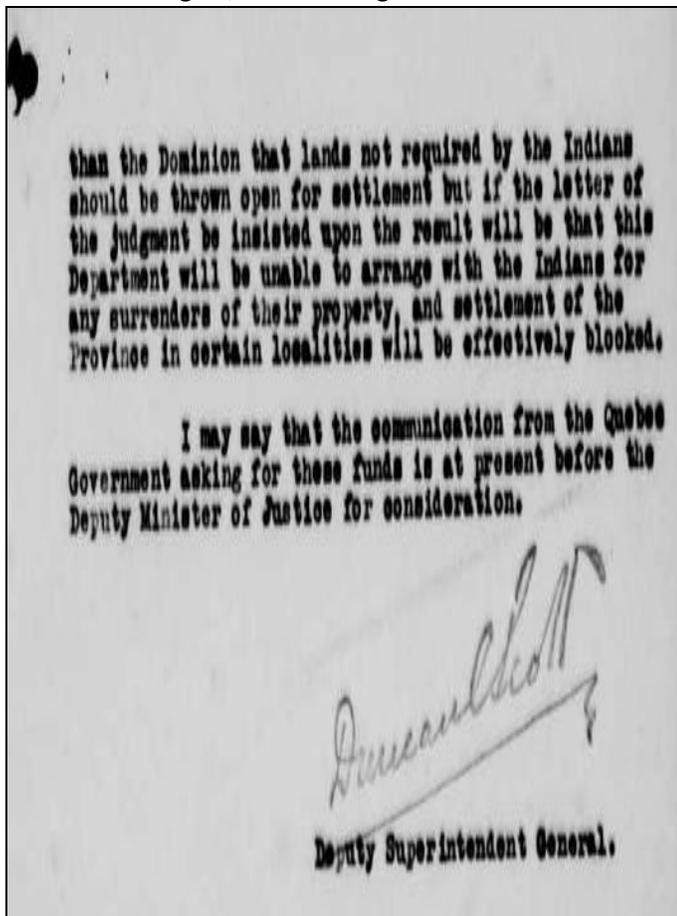
"... affecting the Province of Ontario was important owing to the extent and value of Indian reserves and the large number of sales of surrendered Indian reserves lands, the Department entered into negotiations with Ontario with a view of securing some agreements by which the Department would have authority to give proper title to reserve lands surrendered for sale and to apply the proceeds of the sale of such lands for the benefit of the Indians. As a result of these negotiations an Agreement dated the 24th day of March, 1924 was entered into between the Dominion and the Province with respect to the disposal of Indian reserves lands and minerals and this Agreement was confirmed by 14-15 Geo.V., Chap. 48 Statutes of Canada and by 14 Geo., V. Chap., 15 Statutes of Ontario. A copy of the said Agreement is attached. By this Agreement the Dominion may sell and give title to surrendered reserve lands within the Province, and apply the proceeds for the benefit of the Indians. The undersigned was hopeful that Quebec would readily agree to a like arrangement with the Dominion and with a view of promoting such an agreement he visited Quebec last spring in company with the Departmental Solicitor to interview the Deputy Attorney General of the Province. We both thought the interview favorable, but it now appears that the Province is not disposed to make any concession but rather insist on its strict legal rights.

If Quebec succeeds in having these funds returned to the Province it will seriously prejudice the administration of the Department in the (...) of the Indians who surrendered their lands on the understanding that the proceeds would be applied for their benefit, and it will. I am disposed to think be a matter of embarrassment to the Governor itself for Quebec's example will in all probability be followed by New Brunswick, Nova Scotia and Prince Edward Island in making similar demands. Before therefore the Government is called upon to provide the funds to meet the demands now made by Quebec, I should like to urge that an arrangement be made for the fullest discussion of the situation arising out of this demand with the Government of Quebec in the hope of securing an agreement similar to that which was secured with the Province of Ontario. The Dominion is, I take it, liable for all funds spent on Indians from the proceeds of the sales, and this will amount to a considerable sum which must be pro-

vided by Parliament. The Province is more concerned even..."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 3/3 concluding



Page 3: conclusion

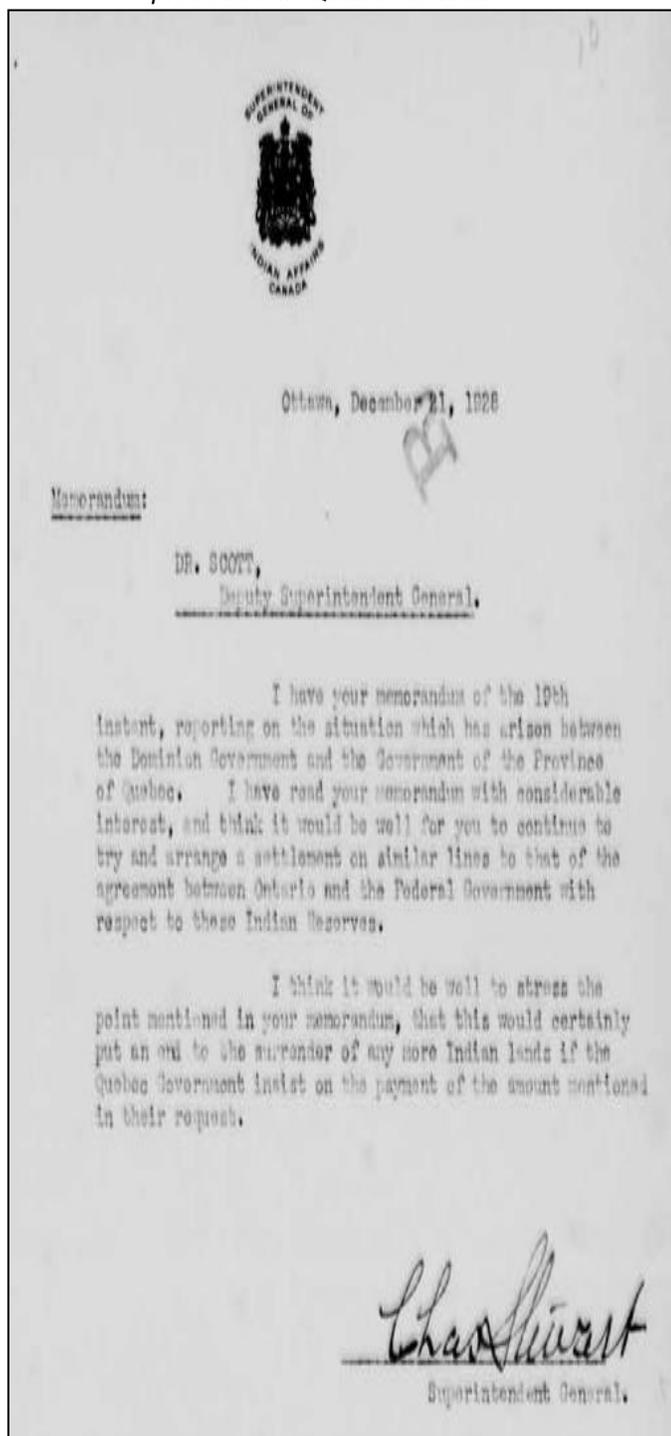
"...that the Dominion that lands not required by the Indians should be thrown open for settlement but if the letter of the judgment be insisted upon the result will be that this Department will be unable to arrange with the Indians for any surrenders of their property, and settlement of the Province in certain localities will be effectively blocked.

I may say that the communication from Quebec Government asking for these funds is at present before the Deputy Minister of Justice for consideration.

*Duncan Scott,
Deputy General"*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 90 On **December 21, 1928**, **Charles Stewart** exposed to **Duncan Scott** that it would be appropriate to make the Ontario and Maritimes decisions to render lands back to the Natives a *precedent* in Quebec as well.



Ottawa, December 21, 1928

"MEMORANDUM

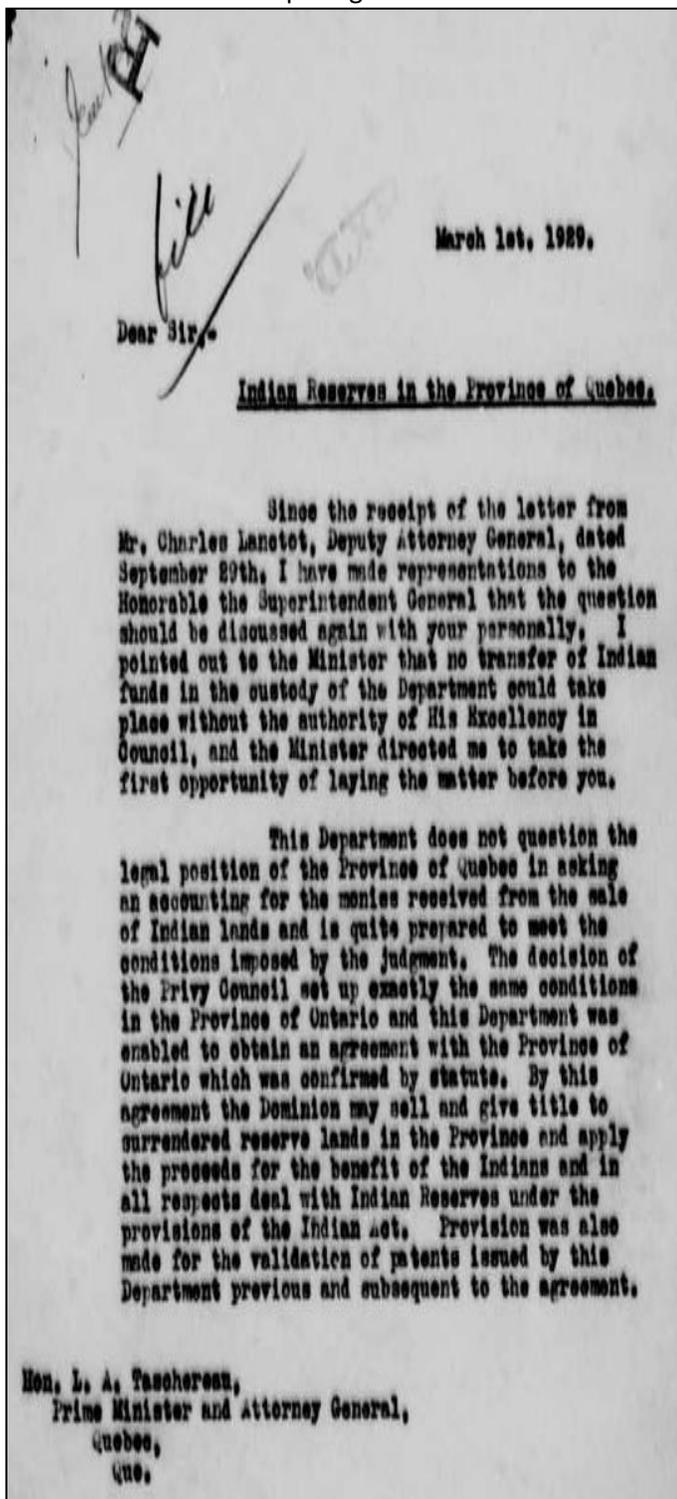
I have your memorandum of the 19th instant, reporting on the situation which has arisen between the Dominion Government and the Government of the Province of Quebec. I have read your memorandum with considerable interest, and I think it should be well for you to continue to try and arrange a settlement on similar lines to that of the agreement between Ontario and the Federal Government with respect to these Indian Reserves.

I think it would be well to stress the point mentioned in your memorandum, that this would certainly put an end to the surrender of any more Indian lands if the Quebec Government insists on the payment of the amount mentioned in their report.

Charles Stewart
Superintendent General"

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 91-92 (letter 1/2) Letter from **1 March 1929** from **Prime Minister of Quebec, Taschereau** in an attempt to give his conditions in order to gain an interest rate from the Federal.



Page 1/2

March 1st, 1929

"Dear Sir,

Indian Reserves in the Province of Quebec.

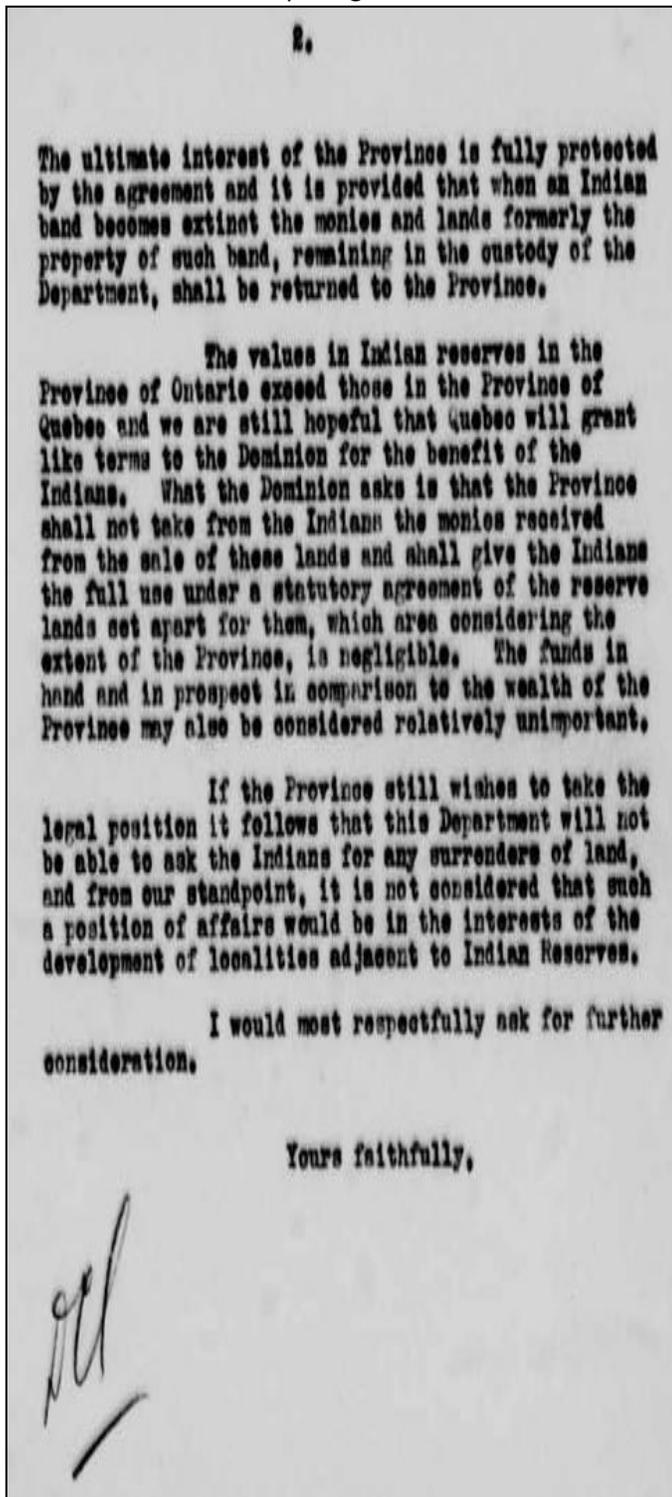
Since the receipt of the letter from Mr. Charles Lanctot, Deputy Attorney General, dated September 29th, I have made representations to the Honorable the Superintendent General that the question should be discussed again with your personally, I pointed out to the Minister that no transfer of Indian funds in the custody of the Department could take place without the authority of His Excellency in Council, and the Minister directed me to take the first opportunity of laying the matter before you.

This Department does not question the legal position of the Province of Quebec in asking an accounting for the monies received from the sale of Indian lands and is quite prepared to meet the conditions imposed by the judgement. The decision of the Privy Council set up exactly the same conditions in the province of Ontario and this Department was enabled to obtain an agreement with the Province of Ontario which was confirmed by statute. By this agreement the Dominion may sell and give title to surrendered reserve lands in the Province and apply the proceeds for the benefits of the Indians and in all respects deal with Indian Reserves under the provisions of the Indian Act. Provision was also made for the validation of patents issued by this Department previous and subsequent to the agreement.

..."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 91-92 (letter 2/2) Letter from **1 March 1929** from **Prime Minister of Quebec, Taschereau** in an attempt to give his conditions in order to gain an interest rate from the Federal.



R.

The ultimate interest of the Province is fully protected by the agreement and it is provided that when an Indian band becomes extinct the monies and lands formerly the property of such band, remaining in the custody of the Department, shall be returned to the Province.

The values in Indian reserves in the Province of Ontario exceed those in the Province of Quebec and we are still hopeful that Quebec will grant like terms to the Dominion for the benefit of the Indians. What the Dominion asks is that the Province shall not take from the Indians the monies received from the sale of these lands and shall give the Indians the full use under a statutory agreement of the reserve lands set apart for them, which area considering the extent of the Province, is negligible. The funds in hand and in prospect in comparison to the wealth of the Province may also be considered relatively unimportant.

If the Province still wishes to take the legal position it follows that this Department will not be able to ask the Indians for any surrenders of land, and from our standpoint, it is not considered that such a position of affairs would be in the interests of the development of localities adjacent to Indian Reserves.

I would most respectfully ask for further consideration.

Yours faithfully,

Page 2/2

"The ultimate interest of the Province is fully protected by the agreement and it is provided that when an Indian band become extinct the monies and lands formerly the property of such band, remaining in the custody of the Department, shall be returned to the Province.

The values in Indian reserves in the Province of Ontario exceed those in the Province of Quebec and we are still hopeful that Quebec will grant like terms to the Dominion for the benefit of the Indians. What the Dominion asks is that the Province shall not take from the Indians monies received from the sale of these lands and shall give the Indians the full use under a statutory agreement of the reserve lands set apart for them, which area considering the extent of the Province, is negligible. The funds in hand and in prospect in comparison to the wealth of the Province may also be considered relatively unimportant.

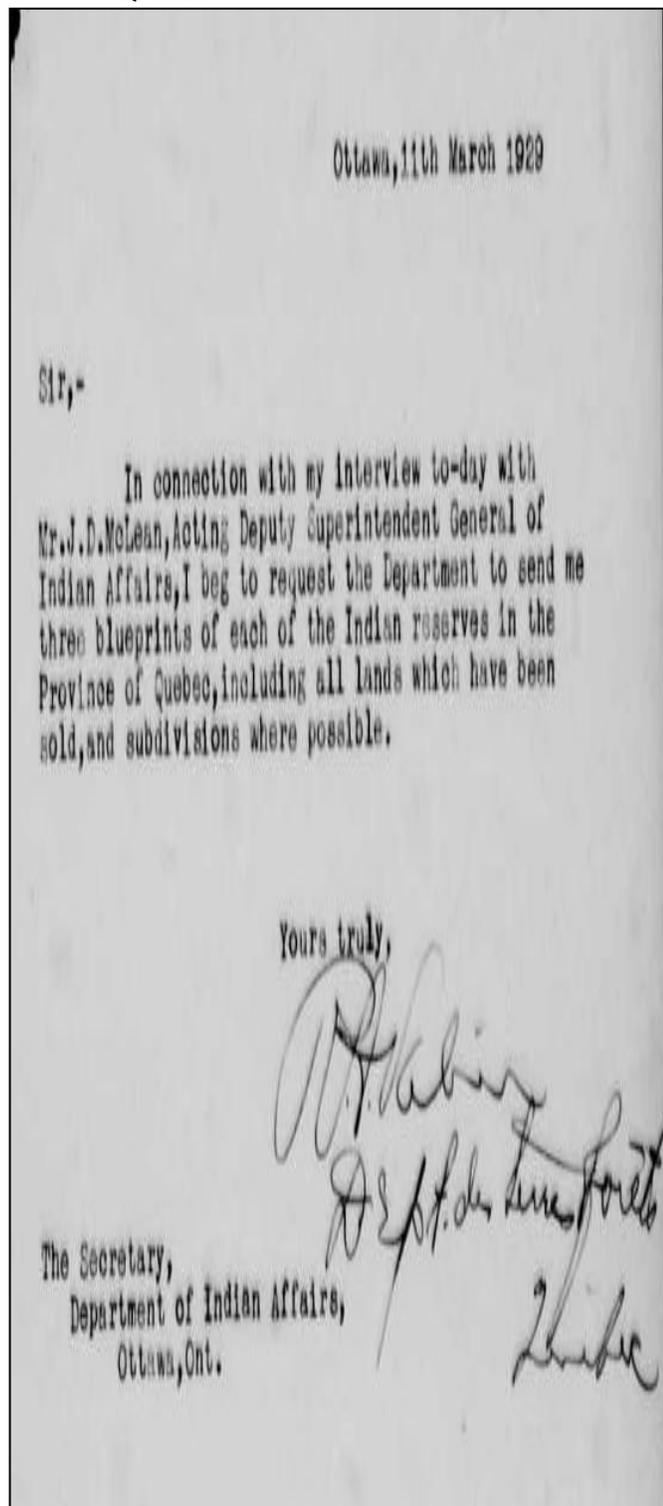
If the Province still wishes to take the legal position it follows that this Department will not be able to ask the Indians for any surrenders of land, and from our standpoint, it is not considered that such a position of affairs be in the interests of the development of localities adjacent to Indian Reserves.

I would most respectfully ask for further consideration,

*Yours faithfully,
Ho. L.A. Taschereau,
Prime Minister and Attorney General,
Quebec, Que."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 93 Letter from 11th March 1929 from R.A. Valin from Department of Lands and Forests of Quebec.



"Ottawa, 11th March 1929

Sir, In connection with my interview to-day with Mr. J.D. McLean, Acting as Deputy Superintendent General of Indian Affairs, I beg to request the Department to send the three blueprints of each of the Indian reserves in the Province of Quebec, including all lands which have been sold, and subdivisions where possible.

*Yours truly,
 R.A. Valin
 Dept des Terres Forêts (of Lands and Forests)
 Quebec."*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 94, Doncaster



95452

DEPARTMENT OF INDIAN AFFAIRS
CANADA

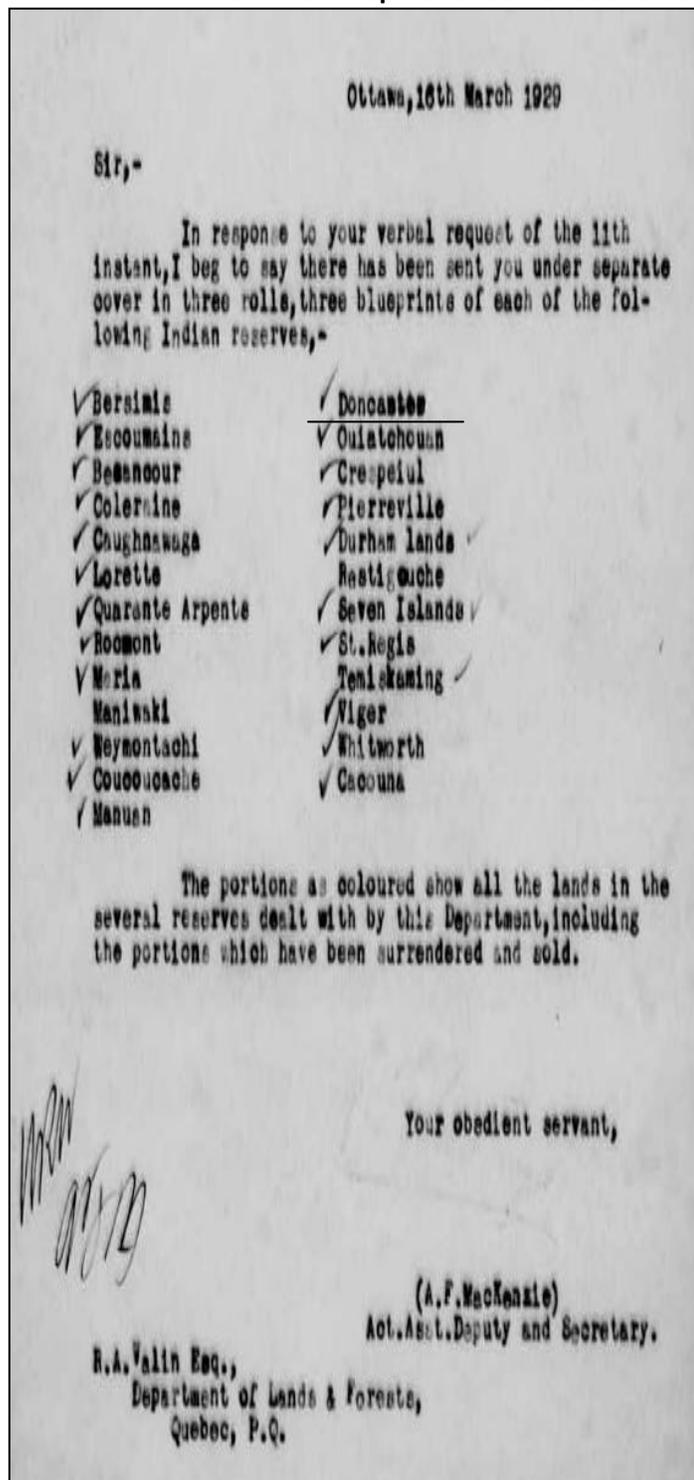
Ottawa, 13th March 1929

Memorandum:

<u>Reserve</u>	<u>Tracing No.</u>	<u>Reserve</u>	<u>Tracing No.</u>
Bersimie	411	Doncaster	929
Escoumains	1537	Oulicatchouan	123
Beanoour	1423	Crespeul	942
Coleraine	288	Pierreville	492
Caughnawaga	209	Durham lands	1762
Lozette	211	Restigouche	798
Quarante Arpents	502	Seven Islands	612
Roomont	805	St. Regis	746
Maria	1807	Temiskaming	121 A
Maniwaki	445	Viger	46
Weymontachi	696	Whitworth	1326
Coucouache	1019	Cacouna	89
Manuan	948		

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 95 Letter of A.F. Mackenzie, acting as Assistant Deputy and Secretary of Indian Affairs to R.A. Valin from Department of Lands and Forests of Quebec, March 16th, 1929.



Ottawa, 16th March 1929

"Sir,

In response

To your verbal request of the 11th instant, I beg to say there has been sent under separate cover in three rolls, three blueprints of each of the following Indian reserves,-

✓ Bersimis	✓ Doncaster
✓ Escoumins	✓ Oulatchouans
✓ Becancour	✓ Crespeuil
✓ Coleraine	✓ Pierreville
✓ Caughnawaga	✓ Durham lands
✓ Lorette	✓ Restigouche
✓ Quarante Arpents	✓ Seven Islands
✓ Rocmont	✓ St. Regis
✓ Maria	✓ Temiskaming
✓ Maniwaki	✓ Viger
✓ Weymontachi	✓ Whitworth
✓ Coucouache	✓ Cacouna
✓ Manuan	

The portions as coloured show all the lands in the several reserves dealt with by this Department, including the portions which have been surrendered and sold.

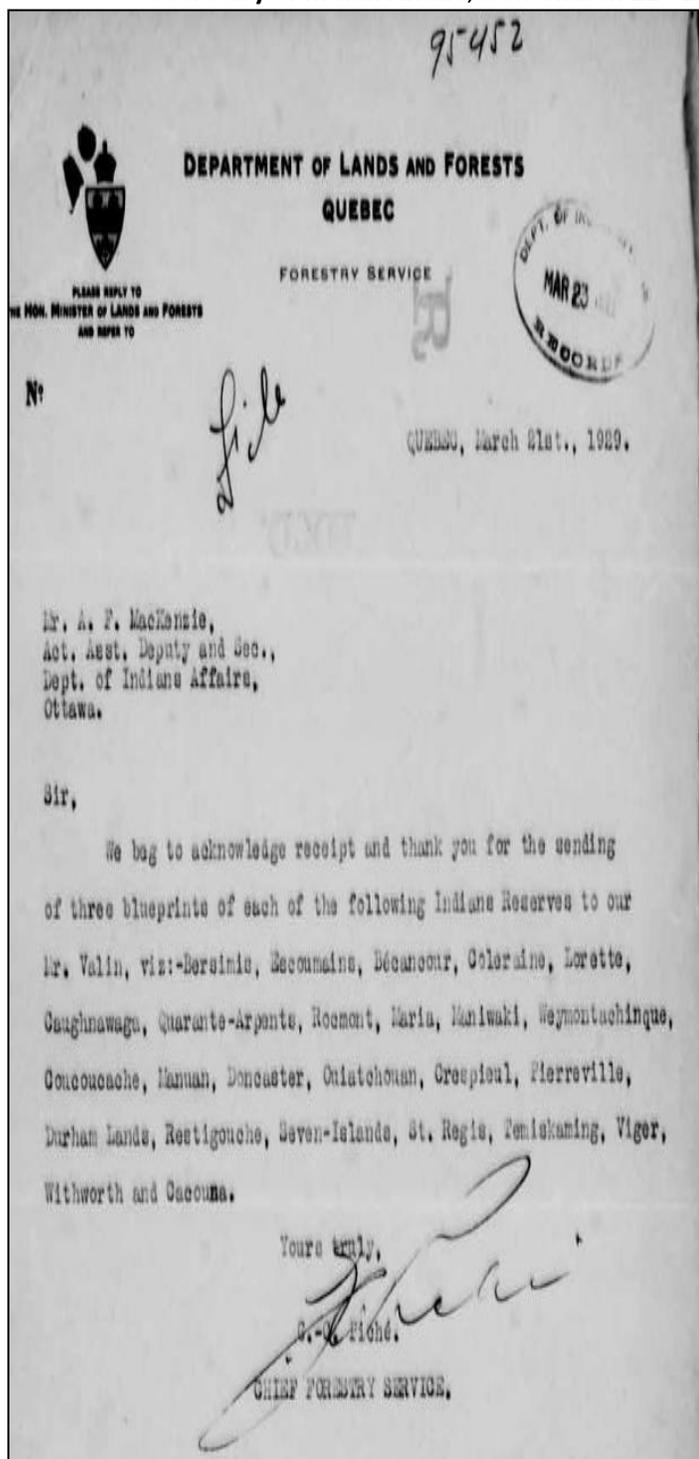
Your obedient servant

(A.F. MacKenzie)

Act. Asst. Deputy and Secretary."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 96 Letter of **Gustave Clodomir C Piché, Chief of Forestry Service, Quebec, from Department of Lands and Forests Quebec to A.F. Mackenzie, acting as Assistant Deputy and Secretary of Indian Affairs, from March 21st 1929.**



"Quebec, March 21st, 1929.

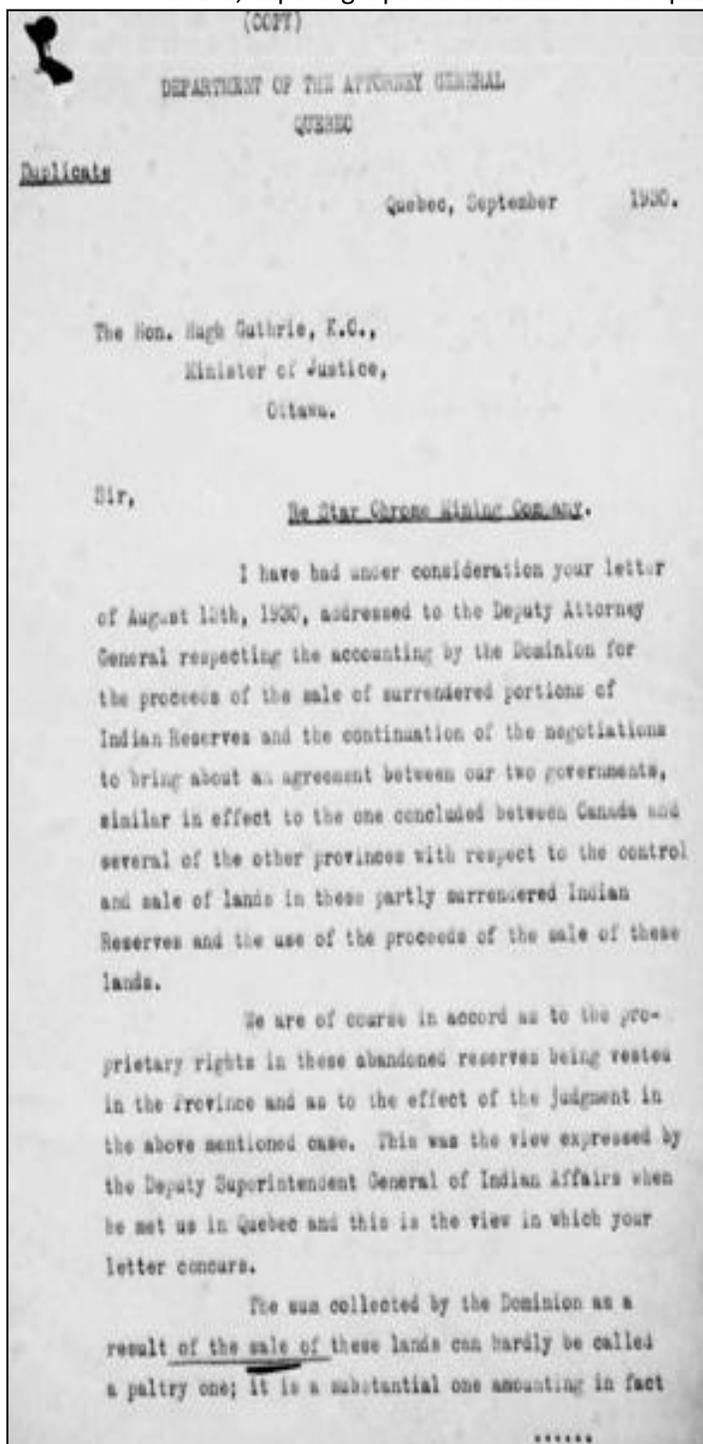
Sir,
 We beg to acknowledge receipt and thank you for the sending of three blueprints of each of the following Indian Reserves to our Mr. Valin, viz: - Bersimis, Escoumins, Becancour, Coleraine, Lorette, Caughnawaga, Quarante-Arpents, Rocmont, Maria, Maniwaki, Weymontachinque, Coucoucache, Manuan, Doncaster, Oulatchouan, Crespioul, Pierreville, Durham Lands, Restigouche, Seven-Islands, St. Regis, Timiskaming, Viger, Withworth and Cacoua.

Yours truly
 G.C. Piché
 Chief Forestry Services."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 115 (page 1/3) (Page 118-119-120 are copies of the same letter)

Letter of **Prime Minister of Quebec, Louis Alexandre Taschereau** to **Hughes Guthrie Minister of Justice**, exposing a position similar as the squatters earlier, **September 1930.**



Page 1/3

(Copy)

*"Department of the Attorney General
Quebec*

Duplicate

Quebec, September 1930

*The Hon. Hugh Guthrie, K.C.,
Minister of Justice,
Ottawa.*

The Star Chrome Mining Company.

Sir,

I have had under consideration your letter of August 13th, 1930, addressed to the Deputy Attorney General respecting the accounting by the Dominion for the proceeds of the sale of surrendered portions of Indian Reserves and the continuation of the negotiations to bring about an agreement between our two governments, similar in effect to the one concluded between Canada and several of the other provinces with respect to the control and sale of lands in these partly surrendered Indian Reserves and the use of the proceeds of the sale of these lands.

We are of course in accord as to the proprietary rights in these abandoned reserves being vested in the Province and as to the effect of the judgment in the above mentioned case. This was the view expressed by the Deputy Superintendent General of Indian Affairs when he met us in Quebec and this is the view in which your letter concurs.

The sum collected by the Dominion as a result of the sale of these lands can hardly be called a paltry one; it is a substantial one amounting in fact

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

P 116 (page 2/3) (Page 118-119-120 are copies of the same letter)

Letter of Prime Minister of Quebec, Louis Alexandre Taschereau to Hughes Guthrie Minister of Justice, exposing a position similar as the squatters earlier, September 1930.

2.

up to November 15th, 1927, to \$367,771.32 in capital, and \$35,194.64 in interest. We do not see how the Province can be called upon to abandon this claim. The care and maintenance of the Indians constitute a charge on the Federal Exchequer and the Province should not be called upon to reimburse what is expended in this connection.

It seems to us therefore that these amounts should be turned over to the Province as asked in our letter of the 29th April, last.

As regards the application to this Province of the system established by agreements between your government and Ontario, Manitoba, Saskatchewan, Alberta and British Columbia, I must say that we are not prepared to accept it. What exists in the other provinces under the agreements is tantamount to the denial of our rights as recognized by the judgment in the Star Chrome case and we feel that we should not be justified in acceding to the suggestion that we should enter into a similar agreement.

The matter has been under consideration for a number of years, it has not really been the subject of negotiations for our position has always been plain and there has only been a request by the Department of Indian Affairs that the Province should give up its rights, though of course I promised to consider the representations made by the Deputy Superintendent General of Indian Affairs.

I think, under these circumstances, our admitted claim should now be settled without further delay. This would seem to be the more advantageous for the Dominion

Page 2/3

"... up to November 15th, 1927 to \$367,771.32 in capital, and \$35,194.64 in interest. We do not see how the Province can be called upon to abandon this claim. The care and maintenance of the Indians constitute a charge on the Federal Exchequer and the Province should not be called upon to reimburse what is expended in this connection.

It seems to us a therefore that these amounts should be turned over to the Province as asked in our letter of the 29th April, last.

As regards the application to this Province of the system established by agreements between your government and Ontario, Manitoba, Saskatchewan, Alberta and British Columbia, I must say that we are not prepared to accept it. What exists in other provinces under the agreements is tantamount⁴⁰ to the denial of our rights as recognized by the judgement in the Star Chrome case and we feel that we should not be justified in acceding to the suggestion that we should enter into a similar agreement.

The matter has been under consideration for a number of years, it has not really been the subject of negotiations for our position has always been plain and there has only been a request by the Department of Indian Affairs that the Province should give up the rights, though of course I promised to consider the representations made by the Deputy Superintendent General of Indian Affairs.

I think, under the circumstances, our admitted claim should now be settled without further delay. This would seem to be more advantageous for the Dominion"

⁴⁰ Tantamount: means, equivalent in seriousness to; virtually the same as.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

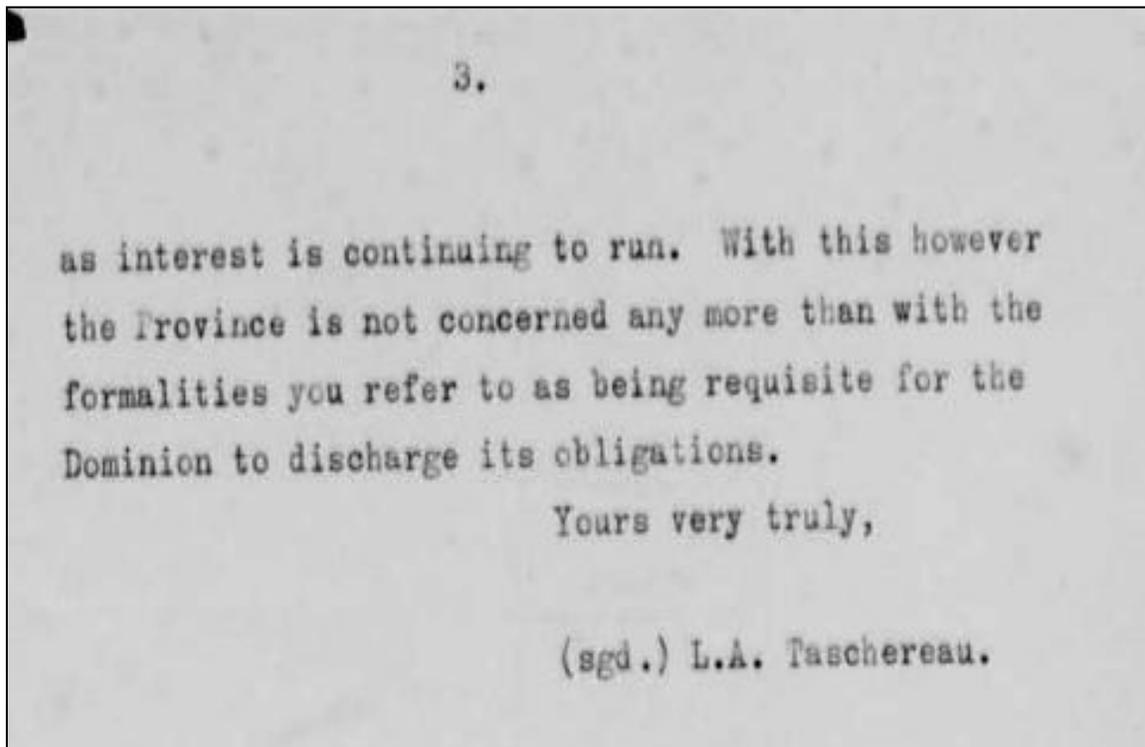
Page 117 (page 3/3) (Page 118-119-120 are copies of the same letter)

Letter of **Prime Minister of Quebec, Louis Alexandre Taschereau** to **Hughes Guthrie Minister of Justice**, exposing a position similar as the squatters earlier, **September 1930**.

Page 3/3

"... as interest is continuing to run. With this however the province is not concerned any more than with the formalities you refer to as being requisite for the Dominion to discharge its obligations.

*Yours very truly,
(sgd)
L.A. Taschereau"*



Page 121, Letter of **April 19, 1932, Taschereau** maintains his position no agreeing to cease to possession of lands.

Then, on page 139 to 144, on **May 12, 1932**, the **Minister** stays on his position, that the precedent that occurred in other provinces had its jurisdiction in Quebec as well.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

On page 146, the amounts requested are exposed to **Taschereau**:

STATEMENT WITH RESPECT TO SURRENDERED LANDS IN THE PROVINCE OF QUEBEC.					
Name	Sale Price	Amount received	Balance due	Amount available in Capital Account from such receipts	Amount to be provided by Parliament
Account No. 44 -					
<u>River of Lorette</u>					
Quarante Arpent	6,194.50)	6,165.75)	28.75		
Roumont	7,501.00)	7,501.00)	.....	
Lorette	500.00)	500.00)	.....	13,107.68	1,059.07
Account No. 41 -					
<u>Abitibi of Beauport</u>					
Guaranie	6,271.50)	6,271.50)	.....	
Creepicul	15,100.00)	15,100.00)	.....	
Beauport	1,491.00)	1,491.00)	.....	5,729.32	17,133.18
Account No. 47 -					
<u>Lake St. John</u>					
Quintahou	9,533.77	7,085.24	2,448.53	6,174.47	610.77
Account No. 45 -					
<u>Caughnawaga</u>					
.....	21,738.00	21,738.00	.....	10,418.75	11,319.25
Account No. 53 -					
<u>Harmonville</u>					
.....	214.80	214.80	.....	214.80	.....
Account No. 42 -					
<u>Lake Fort & Viger</u>					
.....	11,327.80	9,552.08	1,775.72	9,552.08	.....
Account No. 49 -					
<u>Troisrivières</u>					
.....	37,470.04	34,108.50	3,361.54	30,909.43	3,199.07
Account No. 50 -					
<u>Malindi</u>					
.....	34,829.29	31,315.01	3,514.28	31,315.01	.....
	\$ 152,171.70	\$ 141,042.88	\$ 11,128.82	\$ 107,721.54	\$ 33,321.34

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 160-162 / Page 160 In a letter entitled "*Claims of the Province of Quebec for payment of monies received from the sale of surrendered Indian lands in that Province.*", from the Superintendent General, J.C. Caldwell director of Lands and Timber Branch, to A.S" William the acting deputy, Superintendent General (on behalf of (T.G. Murphy) cites that Quebec is the only province reluctant to follow the Star Chrome decision, the precedent in this matter.

**The Honourable,
The Superintendent General,-**

RE: Claim of the Province of Quebec for payment of monies received from the sale of surrendered Indian Lands in that Province.

In connection with the proposed payment to the Province of Quebec of monies received by this Department from the sale of surrendered Indian lands located in that Province, the Department of Justice has given the opinion that such claim must be limited to the actual amount of money received from the sales of land and does not include monies received from the sale of timber, or rentals from leases, mining rights, etc. Further, the opinion has been given that the Province, in the event of a settlement, would not legally be entitled to any payment representing interest on the purchase monies received over a period of years by this Department.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 160

Two statements are attached, one of which apparently is improperly made the basis of the claim presented by Hon. Mr. Taschereau. The other sets forth the total amount of monies received by this Department from the sale of Indian lands, the balances remaining unpaid and the amounts at present in the capital accounts of the Bands affected.

It will be noted that Hon. Mr. Taschereau contends that the amount of money which should be returned to the

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 161: Quebec's reluctance to submit to the precedents in Ontario

-2-

the Province of Quebec is \$367,771.32 in principal and \$35,194.64 in interest, which latter amount, however, he states the Province is prepared to forego if the principal amount is paid. These figures are identical with the totals appearing on the statement attached, which was prepared on the 15th day of November 1927, and is a statement of the balances on that date in the Trust Fund Accounts of the various Bands in the Province of Quebec. This statement was prepared for Dr. Scott, then Deputy Superintendent General, for the purpose, merely, of indicating the financial resources of the various bands.

In 1927 the Quebec Government sent an official to Ottawa for the purpose of obtaining from the Department information relevant to their claim and this officer was furnished with a detailed statement of all Indian lands in the Province of Quebec which had been sold following surrender, the area, purchase price, amounts paid and all other necessary data. I^x can only presume that a copy of this Trust Fund statement was at that time obtained from our files and has since been made the basis of the claim submitted by the Province.^x

Out.

sub.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Quebec's reluctance to submit to the precedents in Ontario

"The Province of Quebec is the only province in the Dominion demanding a settlement in full on the basis of the Star Chrome decision and over a period of years this Department has unsuccessfully endeavoured to bring about an agreement similar to the one in different effect with the Province of Ontario."

The Province of Quebec is the only province in the
Dominion demanding a settlement in full on the basis of the
Star Chrome Mining Case decision and over a period of years
this Department has unsuccessfully endeavoured to bring about
an agreement similar to the one now in effect with the
Province of Ontario. The terms and conditions of this agree-
ment are set forth in Chap.48, 14-15 George V, 1924, copy
attached. Clause number one of this document is of inter-
est in connection with the subject presently considered.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 170-171 In a letter from **Hugh Guthrie, E.C., Minister of Justice** to **Superintendent General Thomas J. Murphy** on **May 18, 1932**, he exposes the importance to put the emphasis on the amount expected from the Provincial responsables in Quebec, **Prime Minister Taschereau**.

OFFICE OF THE MINISTER OF JUSTICE
CANADA

Ottawa, May 18, 1932.

My dear Colleague,

I have your letter of today's date with regard to the claim of the Province of Quebec arising out of the judgment of the Privy Council in the Star Chrome Mining Company case.

In view of your request for a reply today, which necessitates my dealing with the matter without research, I do not feel that I can advise you conclusively upon the points you submit, but the following observations may be sufficient for present purposes:-

First, with regard to the question as to what amount may properly be held as owing to the Province in respect of the said judgment of the Privy Council, I may say that I have considerable doubt whether the Province is in a position to recover anything from the Dominion on purely legal grounds. Furthermore, even if some legal principle could be discovered upon which the Province might base its claim, I am not sure that there are not defences upon which the Dominion could successfully rely. It is to be observed in this connection that the surrender in the Star Chrome case was made as far back as 1882, and I presume there were also other early surrenders as well, but nothing was done by Quebec to question the Dominion's dealings in these matters until 1920. Possibly, therefore, the Province is estopped by its own conduct from seeking any accounting as to these dealings prior to 1920. However that may be, I suggest that if the Province has any legal claim it lies, not against the Dominion, but against the occupiers of the lands, and I presume that the real purpose of the Dominion in settling with the Province is to prevent our grantees from being disturbed in the enjoyment of the title and possession of the surrendered lands. In view of these observations you will perceive that I am not in a position to advise what, if any, amount may properly be held as owing to the Province of Quebec, but if any amount is to be paid I desire to emphasize the importance of obtaining from the Province in consideration of the payment a complete release of all claims, whether against the Dominion or the occupiers of the surrendered lands.

The Honourable T. G. Murphy,
Superintendent General of Indian Affairs,

-With-

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 171

-2-

107,228.24
T.M.

With regard to your second question - that is to say, how and in what manner such moneys can be paid to the Province, I am of opinion that the sum actually standing to the credit of capital accounts of the Indian lands resulting from the sales in question, namely: ~~\$200,000.00~~, may be paid upon the authority of the Governor in Council. If it be decided to pay the Province anything in excess of this amount such excess would have to be voted by Parliament.

With regard to your third question - that is say, whether the draft report to Council you submit is in satisfactory form, I suggest that the following paragraph be added at the end of the report:-

107,228.24 T.M.

\$ 33,814.64 T.M.

"The said sum of \$141,042.68, being ~~\$100,000.00~~ standing to the credit of the said capital account, and the sum of ~~\$200,000.00~~ to be voted by Parliament, shall not be paid over to the Province, unless and until the Government of the Province executes a complete release of all claims of any nature or kind arising out of the said surrenders of Indian lands, whether as against the Dominion Government, the Superintendent General of Indian Affairs, the Indians or the grantees of the surrendered lands, their heirs, administrators, successors or assigns."

Papers returned.

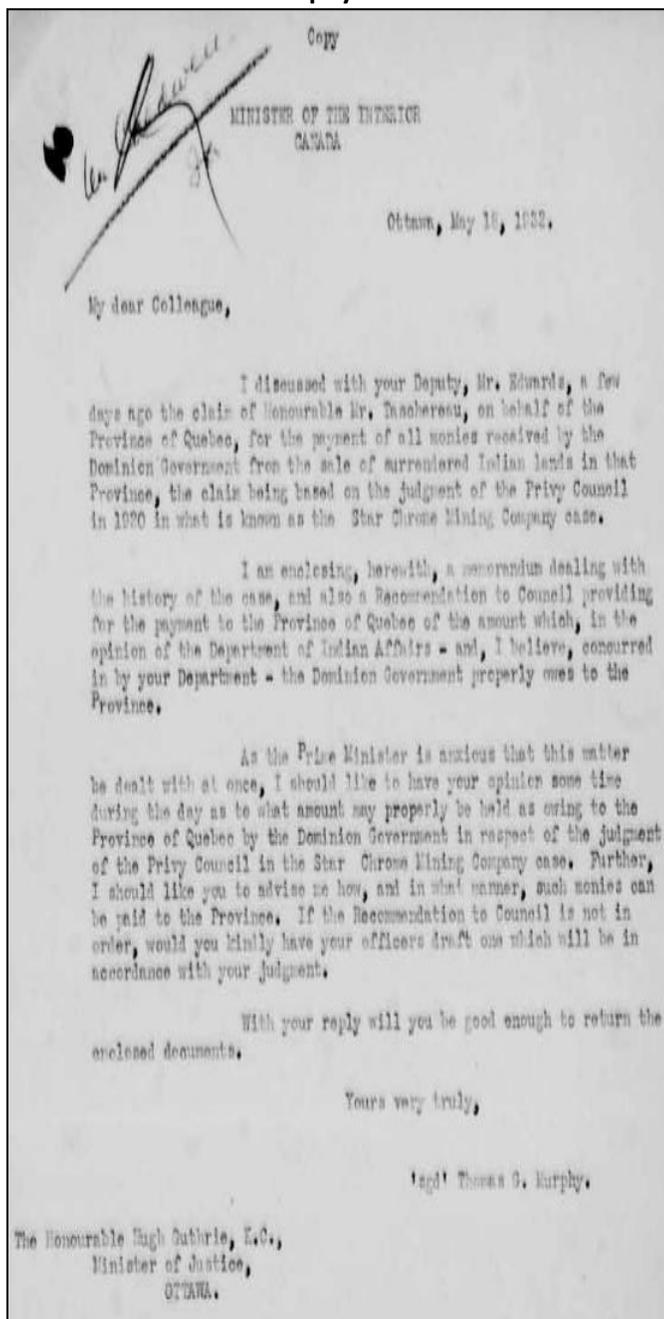
Yours very truly,

Wm. J. Guthrie.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 172 In a copy of the letter from **Superintendent General Thomas J. Murphy** to **Hugh Guthrie, E.C., Minister of Justice** on **May 18, 1932**, he exposes the importance to put the emphasis on the amount expected from the Provincial responsables in Quebec, **Prime Minister Taschereau**.

Thomas Murphy enclosed a memorandum “



“MINISTER OF THE INTERIOR
CANADA

Ottawa, May 18, 1932

*My Dear Colleague,
I discussed with your Deputy, Mr. Edwards, a few days ago to claim the Honourable Mr. Taschereau, on behalf of the Province of Quebec, for the payment of all monies received by the Dominion Government from the sale of surrendered Indian lands in that Province, the claim being based on the judgment of the Privy Council in 1920 in what is known as the Star Chrome Mining Company case.*

I am enclosing, herewith, a memorandum dealing with the history of the cases and a recommendation to Council providing for the payment to the Province of Quebec of the amount which, in the opinion of the department of Indian Affairs - and, I believe, concurred in by your Department- the Dominion Government properly owes to the Province.

As the Prime Minister is anxious that this matter be dealt with at once, I should like to have your opinion some time during the day as to what amount may properly be held as owing to the Province of Quebec by the Dominion Government in respect of the judgment of the Privy Council in the Star Chrome Mining Company case. Further, I should like you to advise me how, and in what manner, such monies can be paid to the Province. If the recommendation to Council is not in order, would you kindly have your officers draft one which will be in accordance with your judgment.”

The letter ends by asking:

*“With your reply, will you be good enough to return the enclosed document
Sgd Thomas G. Murphy”*

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 173 The enclosed document was an account of Statement with respect to surrendered lands in the Province of Quebec.

STATEMENT WITH RESPECT TO THE PROVINCE OF QUEBEC.					
Name	Sale Price	Amount received	Balance due	Amount available in Capital Account from such receipts.	Amount to be provided by Parliament.
Account No. 44-					
Hurons of Lorette					
Quarante Arpent.....	6,194.50)	6,165.75)	28.75		
Rosmont.....	7,501.00)	7,501.00)	.....	
Lorette.....	500.00)	500.00)	.....	13,107.58	1,059.07
Account No. 41-					
Abenakis of Beausavoirs					
Coleraine.....	6,271.50)	6,271.50)	.....	
Crespiau.....	15,100.00)	15,100.00)	.....	
Beausavoirs.....	1,491.00)	1,491.00)	.....	5,729.32	17,133.18
Account No. 47-					
Lake St. John					
Quintehouan.....	9,533.77	7,085.24	2,448.53	6,478.47	610.77
Account No. 45-					
Caughaavaga					
Caughaavaga.....	21,738.00	21,738.00	.....	9,925.43	11,812.58
Account No. 353-					
Weymontachi					
Weymontachi.....	214.80	214.80	.....	214.80	.....
Account No. 42-					
Isle Verte & Viger					
Isle Verte & Viger...	11,327.80	9,552.08	1,775.72	9,552.08	.....
Account No. 49-					
Toniskamingus					
Toniskamingus.....	37,470.04	34,108.50	3,361.54	30,909.43	5,199.07
Account No. 50-					
Haniwaki					
Haniwaki.....	34,829.29	31,315.01	3,514.28	31,315.01	.....
	<u>\$152,171.70</u>	<u>\$141,042.68</u>	<u>\$11,128.82</u>	<u>\$107,228.24</u>	<u>\$38,814.64</u>

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 174 The enclosed document was an account of Statement with respect to surrendered lands in the Province of Quebec.

<u>STATEMENT WITH RESPECT TO SURRENDERED LANDS IN THE PROVINCE OF QUEBEC.</u>					
Name	Sale Price	Amount received	Balance due	Amount available in Capital Account from such receipts.	Amount to be provided by Parliament
Account No. 44-					
<u>Bayons of Lorette</u>					
Quarante Arpent	6,194.50)	6,165.75)	28.75		
Boement.....	7,501.00)	7,501.00)	.....	
Lorette.....	500.00)	500.00)	.....	13,107.68	1,059.07
Account No. 41-					
<u>Abenakis of Beauscours</u>					
Coleraine.....	6,271.50)	6,271.50)	.....	
Crespicul.....	15,100.00)	15,100.00)	.....	
Beauscours.....	1,491.00)	1,491.00)	.....	5,729.32	17,133.18
Account No. 47-					
<u>Lake St. John</u>					
Quatehouan.....	9,533.77	7,085.24	2,448.53	6,474.47	610.77
Account No. 45-					
<u>Canghanawa</u>					
	21,738.00	21,738.00	.....	9,925.45	11,812.55
Account No. 353-					
<u>Weymentachi</u>					
	214.80	214.80	.....	214.80	.....
Account No. 42-					
<u>Isle Verte & Viger</u>					
	11,327.80	9,552.08	1,775.72	9,552.08	.....
Account No. 49-					
<u>Touiskamingus</u>					
	37,470.04	34,108.50	3,361.54	30,909.43	3,199.07
Account No. 50-					
<u>Maniwaki</u>					
	34,829.29	31,315.01	3,514.28	31,315.01	.....
	\$152,171.70	\$141,042.88	\$11,128.82	\$107,228.24	\$33,814.64

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 175 The enclosed document was an account of Statement with respect to surrendered lands in the Province of Quebec.

STATEMENT WITH RESPECT TO SURRENDERED LANDS IN THE PROVINCE OF QUEBEC.					
Name	Sale Price	Amount received	Balance due	Amount available in Capital Account from such receipts.	Amount to be provided by Parliament.
Account No. 44-					
Hurons of Lorette					
Guaranté Arpent.....	6,194.50)	6,165.75)	28.75		
Rochemont.....	7,501.00)	7,501.00)	.....	
Lorette.....	500.00)	500.00)	.....	13,107.58	1,059.07
Account No. 41-					
Abenakis of Beausseurs					
Coleraine.....	6,271.50)	6,271.50)	.....	
Crespical.....	15,100.00)	15,100.00)	.....	
Beausseurs.....	1,491.00)	1,491.00)	.....	5,729.32	17,133.18
Account No. 47-					
Lake St. John					
Dalatchouan.....	9,533.77	7,085.24	2,448.53	6,478.47	610.77
Account No. 45-					
Caughnawaga					
Caughnawaga.....	21,738.00	21,738.00	.....	9,925.45	11,812.55
Account No. 353-					
Weymentachi					
Weymentachi.....	214.80	214.80	.....	214.80	.....
Account No. 42-					
Lake Verte & Viger					
Lake Verte & Viger...	11,327.80	9,552.08	1,775.72	9,552.08	.....
Account No. 49-					
Teniskamigou					
Teniskamigou.....	37,470.04	34,108.50	3,361.54	30,909.43	3,199.07
Account No. 50-					
Maniwaki					
Maniwaki.....	34,829.29	31,315.01	3,514.28	31,315.01	.....
	<u>\$152,191.70</u>	<u>\$141,042.58</u>	<u>\$11,128.62</u>	<u>\$107,228.24</u>	<u>\$35,814.64</u>

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 176 Balance in Trust Fund Accounts – Province of Quebec, November 15th, 1927.

Balances in Trust Fund Accounts - Province of Quebec		
November 15th, 1927.		
Name of Reserve	Capital	Interest
Hurons of Lorette	\$ 13,107.68	\$ 2,925.05
Abenakis of Becancours	6,369.92	257.09
Abenakis of Pierreville	3,807.82	336.53
(No land sales)		
Lake St. John (Pointe Bleue).....	6,474.47	7,904.12
(No land sales)		
Iroquois of Caughnawaga	4,582.19	.....
Iroquois of St. Regis	53,037.47	11,527.39
(No land sales)		
Weymontachi	31,746.57	225.81
Isle Verte and Viger	9,924.57	399.46
Temiskamingue	36,415.31	2,065.29
Maniwaki	68,617.47	3,945.65
Lake of Two Mountains (Oka)	6,649.39	635.59
(No land sales)		
Matigouche	3,403.37	1,848.76
(No land sales)		
Asimis	<u>123,635.09</u>	<u>3,123.90</u>
(No land sales)		
	<u>\$367,771.32</u>	<u>\$35,194.64</u>

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 177 Balance in Trust Fund Accounts – Province of Quebec, November 15th, 1927.

Balances in Trust Fund Accounts - Province of Quebec		
November 15th, 1927.		
Name of Reserve	Capital	Interest
Harems of Lorette.....	\$ 18,107.68	\$ 2,925.05
Abenakis of Becansours.....	6,369.92	257.09
Abenakis of Pierreville..... (No land sales)	3,807.82	356.53
Lake St. John (Pointe Bleue)..... (No land sales)	6,474.47	7,904.12
Iroquois of Caughnawaga.....	4,582.19	.....
Iroquois of St. Regis..... (No land sales)	53,037.47	11,527.39
Weymontashi.....	31,746.57	225.81
Isle Verte and Viger.....	9,924.57	399.46
Temiskamingue.....	36,415.31	2,065.29
Maniwaki	68,617.47	3,945.65
Lake of Two Mountains (Oka)..... (No land sales)	6,649.39	635.59
Restigouche..... (No land sales)	3,403.37	1,848.76
Bersimis..... (No land sales)	<u>123,635.09</u>	<u>3,125.90</u>
	<u>\$367,771.32</u>	<u>\$35,194.64</u>

Page 188 **Final adjustments:** ruling and management by province and mining rules for all provinces, confirming the application of the precedent or *Stare Decisi*, the Chrome precedent of 1924 in Ontario.

-6-

THE FINAL ADJUSTMENT.

Following the judgment of the Privy Council in 1920, the question was again made the subject of discussion between the Dominion and the Province, with the result that a joint agreement was entered into on March 24, 1924, and subsequently confirmed by Chap. 15, Statutes of Ontario, 14 Geo. V, and by Chapter 48, Statutes of Canada, 14-15 Geo. V.

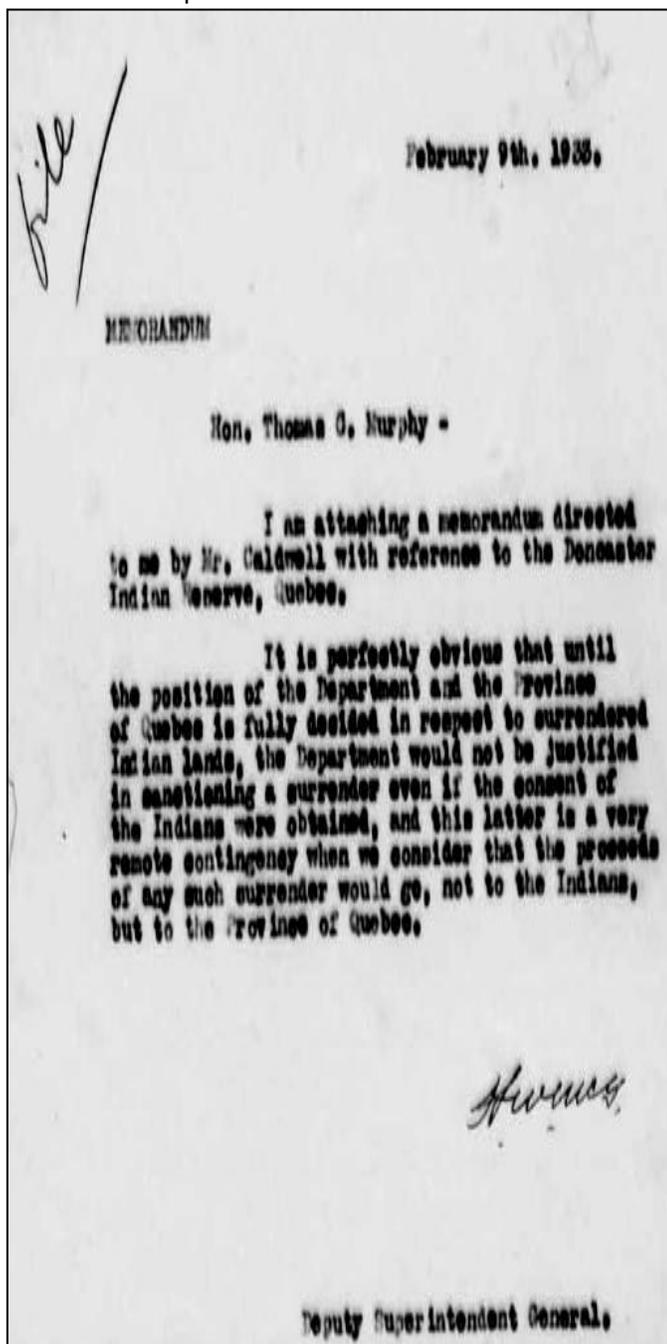
Briefly, this Agreement made provision for the following:

- (1) Confirmation and definition of the right of the Dominion to dispose of Indian reserve lands generally, subject to the proviso that in the event of a band becoming extinct, the lands and funds remaining shall belong to the Province.
- (2) Precious metals discovered in Indian Reserves may be disposed of by the Dominion, subject to staking and operating in accordance with the provincial laws and regulations and on the further condition that any consideration obtained for these minerals shall be divided equally between the Dominion, representing the Indians, and the Province.
- (3) Confirmation of all previous transactions by either the Dominion or the Province with respect to Indian lands.

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 191, 194, 195, Consequences in the province of Quebec and Doncaster

Page 194 Letter-Memorandum of February 9, 1933 of Harold Wigmore McGill to Thomas Gerow Murphy, Superintendent General on Indian Affairs. PC. Wigmore McGill served in the Legislature for just over two years before vacating his seat. He was appointed as Superintendent-General of Indian Affairs in Ottawa.



"February 9th 1933.

Memorandum

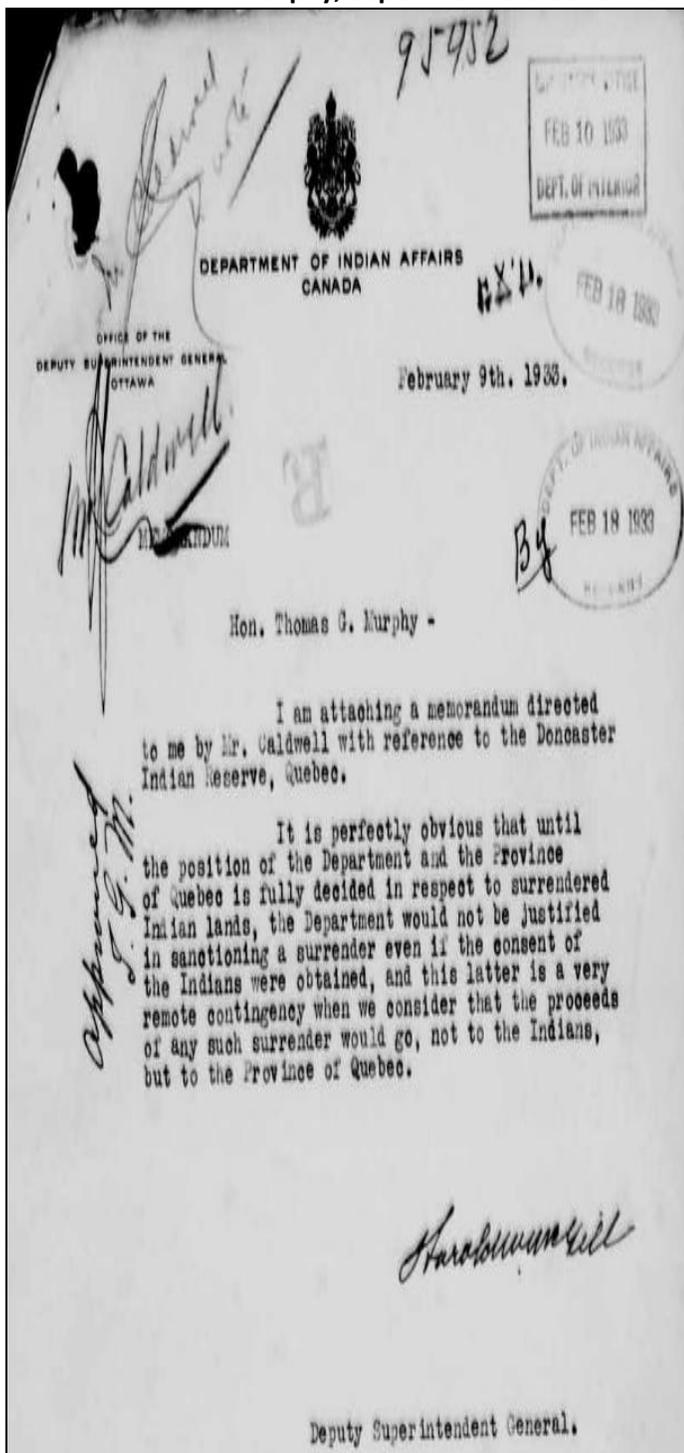
Hon, Thomas G. Murphy-

I am attaching a memorandum directed to me by Mr. Caldwell with reference to the Doncaster Indian Reserve, Quebec.

It is perfectly obvious that until the position of the Department and the Province of Quebec of fully decided in respect to surrendered Indian lands, the Department would not be justified in sanctioning a surrender even if the consent of the Indians were obtained, and this latter is a very remote contingency when we consider that the proceeds of any such surrender would go, not to the Indians, but to the Province of Quebec."

HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, Microfilm reel C-11224, Surrenders following the Star Chrome Jurisdiction

Page 195 Letter-Memorandum of **February 9, 1933** of **Harold Wigmore McGill** to **Thomas Gerow Murphy, Superintendent General on Indian Affairs.**



"February 9th 1933.

Memorandum

Hon, Thomas G. Murphy-

I am attaching a memorandum directed to me by Mr, Caldwell with reference to the Doncaster Indian Reserve, Quebec.

It is perfectly obvious that until the position of the Department and the Province of Quebec of fully decided in respect to surrendered Indian lands, the Department would not be justified in sanctioning a surrender even if the consent of the Indians were obtained, and this letter is a very remote contingency when we consider that the proceeds of any such surrender would go, not to the Indians, but to the Province of Quebec."

Chapter 3: Petitions from Squatters and Mayor of Ste. Lucie claiming lands 1873-1890 ⁴¹

Exposed the litigious position of the Province of Quebec and the Governor General and several Ministerial instances after petitions received from the mayor of Ste Lucie and squatters, from 1873 to 1890.

The petition cited the dates from 18 July and September 20, started in these terms, from the commissioner of Crown Lands, Pierre-Etienne Fortin from Quebec, on the **13th September 1873**.

Then, an answer from the commissary of Crown land Departments of Quebec in a letter from September **24, 1873** to Fortin that Indian land in Durham be brought into market.

Then on October 30 & November 3, 1873 a letter from Court Crown Lands suggesting that Indians consent be obtained to its subdivision & sale.”

Vankoughnet, Superintendent of Indian Affairs on May 25th, 1874 write exposing the creation of Doncaster and the “license covering the timber upon the reserve was in the year **1869** issued to Mcphers Couching Bros of Repentigny but they declined to renew last season. Consequently the licence has issued.”

On June 15 1873, E.A. **Meredith**, Deputy of the Minister of the Interior wrote a briefing of the Doncaster’s Indian Reserve’s history, attested the “Indian Branch **August 11, 1874** by L. **Vankoughnet** DSGIA (Deputy Superint. Gen. of Ind. Affs)”

Then, Noé Forget – Mayor, Ste Lucie Doncaster, sent a letter to the Secretary of State on **10/11 July 1890**, Ottawa citing a Petition from the inhabitants of the Parish of the Ste Lucie Doncaster for the survey and certain Indian lands

⁴¹ Source mainly used for this Chapter: CAUGHNAWAGA AGENCY - PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE.1873-1890, LAC, MIKAN no. 2062876, reel C-11234, (49 items), RG10. Volume/box number: 2425. File number: 107,786.

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 1 **Noé Forget** – Mayor, Ste Lucie Doncaster, Intro Secretary of State **10/11 July 1890**, Ottawa Petition from the inhabitants of the Parish of the Ste Lucie Doncaster for the survey and certain Indian lands.

MEMO.

14-7-90
17-7-90
19-7-90

No. 107786

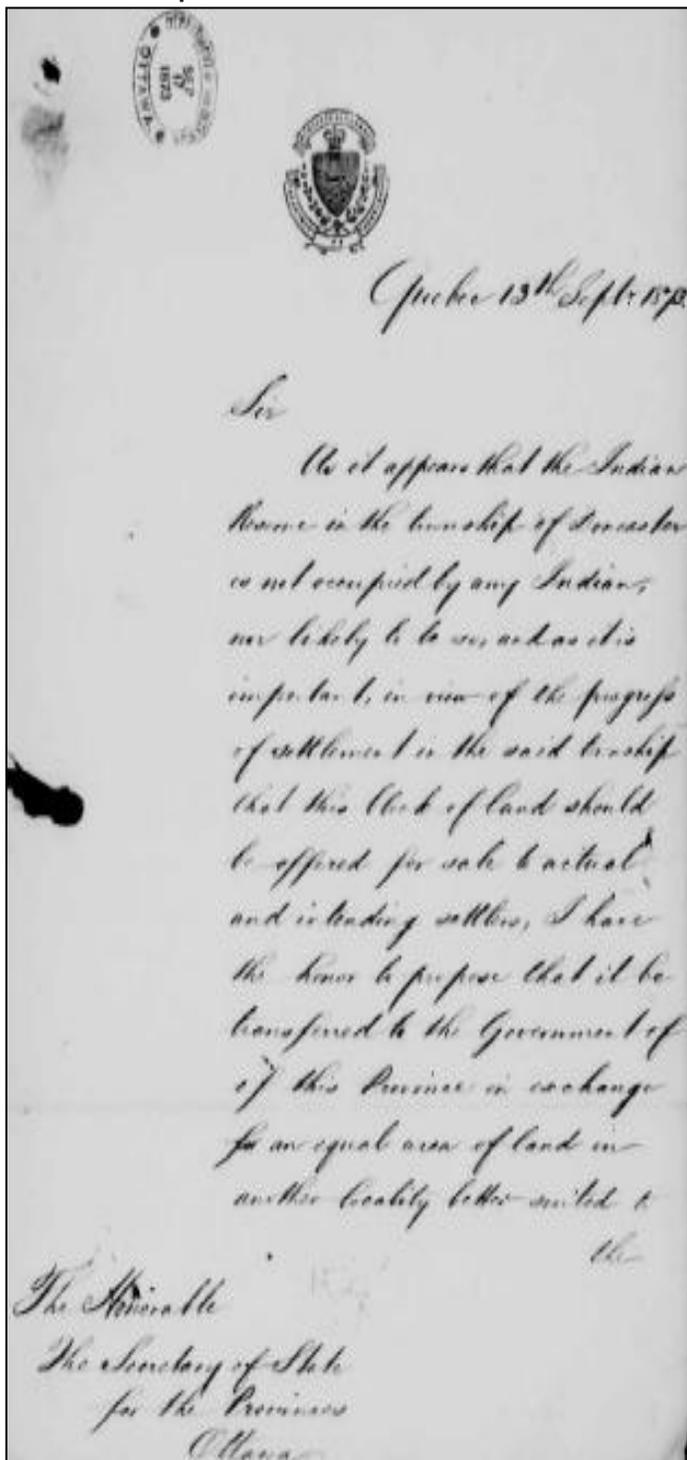
Department of Indian Affairs,
1890

Noé Forget: Mayor
Et al.
St. Lucie.
Doncaster.
Hors Sec of State.
10/11 July. Ottawa.
Petition from the
inhabitants of the
Parish of Ste Lucie
Doncaster for the
grant & survey
of certain Indian
lands.

19 July, D. to Noé Forget.
20 Sept let. l. - do

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 2-3 The petition cited the dates from **18 July and 20 September 20 1873**, started in these terms, from the **commissioner of Crown Lands, Pierre-Etienne Fortin** from Quebec, on the **13th September 1873**:



"Sir,

As it appears that the Indian Reserve in the township of Doncaster is not occupied by any Indian, nor likely to be so, and as it is important in view of the progress of settlement in the said township that this block of land should be offered for sale to actual and intending settlers, I have the honor to propose that it be transferred to the government of this province in exchange for an equal area of land in another locality better suited to the..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 2-3 The petition cited the dates from **18 July and 20 September 20 1873**, started in these terms, from the **commissioner of Crown Lands, Pierre-Etienne Fortin** from Quebec, on the **13th**

the wants of the Indians; or
in case such an exchange
cannot be made, I have the
honor to suggest that the land
in question be offered for
sale by your Department.

I have the honor to be
Sir
Your obedient servant
P. Fortin
Commissioner of Crown Lands
P.E.

*"...the needs of the Indians or
in case such an exchange
cannot be made, I have the
Honor to suggest that the land
in question be offered for
sale by your Department.*

*I Have the honor to be,
Sir,
Your obedient servant
P Fortin,(signed),
Commissioner of Crown Lands,"*

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 4 Crown Lands Department, **Sept, 13/17** P.2 (unreadable)

Crown Lands Dept
 Quebec
 Sept 13/17 P.2
 This is a copy of a petition
 that was made
 in Sherbrooke
 brought into Montreal
 for the Dept

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 5-6 Then, an answer to **Pierre-Etienne Fortin, Commissioner of Crown Lands**, from Quebec his Superior Instance in a letter from **September 24, 1873** exposing that Indian land in **Durham** be brought into market:

VPH

Honorable P. Fortin
Commiss. Crown Lands Sept 24 1873
Quebec

Si

J. M.

J'ai l'honneur
de vous adresser
la receipt de votre
lettre du 13th
Inst., and in
reply to state that
the Reserve in
the Township of
Doncaster is the
property of the
Iroquois of the
Lake of Two
Mountains and
of Caughnawaga
and ~~accord~~ accord
to the 6th section
of the Act 31 Vic.
Cap. 42, in order
to admit of its
disposal, it would

"To the Honorable P. Fortin,

Sir,

I have the honor
to acknowledge the
receipt of your
letter of the 13th,
and in reply to state that
the Reserve in
the township of
Doncaster is the
property of the
Iroquois of the
Lake of Two
Mountains and
of Caughnawaga
and according
to the 6th section
of the "set 31 Vic
Cap 42", in order
to admit of its
disposal, it would..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 5-6 Then, an answer to **Pierre-Etienne Fortin, Commissioner of Crown Lands**, from Quebec his Superior Instance in a letter from **September 24, 1873** exposing that Indian land in **Durham** be brought into market:

would require
their Concurrence
therein, in order
to admit of its
disposal
If a definite
proposition, such
as it would be in
the interest of the
Indians to accept,
be forwarded
to the Sup^t Genl
of Indian Affairs,
it could then be
submitted to the
Indians for their
consideration.
The Indian Reserve
in question is
at present under
Timber license.
I have the honor to be
Y. O. S.

"... would require
their concurrence
therein, ~~in order~~
to admit of its
disposal

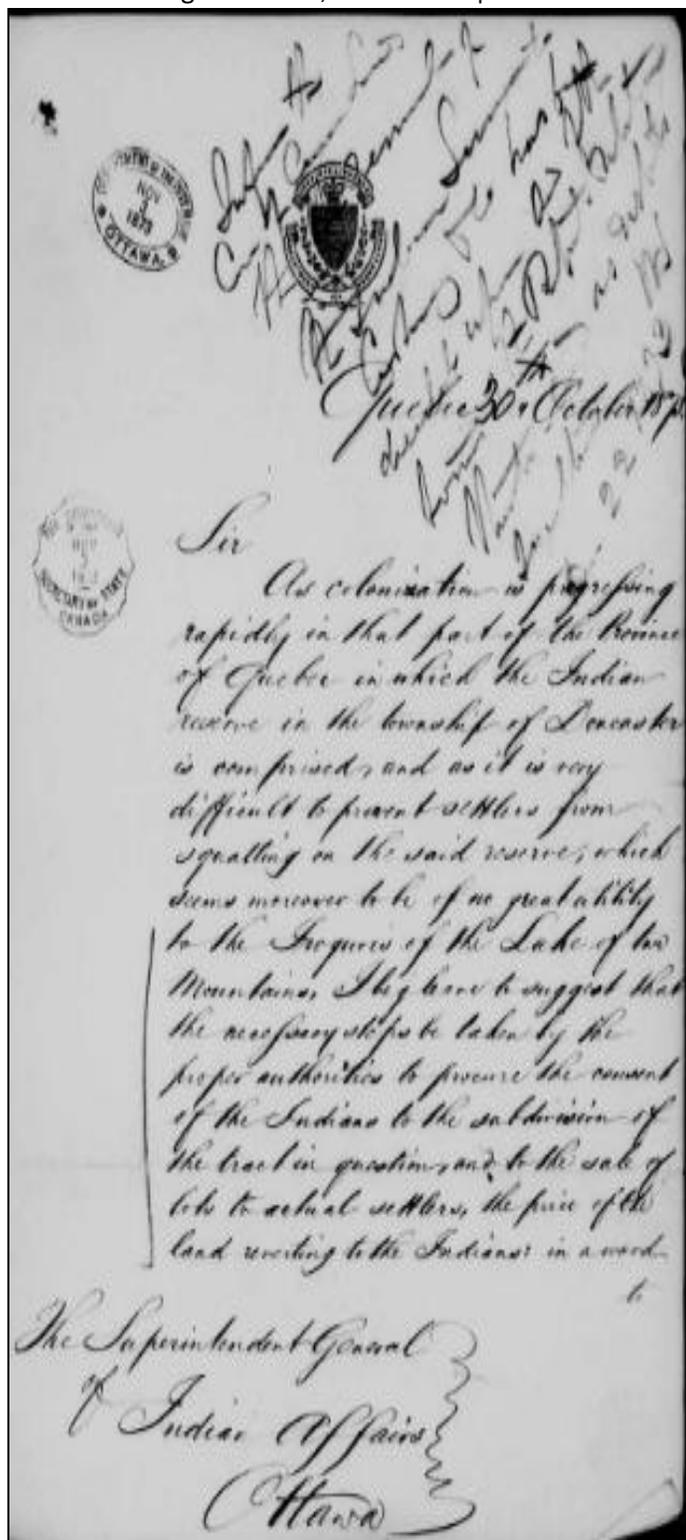
If a definite proposition, such
as it would be in
the interest of the
Indians to accept,
be forwarded
to the Superior General
of Indian Affairs
it could then be
submitted to the
Indians for their
consideration.

The Indian reserve
in question is
as present under
timber license.

I have the honor to be Y. O. S."
(I have the honor to be your obedient
servant)

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 7-8 Then, from the Department of the Interior, from **November 3, 1873**:



"Quebec, 10th October 1873

Sir,

As colonisation is progressing rapidly in that part of the province of Quebec in which the Indian reserve in the township of Doncaster is comprised, and as it is very difficult to prevent settlers from squatting on the said reserve, which seems moreover to be of no great ability to the Iroquois of the Lake of Two Mountains, I "deserve" to suggest that the necessary steps be taken by the proper authorities to procure the consent of the Indians to the subdivision of the tract in question, and to the sale of lots to actual settlers, the price of the land "reverting" to the Indians: in a word, ..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 7-8 Then, from the Department of the Interior, from **November 3, 1873**:

to take respecting this reserve the
same measures that were adopted
for that of Ouatichouan, Lake
St-John, which is open to colonization.

I have the honor to be
Sir
Your most obedient servant

P. Fortin
Commissioner of Crown Lands.

*"... to take respecting this reserve the
same measures that were adopted
for that of Ouatichouan Lake
St-John, which is open to colonization.*

*I have the Honor to be, Sir, Your obedient
servant*

P. Fortin, Commissioner of Crown lands."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

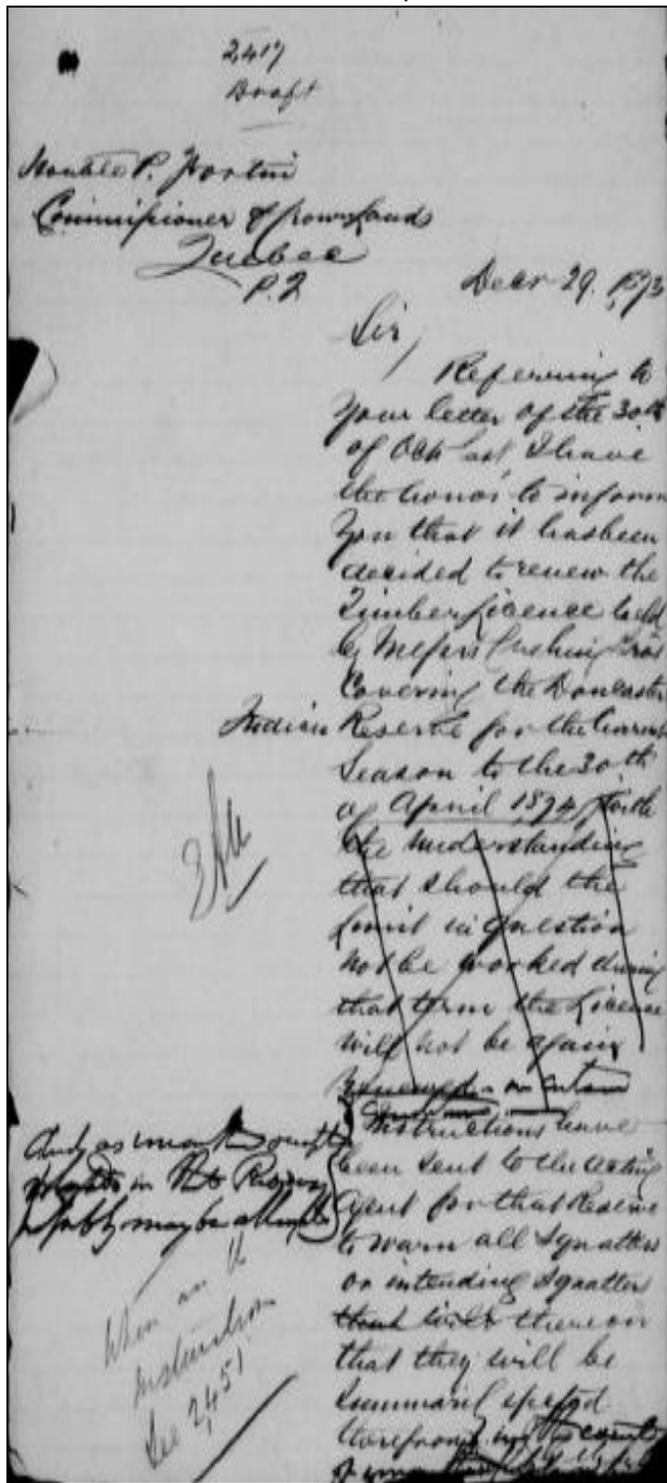
Page 9 The following document from the same file archived at Library and Archives Canada in regard to these correspondences was a simple note in which was written: "**October 30 & November 3, 1873** letter from **Court Crown Lands** suggesting that Indians consent be obtained to its subdivision & sale."

2417
30 Oct 73 for letter
3 Nov 73
from Court Crown
Lands. suggesting
that Indians' consent
be obtained to its
subdivision & sale

John? Nov 3

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 10 Draft: From the Superior of P. Fortin, Commissioner of Crown Land, Quebec, December 29, 1873, p.2.



December 29, 1873.

“Sir,
Referring to your letter of the 30th of Oct last, I have the honor to inform you that it has been decided to renew the timber licence to lmtd C Mcfers Cushing Bros Concerning the Doncaster Indian reserve for the current Season to the 30th of April 1874. For the msunderstanding that should the Limit in question not be worked during that term the Licence will not be again renewed—or...

Further instructions have been sent to the acting agent for that reactive to warn all squatters or intending squatters that there will be summariz ... (unreadable)”

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 11 Acknowledgment-Memo of **December 22, 1873.**

The following is a transcription of the visible text in the handwritten memo:
 Received of the Indian of Ste Lucie of Doncaster
 the sum of \$100.00
 for the survey of certain Indian land on the reserve
 as per the petition of the Indian of Ste Lucie of Doncaster
 dated the 10th day of December 1873.
 Attest
 Dec 22

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 12-13 Then, it was followed by a letter from **the superior of C.E. Belle, Esquire, Crown Timber Agent, Montreal**, who answered on **October 4, 1873**:

2457
Belle
C. E. Belle Esq
Crown Timber Agent
Montreal
Oct. 4 1873
Sir,
In further reference
to your letter of the
30th ult., reporting
that Mcphers Couching
Bros have failed to
furnish a statement of
their Timber operations
during last winter
upon the Indian Reserve
lands in the Township
of Doncaster. I have
to request that you
will visit that place,
or, if unable to do
so personally, that
you will employ some
reliable person to do
and ascertain whether
any, and if any, what,
Timber or saw logs were
cut there during last
season; by whom
cut; description & quantity
of cut; and whether
removed, or still on
the Reserve, or en route.
When reporting the
above...

"Sir,

In further references
to your letter of the
30th (October), reporting
that Mcphers Couching
Bros have failed to
furnish a statement of
their timber operations
during last winter
upon the Indian reserve
lands in the township
of **Doncaster**, I have the
request that you
will visit that place
or, if unable to do so
personally, that
you will employ some
reliable person to do
and ascertain whether
any, and if any, what,
timber or saw lodge were
cut there "dewing" last
season: by whom
cut the "description" & quantity
so cut; and whether
removed, or still on
the reserve, or, en route,
when reporting the
above..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 12-13 Then, it was followed by a letter from C.E. Belle, Esquire, Crown Timber Agent, Montreal, who answered on **October 4, 1873**:

the above particulars to
this office, you will
please state if you
issued a permit, or
permits this season
for the removal of
timber or sawlogs from
that Reserve.

I am,
S.
Y. O. S.

"...the above particulars to
this office, you will
please state if you
issued a permit, or
permits this season
for the removal of
timber or sawlogs from
the Reserve.

I am, S. Y. O. S. (I am Sir, Your Obedient
Servant)"

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 14-15 (page 1/2) Then, it was followed by another draft letter from **Crown Timber Superintendent**, to **C.E. Belle, Crown Timber Esquire**, Montreal, on **November 20-21, 1873**, exposing: " *this subject to do so, you will please obtain such as will enable you to supply these particulars. I have the H. To be Y.O.S.*"

2451
draft

C.E. Belle Esq
Crown Timber Esq
Montreal

Nov 21 1873

Sir,

Adverting to
your letter of the
15th, and to my
letter to you of the
13th Inst, I have
the honor to
request that you
will state what
in your opinion
is the value per
acre of the various
lots within the
Doncaster Indian
Reserve:- and if
you are not at
present sufficiently
acquainted in possession
of sufficient information

on...

"Sir,
answering to
your letter of the
18th and to my
letter to you of the
13th int., I have
to honour to
request that you
will state what
in your opinion
is the value per
acre of the various
lots within the
Doncaster Indian
reserve:- and if
you are not at
present ~~sufficiently~~
~~acquainted~~ in possession
of sufficient informations
on..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 14-15 (page 2/2) Then, it was followed by another draft letter from **Crown Timber Superintendent**, to **C.E. Belle, Crown Timber Esquire**, Montreal, on **November 20-21, 1873**, exposing: " *this subject to do so, you will please obtain such as will enable you to supply these particulars. I have the H. To be Y.O.S.*"

On this subject
to do so, you will
please obtain
such as will
enable you to
supply these
particulars.

I have the H. To be
Y.O.S.

" ... on this subject

to do so, you will

please obtain

such as will

enable you to

supply these

particulars.

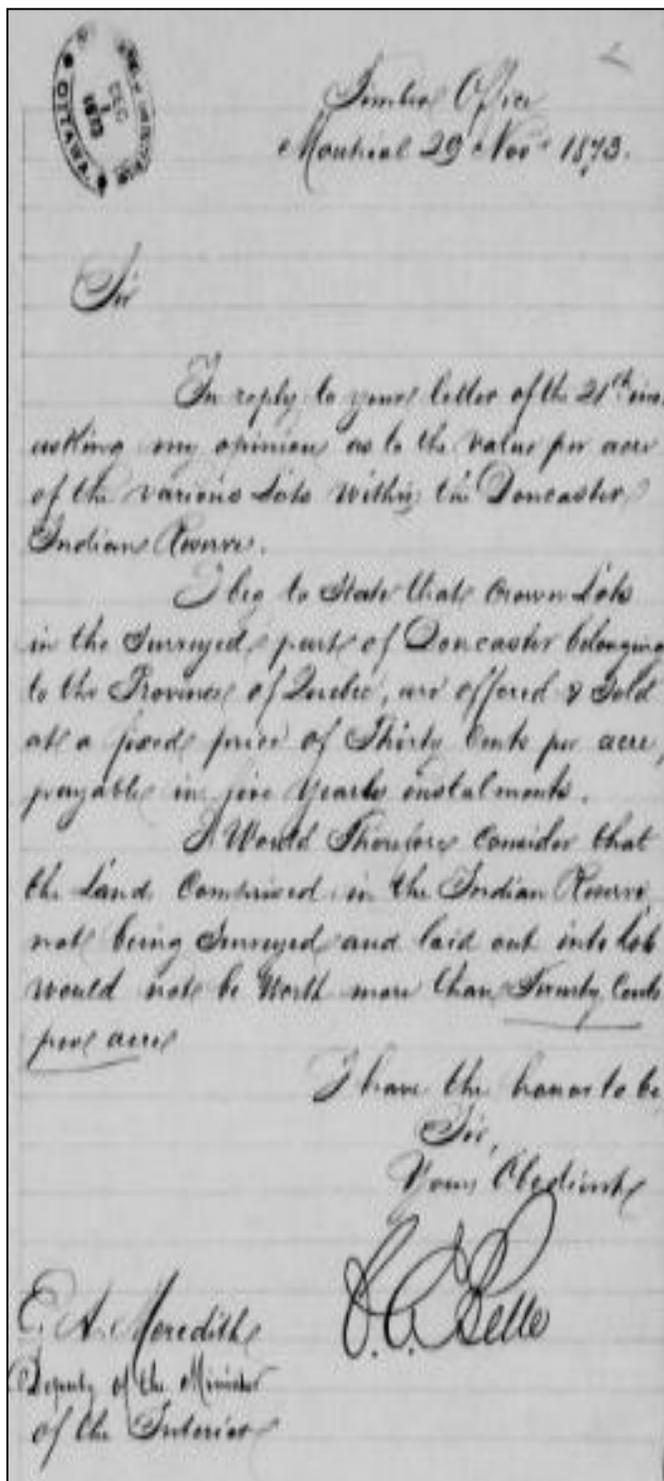
I have the H. To be

S.

Y.O.S."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 16 In a letter from C.E. Belle, Crown Timber Agent of Timber Office, Montreal, 29 November 1873 to E.A. Meredith, Deputy of the Minister of the Interior:



"Sir,

In reply to your letter of the 21st inst, asking my opinion as to the value per acre of the various soils within the Doncaster Indian Reserve.

I beg to state that Crown Lots in the surveyed parts of the **Doncaster** belonging to the Province of Quebec, are offered & sold as a fixed price of Thirty cents per acre, payable in five yearly instalments.

It would therefore consider that the Land comprised in the Indian Reserve not being surrendered and laid out into lots would not be worth more than Twenty cents per acres.

I Have the Honor to be
Sir
Your obedient

C.E Belle."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Pages 17-18-19 From **December 10, 1873**, from Ottawa, **Commissioner of Crown Lands**
Page 17-

Approved
H. Christie for the Minister of the Interior.

Mr. The Commission of Crown Lands
for the Province of Quebec has
submitted the proposal that the
Reserve in the Township of
Doncaster containing 16,000 acres
set apart under authority of
the Act 14th & 15th Victoria Chap
106 for the benefit of the
Sagoyew Indians of Caughnawaga
and the Lake of Two Mountains
may either be transferred to
the Government of that Province
for settlement, upon other lands
being substituted for it, or
that it may be disposed of
as Indian lands, to actual
settlers.

The Reserve in question
contains a considerable
quantity of good merchantable
timber, and a license to cut

"Mr
The Commissioner of Crown Lands
for the Province of Quebec has
submitted the proposal that the
Reserve in the township of
Doncaster containing 16,000 acres
set apart under authority" of
the articles 14th & 15th Victoria Capt
106 for the benefit of the
**Iroquois Indians of Caughnawaga and the
Lake of Two Mountains**
may either be transferred to
the Government of the Province
settlements upon their lands
being substituted for it, or
that it may be disposed of
as Indian lands for actual
Settlers.

The reserve in question
contains a considerable
quantity of good merchantable
timber and a license to cut."

-Note on the left side: "Approved ... for the
Minister of the Interior."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Pages 17-18-19 From **December 10, 1873**, from Ottawa, **Commissioner of Crown Lands**

Page 18- (Page 18-19 are exposing a license from 1872 for wood floating adapted to high expenses.)

It was issued in July 1869 to
 Mr. Stephen Cushing of Popham
 who paid a Bonus of \$400 for the
 privilege of cutting the timber and
 has since made payments of Timber
 Dues & Ground Rent.

It has not been renewed since
 April 1872, - and by letter of 15th Nov
 1873 it appears that the license
 have been unable to get down, or
 drive, as the expression is, logs
 which they had cut; owing to
 obstructions in the stream down
 which they attempted to float them,
 at the considerable expense was
 resorted to, in order to get it to
 the purpose! - In view of opinion
 that taking into account the whole
 case, it will be best to issue towards
 Mr. Stephen Cushing to extend the
 license to 30 April 1874, on payment of
 arrears of the proper Ground Rent.
 But with the understanding that if

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Pages 17-18-19 From **December 10, 1873**, from Ottawa, **Commissioner of Crown Lands**

Page 19-(Page 18-19 are exposing a license from 1872 for wood floating adapted to high expenses.)

The limit be not worked during
the present winter, the license
will not be renewed again.

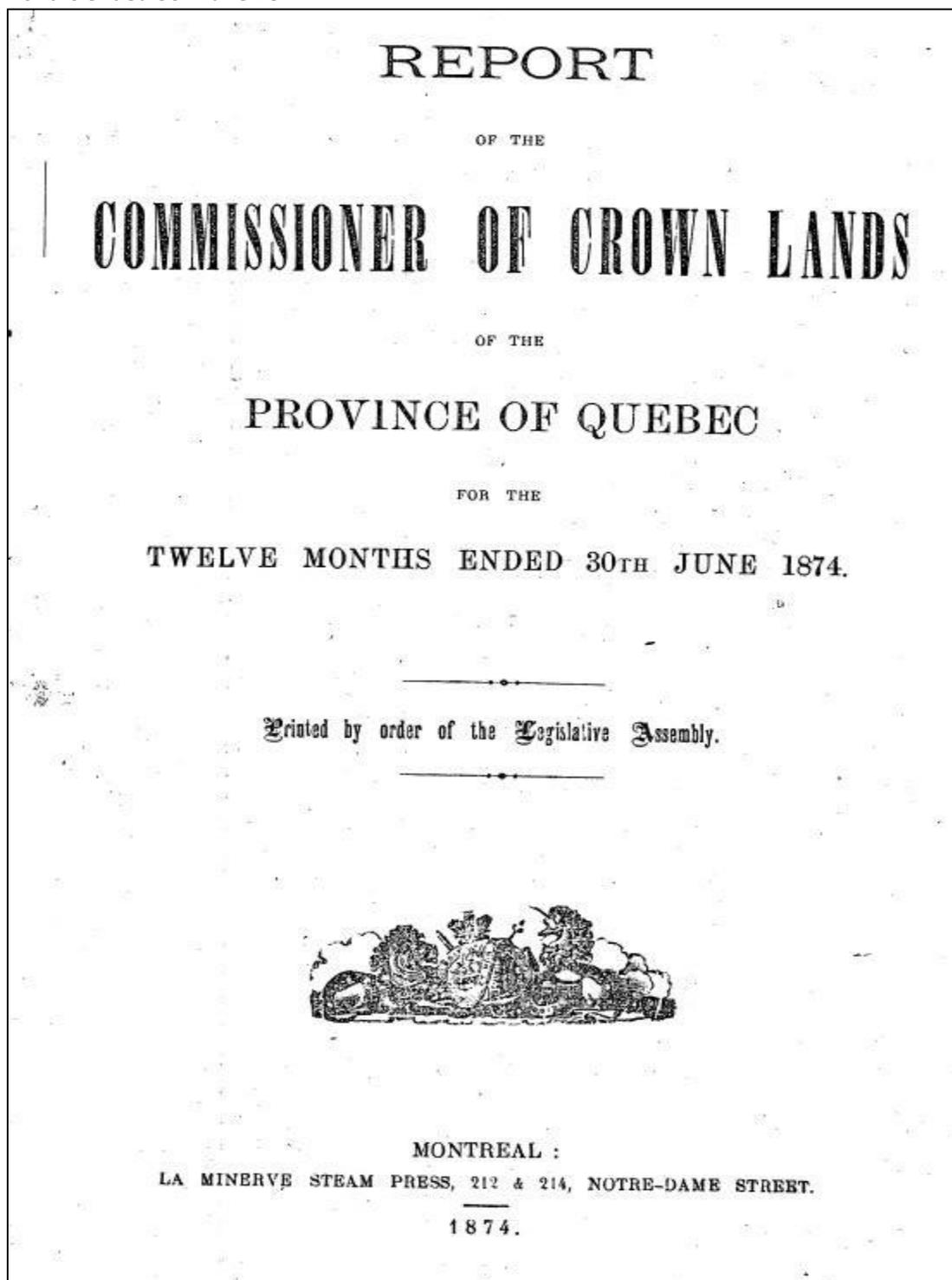
W. E. Bell, Crown Lands Agent,
having been directed to ascertain
and report the value of the land,
in order that information might
be obtained as to amounts which
could be realized from the sale of
the Reserve, he has reported by
letter of the 29th ult. that the quantity
of lumber for this season is about thirty
cords of pine. - It will be
perceived that such a price affords
no inducement to dispose at the
present time of the lands which form
the Doncaster Reserve.

It is possible that something of the
kind may be attempted,
and in order to prevent it the
Crown Lands Agent will be instructed
to remove such persons that they will
be expelled if they attempt to
supply.

W. E. Bell
Dec 10 1873

Page 18-19 are exposing a license from 1872 for wood floating adapted to high expenses.

ANNEX: The Report of the Commissioner of Crown Lands of the Province of Quebec for the 12 months ended 30th June 1874



The Report of the Commissioner of Crown Lands of the Province of Quebec for the 12 months ended 30th June 1874: citing Doncaster and Wexford

LICENSES IN SUSPENSE IN UPPER OTTAWA AGENCY, SEASON 1873-74.					
Hamilton Brothers.	River Pêche.	27	31th July 1845.	Under Gatineau association.	
do	do	33	do	do	
Calais Laframboise.	Litchfield Towns. and rear } Litchfield. }	4	17th October 1849.	At private sale.	
James Connolly.	River Keepawa.	50	9th October 1866.	At private sale.	
Benjamin Moore.	River Ottawa.	60	27th September 1871.	At private sale.	In suspense.
John Poupore.	Upper Ottawa. P. Q. 1 }	400	29th May 1872.	do.	
	Total.	574			
RECAPITULATION.					
Area of licenses issued in 1873-74.....		18,947½			
do do in suspense.....		574			
Total area under license in the Upper Ottawa Agency 19,521½ square miles.					
LOWER OTTAWA AGENCY.					
Otis Sheppard.	Wexford.	9	5th September 1860.	At private sale.	
James O. Pope.	do	2½	do	do	
Edwin Pope and	River Lac-Ouareau.	50	16th September 1868.	At public auction.	
George W. Pope	do and Chilton.	18	do	do	
Lewis H. Haltans all of	Chertsey and Wexford.	13½	do	do	
Boston, U. S. and forming	North River N. E. ½ of Ar- } chambeault. }	50	do	do	
the firm of "L'Assomption	River Lac-Ouareau.	7	Anterior to 1856.	Uncertain.	
Lumber Co."	do	22	do	do	
do	do	50	do	do	
do	do	30	do	do	
do	do	15	do	do	
do	do	18	do	do	
do	Howard.	20½	16th September 1868.	At public auction.	
do	River Lac-Ouareau.	30	Anterior to 1856.	Uncertain.	
		335½			

19

STATEMENT OF TIMBER LIMITS actually under licence, showing the situation of such limits, their extent, &c.—Continued.					
By whom held.	Locality.	Area in square miles.	Date of original grant.	How acquired or granted.	Remarks.
	(Continued)	33½			
L'Assomption Lumber Co.	North River ½ S. W. of Ar- } chambeault. }	50	16th september 1868.	At auction sale.	
do	Doncaster.	37½	do	do	
do	Catcart.	9	15th July 1871.	At private sale.	
do	Wexford.	17	16th september 1868	At auction sale.	
do	Morin.	2½	16th september 1868.	do	
do	do	2	do	do	
Théophile Hamilton Cushing and Chs. Breck Cushing, of Repentigny.	L'Assomption River.	13½	Anterior to 1856.	Uncertain.	
do	do	17½	do	do	
do	do	14	do	do	
do	do	18	do	do	
Cushing Brothers.	do	25	do	do	
do	do	25	do	do	
do	Black River.	12	do	do	
do	do	12	do	do	
do	do	12½	do	do	
do	do	15½	do	do	
do	Kilkenny & Wexford.	3½	do	do	
Heirs C. E. Scallon.	Maskinongé River.	12	3rd January 1863.	At private sale.	
Messrs. Cushing.	do	24½	16th september 1868.	At auction sale.	
do	L'Assomption River.	27	do	do	
do	Doncaster.	24½	do	do	
do	L'Assomption River.	27	do	do	
do	Lake-Ouareau River.	50	do	do	
do	Wexford.	4	22nd October 1864.	At private sale.	
do	Wexford & Chertsey.	7	23rd september 1866.	do	
do	Wexford.	14½	21st february 1870.	do	
Allan Gilmore of Ottawa.	Petite Nation River.	11	Anterior to 1856.	Uncertain.	
do	do	3	do	do	
do	do	50	do	do	
do	do	50	do	do	
do	do	22½	do	do	
Cushing Brothers.	Ducharne River.	10½	do	do	
Allan Gilmore.	Petite Nation River.	27½	do	do	
do	do	35	do	do	
do	do	35	do	do	
do	do	20	11th september 1862.	At auction sale.	

20

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 20 cites: "Men of the Indian Office relating to the Indian Reserve in the Township of Doncaster, Province of Quebec." (Note by Bell, Crown Timber Agent.)

Men from the
 Indian Office
 relating to the
 Indian Reserve
 in the Township
 of Doncaster
 Province of
 Quebec

E. J. Bell
 and Mr. J. J. Bell
 Acting M.
 Bell

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
 Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Pages 21 From December 11th 1873, mentioning C.E. Belle, Crown Timber Agent

File with 2451 (Cushing for paper)
 when returned by Chief of State

Mr.
 State to Mr C E Belle Crown
 Lands Agent Montreal & agent
 from here a statement in
 detail of all work and
 saw logs cut by Messrs Cushing
 & Co upon the Doncaster Indian
 Reserve - and showing especially
 the quantities brought down
 and then remaining on the
 Reserve and those also in
 transit ^{stopped} on ~~the~~ by
 obstacles which prevented the
 being floated the whole distance
 down the river from being
 brought down to the wharf!

Dec 11
 1873

"File ... 2451 (cashing for paper)
 To be returned by chief of State

Mr,
 North Am CL (Crown Lands) Belle Crown
 Lands Spt Mutual request
 from have a statement in
 detail of the Timber and
 saw logs cut Messrs Cushing (Mcpherson &
 Cushing)

On the ... the Doncaster Indian
 Reserve, and ...
 Squatters brought down
 And their residing on the
 Reserve and... also in
 ..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Pages 22 From **December 12th 1873**, repost letter sent to **C.E. Belle, Crown Timber Agent** from his higher instance exposing the importance to remove the Squatters, considering the legal matter incurring.

No
No 2457

C.E. Belle Esqr
Crown Timber Agent
Montreal

Dec 12. 1873

Sir

I have to request
that you will forward this
Department with a state-
ment in detail of all
timber & saw logs cut
by Messrs Cushing & Co
upon the Doncaster
Ind Reserve showing
separately the quantities
brought down. The Squatters
remaining on the Reserve
also ~~in transit~~ in transit
or ~~by obstructions~~ by obstructions
floated the
whole distance by the
strong adverse
by night the water
retained as an
Sir
Yours
G. D. S.

"No 2457

To C.E. Belle, Esqr
Crown Timber Agent,
Montreal
Dec. 12, 1873

Sir,
I have your request
that you forwarded this
Department met a state-
ment in detail of all
timber saw logs cut
by Messrs Cushing Co,
upon the Doncaster
Ind. Reserve showing
separately, the quantities
brought down. The Squatters
remaining on the Reserve
alsoin transit
or by obstructions
floated the
whole distance ..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 23-24 From **December 29th 1873**, repost letter to **C.E. Belle, Crown Timber Agent** from his higher instance exposing the importance to remove the Squatters, considering the legal matter incurring.

2401
Draft

C.E. Belle Esq.
Crown Timber Agent
Montreal
Dec 29. 1873

Sir,

Referring to your letter of the 29th Ult. I have to inform you that the acting Superintendent General of Indian Affairs has decided to renew the Timber License held by the Messrs Cushing Company, the Doncaster Reserve to the 30 April 1874, upon payments by that firm of arrear of ground rent for the year... 30th of April 1873 and 30th of April 1874 and renewal fees for both these years but with the understanding that if the Timber Limit is not worked...

Amount by the
to \$152.00 as
shown by the
accompanying Account
Current.

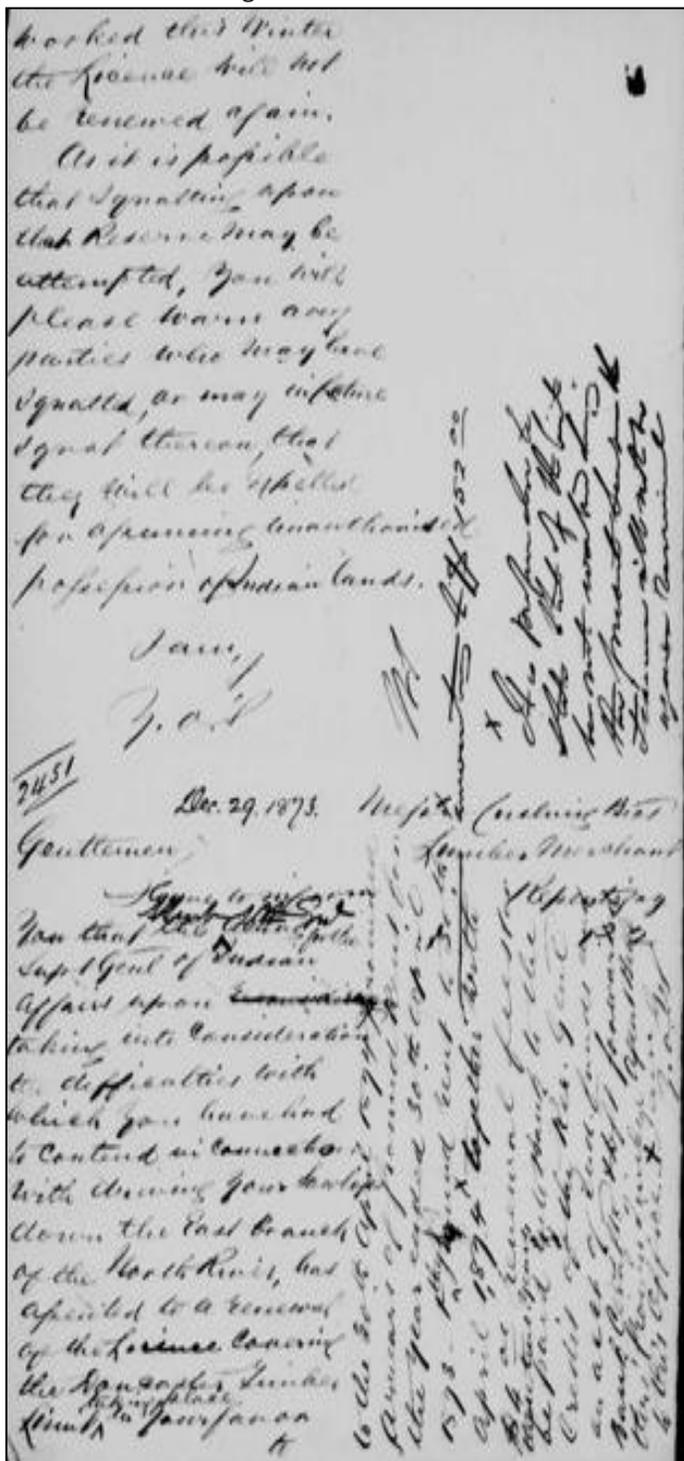
"Sir,
Referring to your letter of the 29th Ult, I have to inform you that the acting Superintendent General of Indian Affairs has decided to renew the Timber License held by the Messrs Cushing Company, the Doncaster Reserve to the 30 April 1874, upon payments by that firm of arrear of ground rent for the year... 30th of April 1873 and 30th of April 1874 and renewal fees for both these years but with the understanding that if the Timber Limit is not worked..."

Note left corner: "amount by the \$152⁰⁰ as shown by the accompanying account Current."

amount by the
to \$152.00 as
shown by the
accompanying Account
Current.

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 23-24 From **December 29th 1873**, repost letter to **C.E. Belle, Crown Timber Agent** from his higher instance exposing the importance to remove the Squatters, considering the legal matter incurring.



"... worked this winter
The License will not
be renewed again,

As it is possible
that Squatters upon
the Reserve may be
attempted, you will
please warn any
parties who may have
squatted, or may in future
squat there and that
they will be expelled
for assessing unauthorized
possession of Indian lands.

I am
Y.O.S."

In a note below, dated from 29 December 1873:

"Dec. 29, 1832 Messrs Cushing Bros
Lumber Merchant
Gentlemen, I have to inform you that the action for the
Supt Genl of Indian Affairs upon taking into consideration
the difficulties, with which you have had to contend in
connection with driving your Sawloops down the East
Branch of the North River, has assented to be renewal of
the Lisence covering the Doncaster Timber limit taking
place in your favor to the 30th of April 1873 provided
arrears of ground rent for the year ended 30th April
1873 x They found rent to 30th April 1874 together with
\$4.00 renewal fees for those two years be paid into Bank
to the credit of the Reg. Genl. An acet of Ind. Funds and
Bank certified tbst (to be sent) forward their Crown
Timber Agent Belle of this Office.
I am
Y.O.S."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

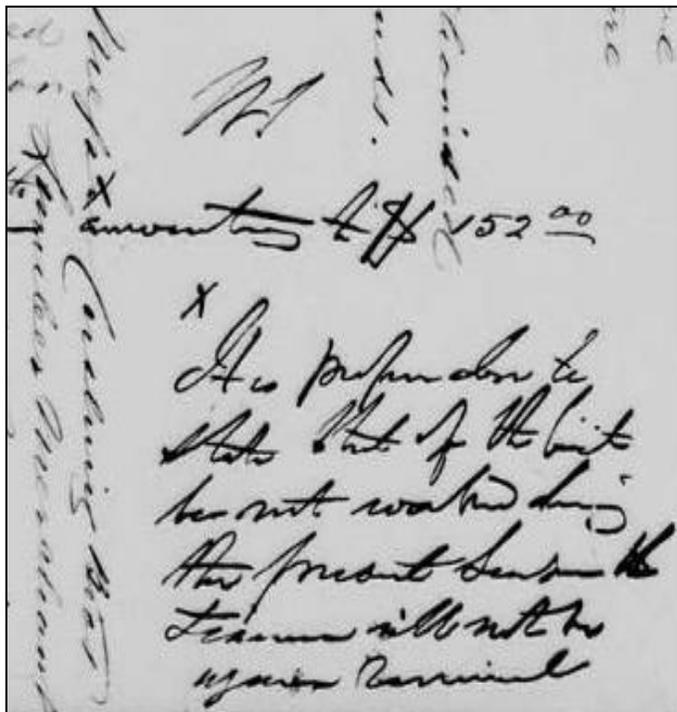
Page 23-24 (Enlarged) In another paragraph written vertically on the same note from **29 December 1873**:
It reads:

to the 30th April 1874 provided
Arrears of ground Rent for
the year ended 30th April
1873. The ground rent to 30th
April 1874 together with
\$4.00 renewal fees for
those two years
be paid into Bank to the
credit of the Reg. Genl.
An acct of Ind. Funds and
Bank certified to be sent forward
their Crown Timber Agent Belle
of this Office.
I am
Y.O.S."

“... to the 30th of April 1873 provided
arrears of ground rent for
the year ended 30th April
1873 x They found rent to 30th
April 1874 together with
\$4.00 renewal fees for
those two years
be paid into Bank to the
credit of the Reg. Genl.
An acct of Ind. Funds and
Bank certified to be sent forward
their Crown Timber Agent Belle
of this Office.
I am
Y.O.S.”

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 23-24 (Enlarged) In another paragraph written vertically on the same note from **29 December 1873**:
It reads:



Another note in the middle right side margin exposed:

"Amounts \$ 152⁰⁰"

As presented to state that if the limit has not ... during the present lease, the lease will not be again renewed."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 25-26 (page 1/2) From December 29th 1873, post from C.E. Belle the Crown Surveyor at Timber Office, to E.A. Meredith, Deputy of the Minister of the Interior. Exposing sum up of the last year including a flood.

Crown Timber Office
 Montreal, December 29th 1873

E. A. Meredith Esq
 Deputy of the Minister
 of the Interior

Sir

I have the honor to acknowledge the receipt of your letter of the 12th instant, and in reply, I beg to state, that the quantities of Saw Logs cut by Messrs Cushing & Co upon the Doncaster Indian Reserve are as follows:

$\begin{array}{r} 4792 \\ 758 \\ 162 \\ 37400 \\ 958 \\ \hline 153240 \end{array}$	11,792 ^{3/4} Standard Pine amounting to 1533 51 as per my Return of 31 August 1871. 216 ^{1/2} White Pine Standard, 162.32 113 Spruce, Standard 29.25 - 181.60 as per my Return of June 1872. <u>1776 11</u>
--	---

The logs on which duty was paid in August 1871 had been cut during winter of 1870-71 but could not be brought down till last season, from want of water and obstruction in the River.

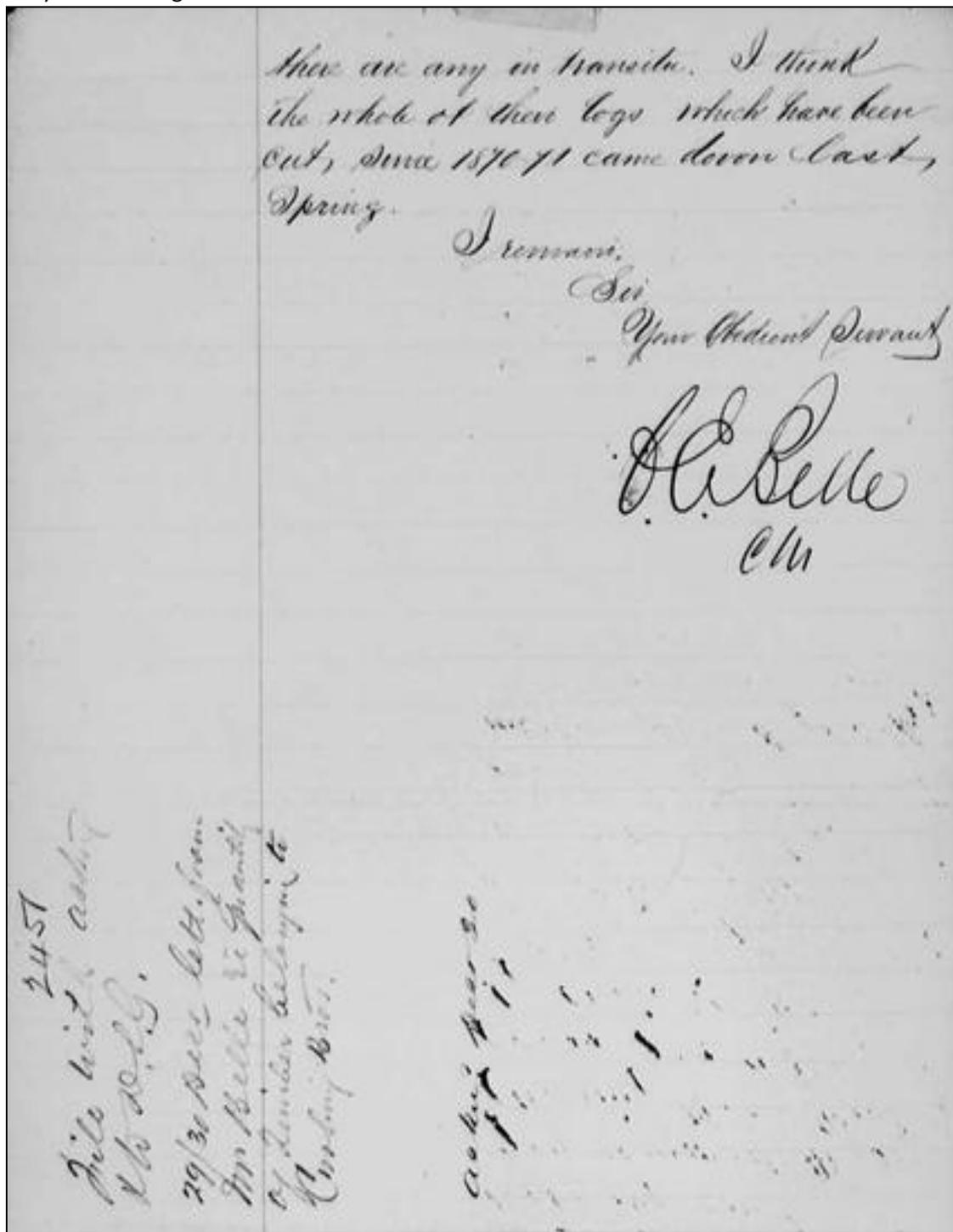
Those cut during winter 1871-72 had also to remain behind until last spring, when the whys came down.

I am informed that Messrs Cushing & Co had to improve the river considerably, so as to increase the volume of water in some places where the logs would have stuck, and that they have spent a large sum of money in such improvements.

I am not aware that any of these logs are remaining in the Reserve, or that

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 25-26 (page 2/2) From **December 29th 1873**, post from **C.E. Belle the Crown Surveyor at Timber Office**, to E.A. Meredith, Deputy of the Minister of the Interior. Exposing sum up of the last year including a flood.



PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 27-28 From **8 May 1874**, post from the superior of **C.E. Belle the Crown Surveyor at Timber Office**, exposing him the newest updates citing that: "*It has been suggested to the Department that a Sale of the ~~lots~~ land composing the Doncaster Indian Reserve would be advisable in the interest of settlement, and would not be disadvantage on the Indians.*"

3431
Draft

C. E. Belle Esq
Co. Timber Off,
Montreal, P.Q.

May 8th 1874

Sir,

I have the honor
to request that you
will inform me if
you renewed Messrs
Cushing Bros received
from you a renewal
of their License to the
30th Al^r (April), concerning
the Timber upon
the Doncaster Indian
Reserve, ^{which is settled} ~~was authorized~~
in the letter to you of
the 29 Decr last which
take place upon their
paying arrears of
stamped rent, and of
which ^{proposals} that you
was duly notified by
letter of the same
date. If a renewal
did take place please
advise this office of
the quantity of timber
cut under the same
and the dues paid
during

SHE

"2452 draft

To: C.E. Belle, Esq
Cr. Timber Agt
Montreal
P.Q.

May 8th, 1874

Sir,
I have to honor
to request that you
will inform me if
~~you renewed~~ Messrs
Cushing Bros received
from you a renewal
of their License to the
30th Al^r (April), concerning
the Timber upon
the Doncaster Indian
Reserve, ~~was authorized~~ which it was stated
in the letter to you of
the 29 Decr (December) last, which
take place upon their
payments arrears of
round rent and of
which proposition that Provin. (Province)
was duly notified by
letter of the same
date. If a renewal
did take place please
advise this office of
the quantity of timber
cut under the same
and the dues paid
durring..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 27-28 From 8 May 1874, post from the superior of C.E. Belle the Crown Surveyor at Timber Office, exposing him the newest updates citing that: "It has been suggested to the Department that a Sale of the ~~lots~~ land composing the Doncaster Indian Reserve would be advisable in the interest of settlement, and would not be disadvantage on the Indians."

during the past Winter,
 It has been suggested to the Department that a Sale of the ~~lots~~ land composing the Doncaster Indian Reserve would be advisable in the interests of settlement, and would not be disadvantageous to the Indians I shall be glad to have the benefit of ~~your~~ your opinion on these points in order that the Dept ^{be assisted thereby in} may come to a conclusion as to the advisability or otherwise of submitting a proposition to the Indians to surrender the land for sale.
 I have the honor to be
 S,
 J. C. S.

"...during the past Winter.

It has been suggested to the Department that a Sale of the ~~lots~~ land composing the Doncaster Indian Reserve would be advisable in the interest of settlement, and would not be disadvantage on the Indians. I shall be glad to have the benefit of your opinion on these points in order that the Dept may be assisted there in the coming to a conclusion as to the advisability or otherwise of submitting a proposition to the Indians to surrender the land for sale.

I have the honor to be
 S
 Y.O.S. (Your obedient Servant.)"

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 29- From March 12th 1874, post from C.E. Belle the Crown Surveyor at Timber Office, to E.A. Meredith, Deputy of the Minister of the Interior exposing his agreement to selling the reserve for settlement which could also be advantageous to the Indians.

Crown Timber Office,
Montreal 12 May 1874

MAY 13 1874
 DITABA

Sir

In reply to your letter of the 2nd inst. of the 8th instant, I have the honor to state -

That Messrs Cushing have not received a renewal of their licence to the 30th ultimo covering the Timber Limit upon the Doncaster Indian Reserve, not having paid the amount of ground rent as required by the Department, a sum which they protested and written to the Government.

I am also aware that they have not operated on said limit during last winter.

As to my opinion respecting the advisability of selling the land comprising the Doncaster Indian Reserve in the interest of settlement, and with profit to the Indians - I beg to state that I have no doubt that if that part of the Indian Reserve in Doncaster was offered for sale, for settlement

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 30- From March 12th 1874, post from C.E. Belle the Crown Surveyor at Timber Office, to E.A. Meredith, Deputy of the Minister of the Interior exposing his agreement to selling the reserve for settlement which could also be advantageous to the Indians.

purposes that the same could
 be easily sold to settlers;
 And if the conditions of sale were
 such as to protect the timber from
 being cut, as long as the purchase
 money would be unpaid, and
 with proper care against trespassers,
 the Indians would certainly profit
 by the sale of their Reserve, or
 the surrender of the same for
 such purpose. Otherwise the
 settlers in surrounding townships
 will in time plunder and trespass
 on said Reserve, to such an extent
 as to destroy the most valuable
 portion of the standing timber,
 which in my opinion forms the
 greatest value of said Reserve.
 The whole humbly submitted.

E.A. Meredith Esq.
 Deputy of the
 Minister of the Interior
 Ottawa.

C.E. Belle
 Esq.

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 31-34 On the bottom left corner this notice reads as:

"Le" C.E. Belle's letter of **12 May**

1874

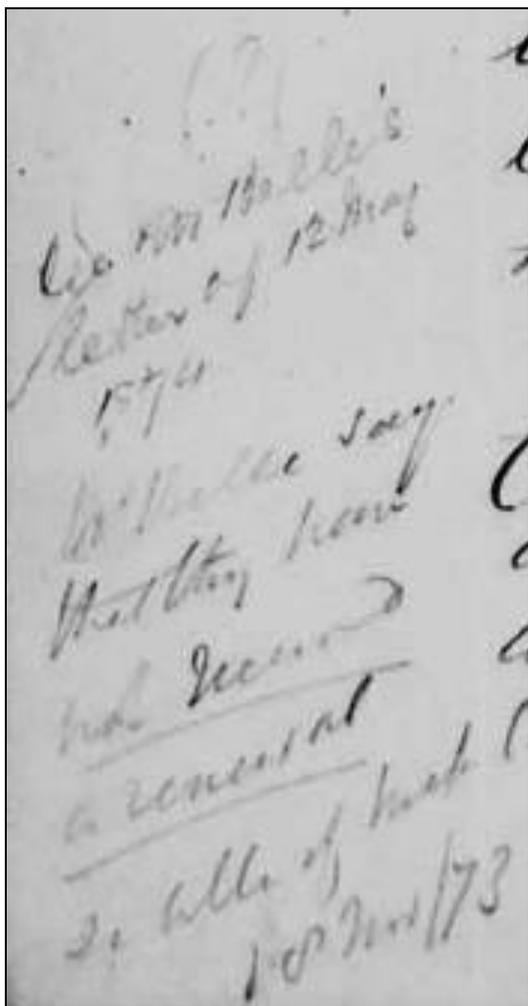
M. Belle (the Crown Surveyor at Timber Office) say
that they have

not licensed

a renewal

...

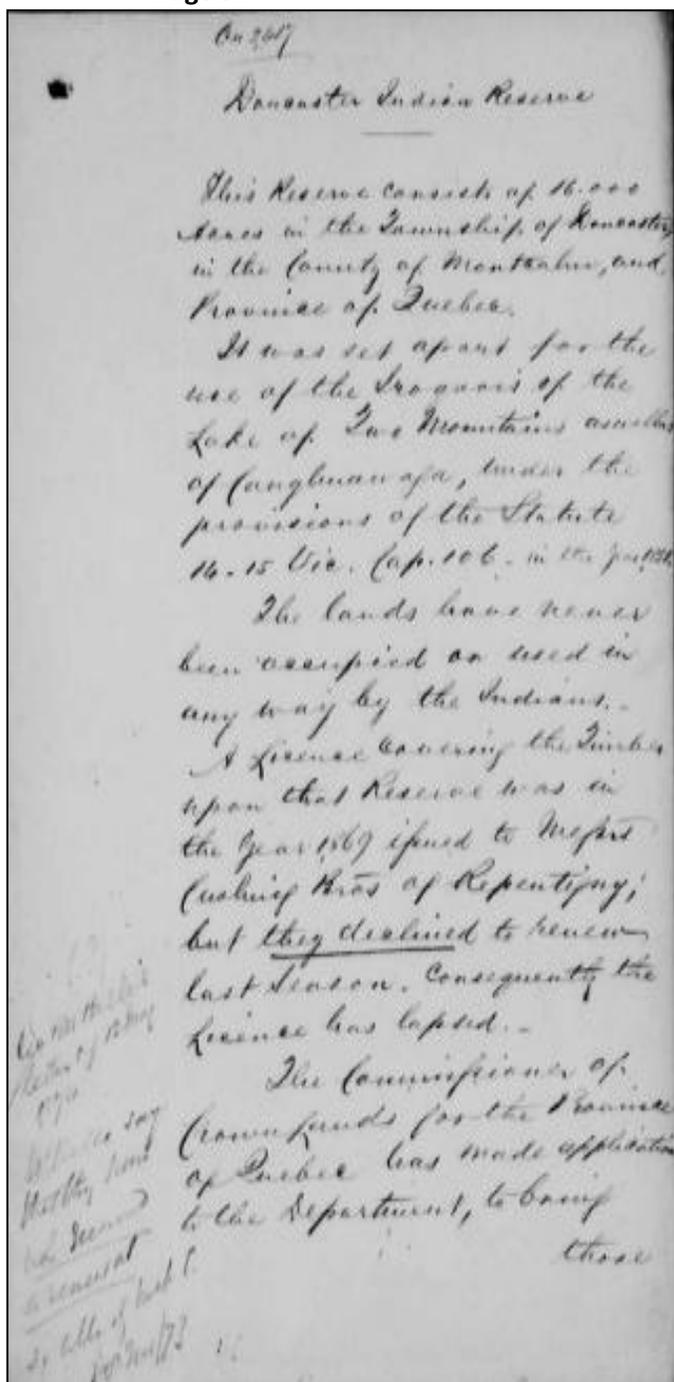
10th November 73



PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 31-34 **Vankoughenet**, Superintendent of Indian Affairs on **May 25th, 1874** write exposing the creation of Doncaster and the “*license covering the timber upon the reserve was in the year 1869 issued to **Mcphers Couching Bros of Repentigny** but they declined to renew last season. Consequently the licence has issued.*”

Page 31



“A license covering the timber upon the reserve was in the year **1869** issued to **Mcphers Couching Bros of Repentigny** but they declined to renew last season. Consequently the licence has issued.”

The commissioner of Crown lands for the Province of Quebec has made application to the Department, to buy those...”

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 31-34 **Vankoughenet**, Superintendent of Indian Affairs on **May 25th, 1874** write exposing the creation of Doncaster and the "license covering the timber upon the reserve was in the year **1869** issued to **Mcphers Couching Bros of Repentigny** but they declined to renew last season. Consequently the licence has issued."

Page 32

Those lands into market and
to sell to actual settlers;-
and upon reference of the
matter to C.E. Belle Esq, the
Crown Timber Agent at
Montreal, for his opinion,
(as he has had the Timber
business of the Department
in connection with that Reserve
in his hands) Mr Belle says,
'I beg to state that I have no
doubt that if that part of
the Indian Reserve in Doncaster
was offered for sale for
settlement purposes, that
the same could be easily sold to
settlers; and if the conditions
of sale were such as to
protect the Timber from
being cut, as long as the purchase
money would be unpaid;-
and with proper care
against trespassers, the
Indians would certainly
profit by the sale of their
Reserve.
Respectfully recommended
that

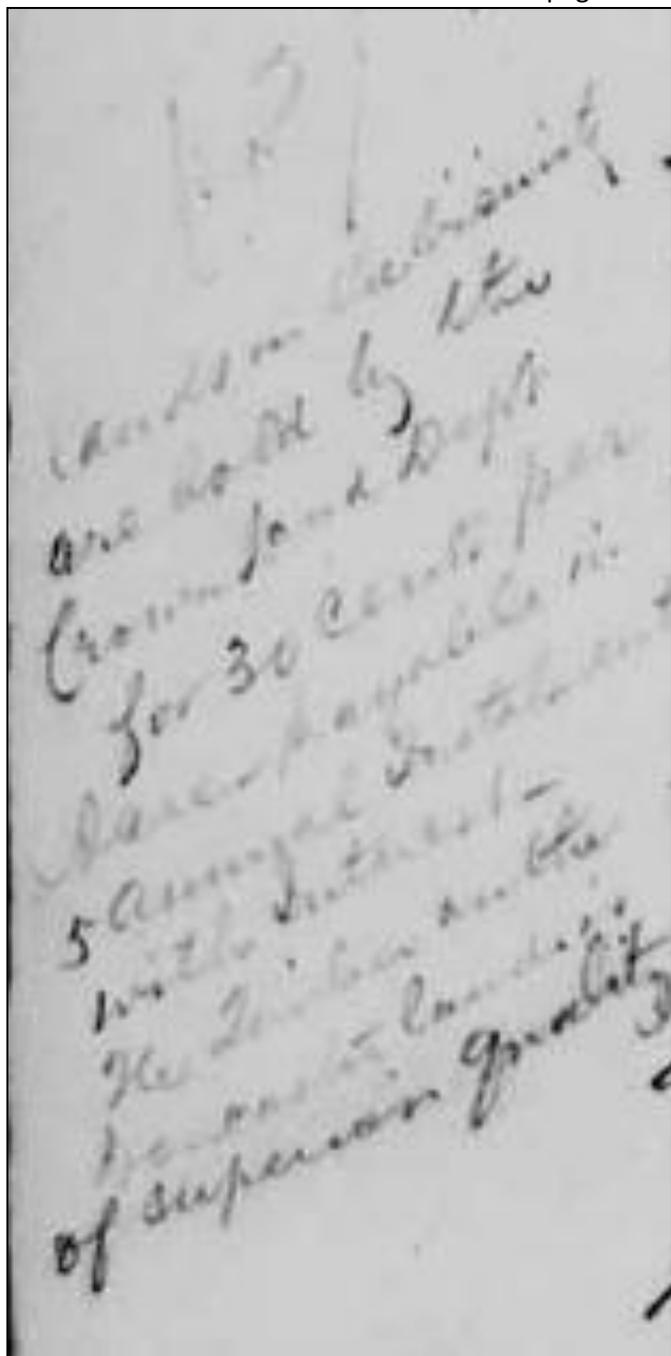
"Those lands into market and
to sell to actual settlers:-
And upon reference of the
matter to C.E. Belle Esq of the
Crown Timber agent at
Montreal, to his opinion,
(as he has had the Timber
business (Business) of the Department
in connection with that Reserve
in his hands) Mr Belle says.
I beg to state that I have no
doubt that if that part of
the **Indian reserve in Doncaster**
was offered for settlement purpose, that
the same could be easily sold to
settlers; and if the conditions
of sale encre such as to
protect the timber from
being cut as long as the purchase
money would be unpaid
and with the proper care
against the trespassers, the
Indians would certainly
Profit by the sale of their
reserve
Respectfully recommending that ..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 31-34 **Vankoughenet**, Superintendent of Indian Affairs on **May 25th, 1874** write exposing the creation of Doncaster and the *“license covering the timber upon the reserve was in the year 1869 issued to **Mcphers Couching Bros of Repentigny** but they declined to renew last season. Consequently the licence has issued.”*

Page 33

On the bottom left corner of the page this note appears:



“?
Lands in Vic. ...

**are sold by the
Crown land Dept
for 30 cents per
acre payable in
5 annual instalments
With interest-**

The timber on the
Doncaster lands is
of superior quality.”

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 31-34 **Vankoughenet**, Superintendent of Indian Affairs on **May 25th, 1874** write exposing the creation of Doncaster and the "*license covering the timber upon the reserve was in the year 1869 issued to Mcphers Couching Bros of Repentigny but they declined to renew last season. Consequently the licence has issued.*"

Page 33

(2)

that a proposal to surrender these lands to be sold for their benefit, be submitted to the Iroquois Indians residing at the Lake of Two Mountains, as well as to those of Caughnawaga; that if they assent, a surrender be obtained from those Bands, in accordance with the provisions of the Act 31 Vic. Cap. 42 Sec. 8 sub. sec. 142, and Sec. 9; that a survey of the lands be made and the lands sold to actual

"...that a **proposal to surrender** these lands to be sold for **their benefit be submitted to the Iroquois Indians residing at the Lake of Two Mountains as well as to those of Caughnawaga;** that if they assent a surrender be obtained from those bands in accordance with the provisions of the Act 31 Vic Cap 42 Sec. 8 sub sec. 142 and sec 9; that a survey of the lands be made and the land sold to actual ..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 31-34 **Vankoughenet**, Superintendent of Indian Affairs on **May 25th, 1874** write exposing the creation of Doncaster and the "*license covering the timber upon the reserve was in the year 1869 issued to **Mcphers Couching Bros of Repentigny** but they declined to renew last season. Consequently the licence has issued.*"

Page 33

Settlers at the rate of fifty Cents per acre, by an Agent to be appointed in the vicinity, who might be compensated by a percentage of ten percent on all receipts in any one year not exceeding \$2000⁰⁰ and two & a half percent on all over that amount received in any one year.

Settlers not to be allowed previously to the land being paid for in full, to cut the timber on their lots for the purpose of selling it, excepting under

"...settlers at the rate of fifty cents per acres, by an Agent to be appointed in the vicinity, who might be compensated by a percentage of ten percent and all receipt in any one year Not exceeding \$2000.00 and two & a half percent on all over that amount received in any one year.

Settler not to be allowed previously to the land being paid for in full to cut the timber on their lots for the purpose of selling it excepting under..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 31-34 **Vankoughenet**, Superintendent of Indian Affairs on **May 25th, 1874** write exposing the creation of Doncaster and the *"license covering the timber upon the reserve was in the year 1869 issued to Mcphers Couching Bros of Repentigny but they declined to renew last season. Consequently the licence has issued."*

Page 34

under license issued by the Agent to whom the dues shall be paid, in accordance with the Tariff and Regulations, and be credited, as part of the purchase money, upon the lot upon which the timber is cut.

Payment for the land to be made in the proportion of one fifth of the purchase money at date of sale, and the balance in four equal Annual Instalments with interest at 6 per cent from date of sale.

"... under license issued by the Agent to whom the dues shall be paid in accordance with the Tariff and the Regulations, and be credited, as part of the purchase money, upon the lot upon which the timber is cut.

Payment for the land to be made in the proportion of one fifth of the purchase money at date of sale, and the balance in four equal annual instalments with interest, at 6 percent from date of sale."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 31-34 **Vankoughenet**, Superintendent of Indian Affairs on **May 25th, 1874** write exposing the creation of Doncaster and the “*license covering the timber upon the reserve was in the year 1869 issued to Mcphers Couching Bros of Repentigny but they declined to renew last season. Consequently the licence has issued.*”

Page 34

Patent for any lot not
to issue, until it be proved by
affidavits of two Credible
persons, that a house, of the
dimensions, at least of 18x24
feet, has been built thereon;
and that one fourth of the
quantity of land purchased is
under Cultivation and properly
fenced -

All respectfully submitted.

L. Vankoughenet
Indian Branch
Ottawa 25 May 1874

Dep. S. G. A.

“Patent for any lot not
to issue, until it be proved by
affidavit of two credible
persons, that a house, of the
dimensions at least of 18 x 24
feet, has been built thereon;
and that one fourth of the
quantity of land purchased is
under cultivation and properly
fenced. -

All respectfully submitted.

L. **Vankoughenet** DSGIA (Deputy
Superintendent General of Indian Affairs)”
Indian Branch, Ottawa, **25 may 1874**

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 35 On June 15 1873, E.A. Meredith, Deputy of the Minister of the Interior wrote: page 1

Sr. W. L. Meredith

Doncaster Indian Reserve

The Commissioner of Crown Lands for the Province of Quebec, recommends that, with a view to the progress of settlement, the Indian Reserve in the township of Doncaster be offered for sale to actual settlers.

As the Reserve is not now or soon likely to be occupied by the Indians, and does not yield them any pecuniary advantage, and as it is difficult to prevent Squatters from settling on it and plundering it of its merchantable timber, which would very much lessen its value, the undersigned would respectfully recommend that, in accordance with the recommendation of the Commissioner of Crown Lands for the Province of Quebec, early steps be taken to procure the consent of the Indians for its surrender in order that it may be

(1)

"Doncaster Indian reserve"

The commissioner of Crown Lands for the Province of Quebec recommends that with a view to the progress of settlements the Conceding of about 16,000 acres Indian reserve in the township of Doncaster be offered for sale to actual settlers.

As the reserve is not now or soon likely to be occupied by the Indians and does not yield there any pecuniary advantages and as it is difficult to prevent Squatters from settling on it and plundering it of its merchantable timber, which would very much lessen its value, the undersigned would respectfully recommend that, in accordance with the recommendation of the Commissioner of Crown Lands for the Province of Quebec early steps be taken to procure the consent of the Indians for its surrender in order that it may be..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 36 On June 15 1873, E.A. Meredith, Deputy of the Minister of the Interior wrote: page 2

be subdivided and sold for their benefit
under the provisions of the vic: cap 42:
Sec 8, and in this view that a proper
person be appointed to assemble the
Indians interested in the Reserve, and
to submit the matter for their
consideration.

Attest

15th June 1873 Deputy of the Minister
of the Interior
E.A. Meredith

Respectfully recommended that Mr
de Boucherville who has been sent
to Caughnawaga on official business
be authorized while there to bring
the matter of surrendering their lands
before the Iroquois of Caughnawaga
and upon his way homewards to bring
the same subject before the Iroquois of

(2)

"be subdivided and sold for their benefits
under the provisions of the vic: cap 42:
Sec 8 and in this view that a proper
person be appointed to assemble the
Indians interested in the Reserve and
to submit the matter for their
consideration
E.A. Meredith,
Deputy of the Minister
of the Interior."

Approved 15 June 1874

Rinfret

August 12, 1874.

"Respectfully recommends that Mr
de Boucherville who has been sent
to Caughnawaga on official ensigns
be authorized, while there to bring
the matter of surrendering their lands
before the Iroquois of Caughnawaga
and upon his way, houses wards, to bring
the same subject before the Iroquois of..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 37 On June 15 1873, E.A. Meredith, Deputy of the Minister of the Interior wrote: page 3

*"... of the Lake of Two Mountains and if possible,
obtain from them a surrender
of the tract of a plan in question
to be sold for their benefit.*

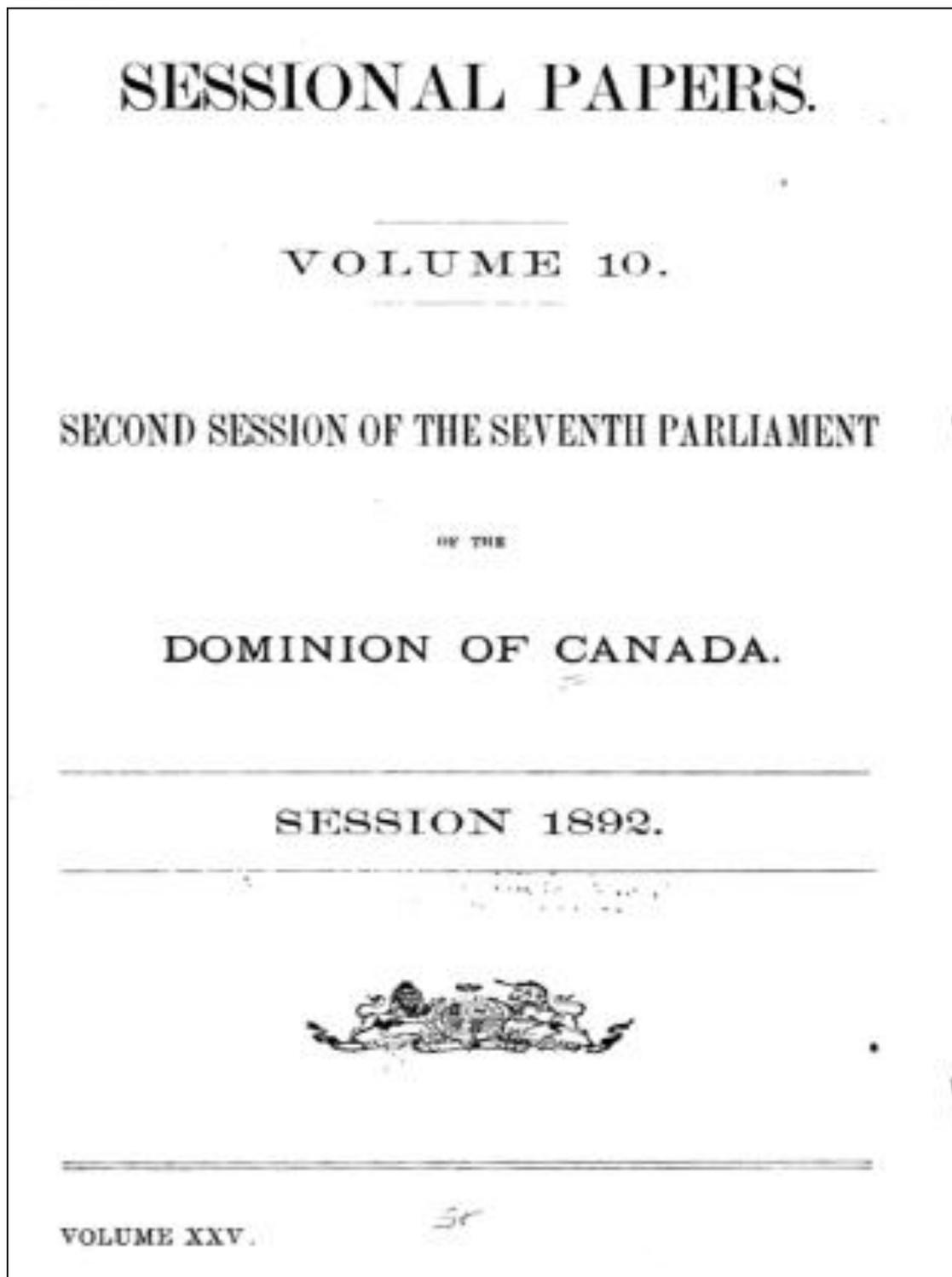
Indian Branch August 11, 1874 L. Vankoughnet DSGIA (Deputy Superint. Gen. of Ind. Affs)"

E.A. Meredith, Deputy of the Minister of the Interior

*of the Lake of Two Mountains and if possible
obtain from them a surrender
of the tract of land in question
to be sold for their benefit
Indian Branch August 11 1874
L. Vankoughnet
D. S. G. I. A.
I enclose the also recommended
Attendant
D. of U. M. J. U. L.
Approved
Deputy
acty*

ANNEX: From Stanford University Library:

Sessional Papers of the Dominion of Canada, Volume 10; Volume 25, Issue 10, By Canada. Parliament.⁴²



⁴² "Report of the Dominion fishery commission on the fisheries of the province of Ontario, 1893", issued as vol. 26, no. 7, supplement, Canadian Parliament, 1892, from Stanford University Library.

From Stanford University Library:

Sessional Papers of the Dominion of Canada, Volume 10; Volume 25, Issue 10, By Canada.
Parliament

RETURN A (1).					
Of Officers and Employés of the Department of Indian Affairs, for the year ended 30th June, 1891.					
HEADQUARTERS.					
Name.	Designation or Rank.	Salary.	Date of Appointment to Department.	By whom Appointed.	Date of First Appointment to Civil Service.
Hon. E. Dewdney...	Superintendent-General.	\$		Holds this office combined with that of the Minister of the Interior.	
L. Vankoughnet...	Deputy Superintendent-General	3,200	Feb. 13, 1861	Governor in Council.	Feb. 13, 1861
R. Sinclair	Chief Clerk and Accountant	2,400	June 1, 1873	do	April 15, 1839
R. Sedgewick	Solicitor	400	Feb. 21, 1888	do	Feb. 27, 1888
D. C. Scott	Clerk in charge of Accounts Branch	1,450	Oct. 8, 1880	do	Oct. 8, 1880
R. G. Dalton	2nd Class Clerk	1,400	July —, 1871	do	July —, 1871
F. W. Smith	1st do	1,450	Sept. 1, 1873	do	Oct. 13, 1870
*H. C. Ross	2nd do	1,350	Jan. 26, 1883	do	Jan. 26, 1883
E. Rochester	2nd do	1,100	June 5, 1890	do	do —, 1882
H. J. Brook	3rd do	1,000	April 3, 1882	do	do 1, 1871
H. McKay	3rd do	950	Feb. 15, 1884	do	July 9, 1880
J. W. Shore	3rd do	850	Mar. 24, 1884	do	Mar. 24, 1884
D. W. Osahgee	3rd do	550	Feb. 11, 1889	do	Feb. 11, 1889
Miss F. K. Maracle	3rd do	450	Jan. 31, 1891	do	Jan. 31, 1891
J. D. McLean	Clerk in charge of Lands and Timber Branch	1,650	Oct. 25, 1876	do	Oct. 25, 1876
W. A. Orr	2nd Class Clerk	1,250	Nov. 24, 1883	do	Nov. 24, 1883
H. G. Masingy	3rd do	950	July 1, 1879	do	July 1, 1879
A. E. Kemp	3rd do	950	Feb. 1, 1874	do	Feb. 1, 1874
L. A. Dorval	3rd do	800	July 1, 1886	do	July 1, 1886
Miss E. H. Lyon	3rd do	450	May 31, 1890	do	May 31, 1890
Miss H. G. Ogilvy	3rd do	450	June 30, 1890	do	Jan. 30, 1890
A. N. McNeil	Clerk in charge of Correspondence Branch	1,650	July 1, 1874	do	July 1, 1874
M. Benson	2nd Class Clerk	1,400	April 22, 1876	do	April 22, 1876
Miss E. Reiffenstein	3rd do	850	Nov. 24, 1883	do	Nov. 24, 1883
Miss L. D. McMeekin	3rd do	700	Dec. 31, 1887	do	Dec. 31, 1887
Miss M. Maxwell	3rd do	400	May 31, 1890	do	May 31, 1890
Samuel Stewart	Clerk in charge of Registry Branch	1,400	July 1, 1879	do	July 1, 1879
T. F. S. Kirkpatrick	2nd Class Clerk	1,400	Aug. 6, 1873	do	Aug. 6, 1873
Miss I. H. Wilson	3rd do	650	Jan. 29, 1887	do	Jan. 29, 1887
G. M. Matheson	3rd do	500	July 1, 1888	do	July 1, 1888
Jas. Guthrie	Extra Clerk	400	May 12, 1890	do	May 12, 1890
Rev. W. Scott	do	\$2 per d.	May 1, 1882	do	do 1, 1882
Miss F. Yielding	3rd Class Clerk	850			
Miss L. E. Dale	Extra Clerk	400			
W. A. Austin	Clerk in charge of Technical Branch	1,800	June 17, 1883	Governor in Council.	June 7, 1883
Samuel Bray	2nd Class Clerk	1,300	do 14, 1884	do	do 14, 1884
T. D. Green	Extra Clerk	\$2 per d.			
J. A. J. McKenna	Stenographer	1,200	Nov. 28, 1887	Governor in Council.	July 1, 1887
J. Delisle	3rd Class Clerk	1,000	June 23, 1880	do	June 23, 1880
R. B. E. Moffatt	3rd do	450	Feb. 7, 1891	do	Feb. 7, 1891
John McGirr	Clerk in charge of School Statistics and Supply Branch	1,350	Aug. 1, 1877	do	Aug. 1, 1877
T. P. Moffatt	Extra Clerk	400			
A. Dingman	Inspector of Indian Agencies and Reserves	1,800	July 22, 1882	Governor in Council.	July 22, 1882
J. V. de Boncherville	French Translator	1,400	Dec. —, 1868	do	May —, 1865
Miss A. C. Taylor	3rd Class Clerk	400	June 10, 1890	do	June 10, 1890
F. R. Byshe	Packer	500	Mar. 26, 1886	do	July 1, 1883
J. Slocombe	Messenger	500	Nov. 1, 1883	do	Nov. 1, 1883
T. Starmer	do	500	July 1, 1883	do	July 1, 1883
Benj. Hayter	Extra Messenger	\$1 per d.			

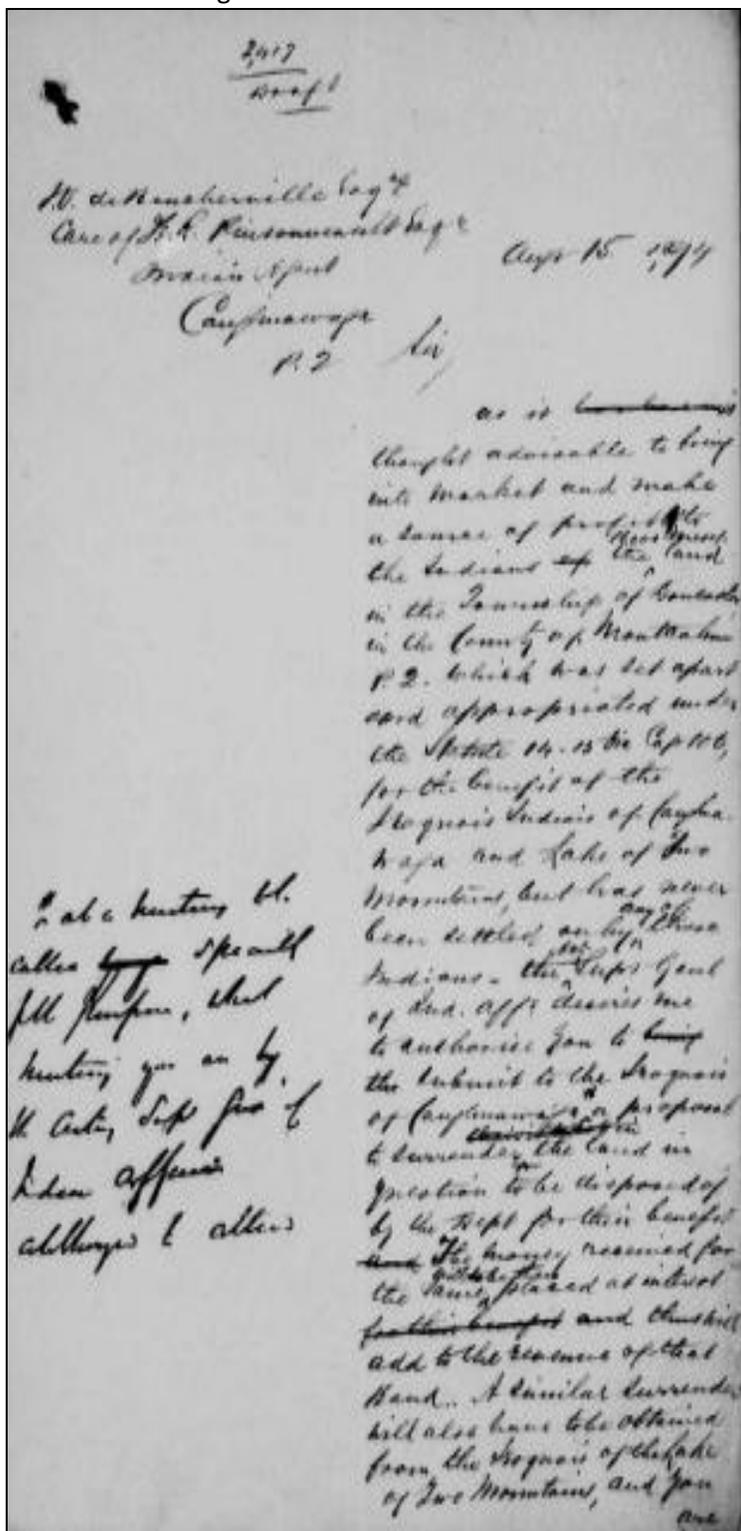
* Mr. Ross has been transferred provisionally to the Accountant's Branch.

[PART II]

3

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 38 PROPOSAL OF SURRENDER



« J.V. de Boucherville Esq of
Care of JE. R. Pinsonneault Esq
« Mission apart August 15, 1874

Caughnawaga
p.2

Sir,
As is thought advisable to bring
with market and make
a source of profit to
those acres of
the Indians the land
in the township of **Doncaster**
in the County of Montcalm
p.2 which was set apart
and appropriated under
the Statute 14-15-Vic Cap. 106,
for the Council of the
Iroquois Indians of Caughna-
waga and Lake of Two
Mountains, but has never
been settled on by any of those
Indian. The Supr Genl
of Ind, Affs. desires me
to authorise you to
submit to the Iroquois
of Caughnawaga a proposal
to surrender the land in
question to be disposed of
by the Dept for their benefit.
The money received for the land
will be placed at interest
add to the revenue of this
band. A similar surrender
will also have to be obtained
from the Iroquois of the Lake
of Two Mountains, and you
are..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

page 38 **Note on the left side: (Absolutely speculative)**

"#2 at a hunters ...

calles speaking

full purpose, clear

hunting you and by

M Asting Sup. Gen of

Indian Affairs

... & Alter"

#2 at a hunters ...
calles speaking
full purpose, clear
hunting you and by
M Asting Sup. Gen of
Indian Affairs
... & Alter"

Page 39: left side

are likewise authorised to submit to those Indians on your return trip home wards a similar proposal.

A tracing of the map of the Reserve is enclosed with form of Surrender to be executed by the Chiefs and the necessary Affidavits of execution to be attested by yourself and one of the principal Chiefs of each Band before the nearest resident Judge.

You should explain to the Indians that owing to the advance of settlement in the part of the County where the Reserve in question lies, it is difficult to protect the lands from being squatted on, and the timber pillared and that it is far more to their interests to dispose of the land, than to have it lying idle, and every year depreciating in value, as the timber is removed from it.

A Copy of the last Indian Act 31 Vic Cap 42 & 32-33 Vic Cap is enclosed herein for your guidance.

I am
S (Sir)
Y.O.S. (Your obedient servant)

P.S. the forms of surrender will be prepared & forwarded on Monday

“... are likewise hereby authorised to submit to those Indians your return trip housewards a similar proposal. A tracing of the map of the Reserve is enclosed with form of surrender to be executed by the Chiefs of each band

and the necessary affidavits of execution to be attested by yourself and one of the principal chiefs of each Band before the nearest resident judge:

you should explain to the Indians that owing to the advance of Settlement in the part of the County where the reserve in question lies, it is difficult to protect the lands from being squatted on, and the timber from being pillared and that it is far more to their interests to dispose of the land, than to have lying idle, and every year depreciating in value, as the timber is removed from it. Ø

A Copy of the last Indian Act 31 Vic Cap 42 & 32-33 Vic Cap is enclosed herein for your Guidance.

I am
S (Sir)
Y.O.S. (Your obedient servant)

P.S. the forms of surrender will be prepared & forwarded on Monday.”

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 39 on the right side:

Mr Pinsonneault will be directed to call a special council of the Caughnawaga Indians for submission of this matter to them on such day as you may appoint name, and you will please notify the head Chief of the Iroquois of the Lake of Two Mountains of the day you will visit that place, and in the meantime he will be requested to summon a special council to meet you on ^{whenever} ^{you may} ^{name} ^{the} ^{day} ^{you} ^{may} ^{name}.

"Mr Pinsonneault will be directed to call a special council of the Caughnawaga Indians for submission by you of this matter to them on such day as you may appoint name, and you will please notify the head Chief of the Iroquois of the Lake of Two Mountains of the day you will visit that place for the same purpose and in the meantime he will be requested to summon a special council to meet you on whatever day you may name.

You will be careful to see that the provision in the act respect health carried out with health of the proposed surrender.

"You will be careful to (Speculative transcription)

en note a provision

an expect ...

carried out with "health"

of the proposed surrender."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 40 (note on top (dfs 2417))

Grand Chief of the
Iroquois of the Lake
Of Two Mountains
Oka
p. 2

Aug 17th 1834

Sir,

Some twenty three
years ago Her Majesty
the Queen ordered 16,000
Acres of land in the
Township of Doncaster
in the County of Montreal
in the present Province
of Quebec, to be set apart
for the benefit of Her
Majesty's loving subjects,
the Iroquois of the
Lake of Two Mountains,
and the Iroquois of
the Seigniory of Sault
St. Louis or Caughnawaga
in order that should
your people ^{so they should} desire to
take up land ~~farm~~ for
farming purposes there
you might have an opportunity
to do so. As ~~neither~~
~~zero~~ no land has been
taken up for that purpose
and owing to the advance
of settlement, it is now
almost impossible to
prevent white people from
settling on the land without
authority

"Grand Chief of the Augs 17th, 1834
Iroquois of the Lake
Of Two Mountains
Oka p.2

Sir,
Some twenty three
years ago Her Majesty
the Queen ordered 16,000
acres of land in the
township of Doncaster in the County of Montreal
in the present Province
of Quebec, to be set apart
for the benefit of her
Majesty's loving subjects,
the Iroquois of the Two Mountains
and the Iroquois of
the Seigniory of Sault
St. Louis or Caughnawaga
h's order that should
your people or those of Caughnawaga desire to
take up land for ~~farm~~ for
farming purposes there
on might have an opportunity
to do so. As ~~neither~~
~~zero~~ no land has been
taken up for that purpose
and owing to the advance
of settlement, it is now
almost impossible to
prevent white people from
settling and the land without
authority..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 41

and from sharing the
 wood therefrom. it is
 thought by the Sup Gen
 of Ind Affs. ^{that it would be}
 more conducive to ~~your~~
 the interests of your
 people to dispose of the
 same for the joint benefit
 of yourselves and the
 Iroquois of Caughnawaga
 and according an
 officer of this Dept
 Mr J.V. de Boucherville ^{whom you of the day are}
^{which he will visit your people}
^{in order that you may call on}
^{the general Council of the Iroquois}
^{to advise for the benefit of the}
^{same.}
 has been instructed
 to submit the ^{property} ~~land~~ ^{concerning the tract of}
 for your consideration
 of your people in each
 Council and he will
 be prepared to ~~take~~ ^{have}
 surrender of the land ^{and}
 from you executed by
 yourself and the principal
 men of the Iroquois
 of the Lake of Two
 Mountains should you
 be disposed to agree
 thereto. The land would
 then be surveyed into
 lots and ~~that~~ sold for
 your benefit, and the
 money invested and the
 interest thereon would be
 periodically divided among
 your people, which would
 be far better than having it
 lying idle and every year
 depreciating in value.

What hunting
 he has been by Anthony
 Sipi for of Indian
 affairs of Caughnawaga
 to attend

Yours
 J.V.

"...and from stealing the wood there from it is thought by the Sup Gen of Ind Affs that it would be better and more conducive to your the interests of your people to dispose of the same for the joint benefits of yourselves and the Iroquois of Caughnawaga and it is according an officer of this Dept Mr J.V. de Boucherville propose as been instructed to submit the properties subjects surrounding the tracts of lands in question

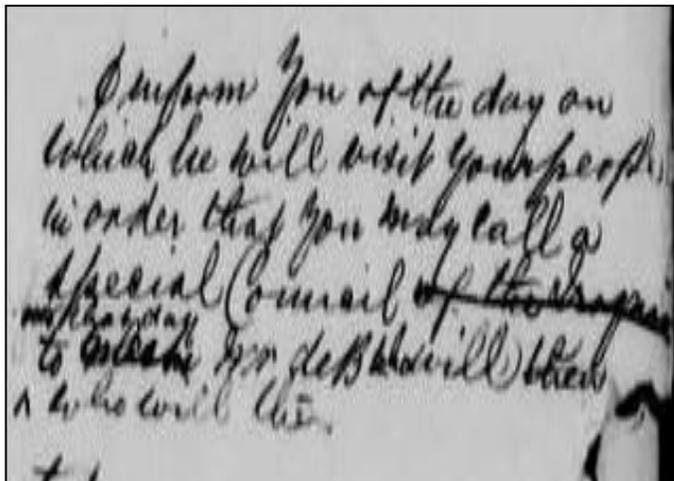
the tract of land

for the consideration of your people in each Council and he will be prepared to take have a surrender of the said land from you executed by yourself and the principal men of the Iroquois of the Lake of Two Mountains should you be disposed to agree thereto. The land would then be surveyed into lots and sold for money invested and the interest thereon would be periodically divided among your people, which would be far better than having it lying idle and every year depreciating in value.

I am
 Y.O.S."

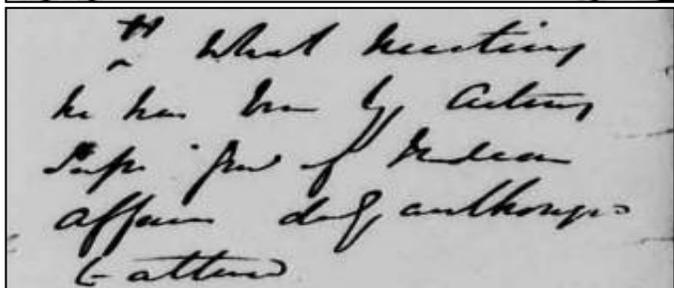
PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 41: note right side



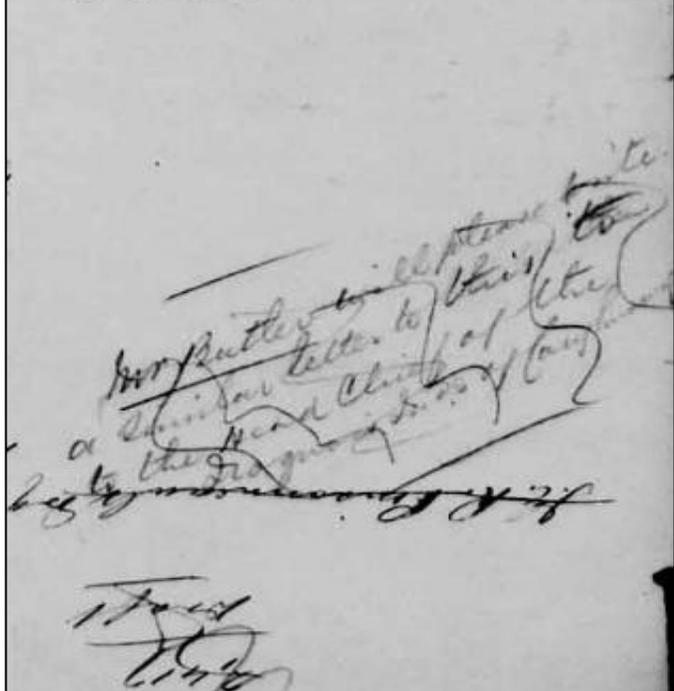
Je vous informe de la date au laquelle il viendra visiter votre peuple, en order que vous n'ayez pas a appeler un conseil special de l'Iroquois sur ce jour. Mr de Boucherville qui viendra avec vous.

"Je vous informe de la date au laquelle il viendra visiter votre peuple in order that you may call a special Council of the Iroquois on that day Mr de Boucherville who will their.(prepared)"



Je vous informe de la date au laquelle il viendra visiter votre peuple, en order que vous n'ayez pas a appeler un conseil special de l'Iroquois sur ce jour. Mr de Boucherville qui viendra avec vous.

"+I what he has been acting Sup Agent of Indian Affairs Dep Authorized <-attend"



Mr Butler will please write a similar letter to this to the head chief of the Iroquois Inds of Caughnawaga.

"Mr Butler will please write A similar letter to this to The head chief of the Iroquois Inds of Caughnawaga."

Thomas John Butler was an Indian Agent

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 42 Letter of Pinsonneault, Indian Agent suggesting Mohawks to surrender page 1

2417
 H. A. Pinsonneault
 Ind. Agt
 Caughnawaga
 Aug 15. 1874
 Sir,
 The Act S.G. of
 Ind. Affs. having thought
 it advisable to submit
 to the Iroquois Indians
 of Caughnawaga a
 proposal to surrender
 their interest in the
 tract of land in the
 Township of Doncaster
 set apart for the joint
 benefit of those Ind.
 & the Iroquois of the
 M. of Two Mountains
 many years ago but
 which has never been
 used by the Indians of
 either Band. with a
 view to the land being
 sold for the benefit of
 those Indians. and as
 Mr de B. of this Dept.
 is at present at Caughnawaga
 an other knowing
 the Act S.G. has authorized
 him to submit to the
 Indians as a meeting to be
 specially called for that
 purpose and to obtain a
 surrender from them if
 they will agree to give and

2417 "J.E. Pinsonneault, August 15, 1874

Ind. Agt.

Caughnawaga

Sir,

The actual I.G. of
 Ind. Affs. had though
 it advisable to submit
 to the Iroquois Indians
 of Caughnawaga a
 proposal to surrender
 their interests in the
 tract of land in the
 Township of Doncaster
 set apart for the Indians
 benefit of those Ind
 & the Iroquois of the
 M. of Two Mountains
 many years ago but
 which has been
 used by the Indians of
 either Band—with a
 view to the land being (cold)

view to the land being
 and the money ^{used} ~~used~~
 sold for the benefit of

and the money used

cold for the benefit of

those Indians, and as

Mr de B. (Boucherville) of this Dept.

was present of Caughna-

waga and other Ensigned

the Act S.G has authorized

such proposi-

tion to submit to the Indians as a meeting to be

specially called for that

purpose and obtain a

surrender from them of

they will agree to give and (give and or quittance: old terminology for surrender)

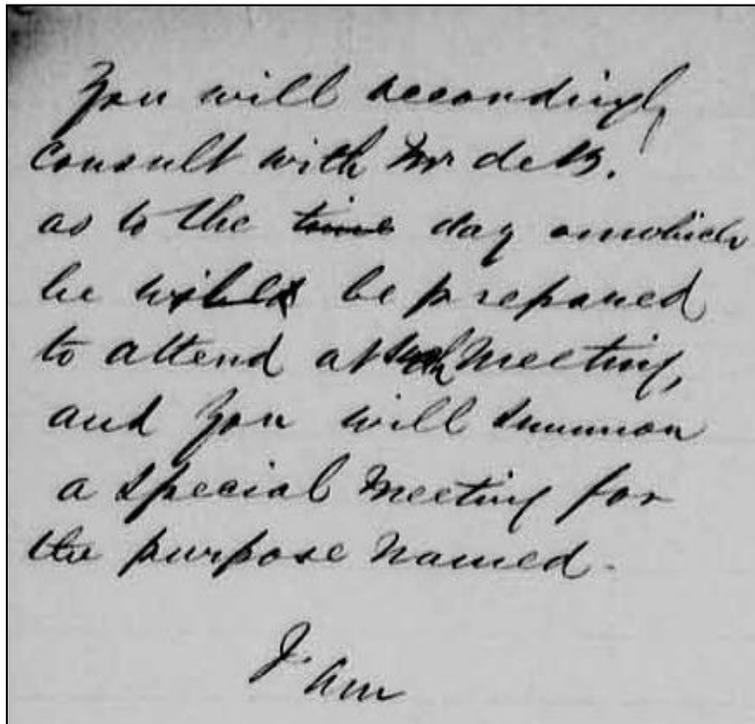
PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 43

Letter of Pinsonneault, Indian Agent suggesting Mohawks to surrender, page 2,
Ending with this note

:

*"You will accordingly
consult with Mr de B. (Boucherville)
as to the day according-
ly will be prepared
to attend at such meeting,
and you will summon
a special meeting for
the purpose named.
I am"*



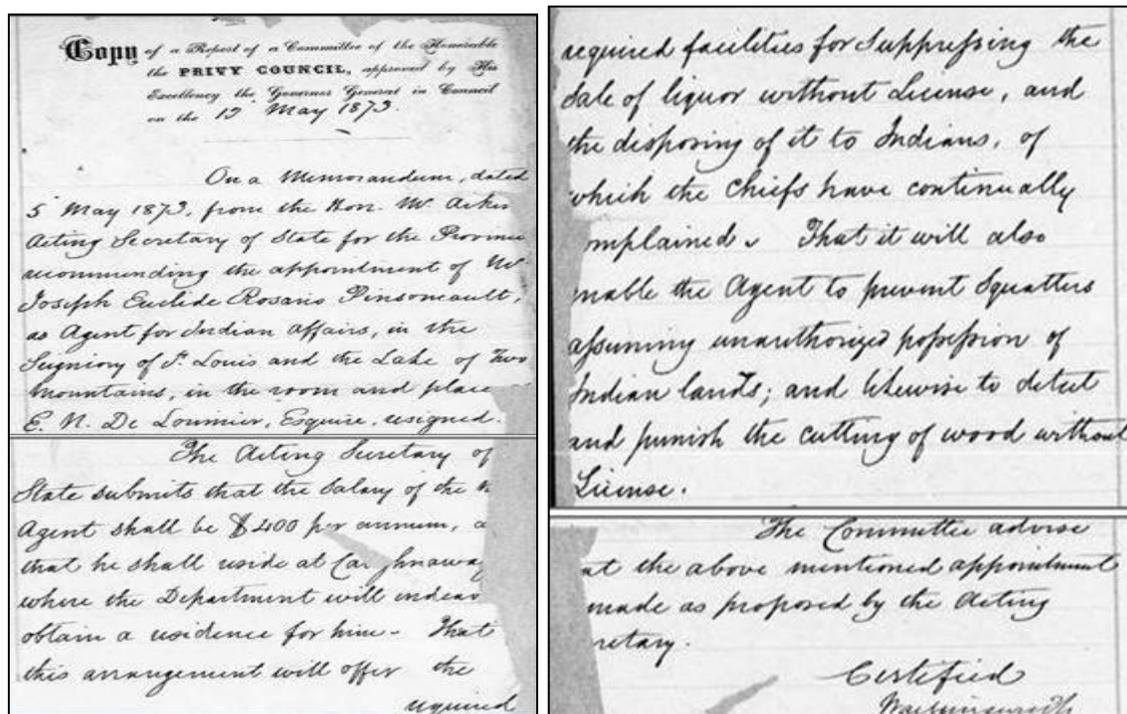
*You will accordingly
consult with Mr de B.
as to the time day on which
he will be prepared
to attend at such meeting,
and you will summon
a special meeting for
the purpose named.
I am*

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Details about Indian Agent Pinsonneault, pages 217-223

The first 2 years of the new Indian Agent **Joseph Euclide Rosario Pinsonneault** took the place of Jean Baptiste Delorimier on May 13, 1873. His new career started with his swearing-in ceremony at the Headquarters entitled - Order in Council recommending the appointment of Joseph E.R. Pinsonneault as Agent for Caughnawaga and Oka Reserves.⁴³

The Copy of the report of a committee of the Honorable the PRIVY COUNCIL approved by His Excellency the Governor General in Council on the 13 of May 1873.



"On a memorandum dated May 5, 1873, from the Honorable Mr Aikin (Senator James Cox Aikin) acting as Secretary of State for the Province of Quebec recommending the appointment of Mr Joseph Euclide Rosario Pinsonneault, as Agent for Indian Affairs, in the Seignory of Sault St. Louis and the Lake of Two Mountains, in the room and place of E.N Delorimier, Esquire assigned.

The acting Secretary of the State submits that the salary of the Indian Agent shall be \$400 per annum and that he shall ensign at Caughnawaga where the Department will endeavour to obtain a residence for him.

That this arrangement will offer the required facilities for surprising the sale of liquor without Licence, and the disposing of it to Indians, of which the chiefs have continually complained. That

⁴³ Eric Pouliot-Thisdale, The Eastern Door, Kahnawake weekly paper, "Pinsonneault: Indian agent for Sault St. Louis and Two Mountains", Kahnawake, July 22, 2016.

it will also enable the Agent to prevent Squatters assuming unauthorized possession of Indian lands; and likewise to detect and punish the cutting of wood without License.

The Committee advise that the above mentioned appointment made as proposed by the acting Secretary. Certified, Mr Aikins, Secretary."

Then, on November 8, 1873 Pinsonneault was initiated to do the census of the Two Mountains population which he sent to his superior, Lawrence **Vankoughnet**, the Deputy Superintendent General of Indian Affairs on November 21.

CENSUS RETURN OF INDIANS										
of <i>Two Mountains</i> made on the <i>9th</i> day of <i>November</i> 1873										
TRIBE	ADULTS		YOUTH		CHILDREN		Total	Totals seen and passed	Totals seen and passed	REMARKS
	Males	Females	Males	Females	Males	Females				
<i>Mohawks</i>	111	96	33	44	72	73	429			
<i>Algonquins</i>	25	14	5	3	15	11	66			
CAMP TOTAL	136	110	38	47	87	84	495			

*J. E. Pinsonneault by
Agent in Charge*

495 people were recorded including:

429 Mohawks:

- those considered as ADULTS, 21 and older, they were 111 males and 96 females.
- those considered as YOUTHS, 12 to 21, they were 33 males and 44 females.
- those considered as CHILDREN, birth to 12, they were 72 males and 73 females.

And 66 Algonquins:

- those considered as ADULTS, 21 and older, they were 25 males and 14 females.
- those considered as YOUTHS, 12 to 21, they were 5 males and 3 females.
- those considered as CHILDREN, birth to 12, they were 15 males and 11 females.

In another document from August 20, 1874, entitled, Caughnawaga Agency - school and census returns for the Iroquois of Oka and Caughnawaga, one of the first tasks of Pinsonneault, the new attested Indian Agents were given, starting with a census of the students who were attending school in both Caughnawaga and Two Mountains.

The document was entitled: "*Department of the Interior, Indian Branch, 1874, JEK Pinsonneault, Indian Agent, Caughnawaga. With school and census returns of the Iroquois of Caughnawaga for the year ending on 20th of August 1874.*"

He recorded the number of students who attended starting with Caughnawaga: "Census Return of the Iroquois Indians of Caughnawaga made on the 6th of August of 1874."

CENSUS RETURN OF		Iroquois		INDIANS				
of Caughnawaga		made on the 6th day of		1874				
SEX	AGE	MALES	FEMALES	MALES	FEMALES	REMARKS		
364	423	119	91	241	247	1485		
2	1					4		
						1		
GRAND TOTAL		366	424	119	91	242	247	1490

Recognized by the Chiefs

J. E. R. Pinsonneault Agent

In a subsequent Return, vide file 3778, the total numbers given are 1557, on account of several having in the meantime come home from voyaging.

A column was entitled TRIBE: where 1485 Mohawk were mentioned, 4 Algonquins and 1 Huron.

For Mohawks;

- those considered as ADULTS, 21 and older, they were 364 males and 423 females.
- those considered as YOUTHS, 12 to 21, they were 119 males and 91 females.
- those considered as CHILDREN, birth to 12, they were 241 males and 247 females.

For Algonquins:

2 men and 1 woman were 21 and older and 1 male child below 12 were recorded.
Also 1 **Huron**, a woman 21 and older.

In the last column for Remarks, it is written: "*Recognized by the Chiefs*".

By comparing it with the 1871 census who counted 1438 Mohawks;

- 462 were 12 years old and below: 243 were men, 219 women.
- 101 were 12 to 21: 52 were men, 49 women
- 167 were 22 and older: 77 were men, 90 were women.

At the bottom below, Pinsonneault wrote: "*In a subsequent Return in file 3778, the total numbers given are 1557, on account of several having in the meantime, come home from voyaging.*" Since many of them which were then in Circus shows and in hunting trips.

Another note below mentioned: "*Subsequent return 54, second remark on Caughnawaga returns (over).*"

In another Report, not by Pinsonneault but, by the Superintendent of Education for Lower Canada, included a sub-report from the Laval Normal School for the scholastic 1870-71, from the Minister of Public Instruction, a chapter entitled "*Extracts from Reports of Schools, managed from 1869-70*", from Inspector Delage, was exposing the population of "*pupils attending school*" in the County of Laprairie which he described as: "*The school of this village is a mixed school under the charge of Mr E.R.A. Fletcher and his wife. It is attended by 173 'pupils, all young Indians, descendants of the Iroquois. Very little progress made, notwithstanding the zeal and devotedness of the teachers.*"⁴⁴

Caughnawaga. — The school of this village is a mixed school under the charge of Mr. E. R. A. Fletcher and his wife. It is attended by 173 'pupils, all young Indians, descendants of the Iroquois. Very little progress made, notwithstanding the zeal and devotedness of the teachers.

For the Two Mountains 1874 census, his updates were:

415 **Mohawk** people were registered, on the 6th of August as well.

- those considered as ADULTS, 21 and older, they were 105 males and 96 females.
- those considered as YOUTHS , 12 to 21, they were 33 males and 44 females.
- those considered as CHILDREN, birth to 12, they were 66 males and 71 females.

Also here of course, the **Algonquins** were mentioned, 71 people as:

- those considered as ADULTS, 21 and older, they were 20 males and 20 females.
- those considered as YOUTHS, 12 to 21, they were 3 males and 3 females.
- those considered as CHILDREN, birth to 12, they were 15 males and 10 females.

After 1851, most Algonquins left to Kitigan Zibi, AKA Desert River, where 60% of the Algonquins and several Nipissings moved.

⁴⁴ Report of the Superintendent of Education for Lower Canada, a report from the Laval Normal School for the scholastic 1870-71, from the Minister of Public Instruction, a chapter entitled "*Extracts from Reports of Schools, managed from 1869-70*", From University of Michigan.

In comparison, here is the 1871 census analysis of the Two Mountains-Kanesatake showed 409 people:

-136 were 12 years old and below: 62 men, 74 women

-100 were 12 to 21: 54 men, 46 women

-173 were 21 and older: 75 men, 88 women

CENSUS RETURN										INDIANS								
at Two Mountains										made on the 6 th day of August		1874						
NAME	MALES		FEMALES		CHILDREN		TOTAL	SCHOOL	SCHOOL	SCHOOL	SCHOOL	SCHOOL						
	Male	Female	Male	Female	Male	Female												
Iroquois	105	96	83	44	66	71	415											
Abenaki	20	20	3	8	15	10	41											
GRAND TOTAL										125	116	36	47	81	81	486		

The first part was exposed only 2 persons: the School responsables; E.R.A. Fletcher and Catherine Fletcher. It was actually made before the other censuses mentioned who were conducted on August 6th, this one was made on June 30th, 1874. He received \$250 and his wife Catherine \$100. Also another column details the gender of their students, exposing 102 boys and 43 girls.

It ended with this last page were Pinsonneault wrote: *"I must tell you that this number of residents of those who are recognised by the Tribes, by the Chiefs, and I hope that you will find this census in order. I am Sir, Your Obediant Servant JCR Pinsonneault, Indian Agent,"*

An article, from The Montreal Herald newspaper of July 16, 1874 was added to the census and cited: *"The yearly examination of the pupils of the Caughnawaga Indians school took place yesterday which created no little excitements in the village. The Indians are by no means without intellect, [...]. Much credit is due to the Teacher Mr E.R.A. Fletcher for the interest he has shown in his labors among the Iroquois Indians of Caughnawaga."*

From October 29 to November 2, 1875, Pinsonneault was now more experienced. He was contracted to prepare the "List of distribution to Indians of the Lake of Two Mountains for Fall of 1875. \$2." from the collection entitled: CAUGHNAWAGA AGENCY - Oka Reserve - Agent J.E.R. Pinsonneault sending the list of distribution monies

It started with the "Money distribution to the Two Mountains (Oka) Savages, by the Agent J.E. Pinsonneault, October 28, 1875. List of family (48) chiefs who received the amounts of money for them and their family: under the Roman Catholic denomination: Pinsonneault conducted it with Francis Moore for the Catholic population." The total of the sums allowed to each: \$0.24 Amount given to the family: \$55.92.

On the last column the censor Pinsonneault wrote: "I Subsigned, recognise having received the amount of money to give to those with the names written on the same line he signed."

Noms des Chefs de famille	Montant		Montant		Le sousigné reconnait avoir reçu le montant d'argent pour remettre à celui dont le nom est sur la même ligne qu'il a signé
	\$	C	\$	C	
Laurent Dicaire	5	0 24	1	92	
Pierre Dicaire	11	" "	2	64	
Charlie Mikon	9	" "	2	16	
Pierre Toronhioton	7	" "	1	44 1/18	
Catherine Kakwirishon	3	" "	0	72	
Marie Sose Chako	5	" "	1	20	
Louis Sotsienhawane	3	" "	0	72	
Marie Kawennahere	2	" "	0	48	
Angelique Karontiaronkaras	2	" "	0	48	
Thomas Anetenre	4	" "	0	96	
Basil Gareau	5	" "	1	20	
Andre Tchonatahen	4	" "	0	96	
Jean Baptiste Lakop	9	" "	2	16	
					144 06 55 92 1800 213 42

Laurent Dicaire 1,92

Pierre Dicaire 2,54

Charlie Mikon 2,16

Pierre Toronhioton 1, 68

Catherine Kakwirishon 0,72

Marie Sose Chako, 1,20

Louis Sotsienhawane (or Sotsienhawane) 0,48

Marie Kawennahere 0,48

Angelique Karontiaronkaras 0,48

Ignace Atinnion 1,20

Bernard Atiatonenti 0,48

Hyacinthe Kentarontie 1,68

Michel Thiorakaron 1,20

Pierre Jenki 1,44

Louis Tawente 1,20

Jacques Teshonarenion 0,96

Thomas Anetenre 0,96

Basil Gareau 1,20

Andre Tchonatahen 0,96

Jean Baptiste Lakop 2,16

Pierre Thaisakentise 1,68

Ignace Sohenrese, 1,44

Louis Nikarontera, 20

Michel Tesowennatson 1,68

Francois Jako 0,96

Annes Tetiotkon 1,44

Marie Kanonkwasson 0,96

Francois Marry 2,20

Rene Ahonhiawente 0,72

Kristine Canard Blanc 0,96

Martin Kasennakenha 1,68

Elisabeth Kanenharentha 0,96
 Simon Mikons 0,44
 Osabikwi 0,24
 F. Mochaki 1,68
 Martin Nonsawenrat 0,44
 Catherine Thahonwentsoren 1,20
 Martin Kaianerensta 1,20
 Amable Catiee 0,72
 Vincent Kapeia 1,20

L. Kanenrakenhiate 1,26
 J. Awennakenrat 2, 94
 L. Aronhienens 0,84
 R. Aionwahes 3,78
 At. Katsitenriio 2,10
 L Akwirente 1,26
 S. Karonhakwen 2,94
 L. Tehoronhiannsen 3,36
 L. Satawennonten 1,26

S. Katsienhianton 3,36
 M. Taronhiawakon 3,78
 N. Tekanatoken 5,46
 S. Tawensete 1,26
 S. Anaietta 1,26
 W. Takerihonti 1,68
 At. Aronhiakete 1,26
 J. Kanenharinton 3,78
 P. Teiokerensere 1,68

S. Tehotakeraton 1,68
 W. Sokowentetta 1.26
 P. Taratiron 1,68
 F. Tatenstra 1,68
 J. Tonniontakwen 2,10
 S. Tsiseraken 1,68
 P. Waniente 1,68
 W. Shoriwaenton 1,26
 J. Shorihawane 1,26

S. Awenharison 0,84
 P. Kariwiiio 1,68
 B. Konstaiesron 1,68
 M. Wisken 1,68
 P. Karatoron 1,68
 A. Karenhon 2,94
 S. Kwanerataienni 1,68
 S. Sakorakaronko 0,84
 C. Sennaiewas 1,68
 B. Katsitsientha 0,84
 M. Thoronhiawakons 1,26

Caroline Kawennotas 0,49
 Thires Ottawa 0,24
 Basil Mary 2,16
 Jacques Mary 0,72
 Antoine René 1,20
 Hustache Soterioskon 0,72
 Brigitte Chawen 0,24
 Karastik Kariwaiiens 0,96
 Soasin Onenharakete 0,44

S. Tehotinatake 2,20
 S. Shotsitsiowane 3.36
 S. Kontiti 2.10
 S. Tekaonwaren 1,68
 R. Karenhotase 2,52
 At. Sokakenrie 2,52
 H. Karenhaton 0,84
 B. Tsiakenriio 1,68
 At. Tewaennonsen 1,68

S. Sakowaes 1,26
 L. Mikon 1,68
 G. Anonwatekha 1,68
 At. Shononsese 1,68
 S. Tiahokatte 2,94
 Al. Sahensatta 1,68
 E. Kaienkwire 2,52
 N. Skaionweio 0,84

P. Haheroskon 3,78
 Ch. Kapeya 2,10
 J. Tianetorens 2,52
 L. Sakowenniake 2,94
 W. Kaeroton 1,26
 Th. Katsitsiawaks 1,26
 W. Onwakerha 1,26
 R. Kwenhentense 1,26
 L. Taiohawis 0,85

O. Katenies 1,26
 M. Akwiraes 1,26
 A. Skanaie 0,84
 K. Kanakweiiosta 1,68
 S. Taiokenniate 1,26
 A. Karonhiaronkwas 0,84
 M. Tekonwatontie 0,84
 Tehanakorens 2,52
 M. Katsirakeron, 1,84
 B. Anetawasks 0,42

The second and last list was entitled: "List of (72) family chiefs who received the amounts of money for them and their family: under the Methodist denomination: Conducted by Pinsonneault with Joseph Onasakenrat for the Methodist population."

The sums allowed to the Methodists was bigger considering their large population compared to Catholics: Jos Onasakenrat 2,25

Total of the sums allowed to each: \$0.42 Amount given to the family: \$144.06

It ended with a letter sent from Pinsonneault to the Minister of Interior at Indian Affairs, Mr David Laird:

Translation
 Caughnawaga, Oct. 29/75
 Sir,
 I have the honor to enclose lists of distribution of money and blankets which made on the 28th inst. to the Lake of Two Mountains Indians - and I beg to state that I retained the money of five Indian families of that place whose names are inscribed in the list of Indians under the Methodist denomination. I did so because those families had left there, and it was uncertain whether or not they would return. These are the names of the heads of the five families, and their number - Total amount due them \$13.44, which I shall pay to them if they return (See list)
 I have to,

"Caughnawaga, October 29 1875,
 Sir, I have the honor to enclose lists of distribution of money and blankets which made on the 28th to the Lake of Two Mountains Indians, and I beg to state that I retained the money of five Indian families of that place whose names are inscribed in the list of Indians under the Methodist denomination. I did so because those families had left there, and it was uncertain whether or not they will return.

These are the names of the heads of five families, and their number - Total are due t them \$13, 44 which I shall pay to them if they return."

The list went as:

L. Tehoweiakenrat 3,78
 J. Tanetorens 2,52
 L. Sakowenniake 2,94

S. Kwanerataienni 1,68
 P. Tahenekorens 2,52

Total of the sums allowed to each: \$0.48 Amount given to the family: \$13.44.

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 45 17 July 1890

"Corres br (Correspondence brought) ack to Mayor Forget
 And other signers the receipt
 -through the Dept of Stats for
 Petition praying that measures
 may be taken for the settlement
 of the Indian reserve in the
 Township of Doncaster say
 that the petition will be
 card before the supplier
 on this return to Ottawa
 from Wm he is now absent (William Stewart)
 say further that the
 statement embodied in
 the petition that the
 Reserve bruise in cause
 to the Indians and
 that the timber is
 being plundered is
 incorrect because
 the reserve is
 under access
 and the lands
 derive oo very..."

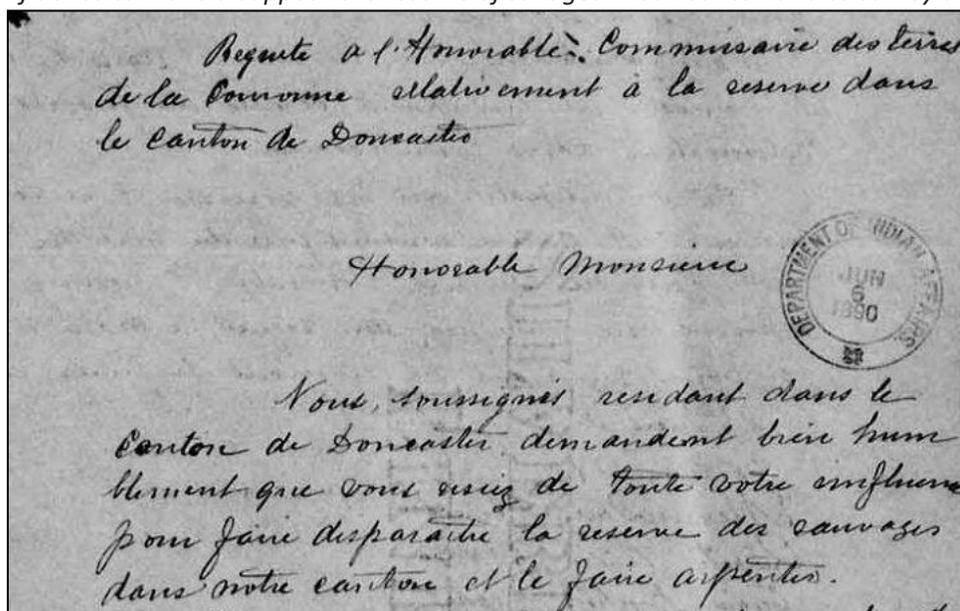
Corres Br ack to Mayor Forget
 and other signers the receipt
 -through the Dept of Stats for
 Petition praying that measures
 may be taken for the settlement
 of the Indian Reserve in the
 Township of Doncaster say
 that the petition will be
 card before the supplier
 on his return to Ottawa
 from Wm he is now absent
 say further that the
 statement embodied in
 the petition that the
 Reserve bruise in cause
 to the Indians and
 that the timber is
 being plundered is
 incorrect because
 the Reserve is
 under access
 and the lands
 derive oo very...
 17/7/90

Another correspondence from May 26-28, 1890

The colonization plan of Doncaster then reached a peak, presented in a letter titled “*Enclosing a petition signed by the inhabitants of Doncaster asking the abolition of subdivision of the Indian Reserve in Doncaster,*” the Department of Crown Lands on May 26-28, 1890 replies about a request from the Priest Lajeunesse from Ste-Lucie in the County of Doncaster, requesting, in the name of the citizens of the parish, the abolition of the subdivision of the “reserve of Savages” in Doncaster.

*“Request to the Honorable Commissary of Lands, relative to the reserve in Doncaster Canton.
Honorable Sir,*

We subsigned, livings in the Canton of Doncaster are asking humbly for you to use all your influence to make disappear the reserve of savages in our Canton and to survey all the land.



This reserve is containing a huge number of excellent lands proper to agriculture situated in the middle of lands owned by French-Canadians population close to our village, and it is being looked as an anomaly which all would like to see disappear. Besides, it cannot be of any utilities for the savages who will never come, since the wild games are lacking.

Also, this territory is now being victim of pillage from all sides, the wood is stolen. Also the quickest it will be surveyed, less damages will be recurred. We are finding that the Doncaster reserve is a great obstacle in the development of the colonisation of our locality. Our municipality is tightened and is suffering since this reserve is containing the third of the Canton. So for this reason, Honorable Sir, we are hoping that you will welcome our request and we won't stop praying for Ste-Lucie of Doncaster.

May 26 1890

Signed (12 people signed)

Page 46

Letter of 17 July 1890 1st page

Page 107 786 Return to Correspondence Branch

Noe Forget, Esq
 Mayor
 Ste Lucie de Doncaster
 P. 2.

July 19, 1890

"Sir,

With reference to

the petition of yourself

and others of date the

6th inst, addresses to Her

Excellency the G.G. (Governor General) in Council

And which has been transferred to his

Depart, for action praying

of the Indian reserve

In the township of

Doncaster, I have to

inform you that the

same will be laid

before the Supr Genl

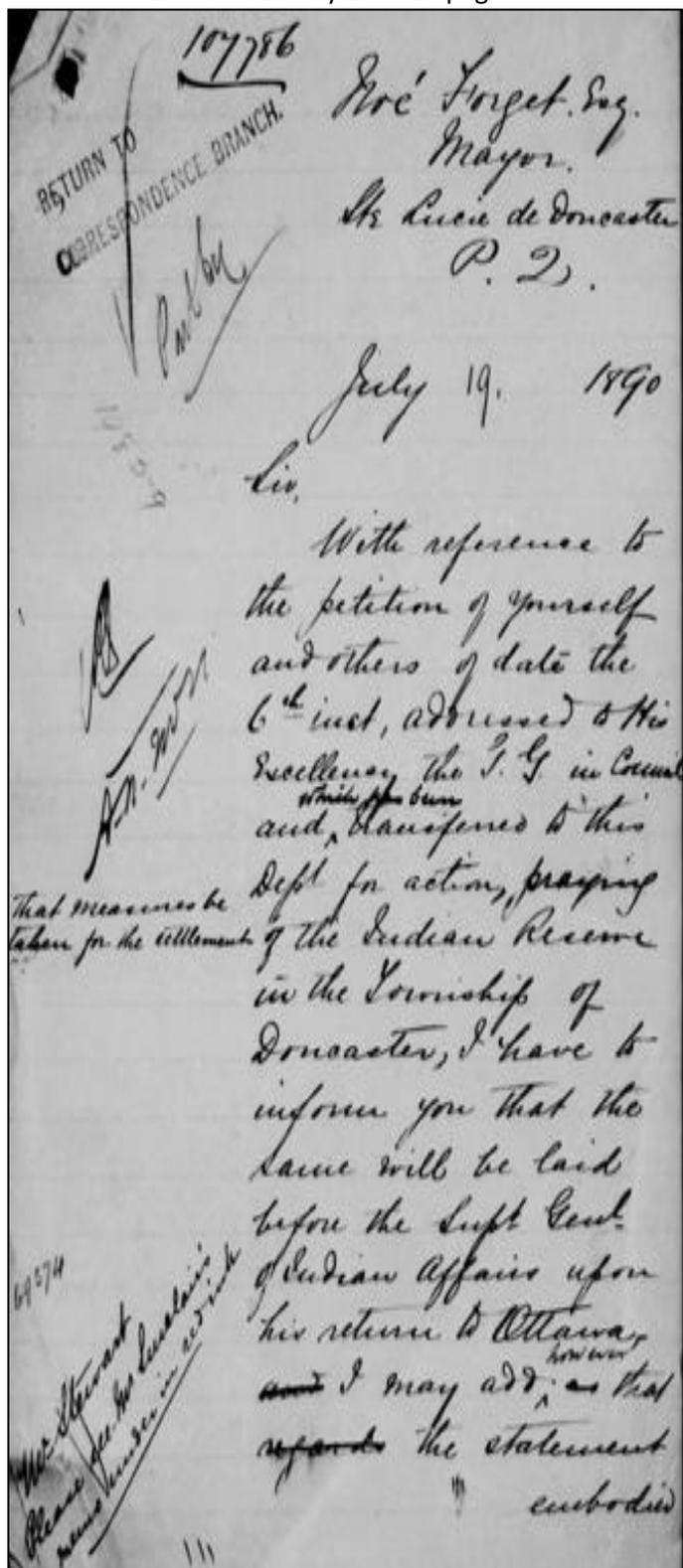
of Indian Affairs upon

his return to Ottawa

I may add, how ever, that

The statement

Embodied..."

A.N. Wm signed under the mention"That measures be
 taken for the settlement."**Another mention below:**"Wm Stewart
 Please see Mr Sinclair's
 means under in red inks."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 46 Letter of 17 July 1890 2nd page

embodied in the petition,
that the Reserve brings
no benefit to the Indians
and that the timber is
being plundered, is
incorrect because the
Reserve is under license
and the Indians
derive a very considerable
addition to their funds
from dues on ^{the} timber
taken therefrom.

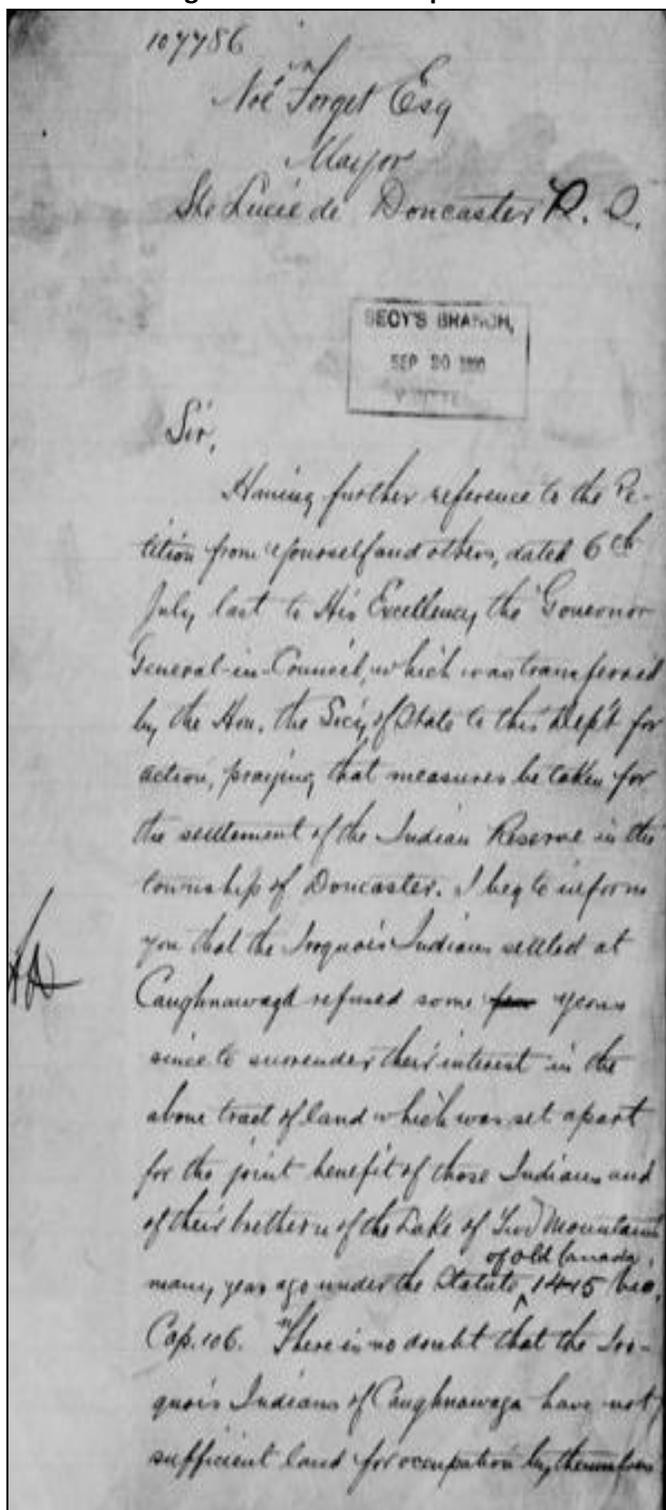
I am &c.

*"... embodied in the petition
that the Reserve brings
no benefits to the Indians
and that the timber is
being plundered, is
incorrect because the
Reserve is under license
and the Indians
derive a very considerable
addition to their funds
from dues in the timber
taken there from.*

I am Y.C."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890, Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 47 Letter of 20 September 1890 from Secretary Branch of Indian Affairs: page 1



Doc 107 786
 "Noe Forget Esq.
 Mayor
 Ste Lucie de Doncaster P.Q.

Sir,
 Having further reference to the Petition from yourself and others, dated 6th July last to His Excellency the Governor General in Council which was transferred by the Hon the Secy' of State to this Dept for action proposing that measures be taken for the settlement of the Indian Reserve in the township of Doncaster, I beg to inform you that the Iroquois settled at Caughnawaga refused some years since to surrender their interest in the above tract of land which was set apart for the joint benefit of those Indians and of their brethren of the Lake of Two Mountains of old Canada many years ago under the Statute 14-15 Vic cap 106. There is no doubt that the Iroquois Indians of Caughnawaga have not sufficient land for occupation by themselves..."

PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE, 1873-1890,
Microfilm reel C-11234, Petition from the Indian of Ste Lucie of Doncaster for the survey of certain Indian land on the reserve

Page 47 Letter of 20 September 1890 from Secretary Branch of Indian Affairs: page 2

107786

and their young men and they doubtless
look forward to, at some future time,
some of their young men, taking up the
vacant lands in Doncaster for the
purpose of farming them.

I have the honor to be Sir,
Your Obedient Servant.

Page 107 786

"... and their young men and they doubtless
look forward to, at some future time,
some of their young men taking up the
vacant lands in Doncaster for the
purpose of farming them.

I Have the honor to be Sir,

Your Obedient Servant."

END OF REEL

G

Chapter 4: Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters 1897-1905 ⁴⁵

The period ranging from 1897 to 1905 is exposing the several attempts from Squatters of Ste. Lucie to obtain grants from the government in order to legitimize their own developments in the Doncaster reserve, despite the clearly established rules mentioned in the correspondences concerning its creation and purposes.

The conflictuous situations in which the Squatters and the Mayor of Ste Lucie of Doncaster did all they possibly could to obtain clemency to keep promoting their developments in Doncaster, before the effect of the Chrome Mining Company precedent of 1920, is exposed in a memorandum-note from 22 January 1896, from the Ottawa's Deputy Superintendent General of Indian Affairs to E. L. Newcomb, Esq, Deputy Minister of Justice, Ottawa.

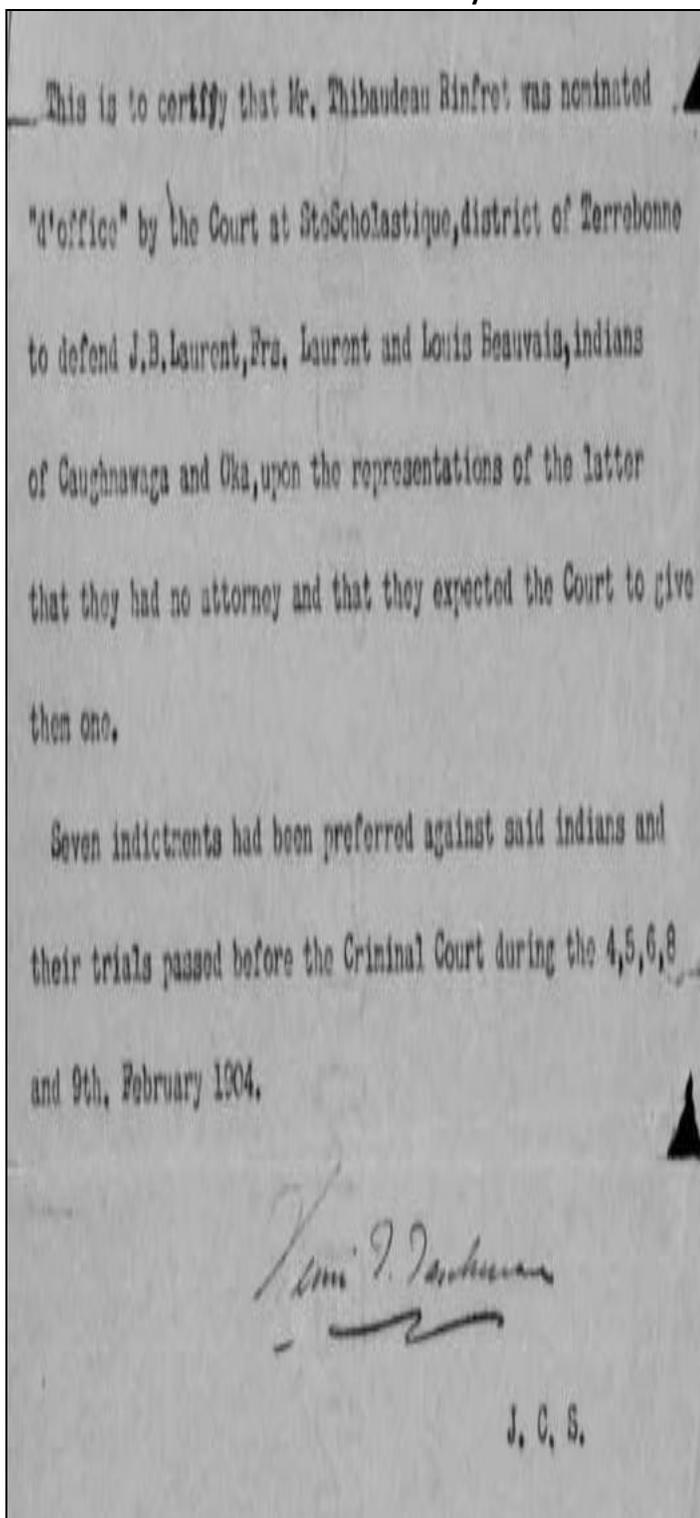
“Sir, I beg to enclose this 34 070 of this Department containing correspondences respecting Squatters in the Doncaster Indian Reserve and would refer to Memorandum of 3rd December 1893 which gives a summary of the correspondence and also to letter addressed to Agent Brosseau on the 9th Ultimo and his reply of the 10th instant in which he states that the Indians are quite determined neither to lease nor sell the Reserve for any consideration and if the Squatters have made improvements thereon, the Department should charge them a rent for the land in as much as the Tribe requires the land for some of its members.

Will you be good enough to advise me, under the circumstances whether the Department could succeed in a suit of ejection against these trespassers or whether it could charge a rental for past use and occupation of the land and also for future use and occupation without a Surrender having been obtained from the Indians.

*Your obedient servant
Deputy Superintendent General
Of Indian Affairs.”*

⁴⁵ CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, LAC, MIKAN no. 2083454, reel C-11172, (301 items), RG10. Volume/box number: 2163 File Part 2A. File number: 34,070.

Louis Beauvais's trial was announced by **Henri D. Taschereau Judge at Superior Court** exposing a court case on **9th February 1904**:



"This is to certify that Mr. Thibaudeau Rinfret was nominated "d'office" by the Court of Ste Scholastique, District Terrebonne to defend: JB Laurent, Frs Laurent and Louis Beauvais, indians of Caughnawaga & Oka, upon the representations of the latter that they had no attorney and they expected the Court to give them one.

Seven indictments had been preferred against said Indians and their trials passed before the Criminal Court during 4-5-6-8- and 9 February 1904.

Henri D. Taschereau,

J.C.S. (Judge at Superior Court)"

Through the available archives from the given period, several court precedents and newspapers mentioned the court procedures in which Jean Baptiste Thires-Laurent, and Louis Beauvais, from Caughnawaga & Oka took part in the bench of the accused, but were released, on Thursday February 17, 1904.

Huitième Année — No 6. Journal Hebdomadaire — Deux cents le numéro. Jeudi, 13 Février 1904

L'AVENIR DU NORD

ORGANE LIBERAL DU DISTRICT DE TERREBONNE.

LE MOT DE L'AVENIR EST DANS LE DOUPLE ADJURE
MENS VERBOSUS PROPHERAS LES FILII DEI LAURENT
(D. S. B. V. C.)



CHENIER

Jules-Eduard Prevost,
Directeur
ADMINISTRATION : SAINT-JEROME TERREBONNE



LABELLE

Abonnement : Un an \$1.00 Six mois 0.50	Apparitions : Le page : Un mois \$1.00 Un an \$8.00
--	--

NOTES DE LA SEMAINE

A L'ETRANGER

LA QUERIE PORTOISE

Les relations ont subi dans toute une série de nations pacifiques. La force va déborder en que l'intelligence n'a pu empêcher et va transférer le social possible. Et de trouver un grand succès dans deux autres, dont l'un, premier aspect, il y a dix ans, est devenu un succès de la diplomatie, et l'autre, second, pour ainsi dire, à la bataille perdue de temps après avoir perdu, le premier, d'établir la paix universelle par un tribunal arbitral.

Le Japon, voyant les perspectives de guerre de sa rivalité en présence aux attentats récents de la Russie, a rompu les relations diplomatiques. Les relations et l'histoire de la région sont devenues devenues comme suit, par le gouvernement japonais : « Comme d'habitude qu'il est indésirable à la sécurité du Japon de maintenir l'intégrité et l'indépendance de la Russie, nous nous en devons de nous en occuper avec la Russie vers la fin de juillet, l'an dernier.

« La dernière note diplomatique fut envoyée le 17 mai et proposait de prendre un engagement écrit de reconnaître la souveraineté de la Chine et de la Corée ainsi à leur territoire en entier, que toutes les nations soient sur un pied d'égalité quant aux avantages commerciaux, que nous avons une influence prépondérante dans le territoire de la Russie en Mandchourie et dans la Transsibirie. Le 7 octobre, une réponse fut reçue, refusant de discuter la souveraineté de la Chine, se permettant que de nous établir un territoire russe et nous nous en devons de nous en occuper avec la Russie vers la fin de juillet, l'an dernier.

la Russie. Une protection mutuelle qui assurera les effets de l'indépendance au respect de la liberté. Le but est atteint, mais le gouvernement sera toujours prêt à considérer un arrangement de tout ordre nécessaire par la tension des moyens possibles.

Le Transsibérien se construisait et le Grand-Tan, considéré que le contrat était par le contrat est trop lent, la voie sera construite par d'autres. Un jour, la prochaine génération verra des trains chargés de marchandises d'Orient et d'Occident aller vers les immenses territoires de notre pays par voie de fer, par la voie la plus directe, les cinq ou six cents.

C. LAURET

Tel parti, tel chef !

La dévotion de M. Israël Tarte dans la suite opinion publique vient d'être renouvelée irrésistiblement, au premier par son fils Wilfrid Laurier.

« Arrivé jusqu'à ce point, M. Israël Tarte réclame, il y a un an, le vieux cheval de la Protection, irrésistiblement réapparu, et il ment à l'égard de la dernière période.

« Depuis cette époque, notre province n'a fait que constater de la dévotion des années de l'ex-ministre des Travaux Publics.

« Il a fait grand bruit et, par cela, il s'est en un grand nombre de gens.

« Mais c'est de la dévotion ?

le lieu et la dévotion. Ce, se trouve pas, il y a de - sans succès - par les mêmes distinctions.

« La dévotion de cette dévotion - m'a rendu extrêmement glorieux. Enfin, me suis-je dit, mes compatriotes des compagnies, comme ceux des villes, ont les yeux pour la terre ; les hommes et la terre pour la terre à terre eux, en leur nom de la famille. Un peu de progrès, de vie intellectuelle, de classe libérale se fera sur nos deux pays !

« Et puis, je suis devenu révolté, et de révolte révolté, et de révolte révolté. Vain !

« C'est seulement Malheur, je passe pour de grands hommes, que je se trouvent par ailleurs en dans la parole et son cœur, surtout il le - un homme qui a votre talent, votre style votre entêtement, votre patriottisme idéal et idéal ! - mais enfin, j'ai de la raison aussi bien que de l'imagination, de l'âge et quelque expérience de mes compatriotes, aussi bien que de patriotisme. Donc, je suis obligé de vous rappeler - j'ajoute au discours - que, que vous avez beaucoup d'imagination, que vous êtes les hommes sérieux à parole sur vous, vous autres deux pour la terre.

« Il y a une chose, et c'est là, deux certains villes, même dans quelques villages, des habitants qui sont - qui trouvent dans l'existence - un grand parti composé de livres religieux, de livres religieux, - mais, qui peu de personnes et vaient. Mais là, dans la vérité, les livres sont, sur leur honneur de nos compatriotes. La terre de nos compatriotes ne le pas. Et un discours un exemple frappant et typique. L'apôtre a tout dit, il n'est pas, à lire un journal qui le renvoie en avant et en arrière, sur la politique de son clerc : l'Apôtre ! Et nous l'avons les mêmes de nos compatriotes, nous étant que la plupart des calculations abstraites de l'homme d'aujourd'hui ne le - retiré - par

Les gouvernements n'ont que les hommes n'ont.

« Ce qui se passe pour le remplacement de M. Louis Bourgeois à la présidence de la Chambre, se passe, de reste, chaque fois qu'il s'agit de remplacer soit le président de la république, soit les ministres eux-mêmes.

« Ce dit qu'il s'agit de choisir le plus sage, les plus méritants et les plus libéraux.

« Reprenez donc que l'histoire de la république !

« Quand le chef de l'Etat s'y a été pour être élu et changer de classe, ce sont les mêmes mêmes idées, mêmes et une même que nous nous voyons.

« Et ainsi pour appliquer à la république le mot de Schol, parlant d'un tel homme toujours « Un homme digne de la république ». « Faut-il qu'il ait de la dignité, pour en changer et servir ? »

PAUL DE CARAVAC

MELI-MELO

Que de bel ! que de bel !

« M. Israël Tarte termine avec un petit bout d'humour impudent sur le discours prononcé par Sir Wilfrid Laurier au Montmartre National.

« Le Premier Ministre a donné un pays et il est un grand succès.

« Nous nous réjouissons pleinement de son succès. Nous espérons qu'il sera permanent.

« Que il est peut-être de choses inexpliquées dans les quelques discours précédents, qu'il se pourrait se passer une bataille par suite dans que par un manque de contrôle de la

Louis Beauvais on page 4 of the French Canadian newspaper called L'Avenir du Nord's from 13 February 1904⁴⁶

⁴⁶ L'Avenir du Nord, French Canadian newspaper from BANQ, consulted on 17 May 2015: http://collections.banq.gc.ca:81/jrn03/avenirdunord/src/1904/02/11/164429_1904-02-11.pdf

Les Assises de Sainte-Scholastique

Nous n'entrerons pas dans tous les détails des événements qui se déroulent aux assises de Sainte-Scholastique.

Nous ne mettrons nos lecteurs au courant que des faits les plus intéressants.

VISITE DE LA PRISON

Les grands jurés ont visité la prison, sous la conduite de M. le président Alphonse Lafond, de Sainte-Scholastique.

Ils ont constaté que tout était dans un ordre parfait.

Les prisonniers se disent parfaitement bien traités par M. Mirault, le geolier.

UN INCIDENT

Lorsque Louis Beauvais parut devant le tribunal, pour répondre à l'accusation de vol, l'hon. juge Taschereau lui demanda s'il avait un défenseur.

Louis Beauvais est un Indien d'Oka.

Il parut insulté de la demande du président de la Cour.

"The Assizes of

St. Scholastique

We will not hear through full details the events which are taking place at the assizes of Ste. Scholastique.

We will inform our readers only of the most interesting facts.

JAIL VISIT

The Grand Jury visited the jail, under the leadership of Mr President Alphonse Lafond, from Ste. Scholastique.

They noticed that everything was in perfect order.

The prisoners say they are perfectly well treated by Mr. Mirault, the jailer.

AN INCIDENT

When Louis Beauvais appeared before the tribunal, to answer the charges of theft, the Honorable Judge Taschereau asked him if he had a defender.

Louis Beauvais is an Oka Indian.

He seemed insulted by the request of the Court president."

Louis Beauvais's trial

Après un geste nerveux et éloquent, comme s'il avait cherché des mots à prononcer, dans son indignation, il cria, d'un air de défi et avec une voix stridente, à l'hon. juge Taschereau :

« Dites au Roi que Louis Beauvais veut un avocat ; c'est à lui à m'en donner un. »

La fierté de cet individu ; la circonstance où, prisonnier dans les fers, il plaçait le souverain comme son égal, et cela d'un air de dédain, ont créé une sensation à l'audience.

La Cour a prié M. Thibaudeau Rinfret, de la société légale Prévost et Rinfret, de se charger de la défense de Louis Beauvais

M. Rinfret a aussi été l'avocat d'office de J. B. Laurent. Ce dernier, un Indien de Caughnawaga, était accusé de vol avec effraction, de détention illégale de la propriété d'autrui.

Ces méfaits auraient été commis à Sainte-Lucie, sur la réserve indienne de Doncaster.

Le plaignant était M. Isidore Legault.

Cette cause imposée à la dernière minute à M. Rinfret, offrait de grandes difficultés.

D'autant plus que l'accusé Laurent ne connaît ni l'anglais, ni le français.

M. Michel Jacob servit d'interprète.

En dépit de tous ces obstacles, M. Rinfret a réussi à faire libérer son client Laurent.

C'est là un succès brillant dont nous félicitons chaleureusement M. Thibaudeau Rinfret.

Il a eu le talent de saisir immédiatement dans cette cause, étudiée pourtant à la hâte, les points de droit capables de le faire réussir, et il a su conduire son enquête avec une habileté consommée.

x

“After a nervous and eloquent gesture, as if he was trying to find word to pronounce, in his indignation, he cried out, defiantly with a strident voice, to the Hon. Judge Taschereau:

“Tell to King that Louis Beauvais want a lawyer: it's up to him to give me one.”

The pride of this individual; the circumstance in which, prisoners behind bars, he placed the sovereign to his equal, with an air of disdain, which was the sensation created at the audience.

The Court prayed M. Thibaudeau Rinfret, from the Legal Society of Prevost and Rinfret, to change the defense of Louis Beauvais.

Mr. Rinfret was also the Barrister and Solicitor to J.B. Laurent. This last one, an Indian of Caughnawaga, was accused of theft with breaking in, of illegal detention of the property of another party.

These misdeeds were committed at Ste. Lucie, in the Indian reserve of Doncaster. The plaintiff was M. Isidore Legault.

This cause imposed to M. Rinfret at last minute, offered great difficulties.

At the more so, the accused spoke neither English nor French.

M. Michel Jacob served as the interpret. Despite all these obstacles, M. Rinfret succeeded in freeing his client Laurent.

This is a brilliant success and we warmly congratulate M. Thibaudeau Rinfret.

He had the talent of immediately grasping in this cause, studied in haste, the points of law capable of making it succeed, and he conducted his investigation with a consumed skill.”

Louis Beauvais's

M. Thibaudeau Rinfret a remporté un autre succès non moins remarquable dans la cause de Beauvais.

Lundi, M. Rinfret demanda que l'acte d'accusation porté contre son client soit cassé. Beauvais est accusé de vol d'arbres au montant de quatorze dollars, or en vertu de l'Article 337 du code criminel cette offense est de la juridiction exclusive des juges de paix, qui doivent la traiter sommairement. Les autres articles du code s'appliquent au vol d'arbres pour un montant d'au moins vingt-cinq dollars. La couronne répond à cette motion en disant que l'acte d'accusation est porté en vertu de l'article 336 du code.

L'honorable juge Taschereau, après avoir entendu les plaidoyers qui ont été fort habiles de part et d'autre, a pris la motion en délibéré et a rendu son jugement mardi. Ce jugement est très long et est basé sur plusieurs articles du code criminel et les considérants sont très nombreux. L'honorable juge a maintenu les prétentions de M. Rinfret, avocat de Beauvais, en décidant qu'il était de principe que les contrevenances soient punies par les tribunaux mentionnés dans les statuts qui les concernent, et non par d'autres. C'est une juridiction exclusive et en matière de vol d'arbres c'est une juridiction spéciale surtout lorsque l'objet en litige vaut moins de \$25 comme dans la cause présente. D'ailleurs, comme l'a fait remarquer l'honorable président du tribunal, si la cour du Banc du Roi avait juridiction en la matière il y aurait anomalie car la prescription en matières sommaires étant de six mois il s'en suivrait que l'accusé pourrait plaider prescription devant ce tribunal et ne le pourrait devant une cour de juridiction supérieure. La motion de l'accusé est donc accordée et l'acte d'accusation cassé et annulé. Beauvais est élargi sur le champ.

x

"M. Thibaudeau won another success no less remarkable in the cause of Beauvais.

Monday, M. Rinfret asked that the act of accusation brought to his client be abandoned. Beauvais is accused of tree theft at the amount of fourteen dollars, and in virtue of the Article 337 of the Criminal Code, this offense is of the exclusive jurisdiction of the peace judges, who must treat it summarily. The other articles of the code are applying to tree theft, for the amount of at least twenty-five dollars. The Crown answered to this motion telling that the accusation act is carried in virtue of the article 336 of the code.

The Honourable Judge Taschereau, after hearing the advocacies, who have been very skilful on both sides, took the motion under advisement and rendered judgment on Tuesday. This judgment is very long and based on several articles of the Criminal Code, considering them numerous. The Hon. Judge maintained the pretensions of M. Rinfret, the lawyer of Beauvais, while deciding that it was a matter of principle that fines are punished by the courts mentioned in the statutes which concern them, and not by others. It is an exclusive jurisdiction, and in terms of tree thefts, it is a special jurisdiction, especially when the object in dispute is worth less than \$25, as in the precedent case.

Moreover as pointed out by the honorable president of the tribunal, if the court of the King's Bench had jurisdiction in the matter, there would be an anomaly since the summary prescription being of six months, it would be followed by the individual could plead prescription before this tribunal and would be able in a court of superior jurisdiction. The motion of the accused is so, granted and the act of accusation is broken and cancelled. Beauvais is freed without delay."

The article ends with other court cases mentioning Isidore Auge and Moise Forget, 2 Squatters taking part in the litigious legal history of the Doncaster's claimers.

<p style="text-align: center;">X</p> <p>Larocque, accusé d'avoir volontairement assailli sa femme, avec l'intention de la tuer n'a été trouvé coupable que d'assaut simple et condamné à quinze jours de prison.</p> <p>M. J.-L. St Jacques, de Lachute, un jeune avocat de talent, était le défenseur de Larocque. M. St Jacques est aussi le défenseur de Robert Day et Willie Weightmann, accusés de tentative de meurtre sur la personne de Benjamin Laliberté, de Saint-André.</p> <p style="text-align: center;">X</p> <p>Dès l'ouverture de la séance, lundi, <u>Isidore Augé</u> a été appelé à la barre des prévenus; il est accusé d'avoir assailli <u>M. Moise Forget</u>, à <u>Sainte Lucie</u>, le 18 juin 1902, avec l'intention de lui causer des lésions graves. M^{re} J.-B.-B. Prévost, de Saint-Jérôme, est le défenseur de l'accusé.</p> <p>Ce procès est survenu à la suite d'une querelle entre cultivateurs voisins qui ne s'entendaient pas sur la ligne de division de leurs propriétés.</p> <p>Après cinq minutes de délibération le jury a rendu un verdict de non coupable et Augé a été élargi sur le champ.</p> <p style="text-align: center;">X</p>	<p style="text-align: center;">X</p> <p>Mardi matin ont commencé les quatre procès contre Samuel Gauthier, accusé de deux tentatives de meurtre, de vol et de faux prétextes. C'est M. Jean Prévost qui défend l'accusé.</p> <p>M. Samuel Gauthier a été trouvé coupable de vol et de faux prétexte et condamné sur les deux offenses à quinze jours de prison. Il a été acquitté sur les deux accusations pour tentative de meurtre.</p> <p style="text-align: center;">X</p> <p>Une cause très intéressante s'est plaidée hier, celle de M. Moise Rochon, de Sainte-Thérèse, accusé de tentative de meurtre sur M. Carolus Piché et le père de ce dernier.</p> <p>M. Jean Prévost était le défenseur de M. Rochon qui n'a été trouvé coupable que d'un simple assaut.</p>
--	---

From page 285 to 300 more details are presented by the Lawyer firm Prévost & Rinfret, Agents : Barristers, from St. Jerome, sending the legal bills, and several other accountancy correspondences with the collaborative ministers with the case.

Here a letter entitled: The Department of Indian Affairs: In debt with Thibaudeau Rinfret, from 10 February, 1904, concerning Louis Beauvais and Francois Laurent (Thires).

<i>Prévost & Rinfret</i>	TELEPHONE 46
<i>Avocats - Barristers</i>	
JOHN E. PREVOST, C. S., L. L. B., M. P. P. THIBAUDEAU RINFRET, S. A., & C. L.	
<i>Saint-Jérôme</i> 10th Feb. 1904	
THE DEPARTMENT OF INDIAN AFFAIRS	
In debt with	
THIBAUDEAU RINFRET.	285049
1904, Feb. 4, 5, 6, 7, & 9	
10: <u>Defense by nomination "d'Office" by the Court of J. N. Laurent, Indian, who, when he appeared declared that he had no Attorney to defend him and expected that the King or Crown should give him a lawyer.</u>	
A. Upon indictment against him for assault on a white man, on the Duncoaster reserve,	\$25.00
B. Same upon indictment for house breaking on the same Reserve,	25.00
20: <u>Defense of FRANCOIS LAURENT:</u>	
A. Upon indictment against him for assault on on a white man, on the Duncoaster Reserve	25.00
B. Same upon indictment for house breaking on the same Reserve,	25.00
C. Same upon indictment for unlawfully detain one land against the will of its owners in the said township of Duncoaster	25.00
30: <u>Defense of LOUIS BEAUVAIS:</u>	
A. Special study during one afternoon and two two nights upon the validity of the indictment against him and preparation of a motion to quash,	25.00
B. Defense of same upon an indictment for having stolen trees on the suppose property of a white man, at Oka,	25.00
Actual expenses, the Chief Lien of the C Court being outside of the town when I have my office	8.35
	208.35

The Department of Indian Affairs: In debt with Thibaudeau Rinfret, from 10 February, 1904, concerning Louis Beauvais and Francois Laurent (Thires).

TELEPHONE 46

Prévost & Rinfret
Avocats - Barristers
JEAN B. PRÉVOST, C. P., L. L. B., M. P. A.
THIBAUDEAU RINFRET, B. A., B. C. L.

285049

Saint-Jérôme, Feb^r 10th, 1905.

THE DEPARTMENT OF INDIAN AFFAIRS,
In debt with
THIBAUDEAU RINFRET.

1904, Feb. 4, 5, 6, 7 & 9.

To: DEFENSE by nomination "d'office" by the Court of J. B. LAURENT, Indian, who, when he appeared, declared that he had no Attorney to defend him and expected that the King or Crown should give him a lawyer.

A. Upon indictment against him for assault on a white man on the Duncaster Reserve,	\$25.00
B. Same upon indictment for house breaking on the same Reserve,	25.00

To: DEFENSE OF FRANCOIS LAURENT:

A. Upon indictment against him for assault on a white man, on the Duncaster Reserve,	25.00
B. Same upon indictment for house breaking on the same Reserve,	25.00
C. Same upon indictment for unlawfully detain one land against the will of its owners in the said township of Duncaster,	25.00

To: DEFENSE OF LOUIS BEAUVAIS:

A. Special study during one afternoon and two nights upon the validity of the indictment against him and preparation of a motion to quash	25.00
B. Defense of same upon an indictment for having stolen trees on the suppose property of a white man, at Oka	25.00
Actual expenses, the Chief lieu of the Court being outside of the town where I have my office	8.35
Total,	\$ 208.35

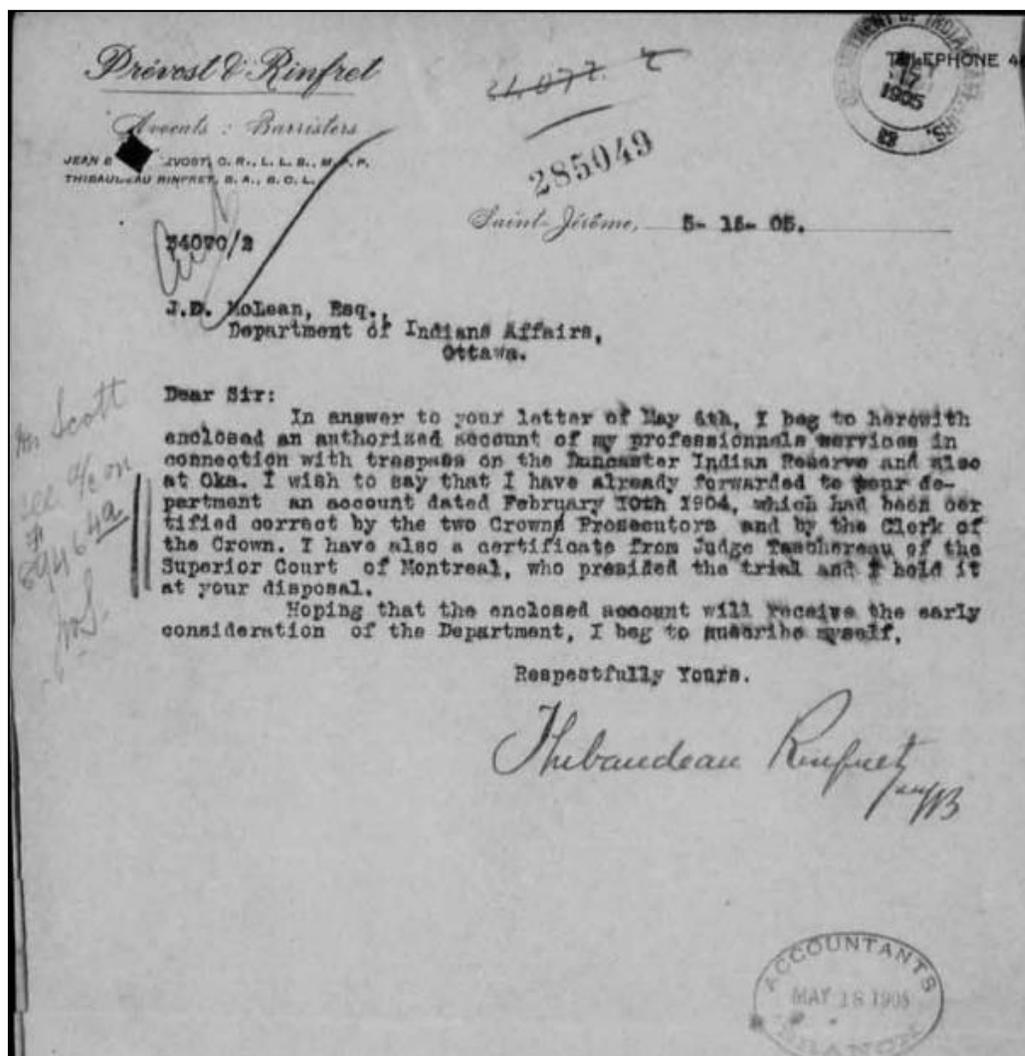
Lawyer from Prévost & Rinfret, Agents : Barristers, from St. Jerome, answering Indian Affairs Secretary J.D. McLean on the 15th of May 1905 exposing:

"In answer to your letter of May 6th, I beg to herewith enclosed an authorized account of my professional services in connection with trespass on the Doncaster Reserve and also at Oka. I wish to say that I have already forwarded to your department an account dated February 10th 1904, which had been certified correct by the two Crown Prosecutors and by the Clerk of the Crown. I have also a certificate from Judge Taschereau of the Superior Court of Montreal, who presided the trial and I hold it at your disposal.

Hoping that the enclosed account will receive the early consideration of the Department, I beg to subscribe myself.

Respectfully yours,

Thibaudeau Rinfret."



From May-June 1905, from Lawyer Thibaudeau Rinfret, answering Indian Affairs Secretary J.D. McLean in the May-June 1905 period after the previous letter sent the 15th of May 1905 exposing clarification in a deeper report of 3 pages.

285594

DEPARTMENT OF INDIAN AFFAIRS,
OTTAWA, P.O.-

I have the honour of submitting to you a detailed report concerning my account for services rendered before the Criminal Court, at Ste-Scholastique, in February last, and which has already been sent to you on March 1st or 2nd, 1905.

Another copy of this account is annexed to the present report. I may say respectfully that the circumstances in which I was chosen by the Court to represent the Indians in those cases are such that would show most favourably in favour of the claim which I have made against this Department.

I was chosen by the Judge, at the special request of the Indians, who said that they had no lawyer, and that they waited for the Crown to give them one. I was nominated "d'office" by the Court. The cases were just about to proceed. There was no time to communicate with the Department of Indian Affairs for instructions. Besides, having been chosen by the Court, I did not think it proper to disregard the choice and call at the Department for special orders.

I may mention that the chef-lieu, where the Court was sitting, was outside of the place where I have my office and that therefore, during six full days, I was detained out of town, and prevented from attending to the regular business of our office, which is a very busy one, and at a time, when my partner had to be in

Page 2 of the report.

-2-

Quebec, for his parliamentary duties as member of the House.

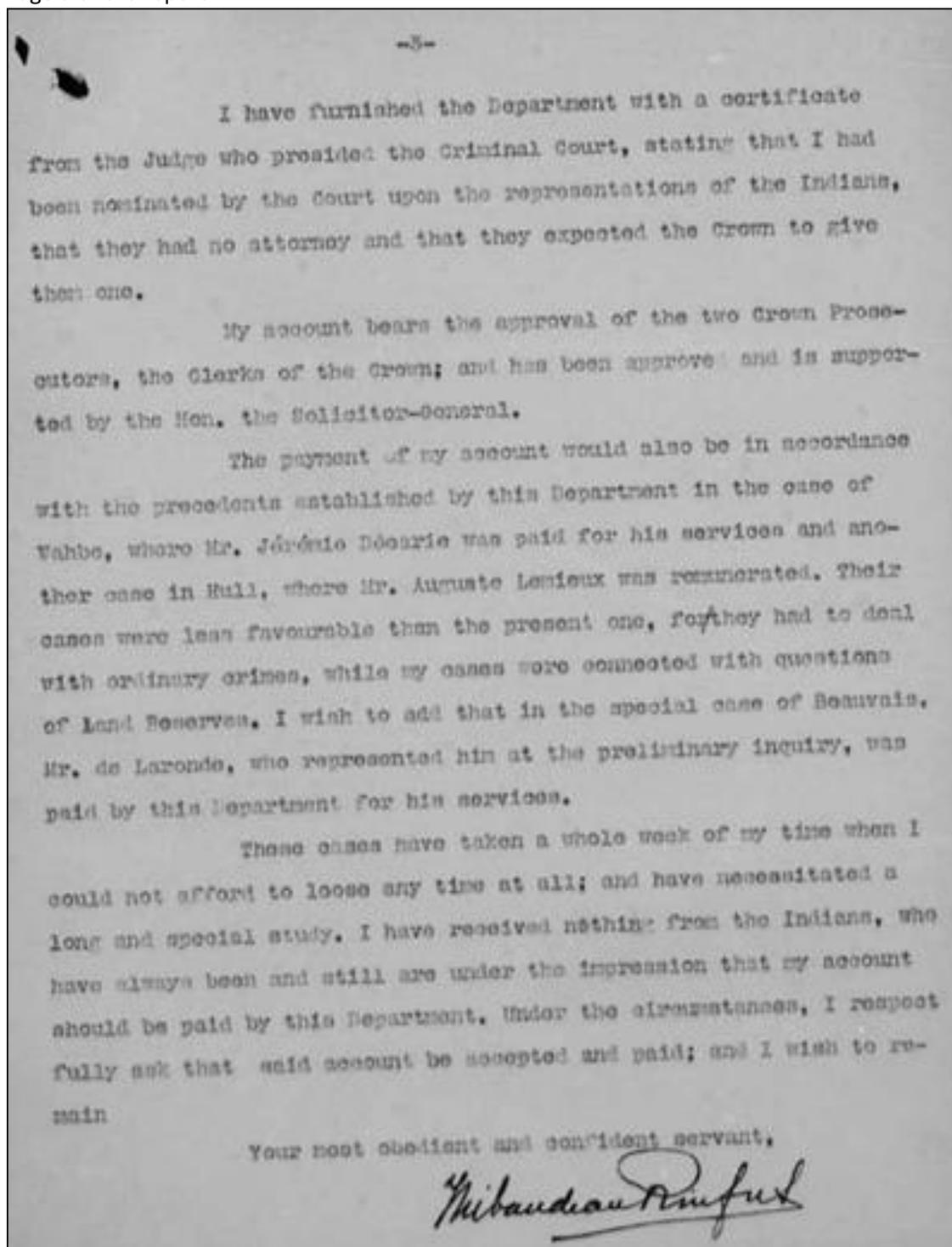
But, besides those good reasons, the very nature of the charges preferred against the three Indians would be a reason for this Department to pay the account which I have presented to it.

The Indians were accused of ~~seven~~ different crimes, each of which was connected with the question of land reserves in the Counties of Two-Mountains and Terrebonne, in the Province of Quebec, and therefore connected with the very affairs which, by section 21, Cap. 43, of the Revised Statutes of Canada, are veated with this Department, and which it is bound by law to look after and protect. I am speaking of the Indian Reserves of the Township of Duncaster, in the County of Terrebonne, and of Oka, in Two-Mountains.

The two Laurents were accused each of assault, house-breaking and unlawfully detaining land against the will of its owner, in the said Township of Duncaster. The land which they were thus detaining proved to be precisely the one to which they are entitled by the Statute, so that, upon a rather intricate argument on law points, which covered two days of study and of pleading, Judge Taschereau decided in favour of my pretensions and both Indians were acquitted on every indictment.

As for Beauvais, he was accused of having stolen trees at Oka. His pretensions were that what he had taken was on the Indian Reserves. So that here also the case was connected with the Land Reserves. Beauvais was acquitted and the indictment quashed.

Page 3 of the report.



Letter from 7 June 1905, from Lawyer Thibaudeau Rinfret, to the Minister of Justice, exposing clarification in a report of 2 pages exposing a detailed agenda of the legal procedures encountered:

C O P Y. - 34070-3

Saint Jerome, 7th June, 1905.

To the Honorable Minister of Justice,
Ottawa P.C.

Honorable Sir,-

I am in receipt of a letter from the Department of Indian Affairs stating that the Deputy Minister of Justice has re-enclosed to the Department of Indian Affairs in a letter dated the 29th May my account for professional services rendered to the latter Department, in connection with indictments preferred against three Indians at Ste. Scholastique.

The account has been sent back to me by the Department of Indian Affairs and I annex it to the present letter.

The letter of your Department of the 29th of May stated "There is no sufficient information contained in the account to enable me to tax it. It will be necessary for Mr. Rinfret to give details in his account showing dates and length of time taken in each case, particularly the length of time occupied in Court."

I beg to herewith furnish the information asked for. I may say that I have already sent to the Department of Indian Affairs two reports and two accounts in connection with this matter. In order that your Department may be well acquainted with all the facts, I beg to herewith annex a copy of one of these reports and I believe that it contains all the information which you ask.

However, here follows a short and precise answer:

I have been occupied in Court for the cases of J.B. Laurent, Francois Laurent, and Louis Beauvais, from February 4th at 10 o'clock in the morning to February 5th 1904 at 5 o'clock in the afternoon. The 7th was a Sunday. I was again occupied in Court from February 8th at 10 A.M. of the clock to February 9th 1904 at 5 o'clock in the afternoon.

But

Page 2.

But, I may add that, having been charged of those cases in Court, I had given no study to them prior to these days and that therefore I had to give up all the evenings of these six days and the whole of Sunday exclusively to them, in order to understand and master the points of law arising in each of them. Besides having many consultations with the accused ~~who~~ did not understand either French or English and with whom I had to consult through an interpreter. I am therefore, ready to swear, if necessary, that from February 4th in the morning to February 9th in the afternoon, I have given all my time exclusively to the cases above referred to. Besides, as I live in St. Jerome, and the cases were going on in Ste. Scholastique, I could not have attended to my other business, as had I been willing to. I think, under the circumstances, that my account is more than reasonable and with all confidence I respectfully submit it to you.

Your most obedient servant,

(Sgd)Thibaudeau Rinfret.

Letter from **7 June 1905**, from **Lawyer Thibaudeau Rinfret**, to the **Department of Indian Affairs**, a literal copy as the previous sent to **Minister of Justice** (on pages 290-292), exposing clarification in a report of 2 pages exposing a detailed agenda of the legal procedures encountered. (as seen for May-June 1905 on pages 170-173)

Department of Indian Affairs,
Ottawa, P.C.

I have the honor of submitting to you a detailed report concerning my account for services rendered before the Criminal Court, at Ste. Scholastique, in February last, and which has already been sent to you on March 1st or 2nd, 1905.

Another copy of this account is annexed to the present report. I may say respectfully that the circumstances in which I was chosen by the Court to represent the Indians in those cases are such that would show most favorably in favor of the claim which I have made against this Department.

I was chosen by the Judge, at the special request of the Indians, who said that they had no lawyer, and that they waited for the Crown to give them one. I was nominated "d'office" by the Court. The cases were just about to proceed. There was no time to communicate with the Department of Indian Affairs for instructions. Besides, having been chosen by the Court, I did not think it proper to disregard the choice and call at the Department for special orders.

I may mention that the chef-lieu, where the Court was sitting, was outside of the place where I have my office and that, therefore, during six full days, I was detained out of town, and prevented from attending to the regular business of our office, which is a very busy one, and at a time, when my partner had to be in Quebec, for his parliamentary duties as member of the House.

But, besides these good reasons, the very nature of the charges preferred against the three Indians would be a reason for this Department to pay the account which I have presented to it.

The Indians were accused of seven different crimes, each of which was connected with the question of land reserves in the Counties of Two-Mountains and Terrebonne, in the Province of Quebec, and therefore connected with the very affairs which, by section 21, Cap. 43, of the Revised Statutes of Canada

Page 2.

Canada, are vested with this Department, and which it is bound by law to look after and protect. I am speaking of the Indian Reserves of the Township of Doncaster, in the County of Terrebonne, and of Oka, in Two-Mountains.

The two Laurents were accused each of assault, House-breaking and unlawfully detaining land against the will of its owner, in the said Township of Doncaster. The land which they were thus detaining proved to be precisely the one to which they are entitled by the Statute, so that, upon a rather intricate argument on law points, which covered two days of study and of pleading Judge Taschereau decided in favor of my pretensions and both Indians were acquitted on every indictment.

As for Beauvais, he was accused of having stolen trees at Oka. His pretensions were that what he had taken was on the Indian Reserves. So that here also the case was connected with the Land Reserves. Beauvais was acquitted and the indictment quashed.

I have furnished the Department with a certificate from the Judge who presided the Criminal Court, stating that I had been scolded by the Court upon the representations of the Indians, that they had no attorney and that they expected the Crown to give them one.

My account bears the approval of the two Crown Prosecutors, the Clerks of the Crown; and has been approved and is supported by the Hon. the Solicitor General.

The payment of my account would also be in accordance with the precedents established by this Department in the case of Vahbe, where Mr. Jérôme Desjarie was paid for his services and another case in Hull where Mr. Auguste Lemieux was remunerated. Their cases were less favorable than the present one, for they had to deal with ordinary crimes, while my cases were connected with questions of Land Reserves. I wish to add that in the special case of Beauvais, Mr. de Laronde, who represented him at the preliminary enquiry, was

Page 3.

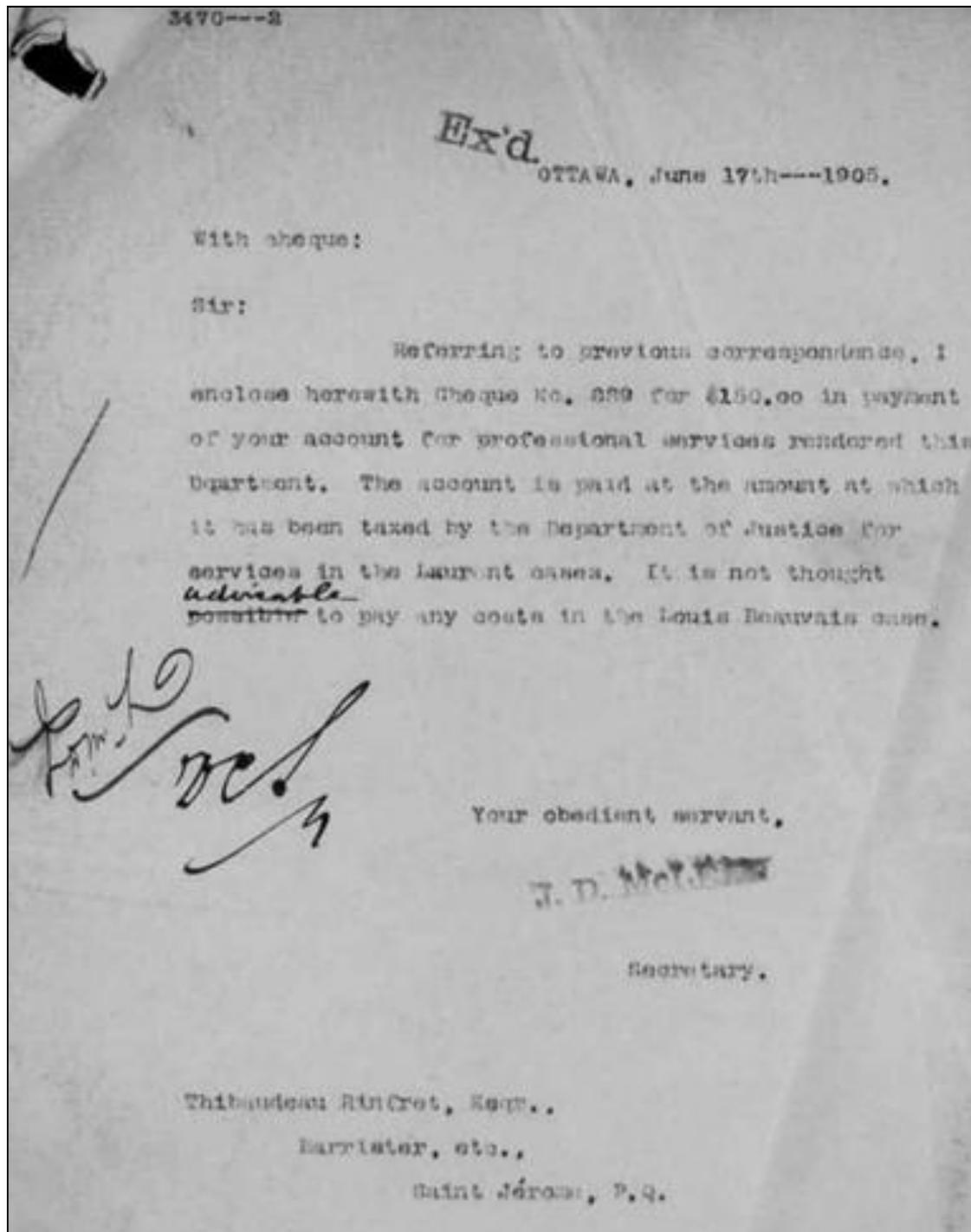
was paid by this Department for his services.

These cases have taken a whole week of my time when I could not afford to lose any time at all; and have necessitated a long and special study. I have received nothing from the Indians, who have always been and still are under the impression that my account should be paid by this Department. Under the circumstances, I respectfully ask that said account be accepted and paid; and I wish to remain

Your most obedient and confident servant,

(Sgd) Thibaudeau Rinfret.

On 7 June 1905 J.D. McLean Indian Affairs Secretary enclosed a \$150,00 payment to Lawyer Thibaudeau Rinfret, exposing that "it is not thought advisable to pay any cost in the Louis Beauvais case."



Also, an attempt was made by the government in order to manage the transfer of the funds entitled to Doncaster towards the building and management of the Residential School

A correspondence from **7 May 1902** by **Chief John Dailleboust** and **Indian Agent Brosseau** exposing the position of Caughnawaga about Doncaster after a special meeting in presence of **James Andrew McKenna, Private Secretary of superintendent general.**

“At a special meeting of the Council of the Caughnawaga Band held at Caughnawaga in the 7th May 1902 in the presence of Mr. A. I. McKenna of the Department of Indian Affairs and Mr. A. Brosseau Indian Agent it was moved by Councillor J.S. Simpson and seconded by councillor J.B. Delorimier that after hearing Mr. McKenna’s statement in regard to the Doncaster Reserve and the report of the delegates of the Council who visited the Reserve be it resolved that the Caughnawaga Band shall not during the present year exercise as a band or underdealt their rights to the said reserve in order to give time for the conversation and development of a plan to provide a boarding school on the understanding that the Caughnawaga Band relinquish their rights to the reserve with a view to the same being given by them as a contribution to the school, of being understood by that Frank Thires who is at present at Doncaster may remain there so long as he does not, pending a settlement of the reserve question, interfere with the Squatters or any of them and that in the event of his doing so or threatening to do so he shall be recalled by the Council. Carried unanimously,

*Certified
his
John x Dailleboust
mark
Chief Councillor*

*A. Brosseau
Indian Agent”*

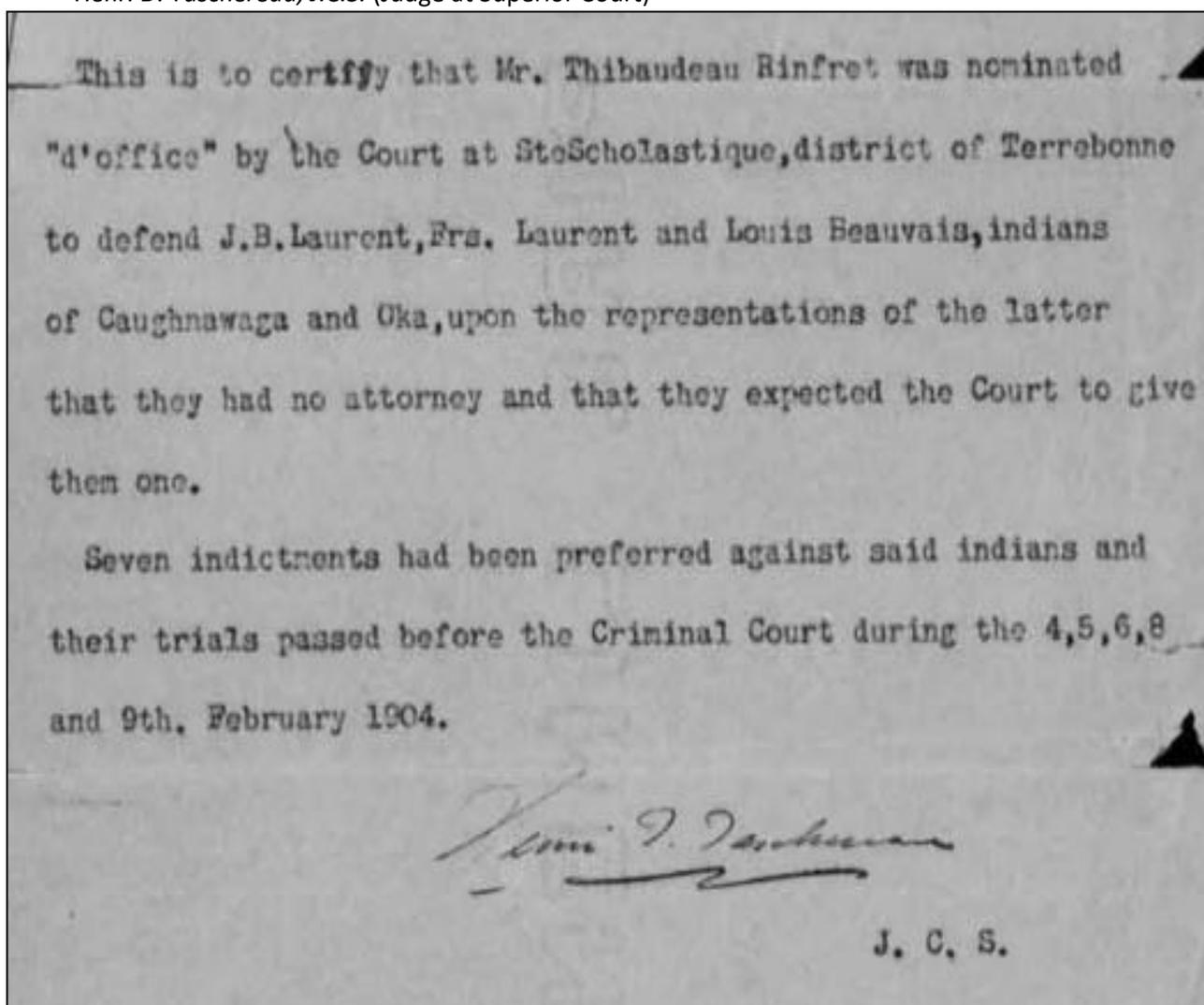
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 2 **Henri D. Taschereau Judge at Superior Court** exposing a court case on **9th February 1904**:

"This is to certify that Mr. Thibaudeau Rinfret was nominated "d'office" by the Court of Ste Scholastique, District Terrebonne to defend: JB Laurent, Frs Laurent and Louis Beauvais, indians of Caughnawaga & Oka, upon the representations of the latter that they had no attorney and they expected the Court to give them one.

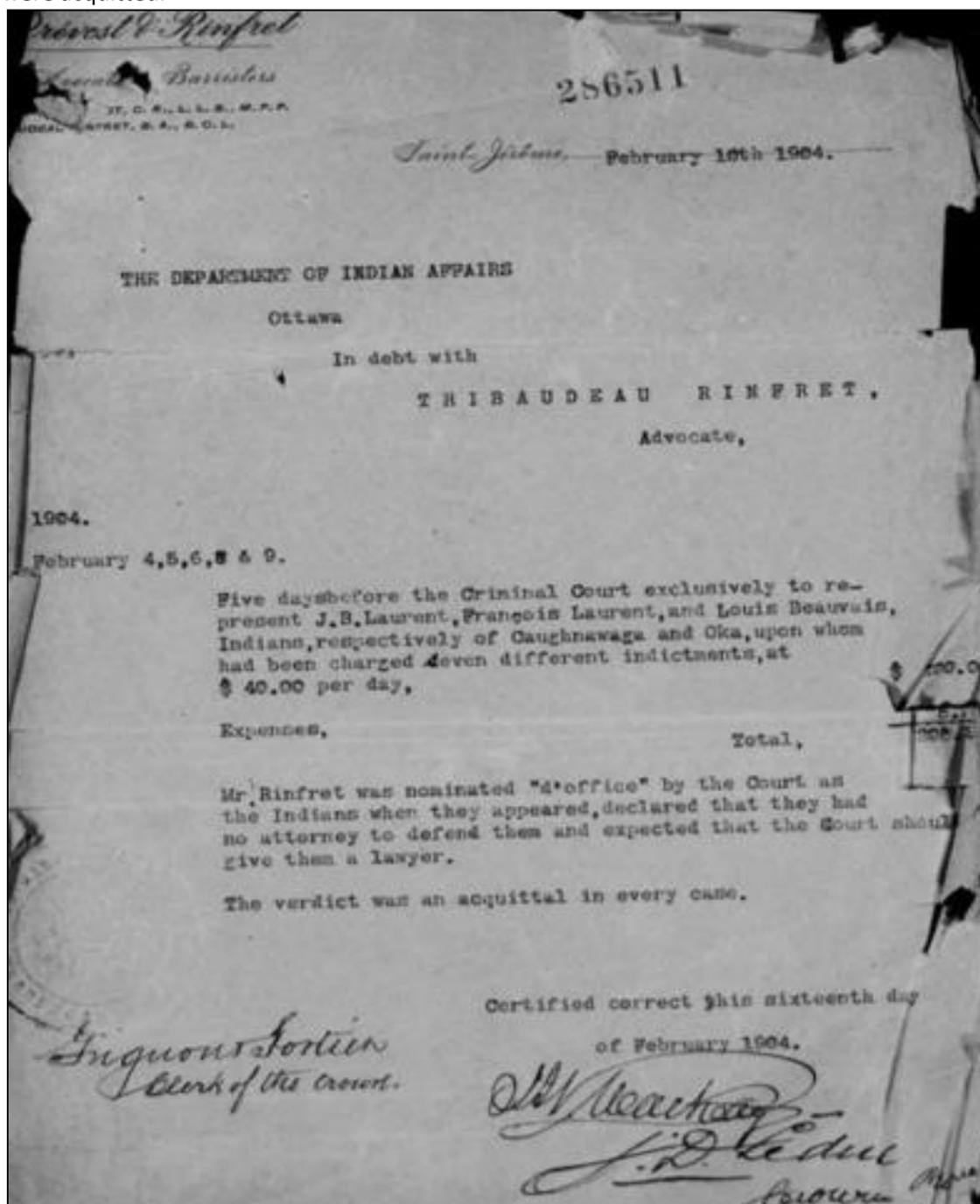
Seven indictments had been preferred against said Indians and their trials passed before the Criminal Court during 4-5-6-8- and 9 February 1904.

Henri D. Taschereau, J.C.S. (Judge at Superior Court)"



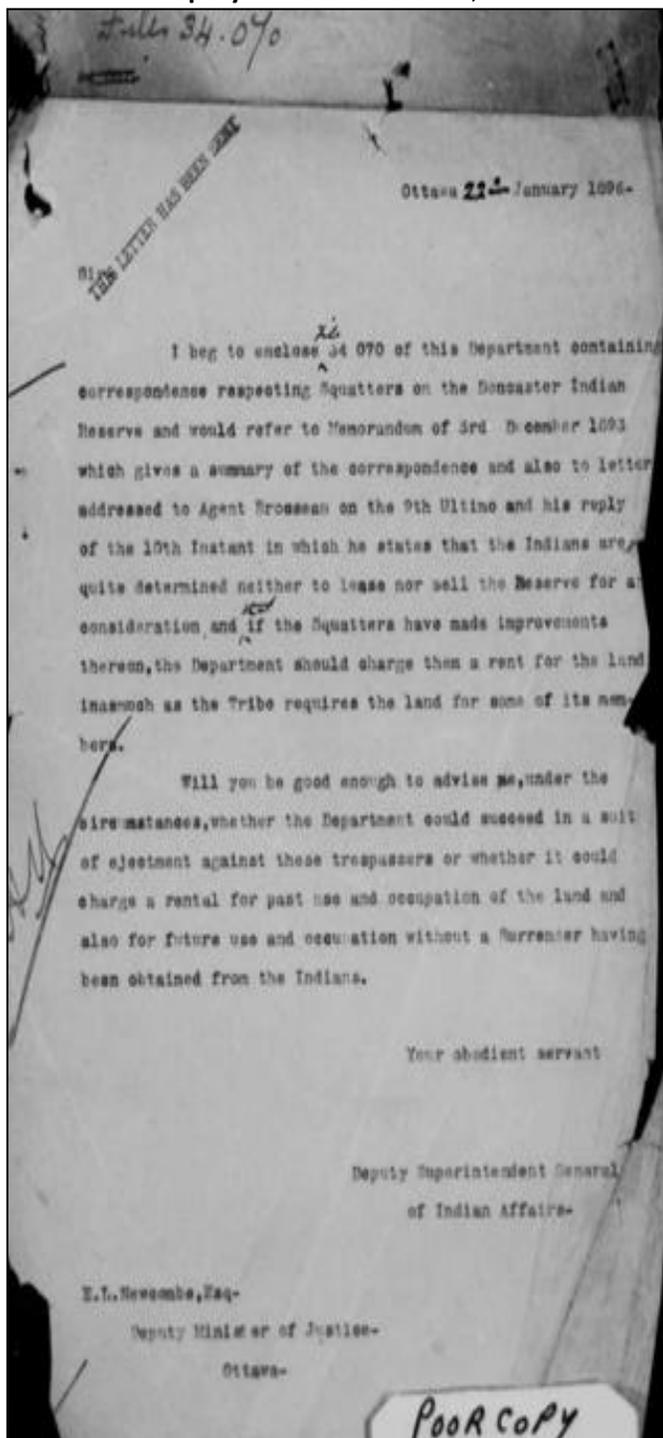
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 3 *Prévost & Rinfret Bassister, Avocat (lawyer) office*, St Jerome, February 10th 1904 to *Grignon & Fortier, Protonotaire de la Cour Supérieure dans et pour le District de Terrebonne* for the Department of Indian Affairs, exposing that JB Laurent, Frs Laurent and Louis Beauvais were acquitted.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 4 File 34.070 memorandum POOR COPY, note: *"This letter has been sent"*. **Ottawa, 22 January 1896**, from **Deputy Superintendent General of Indian Affairs** to **E. L. Newcomb, Esq, Deputy Minister of Justice, Ottawa.**



"Sir,

I beg to enclose this 34 070 of this Department containing correspondences respecting Squatters in the Doncaster Indian Reserve and would refer to Memorandum of 3rd December 1893 which gives a summary of the correspondence and also to letter addressed to Agent Brosseau on the 9th Ultimo and his reply of the 10th instant in which he states that the Indians are quite determined neither to lease nor sell the Reserve for any consideration and if the Squatters have made improvements thereon, the Department should charge them a rent for the land in as much as the Tribe requires the land for some of its members.

Will you be good enough to advise me, under the circumstances whether the Department could succeed in a suit of ejectment against these trespassers or whether it could charge a rental for past use and occupation of the land and also for future use and occupation without a Surrender having been obtained from the Indians.

Your obedient servant

*Deputy Superintendent General
Of Indian Affairs."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 5-6 Doc 191922, Letter from **Ovide Beauchamp, Mayor** and **Leopold André Secretary Treasurer** to the Municipality of Doncaster. **October 19 1897.**

Province de Québec
Municipalité du township
de Doncaster 191922

A une session générale du conseil municipal du township de Doncaster tenue au lieu et à l'heure ordinaire de ses séances, lundi le quatrième jour du mois d'octobre mil huit cent quatre-vingt-dix-sept, conformément aux dispositions du Code Municipal de la Province de Québec, à laquelle session sont présents Monsieur le maire Ovide Beauchamp, et les conseillers Remi Colin, Joseph Perron, Joseph Deslauriers aka Legault, Joseph Huot, Patrick Thouin, formant un quorum sous la présidence de Monsieur le maire,

Il est ordonné et statué par résolution du conseil comme suit

Attendu 1° Qu'une grande partie de ce township appartient à un certain nombre de Sauvages comme réserve et que ces Sauvages, n'y résident pas, ce territoire n'étant pas avantageux, comme lieu de chasse et pêche, et qu'ils n'en retirent aucun profit

Attendu 2° Que cette état de choses nuit aux habitants de cette municipalité, en leur enlevant un grand nombre de lots cultivables dont les propriétaires contribueraient aux charges municipales et scolaire etc.

Attendu 3° Qu'il pourrait être ouvert sur cette partie du township de Doncaster de bons chemins de sortie pour les colons des townships de Chilton et Chertsey.

"Province de Québec, Municipality of Doncaster

To a General Session of the municipal Council of the Doncaster Township Held on site and on ordinary time of its sessions, Monday the fourth day of the month of October eighteen hundred and ninety-seven in accordance with the dispositions of the Criminal Code of the Province of Quebec, in which session were present Mr the Mayor Ovide Beauchamp and the councillors Remi Colin, Joseph Perron, Joseph Deslauriers aka Legault, Joseph Huot, Patrick Thouin, making a quorum under the presidency of Mister the Mayor.

It is ordered and pronounced by resolution Of the Council as follow:

Intended 1: That a great part of this Township belongs first, to a certain number of Savages as a reserve, and that those Savages aren't residing in this territory, not being advantageous, as a good for hunting and fishing and that they do not derive any profits.

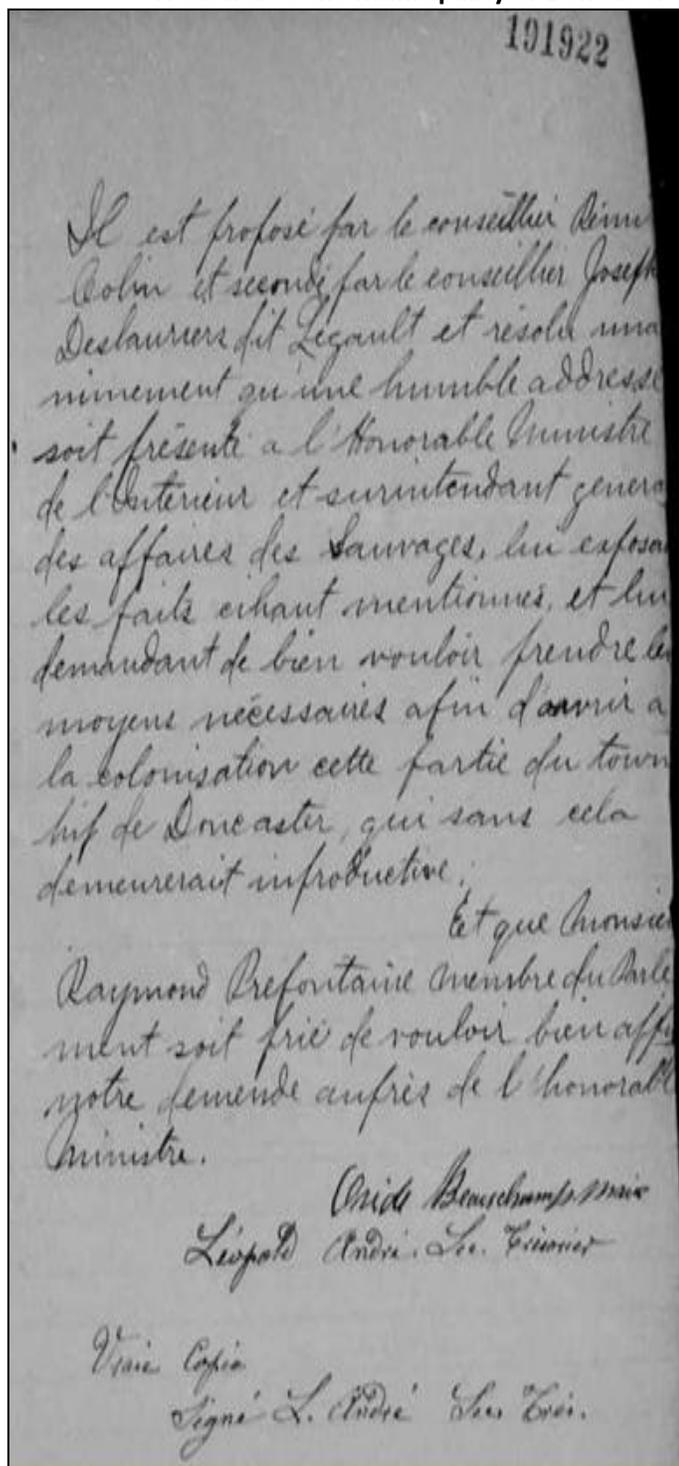
Intended 2: SO this state of affairs Is detrimental

For the inhabitants of this municipality, by retrieving them a great number of arable lots whose owners would contribute to the financial charges, municipal and scholar, etc...

Intended 3: That it could be open on this part of the Township of Doncaster good roads of exits for the settlers of the townships of Chilton and Chertsey...

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 5-6 Doc 191922, Letter from **Ovide Beauchamp, Mayor** and **Leopold André Secretary Treasurer to the Municipality of Doncaster** on **19 October 1897**.



Doc 191922

"... It is proposed by the councillor Remi Colin and seconded by the councillor Joseph Deslauriers aka Legault and resolute unanimously unanimously that a humble address be presented to the Honorable Minister of Interior and to the Surintendant General of Indian Affairs, by exposing him the facts mentioned above and asking him to please take the necessary means in order to open to colonization this part of township of Doncaster, which without it, would remain unproductive.

And that Mister Raymond Prefontaine, member of the Parliament be kindly requested to affirm our request to the Honorable Minister.

Signed:

Ovide Beauchamp, Mayor

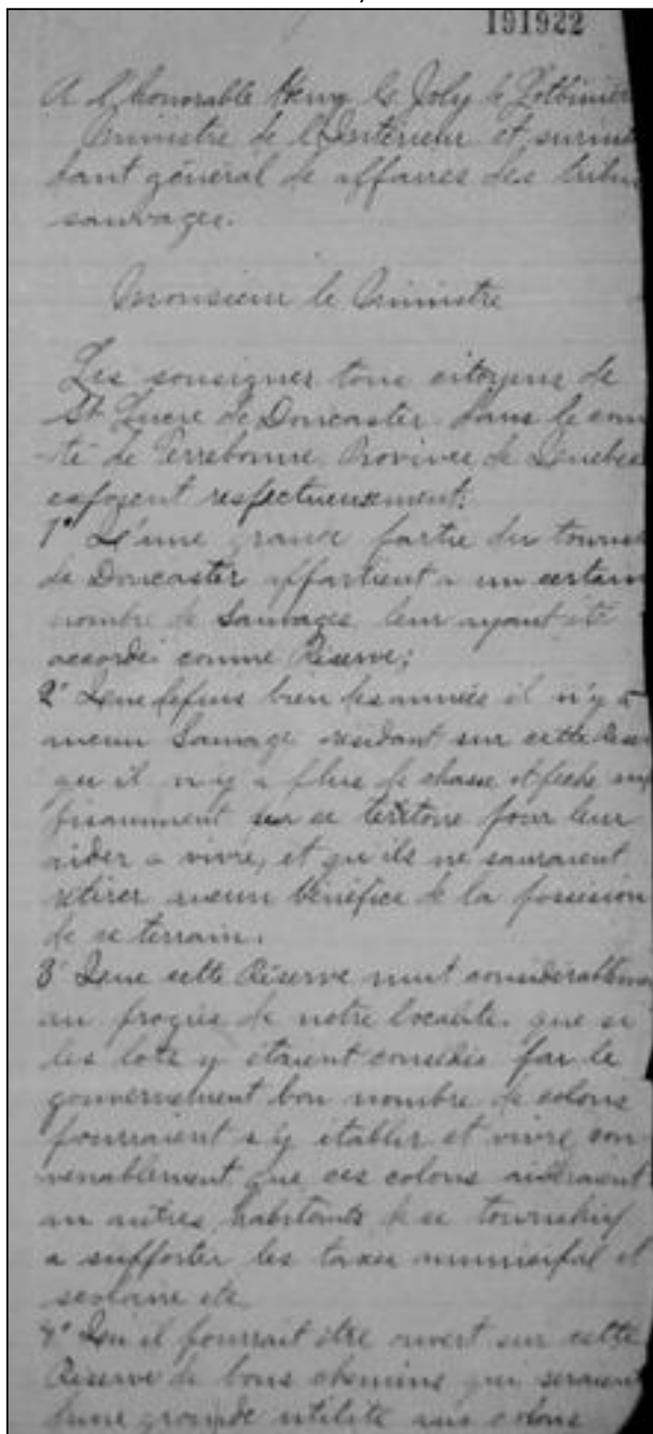
Leopold Andre, Secretary Treasurer

Written below:

"Real copy, signed L. Andre, Sec. Tres."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 7 Doc 191922 **Petition** sent on the **4th of October 1897** to the **Honorable Henry G. Joly of Lobtiniere, Minister of Interior and General Surintendent of tribes of Savages**. (Then: Clifford Sifton 1896-1905)



*"To the Honorable Henry G. Joly of Lobtiniere,
Minister of Interior and General Surintendent of tribes of
Savages. (Then: Clifford Sifton 1896-1905)*

Mister Minister

*The undersigned, all citizens of
Ste Lucie of Doncaster, in the county
Of Terrebonne, Province of Quebec
Are exposing respectfully.*

*1° That a great part of the Township
of Doncaster belongs to a certain
number of Indians having been
granted to them as a Reserve;*

*2° That since several years there is not
any Savages residing in this reserve
there are no hunting and fishing suffi-
ciently on this territory to
help them to survive and that they would not
be able to retire any benefits through the possession
of this land.*

*3° That this Reserve seriously harms
the progress of our locality, that if
these lots were granted by the
government, a good number of colonies
could be able to establish and to live in
adequately that these settlers would help
the other inhabitants of this township
to support the municipal and school
taxes, etc...*

*4° That could be open on this
Reserve some good roads that would be
of great utilities to the settlers..."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 8 Doc 191922 **Petition** sent on the 4th of October 1897 to the **Honorable Henry G. Joly of Lobtiniere, Minister of Interior and General Surintendent of tribes of Savages.**

Doc 191922

"... the townships of Chilton and Chertsey, by getting them close to places of business and from the crossroad line of Canadian Pacific etc..."

For all these reasons and many others
Which will be too long to enumerate.

The subsigned are begging you humbly
Mr. Minister, to take the necessary procedures in order
to be able to grant these various lots
which without this, would remain unproductive.

And our applicants will not cease to praise
Ste Lucie of Doncaster on this 4th of October 1897.

Limoge Ptre Priest	Ovide Beauchamp, Mayor
Roch Thouin	Joseph Perron, Councillor
Israel Thouin	Remi Collin, Councillor
Alexandre Carriere	Joseph Huot, Councillor
Joseph Forget	Joseph (his mark) x Deslauriers aka Legault Councillor

I subsign certify that
The names up here written were signed
In my presence."

191922

Les townships de Chilton et de
Chertsey en les rapprochant d'égales
de commerce et de la ligne du chemin
de fer Canadien etc.
Pour toute ces raisons et bien d'autres
qui seraient trop long d'énumérer.
Les soussignés vous prient humble-
ment Monsieur le Ministre de vouloir
bien prendre les procédures nécessaires afin
d'arriver à concéder ces nombreux lots
qui sans cela demeureraient improductifs.

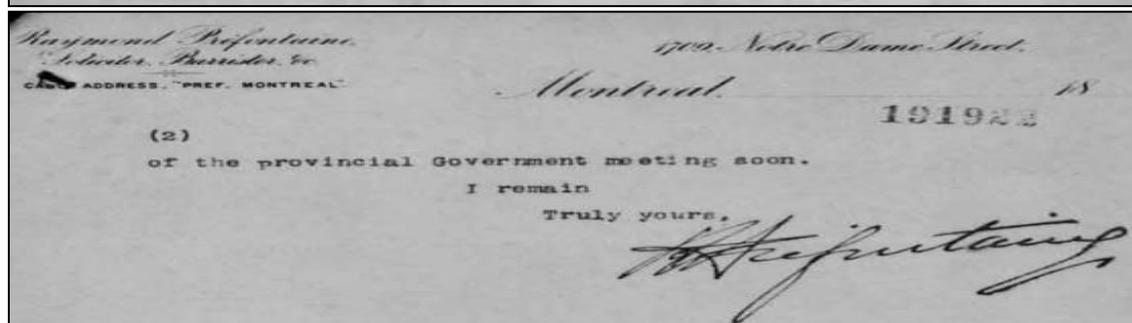
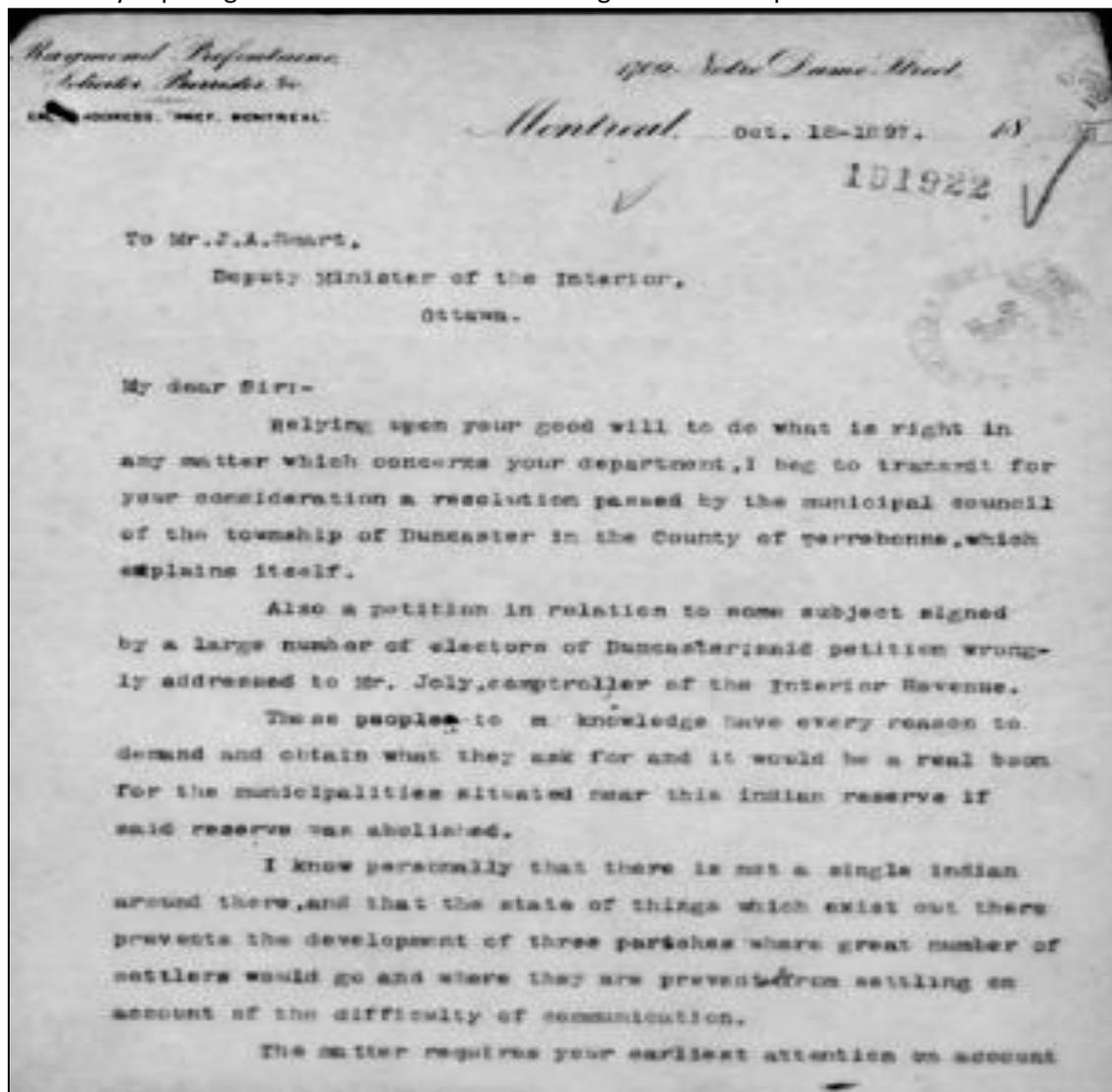
Et nos requérants ne cessent de louer
St Lucie de Doncaster ce 4 octobre 1897.

M. Limoge Ptre Curé	Ovide Beauchamp Maire
Roch Thouin	Joseph Perron conseiller
Israel Thouin	Remi Collin conseiller
Alexandre Carrière	Joseph Huot conseiller
Joseph Forget	Joseph (his mark) x Deslauriers conseiller
Alphonse Charrette	Patrice Thériault conseiller
Edmond André	
Edmond André	
Alphonse Charrette	
Joseph Forget	
Alphonse Charrette	
Alphonse Charrette	

Je soussigné certifie que
les noms ci-haut écrit ont été
en ma présence.

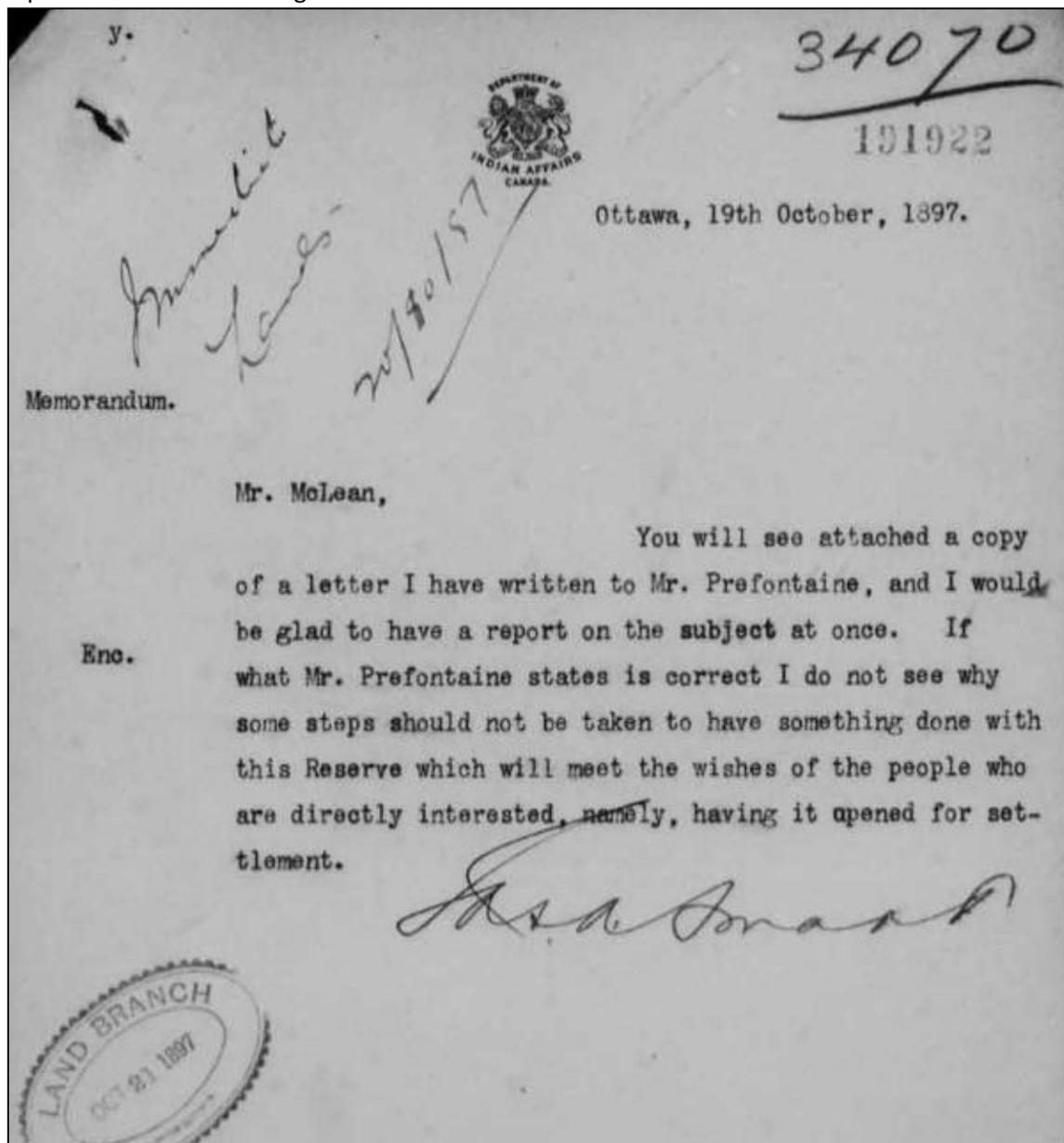
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 9-10 Letter from **Raymond Prefontaine, Solicitor, Barrister**, 1709 Notre Dame Street, Montreal, **18 October 1897** to **J.A. Smart, Deputy Minister of Interior in Ottawa**, promoting the settlers by exposing that the Indians are not coming to live and exploit Doncaster.



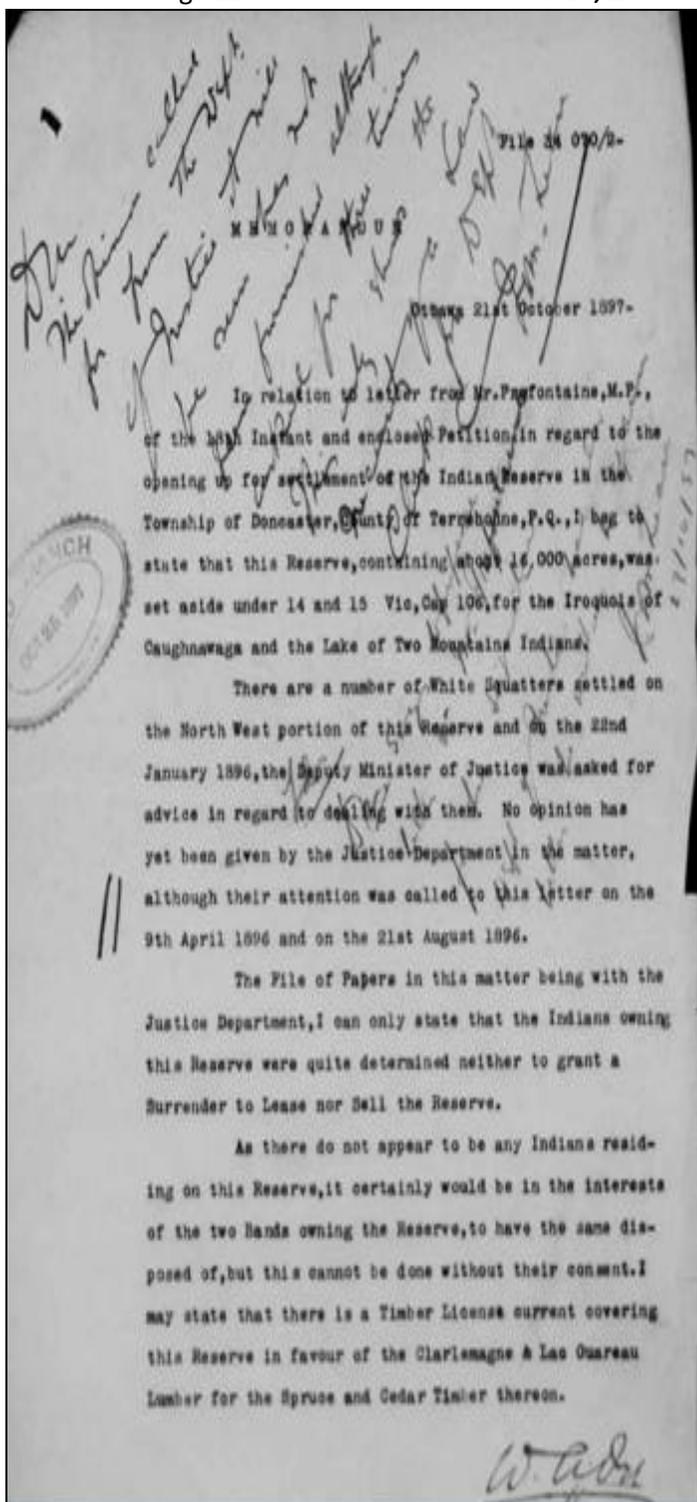
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 11 Memorandum letter from to **J.A. Smart, Deputy Minister of Interior** in Ottawa from **October 19, 1897** to exposing to **Mr McLean Secretary** of Indian Affairs that the settlers claim to exploit the land should be granted.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 12 Memorandum of **October 13, 1897** letter of **McLean's Secretary**.



A note on top: (another note from October 13, 1897 is unreadable)

"Sir, The opinion calling for from the Dept of Hunting & Mines be seen has not been furnished although can be ... for tree timber ... of a law ... for Dept McLean"

"Ottawa, 21st October 1897.

In relation to letter from Mr Prefontaine, M.P Of the Instant and enclosed Petition, in regard to the opening of for settlement of the Indian Reserve in the Township of Doncaster, County of Terrebonne, P.Q, I beg to state that this Reserve, containing about 16,000 acres, was set aside under 14 and 15 Vic, Cap 106 for the Iroquois of Caughnawaga and the Lake of Two Mountains Indians.

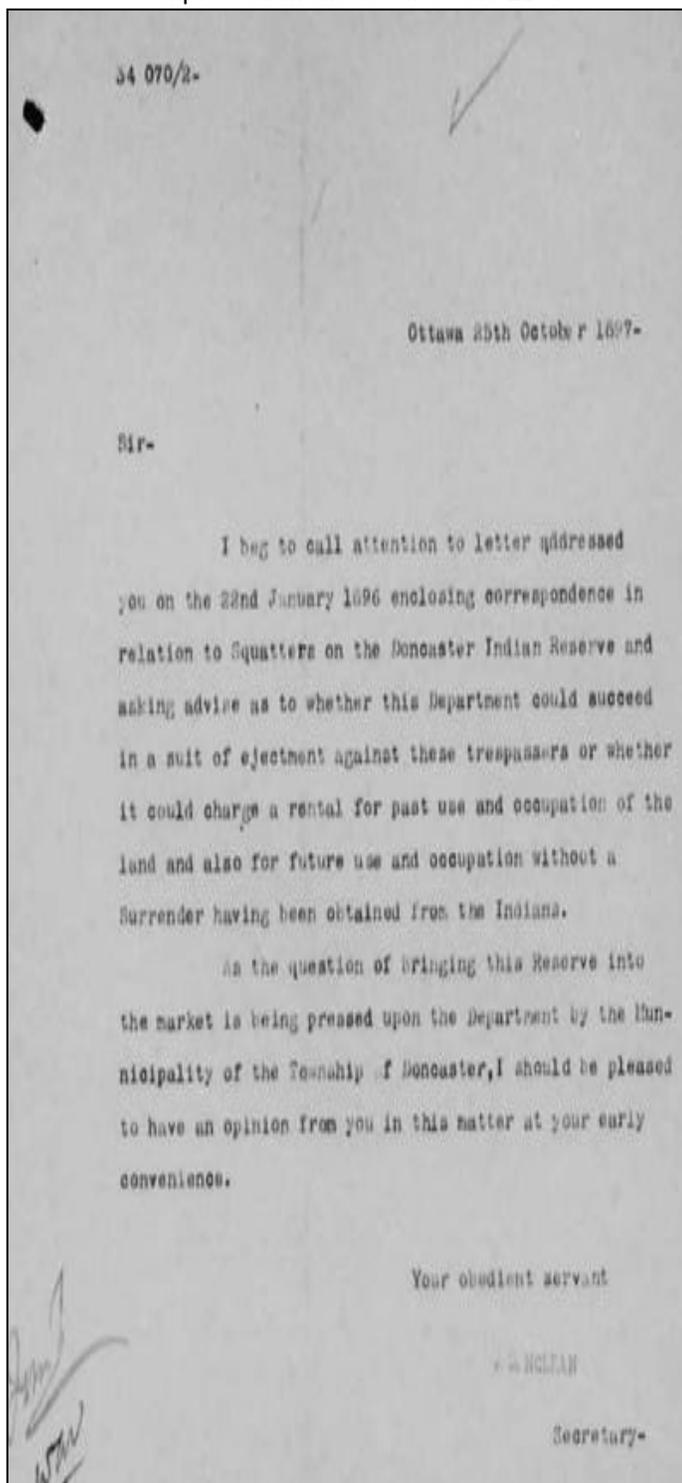
There are number of White Squatters settled on the North West portion of that reserve and on the 22nd January 1896, the Deputy Minister of Justice was asked for advice in regard to dealing with them. No opinion has yet been given by the Justice Department in the matter, although their attention was called to this letter on the 9th April 1896 and on the 21st August 1896.

The file of Papers in this matter being with the Justice Department, I can only state that the Indians owning this Reserve were quite determined neither to grant a Surrender to Leave nor Sell the Reserve.

As there do not appear to be any Indians residing in this Reserve, It certainly would be in the interests of the two Bands owning the Reserve, to have the same disposed of, but this cannot be done without their consent. I may state that there is a Timber License current covering this reserve in favour of the Clarlemagne à Lac Ouareau Lumber for the Cedar Timber thereon.
W. Adrs."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 13 **McLean** answers his Department on **25 October 1897** by exposing to present situation expressed in the letter of the 22nd.



34 070/2

"Ottawa, 25th October 1897

Sir,

I beg to call attention to letter addressed you on the 22nd January 1896 enclosing correspondence in relation to Squatters on the Doncaster Indian Reserve and asking advice as to whether this Department could succeed in a suit of ejection against these trespassers or whether it could charge a rental for past use and occupation of the land and also for future use and occupation without a surrender having been obtained from the Indians.

As the question of bringing this Reserve into the market is being pressed upon the Department by the Municipality of the Township of Doncaster, I should be pleased to have an opinion from you in this matter at your early convenience.

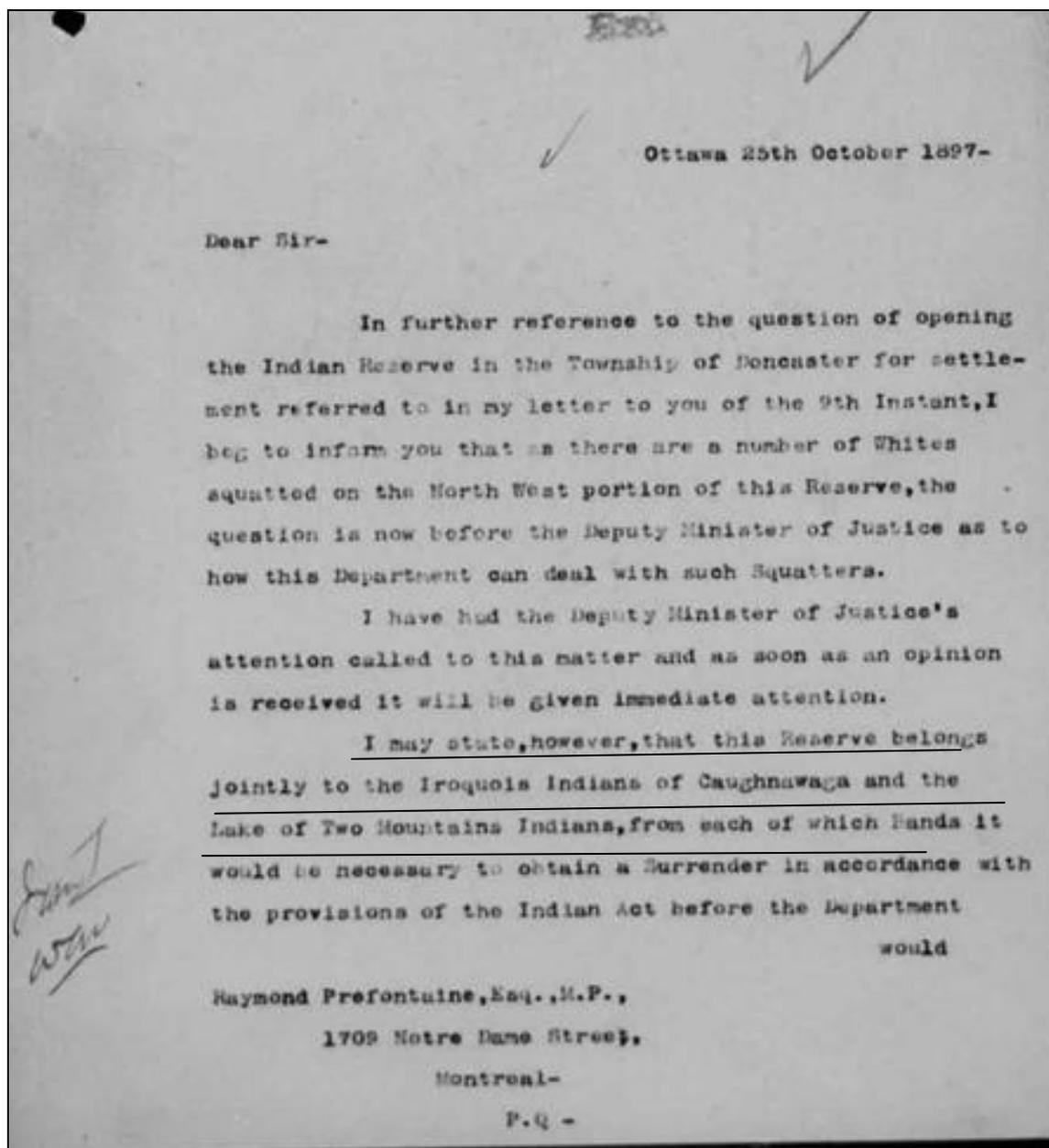
Your Obediant Servant

McLean

Secretary."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 14-15 Letter of **October 25th 1897** by **Raymond Prefontaine, Liberal MP** answering the letter of **McLean secretary of Indian Affairs** from the 9th of October 1897 in which he clearly exposed that the permissions given by the Indians would be necessary in order to obtain a Surrender.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 14-15 Letter of **October 25th 1897** by **Raymond Prefontaine, Liberal MP** answering the letter of **McLean secretary of Indian Affairs** from the **9th of October 1897** in which he clearly exposed that the permissions given by the Indians would be necessary in order to obtain a Surrender.

He clearly exposes that:

"Although, these Bands have been approached in regard to surrendering the Reserve for sale, they appeared to be quite determined neither to grant a Surrender for the purpose of sale or of leasing the Reserve."

Though he also exposed that:

"There is at present a current Timber License covering this Reserve held by the Charlemagne & Lac Ouareau Lumber Company for the Spruce and Cedar Timber thereon, which under the existing Regulations of the Department, in case of surrender and sale of any Lot, would remain in force for a period of three years from the date of sale as regards the Spruce Timber.

*Yours Truly,
McLean."*

would be in a position to dispose of the Reserve as in the interests of the Bands concerned.

Although these Bands have been approached in regard to surrendering the Reserve for sale, they appeared to be quite determined neither to grant a Surrender for the purpose of sale or of leasing the Reserve.

There is at present a current Timber License covering the Reserve held by the Charlemagne & Lac Ouareau Lumber Company for the Spruce and Cedar Timber thereon, which, under the existing Regulations of the Department, in case of surrender and sale of any Lot, would remain in force for a period of three years from the date of sale as regards the Spruce Timber.

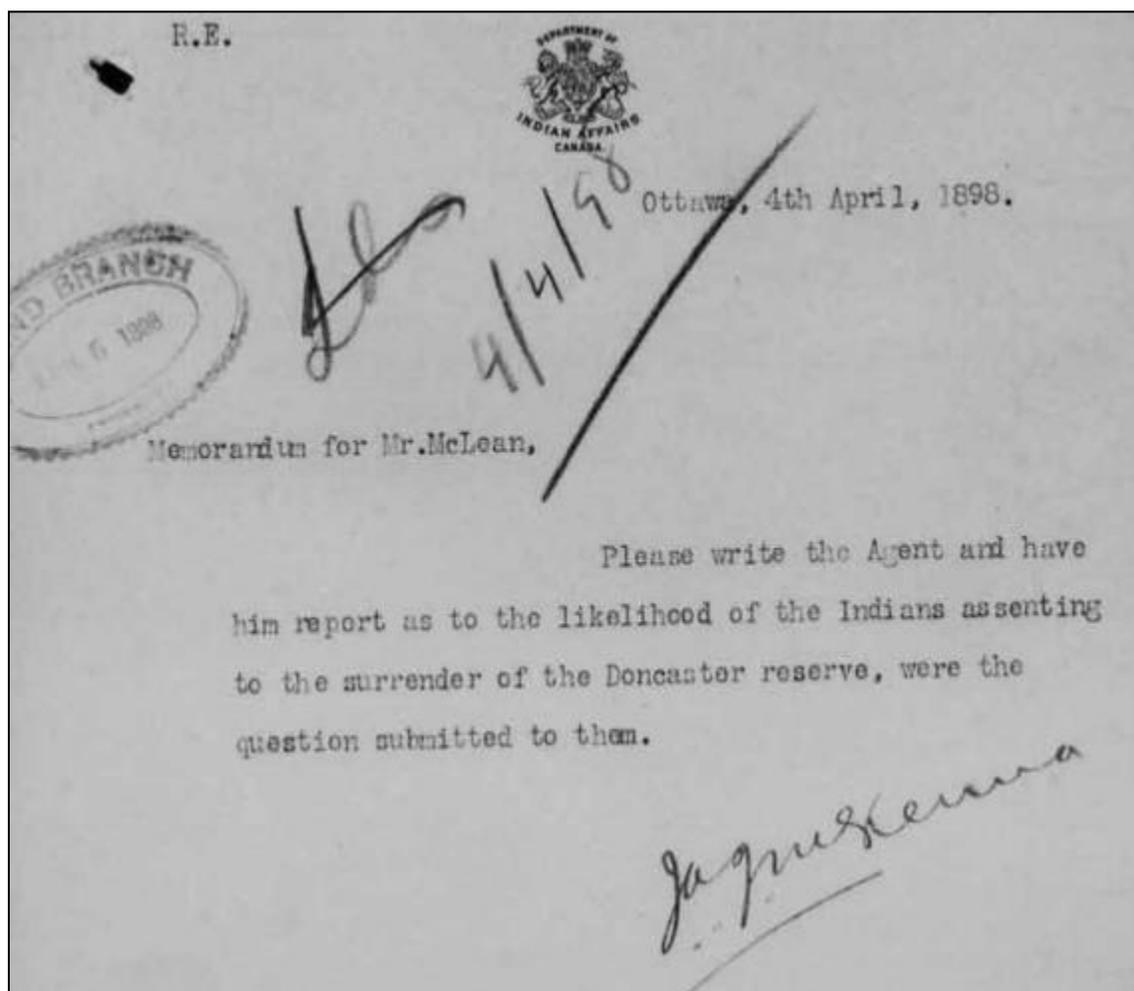
Yours truly
J. D. MCLEAN

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 16 **James Andrew McKenna, Private Secretary** of superintendent general, (Clifford **Sifton**) to **McLean secretary of Indian Affairs**, asking to have a report sent to his **Agent** to have him report on **April 4, 1898**;

“as to the likelihood of the Indians assenting to the surrender of the Doncaster Reserve, were the question submitted to them.

J.A” McKenna”



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

McKENNA, JAMES ANDREW JOSEPH

In January 1897 the new superintendent general, Clifford **Sifton**, selected McKenna as his private secretary for work connected with the department. Later that year he sent McKenna, along with Thomas Gainsford Rothwell, to work out a settlement with the British Columbia government regarding the administration of the Railway Belt and the Peace River Block, lands that the province had conveyed to Ottawa in order to assist the construction of a transcontinental railway. The second-class clerk was promoted to first-class the following year.

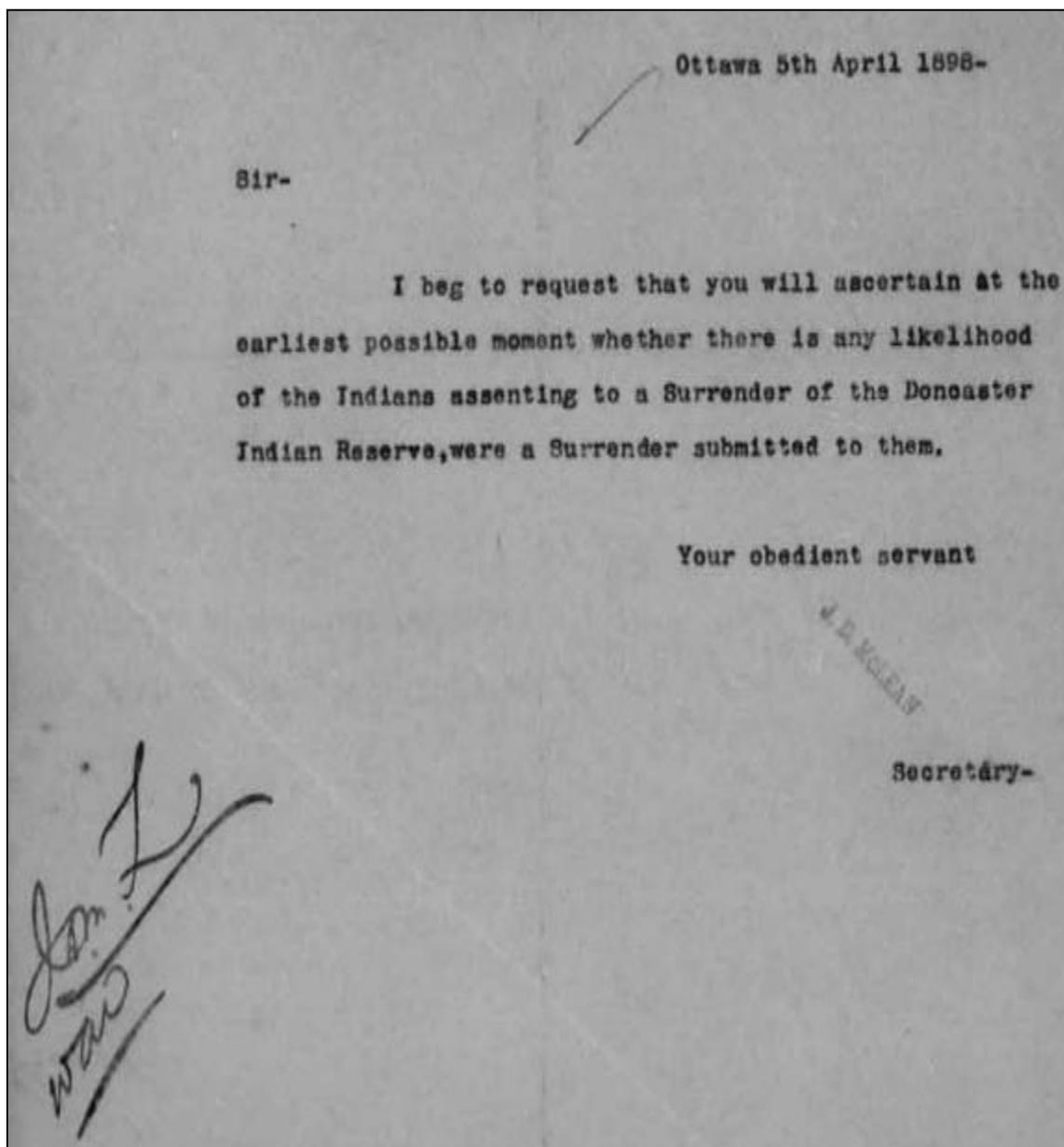
In 1899 McKenna was chosen to join Indian commissioner David Laird and James Hamilton Ross of the North-West Territorial government in negotiating Treaty No.8 with the Indians in the District of Athabasca and northeastern corner of British Columbia, an area disturbed by gold seekers en route to the Klondike . The terms offered were similar to those in earlier treaties except that, on McKenna's initiative, the option of taking land in severalty rather than in reserves was provided. His other proposal, that the Indians be given a lump sum in lieu of annuities, was rejected by Sifton on Laird's advice. The treaty was successfully negotiated over the summer, with each commissioner following an exhausting itinerary. McKenna visited Fort St John (near Fort St John), B.C., Fort Dunvegan (Dunvegan, Alta), Fort Chipewyan, and Fort McMurray to secure adhesion to the agreement by various bands in meetings that were at times tense.

Land claims from the mixed-blood population of the region were dealt with by separate commissioners who worked in conjunction with the Treaty 8 party. Such claims in the rest of the North-West Territories had not yet been satisfied fully and on 2 March 1900 two new commissions were established to handle them. McKenna and Major James Walker constituted the one for the districts of Assiniboia and Alberta. The large number of claims could not be settled in the allotted time and on 16 March 1901 McKenna was appointed sole commissioner to dispose of those remaining. He continued the work until 1904.⁴⁷

⁴⁷ E. Brian Titley, "McKENNA, JAMES ANDREW JOSEPH," in *Dictionary of Canadian Biography*, vol. 14, University of Toronto/Université Laval, 2003–, accessed May 22, 2017, http://www.biographi.ca/en/bio/mckenna_james_andrew_joseph_14E.html.

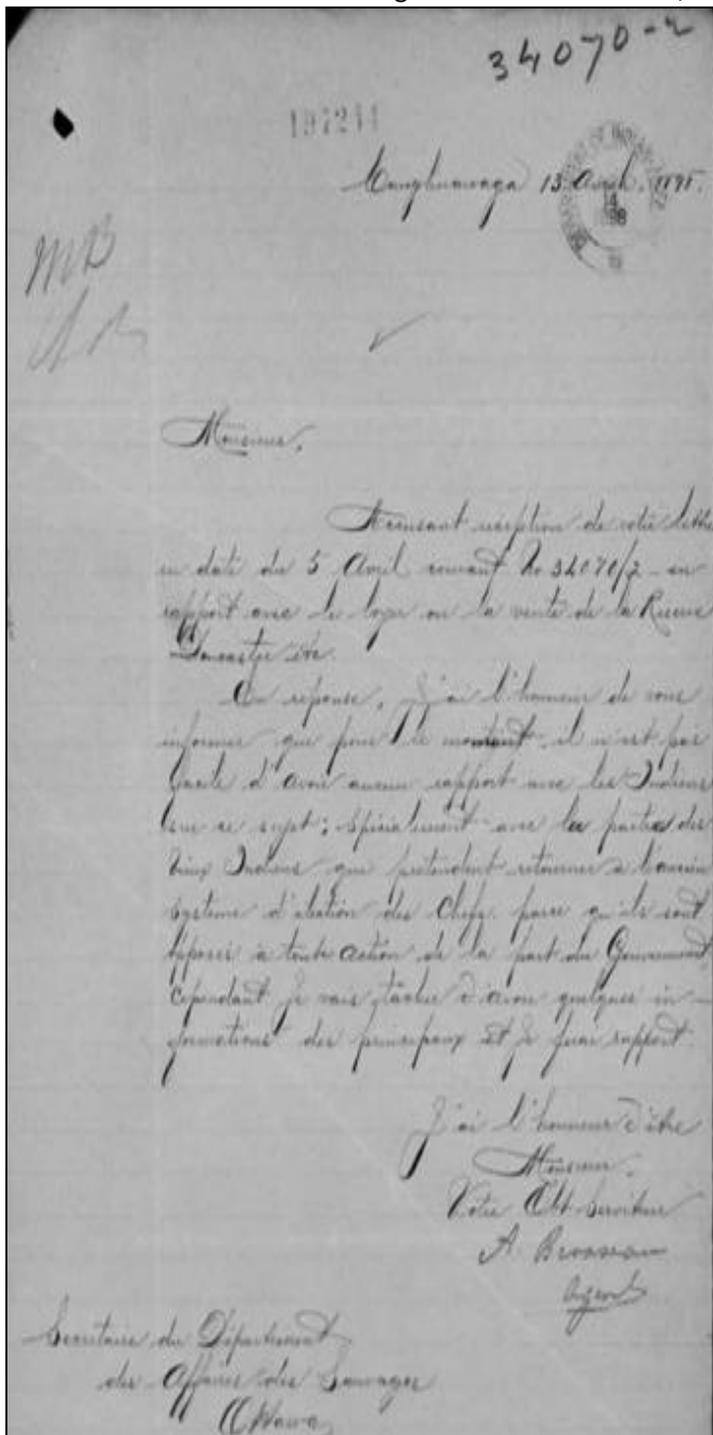
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 17 J.D. MacLean, Assistant Deputy and Secretary, Department of Indian Affairs "beg to request that" James Andrew McKenna, Private Secretary of superintendent general on 5 April 1898, to "ascertain at the earliest possible moment whether there is any likelihood of the Indians assenting to a Surrender of the Doncaster Reserve, were a Surrender submitted to them."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 18 **Agent Alexander Brosseau** exposing the position of certain Chiefs planning on going back to a traditional governance to MacLean, on **13 April 1898**.



34070-2 page 197244

"Caughnawaga, 13 April 1898

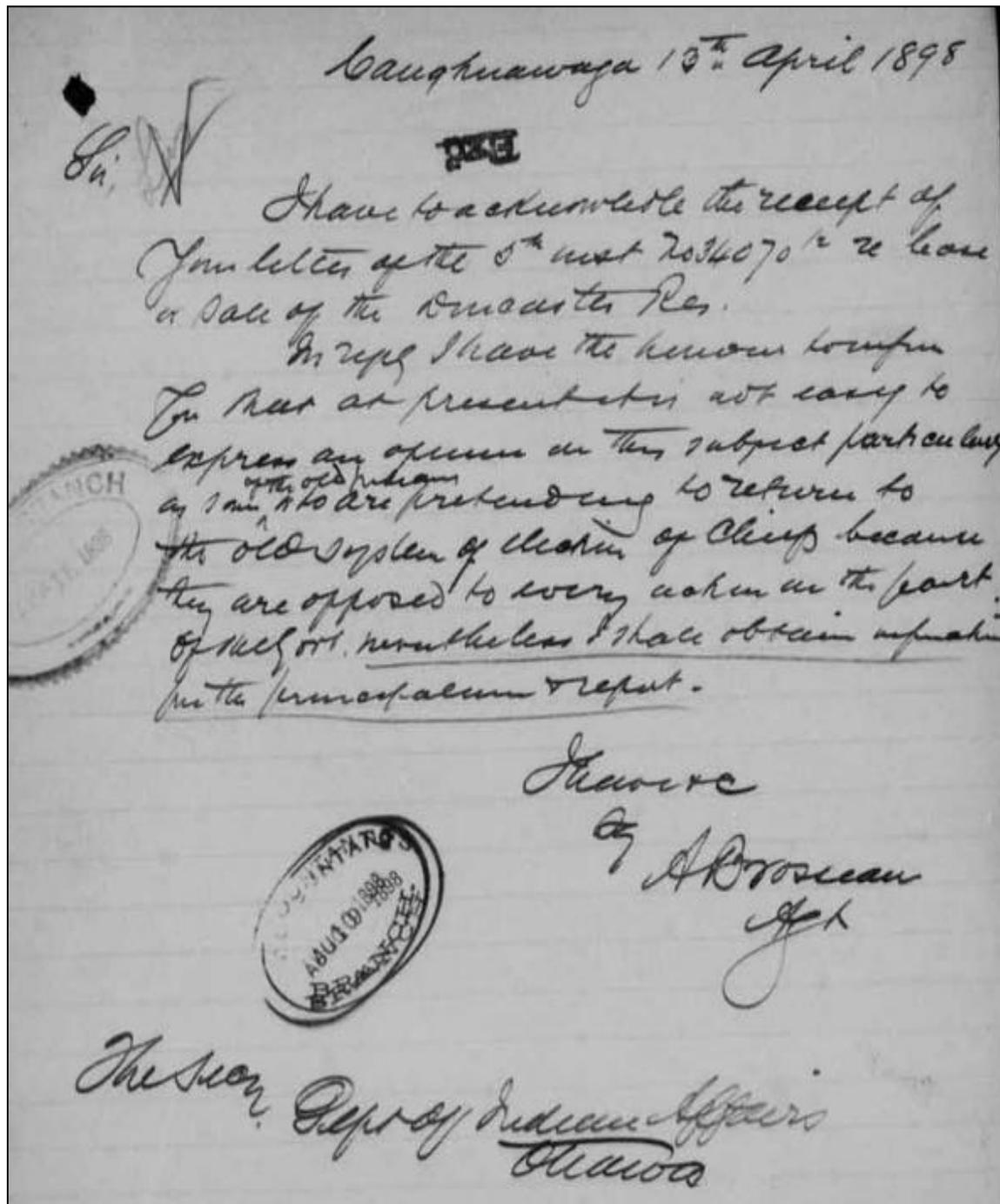
Mister,
Accusing reception of your letter
dating of the current 5th April No 34070/2, in
link with the rent or the sales of the Reserve
Doncaster, etc.

In response, I have the honor to
inform you that for the amount, it is not
easy to obtain any report with the Indians
on that matter: especially with the party of
Old Indians who are pretending to be returning to the ancient
election system of Chiefs, because they are
opposed to all action on behalf of the government;
though, I will try to obtain some in-
formations from the principals and I will submit a report.

I have the honor to be
Sir
Your Devoted Servant
A. Brosseau
Agent."

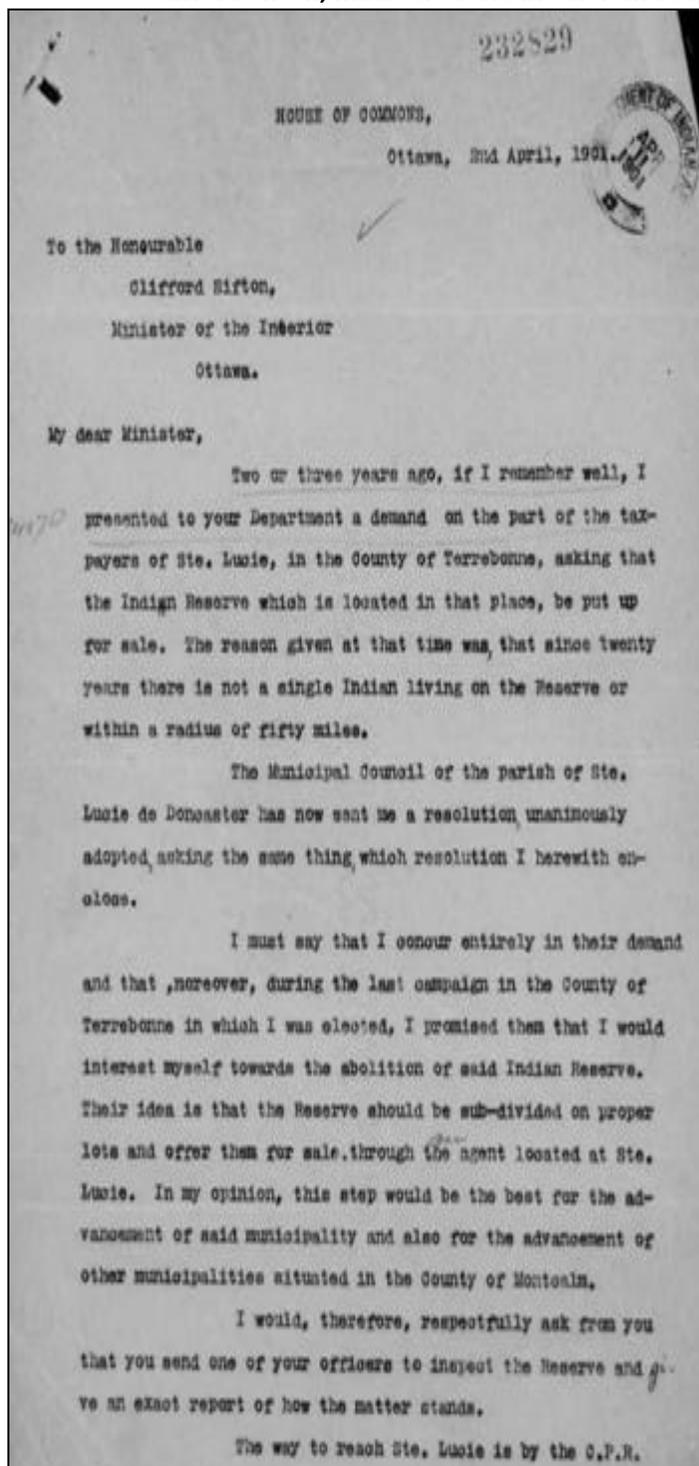
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 19 Translation of the previous letter of 13 April 1895 of Indian Agent Alexander Brosseau exposing the position of certain Chiefs planning on going back to a traditional governance to MacLean.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 20-21 Letter of **October 25th 1897** by **Raymond Prefontaine, Liberal MP** sending a letter to **Clifford Sifton, minister of the interior and superintendent general of Indian affairs.**



Page 232829

*"House of Commons
Ottawa, 2nd April 1901*

*To the Honourable
Clifford Sifton,
Minister of the Interior
Ottawa*

My Dear Minister

Two or three years ago, if I remember well, I Presented to your Department a demand on the part of the taxpayers of Ste. Lucie, in the County of Terrebonne, asking that the Indian Reserve which is located in that place, be put up for sale. The reason given at that time was, that since twenty years there is not a single Indian living on the Reserve or within a radius of fifty miles.

The Municipal Council of the parish of Ste. Lucie de Doncaster has now sent me a resolution, unanimously adopted, asking the same thing, which herewith enclose.

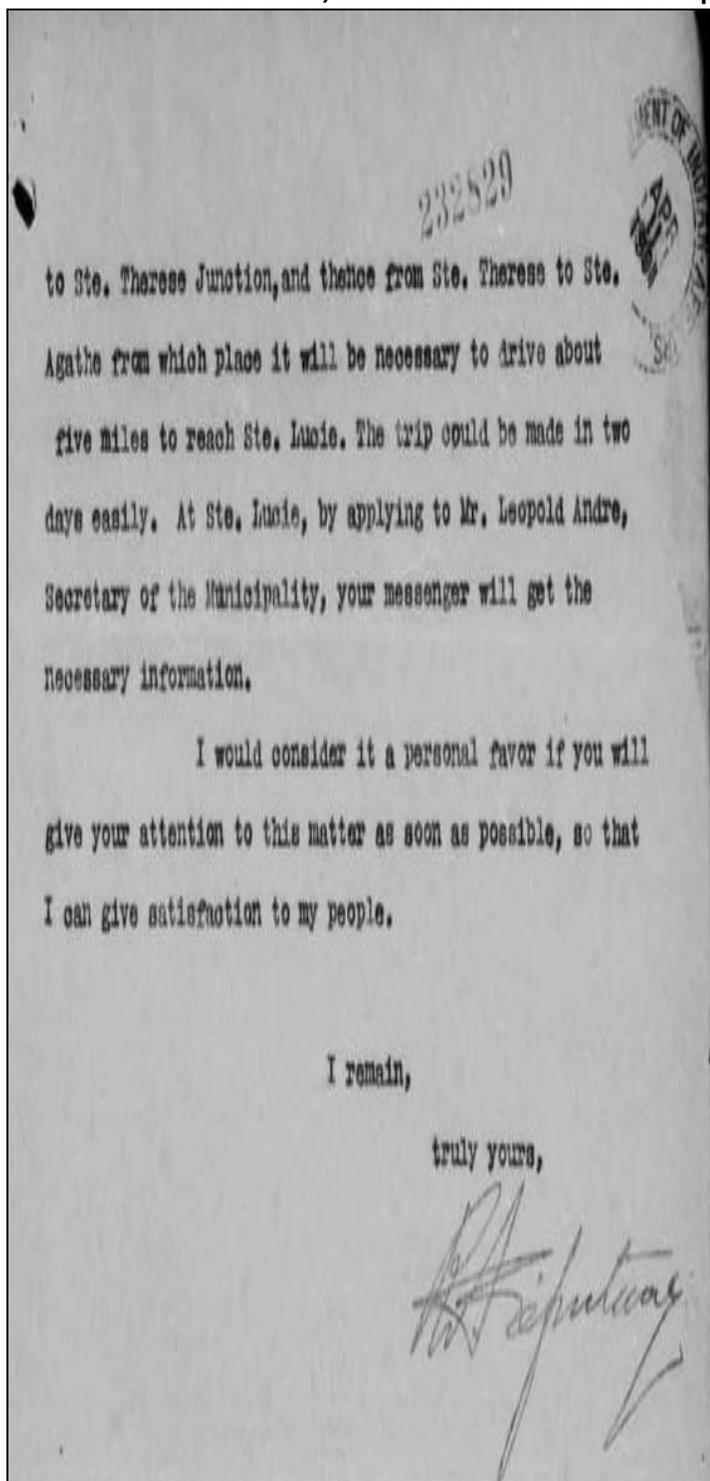
I must say that I honour entirely in their demand and that, moreover, during the last campaign in the County of Terrebonne in which I was elected, I promised them that I would interest myself toward the abolition of said Indian Reserve. Their idea is that the Reserve should be sub-divided on proper lots and offer them for sale, through an agent located at Ste. Lucie. In my opinion, this step would be the best for the advancement of said municipality and also for the advancement of other municipalities situated in the County of Montcalm.

I would therefore, respectfully ask from you that you send one of your officers to inspect the Reserve and give an exact report of how the matter stands.

The way to reach Ste. Lucie is by the C.P.R. ..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 20-21 Letter of **October 25th 1897** by **Raymond Prefontaine, Liberal MP** sending a letter to **Clifford Sifton, minister of the interior and superintendent general of Indian affairs**.



Page 232829

"... to Ste. Therese Junction, and thence from Ste.

*Agathe from which place it will be necessary to drive about five miles to reach Ste. Lucie. The trip could be made in two days easily. At Ste. Lucie, by applying to **Mr. Leopold Andre, Secretary of the Municipality**, your messenger will get the necessary information.*

I would consider it a personal favor if you will give your attention to his matter as soon as possible, so that I can give satisfaction to my people.

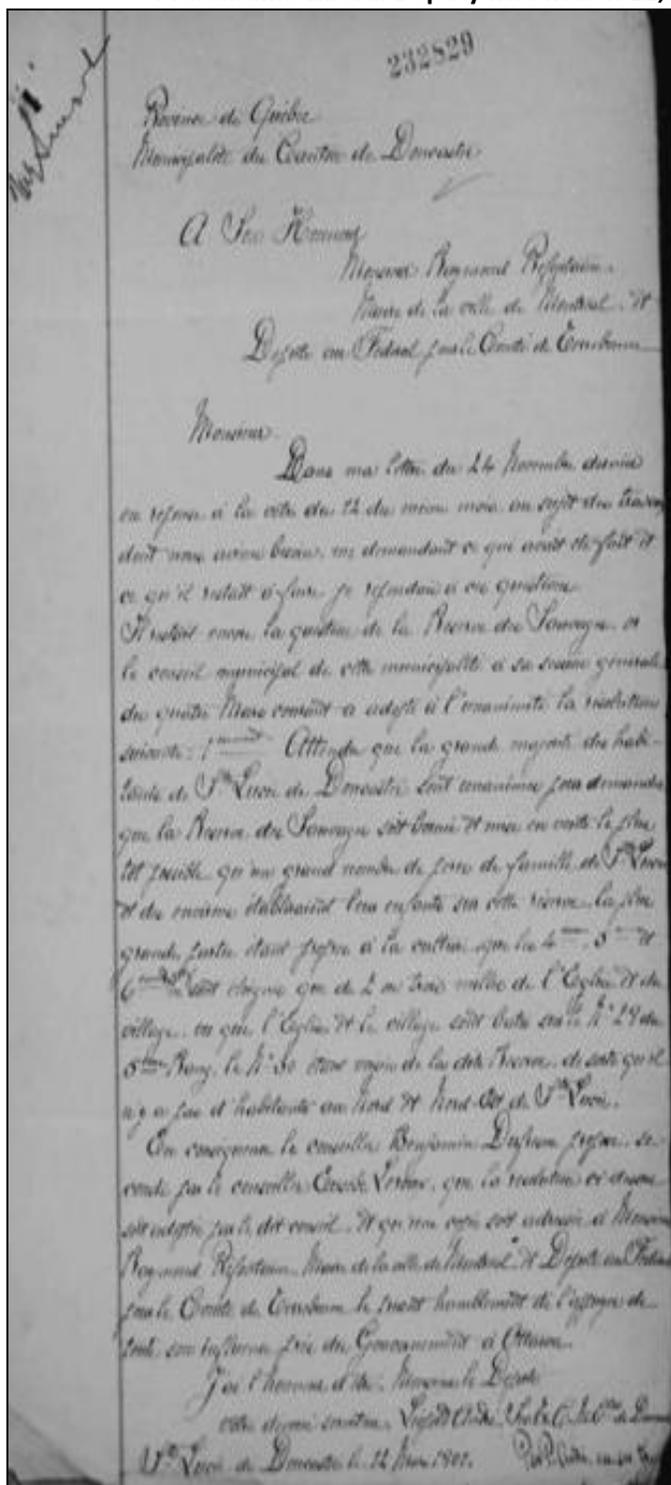
I remain,

Truly yours,

Raymond Prefontaine.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 22 Letter from **P. André Assistant Secretary Treasurer of Doncaster** to **Raymond Prefontaine Liberal Deputy MP. March 12, 1901.**



Page 232829

"Province of Quebec
Municipality of Doncaster

To His Honor
Sir Raymond Prefontaine
Mayor of the City of Montreal, and
Federal Deputy in the County of Terrebonne.

Sir,
In my letter of the last November 24
on answer to yours from the 12 of the present concerning the works
needed, wondering what was accomplished and
what was left to be done, I will answer your question.

Was remaining the question of the Reserve of Savages, so
the municipal council of this municipality at the general session
of the current March 4th adopted at unanimity the following
resolution: 1st Considering that a great majority of the in-
habitants of Ste. Lucie of Doncaster are unanimous to ask
that the Reserve of Savages be banned and put for sales as soon
as possible, that a great number of family fathers of Ste. Lucie
and surrounding areas establish their children in this reserve. The
hugest part being convenient for culture, that the 4th, 5th and
6th roads being distant by only 2 or three miles of the church and
the village, or that the Church and the vilage are built between the **N° 29 and
the 5th road, the N° 30 being neighbour of the said Reserve**, making that
there are no inhabitants on the North and North-East side of Ste. Lucie.

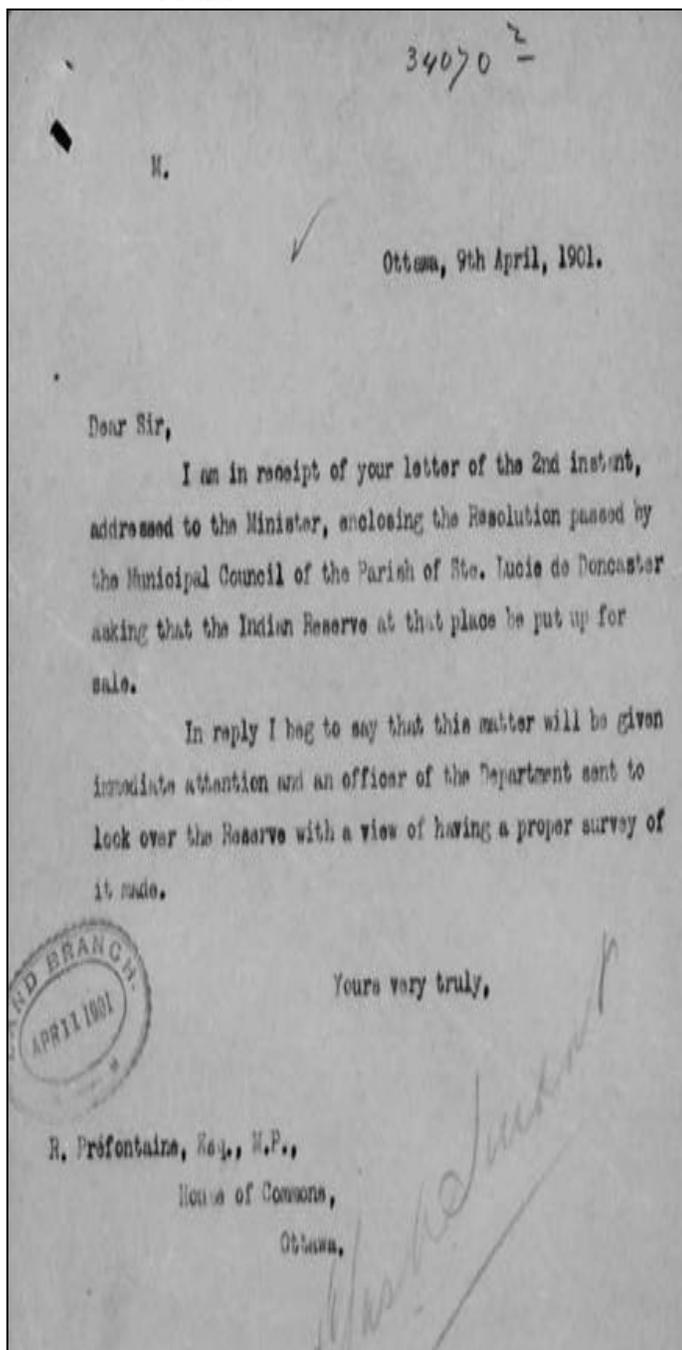
Consequently, the Councillor **Benjamin Dufresne** propose, seconded
by the **Councillor Eusebe Leroux**, that the resolution above
be adopted by the said Council, And that a copy be addressed to Mr.
Raymond Prefontaine, Mayor of the city of Montreal and federal Deputy
in the County of Terrebonne, praying him humbly to use
all his influence to the Government at Ottawa.

I have the honor to be Sir Deputy,
Your devoted servant, **Leopold Andre**, Sec. (Secretary) Council of Doncaster
Ste Lucie of Doncaster, March 12, 1902.

By P. Andre, Assistant Secretary Treasurer."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 23 Reception confirmation to Prefontaine's office from **9 April 1901** from **William James Tucker**.



Doc : 34070

Ottawa, 9th April, 1901

(To Mr Prefontaine, House of Commons,
Ottawa.)

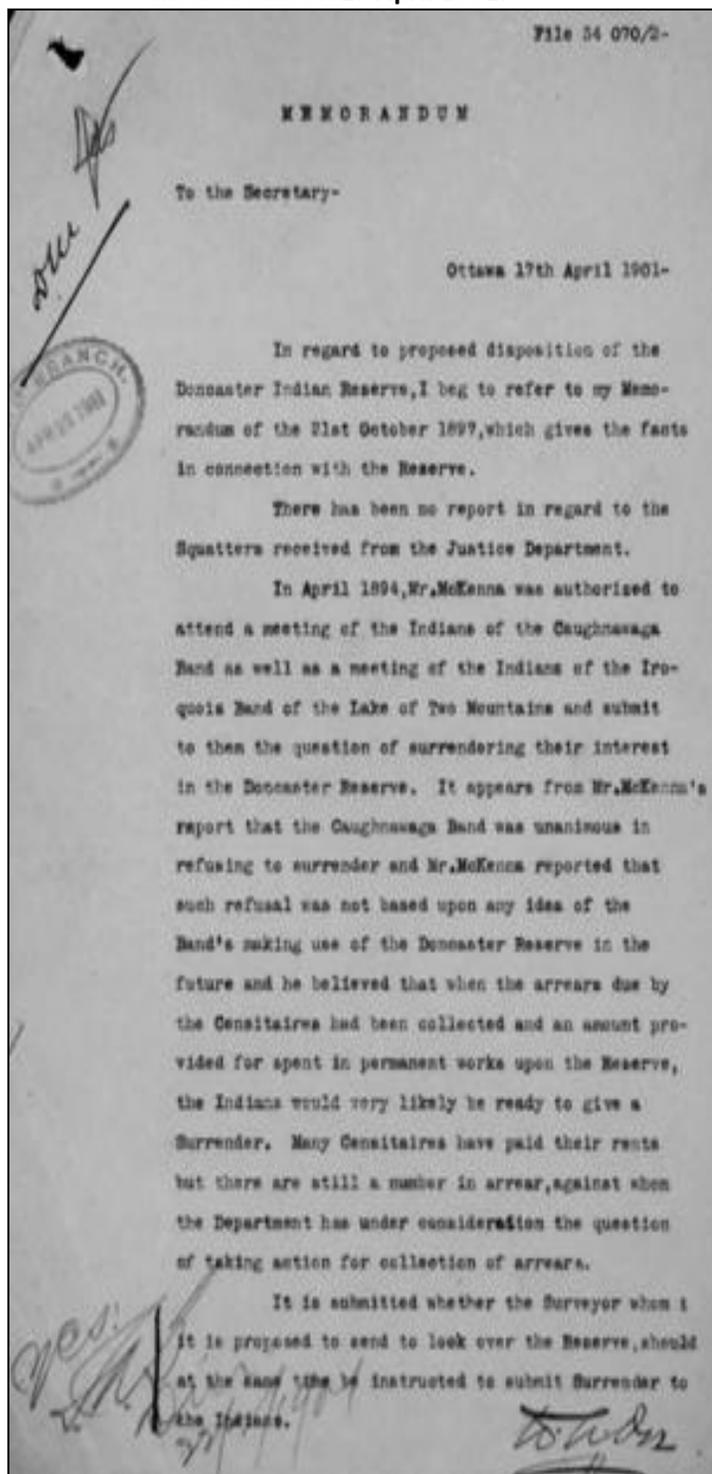
*"Dear Sir,
I am in receipt of your letter of the 2nd instant,
addressed to the Minister, enclosing the Resolution passed by
the Municipal Council of the Parish of Ste. Lucie de Doncaster
asking the Indian Reserve at that place be put up for
sale.*

*In reply I beg to say that this matter will be given
immediate attention and an officer of the Department sent to
look over the Reserve with a view of having a proper survey of
it made.*

*Yours very truly,
William Jas. Tucker.,
Land Branch, House of Commons,
Ottawa."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 24 Memorandum correspondence of **April 17, 1901** to the **Secretary of Indian Affairs** by his assistant on **17 April 1901**.



File 34 070/2

MEMORANDUM

To the Secretary

"Ottawa 17th April 1901

In regard to proposed disposition of the Doncaster Indian Reserve, I beg to refer to my Memorandum of the 21st October 1897, which gives the facts in connection with the Reserve.

There has been no report in regard to the Squatters received from the Justice Department.

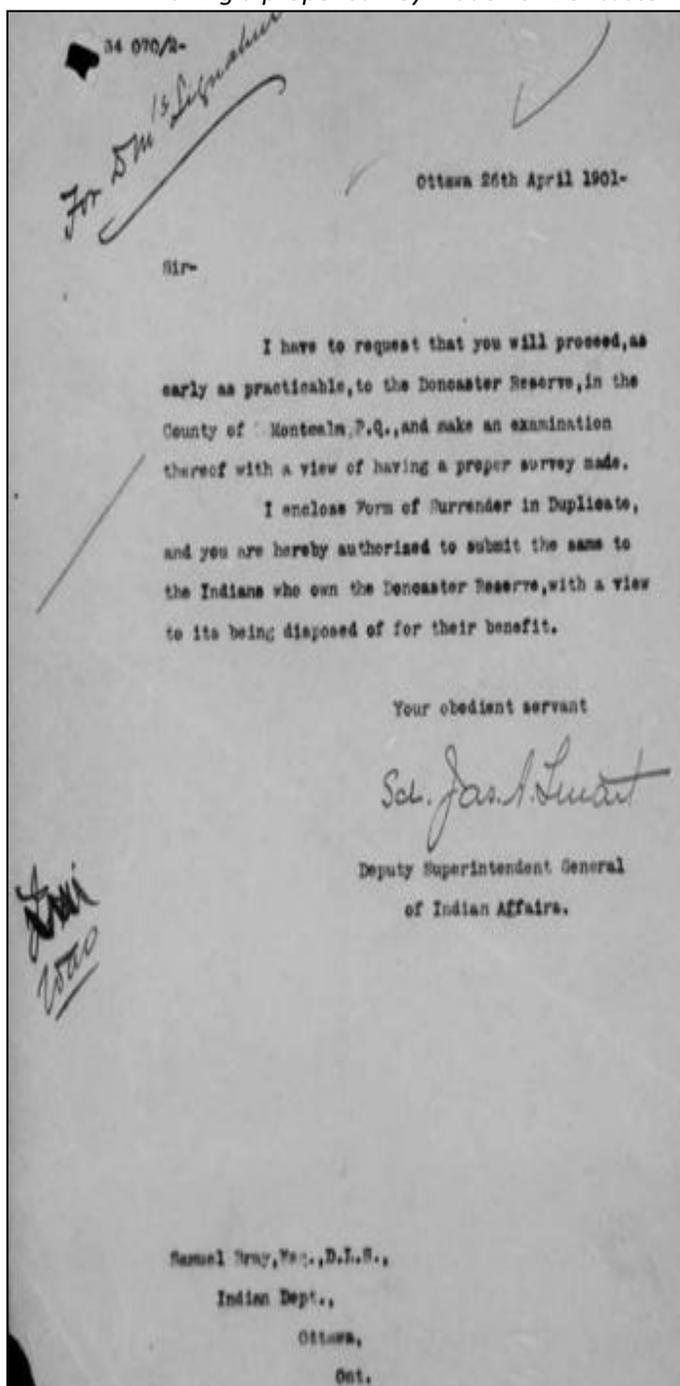
In April 1894, Mr McKenna was authorised to attend a meeting of the Indians of the Caughnawaga Band as well as a meeting of the Indians of the Iroquois Band of the Lake of Two Mountains and submit to them the question of surrendering interest in the Doncaster Reserve. It appears from Mr. McKenna's report that Caughnawaga Band was unanimous in refusing to surrender and Mr. McKenna reported that such refusal was not base upon any idea of the Band's making use of the Doncaster Reserve in the future and he believed that when the arrears due by the Censitaires had been collected and an amount provided for spent in permanent works upon the Reserve, the Indians would very likely be ready to give a Surrender. Many Censitaires have paid their rents but there are still a number in arrear, against whom the Department has under consideration the question of taking action for collection of arrears.

It is submitted whether the Surveyor whom I it is projected to send to look over the Reserve, should at the same time be instructed to submit Surrender to the Indians."

(Unidentified Secretary)

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 25 Letter from **24 April 1901** from **James A. Smart, Deputy Superintendent of Indian Affairs** to pressure **Surveyor in Chief Samuel Bray** to “*make an examination thereof with view of having a proper survey made*” of Doncaster.



Page 34 070/2

“Ottawa 24th April 1901

Sir

I have to request that you will proceed, as early as practicable, to the Doncaster Reserve, in the County of Montcalm P.Q. and make an examination thereof with view of having a proper survey made.

I enclose Form of Surrender in Duplicate, and you are hereby authorized to submit the same to the Indians who own the Doncaster Reserve, with a view to its being disposed of for their benefit.

Your obedient servant.

Sct. Jas. A. Smart
Deputy Superintendent General
of Indian Affairs

Samuel Bray, Esq., D.L.S.,
Indian Dept.,
Ottawa
Ont.”

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 26 Surveyor in **Chief Samuel Bray** answering a week later on **2 May 1901** to **James A. Smart, Deputy Superintendent of Indian Affairs**, proposing his schedule to do so.

34 070-

Ottawa, 2nd May, 1901-

Dear Sir,

I have received instructions to inspect the Doncaster Indian Reserve, and to prepare a report thereon. I have then to proceed to Caughnawaga, and from there to Oka, to obtain, if possible, a Surrender of the Reserve from the two Bands.

I propose to leave Ottawa on Monday, the 6th Instant, but am unable to tell you when I will be in Caughnawaga, as I do not know how long the inspection of the Reserve may last. I will, however, send you notice by wire, at the earliest possible date, in order that you may call the necessary meetings of the Indians, for the purpose of submitting the Surrender.

In the mean time I shall feel obliged if you will inform the Chief and Councillors of what is proposed, and endeavour to impress them with the fact that it would be to their advantage to surrender the Doncaster Reserve.

A. Brosseau, Esq.
Indian Agent,
Caughnawaga, P. Q.

Yours truly,
S. Bray
Chief Surveyor-

34 070

Ottawa, 2nd May, 1901.

"Dear Sir,

I have received instructions to inspect the Doncaster Indian reserve, and to prepare a report thereon. I have then proceed to Caughnawaga, and from there to Oka, to obtain, if possible, a Surrender of the Reserve from the two parties.

I propose to leave Ottawa on Monday, the 6th Instant, but am unable to tell you when I will be in Caughnawaga, as I do not know how long the inspection of the reserve may last. I will, however, send you notice by wire, at the earliest possible date, in order that you may call the necessary meetings of the Indians, for the purpose of submitting to Surrender.

In the mean time I shall feel obliged if you will inform the Chief and Councillors of what is proposed, and endeavour to impress them with the fact that it would be to their advantage to surrender the Doncaster Reserve.

A. Brosseau, Esq

Indian Agent

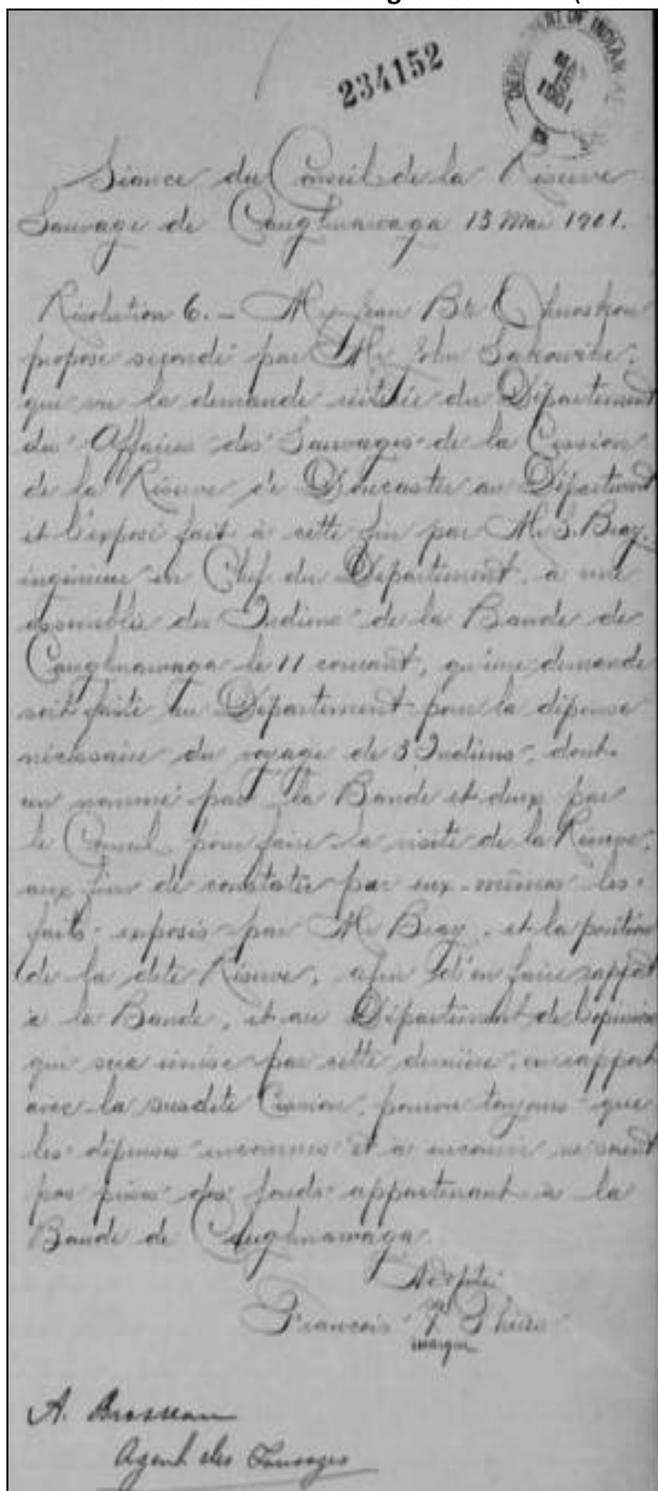
Yours truly

J. Bray.

Caughnawaga."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 27 Council meeting of the Reserve of Savage of Caughnawaga, **May 13, 1901**. **Francois Thires** and **Indian Agent Brosseau**. (Transcribed on page 38)



Page 234152

"Council Meeting of the Indian Reserve of Caughnawaga, May 13, 1901.

Resolution 6.- Mr Jean Baptiste Ohweskon proposes, seconded by Mr John Sakowihe, who since the request reiterated by the Department of Indian Affairs from the Cession of the Reserve of Doncaster to the Department and by exposing facts for this purpose by M.S. Bray Ingenior in Chief of the Department to an assembly of Indians from the Band of Caughnawaga, the 11th, that a request be made to the Department for the expense necessary for the travelling fees of the 3 Indians, including one named by the Band and two by the Council to make a visit of the Reserve in order to observe by themselves the facts exposed by Mr Bray, and the position of the said Reserve in order to prepare a Report to the Band, and to the Department, about the opinion which interfere by the this last one, related to the above-mentioned Cession, provided always that the expenses incurred and to incur are not being taken from the funds belonging to the Band of Caughnawaga.

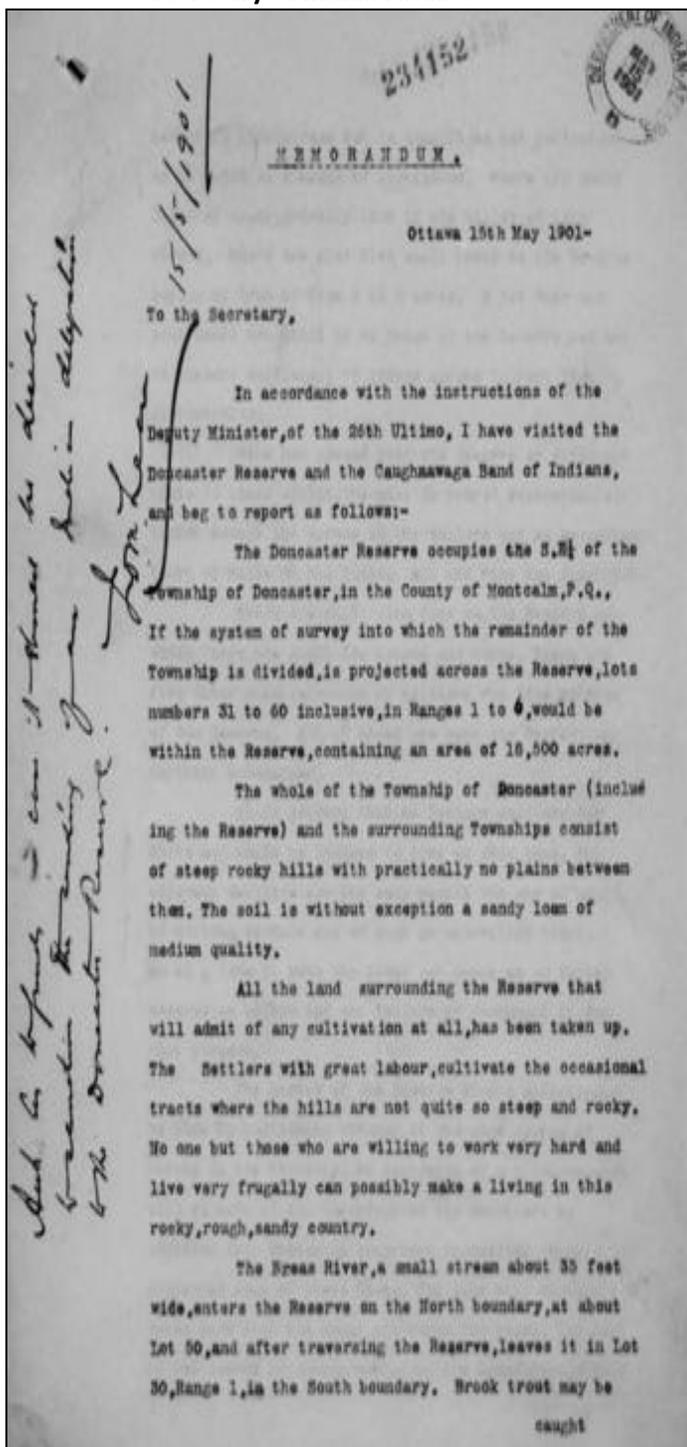
Adopted

his
Francois X Thires
mark

A Brosseau
Indian Agent"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 28 (page 1/5) : Memorandum from **15 May 1901** of **Samuel Bray, Chief Surveyor to the Secretary of Indian Affairs.**



234152

MEMORANDUM

Ottawa 15th May 1901-

"To the Secretary

In accordance with the instructions of the Deputy Minister, of the 26th Ultimo, I have visited the Doncaster Reserve and the Caughnawaga Band of Indians, and beg to report the follow-

The Doncaster Reserve occupies the S.E. 1/4 of the Township of Doncaster, in the County of Montcalm, P.Q. If the system of survey into which the remainder of the Township is divided, is projected across the Reserve, lots numbers 31 to 60 inclusive, in Range 1 to 6 would be within the Reserve, containing 16,500 acres.

The whole of the Township of Doncaster (including the Reserve) and the surrounding Townships consist of steep rocky hills with practically no plains between them. The soil is without exception a sandy loam of medium quality.

All the land surrounding the Reserve that will admit of any cultivation at all, has been taken up. The Settlers with great labour, cultivate the occasional tracts where the hills are not quite so steep and rocky. No one but those who are willing to work very hard and live very frugally can possibly make a living in this rocky, rough, sandy country.

The Breas River, a small stream about 35 feet wide, enters the Reserve on the North boundary, at about Lot 50, and after traversing the Reserve, leaves it in Lot 30, Range 1, is the South boundary. Brock trout may be caught..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

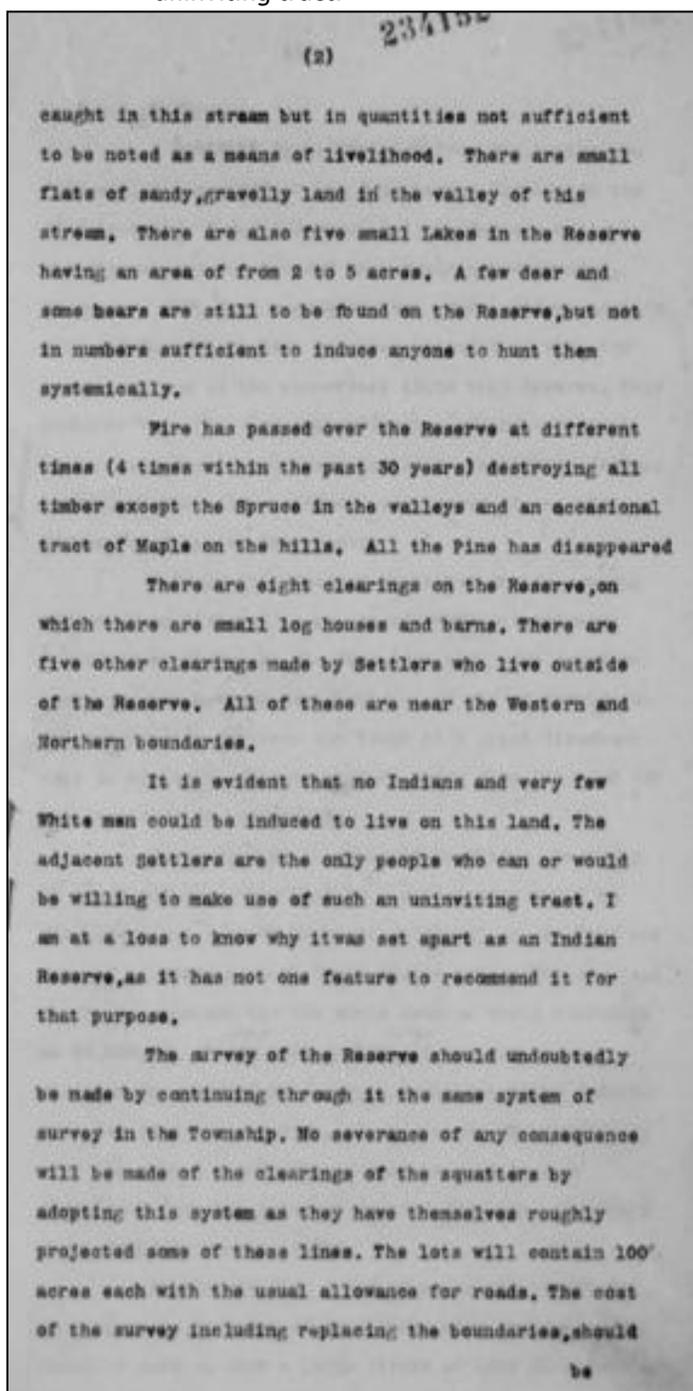
Page 28 **Speculative** transcription of the note written by the **Indian Agent Mclean** on the left side of the MEMORANDUM of **15 May 1901**:

"... as upons ... can ... be decided
of sanction tion the of you Indian delegation
of the Doncaster Reserve
McLean
15th May 1901"

A photograph of a handwritten note on a document page. The text is written in cursive and reads: "Such as to funds, in case it should be decided to sanction the sending of an Indian delegation to the Doncaster Reserve." The signature "Tom McLean" is written below the text. The document page has a grid of small, printed text visible at the bottom, which is partially obscured by the handwriting.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 29 (page 2/5) **Samuel Bray, Chief Surveyor** promoting the Squatters by saying: *"It is evident that no Indians and very few White men could be induced to live on this land. The adjacent Settlers are the only people, who can or would be willing to make use of such an uninviting tract."*



Page 243152

"... caught in this stream but in quantities not sufficient to be noted as a means of livelihood. There are small flats of sandy, gravelly land in the valley of this stream. There are also five small Lakes in the Reserve having an area of from 2 to 5 acres. A few deer and some bears are still to be found on the Reserve, but not in numbers sufficient to induce anyone to hunt them systematically.

Fire as passed over the Reserve at different times (4 times within the past 30 years) destroying all timber except the Spruce in the valleys and an occasional tract of Maple on the hills. All the Pine has disappeared.

There are eight clearings on the Reserve, on which there are small log houses and barns. There are five other clearing made by Settlers who live outside of the Reserve. All of these are near the Western and Northern boundaries.

It is evident that no Indians and very few White men could be induced to live on this land. The adjacent Settlers are the only people, who can or would be willing to make use of such an uninviting tract. I am at loss to know why it was set apart as an Indian Reserve, as it has not one feature to recommend it for that purpose.

The survey of the Reserve should undoubtedly be made to continuing through it the same system of survey in the Township. No severance of any consequence will be made of the clearings of the squatters by adopting this system as they have themselves roughly projected some of these lines. The lots will contain 100 acres each with the usual allowance for roads. The cost of the survey including replacing the boundaries should be..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 30 **234152** (page 3/5) **Samuel Bray, Chief Surveyor**. This mention appears on the left margin: "*Exclusive of costs of survey, 38 C Mil. Cost survey.*"

234152

13)

be about \$1500.

I wired Mr. Agent Brosseau from Ste. Agathe, who duly called a meeting of the Caughnawaga Indians on the 11th Instant, I was informed that the Indians had already met and had decided they would not surrender. It appears they feel aggrieved that some business matters with the Department have not been attended to with the promptness and in the manner they think they deserve. This together with the very real grievance of their Capital having been spent some years ago in a practically useless survey, has made them extremely suspicious of any step contemplated by the Department.

I found this feeling prevailed at the meeting. However, they listened to my address very attentively. I laid great stress on the fact that they were asked to surrender the Reserve especially as an act of justice to the surrounding Settlers who found it a great disadvantage in not being able to collect taxes from the land for the construction of roads &c.

They asked me a number of questions. In reply to one I informed them that 30 cents an acre would be the lowest sum they would receive for any of the land and some of it would be sold for a higher price. The smallest sum to be received for the whole Reserve would, therefore be \$5,500.00. It was evident that, if the sum to be realized was very much larger, it would not be an inducement for them to surrender. They stated very truthfully that the annual amount which would be paid to each individual from the interest derived from this sum every year, would be a mere trifle.

I informed them I had no authority to mention or suggest an exchange of land for a more desirable locality such as near a large stream or Lake in a remote District

Exclusive of costs of survey
of 38 C Mil. Cost survey.

Page 234152

"... be about \$1500.

I wired Mr. Agent Brosseau from Ste. Agathe, who duly called a meeting of the Caughnawaga Indians on the 11th instant, I was informed that the Indians had already met and had decided they would not surrender.

It appears they feel aggrieved that some business matters with the Department have not been attended to with the promptness and in the manner they think they deserve. This together with the very real grievance of their Capital having been spent some years ago in a practically useless survey, has made them extremely suspicious of any step contemplated by the Department.

I found this feeling prevailed at the meeting. However, they listened to my address very attentively.

I laid great stress on the fact that they were asked to surrender the Reserve especially as an act of justice to the surrendering Settlers who found it a great disadvantage in not being able to collect taxes from the land for the construction of roads &c.

They asked me a number of questions. In reply to one I informed them that 30 Cents an acre would be the lowest sum they would receive for say of the land and some of it would be sold for the higher price. The smallest sum to be received for the whole Reserve would, therefore be \$5,500.00. It was evident that even if the sum to be realized was very much larger, it would not be an inducement for them to surrender. They stated very truthfully that the annual amount which would be paid to each individual from the interest derived from this sum every year, would be a trifle.

I informed them I had no authority to mention or suggest an exchange of land for a more desirable locality such as near stream or Lake in a remote District..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 31 (page 4/5) **Samuel Bray, Chief Surveyor**, trying to discourage the Mohawks to hope being entitled to Doncaster. A notice on the left side reads as: **"Not one member of the Band) with the exception of two, not there now) as ever visited the reserve."**

District. They had stated that they were desirous of obtaining the Doncaster Reserve for the possible use of their children. I here pointed out to them how much better it would be to obtain a desirable piece of land in another locality than to retain the Doncaster Reserve which is such a poor tract of land that it can never be of any real use to their descendants. They could insert any terms they thought proper in the Surrender. If the terms were approved by the Department, the Surrender would be submitted for acceptance to the Govern General in Council, and if not accepted by him the Surrender would be void. The suggestion to make an exchange of land evidently unsettled their decision not to Surrender.

There are desirable localities for an Indian Reserve, to the North; the nearest to the Reserve being Cypres Lake or the Mattawan River. The Provincial Government of Quebec would probably be very willing to sanction the creation of an Indian Reserve in a more remote locality in exchange for the Doncaster Reserve.

After some deliberation, the Indian Council decided that notwithstanding the fact that they fully believed all I had set before them regarding the Reserve yet they thought it was their duty to their people generally that three of their number should proceed to the Doncaster Reserve and report thereon before they came to any decision in regard to the proposed Surrender.

I asked them to make their proposal in the form of a Resolution of their Council. I beg to submit herewith the Resolution, together with a letter from Mr. Agent Brosseau. Please note that Mr. Brosseau is of the opinion that an exchange of land might be effected.

I beg to recommend that the request of the
Indians

Not one member of the Band (with the exception of two, not there now) has ever visited the reserve.

234152

"...District. They had stated that they were desirous of obtaining the Doncaster Reserve for the possible use of their children. I here pointed out to them how much better it would be to obtain a desirable piece of land in another locality than to retain the Doncaster Reserve which is such a poor tract of land that it can never be of any real use to their descendants. They could insert any terms they thought proper in the Surrender. If the terms were approved by the Department, the Surrender would be submitted for acceptance to the Govern General in Council, and if not accepted by him the Surrender would be void. **The suggestion to make an exchange of land evidently unsettled their decision not to Surrender.**

There are desirable localities for an Indian Reserve, to the North; the nearest to the Reserve being Cypres Lake or the Mattawan River. The Provincial Government of Quebec would probably be very willing to sanction the creation of an Indian Reserve in a more remote locality in exchange for the Doncaster Reserve .

After some deliberation, the Indian Council decided that notwithstanding the fact that they fully believed all I had set before them regarding the Reserve yet they thought it was their duty to their people generally that three of their number should be proceed to the Doncaster Reserve and report thereon before they came to any decision in regard to the proposed Surrender.

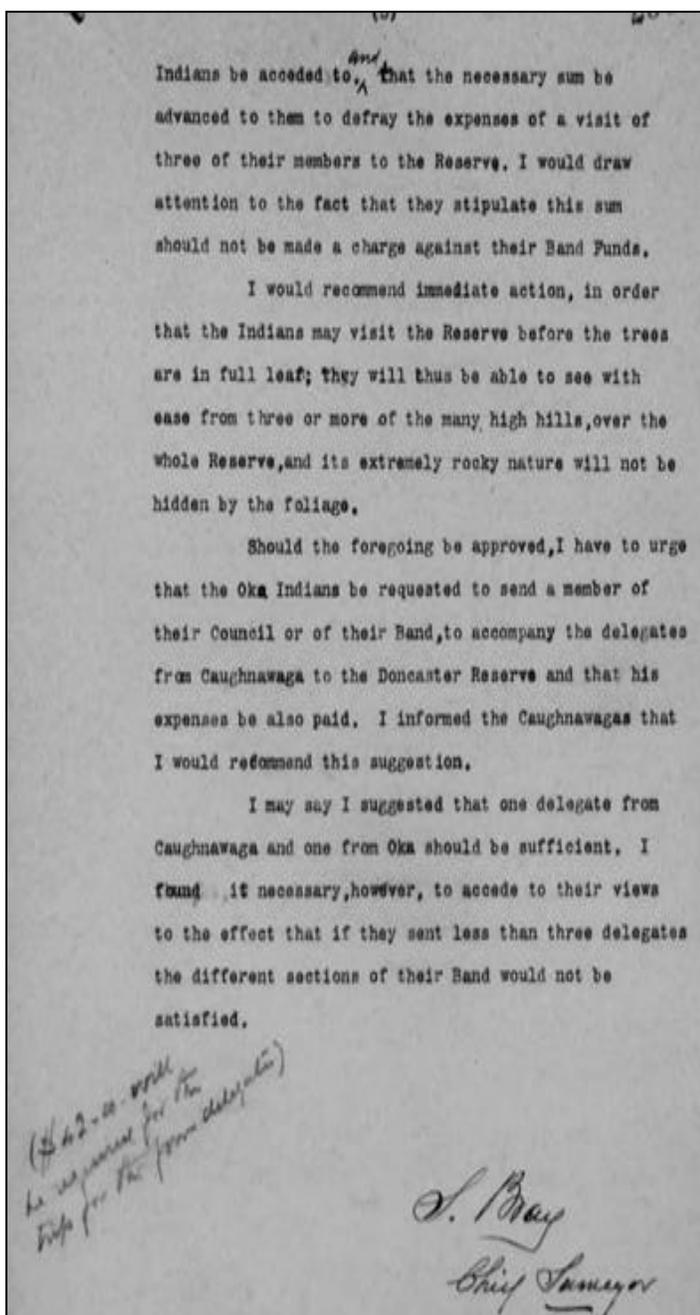
I asked them to make their proposal in the form of a Resolution of their Council. I beg to submit herewith the Resolution, together with a letter from Mr. Agent Brosseau. Please note that Mr. Brosseau is of the opinion that an exchange of land might be effected.

I beg to recommend that the request of the Indians..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 32 (page 5/5) **Samuel Bray, Chief Surveyor**, trying to discourage the Mohawks from being entitled to Doncaster. A notice on the left side reads as: "**\$42.00 will be required for the trips for the two delegates.**"

Also, only **one** delegate of each Band was suggested for the next visit. The **2/3** and **1/3** representative mathematical-occidental quota feature was not yet used as it is today in the management of **Tioweroton**.



234152

"...Indians be acceded to and that the necessary sum be advanced to them to defray the expenses of a visit of three of their members to the Reserve. I would draw attention to the fact that they stipulate this sum should be made a charge against their Band Funds.

I would recommend immediate action, in order that the Indians may visit the Reserves before the trees are full leaf; They will thus be able to see with ease from three or more of the many high hills, over the whole Reserve, and it's extremely rocky nature will not be hidden by the foliage.

Should the foregoing be approved, I have to urge that the Oka Indians be requested to send a member of their Council or of their Band, to accompany the delegates from Caughnawaga to the Doncaster Reserve and that his expenses be also paid. I informed the Caughnawagas that I would recommend this suggestion.

I may say I suggested that one delegate from Caughnawaga and one from Oka should be sufficient. I found it necessary, however, to accede to their views to the effect that if they sent less than three delegates the different sections of their Band would not be satisfied.

\$42.00 will be required for the trips for the two delegates.

***S. Bray
Chief Surveyor.***

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 33 Memorandum for the **Secretary**: travelling expenses, from **17 May 1901**. \$50.00.

3.1070/2Ty.

MEMORANDUM FOR THE SECRETARY.

travelling Expenses

Under the circumstances I think the ~~cost~~ ^{they} of these delegates to examine the Doncaster Reserve, might be charged to Management Fund, provided that ~~it~~ ^{they} does not exceed \$50.00.

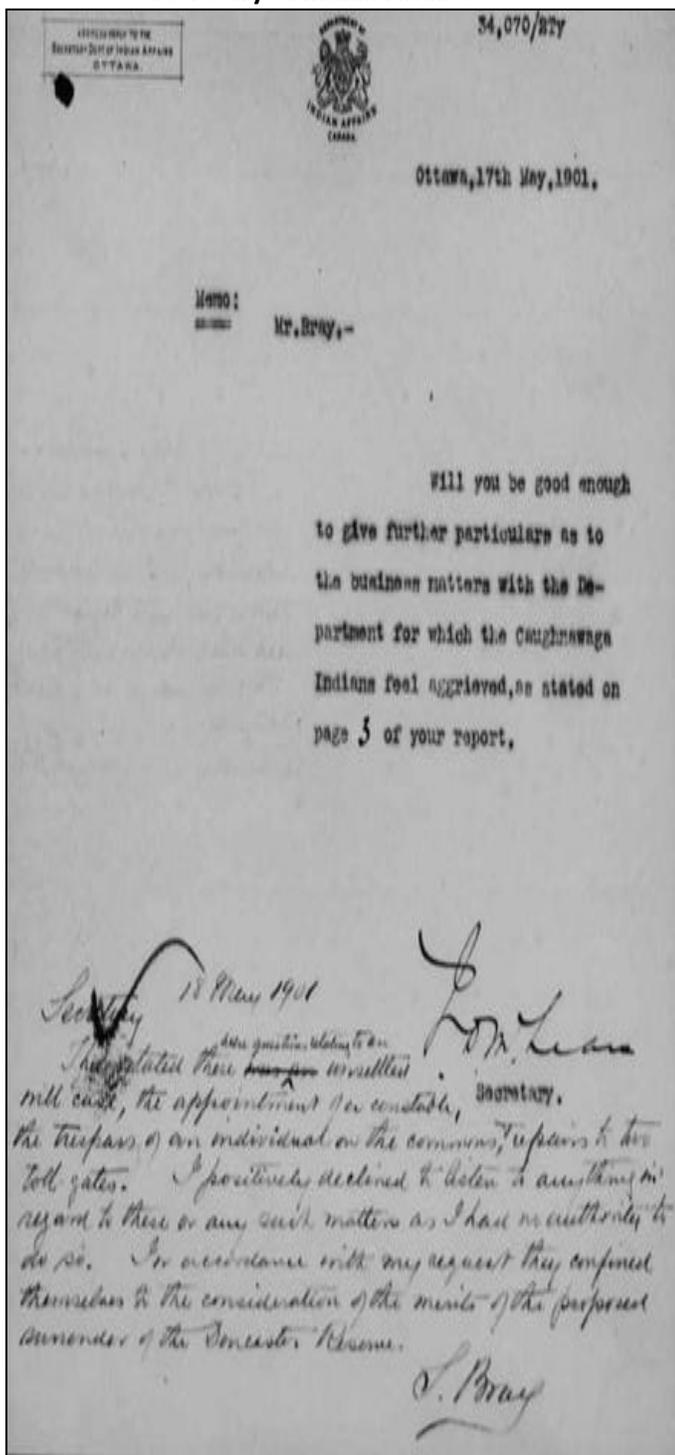
Scott

Accountant.

Department of Indian Affairs,
Ottawa, 17th. May, 1901.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 34 Document 34, 070/2ty, Memo to **Bray, Surveyor** from **17 May 1901** from **J.D. McLean Secretary of Indian Affairs**.



"Ottawa, 17th May, 1901

Memo: Mr. Bray.- (Surveyor)

Will you be good enough
to give further particulars as to
the business matters with the De-
partment for which the Caughnawaga
Indians feel aggrieved, as stated on
page 3 of your report,

*Will you be good enough
to give further particulars as to
the business matters with the De-
partment for which the Caughnawaga
Indians feel aggrieved, as stated on
page 3 of your report.*

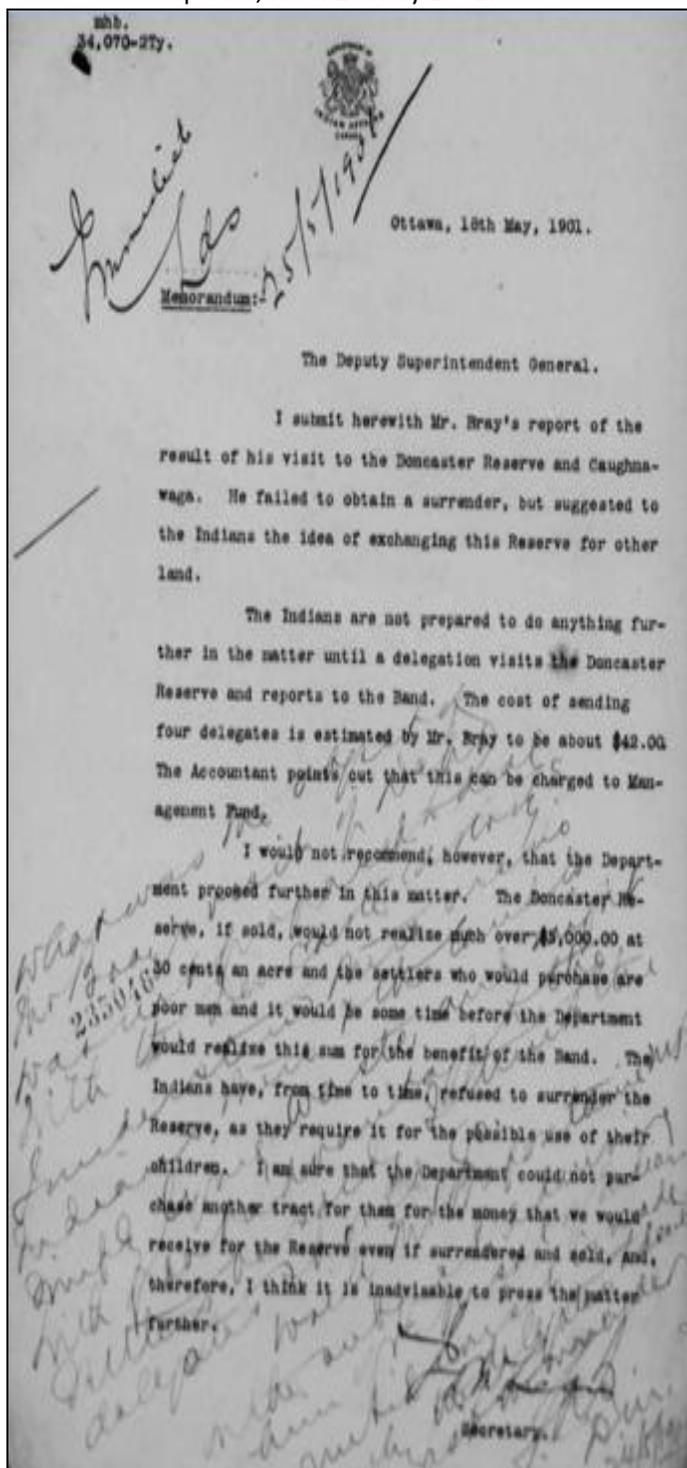
**McLean secretary
(of Indian Affairs)**

BELOW:

"18 May 1901 Secretary, they stated there were questions relating to an unsettled mill case, the appointment, of a constable, the trespass of an individual on the commons Trespass to two toll gates. I positively declined to listen to anything in regard to these or any said matters as I have no authority to do so. In accordance with my request they confined themselves to the consideration of the merits of the proposed surrender of the Doncaster reserve.
S. Bray."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 35 Memorandum from **J.D. McLean, Secretary of Indian Affairs**, from **18 May 1901** to his Superior, from 18 May 1901.



Page 235046
Doc 34, 070-3Ty

"Ottawa, 18th May, 1901.

MEMORANDUM

The Deputy Superintendent General.

I submit herewith Mr. Bray's report of the result of his visit to the Doncaster Reserve and Caughnawaga. He failed to obtain a surrender, but suggested to the Indians the idea of exchanging this Reserve for other land.

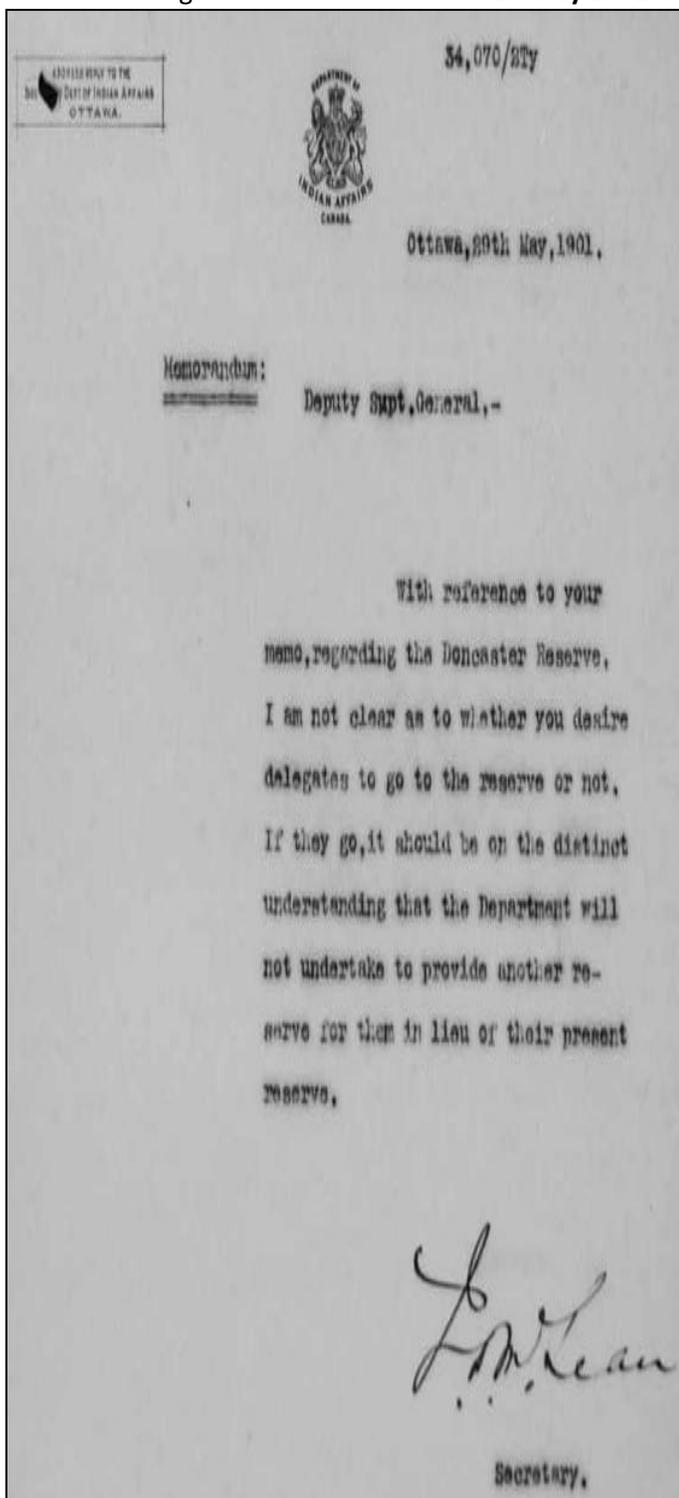
The Indians are not prepared to do anything further in the matter until a delegation visits the Doncaster Reserve and report to the Band. The cost of sending four delegates is estimated by Mr. Bray to be about \$42.00. The Accountant points out that this can be charged to Management Funds.

I would not recommend, however, that the Department proceed further in this matter. The Doncaster Reserve, if sold would not realize much over \$5,000.00 at 30 cents an acre and the settlers who would purchase are poor men and it would be some time before the Department would realize this sum for the benefit of the Band. The Indians have, from time to time, refused to surrender the Reserve, as they require it for the possible use of their children. I am sure that the Department could not purchase another tract for them for the money that we would receive for the Reserve even if surrendered and sold, and therefore, I think it is inadvisable to press the matter further.

*L. McLean
Secretary
(Of Indian Affairs)"*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 36 Memorandum from **29 May 1901** from **J.D. McLean, Secretary of Indian Affairs**.



Document 34, 070/2ty

"Ottawa, 29th May, 1901

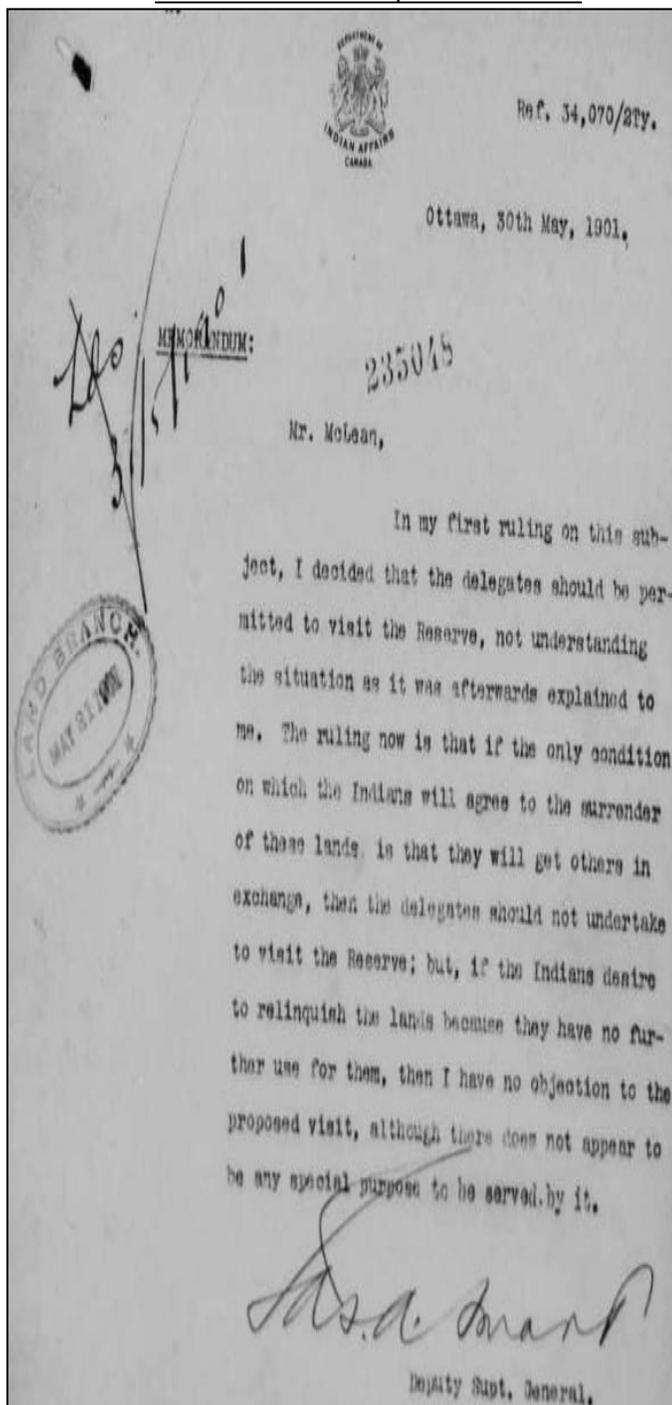
Memorandum: Deputy Supt. General.

With reference to your Memo, regarding the Doncaster reserve, I am not clear as to whether you desire delegates to go to the reserve or not. If they go, it should be on the distinct understanding that the Department will not undertake to provide another reserve for them in lieu of the present reserve.

*J.D. McLean
Secretary."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 37 Letter from **30 May 1901** from **Sct. Jas. A. Smart Deputy Superintendent General of Indian Affairs** to his **Secretary, J.D. McLean**, exposing the purpose of the Ministry: to obtain the Surrender refused by the Mohawks.



Ref 34, 070/ 2ty

"Ottawa, 30th May, 1901

Memorandum:

Mr McLean,

In my first ruling on this subject, I decided that the delegates should be permitted to visit the Reserve, not understanding the situation as it was afterwards explained to me. The ruling now is that if the only condition on which the Indians will agree to the surrender of these lands is that they will get others in exchange, then the delegates should not undertake to visit the Reserve: but if the Indians desire to relinquish the lands because they have no further use for them, then I have no objection to the proposed visit, although there does not appear to be any special purpose to be served by it.

*Jas. A. Smart
Deputy Supt. General."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 38 Letter, copy transcribed of the letter observed from **Francois Thires** on page 27, Council meeting of the Reserve of Savage of Caughnawaga, **March 13, 1901**. **Francois Thires** and **Indian Agent Brosseau**. Page 234152

Extract from minutes of Council held at Caughnawaga
13th March, 1901. - Original on File No. 234144.

*****Resolution 6. Mr. Jean Bte. Oheroskon moved,
seconded by Mr. John Sakowibe, that in view of the repeated
request of the Department of Indian Affairs for the
surrender of the Doncaster reserve and the statement made
in this direction by Mr. Bray, Chief Engineer of the Depart-
ment at a meeting of the Indians of the Caughnawaga band
held on the 11th inst., a request be made to the Department
for the necessary expense of a trip by three Indians, one
to be appointed by the band and two by the Council to visit
the reserve in order to see for themselves the facts stated
by Mr. Bray, and the position of the said reserve, in order
to make a report to the band, and to give a reply to the
Department in regard to the said surrender, provided always
that the expense incurred and to be incurred shall not be
taken out of the funds belonging to the Caughnawaga band.
Carried.*****

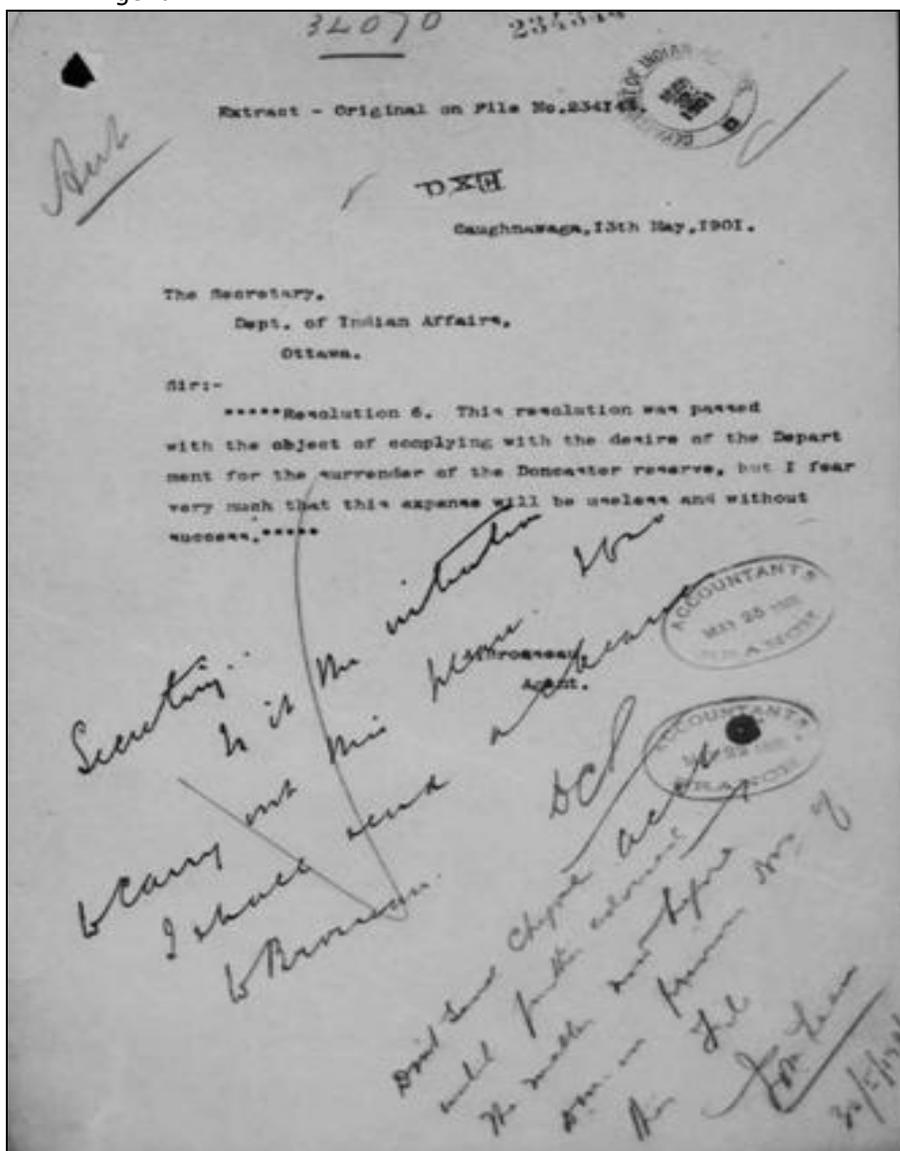
his
Francis x Thires,
mark

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 39 Extract of the original: File 234143 from, **13 May 1901**, by **Agent Brosseau** to the **Secretary Mclean** concerning **Resolution 6** exposing:

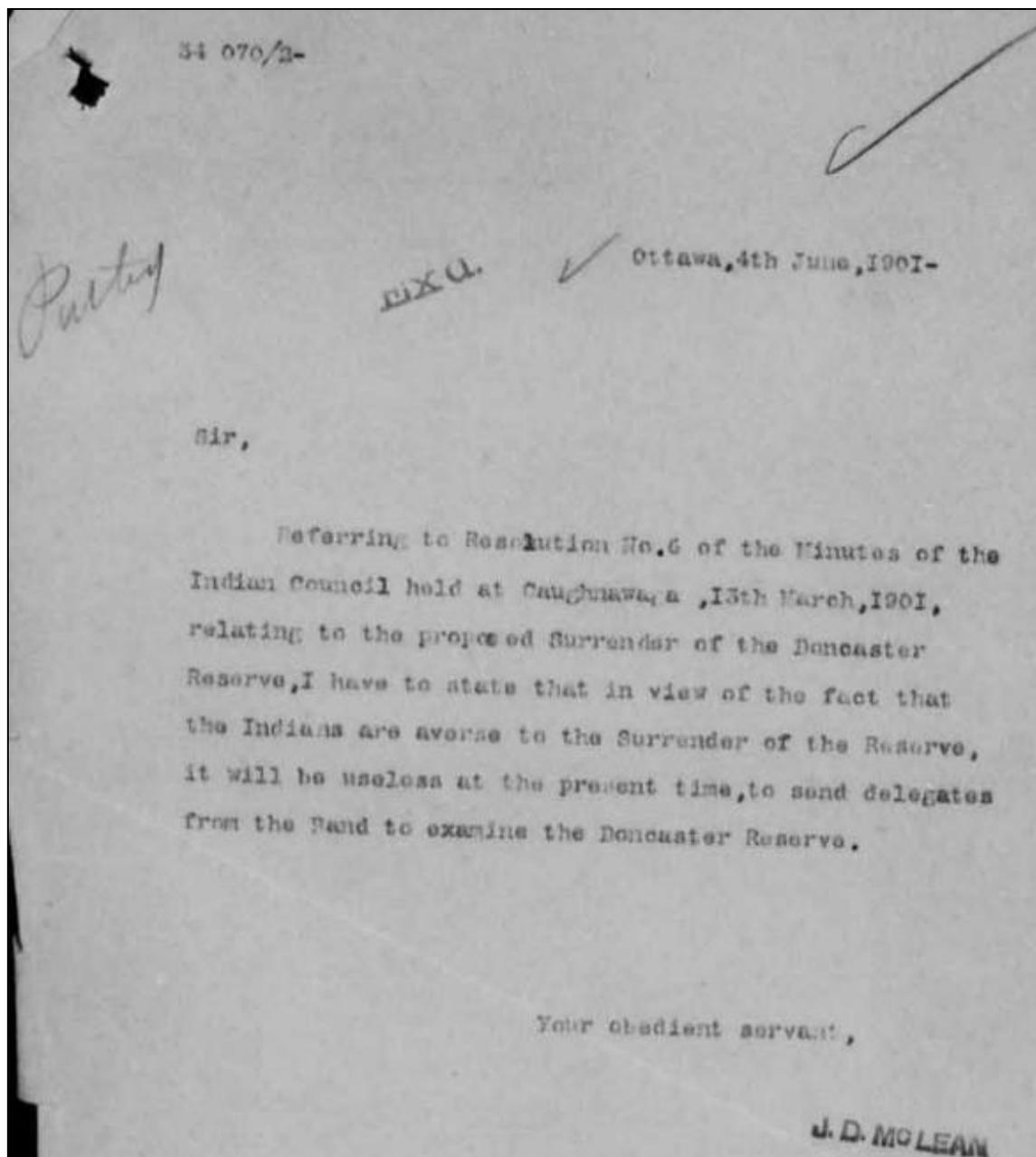
*"Sir, ***** Resolution 6. This resolution was passed with the object of complying with the desire of the Department for the Surrender of the Doncaster reserve, but I fear very much that this expense will be useless and without success. ******

*A. Brosseau,
Agent."*



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 40 Letter from **4 June 1901** by **JD McLean** to **Brosseau, his superior**, exposing that:
"referring to Resolution No.6, of the Minutes of the Indian Council held at Caughnawaga, 13th March, 1901, relating to the proposed Surrender of the Doncaster Reserve, I have to state that in view of the fact that the Indians are averse to the Surrender of the Reserve, it will be useless at the present time, to send delegates from the Band to examine the Doncaster Reserve."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 41-42 Letter from **Raymond Prefontaine Liberal Deputy MP.** in the of House of Commons from **March 26, 1902** to **James Smart Chamber, Esquire, Deputy Minister of the Interior, Ottawa.**

"My dear Mr Smart,

In relation to the Indian Reserve composed of 6000 acres, set apart in the Township of Doncaster, county of Terrebonne, parish of Ste. Lucie, reserve supposed to be for the Indians of Caughnawaga and Lake of Two Mountains, I must say that, after having exhausted all the legal means to have this reserve put up for sale, I come to the conclusion that only way to proceed is to amend the law in such a way as to allow the department to settle this affair to the best of its judgement,

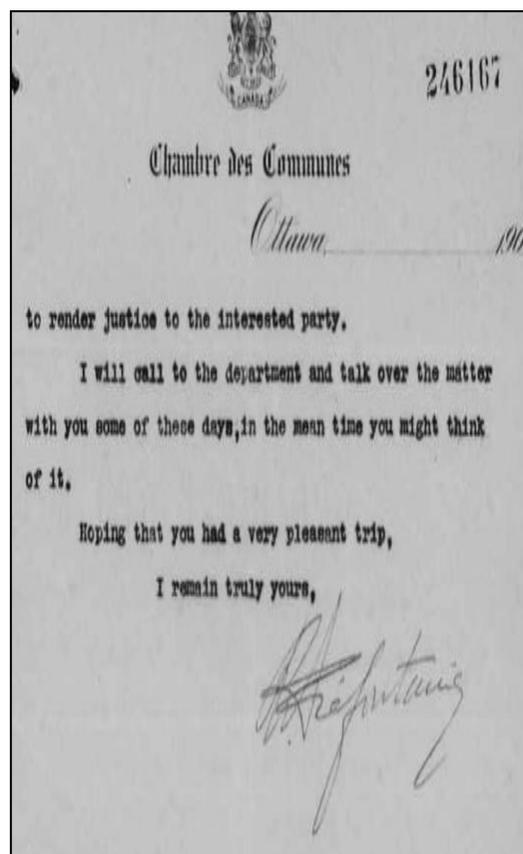
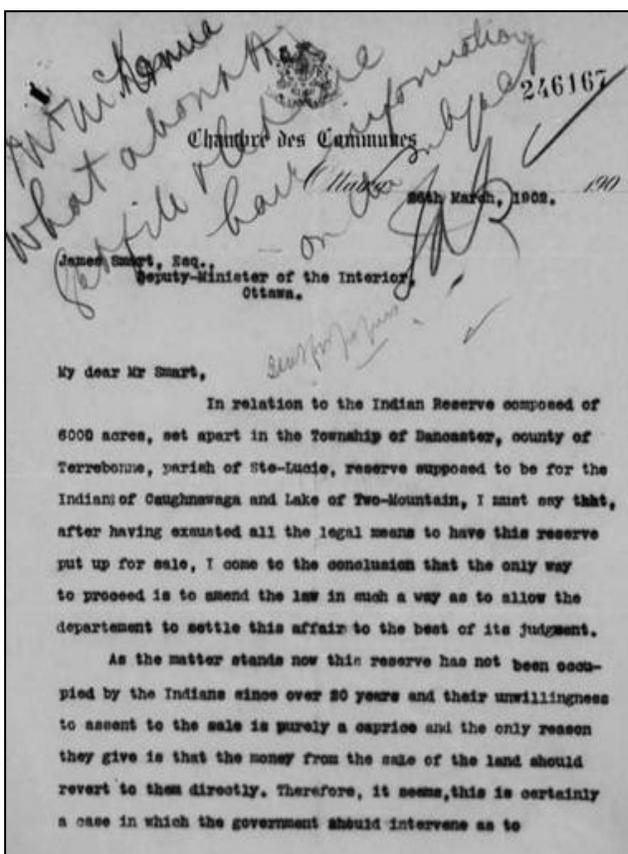
As the matter stands now this reserve has not been occupied by the Indians since over 20 years and their unwillingness to ascent to the sale is purely a caprice and the only reason they give is that the money from the sale of the land should revert to them directly. Therefore, it seems, this is certainly a case in which the government should intervene as to render justice to the interested party.

I will call to the department and talk over the matter with you some of these days, in the mean time you might think of it.

Hoping that you had a very pleasant trip,

I remain truly yours,

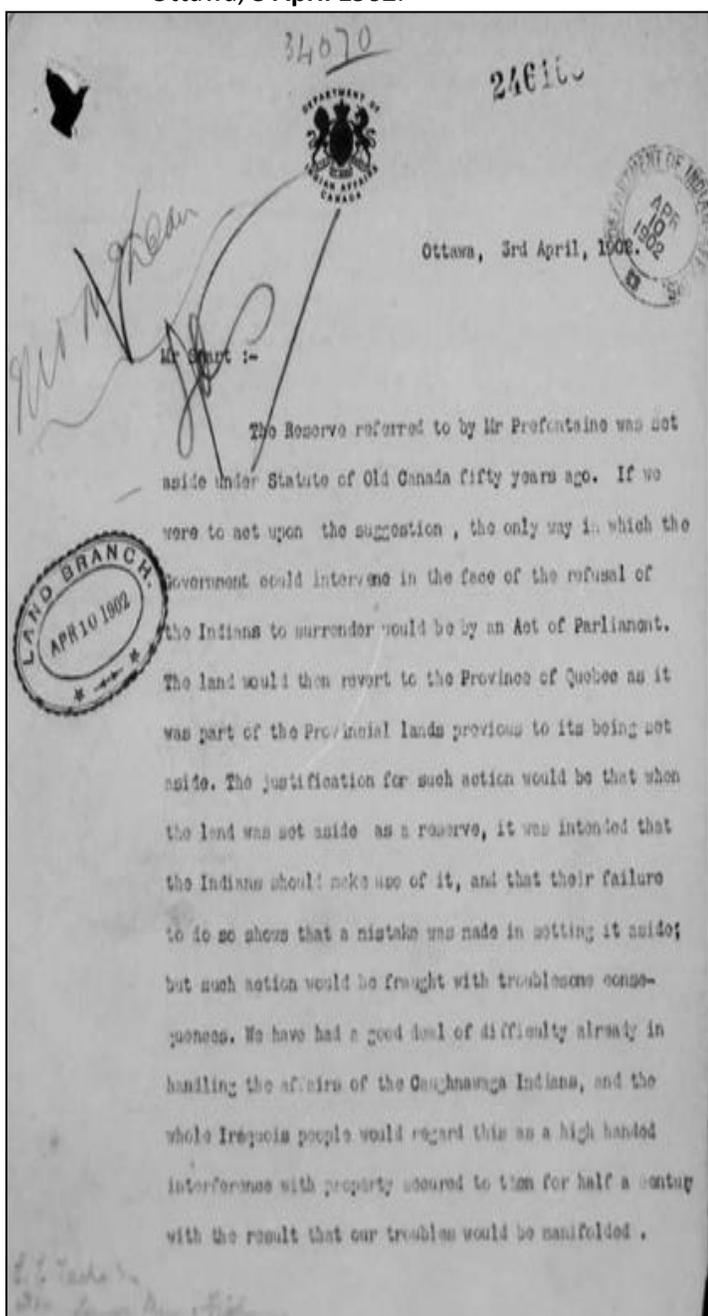
Raymond Prefontaine."



Solution exposing that the settlers could have their lands: bought by the government 1902

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 43 (Page 1/4) Letter of **James Andrew McKenna, Private Secretary of superintendent general**, (Clifford Sifton) to **James Smart Chamber, Esquire, Deputy Minister of the Interior**, Ottawa, **3 April 1902**.



Doc 34070
Page 246168

"Ottawa, 3rd April, 1902

Mr. Smart,

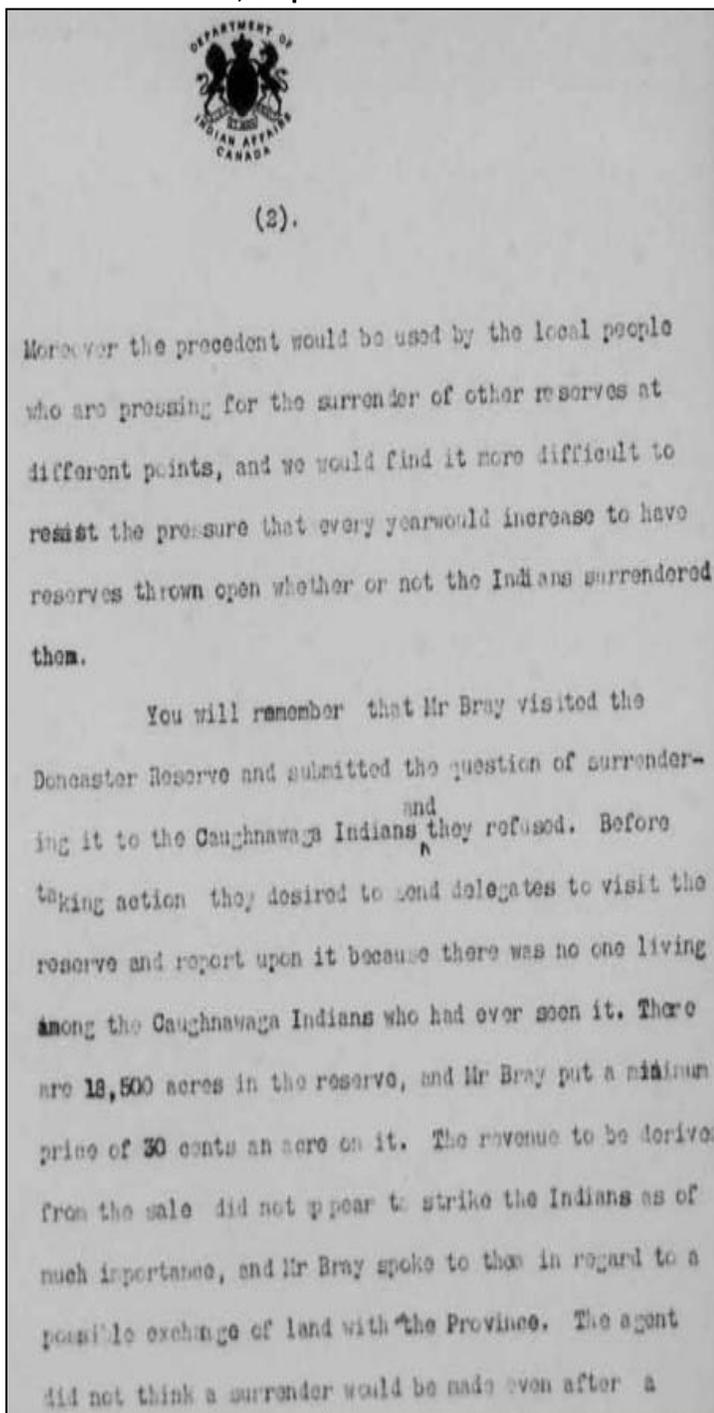
The Reserve referred to by Mr. Prefontaine was set aside under the Statute of OLD CANADA fifty years ago. If we were to act upon the suggestion, the only way in which the Government could intervene in the face of the refusal of the Indians to surrender would be by an Act of Parliament.

*The land would then revert to the Province of Quebec as it was part of the Provincial lands previous to its being set aside. The justification for such action would be that when the land was set aside as a reserve, it was intended that the Indians should make use of it, and that their failure to do so shows that a mistake was made in setting it aside; but such action would be fraught with troublesome consequences. **We have had a good deal of difficulty already in handling the affairs of the Caughnawaga Indians, and the whole Iroquois people would regard this as a high handed interference with property ocured to them for half a century with the result that our troubles would be manifold.**⁴⁸*

⁴⁸ Manifolded: old term designating having many, several folds, layers: exposing a complexity.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 44 (Page 2/4) Letter of **James Andrew McKenna**, Private Secretary of superintendent general, (Clifford Sifton) to James Smart **Chamber**, Esquire, Deputy Minister of the Interior, Ottawa, **3 April 1902**.



Doc 246168

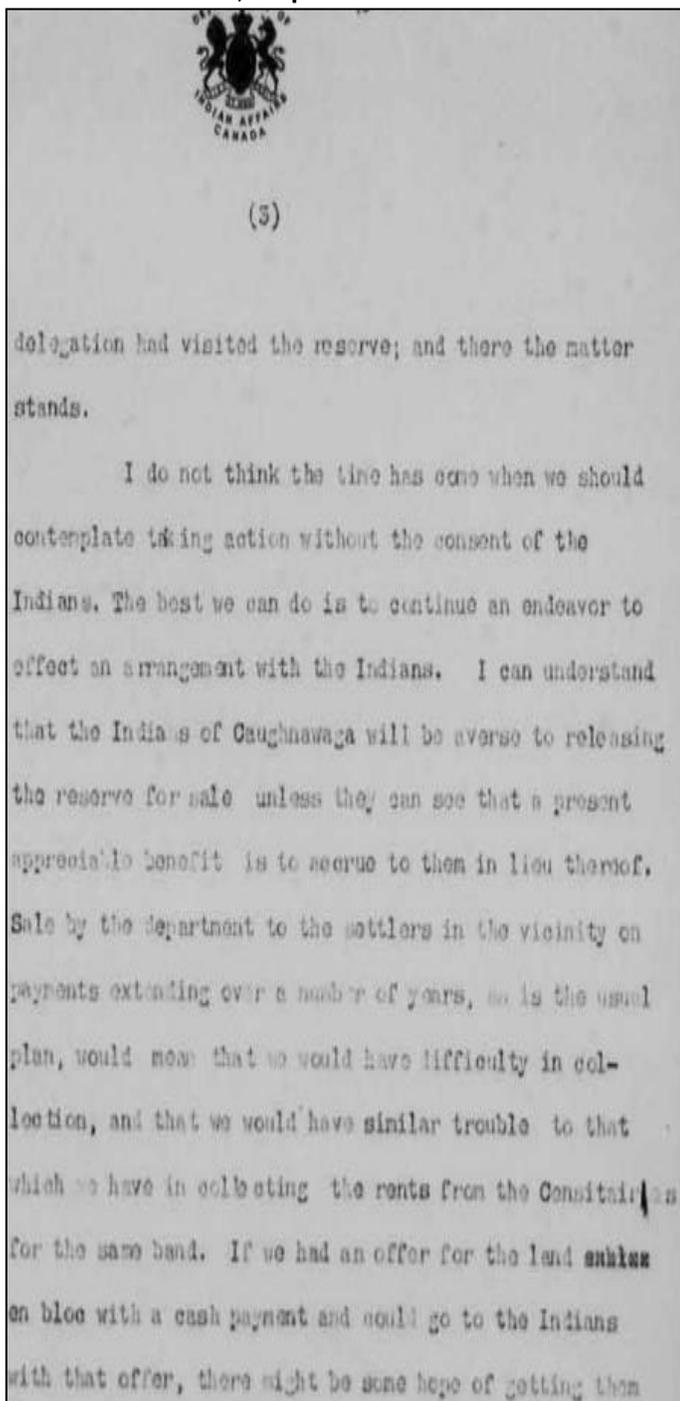
(2) page

"Moreover the precedent would be used by the local people who are pressing for the surrender of other reserves at different points, and we would find it more difficult to resist the pressure that every year would increase to have reserves thrown open whether or not the Indians surrendered them.

*You will remember that **Mr Bray visited the Doncaster reserve and submitted the question of surrendering it to the Caughnawaga Indians and they refused.** Before taking action they desired to send delegates to visit the reserve and report upon it because there was no one living among Caughnawaga Indians who has ever seen it. There are 18,000 acres in the reserve, and Mr. Bray put a minimum price of 30 cents an acre on it. The revenue to be derived from the sale did not appear to strike the Indians as of much importance, and Mr Bray spoke to them in regard to a possible exchange of land with the Province. The agent did not think a surrender would be made even after a..."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 45 (Page 3/4) Letter of **James Andrew McKenna**, Private Secretary of superintendent general, (Clifford Sifton) to James Smart **Chamber**, Esquire, Deputy Minister of the Interior, Ottawa, **3 April 1902**.



Doc 246168

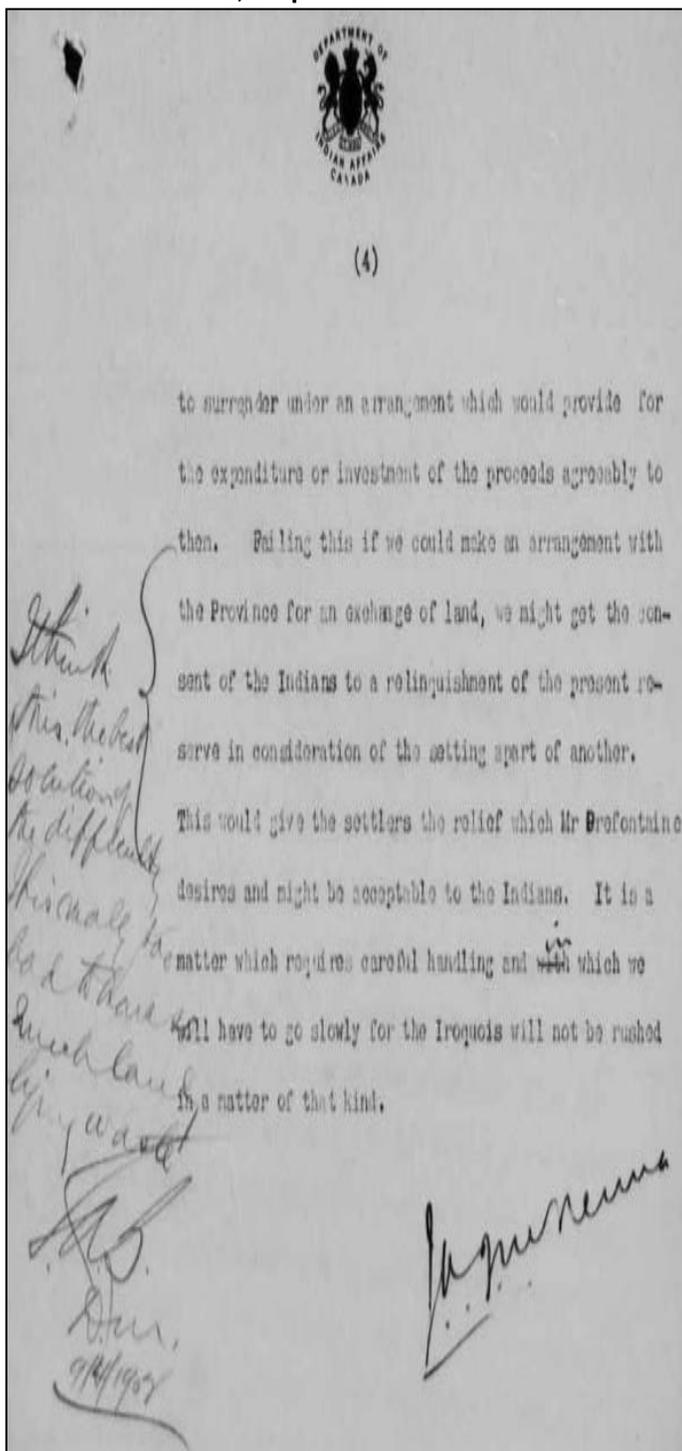
(3) page

"... delegation had visited the reserve; and ther the matter stands.

I do not think the time has come when we should contemplate taking action without the consent of the Indians. The best we can do is to continue an endeavor to effect an arrangement with the Indians. I can understand that the Indians of Caughnawaga will be averse to releasing the reserve for sale unless they can see that a present appreciable benefit is to accrue to them in lieu thereof. Sale by the department to the settlers in the vicinity on payments extending over a number of years, so is the usual plan, would mean that we would have difficulty in collection, and that we would have similar trouble to that which we have in collecting the rents from the Censitaires for the same band. If we had an offer for the land en bloc with a cash payment and could go to the Indians with that offer, there might be some hope of getting them..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 46 (Page 4/4) Letter of **James Andrew McKenna**, Private Secretary of superintendent general, (Clifford Sifton) to James Smart **Chamber**, Esquire, Deputy Minister of the Interior, Ottawa, **3 April 1902**.



Doc 246168

Note on the left side: "I think this the best solution of the difficulty this matter to ...those such lands ... waste." signed 9 April 1902 by James Smart **Chamber**, Esquire, Deputy Minister of the Interior

(4) page

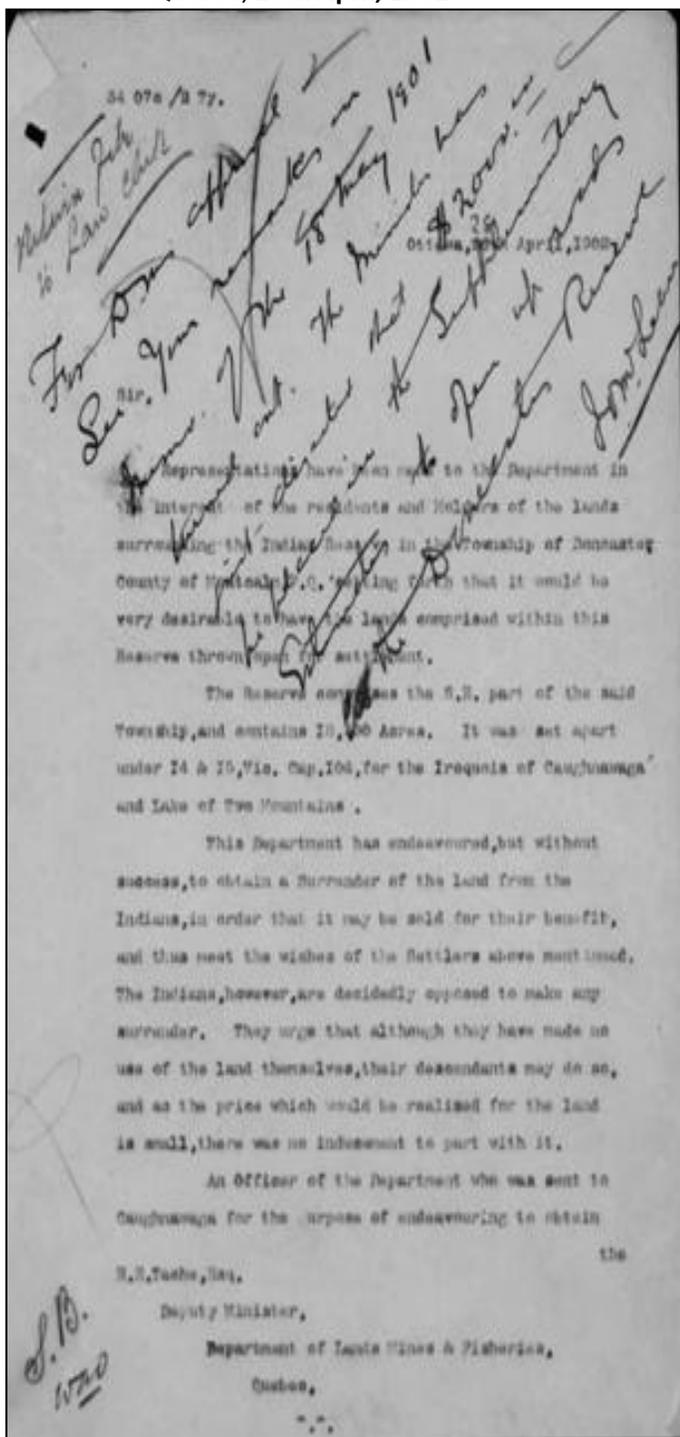
"... to surrender under an arrangement which would provide for the expenditure or investment of the proceeds agreeably to them. "Failing" **this if we could make an arrangement with the Province for an exchange of land, might get the consent of the Indians to a relinquishment of the present reserve in consideration of setting apart of another.**

This would give the settlers the relief which Mr Prefontaine desires and might be acceptable to the Indians. It is a matter which requires careful handling and in which we will have to go slowly for the Iroquois will not be rushed in a matter of that kind.

J.A. McKenna."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 47 Letter from **J.D. McLean** to **E. E. TACHÉ, Assist.-Commissioner, of Crown Lands, Quebec, 28th April, 1902**



Page 1/2

Doc: 34 070 / 2 77

Note: "Return ...
To Law Clerk"

Note on top by McLean Secretary of Indian Affairs:

"For your approval
Sir, your remarks on
Memo of the 18 May 1901
Turned out. The Minister has
... dis... that \$2000.00
Be ... in the Supplementary
Estimates to open up woods
of the Doncaster Reserve.
J.C. McLean."

The letter:

"Representations have been made to the Department in the interest of the residents and Helpers of the lands surrendering the Indian Reserve in the Township of Doncaster County of Montcalm P.Q. setting forth that it would be very desirable to have the lands comprised within this Reserve thrown open for settlement.

The Reserve contains the S.E. part of the said Township, and contains 18,000 Acres. It was apart under 14 & 15 Vic. Cap. 106, for the Iroquois of Caughnawaga and Lake of Two Mountains.

This Department has endeavoured, but without success, to obtain a Surrender of the land from the Indians, in order that it may be sold for their benefit, and thus meet the wishes of the Settlers above mentioned. The Indians, however, are decidedly opposed to make any surrender. They urge that although they have made no use of the land themselves, their descendents may do so, and at the price which would be realised for the land is small, there was no inducement to part with it.

An Officer of the Department who was sent to Caughnawaga for the purpose of endeavouring to obtain the..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 48 Letter from J.D. McLean Secretary of Indian Affairs to E. E. TACHÉ, Assist.-
Commissioner, of Crown Lands, Quebec, 28th April, 1902.

Page 2/2

the desired Surrender after having examined the Doncaster Reserve drew the attention of the Indians to the fact that the land was extremely rocky and practically unfit for the purposes of an Indian Reserve, or to be retained for the use of their descendants. He suggested the possibility of an exchange being made with the Province of Quebec, for another tract of land in a more remote District, which would be better in quality, and more suitable in situation, in the way of access to a large River or Lake, for the purpose of an Indian Reserve, and to retain for the use of their descendants. The attitude of the Indians was such that the Officer was induced to think the Indians might consent to surrender the land, in exchange for another tract.

Considerable pressure has been brought to bear on the Department, to have these lands thrown open for settlement, and it certainly appears to be an injustice to the surrounding Settlers, to look up such a large tract in a fairly well settled District. I have therefore, to ask you to be good enough to take the matter into your earnest consideration, and inform me whether your Government would feel disposed, provided the Indians will make the required Surrender, to set aside another tract of land in exchange for the said Indian Reserve in the Township of Doncaster. Should your Government feel disposed to make the exchange, I shall feel obliged if you will inform me in what localities or Districts the new tract may be selected, ^{in order that the Indians may be informed.}

Your obedient servant,

J.D. McLean
Secretary

"... the desired Surrender after having examined the Doncaster Reserve drew the attention of the Indians to the fact that the land was extremely rocky and practically unfit for the purposes of an Indian reserve, or to be retained for the use of their descendants. He suggested the possibility of an exchange being made with the Province of Quebec, for another tract of land in a more remote District, which would be better in quality, and more suitable in situation, in the way of access to a large River or Lake, for the purpose of an Indian Reserve, and to retain for the use of their descendants. The attitude of the Indians was such that the Officer was induced to think that Indians might consent to surrender the land, in exchange for another tract.

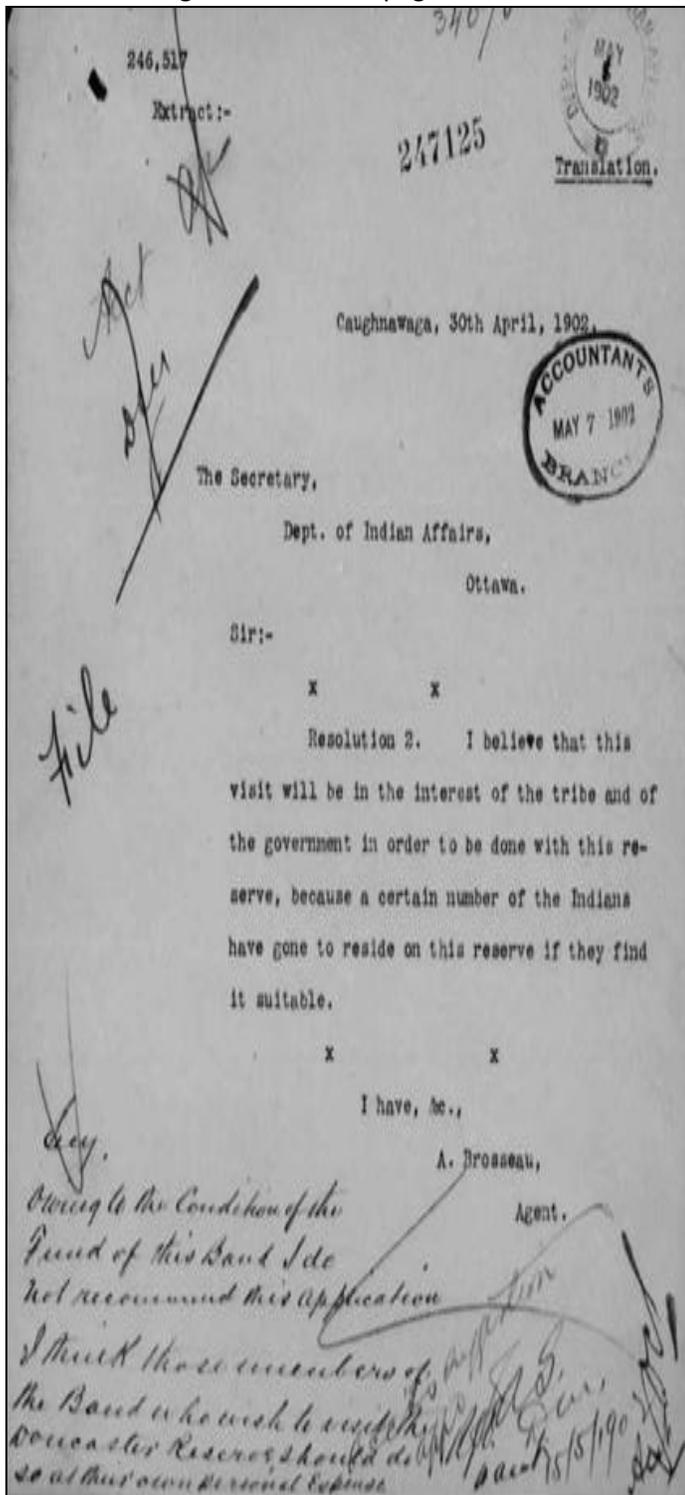
Considerable pressure has been brought to bear on the Department, to have these lands thrown open for settlement, and it certainly appears to be an injustice to the surrounding Settlers, to look up such a large tract in a fairly well settled District. I have therefore, to ask you to be good enough to take the matter into your earnest consideration, and inform me whether your Government would feel disposed, provided the Indians will make the required Surrender, to set aside to another tract of land in exchange after the said Indian Reserve in the Township of Doncaster. Should your Government feel disposed to make the exchange, I shall feel obliged if you will inform me in what localisation or Districts the new tract may be selected(unreadable)

Your obedient servant,

J.D. MacLean.
Secretary."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 49 Doc 34070 page 247125 extract 246,517



Translation

"Caughnawaga, 30th April, 1930

The Secretary
Dept. Of Indian Affairs,
Ottawa

Sirs,

Resolution 2. I believe that this visit will be in the Interest of the tribe and of the government in order to be done with this reserve, because a certain number of the Indians have gone to reside on this reserve if they find it suitable.

X X
I have, Sec.,
A. Brosseau
Agent"

Note beside:
"Secy,
Owing to the condition of this Band I do not recommend this application I think those surrender of the Band who which to visit the Doncaster Reserve should do So at their own personal expenses."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 50 Letter from **chief councillor Jean Bte X Daillibout** to **Indian Agent A. Brosseau**, from **28 April 1902**.

246,517 Translation.

Extract:-

247125

Meeting of the council of the Caughnawaga reserve
28th April, 1902.

x x

Resolution 2. Mr. James Kane moved, seconded by Francois Philippe, that in view of the fact that several members of the band have taken land on the Doncaster reserve, and in order that the land thus taken may be equitable and granted to these members, it is considered important that the whole council visit that reserve, and that the sum of \$30.00 be granted by the Hon. the Supt. General of Indian Affairs to meet the expenses of this trip. Carried.

x x

his
Jean Bte. x Daillibout,
mark

Chief Councillor.

A. Brosseau,
Indian Agent.

*"Meeting of the council of the Caughnawaga reserve
28th April, 1902.*

X X

Resolution 2. Mr. James Kane moved, seconded by Francois Phillippe, that in view of the fact that several members of the band have taken land on the Doncaster reserve, and in order that the land thus taken may be equitable and granted to these members, it is considered important that the whole council visit that reserve, and that the sum of \$30.00 be granted by the Hon. The Supt. General of Indian Affairs to meet the expenses of this trip. Carried

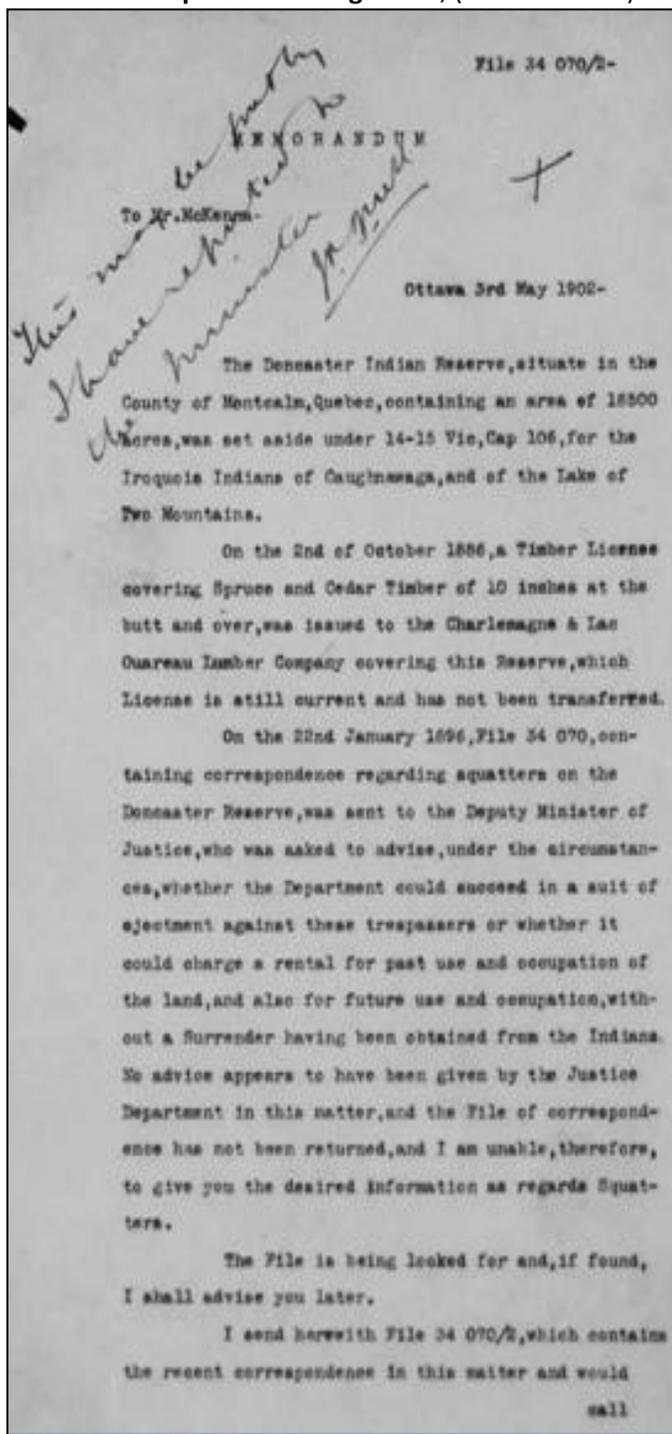
X X

*His Jean Bte X Daillibout
mark*

Chief Councillor "

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 51 (page 1/2) Memorandum from **W.A. Orr, Officer in charge for the Department of Indian Affairs at Lands and Timber Branch** to **James Andrew McKenna, Private Secretary of superintendent general**, (Clifford Sifton) from **3 May 1902**.



File 34 070/2-
MEMORANDUM

*"To Mr. McKenna.
Ottawa 3rd May, 1902-*

The Doncaster Indian Reserve, situate in the County of Montcalm, containing an area of 18500 acres, was set aside under 14-15 Vic, Cap 106, for the Iroquois Indians of Caughnawaga and the Lake of Two Mountains.

On the 2nd of October 1886, a Timber License covering Spruce and Cedar Timber of 10 inches at the butt and over, was issued to the Charlemagne & Lac Ouareau Lumber Company covering this Reserve, which License is still current and has not been transferred.

On the 22nd January 1896, File 34 070, containing correspondences regarding squatters on the Doncaster Reserve, was sent to the Deputy Minister of Justice, who was asked to advise, under the circumstances, whether the Department could succeed in a suit of ejectment against these trespassers or whether it could charge a rental for past use and occupation of the land, and also for future use and occupation, without a Surrender having been obtained from the Indians. No advice appears to have been given by the Justice Department in this matter, and the File of correspondence has not been returned, and I am unable, therefore, to give you the desired information as regards Squatters.

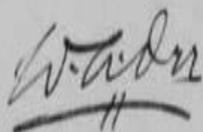
The File is being looked for and, if found, I shall advise you later.

I send herewith File 34 070/2, which contains the recent correspondence in this matter and would call..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 52 (page 2/2) Memorandum from **W.A. Orr, Officer in charge for the Department of Indian Affairs at Lands and Timber Branch** to **James Andrew McKenna, Private Secretary of superintendent general**, (Clifford Sifton) from **3 May 1902**.

call your attention to letter of the 28th Ultimo, addressed the Deputy Minister of Lands, Mines & Fisheries Quebec, relative to the question of obtaining another tract of land in exchange for this Reserve.

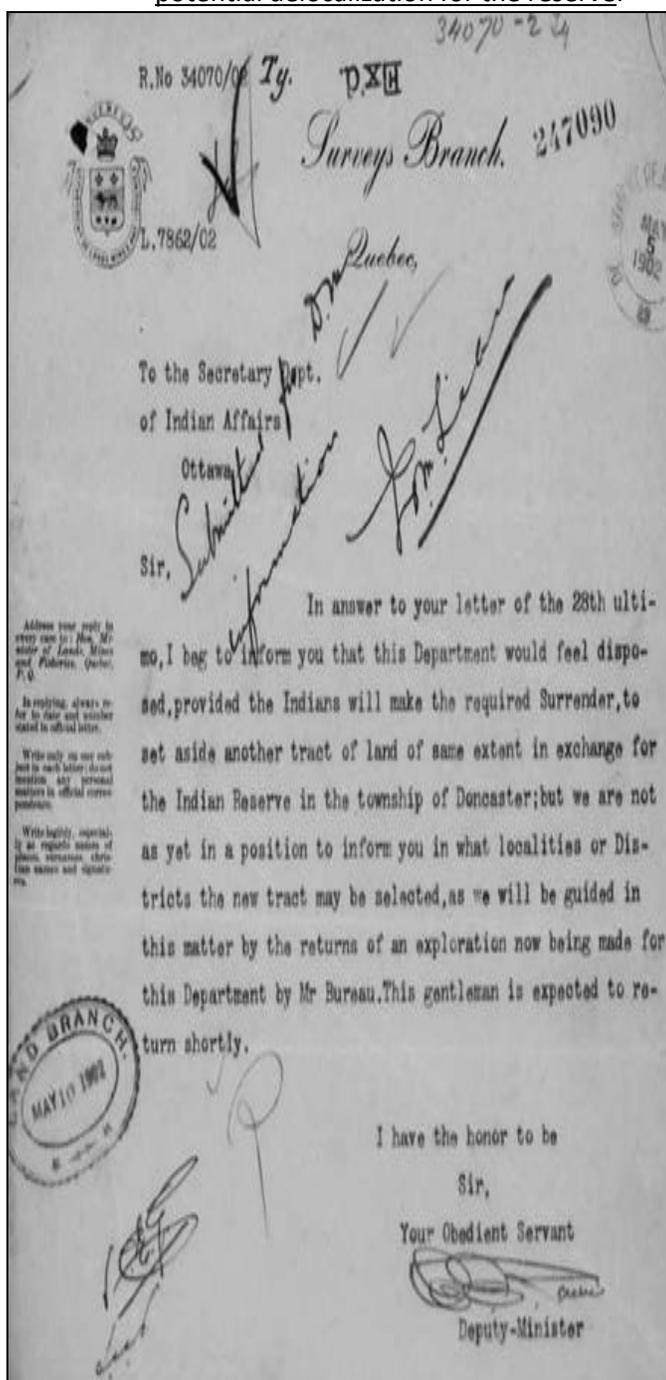


"..call your attention to letter of the 28th Ultimo, addressed the Deputy Minister of Lands, Mines & Fisheries Quebec, relative to the question of obtaining another tract of land in exchange for this Reserve.

x W.A. Orr"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 53, letter from **28 April 1902** from the **E. P. TACHÉ, Assist.-Commissioner, of Crown Lands, AKA Survey Branch department of Quebec** to the **Secretary of Indian Affairs**, exposing that soon a feedback on behalf of his department will be made concerning the selection of a potential delocalization for the reserve.



R. No 34070/02 Ty 34070-2 Ty
Doc-page 247090

"SURVEY BRANCH
QUEBEC

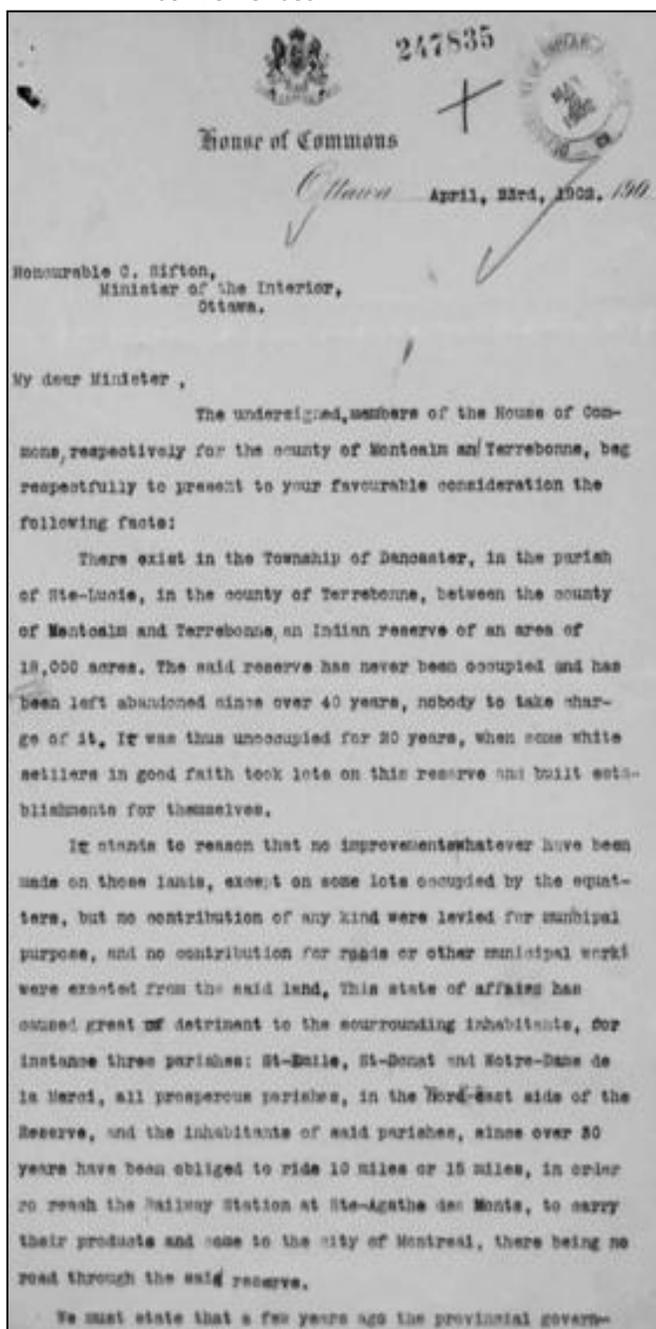
To the Secretary Dept.
of Indian Affairs
Ottawa

Sir,
In answer to your letter of the 28th ultimo, I beg to inform you that this Department would feel disposed, provided the Indians will make the required Surrender, to set aside another tract of land of same extent in exchange for the Indian Reserve in the township of Doncaster: but we are not as yet in a position to inform you in what localities or Districts the new tract may be selected, as we will be guided in this matter by the returns of an exploration now being made for this Department by Mr. Bureau. This gentleman is expected to return shortly.

I have the honour to be
Sir,
Your Obedient Servant
x
Deputy-Minister"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 54 (page 1/2) A letter from **23 April 1902** from **Prime Minister Prefontaine, Mayor of the city of Montreal and federal Deputy in the County of Terrebonne and Minister of Mines and Fisheries and Francois Octave Dugas, Deputy of Montcalm, in the Committee on Agriculture and Colonization** expressing the urge to build a road in order to deserve the people of St-Emile, St-Donat and Notre-Dame de la Merci, in the North-East side of the Reserve in order to reach conveniences.



Doc-page 247-835

*"HOUSE OF COMMONS
Ottawa, April, 23rd, 1902 S.90.*

*Honourable C. Sifton,
Minister of the Interior,
Ottawa.*

*My dear Minister,
The undersigned, members of the House of Commons, respectfully for the county of Montcalm and Terrebonne, beg respectfully to present to your favorite consideration the following facts:*

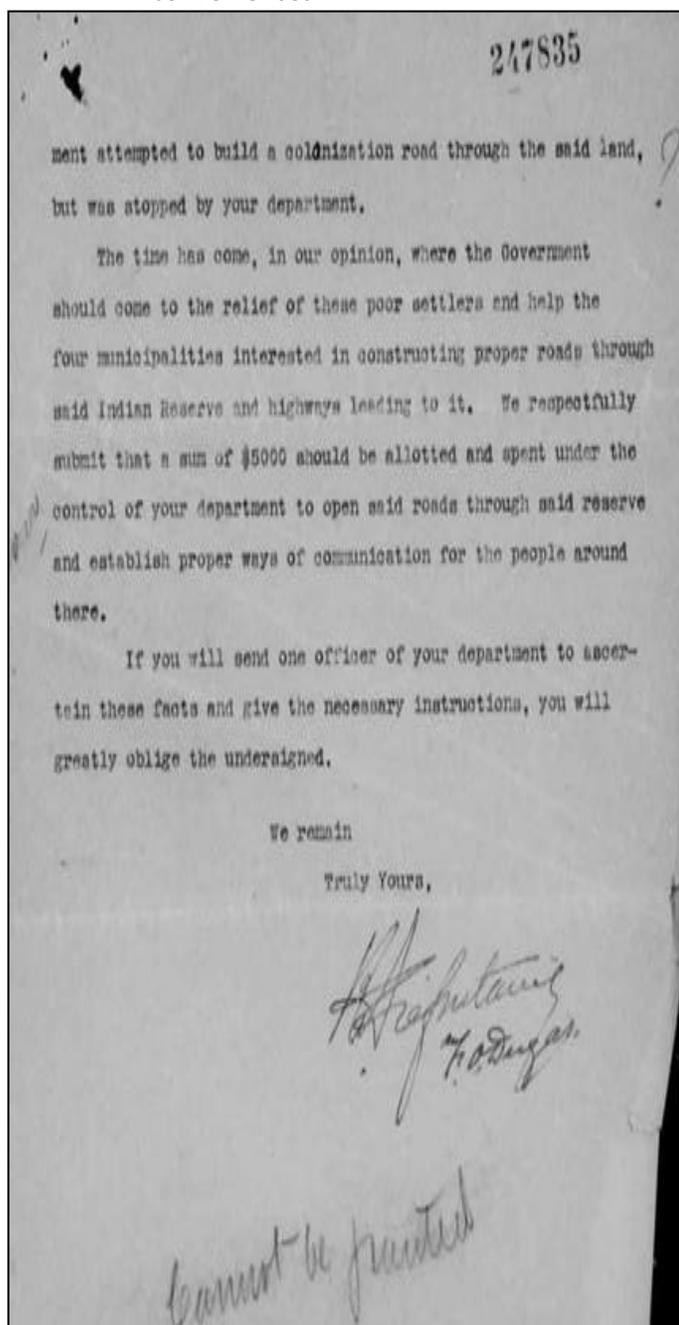
There exist in the Township of Doncaster, in the parish of Ste-Lucie, in the county of Terrebonne, between the county of Montcalm and Terrebonne, an Indian reserve of an area of 18,000 acres. The said reserve has never been occupied and has been left abandoned since over 40 years, nobody to take charge of it. It was thus unoccupied for 20 years, when some white settlers in good faith took lots on this reserve and built establishments for themselves.

It stands to reason that no improvements whatever have been made on those lands, except on those lots occupied by the squatters, but no contribution of any kind were levied for municipal purpose, and no contribution for roads or other municipal work were exacted from the said land. This state of affairs has caused great detriment to the surrounding inhabitants, for instance three parishes: St-Emile, St-Donat and Notre-Dame de la Merci, all prosperous parishes, in the North-East side of the Reserve, and the inhabitants of said parishes, since over 30 years have been obliged to ride 10 miles or 15 miles, in order to reach the Railway Station at Ste-Agathe des Monts, to carry their products and come to the city of Montreal, there being no road through the said reserve.

We must state that a few years ago the provincial govern--

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 55 (page 2/2) A letter from **23 April 1902** from **Prime Minister Prefontaine, Mayor of the city of Montreal and federal Deputy in the County of Terrebonne and Minister of Mines and Fisheries and Francois Octave Dugas, Deputy of Montcalm, in the Committee on Agriculture and Colonization** expressing the urge to build a road in order to deserve the people of St-Emile, St-Donat and Notre-Dame de la Merci in the North-East side of the Reserve in order to reach conveniences.



Page-doc 247835

"... ment attempted to build a colonisation road through the said land, but was stopped by your department.

The time has come, in our opinion, where the Government should come to the relief of these poor settlers and help the four municipalities interested in constructing proper roads through said Indian Reserve and highways leading to it. We respectfully submit that a sum of \$5000 should be allotted and spent under the control of your department to open said roads through said reserve and establish proper ways of communication for the people around there.

If you will send one officer of your department to ascertain these facts and give the necessary instructions, you will greatly oblige the undersigned.

*We remain
Truly Yours*

x R. Prefontaine

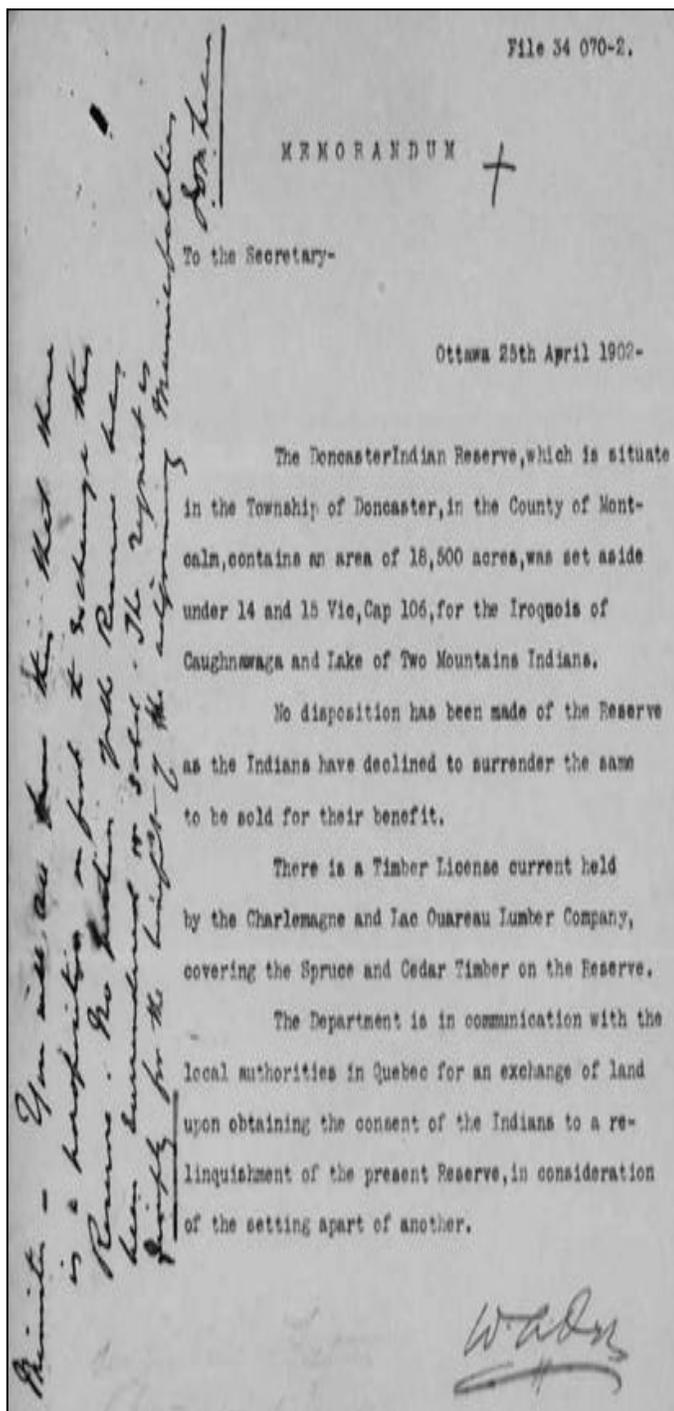
x FO Dugas"

Ends with a note below:

"Cannot be "granted.""

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 56 Memorandum of **25 April 1902**, from **W.A. Orr, Officer in charge for the Department of Indian Affairs at Lands and Timber Branch** to the **Secretary**, about a potential surrendering by the Indians.



File 34 070-2

"Memorandum

To the Secretary-

Ottawa 25th April 1901-

The Doncaster Indian Reserve, which is situated in the Township of Doncaster, in the County of Montcalm, containing an area of 18500 acres, was set aside under 14-15 Vic, Cap 106, for the Iroquois of Caughnawaga and the Lake of Two Mountains Indians.

No disposition has been made of the Reserve as the Indians have declined to surrender the same to be sold for their benefit.

There is a Timber License current held by the Charlemagne and the Lac Ouareau Lumber Company, covering the Spruce and Cedar Timber on the Reserve.

The Department is in communication with the local authorities in Quebec for an exchange of land upon obtaining the consent of the Indians to a relinquishment of the present Reserve, in consideration of the setting apart of another.

x W.A. Orr."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 56 Memorandum of **25 April 1902**, from **W.A. Orr, Officer in charge for the Department of Indian Affairs at Lands and Timber Branch** to the **Secretary**, about a potential surrendering by the Indians.

A note was written on the left side exposing:

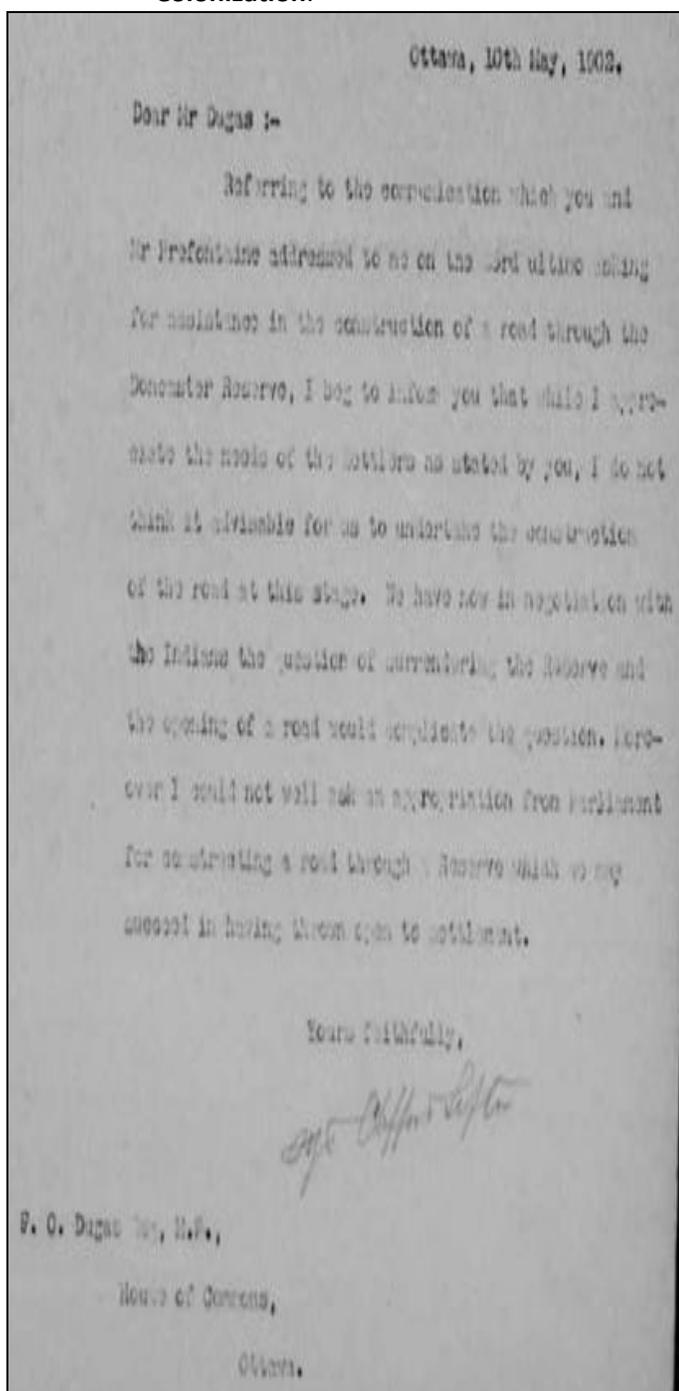
"Minister – You will see from them that there is a proposition in part to exchange the Reserve. No section of the Reserve has been surrendered or sold. The request is simply for the benefit of the Municipalities. J.D" McLean."

Minister - You will see from them that there is a proposition in part to exchange the Reserve. No section of the Reserve has been surrendered or sold. The request is simply for the benefit of the adjoining Municipalities.

J.D. McLean

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 57 Letter of **30 May 1902** from **Clifford Sifton, minister of the interior and superintendent general of Indian affairs** answering the last letter of **Francois Octave Dugas, Deputy of Montcalm** and **Minister Prefontaine** from **23 April 1902**, in the **Committee on Agriculture and Colonization**.



"Ottawa, 10th May, 1902.

Dear Mr Dugas:-

Referring to the communication which you and Mr Prefontaine addressed to me on the 23 Ultimo asking for assistance in the construction of a road through the Doncaster Reserve, I beg to inform you that while I appreciate the needs of the Settlers as stated by you, I do not think it advisable for us to undertake the construction of the road at this stage. We have now in negotiation with the Indians the question of surrendering the Reserve and the opening of a road would complicate the question. Moreover I could not well ask an appropriation from Parliament for constructing a road through the Reserve which you may succeed in having thrown open to settlement.

*Yours faithfully,
SIG Clifford Sifton."*

(SIG: Superintendent General Indian)

Trade Doncaster for Residential Schools:

An attempt was made by the government in order to manage the transfer of funds entitled to Doncaster towards the building and management of the Residential School 1902

On **5 May 1902** a letter-Memorandum from Duncan C. Scott, the Accountant of Indian Affairs to his superior, McKenna, James Andrew McKenna, Private Secretary of superintendent general, exposed the management of funds for the Methodist Church of England and the Mount Elgin residential schools for Kahnawake and Kanasatake

Then in an correspondence from **7 May 1902** by Caughnawaga Chief John Dailleboust and Indian Agent Brosseau are exposing the position of Caughnawaga about Doncaster after a special meeting in presence of James Andrew McKenna, Private Secretary of superintendent general. Which wrote as:

“At a special meeting of the Council of the Caughnawaga Band held at Caughnawaga in the 7th May 1902 in the presence of Mr. A. I. McKenna of the Department of Indian Affairs and Mr. A. Brosseau Indian Agent it was moved by Councillor J.S. Simpson and seconded by councillor J.B. Delorimier that after hearing Mr McKenna’s statement in regard to the Doncaster Reserve and the report of the delegates of the Council who visited the Reserve be it resolved that the Caughnawaga Band shall not during the present year exercise as a band or underdealt their rights to the said reserve in order to give time for the conversation and development of of a plan to provide a boarding school on the understanding that the Caughnawaga Band relinquish their rights to the reserve with a view to the same being given by them as a contribution to the school, of being understood by that Frank Thires who is at present at Doncaster may remain there so long as he does not, pending a settlement of the reserve question, interfere with the Squatters or any of them and that in the event of his doing so or threatening to do so he shall be recalled by the Council. Carried unanimously
Certified

his
John x Dailleboust
mark
Chief Councillor

A. Brosseau
Indian Agent”

In Spring, on **12 May 1902**, Indian Affairs Superintendent's Secretary, Andrew McKenna, exposes that the Caughnawaga Band is taking a year off the schedules of the Doncaster's occupation in order to focus on the transfers organised of their children to certain Residential School, as exposed in his previous report which wrote as:

"Ottawa, 12 May 1902.

Memorandum for the Minister:-

Re Doncaster Reserve.

This Reserve comprises the S. E. ¼ of the Township of Doncaster in the County of Montcalm, P.Q., and contains 18,500 acres. It was set aside fifty years ago by Statute for the Iroquois of Caughnawaga and Oka. It is in the midst of a hilly country where rocks abound and the light sandy loam is cultivable only with great labor.

But settlement has advanced and extended on to the Reserve.

I was unable to procure any detailed information in the Department in regard to the squatters or their holdings for the reason that the file containing the correspondence was sent to the Justice Department for advice in January 1896. No advice was tendered, and it appears that the papers have been lost. But I append a statement (A) giving the information which I obtained from the squatters when I met them recently at Ste Lucie. You will observe from it that 2,800 acres have been squatted on; that the improvements on the holdings range all the way from \$50.00 to \$4,000.00 and total some \$17,800.00; that most of them have been held for from twenty five to forty years; and that many have passed from original squatters.

The reserve is covered by a licence to cut spruce and cedar held by the Charlemagne and Lac Ouareau Lumber Company. Apart from what the Company does to guard its interest, nothing has been done to protect the other timber on the Reserve, and apparently it has been made pretty free with.

The squatters admitted that they were all aware when they took up their holdings or purchased from the squatters that the land was included in an Indian Reserve, but they claimed that they had been told that they would not be interfered with.

I found a Caughnawaga Indian named Thires with his adopted son and family in possession of a house on the Reserve and preparing for farming operations. The squatter who owned this house was absent, and this Indian, who had gone to the Reserve with others to make sugar, took possession of the house with a view to bringing to an issue the right of the Indians as against the squatters. I knew the old man and after parleying with him got his promise not to interfere with the squatters while we were endeavoring to make a settlement and to vacate the house as soon as its owner required it.

Four of the Council of the Caughnawaga band arrived while I was on the spot, and I discussed the situation with them. I assured them that Government had no intention of dispossessing the of their land, but pointed out that as these squatters had been on the Reserve for years and had made improvements, we would require time to make an adjustment with them if the Indians persisted in refusing to surrender the Reserve, and that in the meantime there should be no thought of their taking the law into their own hands. On their side they urged that the Department had failed to protect the Reserve, that the squatters had had the benefit of the timber on the Reserve outside of that covered by license, and had been exempt from taxes, all of which should be taken into consideration in effecting a settlement. They agreed however not to interfere with the squatters pending a consideration of a settlement if the question was promptly taken up and I would meet the Council at Caughnawaga to that end.

I was thus enabled to dispel the fears of the settlers, whom the presence of the Indians had greatly disturbed, and to rejoice them with the assurance that they might go on with the season's farm work which had been interrupted.

I have already reported adverse to the suggestion that the authority of Parliament should be sought to extinguish the Indian title to this Reserve. Such a course would immeasurably increase the trouble we already experience in dealing with the affairs of the Iroquois Indians, and would create a precedent that would make it all the more difficult to resist the pressure that is beginning to come from different quarters, and will increase year by year, to have Reserves thrown open when settlement presses upon them.

The situation is a difficult one. Having tacitly acquiesced in the trespass the Department is not now in a good position to enforce the law against the squatters. They have no legal rights, but departmental inaction has created certain rights which it would be inequitable and impolitic to disregard. If we cannot succeed in securing a surrender of the Reserve, we should not remove the squatters without compensation. But the funds of the Caughnawaga Band are not sufficient to bear such a charge, and even if they were, the Indians would claim that our failure as their guardians to protect the Reserve puts the burden of compensation on our shoulders.

It is clear that the Indians will not surrender the Reserve for the revenue to be derived from its sale. Provincial Government land was sold in the vicinity for thirty cents an acre. Nor will the Indians exchange it for other land in Quebec, for the reason that the available land adapted for agriculture would be far distant. If an exchange were considered at all, it would be for land in the North West Territories.

It came out in the discussion with the Indians that they are very desirous of having an Industrial School, and that the Band might be willing to relinquish its claim to the Reserve and give it as a

contribution towards the school if the Government would agree to provide one. I learned that a Resolution has been passed by the Band asking for a school and that the question has been mooted for some time. There is no Industrial or Boarding School in the Lower Provinces. Some 150 children from Caughnawaga are at present in Boarding Schools in the United States.

Although an Industrial School is mentioned, after discussion I found that what they really desired was a Boarding School in which special provision would be made for teaching the pupils farm work.

After conferring with you, I met the Council of the Caughnawaga Band, and discussed the Reserve matter. The discussion confirmed the views I have already expressed. The Indians are determined to insist upon their right to the Reserve and to keep the question in the front. They had evidently concluded to send a number of their people to Doncaster to take up land and thus demonstrate that they were in a position to make use of the Reserve and compel us to deal with the trespassers. They were in no mind to desist from their course. Signs of general disaffection were apparent. The Agent considered useless to go on with the discussion. I succeeded in getting a majority of the Council with me, but so strong is the feeling in the Band that the members of the Council would not commit themselves formally until the general meeting called for the afternoon was assembled and action could be taken in the presence of all. After the adjournment I met the Council with the members of the Band and resumed the discussion. A definite statement of the Government's policy was demanded from me and old questions were raked up. I replied that I was in a position to state frankly to them that you were impressed by the school proposal, that it was a matter, however, that had to be submitted to the Cabinet, and that no one could commit the Administration in advance. After giving an assurance that the proposal would not be shelved but would be duly and seriously considered, and pledging my word to give my personal attention to assisting in having the matter dealt with, the Council passed the Resolution attached hereto (B) agreeing that the Caughnawaga Band shall not exercise their right to the Doncaster Reserve during the present year in order to give time for the consideration and development of a plan to provide a boarding school on the understanding that the Caughnawaga Band relinquish their right to the Reserve with a view to the same being given as a contribution to the School.

I have conferred with Mr. Scott, the Accountant, in regard to the financial side of the school question, and he suggested (see his memo attached "C") that \$15,000.00 might be taken from the capital of the Province of Quebec Fund for building. This Fund began in 1860 with what is described as "a balance" of \$15,479,53, and was added to by an annual Legislative appropriation. In 1870 the appropriation was capitalized and [\$30,000.00 ou \$80,000.00] put to the credit of the Fund which then stood, Capital \$112,545.72, Interest, \$11,442.00. And notwithstanding the Capitalization the appropriation was continued. The Fund was charged with

salaries of missionaries and teachers in Lower Canada. But there was an Indian School Fund and it was considered that teacher's salaries should be charged of it and accordingly they were transferred by order in Council from the former to the latter fund \$58,080.000 which at 5% yielded sufficient to meet the transferred charge of teachers salaries. The School Fund was wiped out in the readjustment of Indian Funds made by Order in Council some years ago, and the \$58,080.00 was transferred back to the Province of Quebec Fund. Its actual Capital now is \$79,080.00. The interest is only charged with the salaries of three Missionaries and each year the balance goes to Capital with a view to bringing it to the old figure of \$107,000.00 and put it in a position to bear charges for relief that are now met out of Consolidated Revenue.

It will be seen that the practice warrants this and other such funds being dealt with by Order in Council for proper Indian purposes without any special statutory authority. It is a question of policy whether a part of the Capital of this particular fund should be used for an Indian Boarding School in Quebec. Fifty eight thousand dollars of it having once been transferred for educational purposes and only returned because of a general readjustment shows that education was regarded as a proper object of expenditure. Taking the suggested amount from capital will delay the recouping of the fund, but there is a question as to whether it is not wiser to use Capital for education than to lay it up to produce in future revenue for relief. We should be looking for the day when permanent provision for relief to Indians would not be required.

If the building were provided out of Indian funds a yearly Parliamentary appropriation for maintenance would be necessary. We now make the following provision for boarding schools in Ontario:

60 pupils at \$60.00 per capita at the Shinwauk Home (Church of England) - \$3600.00

100 pupils at \$60.00 at the Mount Elgin Institute (Methodist) - \$6000.00

91 pupils at the Mohawk Institute (Church of England) at \$60.00 = \$5400.00

120 pupils at the Wikwemikong School (Roman Catholic) at \$60.00 = \$7200.00

We would have to provide for not less than 100 pupils at \$60.00 at the proposed school.

I am convinced that practical education opens the only road to the permanent advancement of the Indians, and that boarding schools, in which certain manual training and farming and domestic work are important features, are the best means of educating Indian children on right lines.

I consider that it is contrary to good policy to have a large number of Iroquois Indians in schools in the United States. They come back with the idea that better provision is made for their race on that side of the line than on this, and become disturbing elements. It is in the public interest that the Iroquois should be made contented and advanced. The fact that they desire a school and are

ready to contribute to it is a good sign, and I feel that the necessary expenditure would be justified by results.

The Doncaster Reserve is held jointly by the Iroquois of Caughnawaga and Oka. The population of Caughnawaga is about 2,000, and of Oka some 450. Not all of the 450 claim to be Iroquois however; and only the Iroquois have a right to Doncaster. Opinion at Caughnawaga affects opinion at Oka, and as a question of surrender is decided by a majority vote of the joint owners, Caughnawaga controls the situation. We need not, therefore, fear that a scheme of settlement will be blocked at Oka.

X signed J.A. McKenna.”

Then, on **20 August 1902**, Indian Affairs Superintendent Clifford Sifton writes to his Assistant Indian Commissionaire James Andrew McKenna, suggesting the proper formula for the Chief and voters of Caughnawaga to submit and abandon Doncaster for a residential school, suggested by Ottawa. Only male members aged 21 and older were allowed to vote in Band Councils in Canada until 1951.

The page 98-99-100 of the microfilmed documents are containing the original and stamped letter :

“KNOW ALL MEN BY THESE PRESENTS THAT WE, the undersigned Chief and Principal men of the (~~or~~ sometimes called the Iroquois of Sault Saint Louis) Iroquois of Caughnawaga, Band of Indians resident on our Reserve at Caughnawaga in the County of Laprairie in the Province of Quebec and Dominion of Canada, for and acting on behalf of the whole people of our said Band in Council assembled, DO hereby release, remise, surrender, quit and yield up unto OUR SOVEREIGN LORD THE KING, his Heirs and Successors forever, ALL AND SINGULAR, that certain parcel or tract of land and premises, situate, lying and being in the township of Doncaster in the County of Montcalm and Province of Quebec containing by admeasurement eighteen thousand five hundred acres be the same more or less and being composed of the Doncaster Indian Reserve in the Township and County aforesaid which said reserve is delineated in a plan of record in the Department of Indian Affairs, dated 20th February, 1858 signed by Andrew Russel Assistant Commissioner of Crown Lands.

TO HAVE AND TO HOLD the same unto His said Majesty the King, his heirs and Successors forever, in trust to dispose of, sell, alienate or lease the same in such manner and upon such term as the Government of the Dominion of Canada may deem most conducive to the purposes hereinafter mentioned and upon the further condition that all moneys received from the disposition, sale, alienation or lease thereof shall after deducting the usual proportion for expenses of management be applied by the said Government in defraying or by way of contribution to the cost of a boarding school for indian children hereafter to be erected under direction of the said Government and the costs of construction, maintenance and repairs of the said school and the conduct thereof and the maintenance and education of the children attending the same Provideo always that such school shall be situate in the Province of Quebec within convenient distance of Caughnawaga and Oka both in the said Province and shall have accommodation for at least two hundred children and provided also that all applicants for admission to the said school who are children of Iroquois Indians of Caughnawaga or of the Lake of Two Mountains shall have a prior right over all other children to admission to and maintenance and education at the said school so long as any vacancy thereat continues.

And we the said Chief and principal men of the said Iroquois of Caughnawaga Band of Indians do on behalf of our own people and for ourselves hereby ratify and confirm, whatever the said

Government may do, or cause to be lawfully done in connection with the disposition, sale, alienation or lease of the lands hereby surrendered or any part thereof.

*IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this (blank) day of (blank) in the year of Our Lord one thousand nine hundred and Signed, sealed and delivered)
in presence of)"*

Though, later, on **25 October 1902**, a document-letter states that :

"At a meeting of the Iroquois tribe residing in the Caughnawaga Indian Reserve, Canada, The question of surrendering their share in the Doncaster Reserve as their contribution to the erection of a boarding school for 200 of their children at or near the said Reserve was voted upon held at Council room Caughnawaga on 25th Oct., 1902, the said school to be erected and maintained on the ...(unreadable)"

On **25 October 1902**, below the previous statement, the names of only 5, those "*in favor of endeavor*" and 74 others, "*those against*"

Two important historical reports which exposed the history until the management of the departure of the squatters

In a report from **13 March 1903** about the historical and legal situation of Doncaster written from the Assistant Secretary of Indian Affairs Samuel Stewart depicted a complete review of the historical situation of Doncaster until 1903, which mentioned:

“By Statute 14 & 15 Vic., Cha. 106, lands amounting in all to 230,000 acres were set apart for Indian Tribes in Lower Canada. Of this amount a reserve containing 18,500 acre was granted to the Iroquois of Caughnawaga and Two Mountains in the Township of Wexford (now Doncaster), County of Montcalm, and was confirmed to them by Order in Council of 9th August, 1853.

This reserve has never been occupied by the Indians Reports regarding the lands have been made by Mr. Fillion, Bushranger for the Quebec Crown Lands Department, Mr. Bray, Chief Surveyor, Mr. McKenna, Assistant Indian Commissioner, Mr. Dingman, Inspector of Reserves, all of whom visited the reserve and agree in saying that it as well as the surrounding Townships consist of steep, rocky hills, with practically no plains between them. The soil, it is further stated, is without exception a sandy loam of medium quality, and no one but those who are willing to work very hard and live very frugally can possibly make a living in this rough, sandy district.

*The value of the land is given as from 30 to 33 cents per acre. The Reserve when set apart contained a considerable quantity of good merchantable timber. In 1869 a license to cut the same was granted to **Messrs. Cushing Bros.**, of Repentigny who paid a bonus of \$350.00 in addition to ground rent and timber dues for the privilege, but they allowed the license to lapse in 1872 owing to the difficulty of getting the logs down the streams.*

A license to cut the spruce and cedar timber was granted to the Charlemagne and Lac Onareau Lumber Co. In 1886 on payment of Two hundred dollars bonus in addition to ground rent and timber dues. This license is still in force. The first intimation received by the Department regarding the squatters was from the Crown Lands Departments, Quebec, in November 1881, and that Department offered to send a competent Bushranger to investigate and report if desired.

In reply the Department asked that this be done, and that all squatters on the reserve be notified to leave at once.

In compliance with this request, Mr. A. B. Fillion was sent to the reserve and his report of 15th December, 1881, states the he found fifteen families occupying lands belonging to the Indians, and that he had served them with notice to leave. Mr. Fillion valued the improvements owned by the settlers at \$1635.00.

The notice did not have the desired effect, as several of those, who are now on the reserve, are evidently, judging by the names, of the same families, who were there in 1881, while others claim to have purchased from the persons mentioned by Mr. Filion.

The settlers were also notified to leave by Mr. Dingman, Inspector of Agencies, in August, 1893.

Mr. McKenna visited the reserve in May, 1902, and reported sixteen persons as holding lands on the reserve of from 100 to 450 acres in extent. The values of the improvements as given to Mr. McKenna by the settlers themselves totalled \$17,800.00.

As early as September, 1873, the Crown Lands Department, Quebec, proposed that, as the Doncaster Reserve was not occupied by Indians, or likely to be so, and as it was important, in view of the settlement in this Township, that the block of land should be offered for sale to actual settlers, (blank space) it be transferred to the Government of the Province of Quebec in exchange for an equal area of land in another locality, better suited to the wants of the Indians, or, in case such an exchange could not be made, that the land in question be offered for sale by the Department.

In accordance with the proposition, Mr. De Boucherville, the Lands Sales Clerk, was sent to Caughnawaga, to endeavour to obtain a surrender from the Indians but could not get their consent and the matter was allowed to drop for the time being.

In April last the Crown Lands Department again offered, in the event of the Indians surrendering the reserve, to set aside another tract of land of the same extent in exchange for the same.

Very strong representations have from time to time been made to this Department by the Crown Lands Departments, by the settlers themselves, by the adjoining Municipality and by Members of Parliament, that the reserve should be opened for sale.

The difficulty in the way of this action has been, however, that this Department, after repeated attempts, as failed to obtain a surrender of the reserve from the Indians.

The efforts of this direction may be enumerated:-

In August, 1874 by Mr. De Boucherville, Lands Sales Clerk,

May 1893, “ Mr. Dingman, Inspector of Agencies,

May 1894, “ Mr. McKenna, Secretary to Deputy Minister,

May 1901, “ Mr. Bray, Chief Surveyor,

May 1902, “ Mr. McKenna, Assistant Indian Commissioner,

It may be mentioned that the settlers have all along admitted they were aware, when they took up holding, that the lands were included in an Indian Reserve, but further state that they were given to understand, they would not be interfered with.

S. Stewart, Assistant Secretary.”

It was followed by another important temporal updates of the legal procedures, exposing a Memorandum report, from **3 April 1903** about the historical and legal situation of Doncaster written from the Deputy Superintendent General of Indian Affairs James A. Smart which went as:

"Ottawa, 3rd April, 1903.

Memorandum:- The Superintendent General.

The Doncaster Reserve, situated in the County of Montcalm, containing 18,000 acres, was set apart by Statute 14 and 15 Voc., Ch. 106, for the benefit of the Iroquois of Caughnawaga and Two Mountains. The Reserve has never been occupied by the Indians, and in October, 1873, and again in May, 1902, the Crown Lands Department, Quebec, proposed, in view of the progress of settlement, that the Reserve be transferred to the Province in exchange for an equal tract of land in another locality, or that, in case such an exchange could not be made, the land in question be offered for sale by the Department.

The matter was referred to the Indians, and they were asked to surrender the Reserve in order that it might be sold for their benefit. It was pointed out to them that the advance of settlement in that part of the country where the reserve is situated and its distance from the residence of any officer of the Department made it difficult to protect the land from being squatted upon or the timber pillaged.

The Indians, however, refused to surrender the Reserve: and, although the matter has been submitted to them on five different occasions, it has always been with the same result.

The Agent who visited the Reserve in 1873 found a number of squatters on the Reserve, and since that date others have also taken up land and built houses thereon.

These persons have several times been notified to leave, but action for their ejection has not been taken owing to representation that have been made to the Department by the Crown Lands Department, by the authorities of the adjoining municipality, by Members of Parliament and by the settlers themselves.

It was anticipated by the Department, as well as by the settlers and their friends, that the Indians would eventually consent to surrender the Reserve, as the land was reported to be of poor quality and difficult of cultivation. There was little reason, therefore, for thinking that the Indians would desire to settle down on it with the expectation of making a living by farming.

The Indians have now, however, signified their intention of at once occupying the Reserve and have demanded that the trespassers be removed without delay, but before this action can be taken the claim of the squatters for compensation for their improvements requires to be dealt with.

These squatters state that they took up their holding in good faith, and with the conviction that the Reserve would be opened for sale. The fact that the Department has to a certain extent acquiesced in the trespass is also given as a reason why they should be compensated for their improvements if they are compelled to remove from the Reserve.

It is felt that there is considerable force in the argument urged on behalf of the squatters, and that their continued occupation, most of them for periods of from twenty-five to forty years, together with the Department's inaction, gives them a claim which cannot well be overlooked.

The lands trespassed upon amount to 2,800 acres, and the improvements on the holdings given by the squatters themselves total some \$17,800.00.

In dealing with this matter it should, however, be borne in mind that the squatters have had the free use of the land all these years and that they, living on an Indian Reserve, have not been required to pay taxes. In addition, they have had the benefit, of which it is stated they have taken full advantage, of the timber on the Reserve outside of the spruce and cedar, which alone is covered by license.

In the event of its being decided to pay for the improvements, it will be necessary to have the money provided by a vote of Parliament. The Oka Indians have no funds and the funds of the Caughnawaga Band are not sufficient to bear the charge of paying the amount required.

The claims of the Indians cannot, it is thought, be overlooked that the failure of the Department to protect the Reserve from intrusion puts the burden of compensation on its shoulders.

There is no doubt but that the longer the settlement of this matter is delayed the more difficult will it be to come to a satisfactory arrangement. Some of the Caughnawaga Indians have already been restrained with difficulty from taking possession of house owned by the squatters; and the Oka Indians, who feel that they have been unjustly deprived of the lands at the Lake of Two Mountains, will make the most of any delay in putting them in possession of the Reserve at Doncaster.

Roads Through The Reserve:-

The Department of Agriculture and Colonisation, Quebec, and the Members of Parliament for the Counties of Montcalm and Terrebonne have pointed out that no roads have been opened up through the Doncaster Reserve. In consequence, they state, the settlers in the surrounding town-

Ships are seriously inconvenienced, as they are obliged to ride from 10 to 15 miles in order to reach a railway station with the products of their farms.

Messrs. Prefontaine and Dugas have asked that the Department come to the relief of the settlers and help the municipalities interested in constructing proper roads through the Reserve and highways leading to it. They ask that a sum of \$5,000.00 be allocated and spent under the control of the Department to open said roads.

In connection with these applications attention is called to Section 35 of the Indian Act as amended by Section 5 of 50-51 Vic., Ch. 23, which provides that "No portion of any reserve shall be taken for the purposes of any railway, road or public work without the consent of the Governor in Council, and if any railway, road or public work passes through or causes injury to any reserve belonging to or in possession of any band of Indians, or if any act occasioning damage to any reserve is done under the authority of an Act of Parliament, or of the Legislature of any Province, compensation shall be made to them therefor in the same manner as is provided with respect to the lands or rights of other persons."

Under Section 38 as repealed by Section 3 of 61 Vic., Chp. 24m no reserve or portion of a reserve shall be sold, alienated or leased until the same has been released or surrendered to the Crown.

It is doubtful whether the Indians would consent at present to surrender any portion of the Reserve.

If the Indians were residing on the Reserve they could be compelled under Section 33 as repealed by Section 1, Ch. 33, Vic. 61, and Section 34 to make roads and keep them in order through the Reserve.

Under the circumstances the only way in which the wishes of the Department of Colonisation and of the Members for the Counties of Montcalm and Terrebonne can be met would be apparently by this Department's obtaining a grant from Parliament for the purpose and having the roads made for the improvement of the Reserve and for the benefit of the Indians.

Deputy Superintendent General of Indian Affairs."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 58 letter-Memorandum of **5 May 1902** from **Duncan C. Scott, the Accountant of Indian Affairs** to his superior, **McKenna, James Andrew McKenna, Private Secretary of superintendent general**, for the management of funds for the Methodist Church of England and the Mount Elgin residential schools for Kahnawake and Kanesatake

DEPARTMENT OF THE
INDIAN AFFAIRS
OTTAWA.

DEPARTMENT OF
INDIAN AFFAIRS
OTTAWA.

For Mr. McKenna:

MEMORANDUM with reference to financing
a Roman Catholic Indian Industrial School for the Prov. of Quebec.

* * * * *

The amount necessary to erect and furnish a building for the Indian Industrial school in the Province of Quebec, might be taken from the Capital of the Province of Quebec Funds. The Capital of this Fund now amounts to \$79,000; the nominal Capital, \$107,000, is under process of restitution under a scheme authorized by O. in C. of the 1st. July, 1898. To take the amount mentioned for this purpose— say \$15,000— would simply postpone for a term of years the restoration of the Capital of this fund. At present the interest is being used for the payment of salaries to 3 missionaries to Indians in the Province of Quebec. When the building is erected and furnished, a per cap. grant of \$60.00 each for a number of pupils to be decided upon, would have to be provided for by Parliament. The Methodist and Church of England Schools at Mount Elgin and Sault Ste. Marie provide boarding school advantages for the children of Protestant Indians in the Province of Quebec.

Dept. of I.A.,
May 5th—1902.

D. C. Scott
Accountant.

ASJ.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 59 (page 1/3) In an correspondence from **7 May 1902** by **Caughnawaga Chief John Dailleboust** and **Indian Agent Brosseau** are exposing the position of Caughnawaga about Doncaster after a special meeting in presence of **James Andrew McKenna, Private Secretary of superintendent general.**

B

At a special meeting of the Council of the Caughnawaga Band held at Caughnawaga in the 7th May 1902 in the presence of Mr. J. A. McKenna of the Department of Indian Affairs and Mr. A. Brosseau Indian Agent it was moved by Councillor J.S. Simpson and seconded by Councillor J.B. Delorimier that after hearing Mr McKenna's statement in regard to

2

the Doncaster Reserve and the report of the delegates of the Council who visited the Reserve be it resolved that the Caughnawaga Band shall not during the present year exercise as a band or individuals their right to the said reserve in order to give time for the consideration and development of

"B

At a special meeting of the Council of the Caughnawaga Band held at Caughnawaga in the 7th May 1902 in the presence of Mr. A. I. McKenna of the Department of Indian Affairs and Mr. A. Brosseau Indian Agent it was moved by Councillor J.S. Simpson and seconded by councillor J.B. Delorimier that after hearing Mr McKenna's statement in regard to

2

the Doncaster Reserve and the report of the delegates of the Council who visited the Reserve be it resolved that the Caughnawaga Band shall not during the present year exercise as a band or underdealt their rights to the said reserve in order to give time for the conversation and development of..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 60 (page 2/3) In an correspondence from **7 May 1902** by **Caughnawaga Chief John Dailleboust** and **Indian Agent Brosseau** are exposing the position of Caughnawaga about Doncaster after a special meeting in presence of **James Andrew McKenna, Private Secretary of superintendent general.**

3
 of a plan to provide a
 boarding school on the
 understanding that the
 Caughnawaga Band relinquish
 their rights to the reserve
 with a view to the same
 being given by them as a
 contribution to the school,
 contribution to the school,
 A

"3
 ..of a plan to provide a
 boarding school on the
 understanding that the
 Caughnawaga Band relinquish
 their rights to the reserve
 with a view to the same
 being given by them as a
 contribution to the school,

4
 it being understood that
 Frank Thires who is at
 present at Doncaster may
 remain there so long as
 he does not, pending a settlement
 of the reserve question, interfere
 with the squatters or any of
 them and that in the event
 of his doing so or threatening
 to do so he shall be recalled
 by the Council. Carried
 unanimously

4
 of being understood by that
 Frank Thires who is at
 present at Doncaster may
 remain there so long as
 he does not, pending a settlement
 of the reserve question, interfere
 with the Squatters or any of
 them and that in the event
 of his doing so or threatening
 to do so he shall be recalled
 by the Council. Carried
 unanimously ..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 61 (page 3/3) In an correspondence from **7 May 1902** by **Caughnawaga Chief John Dailleboust** and **Indian Agent Brosseau** are exposing the position of Caughnawaga about Doncaster after a special meeting in presence of **James Andrew McKenna, Private Secretary of superintendent general**

5
 Unanimously
 Certified
 John x Dailleboust
 mark
 Chief Councillor
 A. Brosseau
 Indian Agent

"5
 Unanimously
 Certified

his
 John x Dailleboust
 mark
 Chief Councillor

A. Brosseau
 Indian Agent"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 62-64 Statement "A" giving names of squatters on the Doncaster reserve, the extent of their holdings, and an estimate of improvement.

"A"
(2)

six years ago for \$50.00 from S. Deslauriers who had held it for three years previously. He has 128 acres broken and fenced a house, barn, stable and shed, and values his improvements at \$5,000.00.

(11) Book Thoin claims 400 acres which he bought 30 years ago from S. Gauthier, L. Peltier, N. Peltier and Ben Fergel for \$200.00, the land having been held for over five to ten years previously. He has 200 acres broken and fenced, a large barn and stable. All the land is cleared and he values his improvements at \$4000.00. He does not live on the reserve. He is a hotel keeper in the village of St. Louis.

(12) Joseph Bost claims 100 acres which he took up twelve years ago. Has 60 acres broken and fenced and values his improvements at \$1,500.00. He does not live on the reserve.

(13) Joseph Ferron claims 100 acres which he took up four years ago. Has from 50 to 25 acres broken and values his improvements at \$300.00.

(14) Pierre Hayer claims 100 acres which he took up four years ago. Has 100 acres broken, a house, barn, stable, and fencing, and values his improvements at \$300.00.

(15) P. Gouyon claims 100 acres for which he paid some \$40.00 three years ago to Ernest Figer, the land having been taken up 20 years previously. Has 25 acres broken. Has buildings and fencing, and values his improvements at \$300.00.

(16) One Ties who lives in Montreal was stated to be the claimant of 100 acres for which he paid \$800.00 the land having been taken up 20 years ago. There are some 40 acres broken and fenced and a small barn.

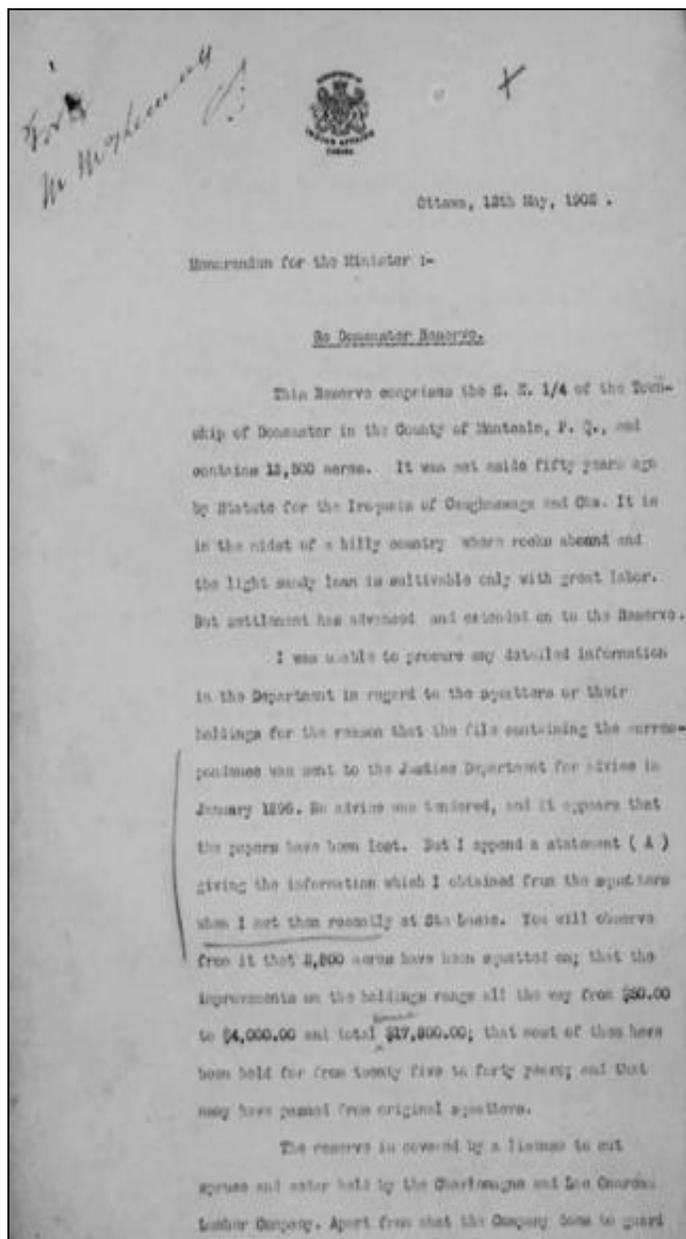
This makes the total acreage taken up 2,400, and the value of improvements \$17,800, putting Ties's at \$800.

*Abundant
Provision
for
A. Hayer
only
for Charles*

H. J. Smith

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 65 (page 1/9) In Spring, on **12 May 1902**, **Indian Affairs Superintendent's Secretary, Andrew McKenna**, exposes that the Caughnawaga Band is taking a year off the schedules of the Doncaster's occupation in order to focus on the transfers organised of their children to certain Residential School, as exposed in his previous report through the previous pages 232-239 exposing *passed the Resolution attached hereto (B) agreeing that the Caughnawaga Band shall not exercise their right to the Doncaster Reserve during the present year in order to give time for the consideration and development of a plan to provide a boarding school. [...]*"



"Ottawa, 12 May 1902.

Memorandum for the Minister:-

Re Doncaster Reserve.

This Reserve comprises the S. E. ¼ of the Township of Doncaster in the County of Montcalm, P.Q., and contains 18,500 acres. It was set aside fifty years ago by Statute for the Iroquois of Caughnawaga and Oka. It is in the midst of a hilly country where rocks abound and the light sandy loam is cultivable only with great labor. But settlement has advanced and extended on to the Reserve.

I was unable to procure any detailed information in the Department in regard to the squatters or their holdings for the reason that the file containing the correspondence was sent to the Justice Department for advice in January 1896. No advice was tendered, and it appears that the papers have been lost. But I append a statement (A) giving the information which I obtained from the squatters when I met them recently at Ste Lucie. You will observe from it that 2,800 acres have been squatted on; that the improvements on the holdings range all the way from \$50.00 to \$4,000.00 and total some \$17,800.00; that most of them have been held for from twenty five to forty years; and that many have passed from original squatters.

The reserve is covered by a licence to cut spruce and cedar held by the Charlemagne and Lac Ouareau Lumber Company. Apart from what the Company does to guard..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 66 (page 2/9)

[2]

"...its interest, nothing has been done to protect the other timber on the Reserve, and apparently it has been made pretty free with.

The squatters admitted that they were all aware when they took up their holdings or purchased from the squatters that the land was included in an Indian Reserve, but they claimed that they had been told that they would not be interfered with.

I found a Caughnawaga Indian named Thires with his adopted son and family in possession of a house on the Reserve and preparing for farming operations. The squatter who owned this house was absent, and this Indian, who had gone to the Reserve with others to make sugar, took possession of the house with a view to bringing to an issue the right of the Indians as against the squatters. I knew the old man and after parleying with him got his promise not to interfere with the squatters while we were endeavoring to make a settlement and to vacate the house as soon as its owner required it.

Four of the Council of the Caughnawaga band arrived while I was on the spot, and I discussed the situation with them. I assured them that Government had no intention of dispossessing the of their land, but pointed out that as these squatters had been on the Reserve for years and had made improvements, we would require time to make an adjustment with them if the Indians persisted in refusing to surrender the Reserve, and that in the meantime there should be no thought of their taking the law into their own hands. On their side they urged that the ..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 67 (page 3/9)

[3]

"... Department had failed to protect the Reserve, that the squatters had had the benefit of the timber on the Reserve outside of that covered by license, and had been exempt from taxes, all of which should be taken into consideration in effecting a settlement. They agreed however not to interfere with the squatters pending a consideration of a settlement if the question was promptly taken up and I would meet the Council at Caughnawaga to that end.

I was thus enabled to dispel the fears of the settlers, whom the presence of the Indians had greatly disturbed, and to rejoice them with the assurance that they might go on with the season's farm work which had been interrupted.

I have already reported adverse to the suggestion that the authority of Parliament should be sought to extinguish the Indian title to this Reserve. Such a course would immeasurably increase the trouble we already experience in dealing with the affairs of the Iroquois Indians, and would create a precedent that would make it all the more difficult to resist the pressure that is beginning to come from different quarters, and will increase year by year, to have Reserves thrown open when settlement presses upon them.

The situation is a difficult one. Having tacitly acquiesced in the trespass the Department is not now in a good position to enforce the law against the squatters. They have no legal rights, but departmental inaction has created certain rights which it would be inequitable and impolitic to disregard. If we cannot succeed in securing a surrender..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 68 (page 4/9)

[4]

"... of the Reserve, we should not remove the squatters without compensation. But the funds of the Caughnawaga Band are not sufficient to bear such a charge, and even if they were, the Indians would claim that our failure as their guardians to protect the Reserve puts the burden of compensation on our shoulders.

It is clear that the Indians will not surrender the Reserve for the revenue to be derived from its sale. Provincial Government land was sold in the vicinity for thirty cents an acre. Nor will the Indians exchange it for other land in Quebec, for the reason that the available land adapted for agriculture would be far distant. If an exchange were considered at all, it would be for land in the North West Territories.

It came out in the discussion with the Indians that they are very desirous of having an Industrial School, and that the Band might be willing to relinquish its claim to the Reserve and give it as a contribution towards the school if the Government would agree to provide one. I learned that a Resolution has been passed by the Band asking for a school and that the question has been mooted for some time. There is no Industrial or Boarding School in the Lower Provinces. Some 150 children from Caughnawaga are at present in Boarding Schools in the United States.

Although an Industrial School is mentioned, after discussion I found that what they really desired was a Boarding School in which special provision would be made for teaching the pupils farm work."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 69 (page 5/9)

[5]

“After conferring with you, I met the Council of the Caughnawaga Band, and discussed the Reserve matter. The discussion confirmed the views I have already expressed. The Indians are determined to insist upon their right to the Reserve and to keep the question in the front. They had evidently concluded to send a number of their people to Doncaster to take up land and thus demonstrate that they were in a position to make use of the Reserve and compel us to deal with the trespassers. They were in no mind to desist from their course. Signs of general disaffection were apparent. The Agent considered useless to go on with the discussion. I succeeded in getting a majority of the Council with me, but so strong is the feeling in the Band that the members of the Council would not commit themselves formally until the general meeting called for the afternoon was assembled and action could be taken in the presence of all. After the adjournment I met the Council with the members of the Band and resumed the discussion. A definite statement of the Government’s policy was demanded from me and old questions were raked up. I replied that I was in a position to state frankly to them that you were impressed by the school proposal, that it was a matter, however, that had to be submitted to the Cabinet, and that no one could commit the Administration in advance. After giving an assurance that the proposal would not be shelved but would be duly and seriously considered, and pledging my word to give my personal attention to assisting in having the matter dealt with, the Council...”

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 70 (page 6/9)

[6]

"... passed the Resolution attached hereto (B) agreeing that the Caughnawaga Band shall not exercise their right to the Doncaster Reserve during the present year in order to give time for the consideration and development of a plan to provide a boarding school on the understanding that the Caughnawaga Band relinquish their right to the Reserve with a view to the same being given as a contribution to the School.

I have conferred with Mr. Scott, the Accountant, in regard to the financial side of the school question, and he suggested (see his memo attached "C") that \$15,000.00 might be taken from the capital of the Province of Quebec Fund for building. This Fund began in 1860 with what is described as "a balance" of \$15,479,53, and was added to by an annual Legislative appropriation. In 1870 the appropriation was capitalized and [\$30,000.00 ou \$80,000.00] put to the credit of the Fund which then stood, Capital \$112,545.72, Interest, \$11,442.00. And notwithstanding the Capitalization the appropriation was continued. The Fund was charged with salaries of missionaries and teachers in Lower Canada. But there was an Indian School Fund and it was considered that teacher's salaries should be charged of it and accordingly they were transferred by order in Council from the former to the latter fund \$58,080.000 which at 5% yielded sufficient to meet the transferred charge of teachers salaries. The School Fund was wiped out in the readjustment of Indian Funds made by Order in Council some years ago, and the \$58,080.00 was transferred back to the Province of Quebec Fund. Its actual Capital now is \$79,080.00. Tue interest is only charged with the salaries..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 71 (page 7/9)

[7]

"... of three Missionaries and each year the balance goes to Capital with a view to bringing it to the old figure of \$107,000.00 and put it in a position to bear charges for relief that are now met out of Consolidated Revenue.

It will be seen that the practice warrants this and other such funds being dealt with by Order in Council for proper Indian purposes without any special statutory authority. It is a question of policy whether a part of the Capital of this particular fund should be used for an Indian Boarding School in Quebec. Fifty eight thousand dollars of it having once been transferred for educational purposes and only returned because of a general readjustment shows that education was regarded as a proper object of expenditure. Taking the suggested amount from capital will delay the recouping of the fund, but there is a question as to whether it is not wiser to use Capital for education than to lay it up to produce in future revenue for relief. We should be looking for the day when permanent provision for relief to Indians would not be required.

*If the building were provided out of Indian funds a yearly Parliamentary appropriation for maintenance would be necessary. We now make the following provision for boarding schools in Ontario:
60 pupils at \$60.00 per capita at the Shinwauk Home (Church of England) - \$3600.00
100 pupils at \$60.00 at the Mount Elgin Institute (Methodist) - \$6000.00 ..."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 72 (page 8/9)

[8]

"... 91 pupils at the Mohawk Institute (Church of England) at \$60.00 = \$5400.00

120 pupils at the Wikwemikong School (Roman Catholic) at \$60.00 = \$7200.00

We would have to provide for not less than 100 pupils at \$60.00 at the proposed school.

I am convinced that practical education opens the only road to the permanent advancement of the Indians, and that boarding schools, in which certain manual training and farming and domestic work are important features, are the best means of educating Indian children on right lines.

I consider that it is contrary to good policy to have a large number of Iroquois Indians in schools in the United States. They come back with the idea that better provision is made for their race on that side of the line than on this, and become disturbing elements. It is in the public interest that the Iroquois should be made contented and advanced. The fact that they desire a school and are ready to contribute to it is a good sign, and I feel that the necessary expenditure would be justified by results.

The Doncaster Reserve is held jointly by the Iroquois of Caughnawaga and Oka. The population of Caughnawaga is about 2,000, and of Oka some 450. Not all of the 450 claim to be Iroquois however; and only the Iroquois have a right to Doncaster. Opinion at Caughnawaga affects opinion at Oka, and as a question of surrender is decided by a majority vote of the joint owners, Caughnawaga con- ..."

Pages 72 (page 9/9)

[9]

"...trolls the situation. We need not, therefore, fear that a scheme of settlement will be blocked at Oka. J.A. McKenna."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 74 (page 1/2) On **8 October 1902**, **Indian Affairs Superintendent Clifford Sifton** exposes to his **Secretary, James Andrew McKenna, Private Secretary of superintendent general**, that the Caughnawaga Band is taking a year off the schedules of the Doncaster's occupation in order to focus on the transfers organised of their children to certain Residential School, as exposed in his previous report through the previous pages 232-239 exposing *passed the Resolution attached hereto (B) agreeing that the Caughnawaga Band shall not exercise their right to the Doncaster Reserve during the present year in order to give time for the consideration and development of a plan to provide a boarding school [...]*

Ottawa, 8th October, 1903.

Dear Mr McKenna :-

I return your report respecting the Doncaster Reserve and the Resolution of the Caughnawaga Council to the effect that the Band would not during the present year exercise their rights to that Reserve in order to give time for the consideration and development of a plan to provide a boarding School on the understanding that the Caughnawaga Band relinquish their right to the Reserve with a view to the same being given as a contribution to the School. You will remember that I stated to you that I was favorably impressed by the School proposal but that the matter was one which would have to be submitted to the Cabinet. I have done so, and after consideration of your report, it has been decided to provide the establishment of the desired School on the Indians implementing the Resolution by a formal surrender of the Reserve. I therefore desire you to

J. A. J. McKenna Esq,

Ottawa .

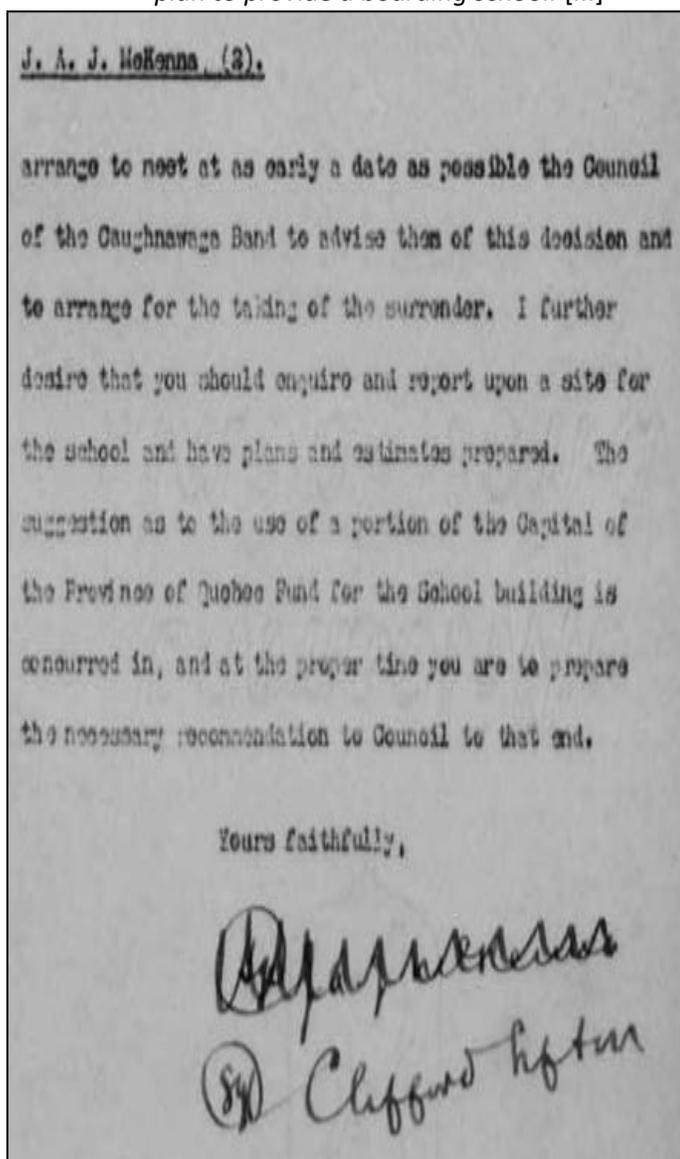
"Ottawa, 8th October, 1903.

Dear Mr. McKenna:-

I return your report respecting the Doncaster Reserve and the Resolution of the Caughnawaga Council to the effect that the Band would not during the present year exercise their right to the Reserve in order to give time for the consideration and development of a plan to provide a boarding School on the understanding that the Caughnawaga Band relinquish their right to the Reserve with a view to the same being given as a contribution to the School. You will remember that I stated to you that I was favorably impressed by the School proposal but that the matter was one which would have to be submitted to the Cabinet. I have done so, and after consideration of your report, it has been decided to provide the establishment of the desired School on the implementing the Resolution by a formal surrender of the Reserve. I therefore desire you to..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 75 (page 2/2) On **8 October 1902**, **Indian Affairs Superintendent Clifford Sifton** exposes to his **Secretary, James Andrew McKenna, Private Secretary of superintendent general**, that the Caughnawaga Band is taking a year off the schedules of the Doncaster's occupation in order to focus on the transfers organised of their children to certain Residential School, as exposed in his previous report through the previous pages 232-239 exposing *passed the Resolution attached hereto (B) agreeing that the Caughnawaga Band shall not exercise their right to the Doncaster Reserve during the present year in order to give time for the consideration and development of a plan to provide a boarding school. [...]*"

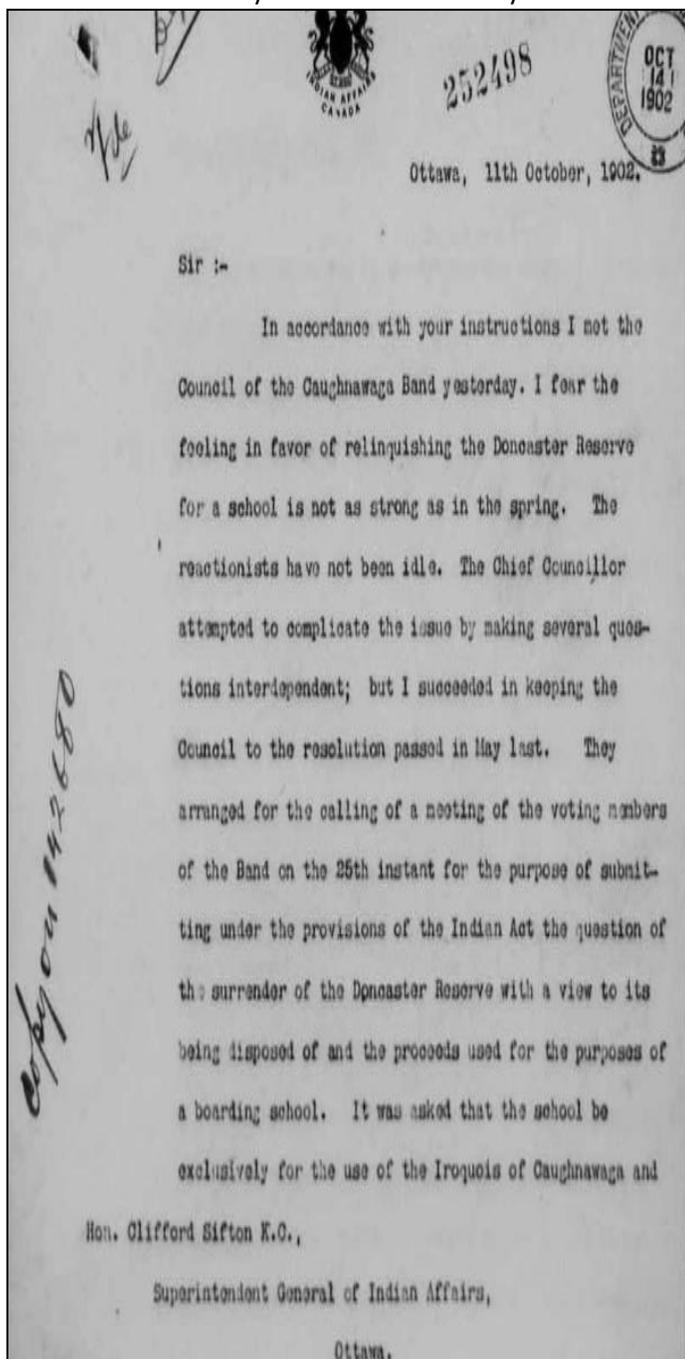


"... arrange to meet at as early a date as possible the Council of the Caughnawaga Band to advise them of this decision and to arrange for the taking of the surrender. I further desire you should enquire and report upon site for the school and have plans and estimates prepared. The suggestion as to the use of a portion of the Capital of the Province if Quebec Fund for the School building is concurred in, and at the proper time you are to prepare the necessary recommendation to Council to that end.

Yours faithfully,
Clifford Sifton."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 76 (page 1/3) On **11 October 1902**, **Andrew McKenna, Private Secretary of Superintendent General** exposes that the previous proposal suggested by the Band of the Caughnawaga and aimed for in the Spring, on 12 May 1902, "in favor of relinquishing the Doncaster Reserve for a School is not as strong as in the spring." But he succeeded in keeping the delay until the end of the year.



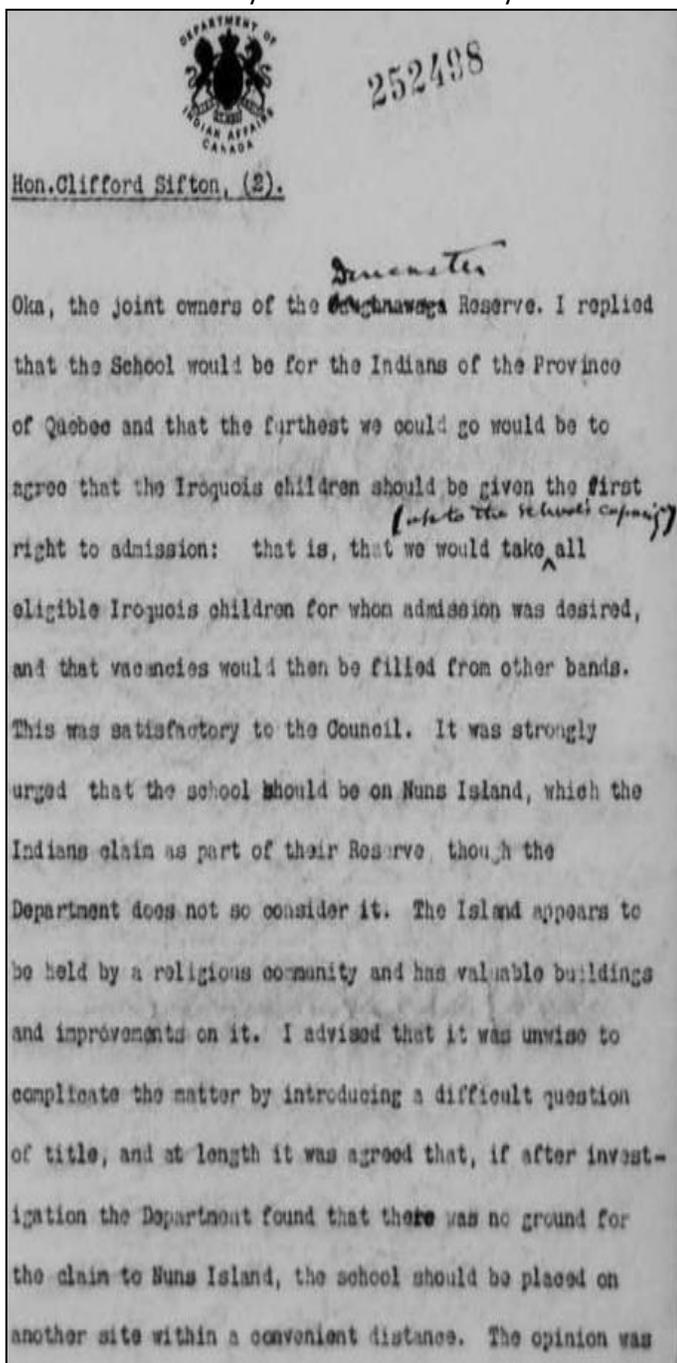
"Ottawa, 11th October, 1902.

Sir:-

In accordance with your instructions I met the Council of the Caughnawaga Band yesterday. I fear the feeling in favor of relinquishing the Doncaster Reserve for a School is not as strong as in the spring. The reactionists have not been idle. The Chief Councillor attempted to complicate the issue by making several questions interdependent; but I succeeded in keeping the Council to the resolution passed in May last. They arranged for the calling of a meeting of the voting members of the Band on the 25th instant for the purpose of submitting under the provisions of the Indian Act the question of the surrender of the Doncaster Reserve with a view to its being disposed of and proceeds used for the purposes of a boarding school. It was asked that the school be exclusively for the use of the Iroquois of Caughnawaga and..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

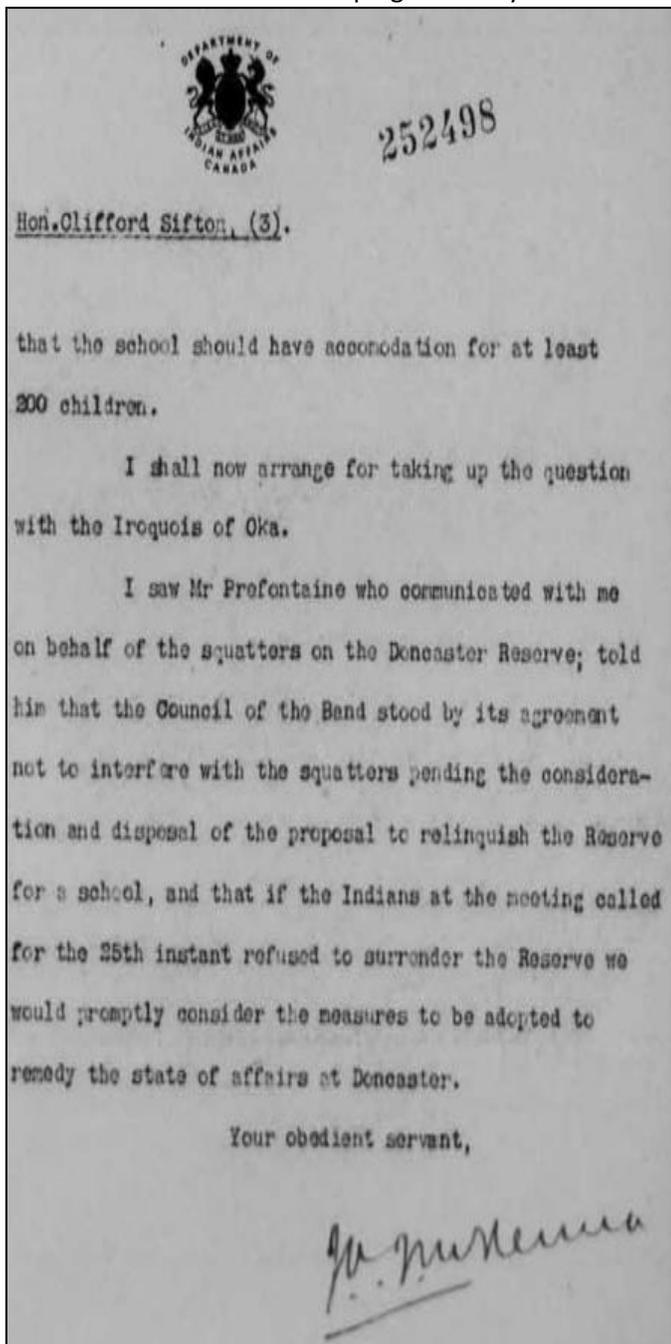
Page 77 (page 2/3) On **11 October 1902**, **Andrew McKenna, Private Secretary of Superintendent General** exposes that the previous proposal suggested by the Band of the Caughnawaga and aimed for in the Spring, on 12 May 1902, "in favor of relinquishing the Doncaster Reserve for a School is not as strong as in the spring." But he succeeded in keeping the delay until the end of the year.



*"... Oka the joint owners of the Doncaster Reserve. I replied that the School would be for the Indians of the Province of Quebec and that the further we could go would be to agree that the Iroquois children should be given the first right to admission: that is, that we would take all eligible Iroquois children for whom admission was desired, and that vacancies would then be filled from other bands. This was satisfactory to the Council. It was strongly urged that the school should be on **Nuns Island**, which the Indians claim as part of their Reserve though the Department does not consider it. The Island appears to be held by a religious community and has a valuable buildings and improvements on it. I advise that it was unwise to complicate the matter by introducing a difficult question of title, and a length it was agreed that, if after investigation the Department found that there was no ground for the claim to Nuns Island, the school should be placed on another site within a convenient distance. The opinion was..."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 78 (page 3/3) On **11 October 1902**, **Andrew McKenna, Private Secretary of Superintendent General of Indian Affairs** exposes that the previous proposal suggested by the Band of the Caughnawaga and aimed for in the Spring, on 12 May 1902, "in favor of relinquishing the Doncaster Reserve for a School is not as strong as in the spring." But he succeeded in keeping the delay until the end of the year.



"... that the school should have accommodation for at least 200 children.

I shall arrange for taking up the question with the Iroquois of Oka.

I saw Mr Prefontaine who communicated with me on behalf of the squatters on the Doncaster Reserve; told him that the Council of the Band stood by its agreement not to interfere with the squatters pending the consideration and disposal of the proposal to relinquish the Reserve for a school, and that if the Indians at the meeting called for the 25th instant refused to surrender the Reserve we would promptly consider the measures to be adopted to remedy the state of affairs at Doncaster.

*Your obedient servant,
J.A. McKenna."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 79 a note by Perillard, Indian Agent in the Department of Indian Affairs:

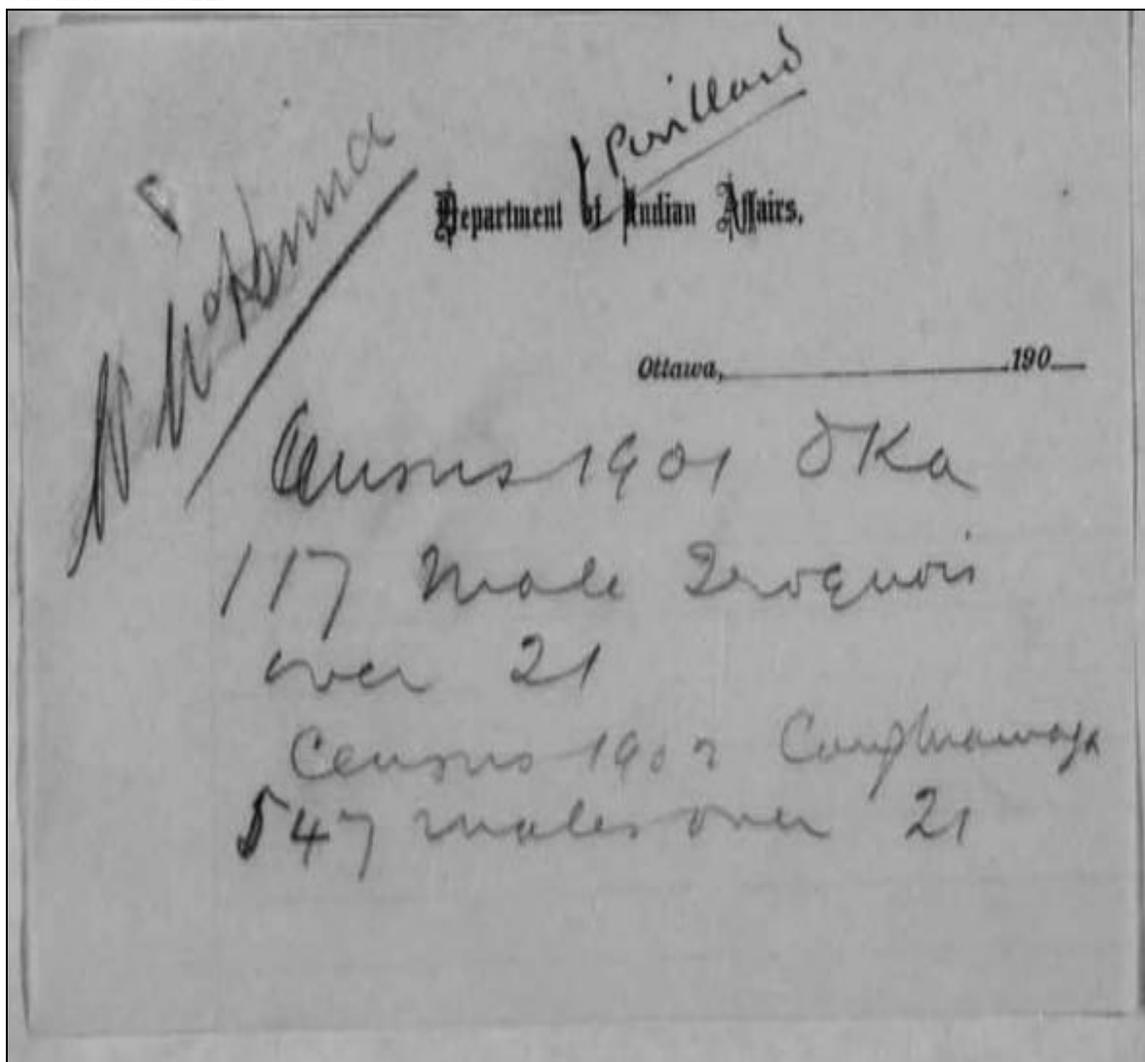
"Census 1901 Oka

117 male Iroquois

Over 21

Census 1901 Caughnawaga

547 males over 21."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 80 -On **16 October 1902**, **Samuel Stewart Assistant Secretary of Indian Affairs** (who became Keeper of the records in 1905) exposed to his superior that an arrangement has been made for the purpose of the Band of Caughnawaga linked with the Doncaster's surrendering questions as well as the kids Boarding School.

Ottawa, 14th October, 1902.

Sir :-

I am directed to inform you that an arrangement has been made for the holding of a meeting of the Iroquois of Caughnawaga for the purpose of considering the question of surrendering their right to the Doncaster Reserve, the same to be disposed of and the proceeds given as a contribution to a Boarding School to be provided, in which School the Iroquois children shall be recognised as having the first right to admission up to the School's capacity. I am to request you to inform the Iroquois of Oka, who have also an interest in the Doncaster Reserve, that it is proposed, should the Iroquois of Caughnawaga agree to the surrender of the Reserve, to summon a meeting of the Iroquois of Oka for the purpose of submitting the question to them.

Your obedient servant,

S. STEWART

Assistant Secretary.

"Ottawa, 16th October, 1902.

Sir:-

I am directed to inform you that an arrangement has been made for the holding of a meeting of the Iroquois of Caughnawaga for the purpose of considering the question of surrendering their rights to the Doncaster Reserve, the same to be disposed of and the proceeds given as a contribution to a Boarding School to be provided, in which School to Iroquois children shall be recognised as having the first right to admission up to the School's capacity. I am to request you to inform the Iroquois of Oka, who have also an interest in the Doncaster Reserve, that is proposed, should the Iroquois of Caughnawaga agree to the surrender of the Reserve, to summon meeting of the Iroquois of Oka for the purpose of submitting the question to them.

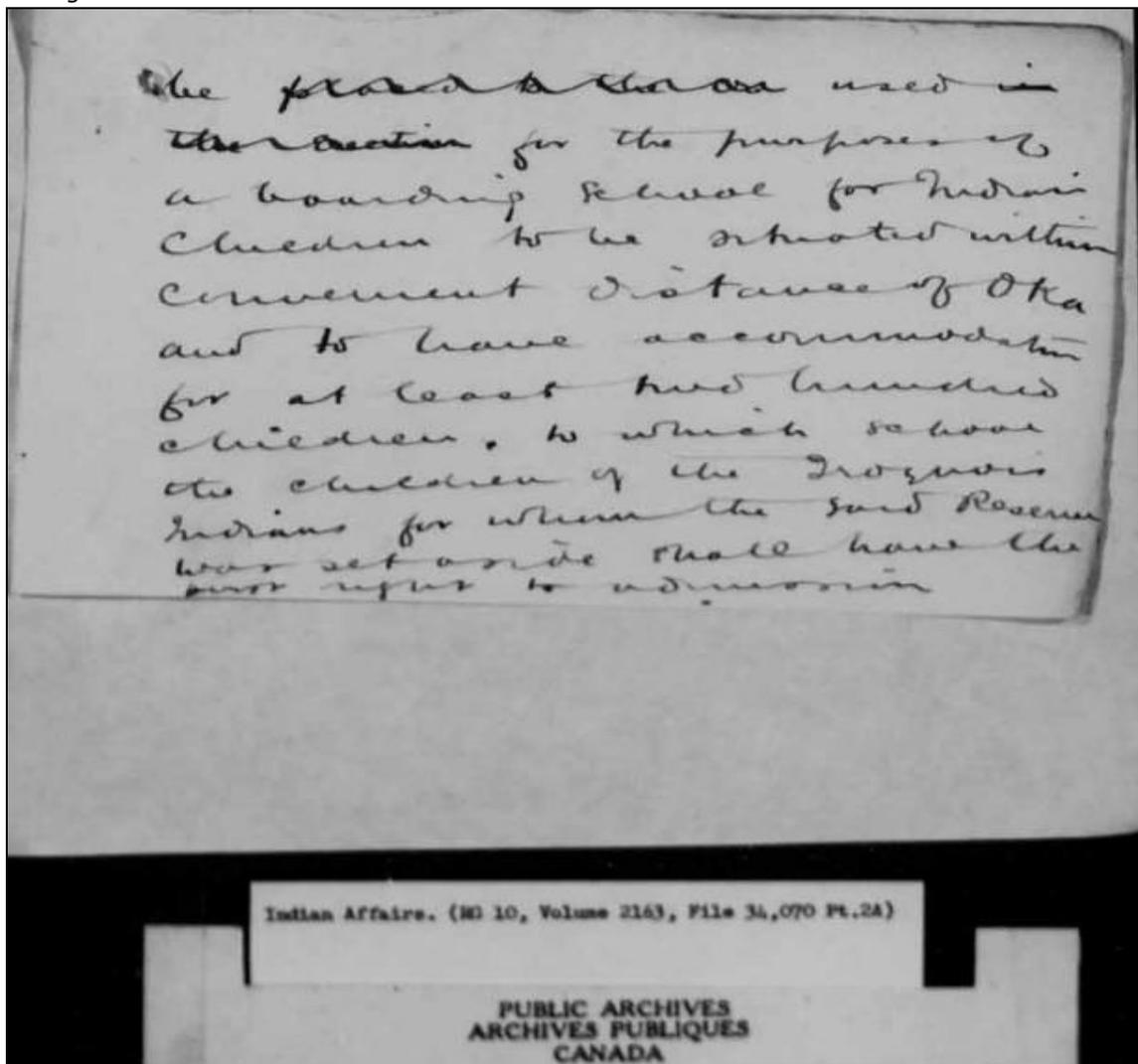
Your obedient servant,

S. Stewart."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

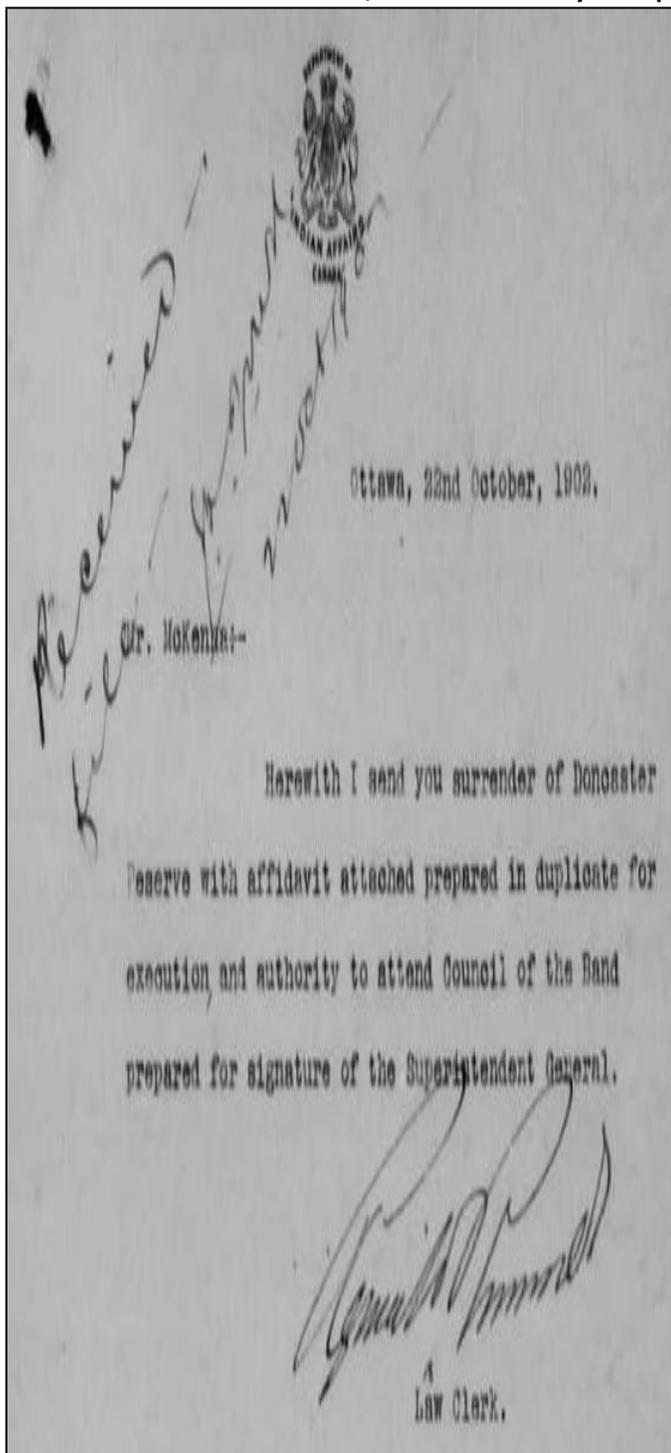
Page 81 Single hand written note partly unreadable, mentioning:

"be used
for the purpose of
a boarding school for Indian
children to be "promoted within
convenient distance of Oka
and to have accommodations
for at least two hundred
children, to which school
the children of the Iroquois
Indians for whom the said Reserve
was set aside "male" have the
.... regret to ..."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 82 On **22 October 1902**, Law Clerk of Indian Affairs, **Reginald Rimmer** sent a letter to **Andrew McKenna**, Private Secretary of Superintendent General of Indian Affairs exposing:



" Ottawa, 22nd October 1902.

Sir McKenna:-

Herewith I send you surrender of Doncaster Reserve with affidavit attached prepared in duplicate for execution and authority to attend Council of the Band prepared for signature of the Superintendent General.

x Reginald Rimmer

Law Clerk"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 83 Journal The Star (*The Montreal Star*), Saturday October 11, 1902.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 83 Journal The Star (The Montreal Star), Saturday October 11, 1902 (Enlarged)

School House For Indians.

Caughnawaga was all excitement yesterday over the arrival of the Government agent in discussion with the councillors the question of the ceding of the Doncaster reserve.

Mr. McKenna, of the Indian Department, addressed the councillors and many members of the tribe, who had gathered in the council hall. He said that he came to them to announce that the Government had approved of the terms which were made between himself and the councillors last spring. These terms provided that, in return for the reserve, the Government would build a school for the children of the tribe; the school to be run on modern principles.

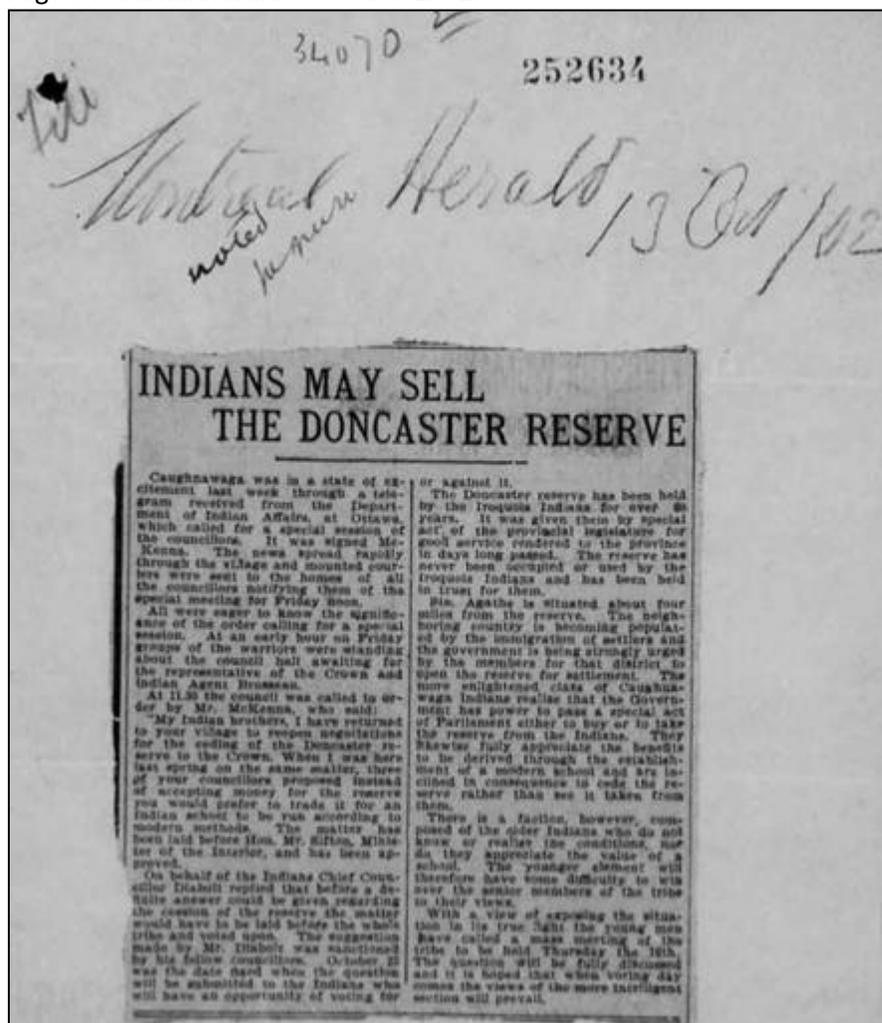
Chief Councillor Diaball replied that, before the final answer was given to the Government, they proposed to put the matter to a vote of the whole band. Mr. McKenna agreed to this, and then came the question as to the site for the school in case

it is accepted. The councillors stated that they wanted the school built on Sun's Islands. They asked that the Government should again look into the title deeds held by the nuns, which, the councillors claimed, would show that the Government had the right to make the island a part of the reservation, and that it really belonged to the Indians about sixty years ago by an act of the Provincial Government. They also asked that the school shall accommodate 200 pupils and that the children shall receive six hours' schooling a day.

The vote will be taken on October 23, but it is not by any means certain that the proposition will be favourably received. Some of the Indians point out that the tribe is growing in numbers and that, in a few years, they will require the reserve for a home. They also recognize, however, that the Government has a right to take the land from them, and they are in a quandary just what to do.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 84 Journal Herald 3 October 1902.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 84 Journal Herald 3 October 1902.

INDIANS MAY SELL THE DONCASTER RESERVE

Caughnawaga was in a state of excitement last week through a telegram received from the Department of Indian Affairs, at Ottawa, which called for a special session of the councillors. It was signed McKenna. The news spread rapidly through the village and mounted couriers were sent to the homes of all the councillors notifying them of the special meeting for Friday noon.

All were eager to know the significance of the order calling for a special session. At an early hour on Friday groups of the warriors were standing about the council hall awaiting for the representative of the Crown and Indian Agent Brossseau.

At 11.30 the council was called to order by Mr. McKenna, who said:

"My Indian brothers, I have returned to your village to reopen negotiations for the ceding of the Doncaster reserve to the Crown. When I was here last spring on the same matter, three of your councillors proposed instead of accepting money for the reserve you would prefer to trade it for an Indian school to be run according to modern methods. The matter has been laid before Hon. Mr. Sifton, Minister of the Interior, and has been approved.

On behalf of the Indians Chief Councillor Diabolt replied that before a definite answer could be given regarding the cession of the reserve the matter would have to be laid before the whole tribe and voted upon. The suggestion made by Mr. Diabolt was sanctioned by his fellow councillors. October 23 was the date fixed when the question will be submitted to the Indians who will have an opportunity of voting for or against it.

The Doncaster reserve has been held by the Iroquois Indians for over 80 years. It was given them by special act of the provincial legislature for good service rendered to the province in days long passed. The reserve has never been occupied or used by the Iroquois Indians and has been held in trust for them.

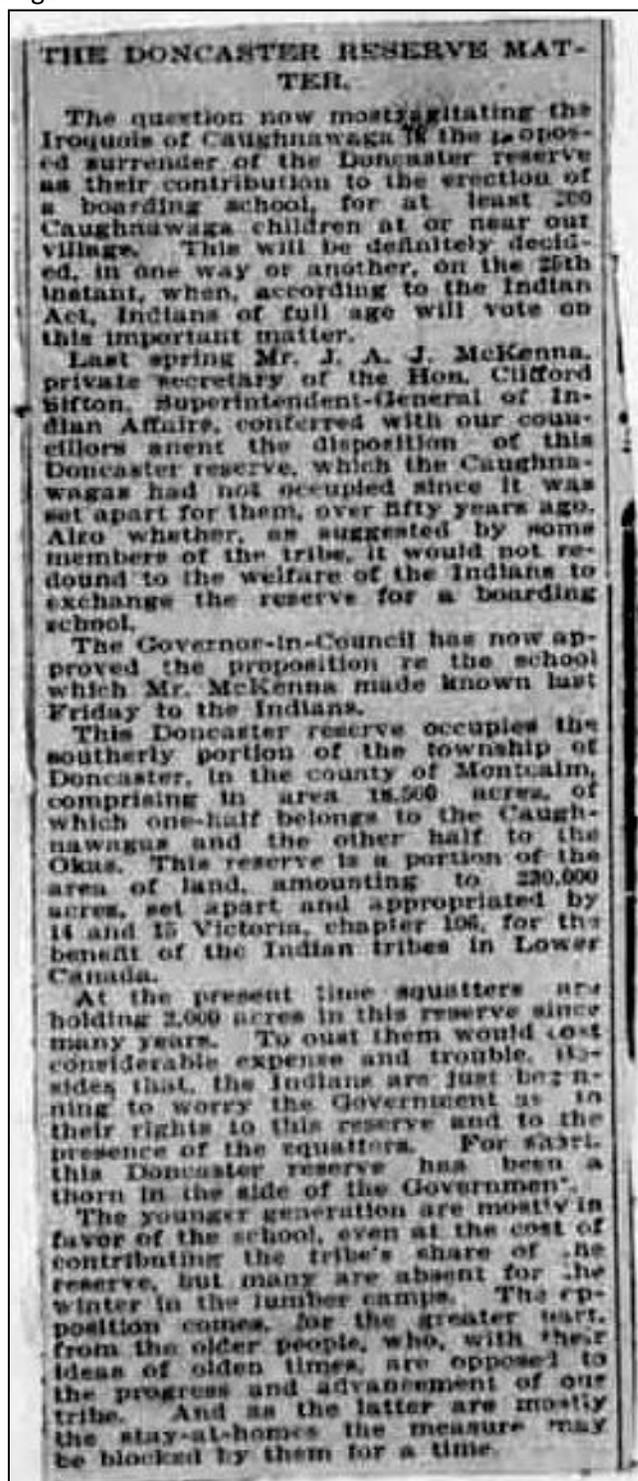
St. Agathe is situated about four miles from the reserve. The neighboring country is becoming populated by the immigration of settlers and the government is being strongly urged by the members for that district to open the reserve for settlement. The more enlightened class of Caughnawaga Indians realize that the Government has power to pass a special act of Parliament either to buy or to take the reserve from the Indians. They likewise fully appreciate the benefits to be derived through the establishment of a modern school and are inclined in consequence to cede the reserve rather than see it taken from them.

There is a faction, however, composed of the older Indians who do not know or realize the conditions, nor do they appreciate the value of a school. The younger element will therefore have some difficulty to win over the senior members of the tribe to their views.

With a view of exposing the situation in its true light the young men have called a mass meeting of the tribe to be held Thursday the 18th. The question will be fully discussed and it is hoped that when voting day comes the views of the more intelligent section will prevail.

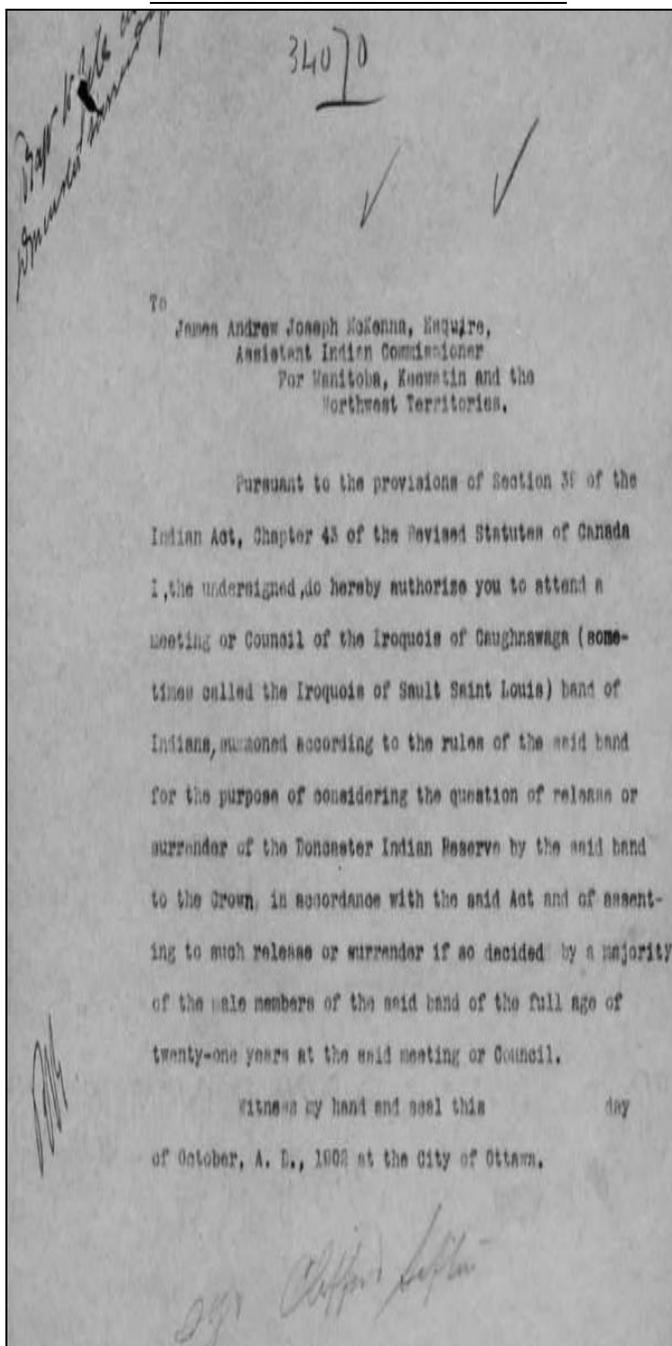
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 85



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 86 (page 1/3) On **20 August 1902**, **Indian Affairs Superintendent Clifford Sifton** writes to his **Assistant Indian Commissionaire James Andrew McKenna**, suggesting the proper formula for the Chief and voters of Caughnawaga to submit and abandon Doncaster for a residential school, suggested by Ottawa. Only male members aged 21 and older were allowed to vote in Band Councils in Canada until 1951.



To

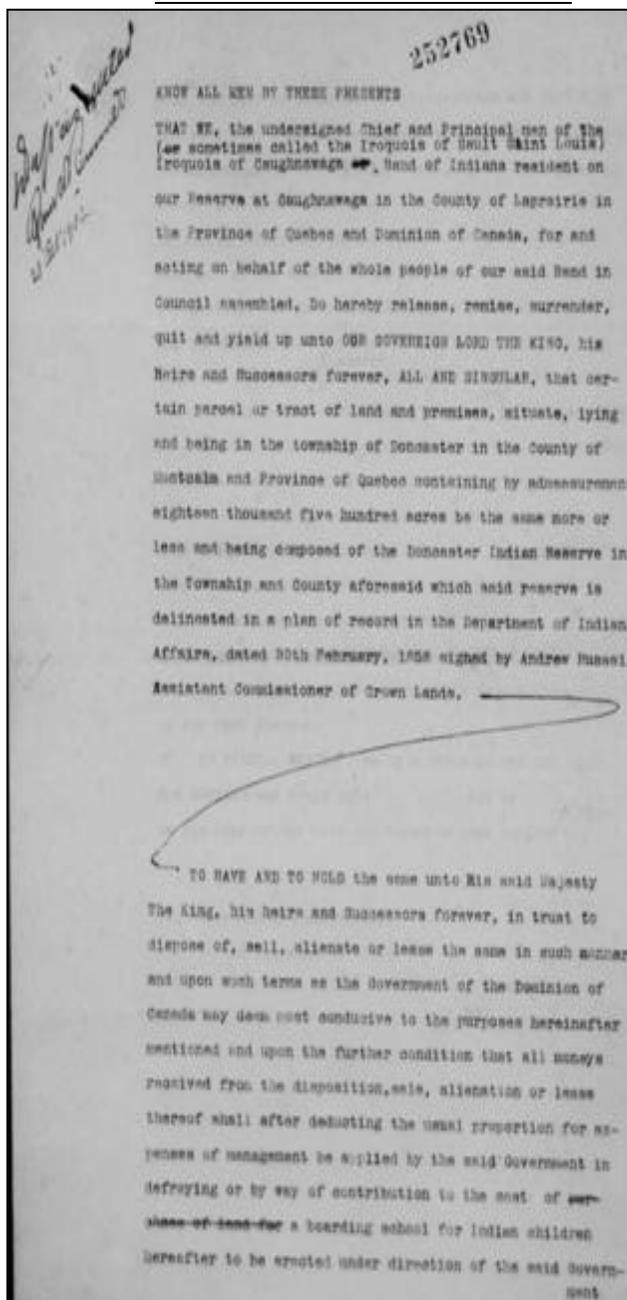
*James Andrew Joseph McKenna, Esquire
Assistant Indian Commissioner,
For Manitoba, Keewatin and the
Northwest Territories.*

*Pursuant to the provision of Section 39 of the
Indian Act, Chapter 43 of the Revised Statutes of Canada
I, the undersigned, do hereby authorize you to attend a
meeting of Council of the Iroquois of Caughnawaga (some-
times called the Iroquois of Sault Saint Louis) band of
Indians summoned according to the rules of the said band
for this purpose of considering the question of release or
surrender of the Doncaster Indian Reserve by the said band
to the Crown in accordance with the said Act and of assent-
ing to such release or surrender if so decides by a majority
of the male members at the said band of full age of
twenty-one years at the said meeting or Council.*

*Witness my hand and seal this day
Of October. A. D., 1902 at the City of Ottawa
X Clifford Sifton."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 87 (page 2/3) On **20 August 1902**, **Indian Affairs Superintendent Clifford Sifton** writes to his **Assistant Indian Commissionaire James Andrew McKenna**, suggesting the proper formula for the Chief and voters of Caughnawaga to submit and abandon Doncaster for a residential school, suggested by Ottawa. Only male members aged 21 and older were allowed to vote in Band Councils in Canada until 1951.



“KNOW ALL MEN BY THESE PRESENTS

THAT WE, the undersigned Chief and Principal men of the (sometimes called the Iroquois of Sault Saint Louis) Iroquois of Caughnawaga, Band of Indians resident on our Reserve at Caughnawaga in the County of Laprairie in the Province of Quebec and Dominion of Canada, for and acting on behalf of the whole people of our said Band in Council assembled, DO hereby release, remise, surrender, quit and yield up unto OUR SOVEREIGN LORD THE KING, his Heirs and Successors forever, ALL AND SINGULAR, that certain parcel or tract of land and premises, situate, lying and being in the township of Doncaster in the County of Montcalm and Province of Quebec containing by admeasurement eighteen thousand five hundred acres be the same more or less and being composed of the Doncaster Indian Reserve in the Township and County aforesaid which said reserve is delineated in a plan of record in the Department of Indian Affairs, dated 20th February, 1858 signed by Andrew Russel Assistant Commissioner of Crown Lands.

TO HAVE AND TO HOLD the same unto His said Majesty the King, his heirs and Successors forever, in trust to dispose of, sell, alienate or lease the same in such manner and upon such term as the Government of the Dominion of Canada may deem most conducive to the purposes hereinafter mentioned and upon the further condition that all moneys received from the disposition, sale, alienation or lease thereof shall after deducting the usual proportion for expenses of management be applied by the said Government in defraying or by way of contribution to the cost of a boarding school for Indian children hereafter to be erected under direction of the said Government...”

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Amable Roussin: segregationist between Oka and Caughnawaga 1902

On 22 October 1902, Great Chief of Two Mountains-Oka Amable Roussin exposes that on behalf of the Caughnawaga Indians, the Indians of Oka do not wish to sell Doncaster or have a residential school, co-signed with Joseph Perillard, Indian Agent.

Even more, in Oka, on 22 October 1902 in a letter entitled "*Opinion of the Iroquois of Oka on the request made by the department of Indian Affairs, Ottawa, to them.*" by the Indian Agent Joseph Perillard to the Honorable Superintendent general of Indian Affairs Ottawa:

"Sir, In reply to your request of the 14th Oct 1902, I beg to say that after an interview with the Iroquois of the Oka Reserve not one of them wanted to surrender for the erection of a college in common with the Iroquois of Caughnawaga, moreover, they do not want to sell nor to get rid of their reserve of Doncaster. They want to keep this reserve for the future.

*Joseph Périllard
Indian Agent."*

On 28 October 1902, the Indian Agent Joseph Perillard explained that the Iroquois Chief of Two Mountains, Amable Roussin "*makes a lot of noise*" with a letter in English, that according to Roussin, would expose that the Reserve Doncaster is only entitling the Indians of Two Mountains.

The document that Amable Roussin presented to the Indian Agent Joseph Perillard was a letter from 17 June 1839 exposing a letter from John Stewart, Chairman at the Council Chamber on 17 June 1839. The document exposed previous claims petitioned by previous other Native Bands of this period, including the Iroquois, Algonquins and Nipissings of Two Mountains.

The letter exposed a description of the history of the Seminary's possession of "*The Iroquois, Algonquins and the Nipissings, collected under the care of the priests of the Seminary of Montreal et Lake of Two Mountains are forming altogether a population of 864 souls, have no land in their actual possession, except about 260 acres of sterile soil, which they occupy by permission of the Seminary, the possessors of the seignior.*"

The hunting grounds granted after they supported the French against the English in the *Seven Years' War* (1754–1763) and after they formed the northern part alliance of the British-led Aboriginal militia that fought the United States in the *American Revolutionary War* and the *War of 1812* were grounds located on the Ottawa River.

The letter kept on by exposing other petitions which lead to other disputes for other nation's hunting grounds, and such petitioners are exposed as:

“These petitioners now appeal to the terms of the Royal Proclamation of 1763, and it appears to the committee that as the Act of State has been considered sufficient to guarantee to the Iroquois of St. Regis the possession of their present reservation, to which it is stated that they had no other rights than as a part of their ancient hunting ground, the Algonquins and Nipissings tribes may have some grounds to complain if they are deprived of the benefit of the same protection for their claims.”

Also, below, it wrote:

“The committee, however, conceive that the claims of these, and indeed of all the Indian tribes, in respect of their former territorial possessions, are at the present day to be resolved into an equitable right to be compensated for the loss of the lands from which in former times they derived their subsistence, and which may have been taken by the Government for purposes of settlements and that the measure of such compensations should be to place and maintain them in a condition of at least equal advantage with that which they would have enjoyed in their former state.”

Then, after hearing the theories of Amable Roussin, the Secretary of Indian Affairs J.D. McLean answered back in a letter on 4 November 1902 to Joseph Perillard to clarify the context of the time period in which the creation of reserves granted for Indians were managed, contradicting Amable Roussin's speculations.

Note that Amable Roussin was often encountered in several precedent court cases against the Seminary of St. Sulpice claiming justice for the Mohawks, Algonquins and Nipissing in order to set the unfair land jurisdictions and measures of the Lordship of Two Mountains granted by the King.

In the records of proceeding which exposed the creation of the Two Mountains Lordship and the steps to its grant by the King, from 1717 to 1721, in most correspondences and official documents it was mentioned in these or similar terms: *“when the savages will abandon their lands, this one will also return to the King”* exposing the difference between a reserve and a Crown Land. Up to the present days, this complex ownership of the land remains extraordinary.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 89 On **22 October 1902**, **Great Chief of Two Mountains-Oka Amable Roussin** exposes that on behalf of the Caughnawaga Indians, the Indians of Oka do not wish to sell Doncaster or have a residential school, co-signed with **Joseph Perillard, Indian Agent**.

Oka. 22 oct 1902. ✓

Opinion des sauvages Iroquois
d'Oka sur la demande faite en
par le département des affaires
des Indiens d'Ottawa.

L'Honorable
Surintendant général
des affaires des sauvages
Ottawa.

Monsieur,

En réponse à votre demande
du 14 oct 1902. Voici d'après une
entrevue avec les Iroquois de la réserve
d'Oka nous ne voulons pas aucune
annexion pour l'érection d'un collège
en commun avec les Iroquois de Caughna-
waga. de plus nous ne voulons pas vendre
ni nous défaire de notre réserve de Doncaster
nous voulons conserver cette Réserve
pour l'avenir.

Témoin
Chef Amable Roussin

Joseph Perillard.
Agent des Indiens.

"Oka, 22 oct 1902

Opinion des sauvages Iroquois d'Oka sur la
demande faite à eu par le département des
affaires des indiens d'Ottawa.

L'Honorable
Surintendant général
des affaires des sauvages
Ottawa

Monsieur,

En réponse à votre demande
du 14 oct 1902, Voici d'après une
entrevue avec les Iroquois de la réserve
d'Oka nous ne voulons pas aucune
annexion pour l'érection d'un collège
en commun avec les Iroquois de Caughna-
waga, de plus nous ne voulons pas vendre
ni nous défaire de notre réserve de Doncaster
nous voulons conserver cette Réserve
pour l'avenir.

Témoin
(Witness)
Chef Amable Roussin

signé
(Signed)
Joseph Périllard
Agent des Indiens."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 90 On **22 October 1902**, **Great Chief of Two Mountains-Oka Amable Roussin** exposes that on behalf of the Caughnawaga Indians, the Indians of Oka do not wish to sell Doncaster or have a residential school, co-signed with **Joseph Perillard, Indian Agent**. –TRANSLATION-

34,070

Translation.

Oka, 22nd Oct., 1902.

Opinion of the Iroquois Indians of Oka on the request made by the Department of Indian Affairs, Ottawa, to them.

The Honourable Superintendent General
of Indian Affairs,
Ottawa.

Sir:-

In reply to your request of the 14th Oct., 1902, I beg to say that after an interview with the Iroquois of the Oka Reserve not one of them wanted to surrender for the erection of a college in common with the Iroquois of Caughnawaga. Moreover, they do not want to sell nor to get rid of their reserve of Doncaster. They want to keep this reserve for the future.

Joseph Perillard,
Indian Agent.

Witness
(Signed) Chief Amable Roussin.

"Oka, 22 oct 1902

Opinion of the Iroquois of Oka on the request made by the department of Indian Affairs, Ottawa, to them.

*The Honorable Superintendant general
Of Indian Affairs
Ottawa.*

Sir :-,

*In reply to your request of the 14th Oct 1902,
I beg to say that after an interview with the Iroquois of the
Oka Reserve not one of them wanted to surrender for the erection
of a college in common with the Iroquois of Caughnawaga, more-
over, they do not want to sell nor to get rid of their reserve
of Doncaster. They want to keep this reserve for the future.*

*Joseph Périllard
Indian Agent.*

*Witness (Signed)
Chef Amable Roussin"*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

25 October 1902, vote made against the surrender of Doncaster in exchange for a residential schools

A powerful democratic vote result was rendered in Caughnawaga by males, major members, which exposed: only 5, those *“in favor of endeavor”* and 74 others, *“those against.”*

On 23 October 1902, Assistant Indian Commissionaire James Andrew McKenna writes to his Superior, the Indian Affairs Superintendent Clifford Sifton, citing the telegram received the same day from Indian Agent J.A. Macrae which went as: *“Am advised here that Caughnawaga general Council may at present go against McKennas plan for disposing of Doncaster reserve going to absence of progressive Indians it might be discreet to postpone Council of twenty fifth until return of such Indians.”*

Even more developments, from a letter from *Smith, Markey & Montgomery Advocates*, from Montreal on 27 October 1902 to the Superintendent General of Indian Affairs exposing that: *“Indians from Caughnawaga and also Indians residing in the Township of Doncaster who desire to take proceedings for the ejection of a number of squatters”* and that legal procedures are opened.

On **25 October 1902**, a document-letter states that :

“At a meeting of the Iroquois tribe residing in the Caughnawaga Indian Reserve, Canada, The question of surrendering their share in the Doncaster Reserve as their contribution to the erection of a boarding school for 200 of their children at or near the said Reserve was voted upon held at Council room Caughnawaga on 25th Oct., 1902,[...]”

Only 5, those *“in favor of endeavor”* of surrendering Doncaster the residential school and 74 others, were qualified as *“those against”*, which led to the eventual updates for the surveying of the land of Doncaster in order to reset the original measurements by the Surveyor Bray, which will be the next theme encountered.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 91 Telegraph of **23 October 1902** from **Indian Agent J.A. Macrae** then in Campbelton New Brunswick to his superior, **Indian Affairs Superintendent Clifford Sifton**.

McKenna

Pub. Co. PATENT OFFICE, Canada, Nov. 20th, 1901
To open, tear off the colored label at p.

The Great North Western Telegraph Company of Canada.
OPERATING THE LINES OF THE MONTREAL, QUEBEC AND MONTREAL TELEGRAPH COMPANY

This Company transmits and delivers messages only on conditions limiting its liability, which are set out in the conditions of the following message.
Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of unreported messages, beyond the amount of fee paid thereon, but in any case where the claim is not presented in writing within sixty days after sending the message, no claim will be paid thereon.
This is an unreported message, and is delivered by the request of sender, under the conditions named above.
H. P. DWIGHT, President and General Manager.

Money orders by telegraph between principal telegraph offices in Canada and the United States.

TELEGRAM

Use this space for Continuation of Telegraph Address.
OR INSTRUCTIONS TO REDEEMER.
252881

To: *Sifton*
Ottawa

No. *12* Check *tel. Collect*

From: *Campbelton Stn NB 23*
Am advised here that Caughnawaga General Council may at present go against McKennas plan for disposing of doncaster reserve owing to absence of progressive Indians it might be discreet to postpone Council of twenty fifth, until return of such Indians
J A Macrae

Oct 23rd 1902

"Am advised here that Caughnawaga general Council may at present go against McKennas plan for disposing of Doncaster reserve going to absence of progressive Indians it might be discreet to postpone Council of twenty fifth until return of such indians

J.A. MacRae."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

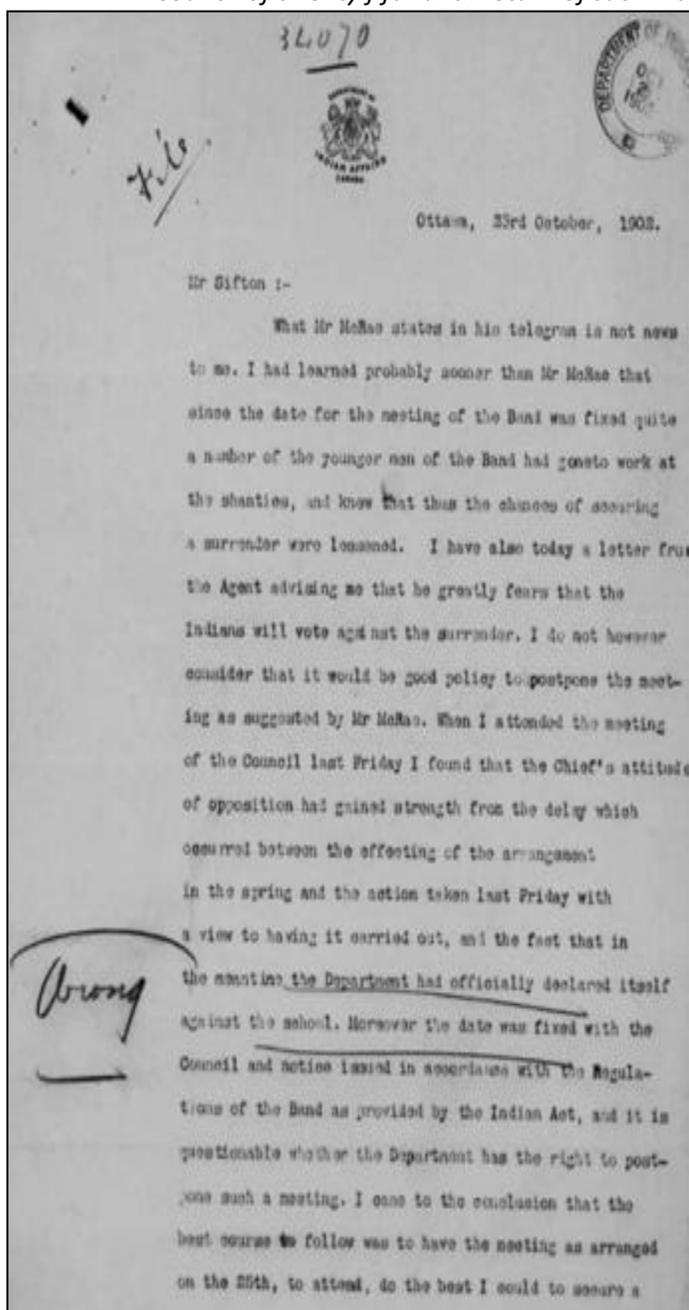
Page 92(page 1/2) On **23 October 1902**, Assistant Indian Commissionaire **James Andrew McKenna** writes to his Superior, the **Indian Affairs Superintendent Clifford Sifton**, citing the telegram received the same day from **Indian Agent J.A. Macrae** which went as: "*Am advised here that Caughnawaga general Council may at present go against McKennas plan for disposing of Doncaster reserve going to absence of progressive Indians it might be discreet to postpone Council of twenty fifth until return of such Indians.*"

Doc 34070

"Ottawa, 23^d October, 1902

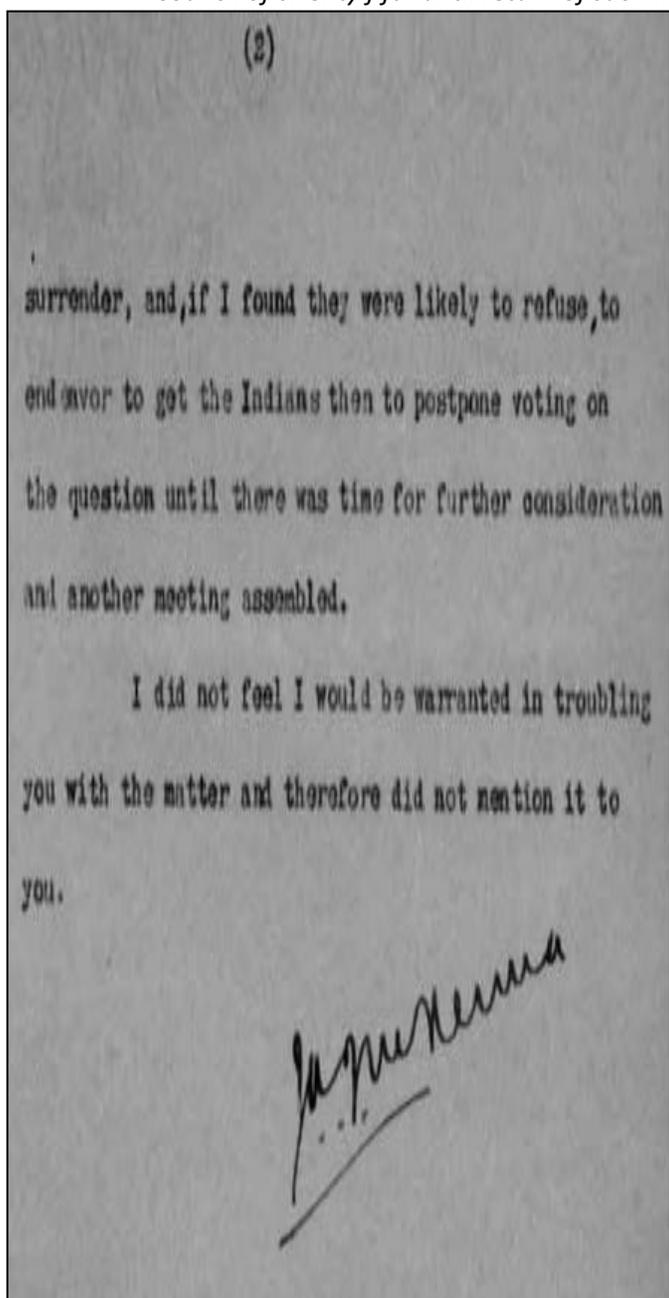
Sir Sifton:-

What Mr. McRae states in his telegram is not news to me. I had learned probably sooner than Mr. McRea that since the date of the meeting of the Band was fixed quite a number of younger men of the Band had gone to work at the shanties, and knew that thus the chances of securing a surrender were lessened. I have also today a letter from the Agent advising me that he greatly fears that the Indians will vote against the surrender. I do not however consider that it would be good policy to postpone the meeting as suggested by Mr. McRae. When I attended the meeting of the Council last Friday I found that the Chief's attitude of opposition had gained strength from the delay which occurred between the effecting of the arrangement in the spring and the action taken last Friday with a view to having it carried out, and the fact that in the meantime the Department had officially declared itself against the school. Moreover the date was fixed with the Council and notice issued in accordance with the Regulations of the Band as provided by the Indian Act, and it is questionable whether the Department has the right to postpone such a meeting. I come to the conclusion that the best course to follow was to have the meeting as arranged on the 25th, to attend, do the best I could to secure a...



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 93 (page 2/2) On **23 October 1902**, Assistant Indian Commissionaire **James Andrew McKenna** writes to his Superior, the **Indian Affairs Superintendent Clifford Sifton**, citing the telegram received the same day from **Indian Agent J.A. Macrae** which went as: "*Am advised here that Caughnawaga general Council may at present go against McKennas plan for disposing of Doncaster reserve going to absence of progressive Indians it might be discreet to postpone Council of twenty fifth until return of such Indians.*"



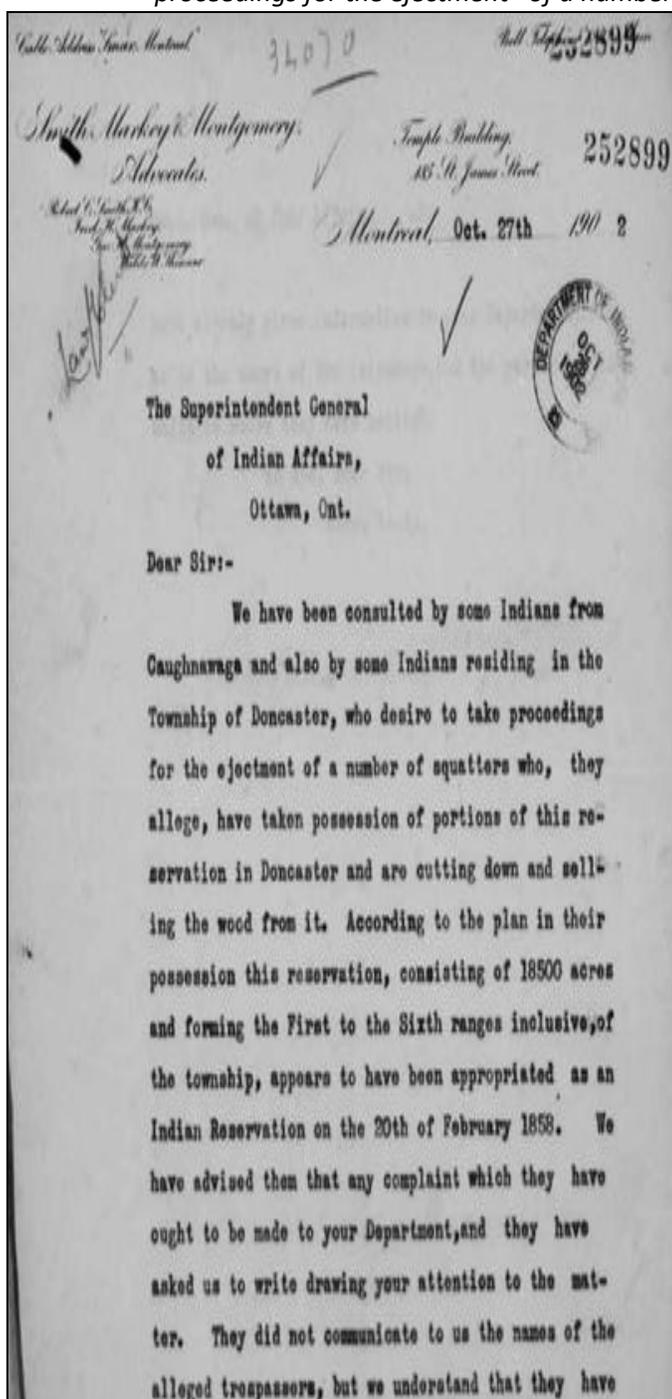
"... surrender, and, if I found they were likely to refuse, to endeavor to get the Indians then postpone voting on the question until there was time for further consideration and another meeting assembled.

I did not feel I would be warranted in troubling you with the matter and therefore did not mention it to you.

J.A. McKenna."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 94 (page 1/2) Letter from **Smith, Markey & Montgomery Advocates**, from Montreal on **27 October 1902** to the **Superintendent General of Indian Affairs** exposing that: *"Indians from Caughnawaga and also Indians residing in the Township of Doncaster who desire to take proceedings for the ejection of a number of squatters"* and that legal procedures are opened.



*"Smith, Markey & Montgomery
Advocates*

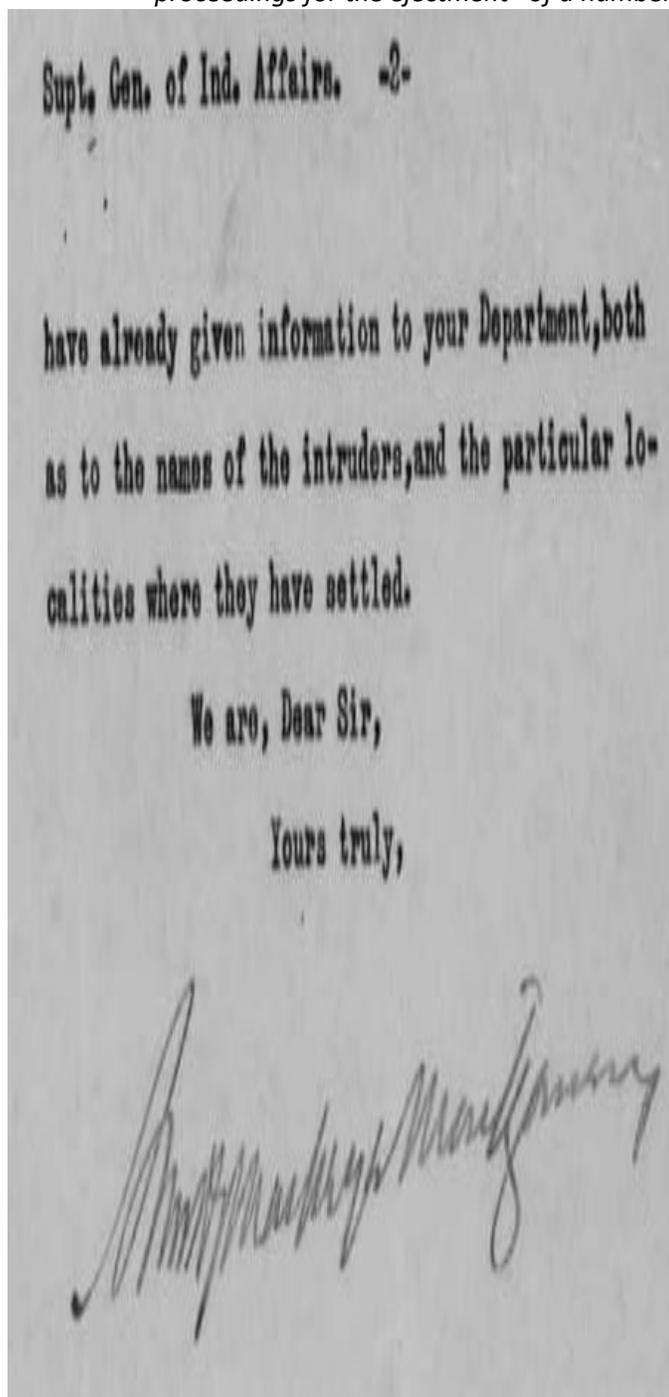
Temple Building
185th St. James Street
Montreal, Oct. 27th 1902

Dear Sir:-

*We have been consulted by some Indians from
Caughnawaga and also Indians residing in the
Township of Doncaster who desire to take proceedings
for the ejection of a number of squatters who, they
allege, have taken possession of portions of this re-
servation in Doncaster and are cutting down and sell-
ing the wood from it, According to the plan in their
possession this reservation, consisting of 185000 acres
and forming the First to the Sixth ranges inclusive, of
the township appears to have been appropriated as an
Indian Reservation on the 20th of February 1858. We
have advised them that any complaint which they have
ought to be made to your Department , and they have
asked us to write drawing your attention to the mat-
ter. They did not communicate to the names of the
alleged trespassers, but we understand that they have..."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 95 (page 2/2) Letter from **Smith, Markey & Montgomery Advocates**, from Montreal on **27 October 1902** to the **Superintendent General of Indian Affairs** exposing that: *"Indians from Caughnawaga and also Indians residing in the Township of Doncaster who desire to take proceedings for the ejection of a number of squatters"* and that legal procedures are opened.



"... already given information to your Department, both as to the names of the intruders, and the particulars localities where they have settled.

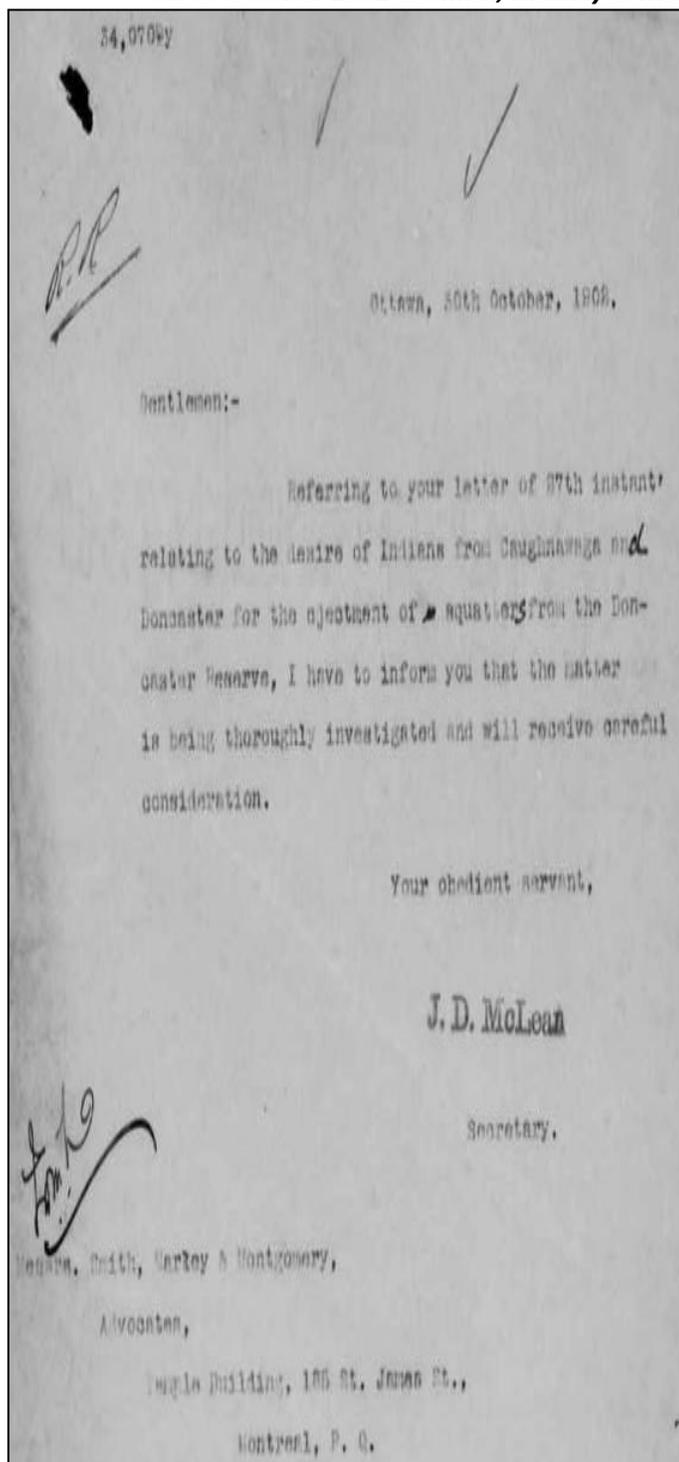
We are Sir,

Your truly

Smith, Markey & Montgomery"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 96 Letter from **John D. McLean, Secretary of the Department of Indian Affairs** answering on **30 October 1902** to **Smith, Markey & Montgomery Advocates**.



"Ottawa, 30th October, 1901.

Gentlemen:-

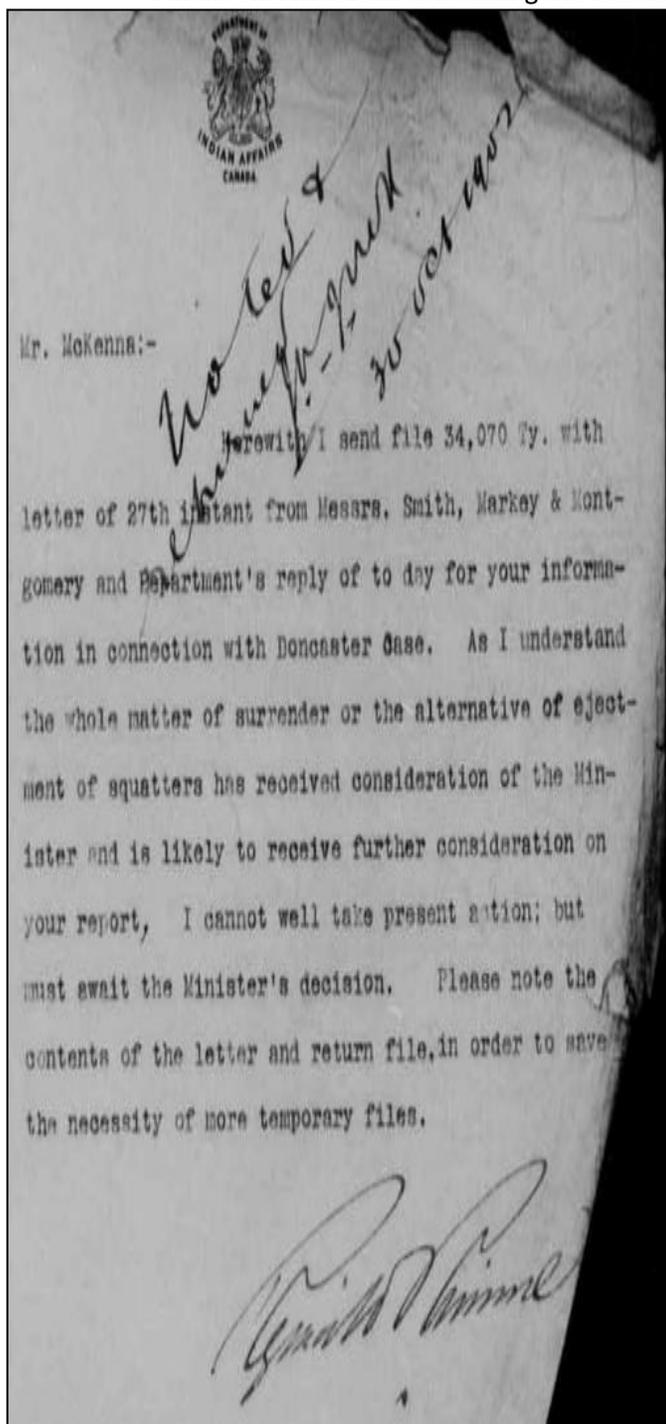
Referring to your letter of the 27th instant' relating to the desire of Indians from Caughnawaga and Doncaster for the ejection of squatters from the Doncaster Reserve, I have to inform you that the matter is being thoroughly investigated and will receive careful consideration.

Your obedient servant,

*J.D. MacLean
Secretary."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 97 **Law Clerk of Indian Affairs, Reginald Rimmer** answering to the **Secretary of Indian Affairs J.D. MacLean** concerning the letters from the lawyers.



"Mr. McKenna:-

Herewith, I send file 34, 070 Ty. with letter of 27th instant from Messrs. Smith, Markey & Montgomery and Department's reply of to day for your information in connection with Doncaster Case, As I understand the whole matter of surrender or the alternative of ejection of squatters has received consideration of the Minister and is likely to receive further consideration on your report, I cannot well take present action: but must await the Minister's decision. Please note the contents of the letter and return file, in order to save the necessity of more temporary files.

x Reginald Rimmer."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 98-99-100 containing the original and stamped letter as observed on the previous pages 86-88 from **20 August 1902**, suggesting the proper formula for the Chief and voters of Caughnawaga to submit and abandon Doncaster for a residential school, suggested by Ottawa.

KNOW ALL MEN BY THESE PRESENTS, THAT WE, the undersigned Chief and Principal Men of the Iroquois of Caughnawaga (Sometimes called the Iroquois of Sault Saint Louis) Band of Indians, resident on our Reserve at Caughnawaga in the County of Laprairie in the Province of Quebec and Dominion of Canada, for and acting on behalf of the whole people of our said Band in Council assembled, Do hereby release, renounce, surrender, quit and yield up unto OUR SOVEREIGN LORD THE KING, His Heirs and Successors forever, ALL AND SINGULAR, that certain parcel or tract of land and premises, situate, lying and being in the Township of Doncaster in the County of Montcalm and Province of Quebec, containing by admeasurement eighteen thousand five hundred acres be the same more or less and being composed of the Doncaster Indian Reserve, in the Township and County aforesaid, which said Reserve is delineated in a Plan of record in the Department of Indian Affairs, dated 20th February 1888, signed by Andrew Russell, Assistant Commissioner of Crown Lands.

TO HAVE AND TO HOLD the same unto His said Majesty The King, His Heirs and Successors forever, in trust to dispose of, sell, alienate or lease the same in such manner and upon such terms as the Government of the Dominion of Canada may deem most conducive to the purposes hereinafter mentioned and upon the further condition that all moneys received from the disposition, sale, alienation or lease thereof shall after deducting the usual proportion for expenses of management be applied by the said Government in defraying or by way of contribution to the cost of a boarding school for Indian children hereafter to be created under direction of the said Government and the cost of construction, maintenance and repair of the said school

school and of the conduct thereof and the maintenance and education of the children attending the same, Provided always that such school shall be situate in the Province of Quebec within convenient distance of Caughnawaga and Oka both in the said Province and shall have accommodation for at least two hundred children and provided also that all applicants for admission to the said school who are children of Iroquois Indians of Caughnawaga, or of the Lake of Two Mountains, shall have a prior right over all other children to admission to and maintenance and education at the said school so long as any vacancy thereof continues.

AND we the said Chief and Principal Men of the said Iroquois of Caughnawaga Band of Indians do on behalf of our people and for ourselves hereby ratify and confirm whatever the said Government may do, or cause to be lawfully done in connection with the disposition, sale, alienation or lease of the lands hereby surrendered or any part thereof.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this day of in the Year of Our Lord One Thousand Nine Hundred and Two.

Signed, sealed and delivered, }
in the presence of }

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 98-99-100 containing the original and stamped letter as observed on the previous pages 86-88 from **20 August 1902**, suggesting the proper formula for the Chief and voters of Caughnawaga to submit and abandon Doncaster for a residential school, suggested by Ottawa.

DOMINION OF CANADA, } Personally appeared before me,
Province of }
County of } of

To WIT: } the } of
in the Province of }
and }

Chief of the said Band of Indians.
AND the said } for
himself saith:—

That the annexed Release or Surrender was assented to by a majority of the male members of the said Band of Indians of the
of the full age of twenty-one years then present.

That such assent was given at a meeting or council of the said Band summoned for that purpose and according to its Rules.

That he was present at such meeting or council and heard such assent given.

That he was duly authorized to attend such council or meeting by the Superintendent General of Indian Affairs.

That no Indian was present or voted at said council or meeting who was not a member of the Band or interested in the land mentioned in the said Release or Surrender.

And the said } says:
That the annexed Release or Surrender was assented to by him and a majority of the male members of the said Band of Indians of the full age of twenty-one years then present.

That such assent was given at a meeting or council of the said Band of Indians summoned for that purpose, according to its Rules, and held in the presence of the said

That no Indian was present or voted at such council or meeting who was not a habitual resident on the Reserve of the said Band of Indians or interested in the land mentioned in the said Release or Surrender.

That he is a Chief of the said Band of Indians and entitled to vote at the said meeting or council.

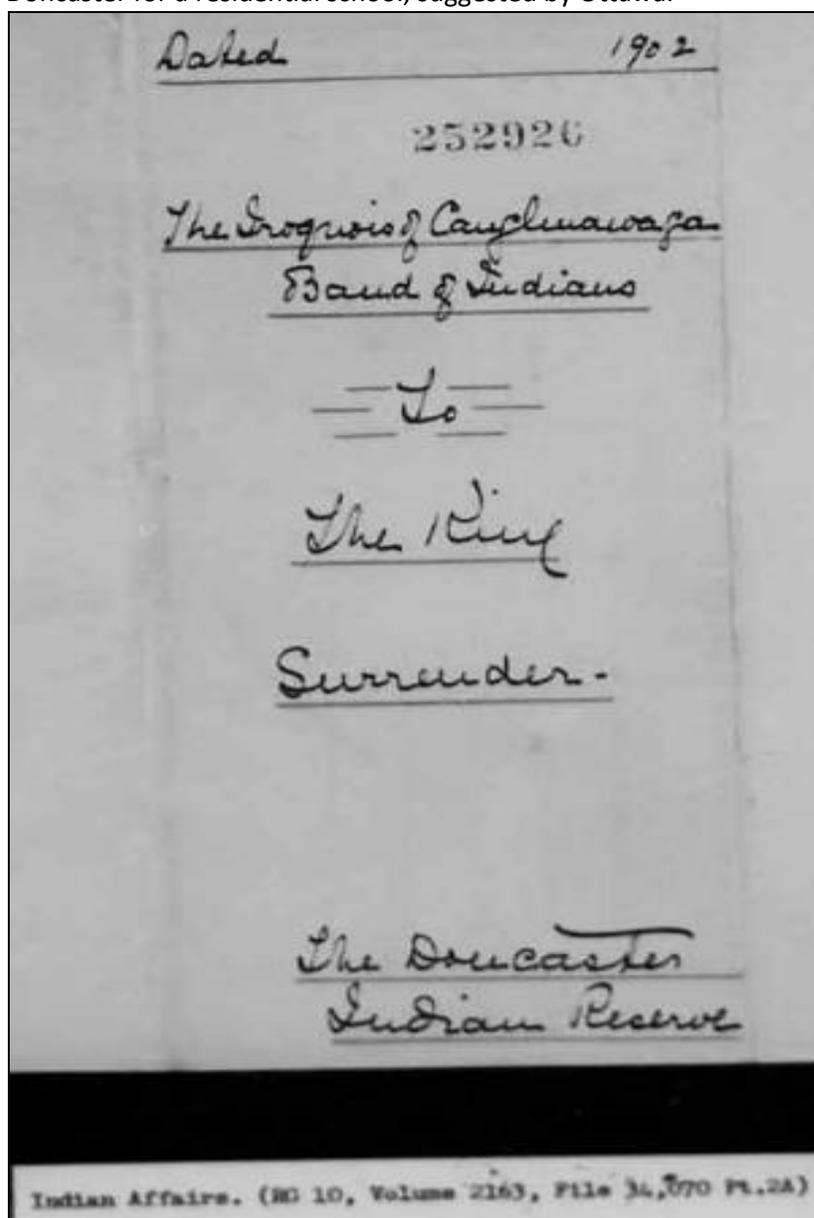
Sworn before me by the

Deponents
at the } of } in }
the County of } this }
day of } A.D. }
190 }

Form No. 66.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

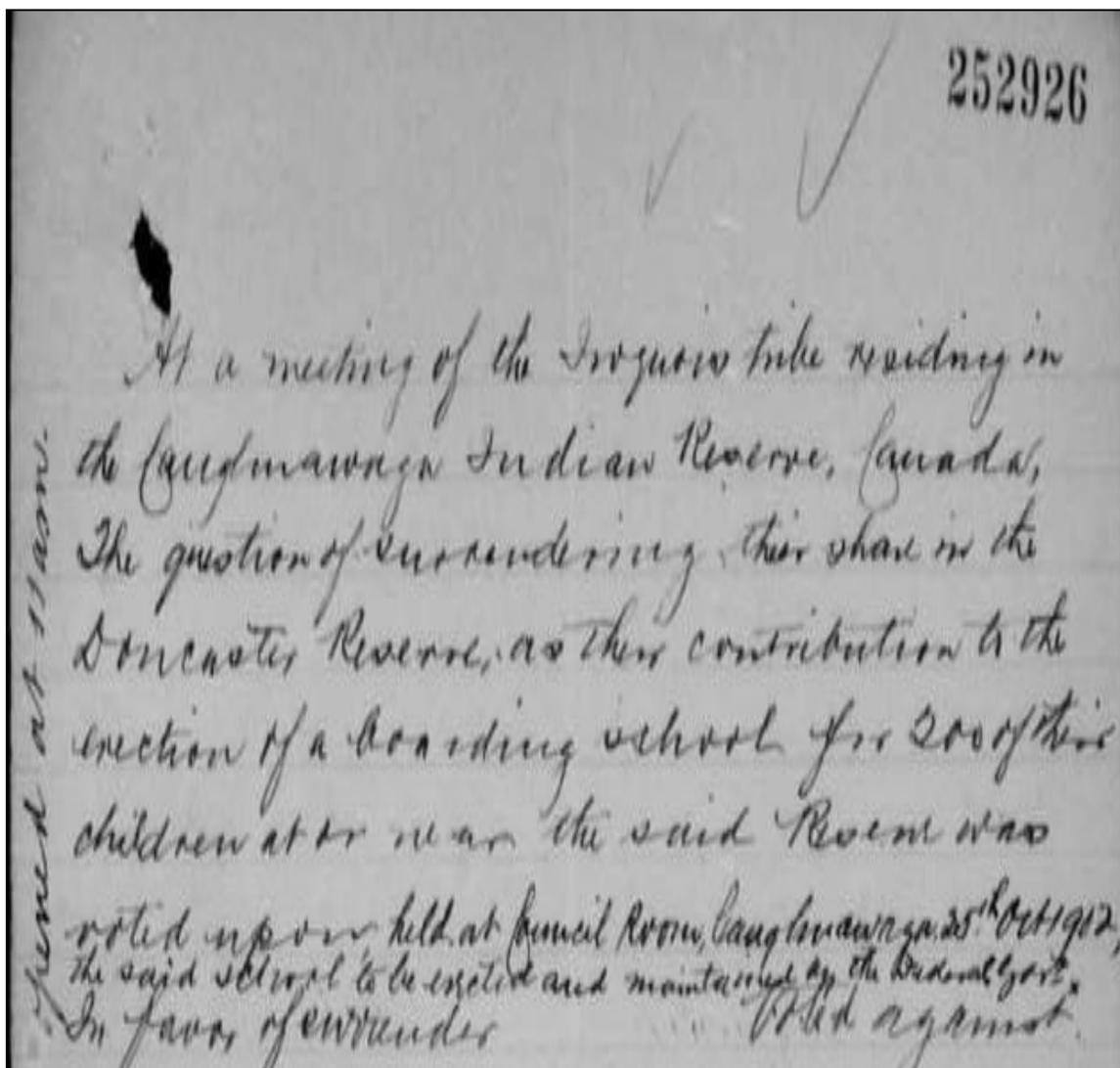
Page 101 to 106, start with a copy of the 3 previous pages: Page 98-99-100 containing the original and stamped letter as also observed on the previous pages 86-88 from **20 August 1902**, suggesting the proper formula for the Chief and voters of Caughnawaga to submit and abandon Doncaster for a residential school, suggested by Ottawa.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 107- On **25 October 1902**, a document-letter states that :

“At a meeting of the Iroquois tribe residing in the Caughnawaga Indian Reserve, Canada, The question of surrendering their share in the Doncaster Reserve as their contribution to the erection of a boarding school for 200 of their children at or near the said Reserve was voted upon held at Council room Caughnawaga on 25th Oct., 1902, the said school to be erected and maintained on the ...(unreadable)”



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 106-107- On **25 October 1902**, below the previous statement, the names of only 5, those "in favor of endeavor" and 74 others, "those against" were exposed as:

In favor, of endeavor	Those against
John Kahuktoto Stacey.	Mitchel Tassenrothe.
Sakoane Phillip (Councillor).	Joseph Traverrow.
Sak Aweratohora	Frank Tironwase.
Saw Aroniwane	Martin Sakorasatakwa.
Wiske Soratowane	Sawato Tioneratsken.
	Sawato Tostotekha.
	Saw Tawente.
	Sakoane Miantarone.
	Sawato Oherodow.
	Tier Katomoti.
	Saw Takahowsoneri.
	Mouwa Tak, Kitonti.
	Tier Tektatitaneken.
	Tier Onakarakele.
	Saw Tchais.
	Martin Tchais.
	Kowi Sorawantow.
	Sawato Muanamio.
	Phillip Kanatis.
	Israel Tkarifotow.
	Sawato Kanataow.
	Dominick Orentaris.
	Saw Sakotariaw.
	Sak Aweratohora.
	Dominick Tawantow.
	Sak Tawantow.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 106-107- On **25 October 1902**, below the previous statement, the names of only 5, those "in favor of endeavor" and 74 others, "those against" were exposed on the last page of the petition as "Against, not in favor":

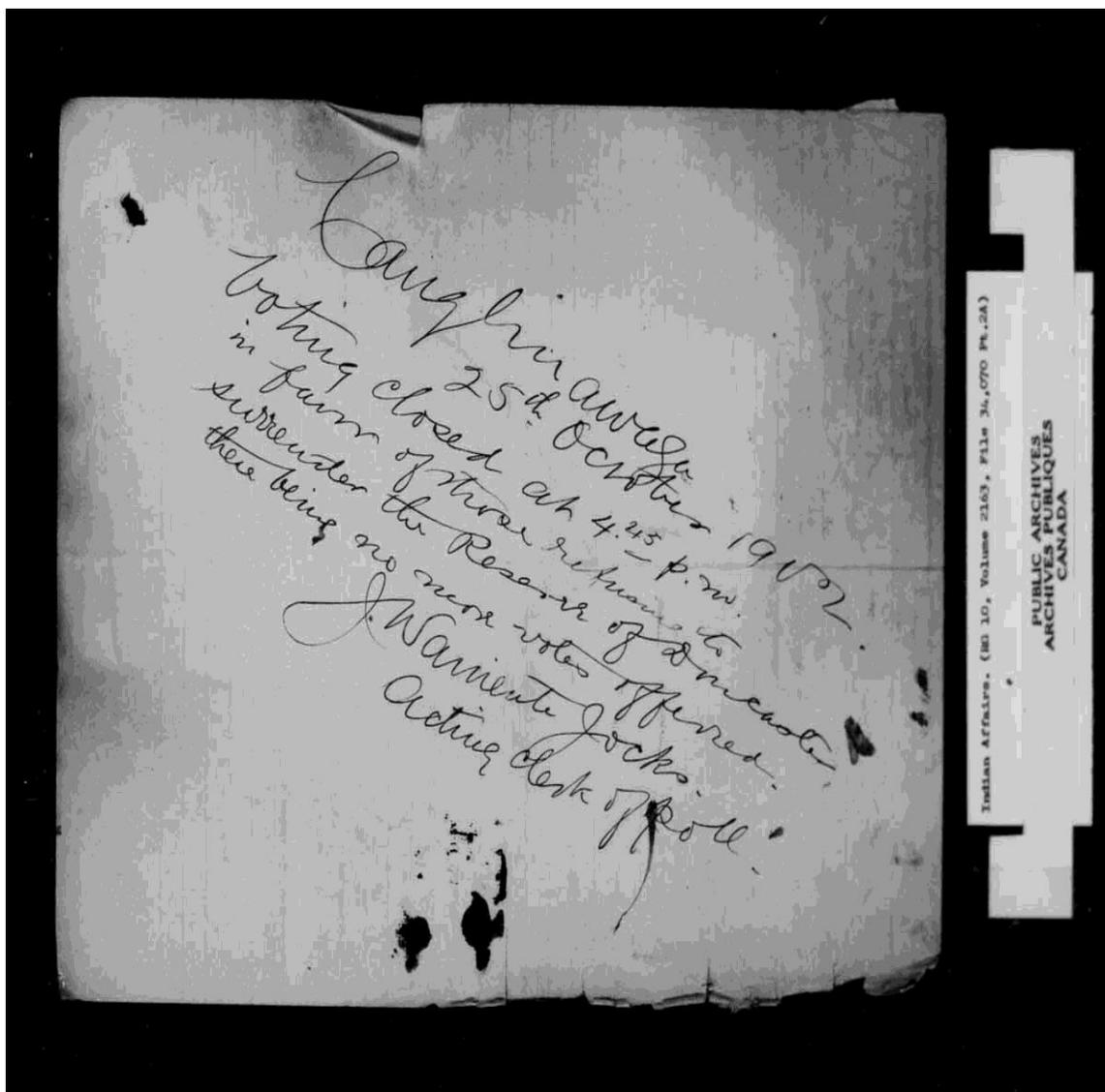
In favor	Not in favor
Alfred J. Gault	Pier Kanenakaurate
Alonwa Jaramkova	Jose Sakorontakata
Alonwa Kammurion	Kovi Tamunantom
Sawati Dirakwontakom	Thomas Anatakavien
Mias Amvontakakare	Louis Shanemate
Sawati Trawemate	Thomas Onawatiti
Saksari Himo	John Satehoromiv
Louis Satekauntom	Louis Tichotakwew
Moise Saentata	Wiske Onatoko
Joseph Dekaneuran	Thomas Aroniatu
Lazar Sote akwen	Thomas Luventasen
Alonwa Anereate	Sak Saituatakou
Alonwa Akwintomkwas	Martin Kamratokape
Martin Amvankashon	Moise Kewenmitaha
Thomas Lavenishon	Louis Saientanokew
Louis Tikaonwate	Louis Trwacemote
Lasa Aron	Pier Kanishakeron
	Mias Kautakaron
	Jose Fassate
	Pier Aientas
	Mias Sakoutetha
	Sawati Latere
	Sawati Akwemvanta
	Pier Kachache
	Ungwa Standup
	Mitchel Morris
	Alexander Mikerada
	Wiske Kanawantom
	Alonwa Sote
	Mias Karkantom
	Pier Mikerasa
	Joseph Amvankashon
	Jose Tinkoko
	Alonwa Kauratohar

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 108 A note exposing the sum up of the meeting held on **25th October 1902**:

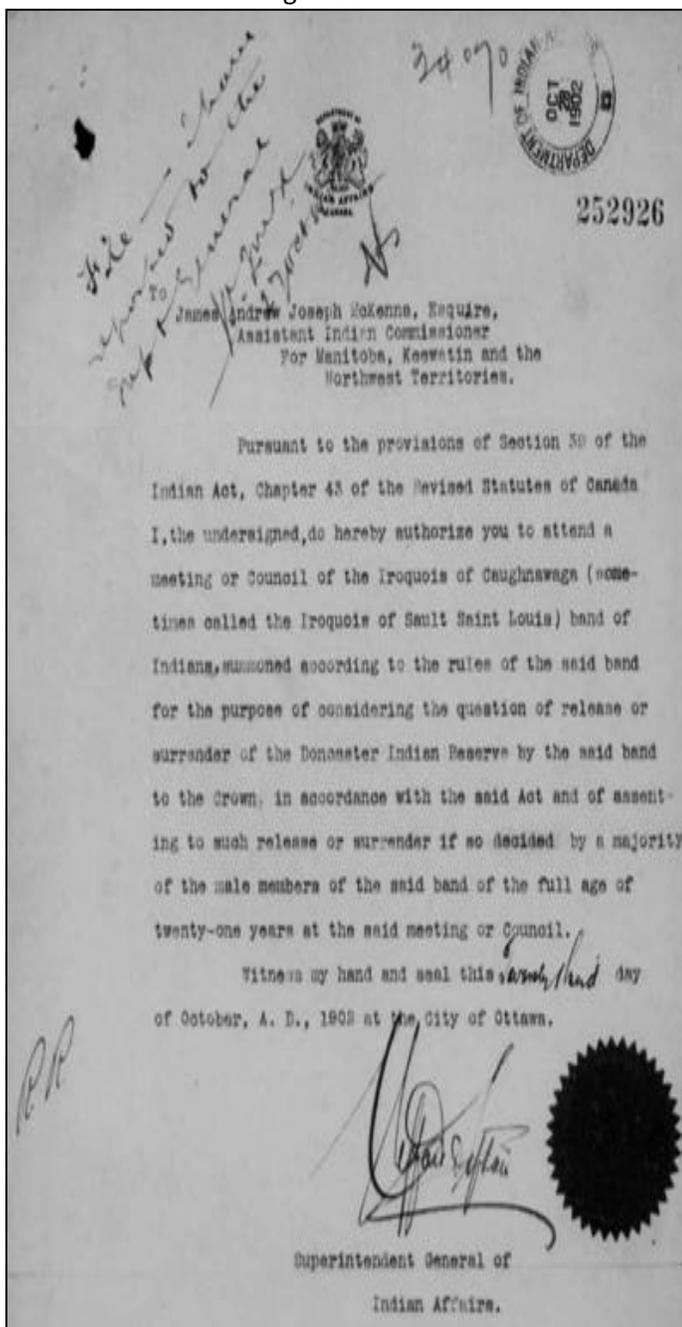
*"Voting closed at 4.⁴⁵ pm
in farm of those refrain to
surrender the Reserve of Doncaster
these being no more votes offered*

*x J. Warriente Jocks
Acting clerk of poll."*



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 109 (original of the copy observed on page 86 of this reel)On **20 August 1902**, **Indian Affairs Superintendent Clifford Sifton** writes to his **Assistant Indian Commissionaire James Andrew McKenna**, suggesting the proper formula for the Chief and voters of Caughnawaga to submit and abandon Doncaster for a residential school, suggested by Ottawa. Only male members aged 21 and older were allowed to vote in Band Councils in Canada until 1951.



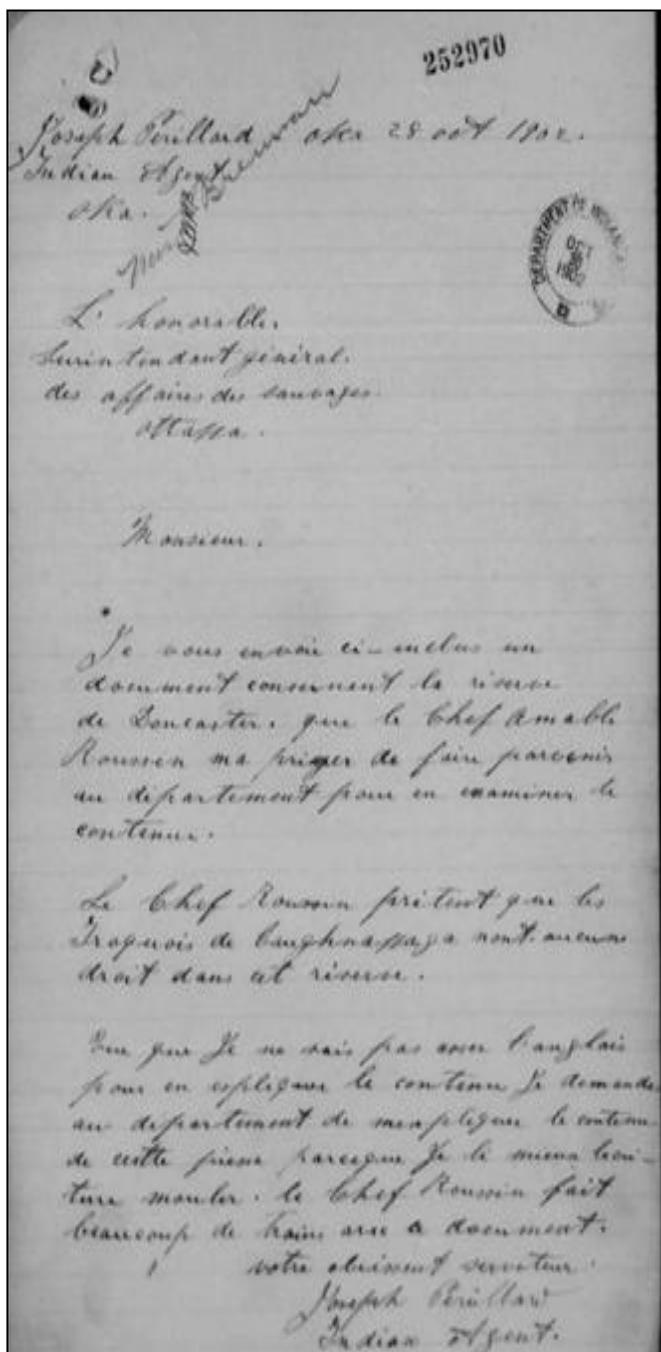
To
James Andrew Joseph McKenna, Esquire
Assistant Indian Commissioner,
For Manitoba, Keewatin and the
Northwest Territories.

Pursuant to the provision of Section 39 of the Indian Act, Chapter 43 of the Revised Statutes of Canada I, the undersigned, do hereby authorize you to attend a meeting of Council of the Iroquois of Caughnawaga (sometimes called the Iroquois of Sault Saint Louis) band of Indians summoned according to the rules of the said band for this purpose of considering the question of release or surrender of the Doncaster Indian Reserve by the said band to the Crown in accordance with the said Act and of assenting to such release or surrender if so decides by a majority of the male members at the said band of full age of twenty-one years at the said meeting or Council.

*Witness my hand and seal this day
Of October. A. D., 1902 at the City of Ottawa
X Clifford Sifton
Superintendent General of Indian Affairs."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 110 On **28 October 1902**, the Indian Agent Joseph Perillard explain that the **Iroquois Chief of Two Mountains, Amable Roussin** "makes a lot of noise" with a letter in English, that according to Roussin, would expose that the Reserve Doncaster is only entitling the Indians of Two Mountains.



"Joseph Perillard Oka, 28 Oct 1902.

The Honorable
Superintendent General
Of Indian Affairs,
Ottawa.

Sir,
I am sending you, included here, a document concerning the Reserve of Doncaster, from which the Chief Amable Roussin who begged me to send it to the Department in order to examine its content.

The Chief Roussin is pretending that the Iroquois of Caughnawaga have no rights at all in this reserve.

Since I do not know enough English, to explain its content, I am asking to the department to expose to me the content of this piece since I understand better the block letters. Chief Roussin makes a lot of noise with this document.

Your obedient servant
Joseph Perillard,
Indian Agent."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 111-116 The document that **Amable Roussin** presented to the **Indian Agent Joseph Perillard** was a **letter from 17 June 1839** exposing a letter from **John Stewart, Chairman at the Council Chamber on 17 June 1839**. The document exposed previous claims petitioned by previous other Native Bands of this period, including the Iroquois, Algonquins and Nipissings of Two Mountains. (Here, picture of the original document on reel; next pages are transcriptions)

Canada 2970

Page 116
 17 June 1839
 To his Excellency Lieutenant General
 Sir John Colborne G. C. B. G. C. H.
 Governor General
 Report of a Committee of the Executive
 Councils Present the Honorable Mr. Stewart
 the Chair; Mr. Cochran, Mr. Sheppard
 and Mr. Daly, on your Excellency's reference
 to the Petition from Mr. Menard and
 Mr. C. D. Morson relative to Kettle Island
 leased by them from the Indians.

Approved
 (Sd) J. Colborne

May it please your Excellency
 The committee having taken on the
 consideration of the petition of Mr. Menard
 and Mr. C. D. Morson they are humbly of
 opinion that the Lease for ninety nine
 years of Kettle Island granted in the year
 1815 by certain Indian Chiefs to one George
 Gillson and latterly acquired by the petitioners
 is null and void, in as much as the Indians
 have no right to grant Leases or dis-
 pose of the Lands situated within their
 ancient hunting grounds.

For support of the Claim of the petitioners
 they state that Lord Dalhousie, then Governor
 in Chief in testifying that the Indian houses
 are good for nothing had added that Mr. Gillson
 will not be disturbed in his hold of them,
 but the committee do not think that this
 promise can be construed to permit Mr.
 Gillson to dispose of a piece which was
 stated to be good for nothing.

The committee would nevertheless, under

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 111-116 The document that **Amable Roussin** presented to the **Indian Agent Joseph Perillard** was a letter from **17 June 1839** exposing a letter from **John Stewart, Chairman at the Council Chamber** on **17 June 1839**. The document exposed previous claims petitioned by previous other Native Bands of this period, including the Iroquois, Algonquins and Nipissings of Two Mountains. (Transcriptions)

<p>No. 148.</p> <p><i>To His Excellency Lieutenant-General Sir John Colborne, G.C.B., G.C.H., Governor General, &c., &c., &c.</i></p> <p>Report of a Committee of the Executive Council. Present: the Honorable Mr. Stewart in the Chair; Mr. Cochran, Mr. Sheppard and Mr. Daly; on Your Excellency's reference of the Petition from Mr. McNab and Mr. C. D. Morson relative to Kettle Island, leased by them from the Indians.</p> <p style="text-align: right;">Approved, J. COLBORNE.</p> <p>MAY IT PLEASE YOUR EXCELLENCY:</p> <p>The committee, having taken into consideration the petition of Mr. McNab and Mr. C. D. Morson, they are humbly of opinion that the lease for ninety-nine years of Kettle Island, granted in the year 1818 by certain Indian chiefs to one Eleazar Gillson, and latterly acquired by the petitioners, is null and void, inasmuch as the Indians have no right to grant leases or dispose of the lands situated within their ancient hunting grounds.</p> <p>In support of the claim of the petitioners they state that Lord Dalhousie, then Governor-in-Chief, in declaring that "the Indian leases are good for nothing" had</p>
<p>added that Mr. Gillson will not be disturbed in his hold of them; but the committee do not think that this promise can be construed to permit Mr. Gillson to dispose of a lease which was stated to be good for nothing.</p> <p>The committee would, nevertheless, under the circumstances of the case, recommend the petitioners to the favourable consideration of Your Excellency, and that some compensation may be made to them from the rent which may hereafter be received for Kettle Island, or from such other funds arising from Indian leases on the Ottawa as may be at the disposal of Your Excellency.</p> <p>The committee, however, are likewise of opinion that the leases lately given of this island by an officer of the Indian Department to certain occupants is equally irregular and invalid, and that the island should be considered and treated as a part of the waste lands of the Crown, and all intruders ousted who have not a title from the Crown.</p>

Source: *Indian Treaties and Surrenders, from 1680-1890*: In Two Volumes, Volume 1, Editor, Chamberlain, Printer of the Queen's most Excellent Majesty, Ottawa, 1891.⁴⁹

⁴⁹ *Indian Treaties and Surrenders, from 1680-1890*: In Two Volumes, Volume 1, Editor, Chamberlain, Printer of the Queen's most Excellent Majesty, Ottawa, 1891.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 111-116 Here a **description of the history of the Seminary's possession** of "*The Iroquois, Algonquins and the Nipissings, collected under the care of the priests of the Seminary of Montreal et Lake of Two Mountains are forming altogether a population of 864 souls, have no land in their actual possession, except about 260 acres of sterile soil, which they occupy by permission of the Seminary, the possessors of the seigniority.*"

The hunting grounds granted after they supported the French against the English in the *Seven Years' War* (1754–1763) and after they formed the northern part alliance of the British-led Aboriginal militia that fought the United States in the *American Revolutionary War* and the *War of 1812* were grounds located on the Ottawa River.

In considering the foregoing petition, together with the reports thereon of the Indian Department, the committee have been led to have reference to an approval Report of Council, dated 13th June, 1837, which enters at great length into the management, affairs and territorial claims of the Indian tribes resident in Lower Canada, and from which the following extract is submitted for Your Excellency's information:—

"The Iroquois, Algonquins and the Nipissingues, collected under the spiritual care of the priests of the Seminary of Montreal at the Lake of the Two Mountains, and forming altogether a population of 864 souls, have no land in their actual possession, except about 260 acres of sterile soil, which they occupy by permission of the Seminary, the possessors of the seigniority.

"The circumstances of these tribes appear to the committee to demand the peculiar attention of Government, having done good service in the field in aid of His Majesty's arms, both during the former and the late war with the United States; they are now among the most helpless and destitute of the Indians of Lower Canada. They have laid before Your Excellency a claim to be maintained in the enjoyment of the residue of their hunting grounds on the Ottawa River, not as yet comprised in settlements and townships, and to be compensated for that part which has been taken from them for those purposes by the Crown.

"The claim of these Indians (the Iroquois, Algonquins and Nipissingues of the Lake of the Two Mountains) comprises a tract of country on each side of the Ottawa River, reaching from the seigniorial grant for some hundred of miles upwards; and they ask that besides compensation for that portion of this territory which the Crown has granted away or the white population has occupied they may be protected in the enjoyment of the remainder against further encroachment or grant.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 111-116 Other petitions lead to other disputes for other nation's hunting grounds, and such petitioners are exposed as: *"These petitioners now appeal to the terms of the Royal Proclamation of 1763, and it appears to the committee that as the Act of State has been considered sufficient to guarantee to the Iroquois of St. Regis the possession of their present reservation, to which it is stated that they had no other rights than as a part of their ancient hunting ground, the Algonquins and Nipissings tribes may have some grounds to complain if they are deprived of the benefit of the same protection for their claims."*

Also, below, it writes: *"The committee, however, conceive that the claims of these, and indeed of all the Indian tribes, in respect of their former territorial possessions, are at the present day to be resolved into an equitable right to be compensated for the loss of the lands from which in former times they derived their subsistence, and which may have been taken by the Government for purposes of settlements and that the measure of such compensation [...]"*

"There appears no reason to doubt that under the French Government, the hunting grounds of these nations may have covered the whole extent which they now describe, and that their right so to use it was as little disputed and as well defined as any of the territorial rights of the other Indian tribes. These petitioners now appeal to the terms of the Royal Proclamation of 1763, and it appears to the committee that as that Act of State has been considered sufficient to guarantee to the Iroquois of St. Regis the possession of their present reservation, to which it is stated that they had no other right than as a part of their ancient hunting ground, the Algonquins and Nipissingue tribes may have some grounds to complain if they are deprived of the benefit of the same protection for their claims. They have brought forward their pretensions on various occasions, and it is to be inferred from some of the documents which they produce in support of their application that their right to compensation was at least in one instance distinctly admitted by Lord Dorchester.

"The committee, however, conceive that the claims of these, and indeed of all the Indian tribes, in respect of their former territorial possessions, are at the present day to be resolved into an equitable right to be compensated for the loss of the lands from which in former times they derived their subsistence, and which may have been taken by Government for purposes of settlement, and that the measure of such com-

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 111-116 “[...]compensations should be to place and maintain them in a condition of at least equal advantage with that which they would have enjoyed in their former state.”

compensation should be to place and maintain them in a condition of at least equal advantage with that which they would have enjoyed in their former state. Viewing in this manner the claim now made by the tribes in question, the committee recommend that a sufficient tract of land should be set apart in the rear of the present range of townships on the Ottawa River, and that such of them as may from time to time be disposed to settle on land should be located there, and that both they and the rest of these tribes should continue to receive such support, encouragement and assistance as may supply the place of their former means of subsistence, and at the same time prepare and lead them to a state of independence of further aid.

“The committee assume that the Indians must continue to be as they have hitherto been; for whether under French or English dominion, they have been taught exclusively to look for paternal protection in compensations for the rights and independence which they have lost. Until circumstances render it expedient that they should be turned over to the Provincial Legislature and receive legislative provision and care, the committee conceive that all arrangements with respect to them must be made under the immediate directions of Her Majesty's Government, and carried into effect under the supervision of officers appointed by it.”

As the recommendations of this report tended not only to exclude the Indians from any participation in the management of their affairs, but negatived their right of property at the present day in the lands which they once held as hunting grounds, the committee respectfully suggest that the officers of the Indian Department be instructed to act in accordance with the tenor of the aforesaid report, it appearing to have been overlooked in recent orders given by Colonel Hughes, for leasing the islands in the Ottawa River, and of which the secretary, Colonel Napier, had no knowledge.

All of which is respectfully submitted to Your Excellency's wisdom.

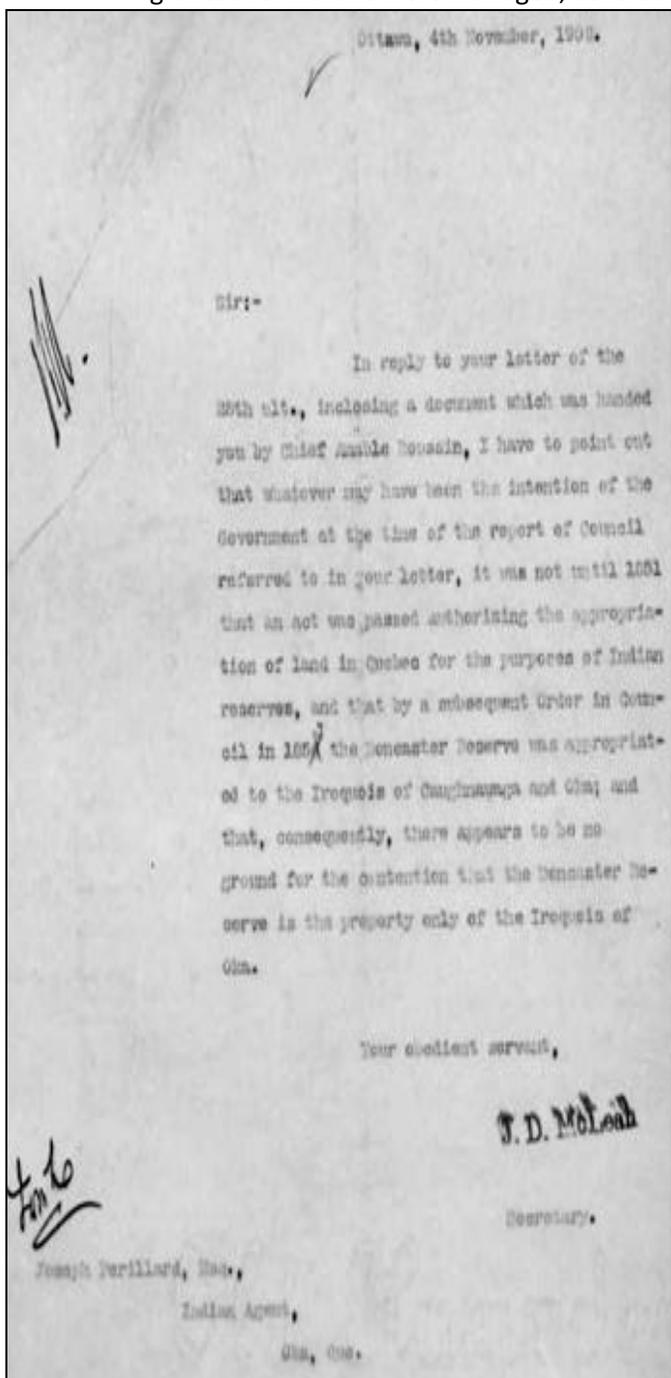
By order,

J. STEWART,
Chairman.

COUNCIL CHAMBERS, 17th June, 1839.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 118 (117 was the translation of page 110 of the **Indian Agent Perillard** about **Amable Roussin**.) **Secretary of Indian Affairs J.D. McLean** answering in a letter on **4 November 1902** to **Joseph Perillard** to clarify the context of the time period in which the creation of reserves granted for Indians were managed, contradicting **Amable Roussin's speculations**.



"Ottawa, 4th November, 1902.

Sir:-

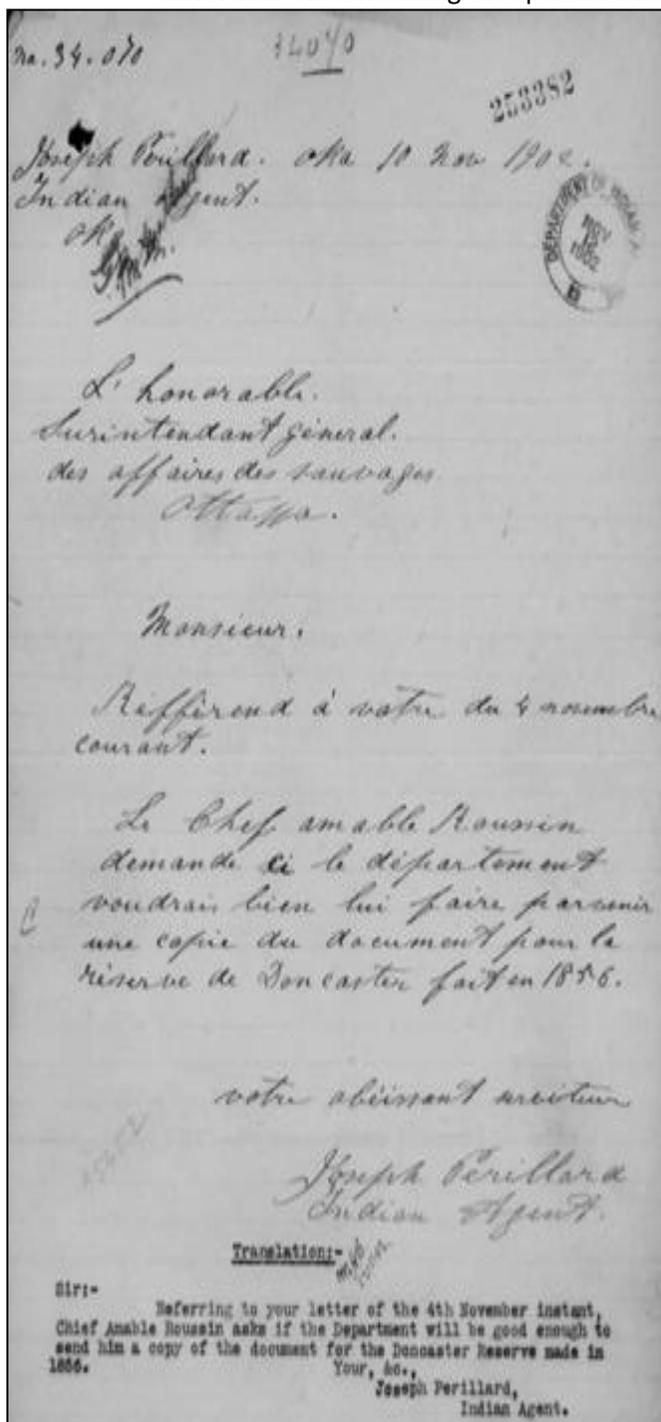
In reply to your letter of the 25th ult., inclosing a document which was handed you by Chief Amable Roussin, I have to point out that whatever may have been the intention of the Government at the time of the report of Council referred to in your letter, it was not until 1851 that an act was passed authorising the appropriation of land in Quebec for the purpose of the Indian reserves, and that by a subsequent Order in Council in 1853 the Doncaster Reserve was appropriated to the Iroquois of Caughnawaga and Oka and that, consequently, there appears to be no ground for the contention that the Doncaster reserve is the property only if the Iroquois of Oka.

Your obedient servant

*J.D. McLean
Secretary"*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 119 Letter from **Joseph Perillard** from **10 November 1902** to his **Surintendent General Clifford Sifton** concerning the speculations brought apart by **Amable Roussin**.



"Oka, 10 Nov. 1902

Sir,
Referring
To your letter of the 4th November
Instant.

The Chief Amable Roussin
asks if the Department
will be good enough to send him
a copy of the document for the
Doncaster Reserve made in 1856.

You, &C
Joseph Perillard,
Indian Agent."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 120 a correction to be made is mentioned by **George M. Matheson** (who was employed in the Records Branch of the Department of Indian Affairs from 1888 until his retirement as head registrar in 1936.) to **Scott Stewart, Indian Affairs Secretary** on **13 November 1902** concerning precisions about the Creation of Reserves in 1853 put in action on 1856.

13/11/02

Stewart

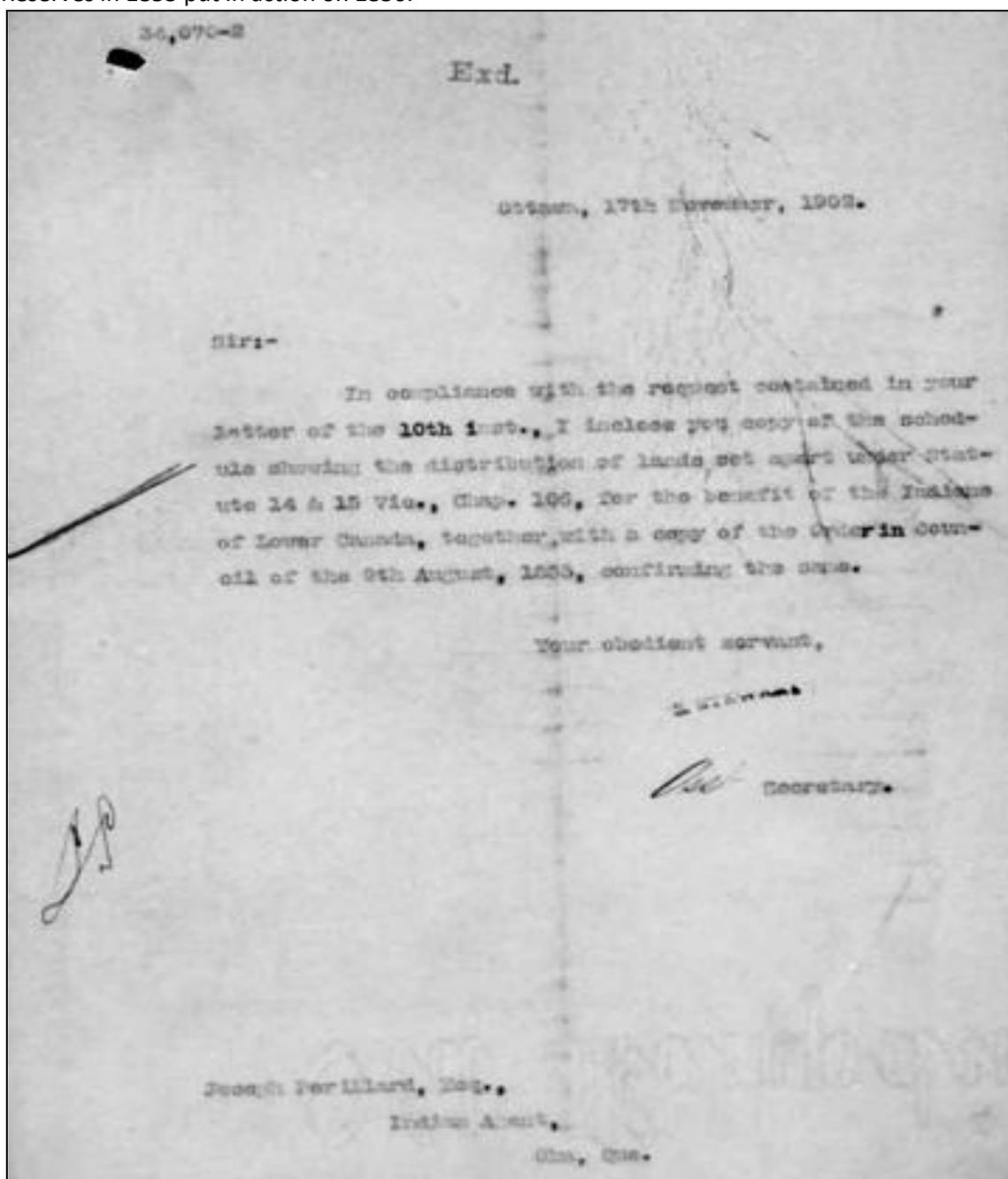
The O.C. in question
(should be 1853 instead of 1856)
is on file 95452 now with
the Law Clerk. The Agent will
require also a copy of the schedule
with it.

G. M. Matheson

Mr Stewart letters of 1853 which you mentioned are on file 95452

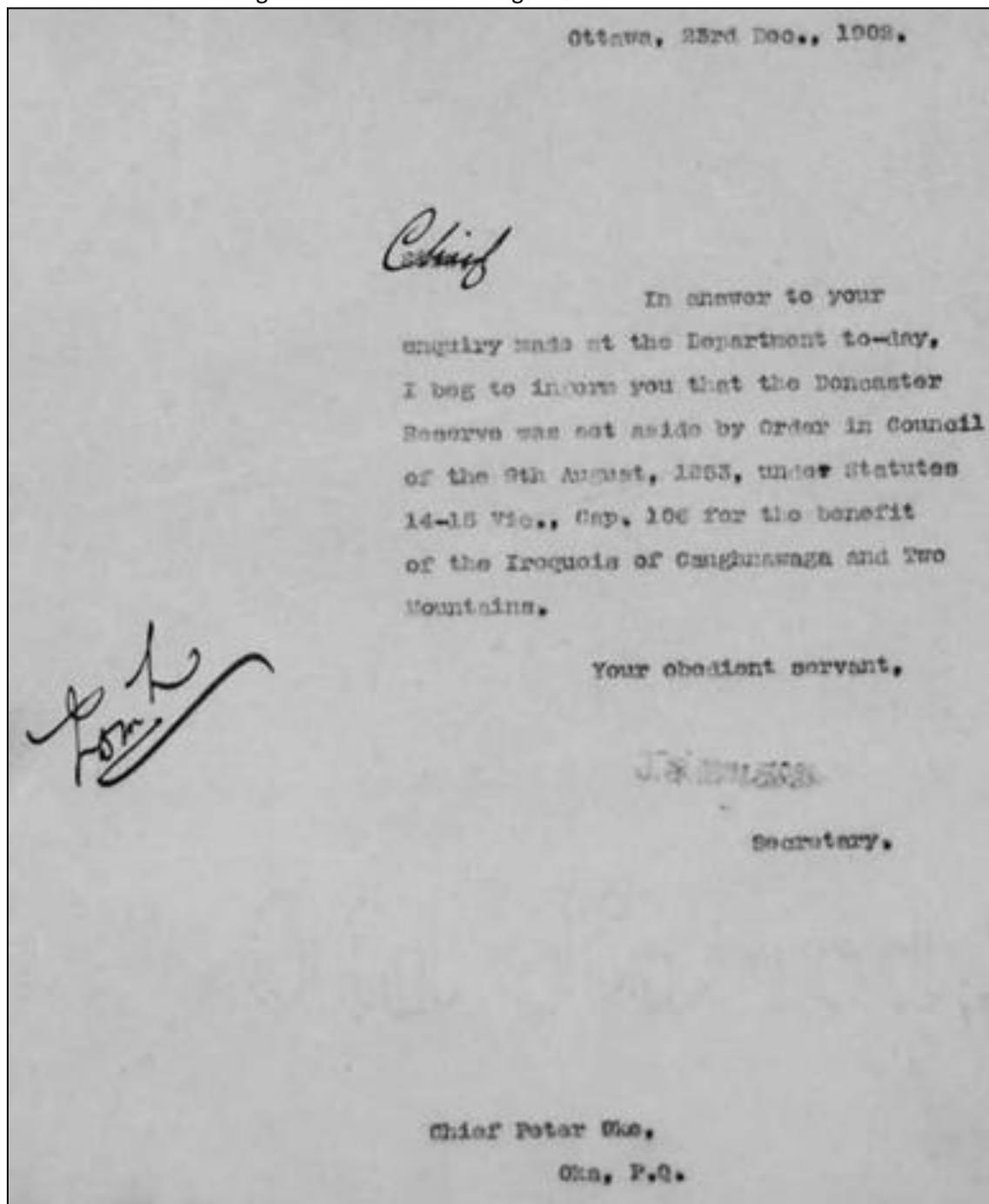
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 121 a confirmation of the correction to be made is mentioned by **Scott Stewart, Indian Affairs Secretary** on **17 November 1902** to **Perillard, Indian Agent** concerning the Creation of Reserves in 1853 put in action on 1856.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 122 a confirmation of the **Secretary of Indian Affairs J.D. McLean** answering in a letter on **23 December 1902** to **Chief of Oka, Peter Oke** to clarify the context of the time period in which the creation of reserves granted for Indians: 9 August 1853.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Legal procedure toward surveying and expulsions of the squatters 1902-1905

In a letter from Deputy Minister E.E. (or E.P.) Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries on **4 August 1902**, exposed potential other lands that the Iroquois could use other than Doncaster, on the maps observed on pages 150-153, in the area of the Manouan River, to Secretary of Indian Affairs J.D. Maclean.

Also, on page 155 Doc 34070 /2TY, Correspondence from Frank Pedley, Deputy Superintendent General of Indian Affairs to Deputy Minister E.E. (or E.P.) Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries, exposing that:

“Western boundaries of the Indian Reserve which comprise the Southeast quarter of the township of Doncaster require to be retraced and permanently established on the ground.”

It went as: *“Sir,- The western boundary of the Indian Reserve which comprise the southeast quarter of the township of Doncaster, Que., require to be retraced and permanently established on the ground.*

It would appear that this tract of land includes Lots 31 to 40, in ranges 1-2-3-4-5 and 6, and should be bounded on the west by the Centre Line of the township. On the ground, however, in one or more of the said concessions, Lot 30 has been laid out to the east of the Centre Line, and sold by your Department, and is now occupied by the purchasers. It would, therefore, appear that that the Centre Line is not actually the west boundary of the reserve.

It is thought that this line falls under the operation of Article 4156 of the Revised Statutes of Quebec and the instructions for the same will require to be issued by the Commissioner of your Department. I shall fell obliged if you will be good enough to have prepared as soon as possible, and forward to me the said instructions, which will be given to the Surveyor who may be appointed. It is presumed that your Department will have no objection to the appointment of any Surveyor who has been duly authorized for the Province of Quebec. The expense of the survey will of course be borne by this Department.

Your obedient servant. x L.D. F. Pedley, Deputy Sup. General of Indian Affairs.”

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Legal procedures which led to making the government walking on a thin wire started occurring after the reception of a letter from **Leet & Harvey Lawyer's cabinet** from **30 December 1902** to **Clifford Sifton the Superintendent of Indian Affairs** which exposing the vote of the last Caughnawaga council in which Doncaster obtained majorities in the vote against investments for the residential schools.

*"Leet & Harvey,
Advocate, Barristers, As* *Temple Building
Montreal*

December 20th, 1902

*TO: Superintendent General of Indian Affairs,
Ottawa, Ont.*

Dear Sir,

I have been retained by the Caughnawaga Band of Indians to visit Ottawa and to have a personal interview with you to interfere to:-

1. Their rights and privileges in reference to the Doncaster Reserve

In this matter some time ago some of the Chiefs came to me and told me that there had been an election in Caughnawaga in reference to a School house there, which they understood had something to do with waiving their rights in the Doncaster Reserve. They only came to me after the election had taken place, and told me that one reason why the vote was as it was, was because the Chiefs of the Band did not fully understand what it meant, and wished me to find out for hem exactly how the matter stood.

2. As to who should be considered members of the Band.

This particular related to certain people who are residing on the Reserve at Caughnawaga, and upon this question I have had some communication with your Department already.

They have also told me that the same question has arisen, and is likely to arise to reference to the Doncaster Reserve.

It should be convenient for me to go up to Ottawa someday next year, if you could make it convenient to make an appointment for them. If you can comply with this request, and can make appointment, please let me know as soon as you can,

*Yours truly,
Leet & Harvey"*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

On **7 February 1903** J.A.J. McKenna, Commissary and Private Secretary of superintendent General of Indian Affairs annexed to J.D. McLean, secretary of Indian Affairs a Detailed Statement of Valuations of improvements of squatters of the Doncaster Indian Reserve, P.Q from the Chief Surveyor, Samuel Bray, from **22nd April, 1903**, which accompanied his report of the 12th May last in which the statement brought informations about all lands squatted.

As seen previously but also important here, a report from **13 March 1903** about the historical and legal situation of Doncaster written from the Assistant Secretary of Indian Affairs Samuel Stewart depicted a complete review of the situation until then, which went as:

“By Statute 14 & 15 Vic., Cha. 106, lands amounting in all to 230,000 acres were set apart for Indian Tribes in Lower Canada. Of this amount a reserve containing 18,500 acre was granted to the Iroquois of Caughnawaga and Two Mountains in the Township of Wexford (now Doncaster), County of Montcalm, and was confirmed to them by Order in Council of 9th August, 1853.

*This reserve has never been occupied by the Indians Reports regarding the lands have been made by Mr. Fillion, Bushranger for the Quebec Crown Lands Department, **Mr. Bray, Chief Surveyor**, Mr. McKenna, Assistant Indian Commissioner, Mr. Dingman, Inspector of Reserves, all of whom visited the reserve and agree in saying that it as well as the surrounding Townships consist of steep, rocky hills, with practically no plains between them. The soil, it is further stated, is without exception a sandy loam of medium quality, and no one but those who are willing to work very hard and live very frugally can possibly make a living in this rough, sandy district.*

*The value of the land is given as from 30 to 33 cents per acre. The Reserve when set apart contained a considerable quantity of good merchantable timber. In 1869 a license to cut the same was granted to **Messrs. Cushing Bros.**, of Repentigny who paid a bonus of \$350.00 in addition to ground rent and timber dues for the privilege, but they allowed the license to lapse in 1872 owing to the difficulty of getting the logs down the streams.*

A license to cut the spruce and cedar timber was granted to the Charlemagne and Lac Onareau Lumber Co. In 1886 on payment of Two hundred dollars bonus in addition to ground rent and timber dues. This license is still in force. The first intimation received by the Department regarding the squatters was from the Crown Lands Departments, Quebec, in November 1881, and that Department offered to send a competent Bushranger to investigate and report if desired.

In reply the Department asked that this be done, and that all squatters on the reserve be notified to leave at once.

In compliance with this request, Mr. A. B. Fillion was sent to the reserve and his report of 15th December, 1881, states the he found fifteen families occupying lands belonging to the Indians, and that he had served them with notice to leave. Mr. Fillion valued the improvements owned by the settlers at \$1635.00.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

The notice did not have the desired effect, as several of those, who are now on the reserve, are evidently, judging by the names, of the same families, who were there in 1881, while others claim to have purchased from the persons mentioned by Mr. Fillion.

The settlers were also notified to leave by Mr. Dingman, Inspector of Agencies, in August, 1893.

Mr. McKenna visited the reserve in May, 1902, and re-ported sixteen persons as holding lands on the reserve of from 100 to 450 acres in extent. The values of the improvements as given to Mr. McKenna by the settlers themselves totalled \$17,800.00.

As early as September, 1873, the Crown Lands Department, Quebec, proposed that, as the Doncaster Reserve was not occupied by Indians, or likely to be so, and as it was important, in view of the settlement in this Township, that the block of land should be offered for sale to actual settlers, (blank space) it be transferred to the Government of the Province of Quebec in exchange for an equal area of land in another locality, better suited to the wants of the indians, or, in case such an exchange could not be made, that the land in question be offered for sale by the De-partment.

In accordance with the proposition, Mr. De Boucherville, the Lands Sales Clerk, was sent to Caughnawaga, to endeavour to obtain a surrender from the Indians but could not get their consent and the matter was allowed to drop for the time being.

In April last the Crown Lands Department again offered, in the event of the Indians surrendering the reserve, to set aside another tract of land of the same extent in exchange for the same.

Very strong representations have from time to time been made to this Department by the Crown Lands Departments, by the settlers themselves, by the adjoining Municipality and by Members of Parliament, that the reserve should be opened for sale.

The difficulty in the way of this action has been, however, that this Department, after repeated attempts, as failed to obtain a surrender of the reserve from the Indians.

The efforts of this direction may be enumerated:-

*In August, 1874 by Mr. De Boucherville, Lands Sales Clerk,
 May 1893, “ Mr. Dingman, Inspector of Agencies,
 May 1894, “ **Mr. McKenna, Secretary to Deputy Minister,**
 May 1901, “ **Mr. Bray, Chief Surveyor,**
 May 1902, “ **Mr. McKenna, Assistant Indian Commissioner,***

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

It may be mentioned that the settlers have all along admitted they were aware, when they took up holding, that the lands were included in an Indian Reserve, but further state that they were given to understand, they would not be interfered with.

The Indians have demanded, that they be put in possession of the reserve, and also, that the settlers be made to pay a rental for the lands occupied by them.

*x S. Stewart
Assistant Secretary."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

It is followed by another important temporal updates of the legal procedures, pages 134 to 138 exposing Memorandum report, here from **3 April 1903** about the historical and legal situation of Doncaster written from the Deputy Superintendent General of Indian Affairs James A. Smart which went as:

"Ottawa, 3rd April, 1903.

Memorandum: - The Superintendent General.

The Doncaster Reserve, situated in the County of Montcalm, containing 18,000 acres, was set apart by Statute 14 and 15 Voc., Ch. 106, for the benefit of the Iroquois of Caughnawaga and Two Mountains. The Reserve has never been occupied by the Indians, and in October, 1873, and again in May, 1902, the Crown Lands Department, Quebec, proposed, in view of the progress of settlement, that the Reserve be transferred to the Province in exchange for an equal tract of land in another locality, or that, in case such an exchange could not be made, the land in question be offered for sale by the Department.

The matter was referred to the Indians, and they were asked to surrender the Reserve in order that it might be sold for their benefit. It was pointed out to them that the advance of settlement in that part of the country where the reserve is situated and its distance from the residence of any officer of the Department made it difficult to protect the land from being squatted upon or the timber pillaged.

The Indians, however, refused to surrender the Reserve: and, although the matter has been submitted to them on five different occasions, it has always been with the same result.

The Agent who visited the Reserve in 1873 found a number of squatters on the Reserve, and since that date others have also taken up land and built houses thereon.

These persons have several times been notified to leave, but action for their ejection has not been taken owing to representation representation that have been made to the Department by the Crown Lands Department, by the authorities of the adjoining municipality, by Members of Parliament and by the settlers themselves.

It was anticipated by the Department, as well as by the settlers and their friends, that the Indians would eventually consent to surrender the Reserve, as the land was reported to be of poor quality and difficult of cultivation. There was little reason, therefore, for thinking that the Indians would desire to settle down on it with the expectation of making a living by farming.

The Indians have now, however, signified their intention of at once occupying the Reserve and have demanded that the trespassers be removed without delay, but before this action can be taken the claim of the squatters for compensation for their improvements requires to be dealt with.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

These squatters state that they took up their holding in good faith, and with the conviction that the Reserve would be opened for sale. The fact that the Department has to a certain extent acquiesced in the trespass is also given as a reason why they should be compensated for their improvements if they are compelled to remove from the Reserve.

It is felt that there is considerable force in the argument urged on behalf of the squatters, and that their continued occupation, most of them for periods of from twenty-five to forty years, together with the Department's inaction, gives them a claim which cannot well be overlooked.

The lands trespassed upon amount to 2,800 acres, and the improvements on the holdings given by the squatters themselves total some \$17,800.00.

In dealing with this matter it should, however, be borne in mind that the squatters have had the free use of the land all these years and that they, living on an Indian Reserve, have not been required to pay taxes. In addition, they have had the benefit, of which it is stated they have taken full advantage, of the timber on the Reserve outside of the spruce and cedar, which alone is covered by license.

In the event of its being decided to pay for the improvements, it will be necessary to have the money provided by a vote of Parliament. The Oka Indians have no funds and the funds of the Caughnawaga Band are not sufficient to bear the charge of paying the amount required.

The claims of the Indians cannot, it is thought, be overlooked that the failure of the Department to protect the Reserve from intrusion puts the burden of compensation on its shoulders.

There is no doubt but that the longer the settlement of this matter is delayed the more difficult will it be to come to a satisfactory arrangement. Some of the Caughnawaga Indians have already been restrained with difficulty from taking possession of house owned by the squatters; and the Oka Indians, who feel that they have been unjustly deprived of the lands at the Lake of Two Mountains, will make the most of any delay in putting them in possession of the Reserve at Doncaster.

Roads Through The Reserve:-

The Department of Agriculture and Colonisation, Quebec, and the Members of Parliament for the Counties of Montcalm and Terrebonne have pointed out that no roads have been opened up through the Doncaster Reserve. In consequence, they state, the settlers in the surrounding townships are seriously inconvenienced, as they are obliged to ride from 10 to 15 miles in order to reach a railway station with the products of their farms.

Messrs. Prefontaine and Dugas have asked that the Department come to the relief of the settlers and help the municipalities interested in constructing proper roads through the Reserve and highways leading to it. They ask that a sum of \$5,000.00 be allocated and spent under the control of the Department to open said roads.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

In connection with these applications attention is called to Section 35 of the Indian Act as amended by Section 5 of 50-51 Vic., Ch. 23, which provides that "No portion of any reserve shall be taken for the purposes of any railway, road or public work without the consent of the Governor in Council, and if any railway, road or public work passes through or causes injury to any reserve belonging to or in possession of any band of Indians, or if any act occasioning damage to any reserve is done under the authority of an Act of Parliament, or of the Legislature of any Province, compensation shall be made to them therefor in the same manner as is provided with respect to the lands or rights of other persons."

Under Section 38 as repealed by Section 3 of 61 Vic., Chp. 24m no reserve or portion of a reserve shall be sold, alienated or leased until the same has been released or surrendered to the Crown.

It is doubtful whether the Indians would consent at present to surrender any portion of the Reserve.

If the Indians were residing on the Reserve they could be compelled under Section 33 as repealed by Section 1, Ch. 33, Vic. 61, and Section 34 to make roads and keep them in order through the Reserve.

Under the circumstances the only way in which the wishes of the Department of Colonisation and of the Members for the Counties of Montcalm and Terrebonne can be met would be apparently by this Department's obtaining a grant from Parliament for the purpose and having the roads made for the improvement of the Reserve and for the benefit of the Indians.

Deputy Superintendent General of Indian Affairs."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Valuation of Improvements of squatters on the Doncaster Indian Reserve. P.Q. from **22 April 1903** by **Surveyor in Chief Samuel Bray** was sent to **Superintendent General of Indian Affairs** in Ottawa,

"Ottawa, 22nd April, 1903

The Deputy Supt. General, --

I beg to report that I have returned from the Doncaster Indian Reserve, where in accordance with your instructions I made the valuations of the different squatters' improvements on the reserve.

I beg to hand you herewith a statement of the same showing the total valuation to be \$11, 325. (The total valuation as given by the squatters to Mr. McKenna amounted to \$17,800) together with a detailed statement.

I may say that the valuations are fair, especially when the fact is taken into consideration that the occupants have held the land for many years without paying rent. The different squatters with probably not one exception will accept the amounts of my valuation, if offered to them.

I have, however, to draw your attention to the fact that the West boundary of the Reserve is very indefinite, and in fact its location on the ground is not known within any reasonable distance. It is, therefore, quite possible that when this line is surveyed all the improvements of Israel Thouin, No. 1 on the list, except some clearing may be found to be actually outside of the reserve. This will reduce the statement considerably.

The said survey, I beg to submit, should be made as soon as anything definite has been decided upon with regard to the action to be taken in connection with the reserve.

Samuel Bray Chief Surveyor."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

an Extract from Memorandum- Original on File No. 162,095: When the delegation chosen to observe the fact of the squatters came back, they came to an unanimous decision:

"Ottawa, 12th June, 1903

On June 11th a deputation of the Caughnawaga Indians called at the Department and stated that they had visited the Doncaster Reserve and after laying the matter before the band the Indians had decided that they would not surrender the Reserve and asked the Government to have the squatters removed

signed F.P (Frank Pedley, Deputy Superintendent General of Indian Affairs)."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

A letter from **Deputy Minister E.E. (or E.P.) Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries** on **4 August 1903**, to **Secretary of Indian Affairs J.D. Maclean** exposing potential other lands that the Iroquois could use other than Doncaster, on the maps observed on pages 150-153, in the area of the Manouan River.

Latter a correspondence from Frank Pedley, Deputy Superintendent General of Indian Affairs to Deputy Minister E.E. Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries, of **21 November 1903**, exposed:

“the Western boundaries of the Indian Reserve which comprise the Southeast quarter of the township of Doncaster require to be retraced and permanently established on the ground.”

“Sir,-The western boundary of the Indian Reserve which comprise the southeast quarter of the township of Doncaster, Que., require to be retraced and permanently established on the ground.

It would appear that this tract of land includes Lots 31 to 40, in ranges 1-2-3-4-5 and 6, and should be bounded on the west by the Centre Line of the township. On the ground, however, in one or more of the said concessions, Lot 30 has been laid out to the east of the Centre Line, and sold by your Department, and is now occupied by the purchasers. It would, therefore, appear that that the Centre Line is not actually the west boundary of the reserve.

It is thought that this line falls under the operation of Article 4156 of the Revised Statutes of Quebec and the instructions for the same will require to be issued by the Commissioner of your Department. I shall fell obliged of you will be good enough to have prepared as soon as possible, and forward to me the said instructions, which will be given to the Surveyor who may be appointed. It is presumed that your Department will have no objection to the appointment of any Surveyor who has been duly authorized for the Province of Quebec. The expense of the survey will of course be borne by this Department.

Your obedient servant.

x L.D. F. Pedley, Deputy Sup. General of Indian Affairs.”

On **20 November 1903**, **Chief Surveyor S. Bray** putting the emphasis on the importance to appoint a surveyor as soon as possible for the west boundary of the Doncaster Reserve.

On **25 Novembre 1903**, **Frank Pedley** expose to the **Surveyor in Chief Bray** that Mr **F.C. Laberge** was appointed for the surveying of the Doncaster Reserve.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

On **25 January 1904** Surveyor Bray exposes to the **Deputy Superintendent General of the Department of Indian Affairs** that:

“Referring to the Secretary’s memorandum of the 10th inst., hereunder, I beg to draw your attention to the fact that the Doncaster Indian Reserve has never been subdivided. The result is that the few squatters, near its west boundary, have settled on it with practically no lines to guide them as to what projected lots they may be settling on. The Indians of course will do even worse than the Whites, and settle as they have done in Caughnawaga in the most indiscriminate manner which has led to great trouble and expense.

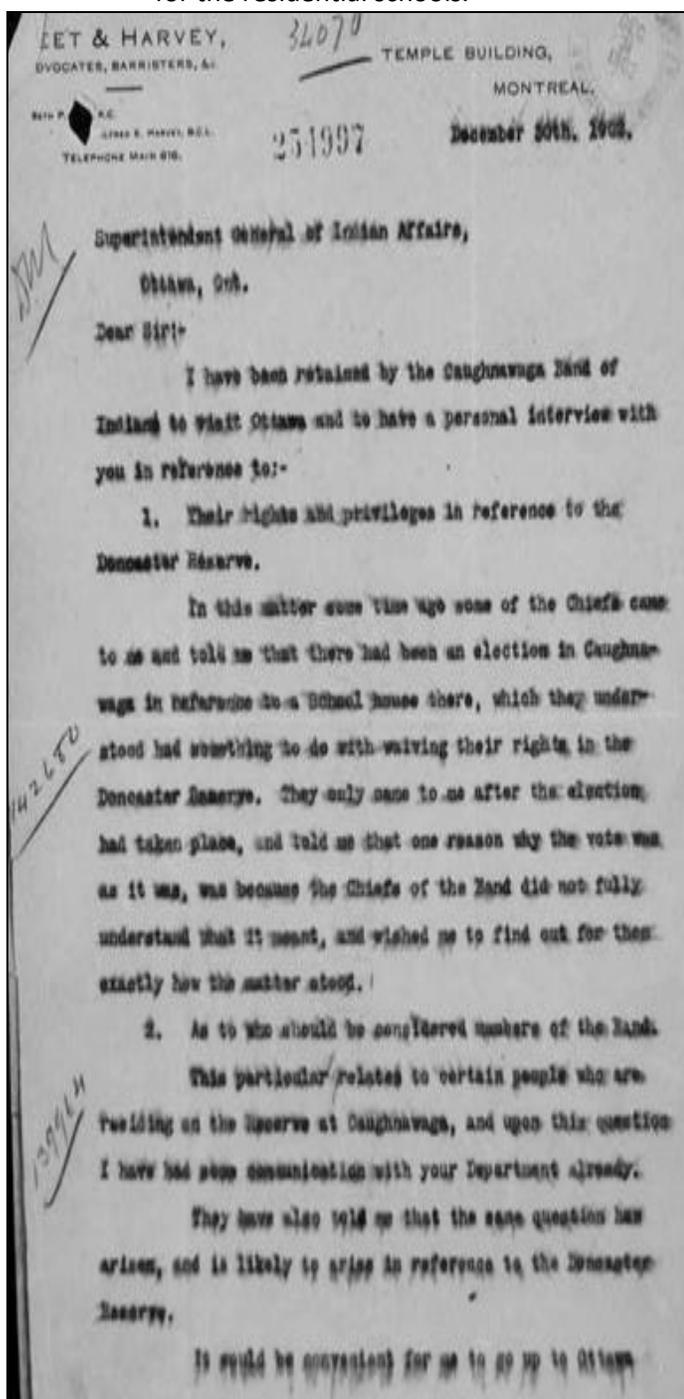
I beg to submit for your consideration that an order be issued to the effect that no settlement, of any permanent nature, shall be made by the Indians on the Doncaster Reserve, until the same has been properly surveyed and subdivided. This work, I think, should be undertaken as soon as the west boundaries has been defined, and should be paid for from the funds of the Band.

If the land is subdivided late Fifty Acre Lots, the Council of the band could then locate, subject to the approval of the Superintendent General, any lots or half lots to any Indians if may think proper.

x S. Bray
Chief Surveyor.”

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 123 (page 1/2) letter from **Leet (...et) & Harvey Lawyer's cabinet** from **30 December 1902** to **Clifford Sifton the Superintendent of Indian Affairs** exposing the vote of the last Caughnawaga council in which Doncaster obtained majorities in the vote against investments for the residential schools.



*“(...et) & Harvey, Temple Building
Advocate, Barristers, As Montreal
December 20th, 1902
Superintendent General of Indian Affairs,
Ottawa, Ont.*

*Dear Sir,
I have been retained by the Caughnawaga Band of Indians to visit Ottawa and to have a personal interview with you to interfere to:-*

- 1. Their rights and privileges in reference to the Doncaster Reserve*

In this matter some time ago some of the Chiefs came to me and told me that there had been an election in Caughnawaga in reference to a School house there, which they understood had something to do with waiving their rights in the Doncaster Reserve. They only came to me after the election had taken place, and told me that one reason why the vote was as it was, was because the Chiefs of the Band did not fully understand what it meant, and wished me to find out for them exactly how the matter stood.

- 2. As to who should be considered members of the Band.*

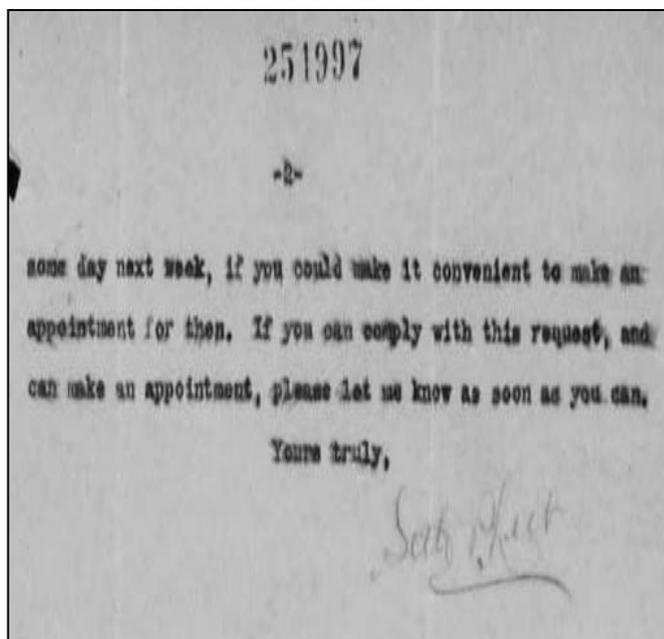
This particular related to certain people who are residing on the Reserve at Caughnawaga, and upon this question I have had some communication with your Department already.

They have also told me that the same question has arisen, and is likely to arise in reference to the Doncaster Reserve.

It should be convenient for me to go up to Ottawa...

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 124 (page 2/2) letter from **Leet (...et) & Harvey Lawyer's cabinet** from **30 December 1902** to **Clifford Sifton the Superintendent of Indian Affairs** exposing the vote of the last Caughnawaga council in which Doncaster obtained majorities in the vote against investments for the residential schools.



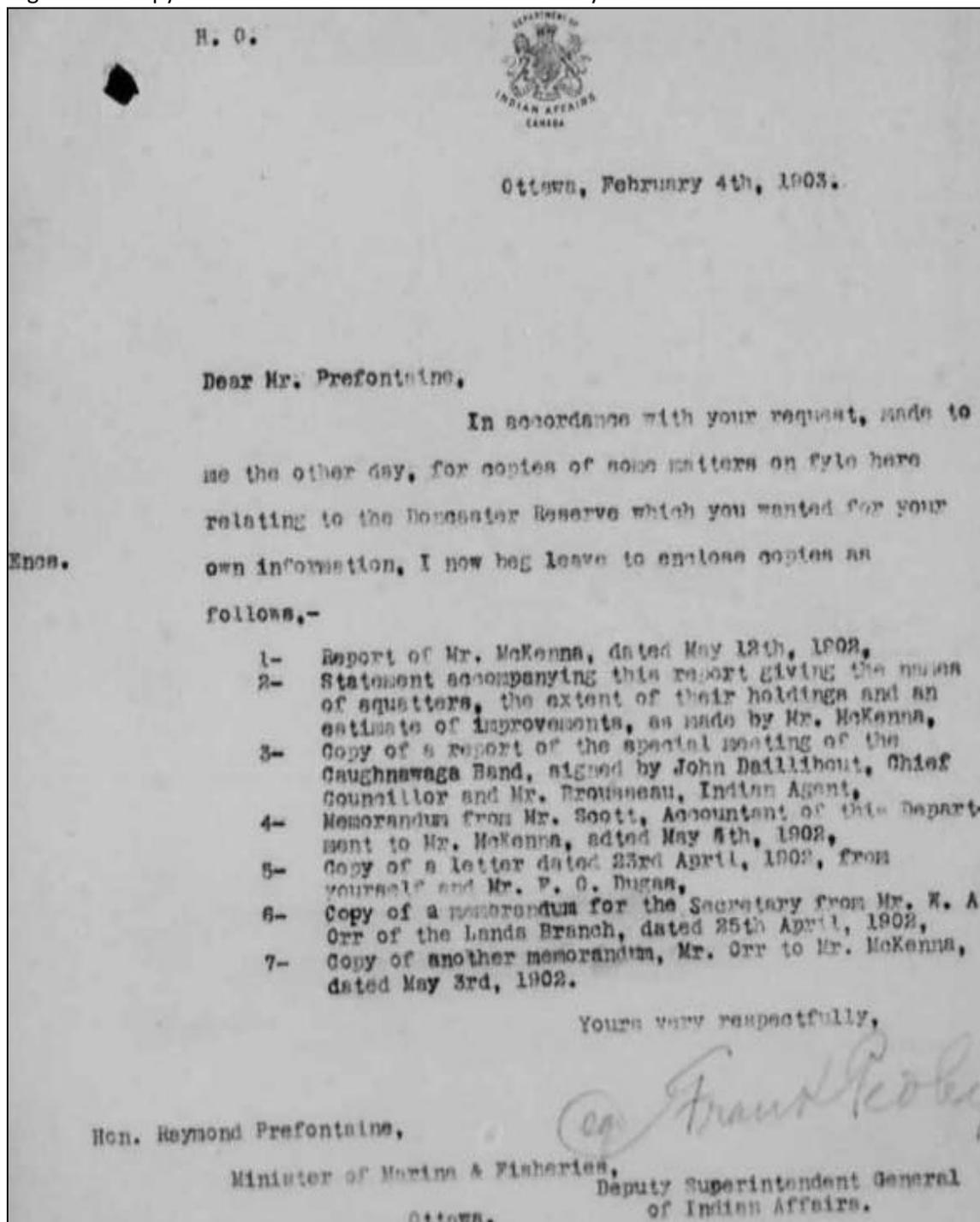
-2-

"... some day next year, if you could make it convenient to make an appointment for them. If you can comply with this request, and can make appointment, please let me know as soon as you can,

*Yours truly,
Set & Harvey"*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 125 Letter of **4 February 1903** from **Frank Pedley, Deputy Superintendent General of Indian Affairs** explaining to **Minister Mariner and Fisheries of Ottawa, Mr Prefontaine**, that he organised a copy of each of the letters archived from last year as listed:

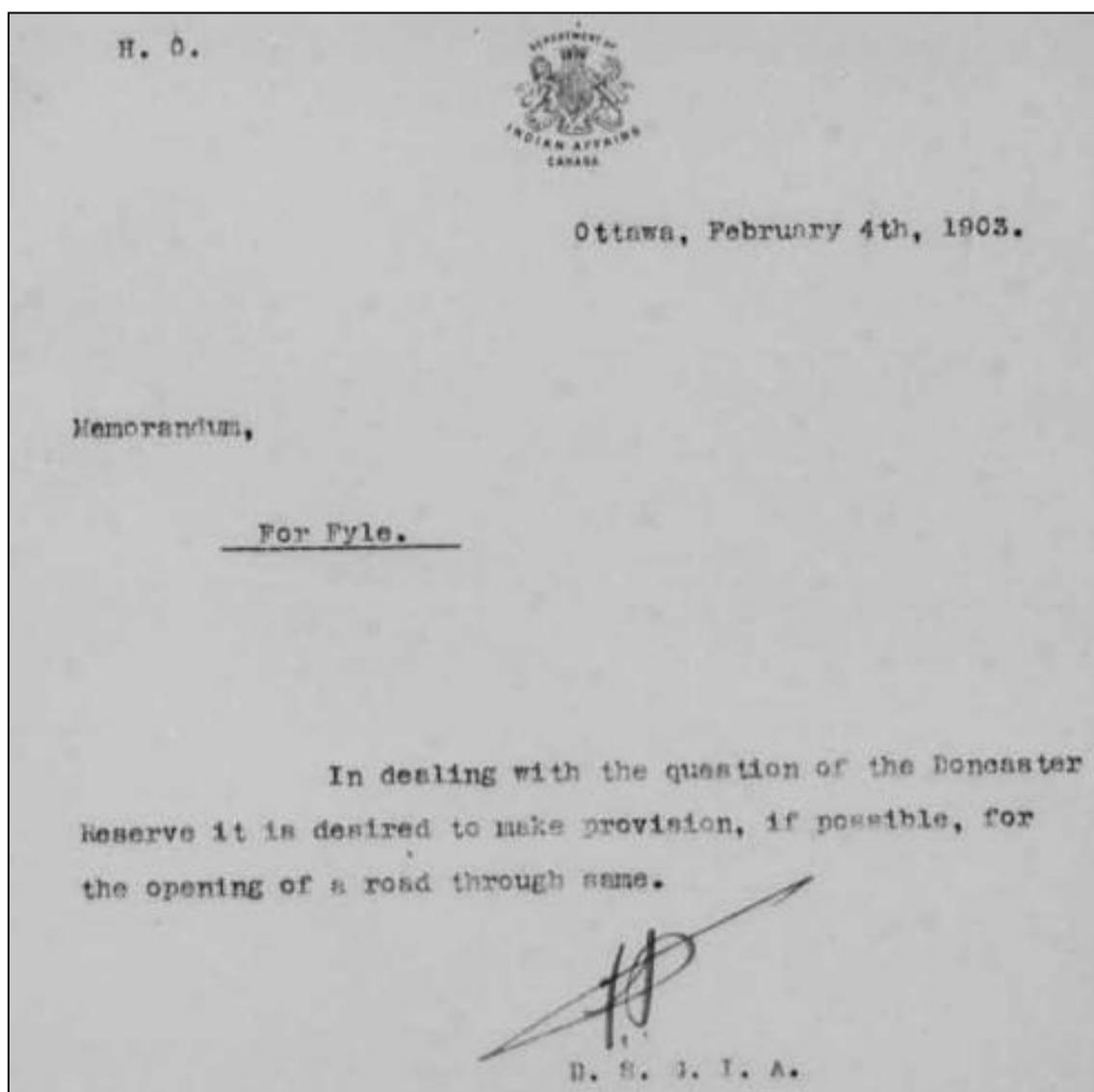


CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 126 Letter-Memorandum of **4 February 1903** from **Frank Pedley, Deputy Superintendent General of Indian Affairs** to Fyle exposing a reminder:

"In dealing with the question of the Doncaster Reserve, it is desired to make provision, if possible, for the opening of a road through same.

Signed
x FP
D.S.G.I.A"

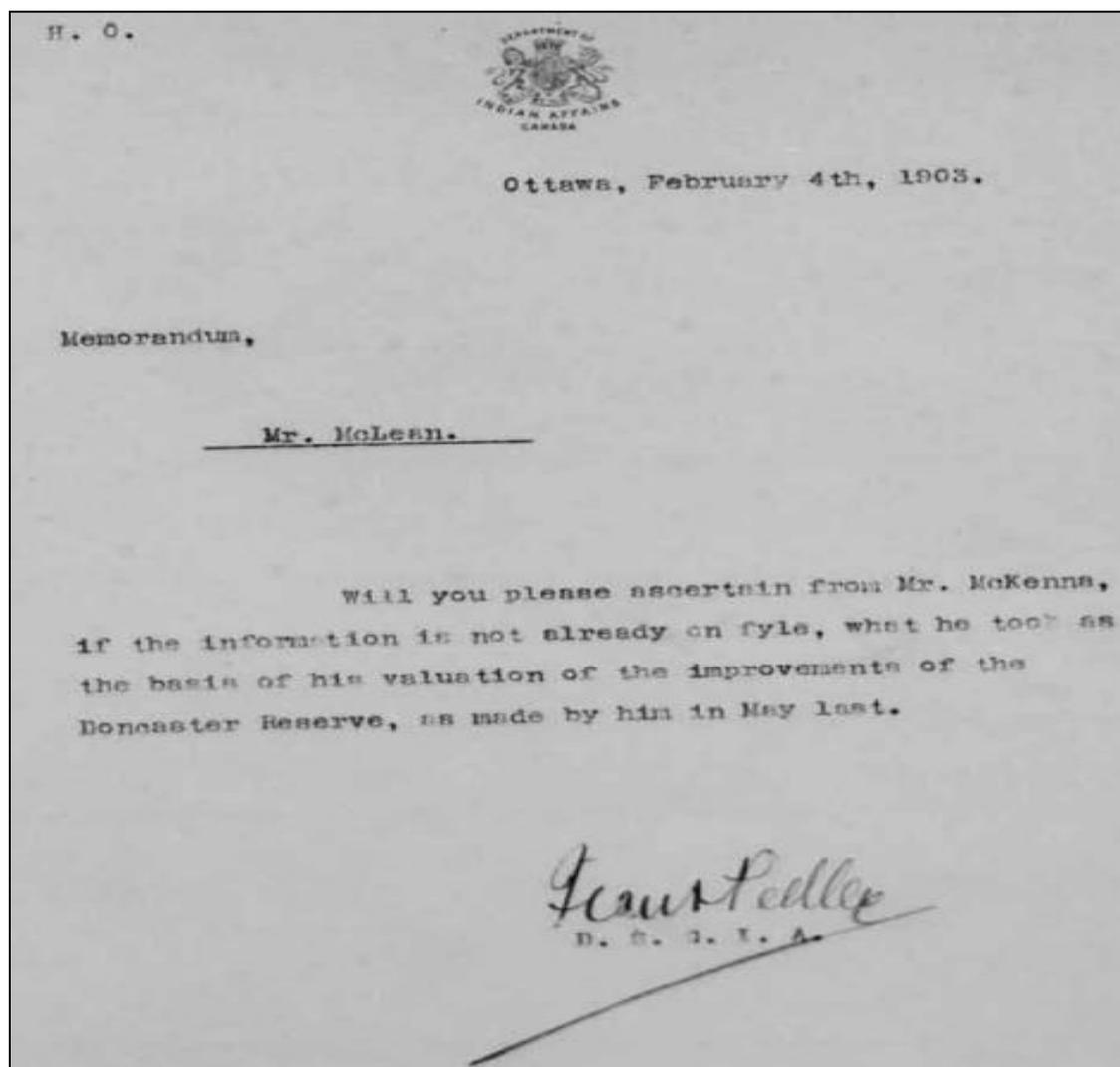


CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 127 Letter-Memorandum of **4 February 1903** from **Frank Pedley, Deputy Superintendent General of Indian Affairs** exposing a reminder concerning **Mr. McLean**:

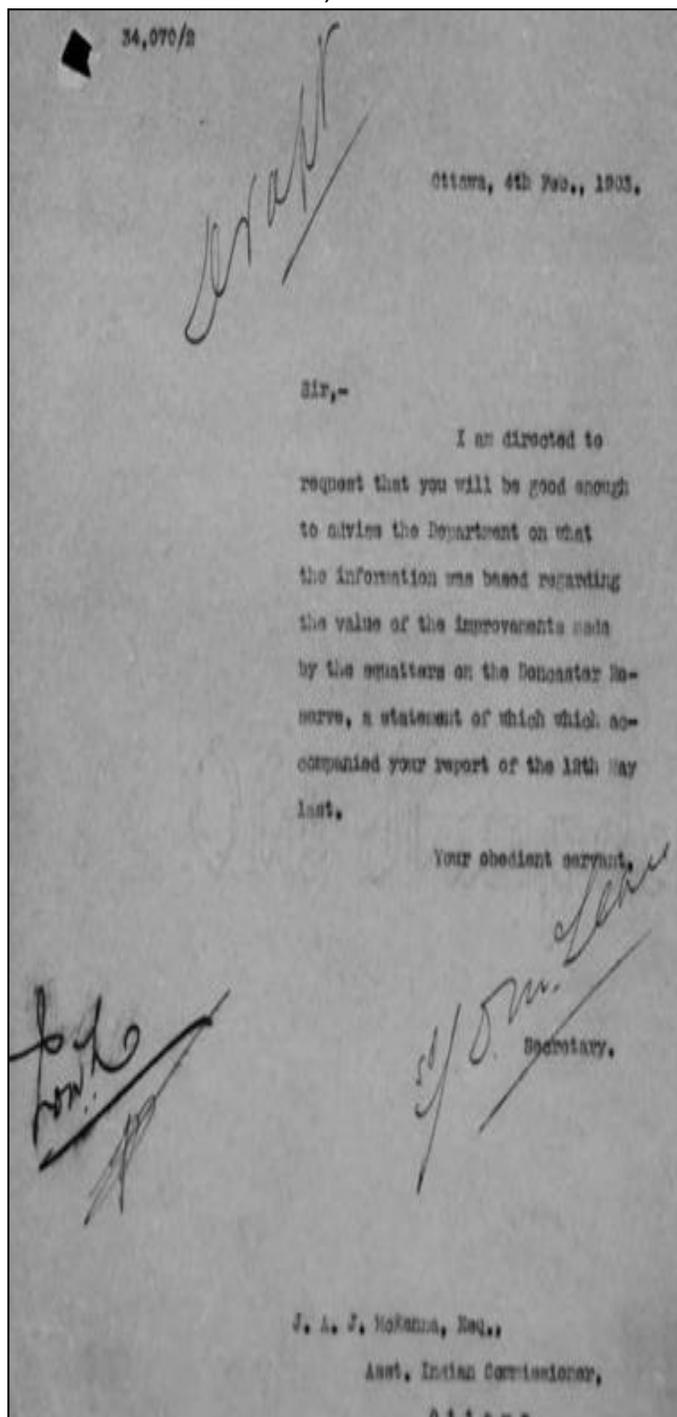
“Will you please ascertain from Mr. McKenna, if the information is not on file, what he took as the basis on his evaluation for the improvements of the Doncaster Reserve, as made by him in May last.

*Signed
x Frank Pedley
D.S.G.I.A”*



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 128 Letter of **4 February 1903** from **J.D. McLean, Secretary of Indian Affairs**, to **Assistant Indian Commissioner James Andrew McKenna, Ottawa, J.A.J. McKenna, Esq., Asst. Indian Commissioner, Ottawa.**



"Ottawa, 4th Feb., 1903

Sir,-

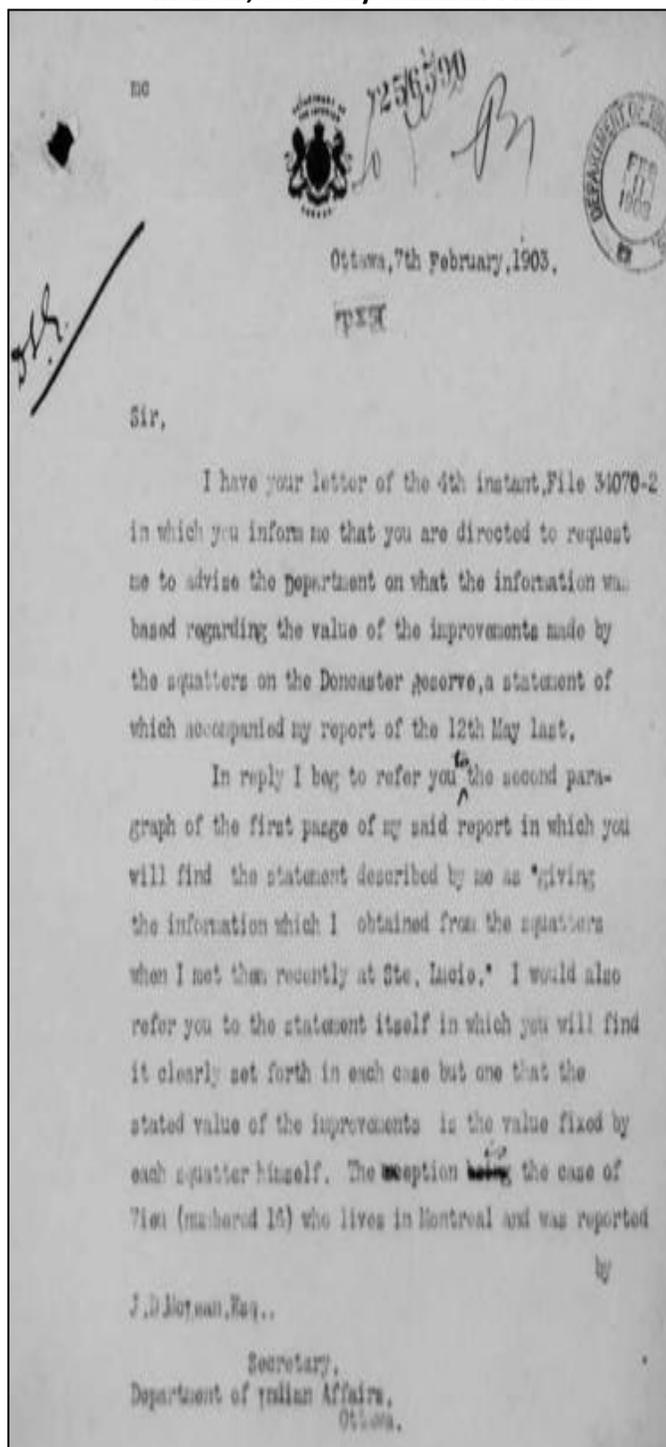
I am directed to request that you will be good enough to advise the Department on what the information was based regarding the value of the improvements made by the squatters on the Doncaster Reserve, a statement of which which accompanied your report of the 12th May last.

*Your obedient servant,
J.D. McLean Secretary"*

[Draft]

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 129 (page 1/2) Letter of **7 February 1903** from **J.A.J. McKenna, commissary**, to **J.D. McLean, secretary of Indian Affairs**.



"Ottawa, 7th February, 1903.

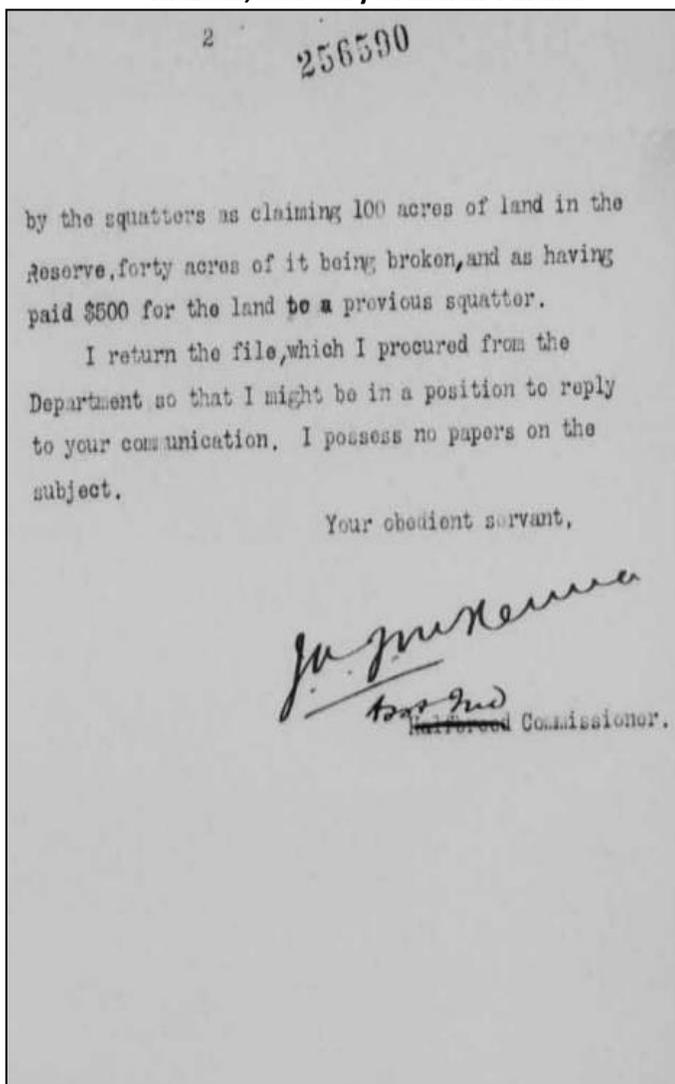
Sir,

I have your letter of the 4th instant, File 34070-2 in which you inform me that you are directed to request me to advise the Department on what the information was based regarding the value of the improvements made by the squatters on the Doncaster Reserve, a statement of which accompanied my report of the 12th May last.

In reply I beg to refer you to the second paragraph of the first page of my said report in which you will find the statement described by me as "giving the information which I obtained from the squatters when I met them recently at Ste. Lucie." I would also refer you to the statement itself in which you will find it clearly set forth in each case but one that the stated value of improvements is the value fixed by each squatter himself. The exception is the case of Viau (numbered 16) who lives in Montreal and was reported by... [2]

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 130 (page 2/2) Letter of **7 February 1903** from **J.A.J. McKenna, commissary**, to **J.D. McLean, secretary of Indian Affairs**.



"...by the squatters as claiming 100 acres of land in the Reserve, forty acres of being broken, and as having paid \$500 for the land to a previous squatter.

I return the file, which I procured from the Department so that I might be in a position to reply to your communication. I possess no papers on the subject.

Your obedient servant

*J.A.J. McKenna
Assistant Commissioner."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 131-132-133: (page 1/3) A report from **13 March 1903** about the historical and legal situation of Doncaster written from the **Assistant Secretary of Indian Affairs Samuel Stewart**.

"DONCASTER RESERVE.

DONCASTER RESERVE.

By Statute 14 & 15 Vic., Ch. 106, lands amounting in all to 230,000 acres were set apart for Indian Tribes in Lower Canada. Of this amount a reserve containing 18,500 acres was granted to the Iroquois of Caughnawaga and Two Mountains in the Township of Wexford (now Doncaster), County of Montcalm, and was confirmed to them by Order in Council of 9th August, 1853. This reserve has never been occupied by the Indians.

Reports regarding the lands have been made by Mr. Fillion, Bushranger for the Quebec Crown Lands Department, Mr. Bray, Chief Surveyor, Mr. McKenna, Assistant Indian Commissioner, Mr. Dingman, Inspector of Reserves, all of whom visited the reserve and agree in saying that it as well as the surrounding Townships consist of steep, rocky hills, with practically no plains between them. The soil, it is further stated, is without exception a sandy loam of medium quality, and no one but those who are willing to work very hard and live very frugally can possibly make a living in this rough, sandy district.

The value of the land is given as from 30 to 33 cents per acre.

The reserve when set apart contained a considerable quantity of good merchantable timber. In 1869 a license to cut the same was granted to Messrs. Cushing Bros., of Repentigny who paid a bonus of \$350.00 in addition to ground rent and timber dues for the privilege, but they allowed the license to lapse in 1872 owing to the difficulty of getting the logs down the streams.

A license to cut the spruce and cedar timber was granted to the Charlemagne and Lac Onareau Lumber Co. in 1886 on payment of Two hundred dollars bonus in addition to ground rent and timber dues. This license is still in force.

The first intimation received by the Department re-
garding

By Statute 14 & 15 Vic., Cha. 106, lands amounting in all to 230,000 acres were set apart for Indian Tribes in Lower Canada. Of this amount a reserve containing 18,500 acre was granted to the Iroquois of Caughnawaga and Two Mountains in the Township of Wexford (now Doncaster), County of Montcalm, and was confirmed to them by Order in Council of 9th August, 1853.

This reserve has never been occupied by the Indians

*Reports regarding the lands have been made by Mr. Fillion, Bushranger for the Quebec Crown Lands Department, **Mr. Bray, Chief Surveyor, Mr. McKenna, Assistant Indian Commissioner, Mr. Dingman, Inspector of Reserves**, all of whom visited the reserve and agree in saying that it as well as the surrounding Townships consist of steep, rocky hills, with practically no plains between them. The soil, it is further stated, is without exception a sandy loam of medium quality, and no one but those who are willing to work very hard and live very frugally can possibly make a living in this rough, sandy district.*

The value of the land is given as from 30 to 33 cents per acre.

*The Reserve when set apart contained a considerable quantity of good merchantable timber. In 1869 a license to cut the same was granted to **Messrs. Cushing Bros.**, of Repentigny who paid a bonus of \$350.00 in addition to ground rent and timber dues for the privilege, but they allowed the license to lapse in 1872 owing to the difficulty of getting the logs down the streams.*

A license to cut the spruce and cedar timber was granted to the Charlemagne and Lac Onareau Lumber Co. In 1886 on payment of Two hundred dollars bonus in addition to ground rent and timber dues. This license is still in force.

*The first intimation received by the Department re-
garding ..."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 131-132-133: (Page 2/3) A report from **13 March 1903** about the historical and legal situation of Doncaster written from the **Assistant Secretary of Indian Affairs Samuel Stewart**.

-2-

regarding the squatters was from the Crown Lands Department, Quebec, in November, 1881, and that Department offered to send a competent Bushranger to investigate and report if desired. In reply the Department asked that this be done, and that all squatters on the reserve be notified to leave at once. In compliance with this request, Mr. A. B. Fillion was sent to the reserve and his report of 15th December, 1881, states that he found fifteen families occupying lands belonging to the Indians, and that he had served them with notices to leave. Mr. Fillion valued the improvements owned by the settlers at \$1635.00.

The notices did not have the desired effect, as several of those who are now on the reserve, are evidently, judging by the names, of the same families, who were there in 1881, while others claim to have purchased from the persons mentioned by Mr. Fillion.

The settlers were also notified to leave by Mr. Dingman, Inspector of Agencies, in August, 1893.

Mr. McKenna visited the reserve in May, 1902, and reported sixteen persons as holding lands on the reserve of from 100 to 450 acres in extent. The value of the improvements as given to Mr. McKenna by the settlers themselves totalled \$17,800.00.

As early as September, 1873, the Crown Lands Department, Quebec, proposed that, as the Doncaster Reserve was not occupied by Indians, or likely to be so, and as it was important, in view of the settlement in this Township, that the block of land should be offered for sale to actual settlers, (blank space) it be transferred to the Government of the Province of Quebec in exchange for an equal area of land in another locality, better suited to the wants of the Indians, or, in case such an exchange could not be made, that the land in question be offered for sale by the Department.

In accordance with this proposition, Mr. de Boucherville, the Lands Sales Clerk, was sent to Caughnawaga to endeavour to obtain a surrender from the Indians but could not

"... regarding the squatters was from the Crown Lands Departments, Quebec, in November 1881, and that Department offered to send a competent Bushranger to investigate and report if desired.

In reply the Department asked that this be done, and that all squatters on the reserve be notified to leave at once. In compliance with this request, Mr. A. B. Fillion was sent to the reserve and his report of 15th December, 1881, states the he found fifteen families occupying lands belonging to the Indians, and that he had served them with notice to leave. Mr. Fillion valued the improvements owned by the settlers at \$1635.00.

The notice did not have the desired effect, as several of those, who are now on the reserve, are evidently, judging by the names, of the same families, who were there in 1881, while others claim to have purchased from the persons mentioned by Mr. Fillion.

The settlers were also notified to leave by Mr. Dingman, Inspector of Agencies, in August, 1893.

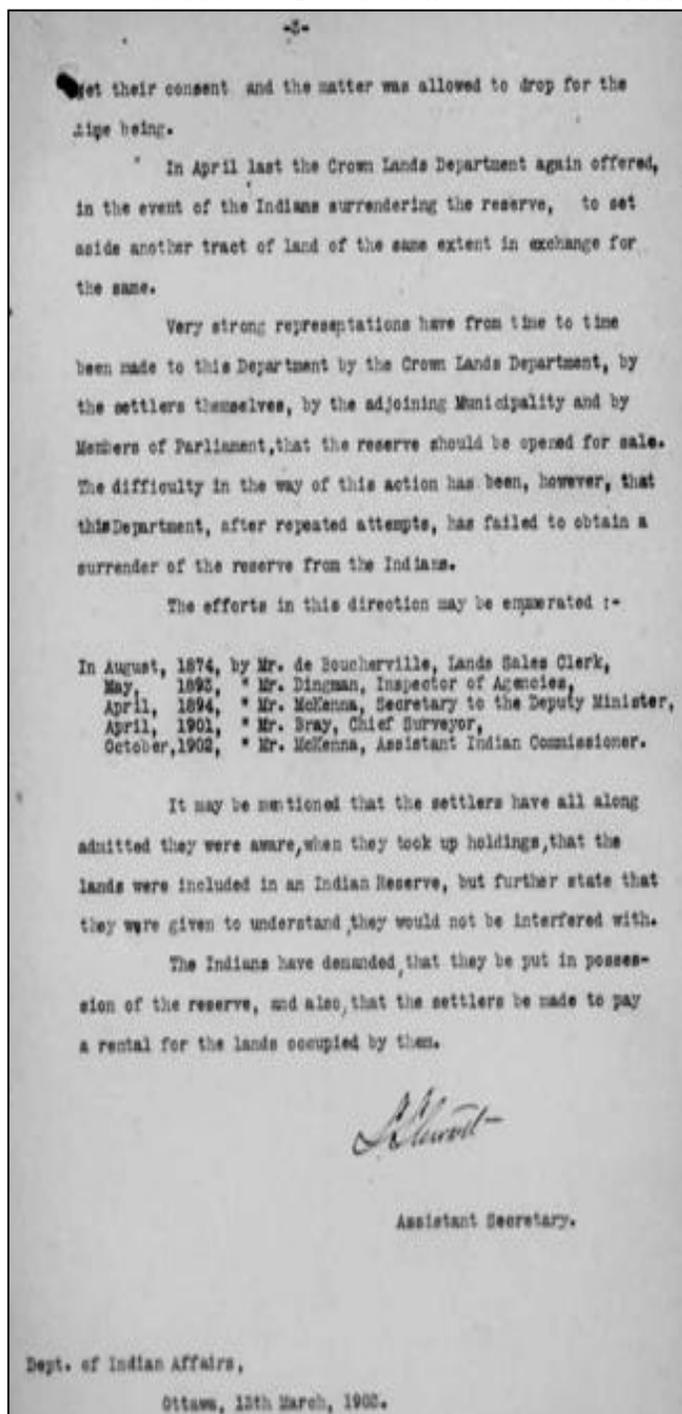
Mr. McKenna visited the reserve in May, 1902, and reported sixteen persons as holding lands on the reserve of from 100 to 450 acres in extent. The values of the improvements as given to Mr. McKenna by the settlers themselves totalled \$17,800.00.

As early as September, 1873, the Crown Lands Department, Quebec, proposed that, as the Doncaster Reserve was not occupied by Indians, or likely to be so, and as it was important, in view of the settlement in this Township, that the block of land should be offered for sale to actual settlers, (blank space) it be transferred to the Government of the Province of Quebec in exchange for an equal area of land in another locality, better suited to the wants of the Indians, or, in case such an exchange could not be made, that the land in question be offered for sale by the Department.

In accordance with the proposition, Mr. De Boucherville, the Lands Sales Clerk, was sent to Caughnawaga, to endeavour to obtain a surrender from the Indians but could not get..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 131-132-133: (Page 3/3) A report from **13 March 1903** about the historical and legal situation of Doncaster written from the **Assistant Secretary of Indian Affairs Samuel Stewart**.



"... get their consent and the matter was allowed to drop for the time being.

In April last the Crown Lands Department again offered, in the event of the Indians surrendering the reserve, to set aside another tract of land of the same extent in exchange for the same.

Very strong representations have from time to time been made to this Department by the Crown Lands Departments, by the settlers themselves, by the adjoining Municipality and by Members of Parliament, that the reserve should be opened for sale. The difficulty in the way of this action has been, however, that this Department, after repeated attempts, as failed to obtain a surrender of the reserve from the Indians.

The efforts of this direction may be enumerated:-

*In August, 1874 by Mr. De Boucherville, Lands Sales Clerk,
May 1893, " Mr. Dingman, Inspector of Agencies,
May 1894, " Mr. McKenna, Secretary to Deputy Minister,
May 1901, " Mr. Bray, Chief Surveyor,
May 1902, " Mr. McKenna, Assistant Indian Commissioner,*

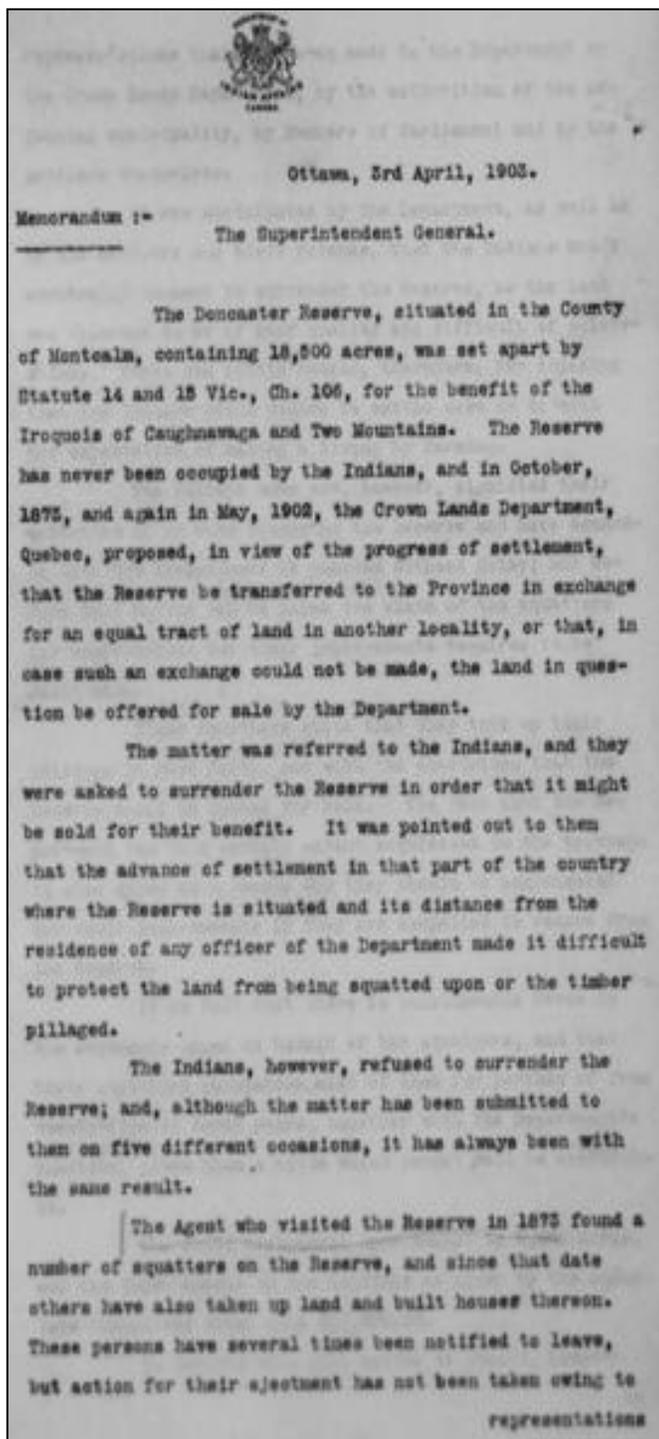
It may be mentioned that the settlers have all along admitted they were aware, when they took up holding, that the lands were included in an Indian Reserve, but further state that they were given to understand, they would not be interfered with.

The Indians have demanded, that they be put in possession of the reserve, and also, that the settlers be made to pay a rental for the lands occupied by them.

*x S. Stewart
Assistant Secretary."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 134-138 (page 1/5) Memorandum report, here from **3 April 1903** about the historical and legal situation of Doncaster written from the **Deputy Superintendent General of Indian Affairs James A. Smart**.



"Ottawa, 3rd April, 1903.

Memorandum:- The Superintendent General.

The Doncaster Reserve, situated in the County of Montcalm, containing 18,000 acres, was set apart by Statute 14 and 15 Vic., Ch. 106, for the benefit of the Iroquois of Caughnawaga and Two Mountains. The Reserve has never been occupied by the Indians, and in October, 1873, and again in May, 1902, the Crown Lands Department, Quebec, proposed, in view of the progress of settlement, that the Reserve be transferred to the Province in exchange for an equal tract of land in another locality, or that, in case such an exchange could not be made, the land in question be offered for sale by the Department.

The matter was referred to the Indians, and they were asked to surrender the Reserve in order that it might be sold for their benefit. It was pointed out to them that the advance of settlement in that part of the country where the reserve is situated and its distance from the residence of any officer of the Department made it difficult to protect the land from being squatted upon or the timber pillaged.

The Indians, however, refused to surrender the Reserve: and, although the matter has been submitted to them on five different occasions, it has always been with the same result.

The Agent who visited the Reserve in 1873 found a number of squatters on the Reserve, and since that date others have also taken up land and built houses thereon. These persons have several times been notified to leave, but action for their ejection has not been taken owing to representation..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 134-138 (page 2/5) Memorandum report, here from **3 April 1903** about the historical and legal situation of Doncaster written from the **Deputy Superintendent General of Indian Affairs James A. Smart**.

-3-

representations that have been made to the Department by the Crown Lands Department, by the authorities of the adjoining municipality, by Members of Parliament and by the settlers themselves.

It was anticipated by the Department, as well as by the settlers and their friends, that the Indians would eventually consent to surrender the Reserve, as the land was reported to be of poor quality and difficult of cultivation. There was little reason, therefore, for thinking that the Indians would desire to settle down on it with the expectation of making a living by farming.

The Indians have now, however, signified their intention of at once occupying the Reserve and have demanded that the trespassers be removed without delay, but before this action can be taken the claim of the squatters for compensation for their improvements requires to be dealt with.

These squatters state that they took up their holdings in good faith, and with the conviction that the Reserve would be opened for sale. The fact that the Department has to a certain extent acquiesced in the trespass is also given as a reason why they should be compensated for their improvements if they are compelled to remove from the Reserve.

It is felt that there is considerable force in the arguments urged on behalf of the squatters, and that their continued occupation, most of them for periods of from twenty-five to forty years, together with the Department's inaction, gives them a claim which cannot well be overlooked.

The lands trespassed upon amount to 2,800 acres, and the improvements on the holdings as given by the squatters themselves total some \$17,800.00.

In dealing with this matter it should, however,

be

"...representation that have been made to the Department by the Crown Lands Department, by the authorities of the adjoining municipality, by Members of Parliament and by the settlers themselves.

It was anticipated by the Department, as well as by the settlers and their friends, that the Indians would eventually consent to surrender the Reserve, as the land was reported to be of poor quality and difficult of cultivation. There was little reason, therefore, for thinking that the Indians would desire to settle down on it with the expectation of making a living by farming.

The Indians have now, however, signified their intention of at once occupying the Reserve and have demanded that the trespassers be removed without delay, but before this action can be taken the claim of the squatters for compensation for their improvements requires to be dealt with.

These squatters state that they took up their holding in good faith, and with the conviction that the Reserve would be opened for sale. The fact that the Department has to a certain extent acquiesced in the trespass is also given as a reason why they should be compensated for their improvements if they are compelled to remove from the Reserve.

It is felt that there is considerable force in the argument urged on behalf of the squatters, and that their continued occupation, most of them for periods of from twenty-five to forty years, together with the Department's inaction, gives them a claim which cannot well be overlooked.

The lands trespassed upon amount to 2,800 acres, and the improvements on the holdings given by the squatters themselves total some \$17,800.00.

In dealing with this matter it should, however, be..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 134-138 (page 3/5) Memorandum report, here from **3 April 1903** about the historical and legal situation of Doncaster written from the **Deputy Superintendent General of Indian Affairs James A. Smart**.

-3-

be borne in mind that the squatters have had the free use of the land all these years and that they, living on an Indian Reserve, have not been required to pay taxes. In addition, they have had the benefit, of which it is stated they have taken full advantage, of the timber on the Reserve outside of the spruce and cedar, which alone is covered by license.

In the event of its being decided to pay for the improvements, it will be necessary to have the money provided by a vote of Parliament. The Oka Indians have no funds and the funds of the Caughnawaga Band are not sufficient to bear the charge of paying the amount required. The claim of the Indians cannot, it is thought, be overlooked that the failure of the Department to protect the Reserve from intrusion puts the burden of compensation on its shoulders.

There is no doubt but that the longer the settlement of this matter is delayed the more difficult will it be to come to a satisfactory arrangement. Some of the Caughnawaga Indians have already been restrained with difficulty from taking possession of houses owned by the squatters; and the Oka Indians, who feel that they have been unjustly deprived of the lands at the Lake of Two Mountains, will make the most of any delay in putting them in possession of the Reserve at Doncaster.

Roads Through The Reserve :-

The Department of Agriculture and Colonisation, Quebec, and the Members of Parliament for the Counties of Montcalm and Terrebonne have pointed out that no roads have been opened up through the Doncaster Reserve. In consequence, they state, the settlers in the surrounding townships

"...be borne in mind that the squatters have had the free use of the land all these years and that they, living on an Indian Reserve, have not been required to pay taxes. In addition, they have had the benefit, of which it is stated they have taken full advantage, of the timber on the Reserve outside of the spruce and cedar, which alone is covered by license.

In the event of its being decided to pay for the improvements, it will be necessary to have the money provided by a vote of Parliament. The Oka Indians have no funds and the funds of the Caughnawaga Band are not sufficient to bear the charge of paying the amount required.

The claims of the Indians cannot, it is thought, be overlooked that the failure of the Department to protect the Reserve from intrusion puts the burden of compensation on its shoulders.

There is no doubt but that the longer the settlement of this matter is delayed the more difficult will it be to come to a satisfactory arrangement. Some of the Caughnawaga Indians have already been restrained with difficulty from taking possession of house owned by the squatters; and the Oka Indians, who feel that they have been unjustly deprived of the lands at the Lake of Two Mountains, will make the most of any delay in putting them in possession of the Reserve at Doncaster.

Roads Through The Reserve:-

The Department of Agriculture and Colonisation, Quebec, and the Members of Parliament for the Counties of Montcalm and Terrebonne have pointed out that no roads have been opened up through the Doncaster Reserve. In consequence, they state, the settlers in the surrounding townships ..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 134-138 (page 4/5) Memorandum report, here from **3 April 1903** about the historical and legal situation of Doncaster written from the **Deputy Superintendent General of Indian Affairs James A. Smart**.

-4-

townships are seriously inconvenienced, as they are obliged to ride from 10 to 15 miles in order to reach a railway station with the products of their farms.

Messrs. Prefontaine and Dugas have asked that the Department come to the relief of the settlers and help the four municipalities interested in constructing proper roads through the Reserve and highways leading to it. They ask that a sum of \$5,000.00 be allotted and spent under the control of the Department to open said roads.

In connection with these applications attention is called to Section 35 of the Indian Act as amended by Section 5 of 50-51 Vic., Ch. 23, which provides that "No portion of any reserve shall be taken for the purposes of any railway, road or public work without the consent of the Governor in Council, and if any railway, road or public work passes through or causes injury to any reserve belonging to or in possession of any band of Indians, or if any act occasioning damage to any reserve is done under the authority of an Act of Parliament, or of the Legislature of any Province, compensation shall be made to them therefor in the same manner as is provided with respect to the lands or rights of other persons."

Under Section 38 as repealed by Section 3 of 61 Vic., Chp. 24, no reserve or portion of a reserve shall be sold, alienated or leased until the same has been released or surrendered to the Crown.

It is doubtful whether the Indians would consent at present to surrender any portion of the Reserve.

If the Indians were residing on the Reserve they could be compelled under Section 33 as repealed by Section 1, Ch. 33, Vic. 61, and Section 34 to make roads and keep them in order through the Reserve.

Under the circumstances the only way in which the wishes of the Department of Colonization and of the Members

far

"... townships are seriously inconvenienced, as they are obliged to ride from 10 to 15 miles in order to reach a railway station with the products of their farms.

Messrs. Prefontaine and Dugas have asked that the Department come to the relief of the settlers and help the municipalities interested in constructing proper roads through the Reserve and highways leading to it. They ask that a sum of \$5,000.00 be allocated and spent under the control of the Department to open said roads.

In connection with these applications attention is called to Section 35 of the Indian Act as amended by Section 5 of 50-51 Vic., Ch. 23, which provides that "No portion of any reserve shall be taken for the purposes of any railway, road or public work without the consent of the Governor in Council, and if any railway, road or public work passes through or causes injury to any reserve belonging to or in possession of any band of Indians, or if any act occasioning damage to any reserve is done under the authority of an Act of Parliament, or of the Legislature of any Province, compensation shall be made to them therefor in the same manner as is provided with respect to the lands or rights of other persons."

Under Section 38 as repealed by Section 3 of 61 Vic., Chp. 24m no reserve or portion of a reserve shall be sold, alienated or leased until the same has been released or surrendered to the Crown.

It is doubtful whether the Indians would consent at present to surrender any portion of the Reserve.

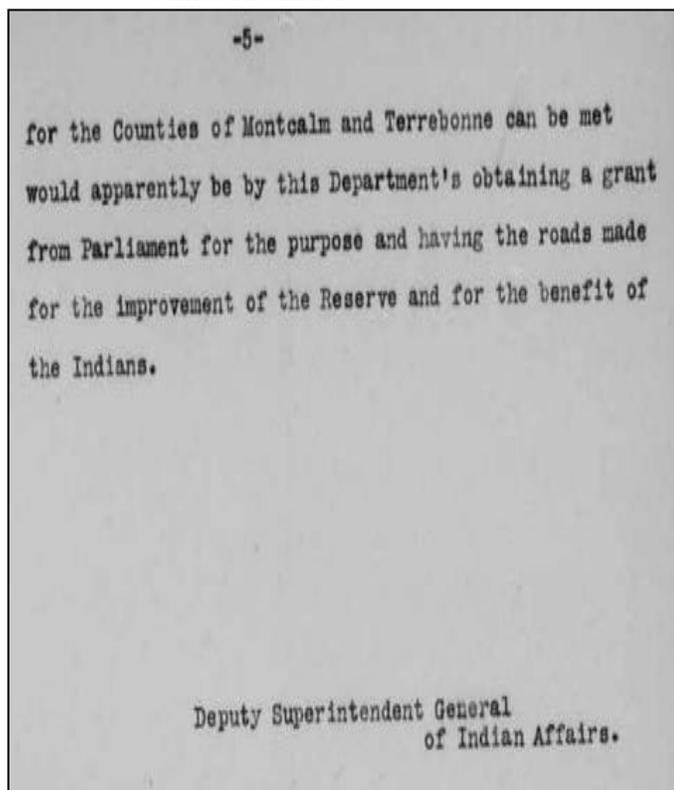
If the Indians were residing on the Reserve they could be compelled under Section 33 as repealed by Section 1, Ch. 33, Vic. 61, and Section 34 to make reads and keep them in order through the Reserve.

Under the circumstances the only way in which the wishes of the Department of Colonisation and of the Members

For..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 134-138 (page 5/5) Memorandum report, here from **3 April 1903** about the historical and legal situation of Doncaster written from the **Deputy Superintendent General of Indian Affairs James A. Smart**.



*"... for the Counties of Montcalm and Terrebonne can be met
would be apparently be by this Department's obtaining a grant
from Parliament for the purpose and having the roads made for
the improvement of the Reserve and for the benefit of
the Indians.*

*Deputy Superintendent General
of Indian Affairs."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

About pages 139 to 143: If we go back to the report exposed on page 129 in the letter of **7 February 1903** in which **J.A.J. McKenna, commissary**, expressed to **J.D. McLean, secretary of Indian Affairs** where he annexed a Detailed Statement of Valuations of improvements of squatters of the Doncaster Indian Reserve, P.Q. from the Chief Surveyor, Samuel Bray, from 22nd April, 1903, which accompanied his report of the **12th May last** in which the statement brought informations:

“which I obtained from the squatters when I met them recently at Ste. Lucie. I would also refer you to the statement itself in which you will find it clearly set forth in each case but one that the stated value of improvements is the value fixed by each squatter himself. The exception is the case of Viau (numbered 16) who lives in Montreal and was reported by the squatters as claiming 100 acres of land in the Reserve, forty acres of being broken, and as having paid \$500 for the land to a previous squatter.

I return the file, which I procured from the Department so that I might be in a position to reply to your communication. I possess no papers on the subject.”

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 139-143

Detailed Statement.

Valuations of improvements of squatters of the
Doncaster Indian Reserve, P.Q.

1. Israel Thouin

Lives at the Northwest angle of
the reserve. The boundary line is here indefinite.
It is quite probable that all the buildings and a
great portion of the clearing are not on the re-
serve.

Log house on stone foundation,
clapboarded in front and one side, plastered and
well finished, 31 1/2 X 29 1/2; driving shed
41 X 25. The house and shed together \$1000.
Barn 65 X 42 very good 400.
Butter factory building,
30 X 22 100.
62 acres cleared and well
fenced 930.
Orchard 75.
Clearing on Range 5 100.
Allowed for moving butter
making machinery 150.
Allowed for water conduit and
special fencing 245. \$3,000.

This is the amount Mr. Israel
Thouin gave Mr. McKenna, and appears to be a very
fair valuation.

2. Isidore Legault

This claim is now occupied by
Frank
Ex-Councillor, Tirez from Caughnawaga. The owner
was absent. He has returned, Tirez refused to let

Ottawa, 22nd April, 1903 Detailed Statement

Detailed Valuations of improvements of squatters of the
Doncaster Indian Reserve, P.Q.

1. Israel Thouin

Lives at the Northwest angle of
the reserve. The boundary line is here indefinite.
It is quite probable that all the buildings and a
great portion of the clearing are not on the re-
serve.

Log house on stone foundation,
clapboarded in front and one side, plastered and
well finished, 31 1/2 X 29 1/2; driving shed
41 X 25. The house and shed together \$1000.
Barn 65 X 42 very good 400.
Butter factory building,

30 X 22 100.

62 acres cleared and well
fenced 930.

Orchard 75.

Clearing on Range 5 100.

Allowed for moving butter
making machinery 150.

Allowed for water conduit and
special fencing 245.

\$3,000

This is the amount Mr. Israel
Thouin gave Mr. McKenna, and appears to be a very
fair valuation.

2. Isidore Legault

This claim is now occupied by
Ex-Councillor Frank Tirez from Caughnawaga. The owner
was absent. He has returned, Tirez refused to let him have
the building."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 139-143

No. 34070/2

Ottawa, 22nd April, 1903

Detailed Statement.

Valuations of improvements of squatters of the Doncaster Indian Reserve, P.Q.

1. Israel Thouin

Lives at the Northwest angle of the reserve. The boundary line is here indefinite. It is quite probable that all the buildings and a great portion of the clearing are not on the reserve.

Log house on stone foundation, clapboarded in front and one side, plastered and well finished, 31 ½ X 29 ½; driving shed 41 X 25. The house and shed together	\$1000.
Barn 65 X 42 very good	400.
Butter factory building, 30 X 22	100.
62 acres cleared and well fenced	930.
Orchard	75.
Clearing on Range 5	100.
Allowed for moving butter making machinery	150.
Allowed for water conduit and special fencing	<u>245.</u>
	\$3,000

This is the amount Mr. Israel Thouin gave Mr. McKenna, and appears to be a very fair valuation.

2. Isidore Legault

This claim is now occupied by Ex-Councillor Frank Tirez from Caughnawaga. The owner was absent. He has returned, Tirez refused to let

[2] Forward \$3,000
him have the building.

The improvements are on lots 33 and 34, Range 5.

Log house 21 X 24, and small outbuilding	\$130.
Barn and shed 36 X 18 and 30 X 33	\$100.
42 acres clearing	<u>\$570.</u>
	\$800.

This is the same valuation given to Mr. McKenna.

3. Napoleon Constantineau

The improvements are on lot 36, Range 6.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 139-143

<i>Log house 36 X 20 and small addition</i>	<i>\$100.</i>
<i>Barn, part log and part frame 44 X 22</i>	<i>\$100.</i>
<i>15 acres well cleared land</i>	<i>180.</i>
<i>12 acres clearing</i>	<i>120.</i>
<i>Small clearing at the rear of lot</i>	<i><u>40.</u></i>
	<i>\$540</i>

The valuation given to Mr. McKenna was \$700.

[Soustraction manuscrite] 160/380

4. Joseph Miron

The improvements are on lot 36, Range 6.

<i>Log house, partly boarded</i>	<i>\$200.</i>
<i>Barns</i>	<i>90.</i>
<i>Main clearing 35.2 acres at \$15.</i>	<i>528.</i>
<i>Irregular clearing at rear about 14 acres at \$8.</i>	<i>112.</i>
<i>Old shed at rear</i>	<i><u>15.</u></i>
	<i>\$945.</i>

The valuation given to Mr. McKenna was \$1,000.

[Soustraction manuscrite] 237/718

5. Thos. Thouin

A clearing on lot 37, Range 6.

<i>About 4 ½ acres</i>	<i><u>\$55.</u></i>
	<i>\$55</i>

Mr. McKenna's report \$500.

[3] Forward \$5340.00

6. Henri Viger

Clearing on lot 31, Range 6

<i>6 1/3 acres</i>	<i><u>\$95.</u></i>
	<i>\$95.00</i>

Mr. McKenna's report \$500.

7. Geo. Cloutier

The improvements are on lots 31, 32 and 33, Range 5.

<i>Frame stable</i>	<i>\$70.</i>
<i>New barn</i>	<i>200.</i>
<i>Log house</i>	<i>200.</i>
<i>Driving shed</i>	<i>60.</i>

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 139-143

<i>Root house</i>	50.
<i>About 125 acres cleared</i>	<u>1250.</u>
	\$1,830.

Mr. McKenna's report \$2000.

8. Isaiah Miron

The house and main improvements are probably on lot 36, in the 5th range. He has another clearing on lot 37, in the 6th range.

<i>64 acres at \$15.</i>	\$960.
<i>Bard half log and half frame</i>	155.
<i>Log house and shed</i>	<u>100.</u>
	\$1,215.

Mr. McKenna's report \$2000.

[Soustraction manuscrite] 304/911

9. Rocque Thouin

The improvements are on lot 31, Ranges 4 and 5.

<i>42 ½ acres at \$14.</i>	\$343.
<i>9 acres at \$15.</i>	135.
<i>55 " "</i>	825.
<i>Barn 50 X 30</i>	200.
<i>20 acres partly cleared at \$5.</i>	100.
<i>An irregular piece of 14 acres at \$15.</i>	<u>210.</u>
	\$1,810

Mr. McKenna's report \$4,000.

[4] Forward \$10290.00

10. Joseph Ayotte

The improvements are on lot 31, ranges 3 and 4.

<i>32 acres at \$10.</i>	\$320.
<i>16 acres at \$15.</i>	<u>240.</u>
	\$560.

Mr. McKenna's report \$1,200.

11. Adelard Perron

Clearings on lot 31, range 1.

<i>4 acres at \$12.50</i>	\$50.
<i>7 ½ acres</i>	<u>85.</u>
	\$135.

Mr. McKenna's report \$700.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 139-143 The last page of the detailed **Statement of Valuations** of improvements of squatters of the Doncaster Indian Reserve, P.Q from the **Chief Surveyor, Samuel Bray**, from **22nd April, 1903**.

-5-		Forward	\$11285.00
15. Remi Collins			
A piece cleared on lot 40, range 8.			
4 acres at \$10.		\$40.	\$ 40.
This name does not occur in Mr.			
McKenna's report			
	Total		\$11,325.00

The claim of Benjamin Allary, No.8. of Mr. McKenna's report has not been included in this statement, as he only made the clearing two years ago, and then he made it wilfully having been warned by his neighbours not to trespass on the reserve.

The claim of P. Campeau, No.15 of Mr. McKenna's report is included in No.7 of this report, as Campeau has sold his claim to Cloutier. Campeau claimed \$300.

Sam Bray
Chief Surveyor.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 144-Valuation of Improvements of squatters on the Doncaster Indian Reserve. P.Q. from 22 April 1903 by Surveyor in Chief Samuel Bray. Below the note mentions: "7 clearings with house barns on them 2 clearings with abandoned houses and barns 1 clearing with a good barn on it 5 clearings with no structure on them S.B. "

Ottawa, 22nd April, 1903.

Statement.
Valuations of improvements of squatters on the
Doncaster Indian Reserve, P.Q.

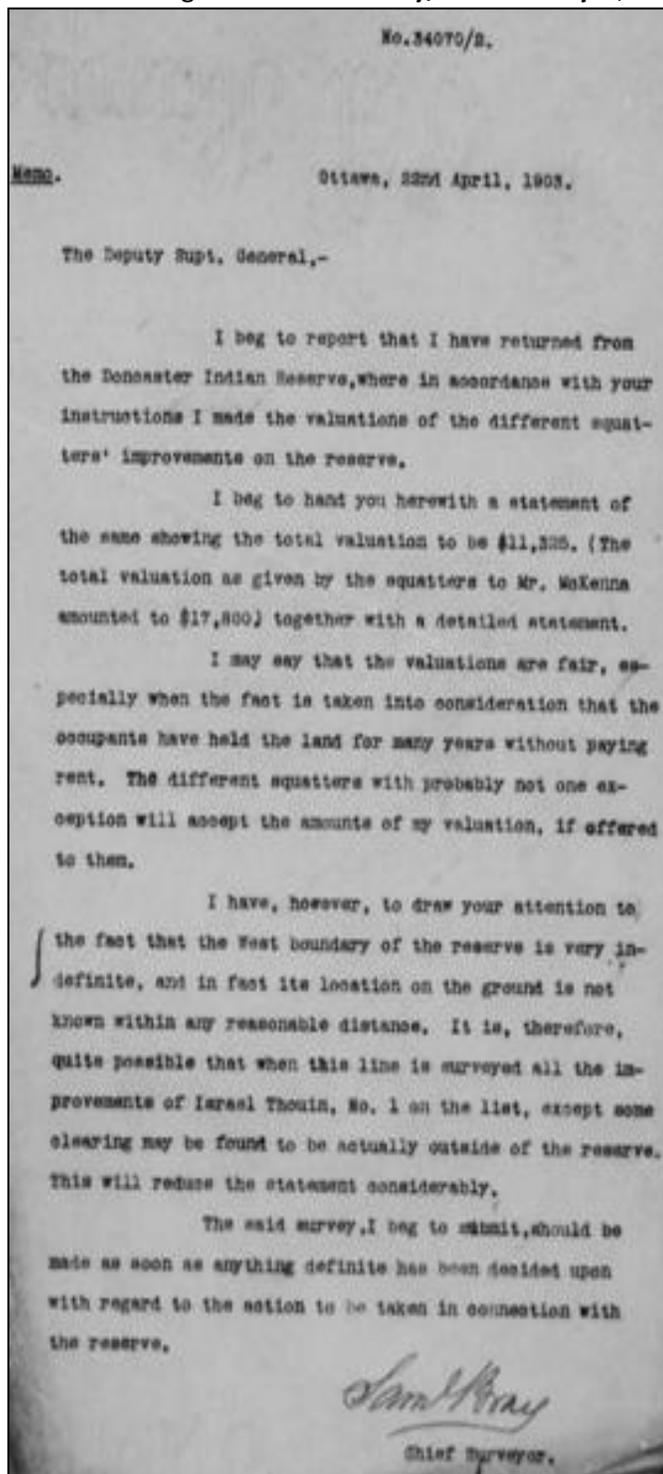
<p>✓</p> <p>1. Israel Thouin</p> <p>2. Isidore Legault</p> <p>3. N. Constantineau</p> <p>4. Joseph Miron</p> <p>5. Thos. Thouin</p> <p>6. Henri Viger</p> <p>7. Geo. Cloutier</p> <p>8. Isiah Miron</p> <p>9. Roque Thouin</p> <p>10. Joseph Ayotte</p> <p>11. Adelard Ferron</p> <p>12. Pierre Mayer</p> <p>13. — View</p> <p>14. Abandoned old buildings and clearings on or near Lot 35, Range 5; owner not known.</p> <p>15. Neal Collins</p>	<p><i>Diagnose</i></p> <p>649-20000 } 75-110000 } \$ 800.00 - 100 700-10000 } 75-1-35000 } \$ 540.00 - 100 700-1-25000 } 75-2-70000 } \$ 945.00 - 100 702 = \$ 55.00 - 100 703 = \$ 95.00 - 100 704 = 600.00 } 741 = 1120.00 } \$1,820.00 - 100 705 = 200.00 } 770 = 110.00 } \$1,215.00 - 100 773 = 70.00 } \$1,810.00 = 908 \$ 560.00 = 469 \$ 135.00 = 910 \$ 100.00 - 50.00 \$ 100.00 \$ -100.00 708 = \$ 40.00 - 100</p> <p style="text-align: right;"><u>\$ 11,325.00</u></p>	<p><i>908</i></p> <p><i>469</i></p> <p><i>910</i></p>
---	---	---

*7 clearings with house and barns on them
2 clearings with abandoned houses and barns
1 clearing with a good barn on it
5 clearings with no structure on them S.B.*

Samuel Bray
Chief Surveyor.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 145- Samuel Bray, Chief Surveyor, to Superintendent General, Ottawa, 22 April 1903.



"Ottawa, 22nd April, 1903

The Deputy Supt. General, --

I beg to report that I have returned from the Doncaster Indian Reserve, where in accordance with your instructions I made the valuations of the different squatters' improvements on the reserve.

I beg to hand you herewith a statement of the same showing the total valuation to be \$11, 325. (The total valuation as given by the squatters to Mr. McKenna amounted to \$17,800) together with a detailed statement.

I may say that the valuations are fair, especially when the fact is taken into consideration that the occupants have held the land for many years without paying rent. The different squatters with probably not one exception will accept the amounts of my valuation, if offered to them.

I have, however, to draw your attention to the fact that the West boundary of the Reserve is very indefinite, and in fact its location on the ground is not known within any reasonable distance. It is, therefore, quite possible that when this line is surveyed all the improvements of Israel Thoin, No. 1 on the list, except some clearing may be found to be actually outside of the reserve. This will reduce the statement considerably.

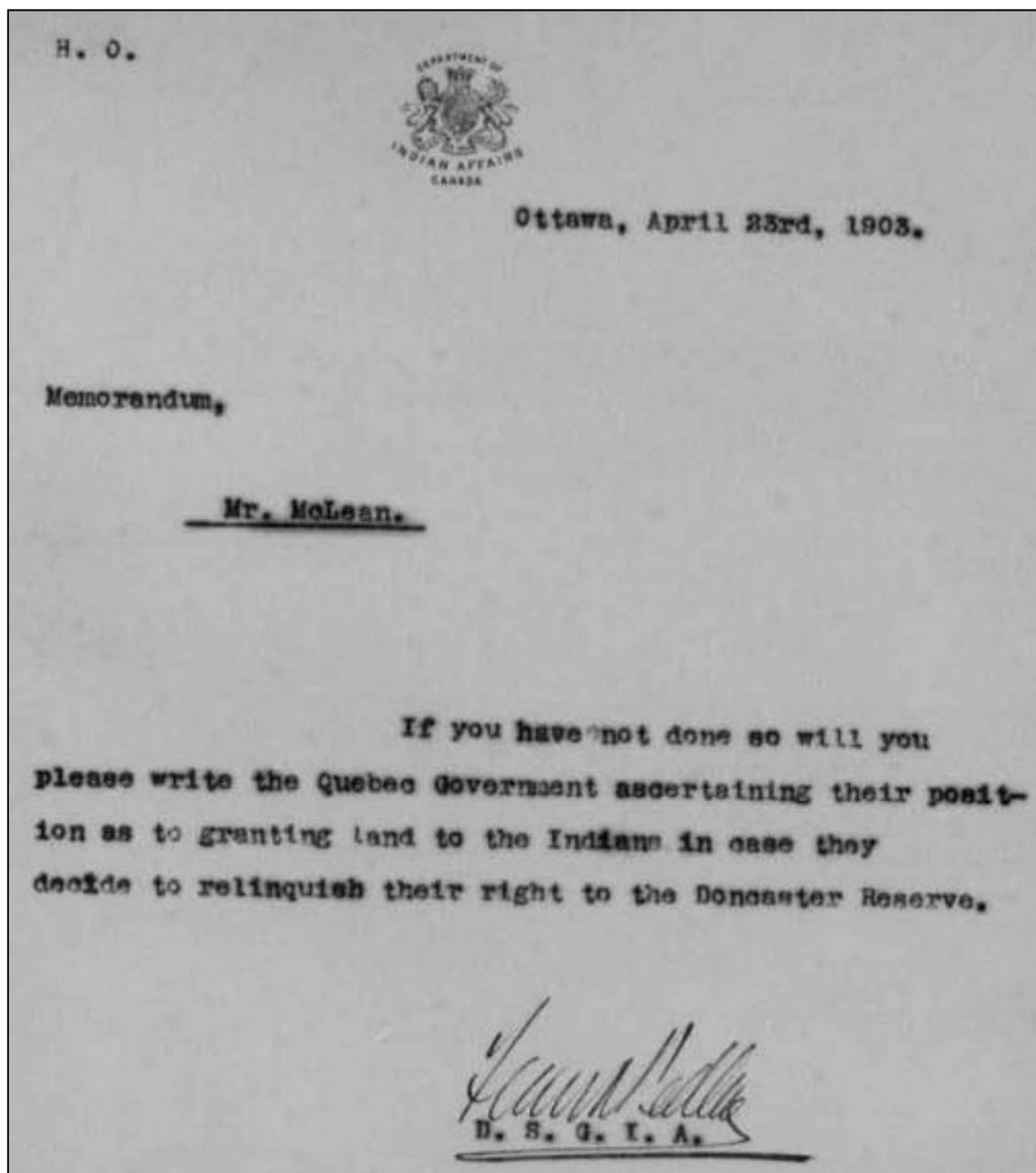
The said survey, I beg to submit, should be made as soon as anything definite has been decided upon with regard to the action to be taken in connection with the reserve.

Samuel Bray Chief Surveyor."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

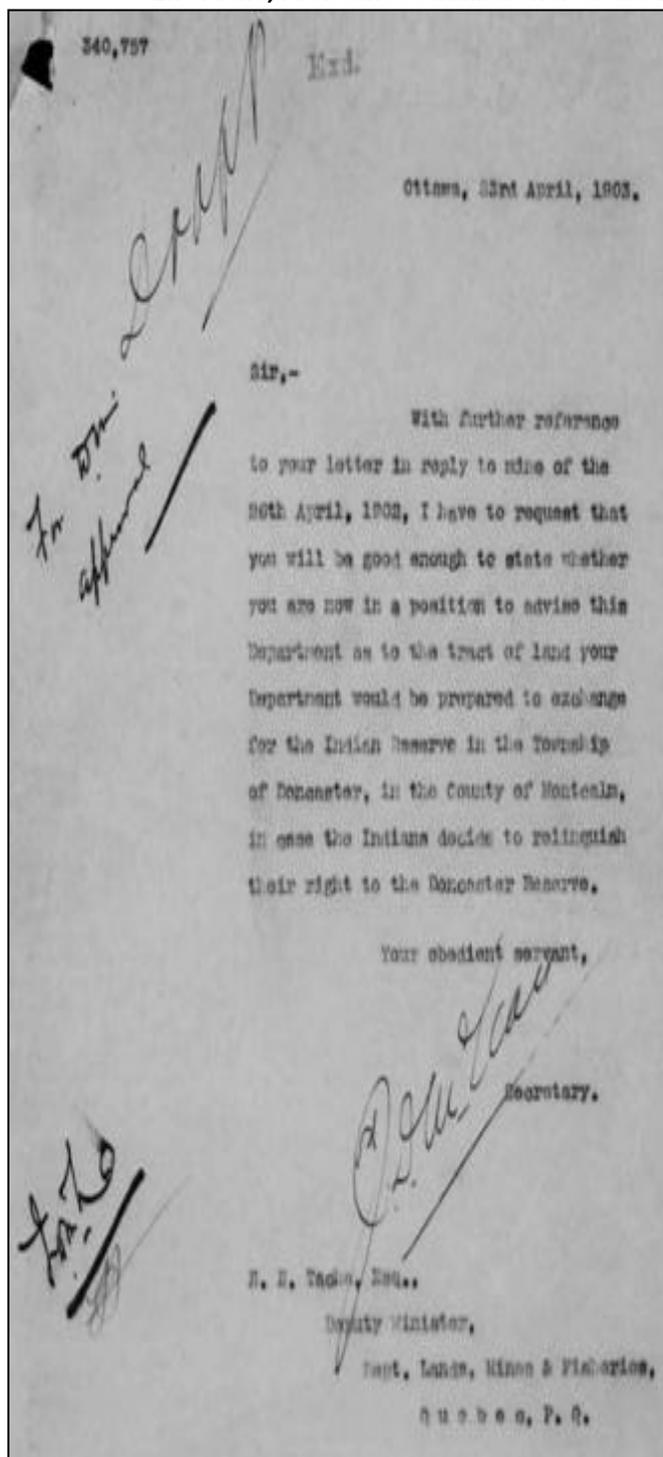
Page 146 On **23 April 1903**, **Frank Pedley**, Deputy Superintendent General of Indian Affairs explaining to **Secretary McLean** to make sure the Quebec Government stays on its position:

"If you have not done so will you please write the Quebec Government ascertaining their positions as to granting land to the Indians in case they decide to relinquish their right to the Doncaster Reserve."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 147- Doc 340, 757, Letter **23 April 1903** from **Secretary of Indian Affairs J.D. Maclean** to **E.P Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries.**



"Ottawa, 23rd April, 1903.

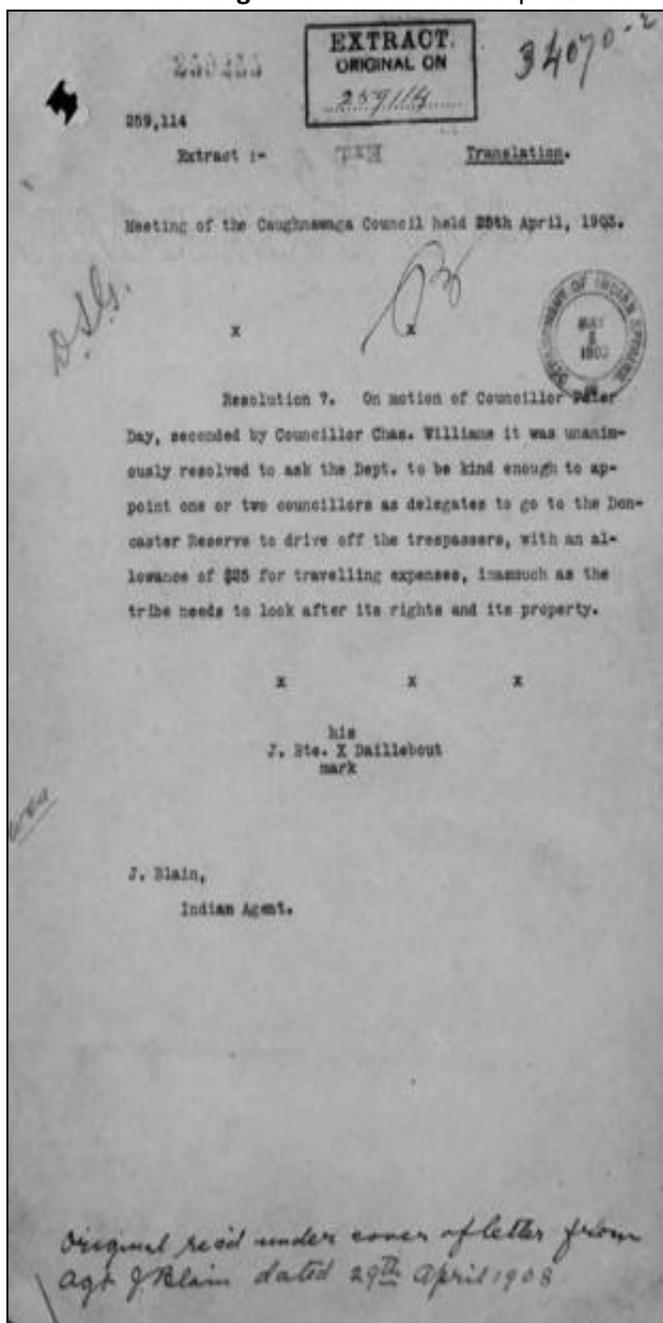
Sir,-

*With further reference
to your letter in reply to mine of the
20th April, 1902, I have to request that
you will be good enough to state whether
you are now in a position to advise this
Department as to the tract of land your
Department would be prepared to exchange
for the Indian Reserve in the Township
of Doncaster, in the County of Montcalm,
in case the Indians decide to relinquish
their right to the Doncaster Reserve.*

*Your obedient servant,
J.D. MacLean,
Secretary."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 148 Doc 259, 255 extract original on 259,114, translation of an Extract of a letter on **25 April 1903** from **Jean Baptiste Daillebout to J. Blain, Indian Agent** concerning the Resolution 7 in order to "appoint one or two councillors to go the Doncaster reserve to drive off the trespassers with an allowance of \$25 for travelling expenses", entitled: Meeting of the Caughnawaga Council held 25th April, 1903. Note below: "Original receipt under cover of letter from **Agent J. Blain** dated 28 April 1908."



"Meeting of the Caughnawaga Council held 25th April, 1903

X

X

Resolution 7. On motion of Councillor Peter Day, seconded by Councillor Chas. Williams it was unanimously resolved to ask the Dept. to be kind to appoint one or two councillors to go the Doncaster reserve to drive off the trespassers with an allowance of \$25 for travelling expenses inasmuch as the tribe needs to look after its rights and its property.

X

X

X

*His
J. Bte. X Daillebout
Mark"*

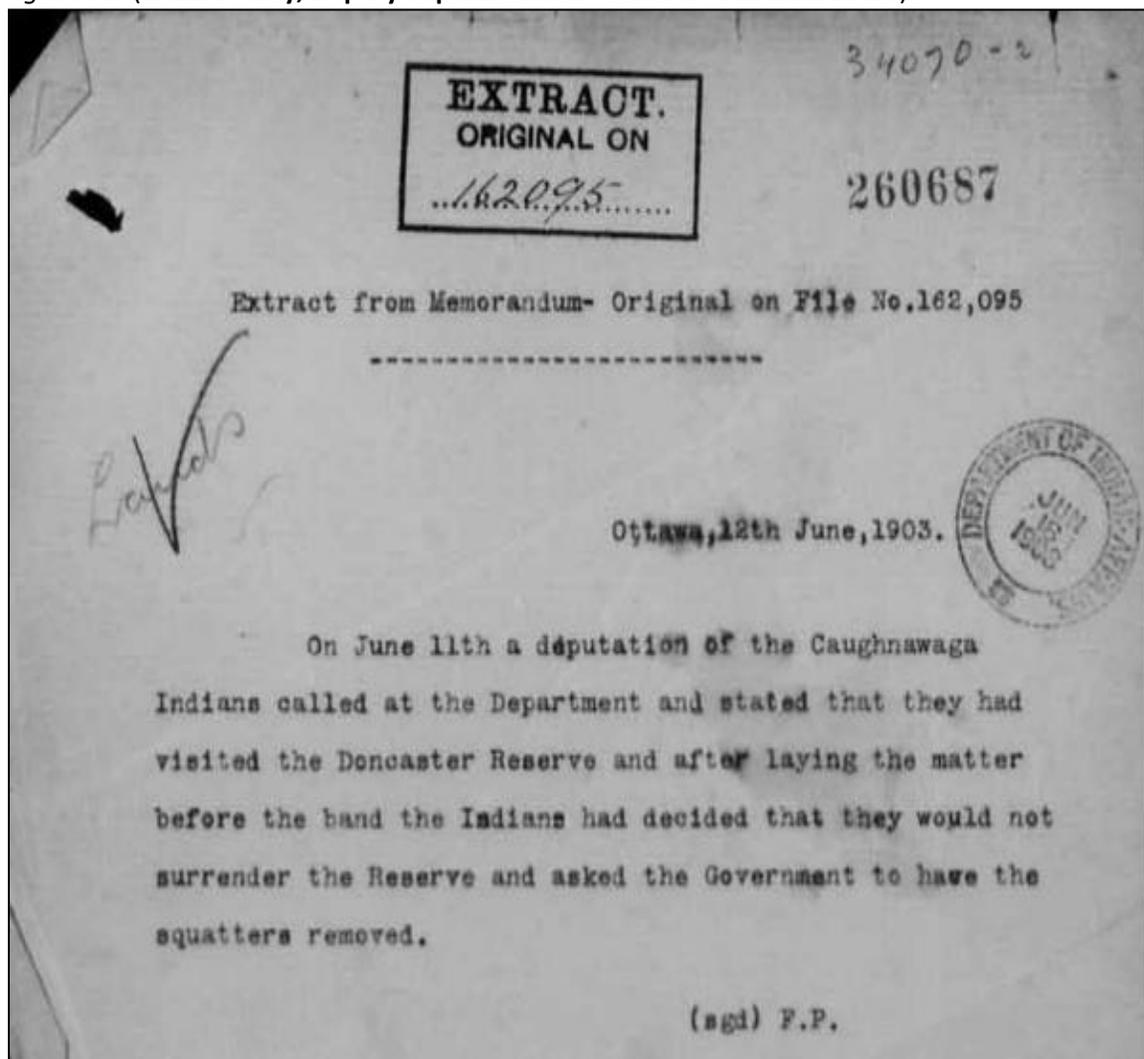
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 149, from an Extract from Memorandum- Original on File No. 162,095: When the delegation chosen to observe the fact of the squatters came back, they came to an unanimous decision:

"Ottawa, 12th June, 1903

On June 11th a deputation of the Caughnawaga Indians called at the Department and stated that they had visited the Doncaster Reserve and after laying the matter before the band the Indians had decided that they would not surrender the Reserve and asked the Government to have the squatters removed

signed F.P (Frank Pedley, Deputy Superintendent General of Indian Affairs)."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 150 Map of the Province of Quebec, indicating frontiers; North, North-West, North-East as recognized by the Statutes of Canada, 61 Victoria, cap. 3.



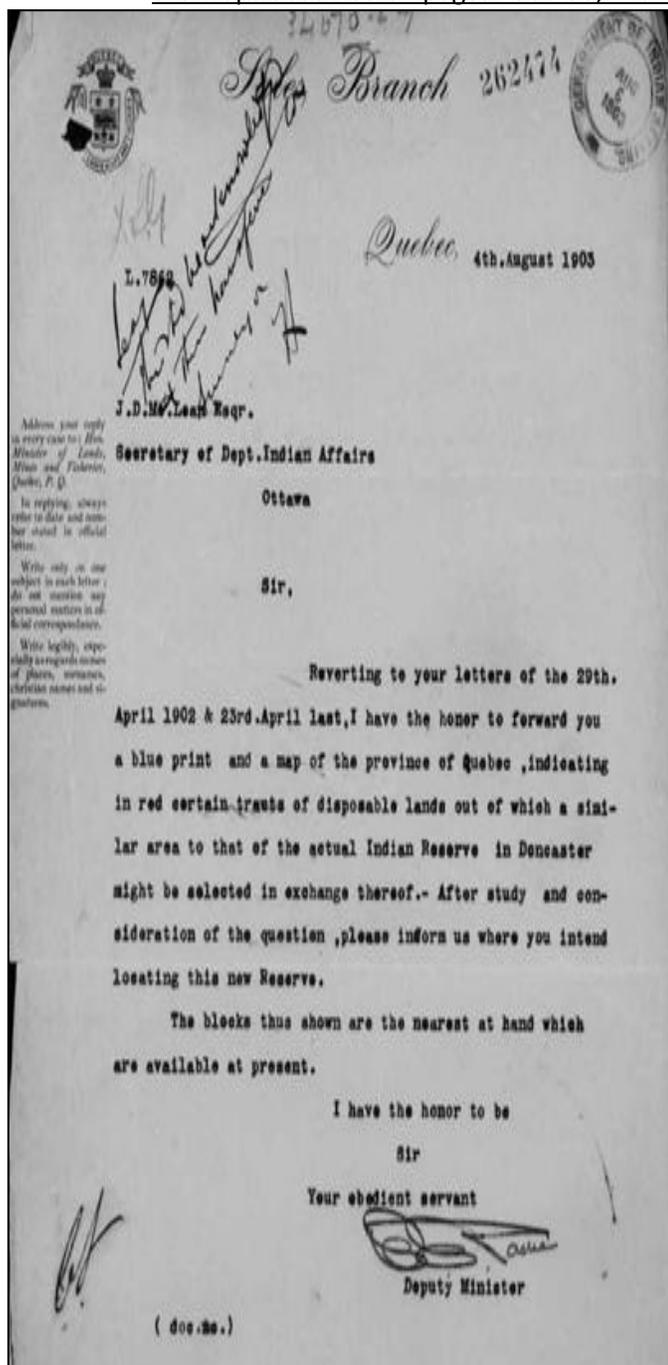
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 151 Map of the Province of Quebec, indicating frontiers; North, North-West, North-East as recognized by the Statutes of Canada, 61 Victoria, cap. 3.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 154 Letter from **Deputy Minister E.E. (or E.P.) Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries** on **4 August 1903**, to **Secretary of Indian Affairs J.D. Maclean** exposing **potential other lands that the Iroquois could use other than Doncaster**, on the maps observed on pages 150-153, in the area of the **Manouan River**.



"Sales Branch

Quebec, 4th August 1903
 J.D. McLean, Esqr.
 Secretary of Dept. of Indian Affairs,
 Ottawa.

Sir,
 Reverting to your letters of the 29th
 April 1902 & 23rd April last, I have the honor to forward you a
 blue print and a map of the province of Quebec, indication
 in red certain tracts of disposal lands out of which a simi-
 lar area to that of the actual Indian Reserve in Doncaster
 might be selected in exchange thereof. After study and con-
 sideration of the question, please inform us where you intend
 locating this new Reserve.

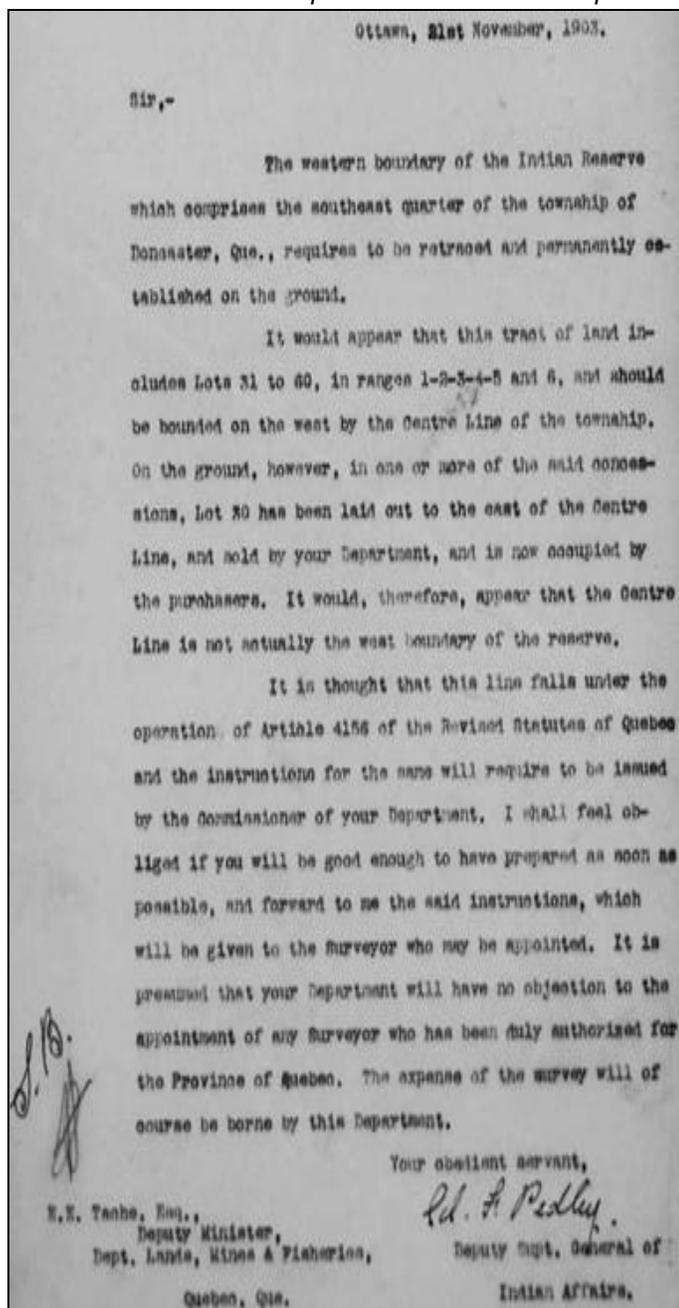
The blocks thus shown are the nearest at hand which are
 available at present.

I have the honor to be
 Sir
 Your obedient servant

E.E. Tache
 Deputy Minister"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 155 Doc 34070 /2TY, Correspondence from **Frank Pedley, Deputy Superintendent General of Indian Affairs** to **Deputy Minister E.E. (or E.P.) Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries**, of **21 November 1903**, exposing that the "*Western boundaries of the Indian Reserve which comprise the Southeast quarter of the township of Doncaster require to be retraced and permanently established on the ground.*"



"Sir,-

The western boundary of the Indian Reserve which comprise the southeast quarter of the township of Doncaster, Que., require to be retraced and permanently established on the ground.

It would appear that this tract of land includes Lots 31 to 40, in ranges 1-2-3-4-5 and 6, and should be bounded on the west by the Centre Line of the township. On the ground, however, in one or more of the said concessions, Lot 30 has been laid out to the east of the Centre Line, and sold by your Department, and is now occupied by the purchasers. It would, therefore, appear that that the Centre Line is not actually the west boundary of the reserve.

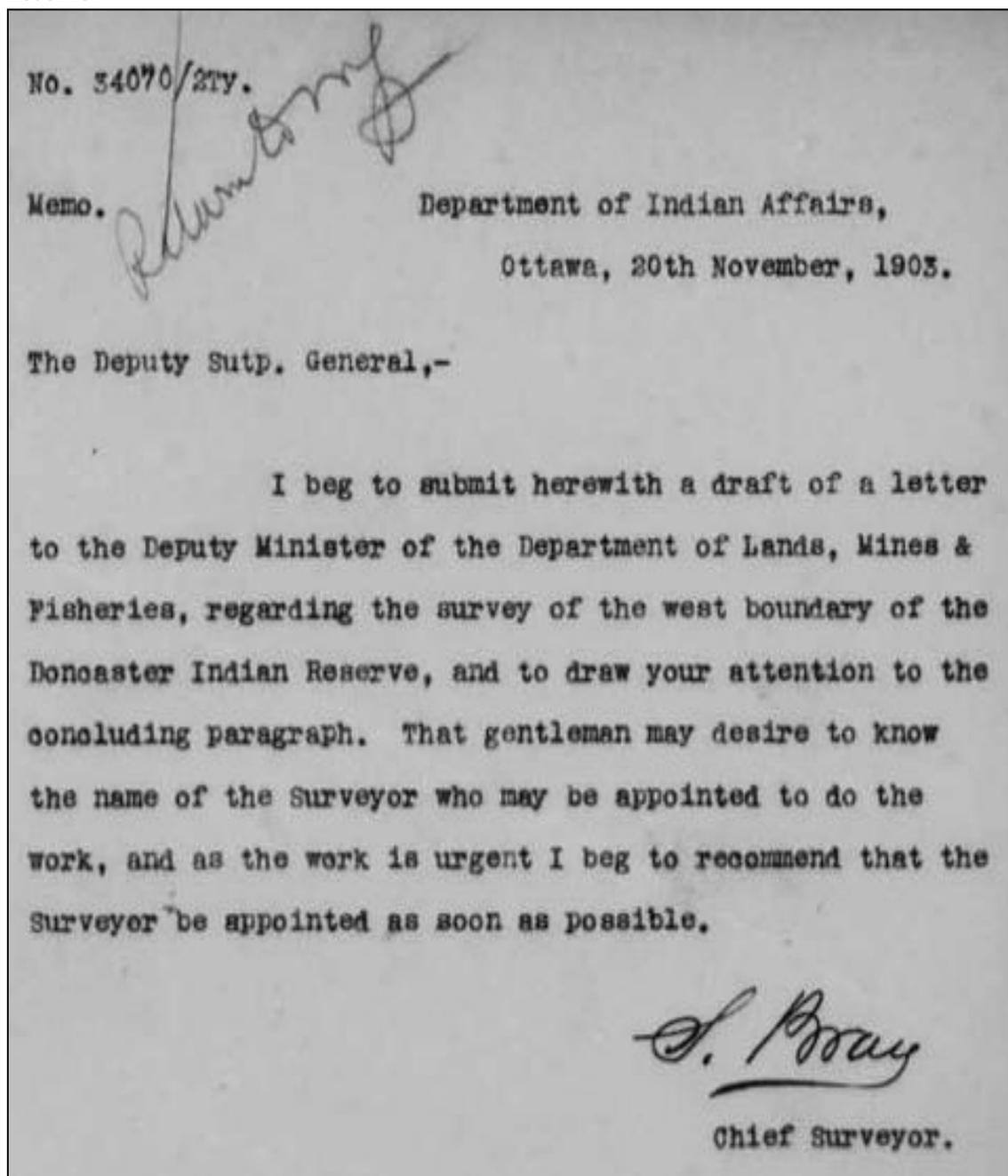
It is thought that this line falls under the operation of Article 4156 of the Revised Statutes of Quebec and the instructions for the same will require to be issued by the Commissioner of your Department. I shall feel obliged if you will be good enough to have prepared as soon as possible, and forward to me the said instructions, which will be given to the Surveyor who may be appointed. It is presumed that your Department will have no objection to the appointment of any Surveyor who has been duly authorized for the Province of Quebec. The expense of the survey will of course be borne by this Department.

Your obedient servant.

x L.D. F. Pedley
 Deputy Sup. General of
 Indian Affairs."

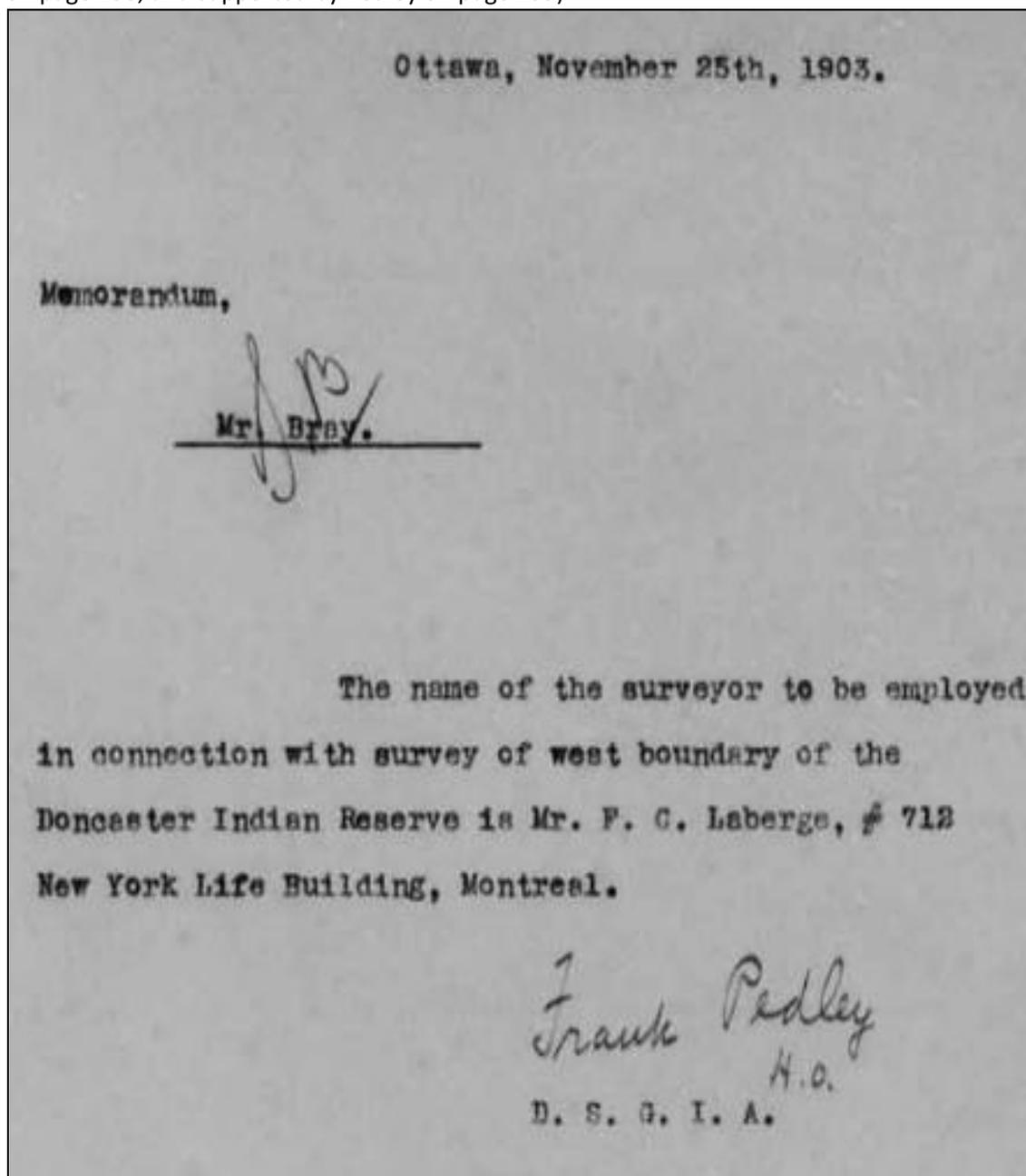
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 156 On **20 November 1903**, Chief Surveyor **S. Bray** putting the emphasis on the importance to appoint a surveyor as soon as possible for the **west boundary of the Doncaster Reserve**.



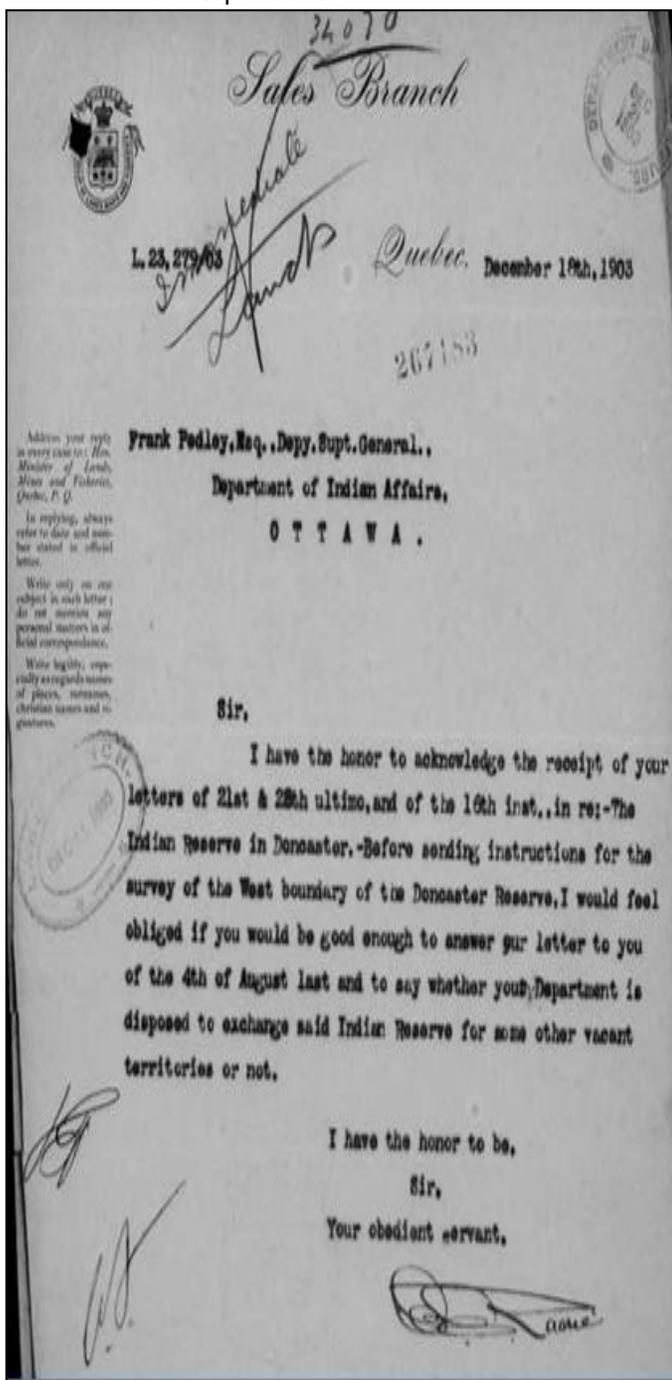
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 157 On **25 Novembre 1903**, **Frank Pedley** expose to the **Surveyor in Chief Bray** that **Mr F.C. Laberge** was appointed for the surveying of the Doncaster Reserve. (confirmed by MacLean on page 158, and supported by Pedley on page 159)



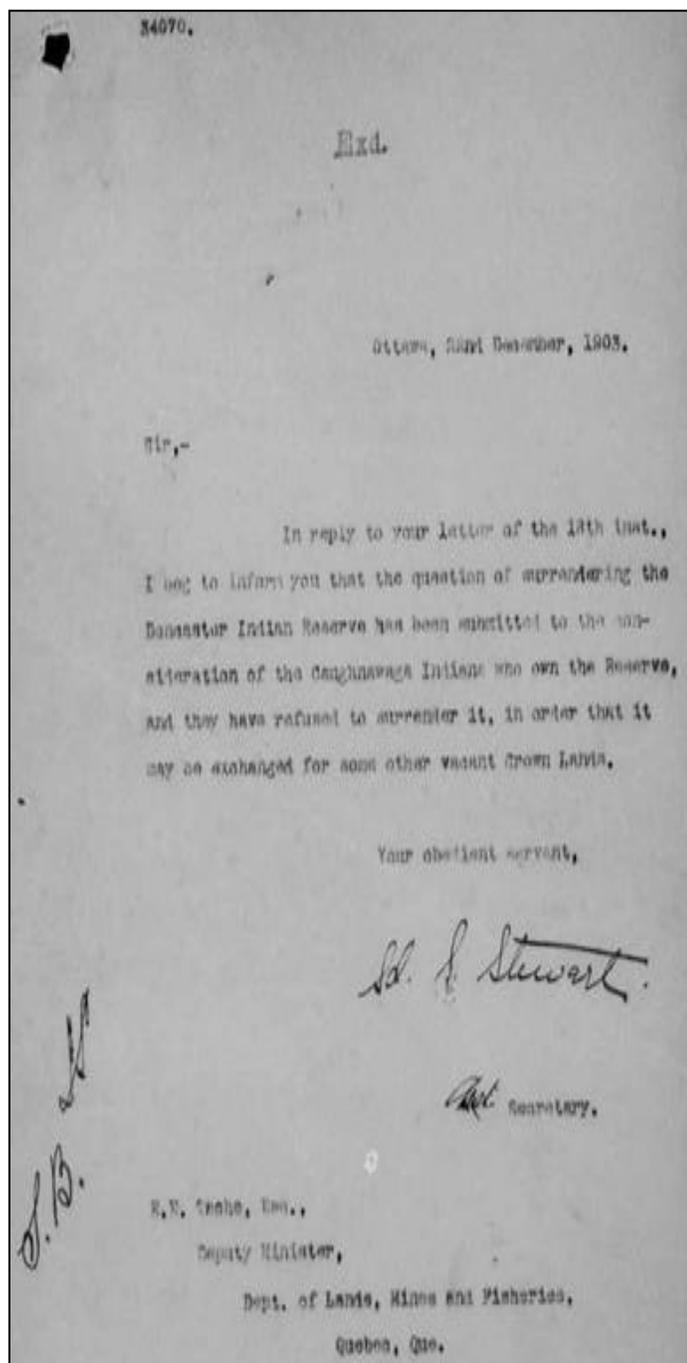
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 160 Letter from **Deputy Minister E.E. (or E.P.) Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries** on 18 December 1903, to **Frank Pedley, Esq. Deputy Superintendent General of Indian Affairs** exposing he took knowledge of the last correspondence.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 161 Letter from Samuel Stewart Assistant Secretary of Indian Affairs (who became Keeper of the records in 1905) to **Deputy Minister E.E. (or E.P.) Tache, Assistant Commissioner of the Department Lands, Mines and Fisheries** exposing reception confirmed by a telegram on **11 January 1904** on page 163



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 162 Telegram by E.E. Tache to Frank Pedley from 15 June 1904 exposing that the Department of Indian Affairs will send a surveyor on the ground to inspect.

The Great North Western Telegraph
OPERATING THE LINES OF THE MONTREAL, DOMINION AND MARITIME

The Company transmits and delivers messages only on conditions limiting its liability to the sender of the following message.

Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of unreported messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within three days after sending the message.

This is an unreported message, and is delivered by the request of sender, under the conditions named above.
H. P. DWIGHT, President and General Manager.

Money orders by telegraph between principal telegraph offices in Canada and the United States.

TELEGRAM

Use this space for Continuation of Lengthy Addresses,
OR INSTRUCTIONS TO MESSENGER.

To Frank Pedley,
Dept P Affairs
Quebec

No. 43 Check 2650/10

Msg. No.	FROM	SENT BY	RECD BY	TIME	TO
27	MOR	RB	SV	10	a

June 15 1904

From Quebec

Before issuing instructions re West Boundary Doncaster reserve department will send at once surveyor on the ground to investigate generally and report thereon.
E. E. Tache
Safety min

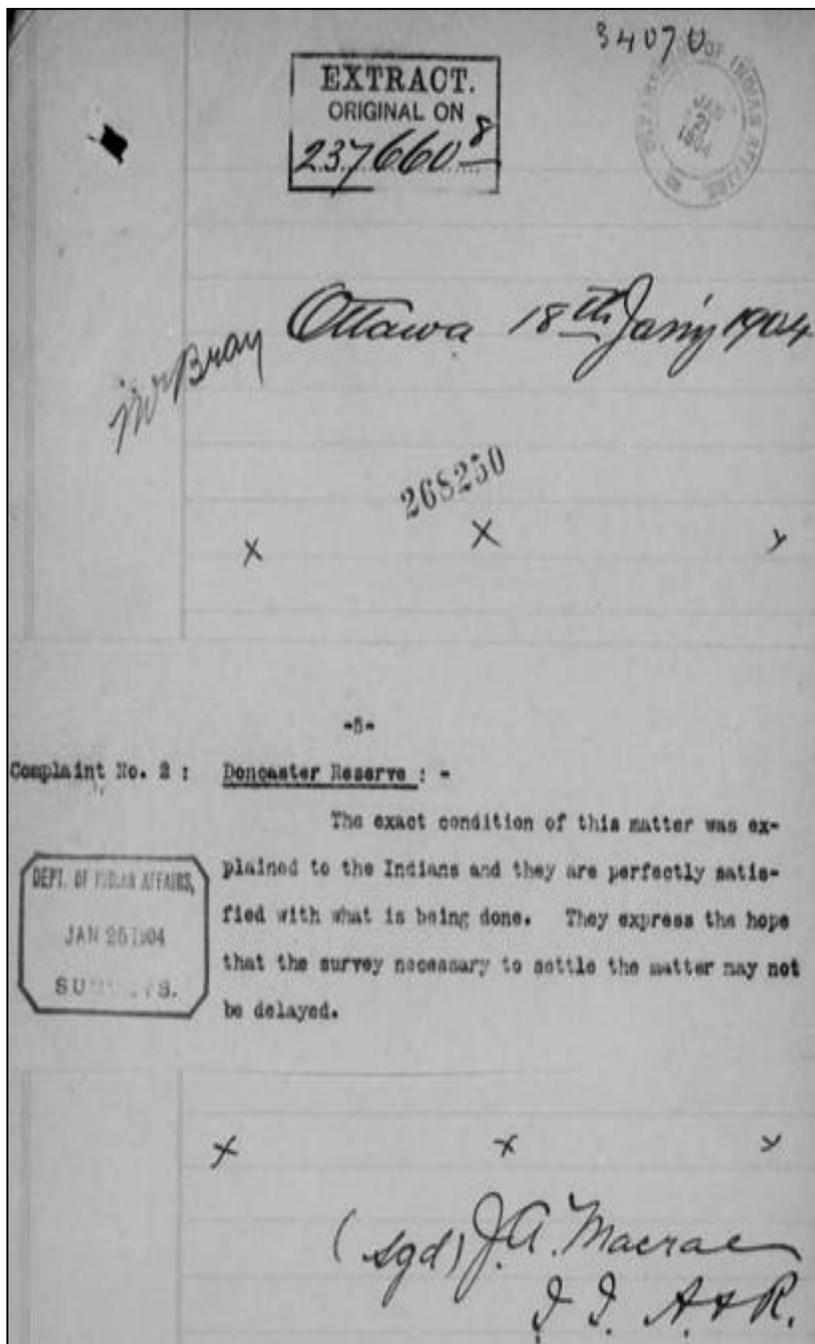
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 164 Copy-Extract of the original: No. 162095, a Memorandum by **J.D. MacLean** of **10 December 1903** exposing **J.W. Jocks** official interpreter of the Caughnawaga Band and Chief Councillor, exposed that regulations must be made also for Indians about land management's and rules for hunting and wood cutting and mentioning that regulations must be made for acres entitled to each Indians and that some Indians might take exceeding lots.

<p>EXTRACT. ORIGINAL ON No. 162095.</p>	<p>Copy.</p>
<p>Ottawa, 10th Dec., 1903.</p>	
<p>Memorandum:</p>	
<p>J.W. Jocks, official interpreter of the Caughnawaga Band, and Chief Councillor J.B. Daillebout, called at the Department to-day having been sent by the band to lay before the Department certain matters which the Indians desire shall receive immediate attention.</p> <p style="text-align: center;">X X X</p>	
<p>2. The speedy settlement of the Doncaster reserve matter. The Indians ask that the white squatters there be prevented from continuing to take timber off the reserve; and they ask that, in any settlement with the whites which may be made with regard to their improvements, no compensation be made from the funds of the band, as it is the duty of the Department, as guardian of the Indians, to protect the reserve from trespass. They state that some of their Indians are going on the Doncaster reserve from time to time and are taking up possibly more land than they are entitled to. The Indians desire that some regulations be made as to the number of acres which Indians would be entitled to.</p> <p style="text-align: center;">X X X</p>	
<p>J.D. McLean, Secretary.</p>	

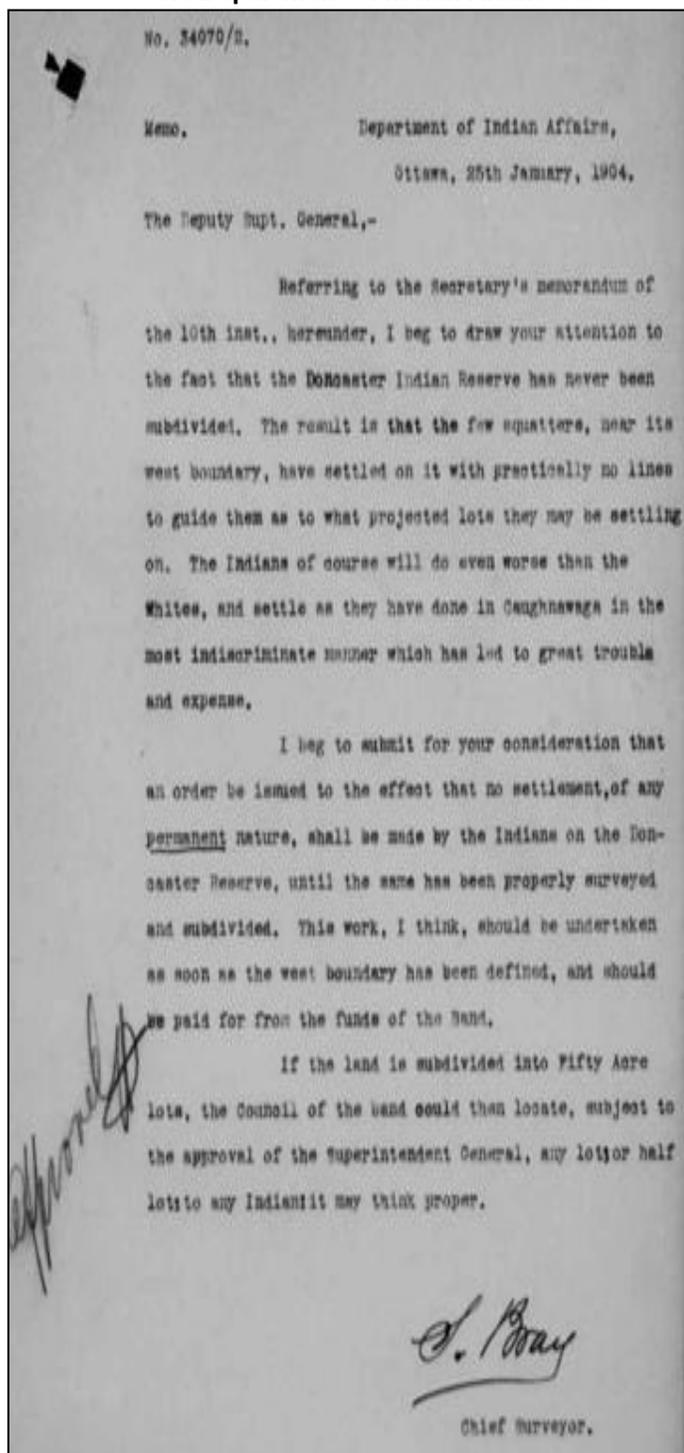
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 165, Extract 237660⁸, doc 34070. On **18 January 1904**, **Sam Bray the Surveyor** exposes that the fact that some Indians might take exceeding lots was exposed which he described as: *"The exact condition of this matter was exposed to the Indians and they are perfectly satisfied with what is being done. They express the hope that the survey necessary to settle the matter may not be delayed."*



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 166 On **25 January 1904 Surveyor Bray** exposes to the **Deputy Superintendent General of the Department of Indian Affairs** that:



"Referring to the Secretary's memorandum of the 10th inst., hereunder, I beg to draw your attention to the fact that the Doncaster Indian Reserve has never been subdivided. The result is that the few squatters, near its west boundary, have settled on it with practically no lines to guide them as to what projected lots they may be settling on. The Indians of course will do even worse than the Whites, and settle as they have done in Caughnawaga in the most indiscriminate manner which has led to great trouble and expense.

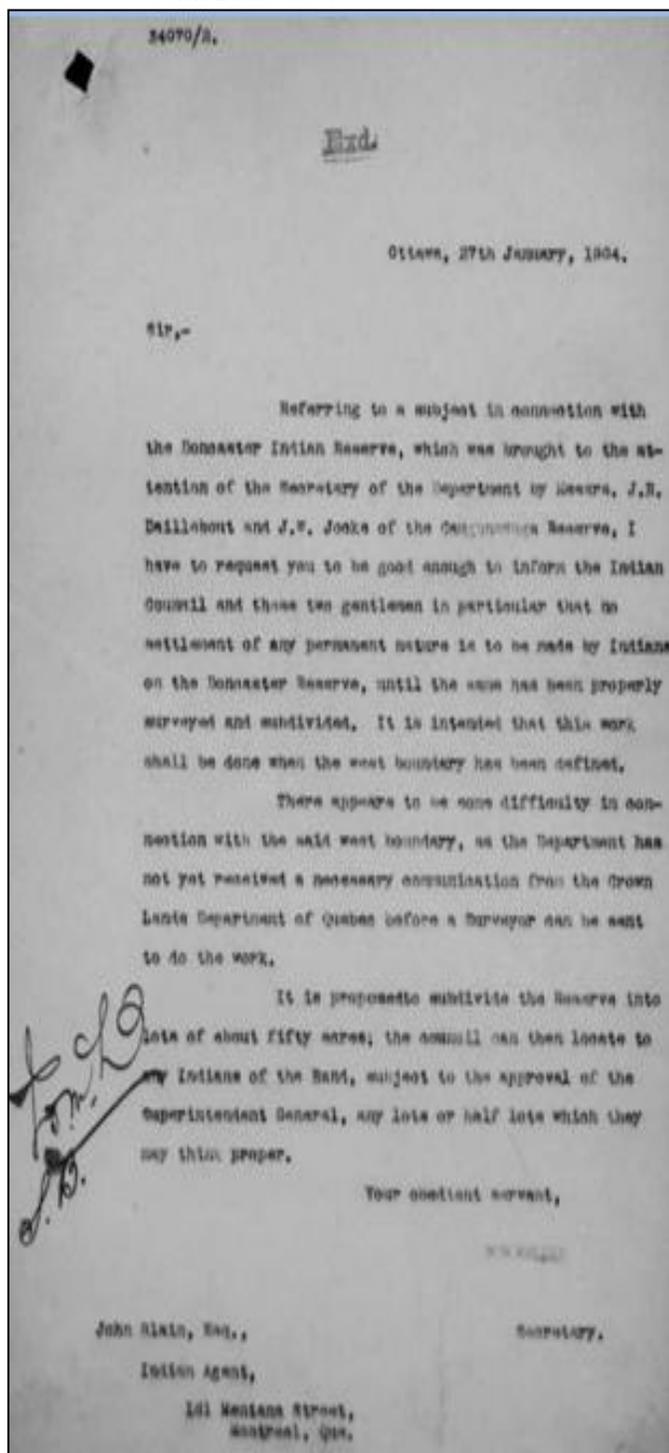
I beg to submit for your consideration that an order be issued to the effect that no settlement, of any permanent nature, shall be made by the Indians on the Doncaster Reserve, until the same has been properly surveyed and subdivided. This work, I think, should be undertaken as soon as the west boundaries has been defined, and should be paid for from the funds of the Band.

If the land is subdivided late Fifty Acre Lots, the Council of the band could then locate, subject to the approval of the Superintendent General, any lots or half lots to any Indians if may think proper.

*x S. Bray
Chief Surveyor."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 167 On **27 January 1904 J.D. MacLean Indian Affairs Secretary** exposed to **Indian Agent John Blais** that:



"Sir,-

Referring to a subject in connection with the Doncaster Indian Reserve, which was brought to the attention of the Secretary of the Department by Messrs, J.B. Daillebout and J.W. Jocks of the Caughnawaga Reserve, I have to request you to be good enough to inform the Indian Council and those two gentlemen in particular that no settlement of any permanent nature is to be made by Indians on the Doncaster Reserve, until the same has been properly surveyed and subdivided. It is intended that this work shall be done when the west boundary has been defined.

There appears to me more difficulty, in connection with the said west boundary, as the Department has not yet received a necessary communication from the Crown Lands Department of Quebec before a Surveyor can be sent to do the work.

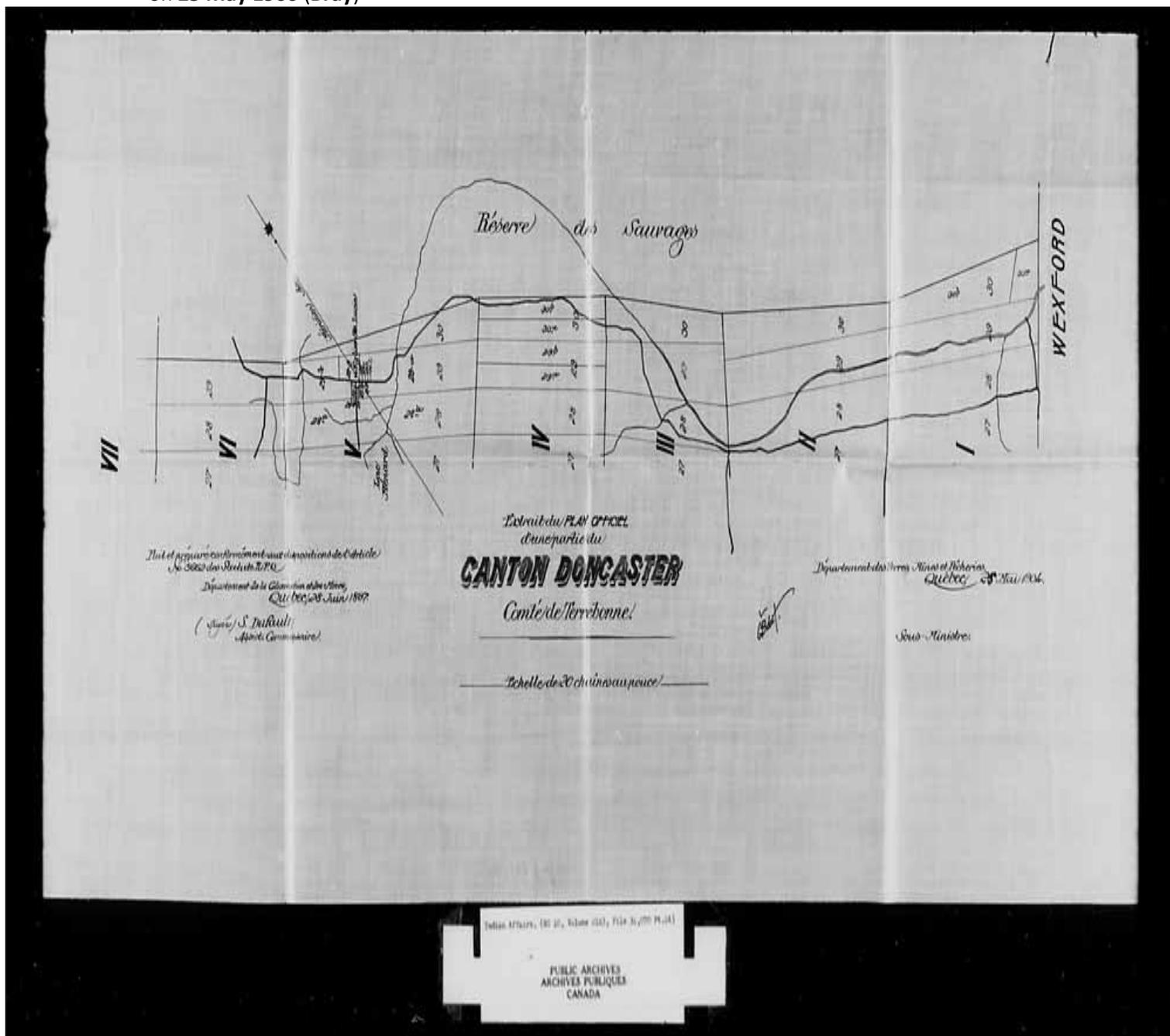
It is proposed to subdivide the Reserve into lots of about fifty acres; the council can then locate to any Indians of the Band, subject to the approval of the Superintendent General, any lots or half lots which they may think proper.

Your obedient servant

*J.D. MacLean
Secretary."*

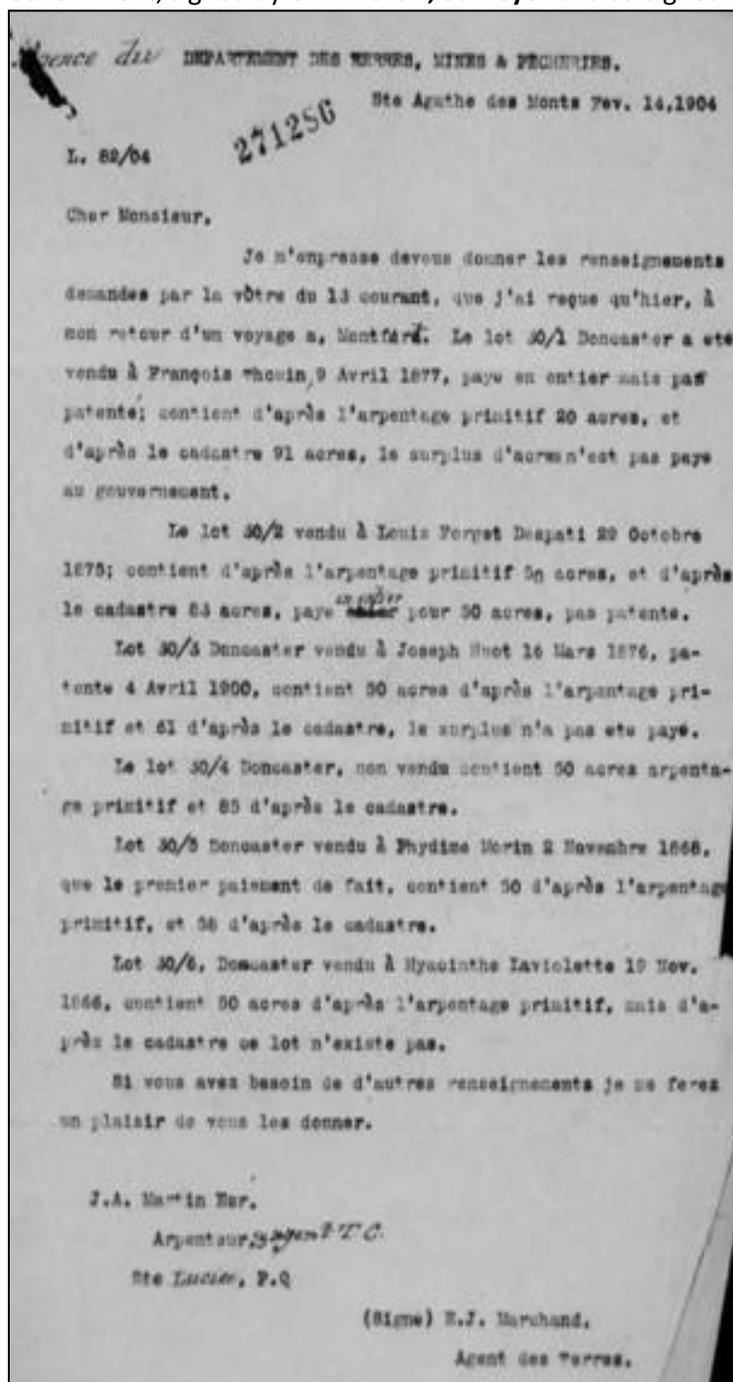
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 168 exposes a map from 25 June 1897, signed by the Department of Mines and Fisheries on 25 May 1906 (Bray)



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 170 From **Department of Lands, Mines and Fisheries**, from **14 February 1904**, all the lands sold from 1866 to 1900, exposing the amount not yet being bought back by the Government, signed by **J.A. Martin, Surveyor** and co-signed by **E.J. Marchand, Land Agent**.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 171- previous translated from the original 170- From **Department of Lands, Mines and Fisheries**, from **14 February 1904**, all the lands sold from 1866 to 1900, exposing the amount not yet being bought back by the Government, signed by **J.A. Martin, Surveyor** and co-signed by **E.J. Marchand, Land Agent**.

24,070-2 Translation *AMHS 27/10/04*

Agency of the Department of Lands, Mines & Fisheries, Ste. Agathe des Monts, Feb. 14, 1904.

L. 82/04.

Dear Sir :-

I hasten to give you the information asked by yours of the 13th inst., which I only received yesterday on my return from a trip to Montford. Lot 30/1 Doncaster was sold to Francois Thoin 9th April, 1877, paid for entirely but not patented; contains according to the original survey 20 acres and according to the ^(cadastre) land-register 91 acres, the surplus number of acres has not been paid to the Government.

Lot 30/2 sold to Louis Forget Despatil 29th October, 1875; contains according to the original survey 50 acres, and according to the ^(cadastre) land-register 83 acres, paid entirely for the 50 acres, not patented.

Lot 30/3 Doncaster sold to Joseph Root 16th March, 1876, patented 4th April, 1900, contains 50 acres according to the original survey and 61 according to the land register, the surplus has not been paid for.

Lot 30/4 Doncaster, not sold contains 50 acres according to the original survey and 85 according to the land register.

Lot 30/5 Doncaster sold to Rhodine Morin 2nd November, 1868, the first payment was made, contains 50 according to the original survey, and 58 according to the land register.

Lot 30/6, Doncaster sold to Rymcinthe Laviolette 19th Nov., 1868, contains 50 acres according to the original survey, but according to the land register this lot does not exist.

If you require other information it will give me pleasure to give it you.

J. A. Martin, Esq.,
Surveyor & Crown Lands Agent,
Ste. Louis, P.Q.

E. J. Marchand,
Land Agent.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 174-175 Translation of the originals 172-173 in French-**Surveyor J.A. Martin** exposes the complexities of certain land parts on the limits of certain lands exposing the curvy waves created by the land measurements, from **8 March 1904**.

34,070-2
 The Honourable Minister
 of Lands, Mines & Fisheries,
 Ottawa.

Sir :- Joliette, 8th March, 1904.

I have the honour to report to you that in obedience to your instructions dated the 30th January last (L.619/04 I have made a study of the places and a statement of what remain of the original surveys of the limit South-west of the Indian Reserve of Doncaster.

I have to inform you farther that fire- at different time- but principally during the course of last summer, ravaged this country to such an extent that there remains hardly anything of what marked the lines of the first subdivision. All the old stakes have disappeared and I have only found iron posts in the 6th and 7th Ranges.

However in the greater number of cases the position of the posts can be traced at least approximately according to the fence lines, or, failing these, by the testimony of the resident colonists.

It has been by the aid that they have given, together with a study of the notes of the surveyor Regnaud that I am able to indicate on my plan the approximate drawing of the old central line.

All the old colonists are unanimous in saying that this principal line was evidently bent or broken and that there was no account kept then of the belts or range lines. In spite of what appears in the notes of survey Lot. No. 30 was bordered to the ordinary width by stakes properly marked.

The purchasers or occupants so possessed them although the location tickets issued mentioned a smaller area.

Besides all the proprietors bordering on the Indian Reserve, ~~some~~ extended their clearings on to the Reserve

serve

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 174-175 Translation of the originals 172-173 in French-Surveyor **J.A. Martin** exposes the complexities of certain land parts on the limits of certain lands exposing the curvy waves created by the land measurements, , from **8 March 1904**.

-2-

Reserve wherever it suited them in such manner that there is not on the ground any defined line marking the limit of their lot. Moreover, in many places fire has destroyed the wood to such an extent that it is very difficult in winter with a heavy covering of snow which covers the ground to see where the pieces under cultivation stop.

In the summer season these particulars would have been more evident and it would perhaps have been even possible to find some traces of the old boundaries of the lots which the fire had not completely destroyed. It may be interesting to have an idea of the value of the properties adjoining the Reserve.

The following is the municipal valuation for No. 30:

3rd Range lot No. 30	Joseph Huot	\$ 400.00
4th " " " 30a	Edmond Cloutier	225.00
" " " " 30b	Roch Thouin	100.00
" " 29th & 30c	Evangeliste Latreille	25.00
5th " lot No. 30	Roch Thouin	300.00
6th " " " 30	Israel Thouin	400.00

The properties situated on the Reserve are not carried on the Municipal Roll no more than lots No. 30 of 1st and 2nd Ranges of Doncaster.

I attach to this a letter (L.62/04) dated 14th February last from Mr. E. J. Marchand, Land Agent, who gives for Lot No. 30 of the 6 front ranges of Doncaster the detail of sales as also the areas following the official plan and register of lands.

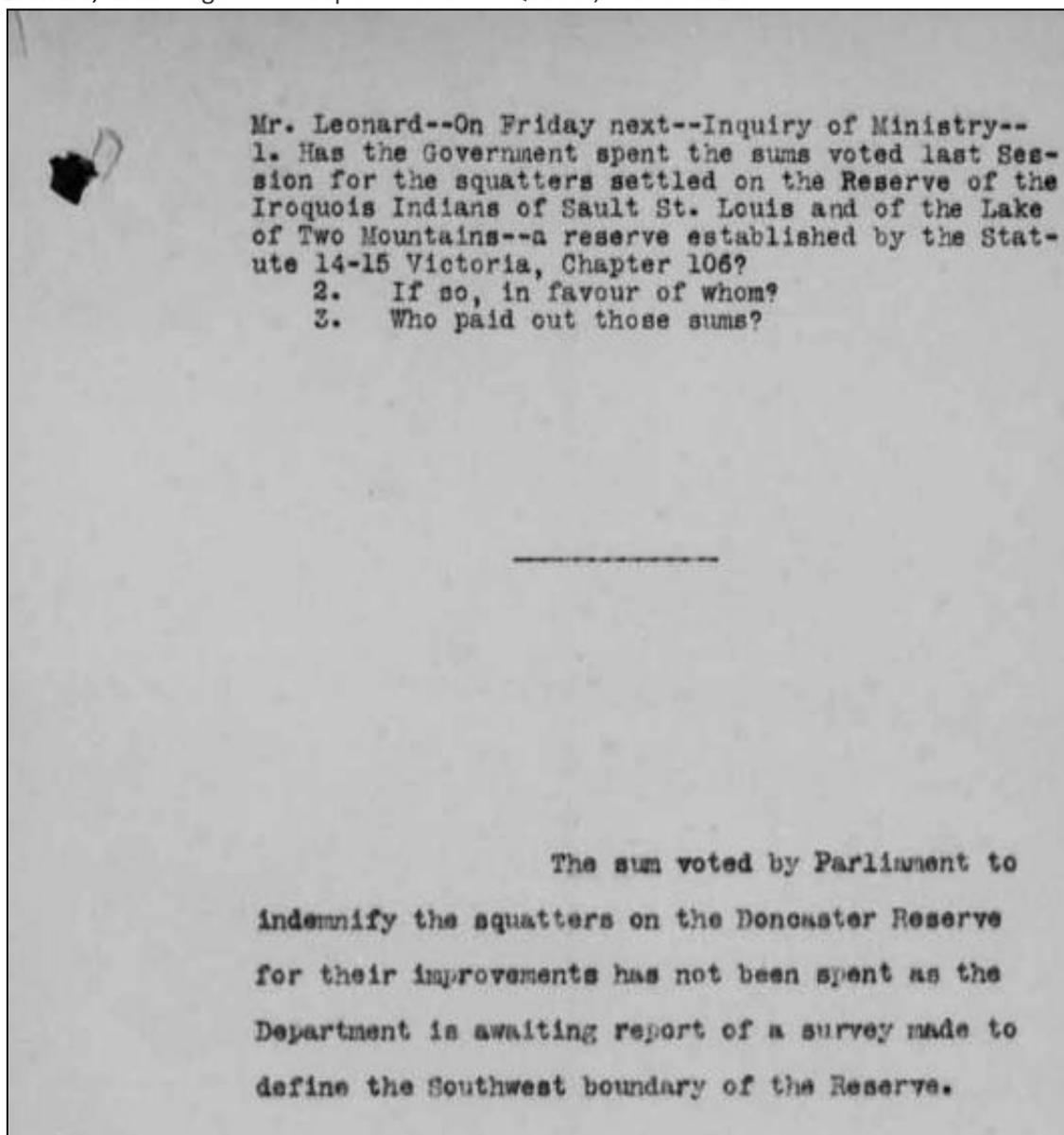
I attach also a plan of the places following the extracts (or statements) which I have made also field notes of survey.

I have, etc.,

J. A. Martin,
Geometrical Surveyor.

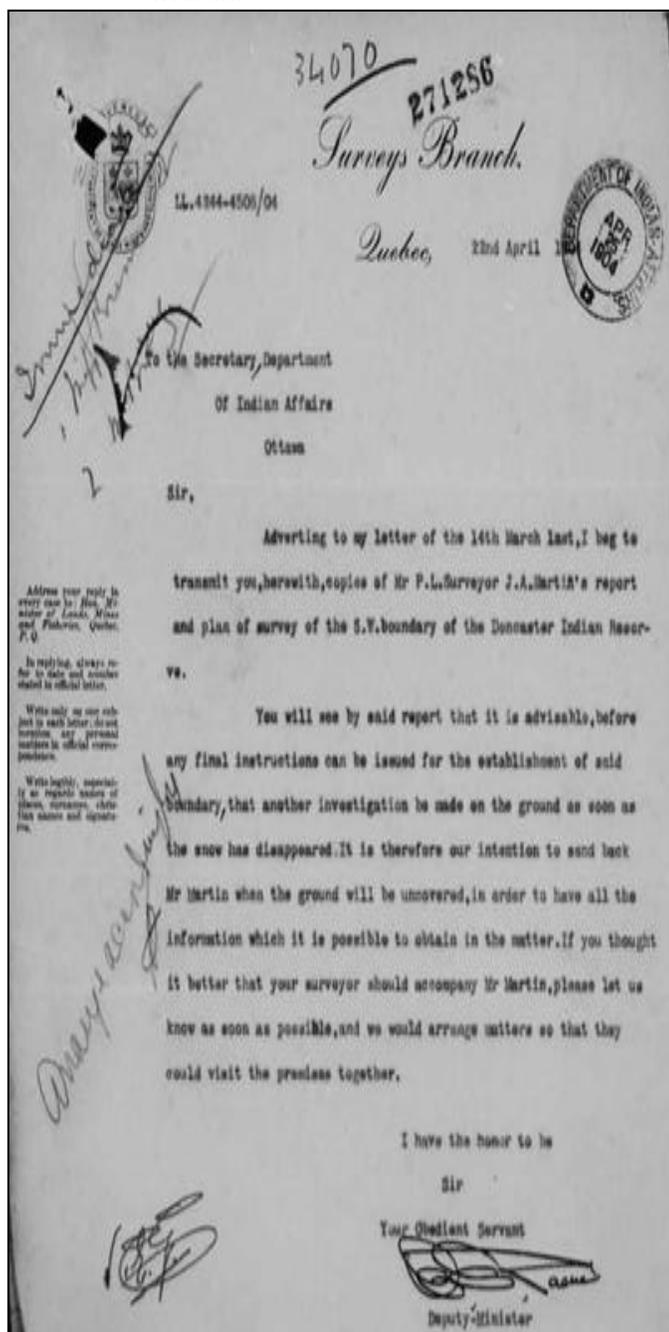
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 176 Unidentified correspondence. Mr Leonard might have been Joseph Edouard Emile Leonard, then Judge of the Superior Court of Quebec, Montreal District.



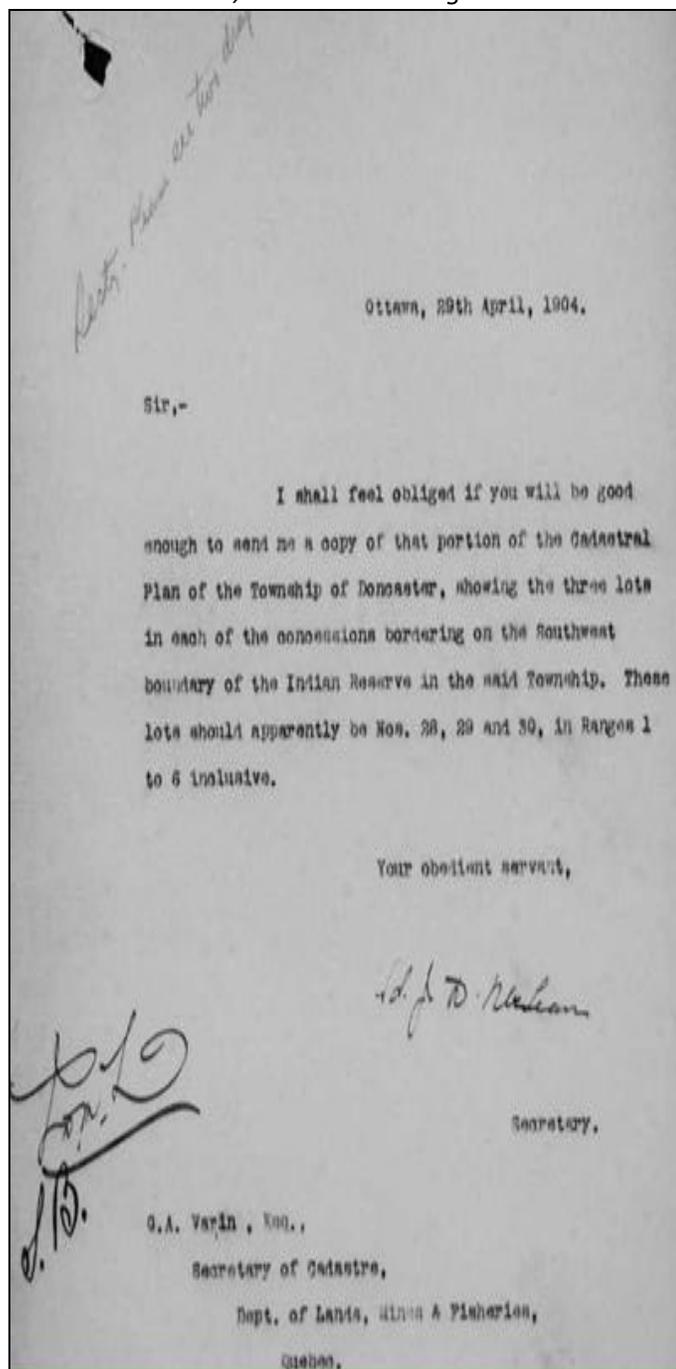
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 177 E.E. TACHÉ, Deputy minister of Lands, Mines and Fisheries, Quebec, on 22 April 1904, exposing he annexed the report of Surveyor J.A. Martin of the South West boundaries, but precisions may come on request after the snow, occasioning distortions, melts in spring also adding that Bray the Government Surveyor may also be appointed. On page 178 the appointed Secretary of Indian Affairs expose that a surveyor of their Department will accompany Mr Martin.



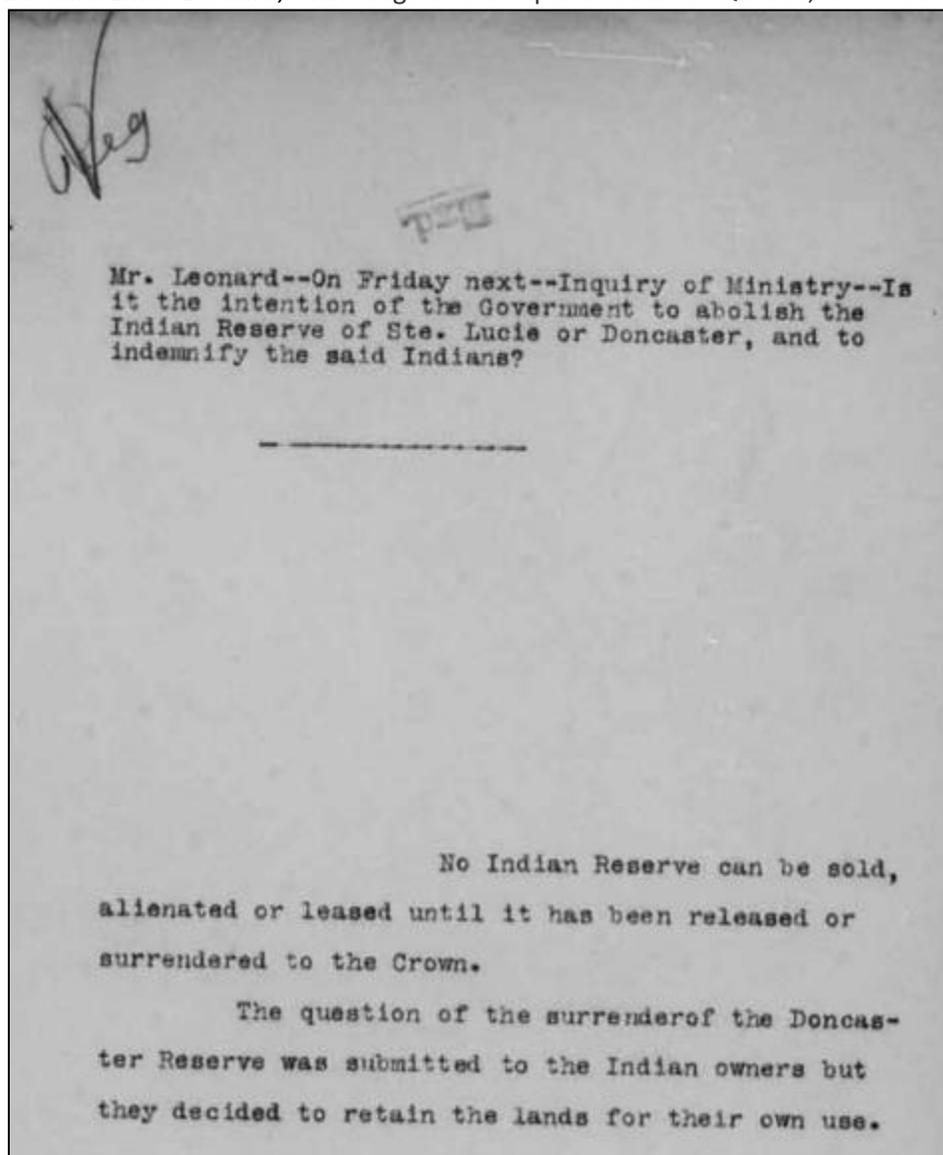
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 179 **J.D. McLean, Secretary of Indian Affairs** to **G.A. Varin, Minister of Cadastre, Department of Lands, Mines and Fisheries, Quebec**, on **29 April 1904**, asking for the Plan of Doncaster exposing the measurements of 3 "lots in each of the concessions bordering the Southwest boundary of the Indian Reserve in the said Township. These lots should apparently be No. 28, 29 and 30 in Range 1 to 6 inclusive."



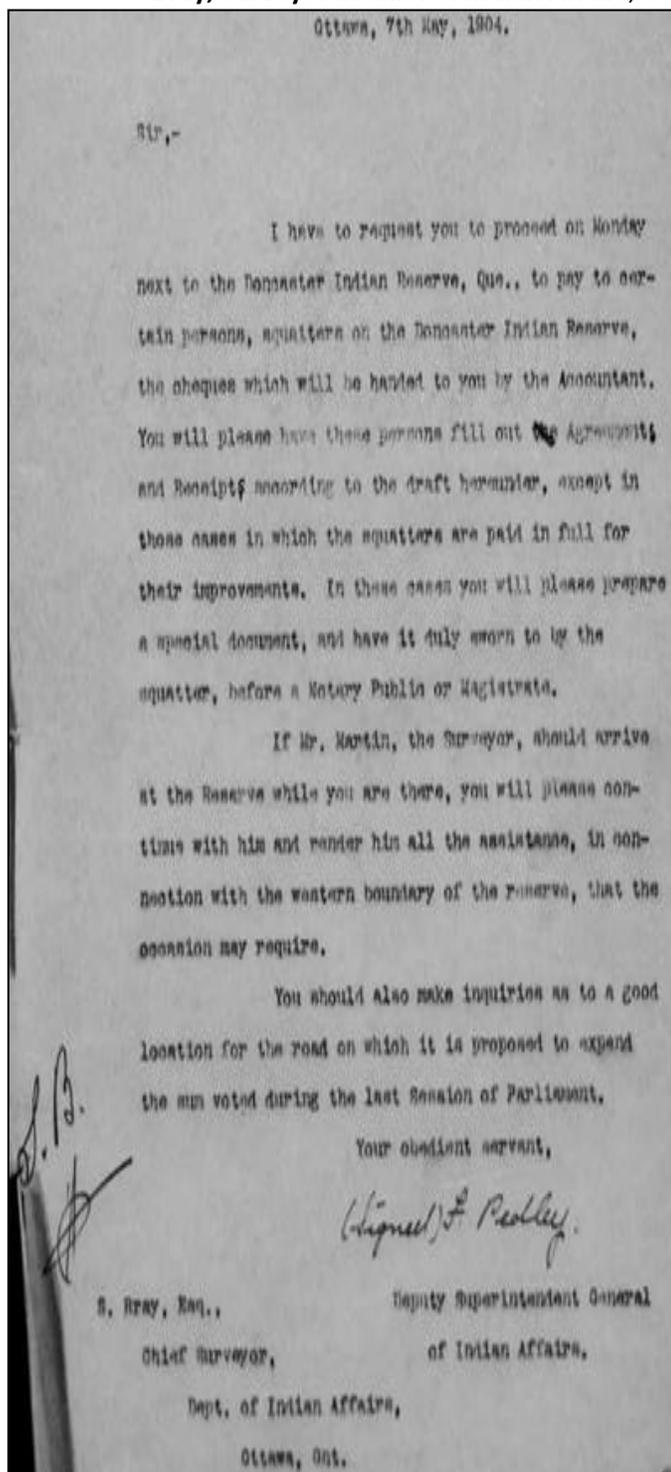
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 180, as page 176 Unidentified correspondence. **Mr Leonard** might have been Joseph Edouard Emile Leonard, then Judge of the Superior Court of Quebec, Montreal District.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 181-183 doc 34070 /02 Frank Pedley, superintendent general of Indian Affairs to Samuel Bray, Surveyor in Chief of Indian Affairs, Ottawa, 7 mai 1904.



" Sir,-

I have to request you to proceed on Monday next to the Doncaster Indian Reserve, Que., to pay to certain persons, squatters on the Doncaster Indian Reserve, the cheques which will be handed to you by the Accountant. You will please have these persons fill out Agreements and Receipts according to the draft hereunder, except in those cases in which the squatters are paid in full for their improvements. In these cases you will please prepare a special document, and have it duly sworn to by the squatter, before a Notary Public or a Magistrate.

If Mr. Martin, the Surveyor, should arrive at the Reserve while you are there, you will please continue with him and render him all the assistance, in connection with the western boundary of the reserve, that the occasion may require.

You should also make inquiries as to good location for the road on which it is proposed to expend the sum voted during the last Session of Parliament.

*Your obedient servant,
 (Signed) F. Pedley
 Deputy Superintendent
 of Indian Affairs."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 181-183 doc 34070 /02, 7 mai 1904. Declaration signed by squatter **George Cloutier** and present witnesses.

Whereas the improvements on the land occupied by *George Cloutier* in the Doncaster Indian Reserve, Que., have been valued in the sum of *eighteen hundred and thirty dollars* and the said *George Cloutier* is satisfied with and accepts the said valuation, the said *George Cloutier* for the sum of *six hundred dollars* the receipt of which from the Department of Indian Affairs is hereby by him acknowledged and for the further sum of *twelve hundred and thirty dollars* to be paid as hereinafter provided, the said *George Cloutier* agrees to vacate on or before the 15th June next, and forever to leave the said Indian Reserve taking with him only his live stock and movables, and will in no way injure or damage any building or improvements of any kind but will leave them in the condition they are now in.

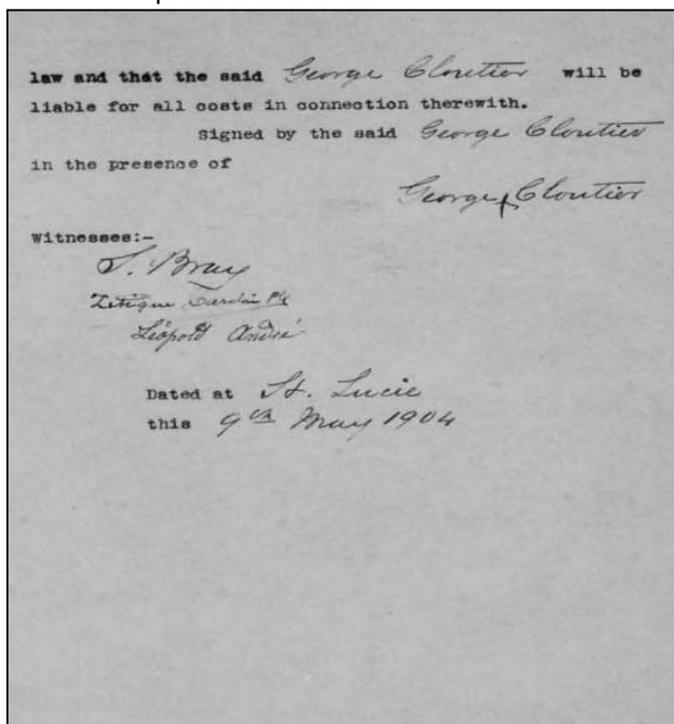
The further sum of *twelve hundred and thirty dollars* above mentioned is to be paid on the receipt, by the Department of Indian Affairs at Ottawa, of a sworn declaration by the said *George Cloutier* stating that he has actually vacated and left the said Reserve and never intends to return and accepts the said sum in full of all claims of any nature whatever against the said Department of Indian Affairs and the said Reserve, and it is further understood by the said *George Cloutier* that if he does not vacate the said Reserve on or before the 15th June next that the Department of Indian Affairs may forthwith have him ejected by the usual process of law

“Whereas the improvements on the land occupied by George Cloutier in the Doncaster Indian Reserve, Que., have been valued in the sum of eighteen hundred and thirty dollars and the said George Cloutier is satisfied with and accepts the said valuation, the said George Cloutier for the sum of six hundred dollars, the receipt of which, from the Department of Indian Affairs, is hereby by him acknowledged and for the further sum of twelve hundred and thirty dollars to be paid as hereinafter provided, the said George Cloutier agrees to vacate on or before the 15th June next, and forever to leave the said Indian Reserve taking with him only his live stock and movables, and will in no way injure or damage any building or improvements of any kind, but will leave them in the condition they are now in.

The further sum of twelve hundred and thirty dollars above mentioned is to be paid on the receipt, by the Department of Indian Affairs at Ottawa, of a sworn declaration by the said George Cloutier stating that he has actually vacated and left the said Reserve, and never intends to return and accepts the said sum in full of all claims of any nature whatever against the said Department of Indian Affairs and the said Reserve, and it is further understood by the said George Cloutier that if he does not vacate the said reserve on or before the 15th June next that the department of Indian Affairs may forthwith have him ejected by the usual process of law ...”

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 181-183 doc 34070 /02 **7 mai 1904**. Declaration signed by squatter George Cloutier and present witnesses.



“...law and that the said George Cloutier will be liable for all costs in connection therewith. Signed by the said George Cloutier in the

presence of. George Cloutier

Witnesses:-

S. Bray
Zotique Cardin ptre
Léopold André

Dated at Ste. Lucie
this 9th May 1904”

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 184-185-186 **9 mai 1904**. Declaration signed by squatter Isidore Legault and present witnesses. (as the previous declaration.)

Whereas the improvements on the land occupied by *Isidore Legault* in the Doncaster Indian Reserve, Que., have been valued in the sum of *eight hundred dollars* and the said *Isidore Legault* is satisfied with and accepts the said valuation, the said *Isidore Legault* for the sum of *two hundred dollars*, the receipt of which, from the Department of Indian Affairs, is hereby his acknowledged and for the further sum of *six hundred* **is** *dollars* to be paid as hereinafter provided, the said *Isidore Legault* agrees to vacate on or before the 15th June next, and forever to leave the said Indian Reserve taking with him only his live stock and moveables, and will in no way injure or damage any building or improvements of any kind, but will leave them in the condition they are now in.

The further sum of *six hundred* *dollars* above mentioned is to be paid on the receipt, by the Department of Indian Affairs at Ottawa, of a sworn declaration by the said *Isidore Legault* stating that he has actually vacated and left the said Reserve, and never intends to return and accepts the said sum in full of all claims of any nature whatever against the said Department of Indian Affairs and the said Reserve, and it is further understood by the said *Isidore Legault* that if he does not vacate the said Reserve on or before the 15th June next that the Department of Indian Affairs may forthwith have him ejected by the usual process

-2-

process of law and that the said *Isidore Legault* will be liable for all costs in connection therewith.

Signed by ~~the said~~ *Isidore Legault* in the presence of *he having produced an oser, attached hereto, empowering him to act for the said Isidore Legault.*

Witnesses:- *Isidore Legault*

S. May

Isidore Legault
Isidore Legault
 Dated at *St. Lucie*
 this *9th* *May* *1904*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 184-185-186 **9 mai 1904**. Declaration signed by squatter Isidore Legault and present witnesses. (as the previous declaration.)

Je soussigné, par les présentes autorise le Révérend Monsieur Zotique Cardin, curé de Ste Lucie, à agir en mon nom et comme mon représentant et procureur dans le règlement de mes affaires concernant mes terrains à Ste Lucie. Je l'autorise particulièrement à retirer l'argent qui me revient sur ces dits terrains, à en signer les reçus, et à faire toutes les réclamations nécessaires ou utiles pour obtenir une augmentation conforme à la valeur réelle de mes propriétés.

Fait à L'Annonciation, P.Q.
ce 3 novembre 1903
Isidore Legault

Witness } Dom André Thibault
 } c. s. i. e.

"Je soussigné, par les présentes autorise le Révérend Monsieur Zotique Cardin, curé de Ste Lucie, à agir en mon nom et comme mon représentant et procureur dans le règlement de mes affaires concernant mes terrains à Ste Lucie. Je l'autorise particulièrement à retirer 185 45 l'argent qui me revient sur ces dits terrains, à en signer les reçus et à faire toutes les réclamations nécessaires ou utiles pour obtenir une augmentation conforme à la valeur réelle de mes propriétés.

Fait à L'Annonciation, P.Q.

Ce 3 novembre 1903

Isidore Legault

Témoin – Dom André"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

As the previous one, other declarations of squatters:

Pages 187-188 Declaration signed by squatter Isaiah Morin and present witnesses. (as the previous declaration.) 9 Mai 1904

Pages 189-190 Declaration signed by squatter Napoleon Constantineau and present witnesses. (as the previous declaration.) 9 Mai 1904

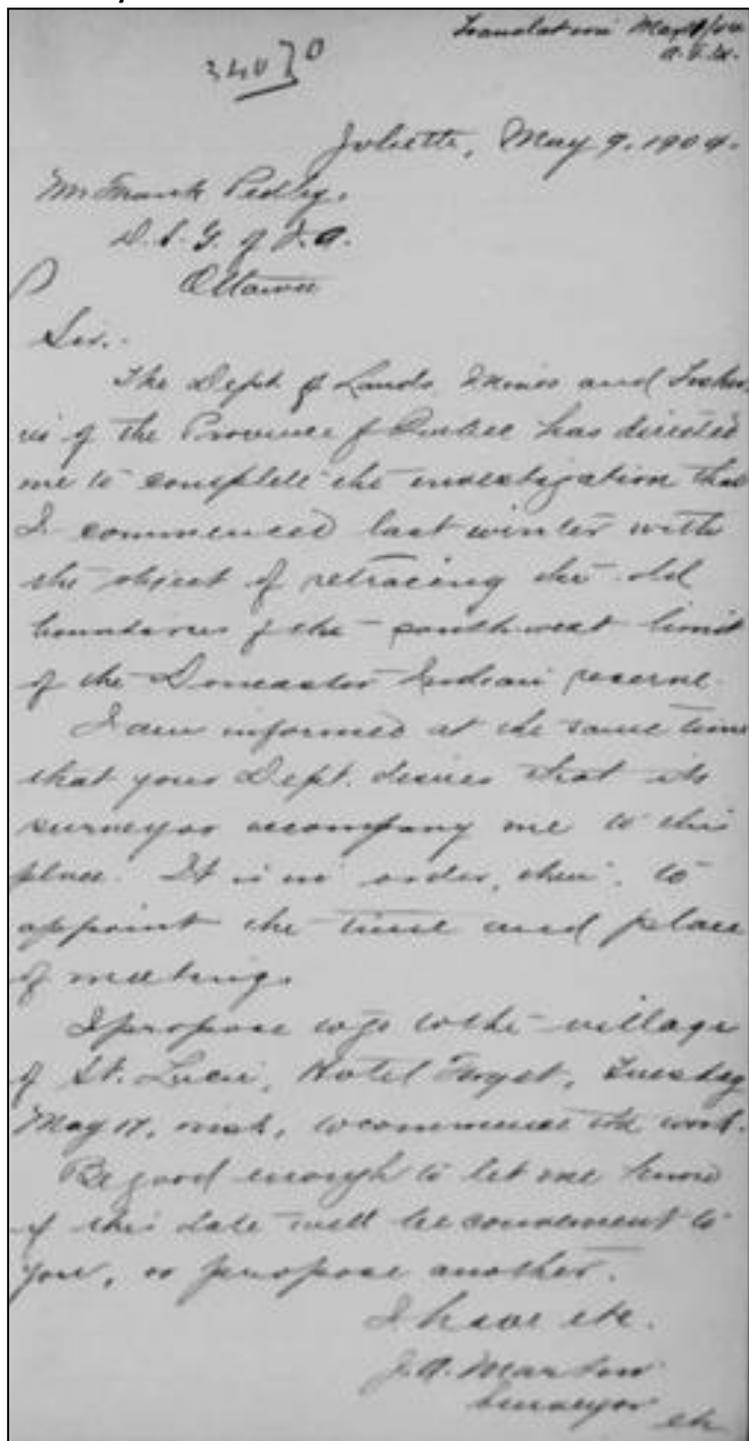
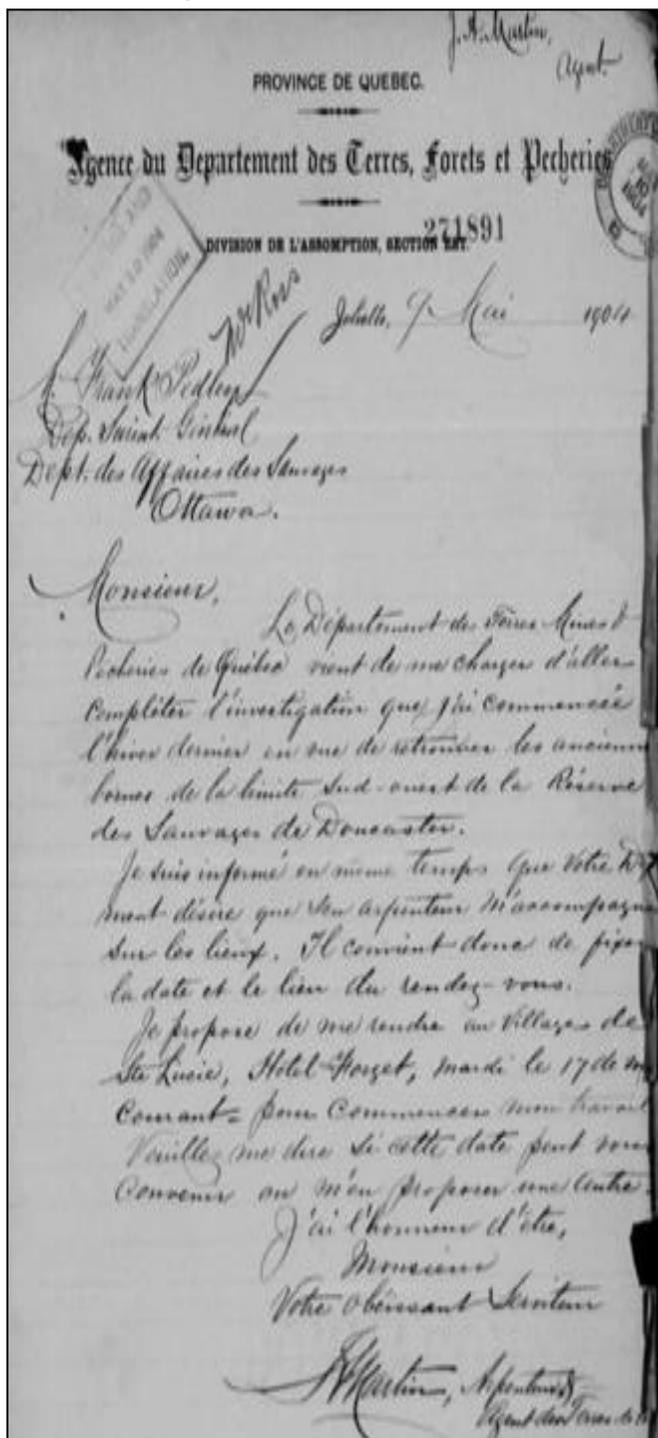
Pages 191-192 Declaration signed by squatter Joseph Miron and present witnesses. (as the previous declaration.) 9 Mai 1904

Pages 193 Declaration signed by Henry Viger and present witnesses. (as the previous declaration.) 9 Mai 1904

Pages 194 Declaration signed by Remi Collin and present witnesses. (as the previous declaration.) 9 Mai 1904

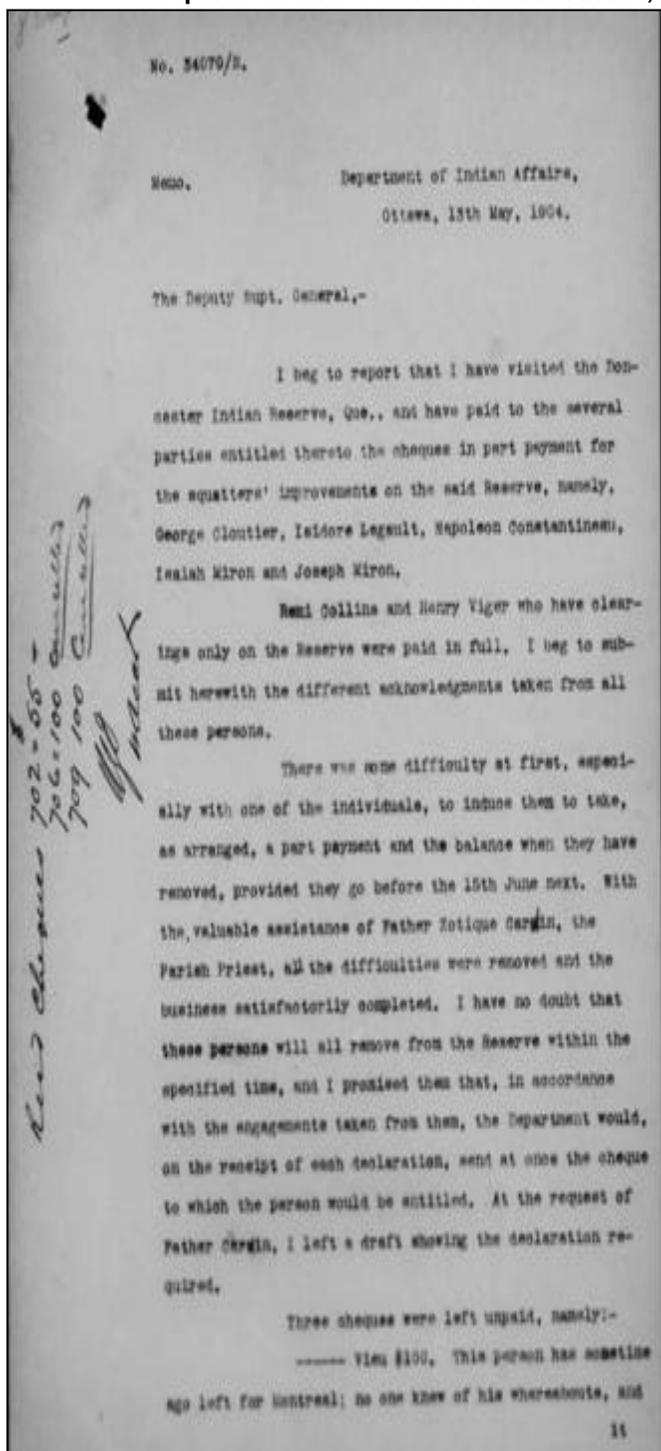
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 195-96 (translation page 196) Letter from J. Martin Crown Surveyor from Agency of the Department of Lands and Forests and Fisheries of Quebec to H. Frank Pedley the Department Superintendent General of Indian Affairs, from 9 May 1904.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 197-198 Samuel Bray, Surveyor in Chief of the Department of Indian Affairs, to Superintendent General of Indian Affairs, Ottawa, 13 May 1904.



"No. 34070/2

Memo.

Department of Indian Affairs,
Ottawa, 13th May 1904.

The Deputy Supt. General, -

I beg to report that I have visited the Doncaster Indian Reserve, Que., and have paid to the several parties entitled thereto the cheques in part payment for the squatters' improvements on the said Reserve, namely, George Cloutier, Isidore Legault, Napoleon Constantineau, Isaiah Miron and Joseph Miron.

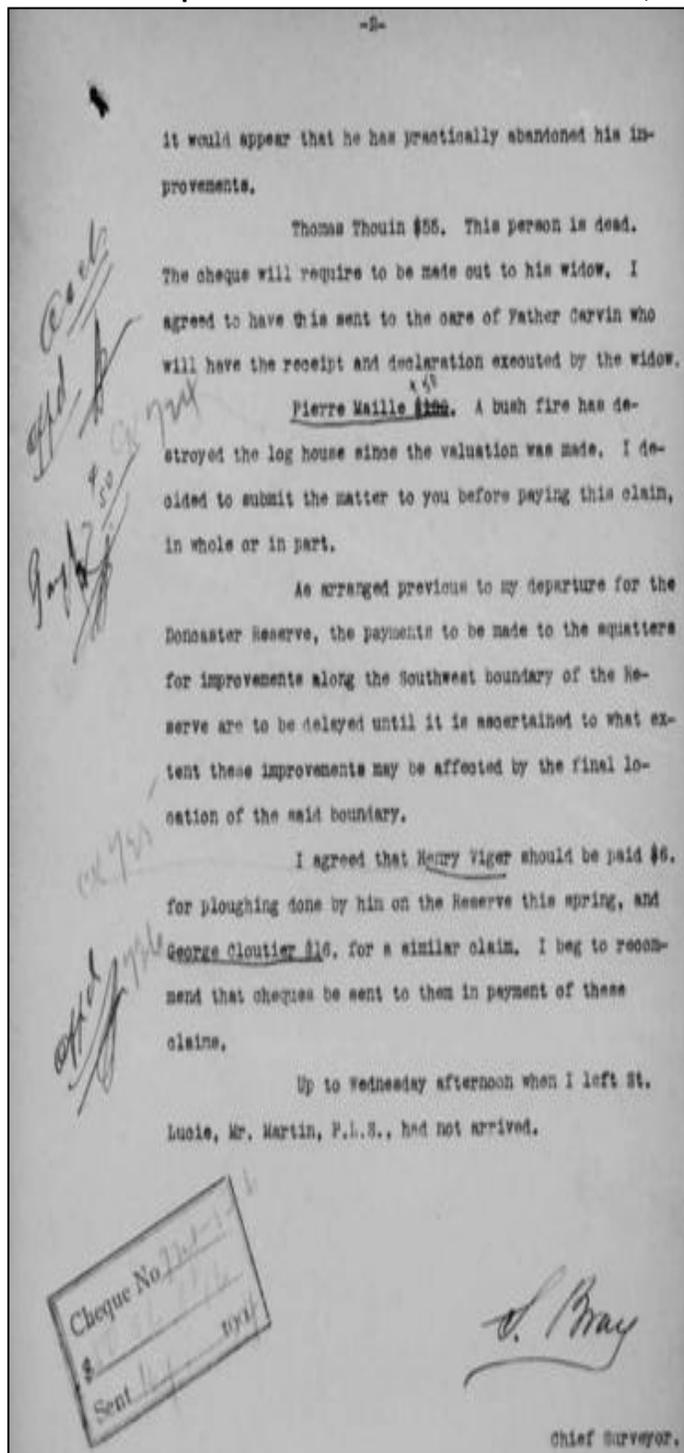
Remi Collins and Henry Viger who have clearings only on the Reserve were paid in full. I beg to submit herewith the different acknowledgments taken from all these persons.

There was some difficulty at first, especially with one of the individuals, to induce them to take, as arranged, a part payment and the balance when they have removed, provided they go before the 15th June next. With the valuable assistance of Father Zotique Cardin, the Parish Priest, all the difficulties were removed and the business satisfactorily completed. I have no doubt that these persons will all remove from the Reserve within the specified time, and I promised them that, in accordance with the engagements taken from them, the Department would, on the receipt of each declaration, send at once the cheque to which the person would be entitled. At the request of Father Cardin, I left a draft showing the declaration required.

*Three cheques were left unpaid, namely:-
--- Via \$100. This person has sometime ago left for Montreal: no one knew of his whereabouts, and
it.."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 197-198 Samuel Bray, Surveyor in Chief of the du Department of Indian Affairs, to Superintendent General of Indian Affairs, Ottawa, 13 May 1904.



"2

it would appear that he has practically abandoned his improvements.

Thomas Thouin \$55. This person is dead. The cheque will require to be made out to his widow. I agreed to have this sent to the care of Father Carvin who will have the receipt and declaration executed by the widow.

Pierre Maille ~~\$100~~ \$50. A bush fire has destroyed the log house since the valuation was made. I decided to submit the matter to you before paying this claim, in whole or in part.

*[in the margin] [Pay?] = \$50[?] CK 724 LVK
As arranged previous to my departure for the Doncaster Reserve, the payments to be made to the squatters for improvements along the Southwest boundary of the Reserve are to be delayed until it is ascertained to what extent these improvements may be affected by the final location of the said boundary.*

I agreed that Henry Viger should be paid \$6. for ploughing done by him on the Reserve this spring, and George Cloutier \$16. for a similar claim. I beg to recommend that cheques be sent to them in payment of these claims.

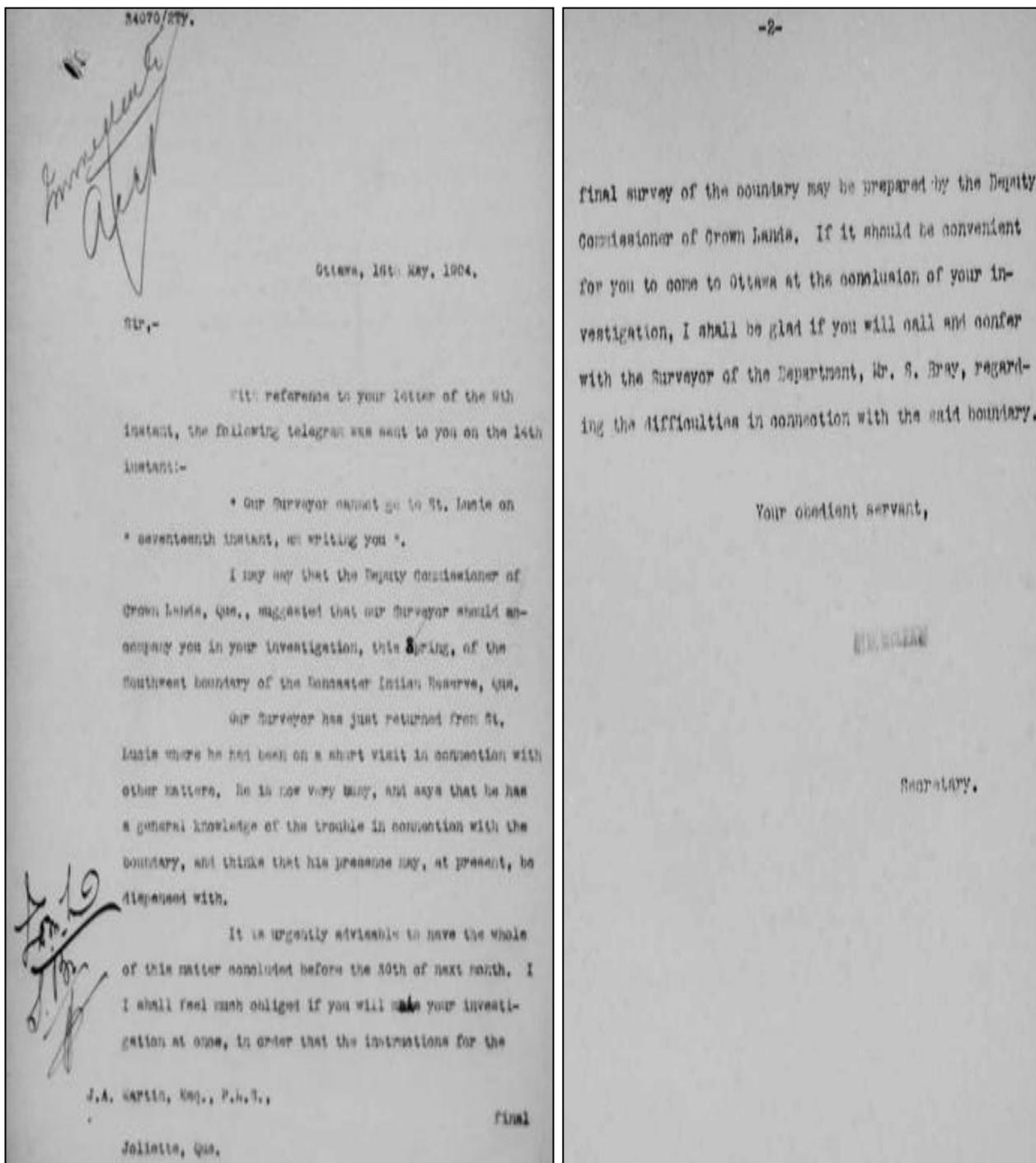
*[in the margin] CK 725 Appd LVK 726
Up to Wednesday afternoon when I left St. Lucie, Mr. Martin, P.L.S., had not arrived.*

S. Bray Chief Surveyor."

[in the margin p. 1] [Recd?] cheques 702 = \$55 x 706 = 100 cancelled 709 = 100 cancelled [??] [in the margin p. 1] [Stamp p.2] Cheque No. 774-776 [\$1286..]? Sent 16 [th May?] 1904 [Stamp p.2]

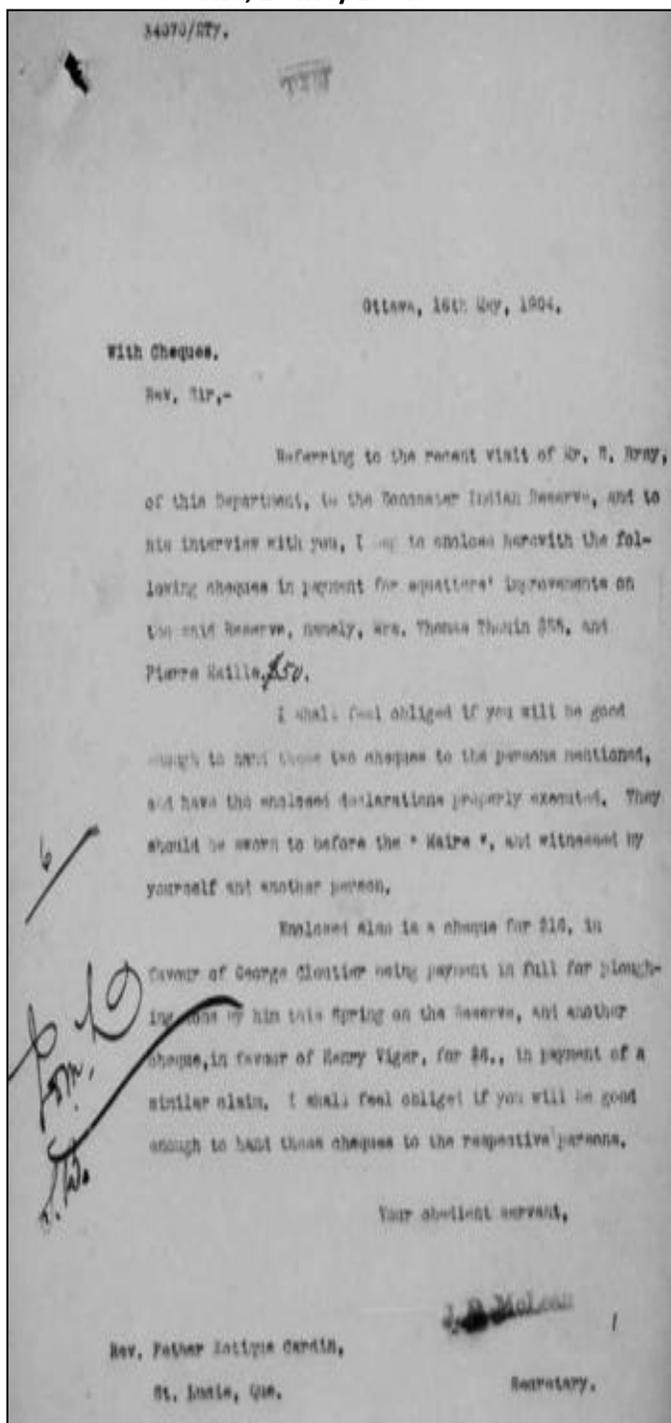
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 199-200 Letter from J.D McLean to **J. Martin Crown Surveyor from Agency of the Department of Lands and Forests and Fisheries of Quebec to J.D. McLean, Secretary of Indian Affairs** exposing surveying problems with certain boundaries, from **16 May 1904**.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 201 J.D. McClean, Secretary of Indian Affairs to, Zotique Cardin, Priest of Ste Lucie, Ottawa, 16 May 1904.



"34070/2Ty

Rev. Father Zotique Cardin, St. Lucie, Que.

Ottawa, 16th May, 1904.

With Cheques.

Rev. Sir,-

Referring to the recent visit of Mr. S. Bray, of this Department, to the Doncaster Indian Reserve, and to his interview with you, I beg to enclose herewith the following cheques in payment for squatters' improvements on the said Reserve, namely, Mrs. Thomas Thouin \$55, and Pierre Maille . \$50.

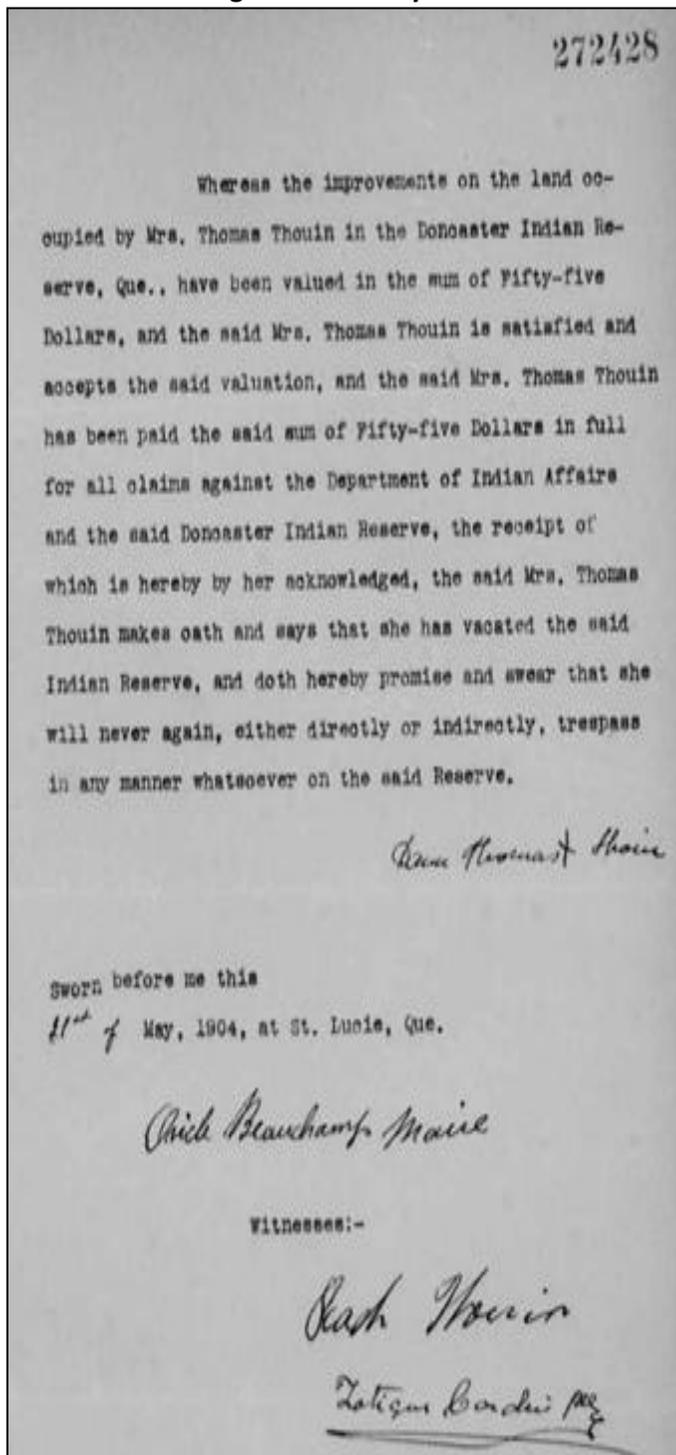
I shall feel obliged if you will be good enough to hand those two cheques to the persons mentioned, and have the enclosed declarations properly executed. They should be sworn to before the "Maire", and witnessed by yourself and another person.

Enclosed also is a cheque for \$16. in favour of George Cloutier being payment in full for ploughing done by him this Spring on the Reserve, and another cheque, in favour of Henry Viger, for \$6., in payment of a similar claim. I shall feel obliged if you will be good enough to hand these cheques to the respective persons.

Your obedient servant,
J.D. McClean
Secretary."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Pages 202 Declaration signed by the widow of squatter Thomas Thouin, Ste Lucie, **21 May 1904**, making oath that they will leave the Reserve and not come back.



"Whereas the improvements on the land occupied by Mrs. Thomas Thouin in the Doncaster Indian Reserve, Que., have been valued in the sum of Fifty-five Dollars, and the said Mrs. Thomas Thouin is satisfied and accept the said valuation, and the said Mrs. Thomas Thouin has been paid the said sum of Fifty-five Dollars in full for all claims against the Department of Indian Affairs and the said Doncaster Indian Reserve, the receipt of which is hereby by her acknowledged, the said Mrs. Thomas Thouin makes oath and says that she has vacated the said Indian Reserve, and doth hereby promise and swear that she will never again, either directly or indirectly, trespass in any manner whatsoever on the said Reserve.

Dame Thomas x Thouin

Sworn before me this
21st of May, 1904, at St. Lucie, Que.

Ovide Beauchamp Maire

Witnesses:-

x Roch Thouin
x Zotique Cardin ptre. "

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

The same Declaration of making oath that squatters will leave the Reserve and not come back happened for:

Pages 203 Declaration signed by squatter Pierre Maillé, Ste Lucie, **21 May 1904, making oath that they will leave the Reserve and not come back.**

For some the declaration was more likely expressed as a clemency in order to receive the last funds due to them for their compensation of the balance due, respectfully, as exposed here:

Pages 204 Declaration signed by squatter Joseph Miron, Ste Lucie, **23 May 1904, making oath that they will leave the Reserve and not come back.**

Je Joseph Miron, par le présent jure avoir évacué
abandonné la Réserve Indienne du Canton de Doncaster
n'ayant pris avec moi que mes animaux et mes biens
meubles, laissant tout le reste tel qu'il était quand en
ma possession; de plus je promets et jure n'avoir plus
et ne plus vouloir avoir chose quelconque au sujet
de la dite Réserve, soit directement soit indirectement,
après le règlement de la présente affaire. Comme tel que
convenu, je suis en mesure de demander respectueusement
au Département des affaires indiennes, que l'on veuille bien
m'adresser la balance due à moi pour les améliorations
et travaux que j'ai faits comme squatter sur la dite
Réserve.

Joseph Miron

Attesté devant moi à Ste Lucie
le Vingt-troisième jour de mai 1904

Ovide Beauchamp Maire

Témoins:
Ecalapha Forget
Zotique Cardin ptre

"Je, Joseph Miron, par le présent jure avoir évacué
abandonné la Réserve Indienne du Canton de Doncaster
n'ayant pris avec moi que mes animaux et mes biens
meubles, laissant tout le reste tel qu'il était quand en
ma possession; de plus je promets et jure n'avoir plus
et ne plus vouloir avoir chose quelconque au sujet
de la dite "Réserve", soit directement soit indirectement,
après le règlement de la présente affaire. Donc, tel que
convenu, je suis en mesure de demander respectueusement
au Département des affaires indiennes, que l'on veuille bien
m'adresser la balance due à moi pour les améliorations
et travaux que j'ai faits comme squatter sur la dite
Réserve".

Joseph x Miron

Attesté devant moi à Ste Lucie
de Doncaster ce vingt-troisième jour de mai 1904

Ovide Beauchamp Maire

Témoins:
Ecalapha Forget

Zotique Cardin ptre"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

For some the declaration was more likely expressed as a clemency in order to receive the last funds due to them for their compensation of the balance due, respectfully, as exposed here:

Pages 205 Declaration signed by squatter Napoleon Constantineau, Ste Lucie, **23 May 1904**, **making oath that they will leave the Reserve and not come back.**

Pages 206 Declaration signed by squatter Isidore Legault, Ste Lucie, **17 May 1904**, **making oath that they will leave the Reserve and not come back.**

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 209 **J.D. McLean Indian Affairs Secretary** send the money in cheques to **Priest Zotique Cardin** in order for him to deliver the said checks to the squatters in order to conclude the present compensations on 26 May 1904.

With Cheques. Ottawa, 26th May, 1904.

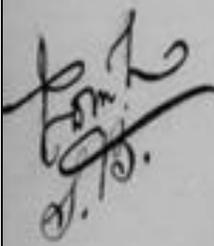
Rev. Sir,-

I beg to acknowledge the receipt of the sworn declarations of Messrs. Isidore Legault, Napoleon Constantineau and Jos. Miron, enclosed with your letter of the 23rd instant, addressed to the Chief Surveyor of this Department.

These squatters having now left the Reserve as shown in their declarations, I, herewith, enclose a cheque in favour of each of them for the amount of the balance due to them respectively for their squatters' improvements, on the Doncaster Indian Reserve, and shall feel obliged if you will be good enough to hand the said cheques to them.

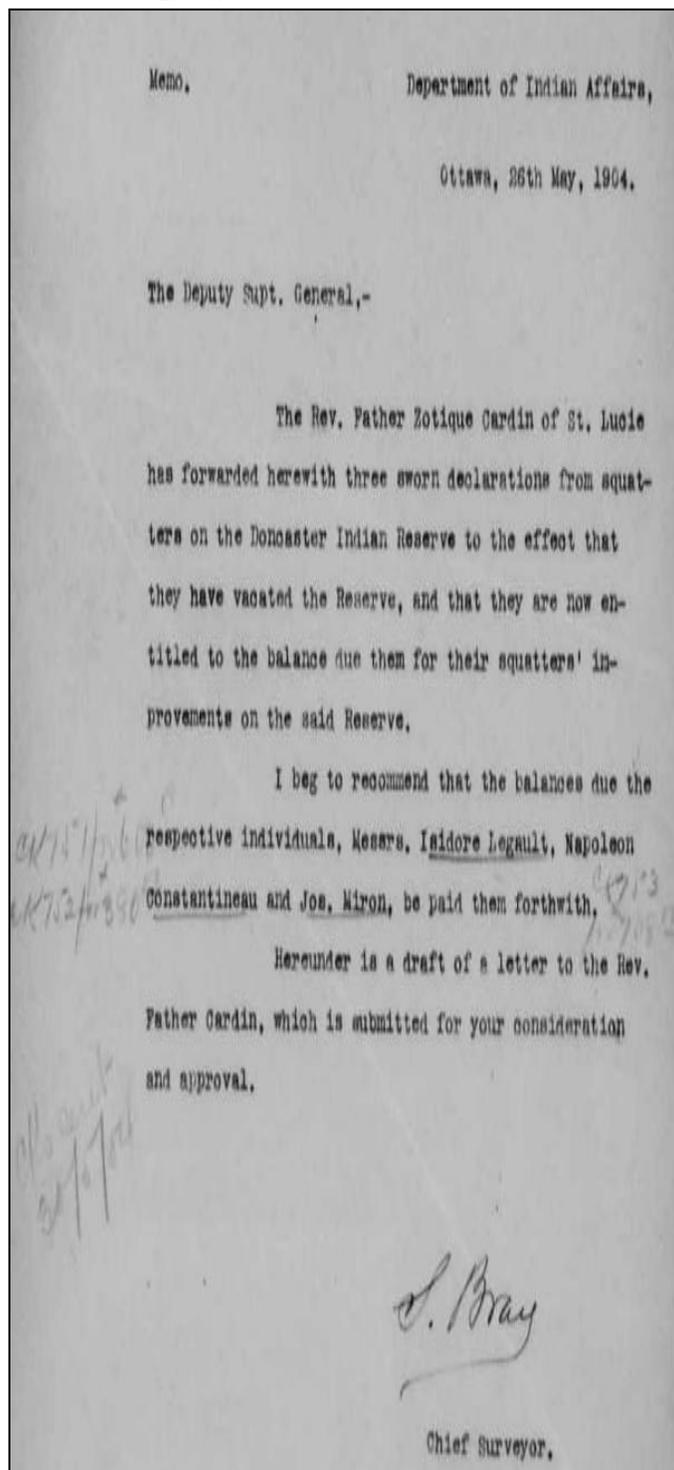
With reference to the last portion of your of your letter, I may say that there is no objection to the squatters taking away rose bushes, plants, rhubarb, flowers, etc., as these are considered to be only trifles. Two, or even three, apple trees may be taken away by a squatter, provided that the trees are very young. If, however, any attempt is made to take away a tree of value, I shall feel obliged if you will be good enough to inform me, and the cheque for the individual at fault will be held until the matter is adjusted.

Rev. Father Cardin, Your obedient servant,
Parish Priest,
St. Lucie, Que. Secretary.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 210 Samuel Bray, Indian Affairs Surveyor, to Superintendent General, Ottawa, 26 May 1904.



No. 34070/2Ty

Memo.

Department of Indian Affairs,
Ottawa, 26th May, 1904.

The Deputy Supt. General,-

The Rev. Father Zotique Cardin of St. Lucie has forwarded herewith three sworn declarations from squatters on the Doncaster Indian Reserve to the effect that they have vacated the Reserve, and that they are now entitled to the balance due for them for their squatters' improvements on the said Reserve.

I beg to recommend that the balances due the respective individuals, Messrs. Isidore Legault, Napoleon Constantineau and Jos. Miron, be paid them forthwith.

Hereunder is a draft of a letter to the Rev. Father Cardin, which is submitted for your consideration and approval.

x S. Bray
Chief Surveyor."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 211-212 extract of the **Book of Reference of a part of the District of Doncaster, Terrebonne County exposing the lots-Livre de Renvois official** annexed in the next letter of **29 May 1904** from the Land Branch's Secretary to J.D. McLean, Indian Affairs Secretary.

Extrait du Livre de renvoi officiel des parties du canton Doncaster, comté de Terrebonne

No. du lot	Nom du propriétaire	Front	Profondeur	Superficie
1 ^{er} Rang.				
28	Joseph Perron	1450	74	107 1
29	id.	1450	74	107 1
30 ^a	id.	Irégulier		21
30 ^b	id.	do		74
2 ^e Rang.				
28	N. Royer	1450	77	111 2
29	La Couronne	1450	77	114 2
30	Joseph Hébert	Irégulier		87
3 ^e Rang.				
28	Louis Pélletier	1450	59	85 2
29	Joseph Rousseau	Irégulier		100
30	Joseph Hébert	do		66
4 ^e Rang.				
28	La Couronne	1450	63	91 1
29 ^a	id.	725	62 60	45 1
29 ^b	id.	725	62 60	45 1
30	id.	1450	62	89 0
5 ^e Rang.				
28 ^a	Moi Fonges	Irégulier		131 00 Pide
28 ^b	P. Meilleur	do		9000
29 ^a	François Ansi	do		75
29 ^b	J.B. Labelle	do		9900
29 ^c	L. Fonges	do		9900
29 ^d	W. Beauchamp	do		7500
29 ^e	J. Fonges	do		32500
29 ^f	N. Fonges	do		9900
29 ^g	La Patrie de St-Louis	do		7 2
29 ^h	H. Lantier	do		5625
29 ⁱ	H. Legault	do		6975
29 ^j	Léon Plouffe	do		32500

(Suite)

No. du lot	Nom du Propriétaire	Front	Profondeur	Superficie
5 ^e Rang.				
29 ^k	J.B. Labelle	Irégulier		9900
30	François Meilleur	do		61 3
6 ^e Rang.				
28	Moise Labelle	1450	68	89 2
29	Charles Leindon	1260	61	82 0
25/5/04 E.H.C.				

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

12

District of Terrebonne, Sub District of Doncaster Ste Lucie 1901 census

The census conducted by Paul Andre, a merchant who emigrated from France pictured 874 Europeans, including: 1 English, 8 French from France, 1 from Belgium, 1 from the USA and 1 Irish.

And then right after, from page 19 to 21, no Mohawks are mentioned. All the land lots on roads attributed to families are listed and the division is still Terrebonne, but the sub-division becomes Ste-Marguerite du Lac Masson and the census was managed by was B. Chartier.

page	Line (for family)	Lots and roads	houses	inh abited	Number of families in	house	number of rooms in the	total of acres	number of barns per families
1	1	Lot 20-road 9	1h		1	4	100	4	
1	6	Lot 19 road-9							
1	11	Lot 17-18 Road-4							
1	20	Lot 16-b Road-4							

These terms are also mentioned instead of numbers for "Lots & Roads" for certain families and/or instances: School district, Village, Renter, Saw mill, Lac Masson's tower.

Origin-wise, they were:

Page 2: 1 English

Page 6: 5 French from France

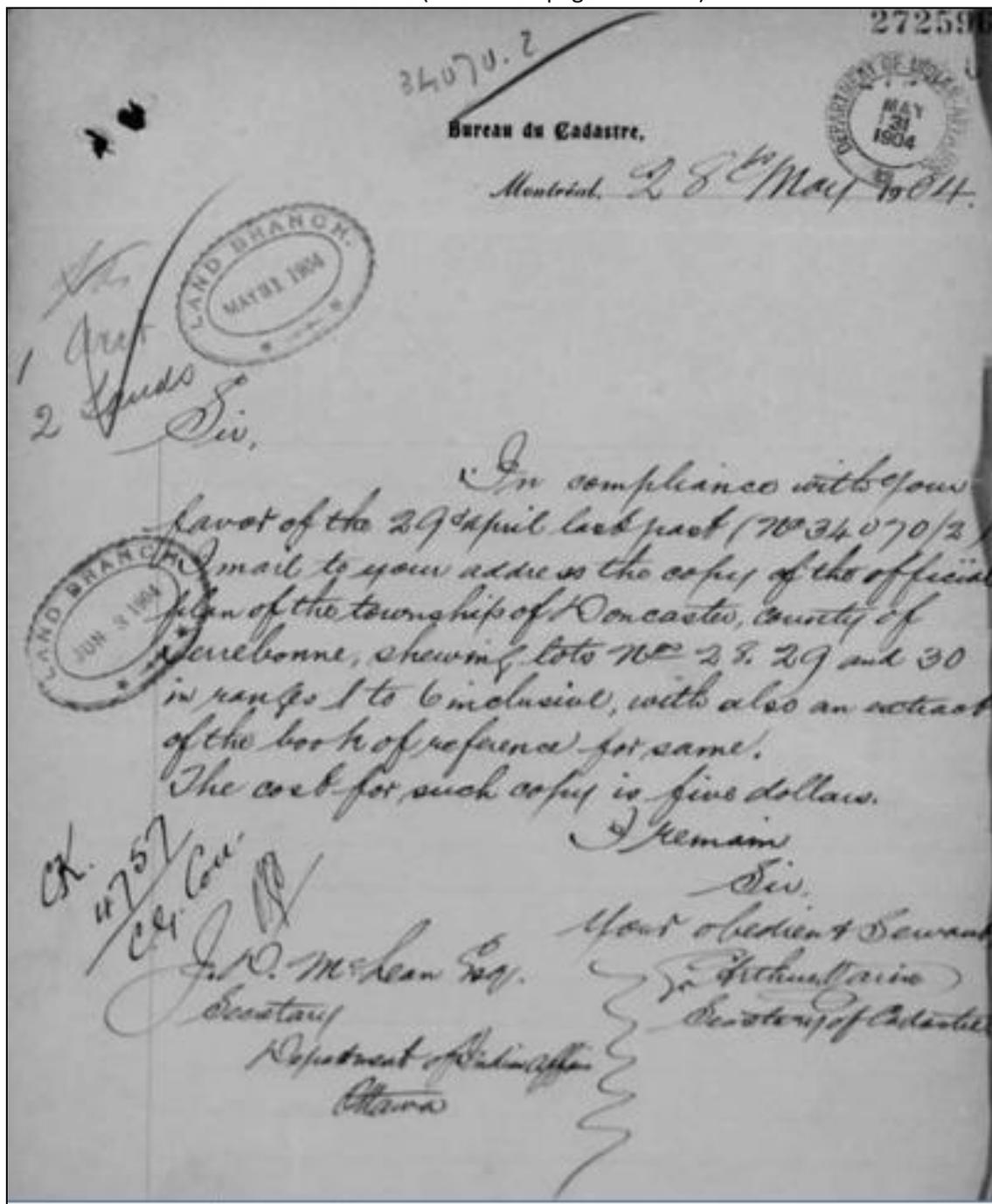
Page 8: 3 French from France

Extract from Eric Pouliot's book online at Library and Archives Canada available online entitled:
*Ste Lucie, Doncaster: Tioweró:ton archives 1851-1921*⁵⁰

⁵⁰ *Ste Lucie, Doncaster: Tioweró:ton archives 1851-1921* from Eric Pouliot's book online at Library and Archives Canada available online: http://epe.lac-bac.gc.ca/100/200/300/eric_pouliot-thisdale/ste_lucie/Ste_Lucie_Doncaster_Tioweroton_archives_1851_to_1921.pdf

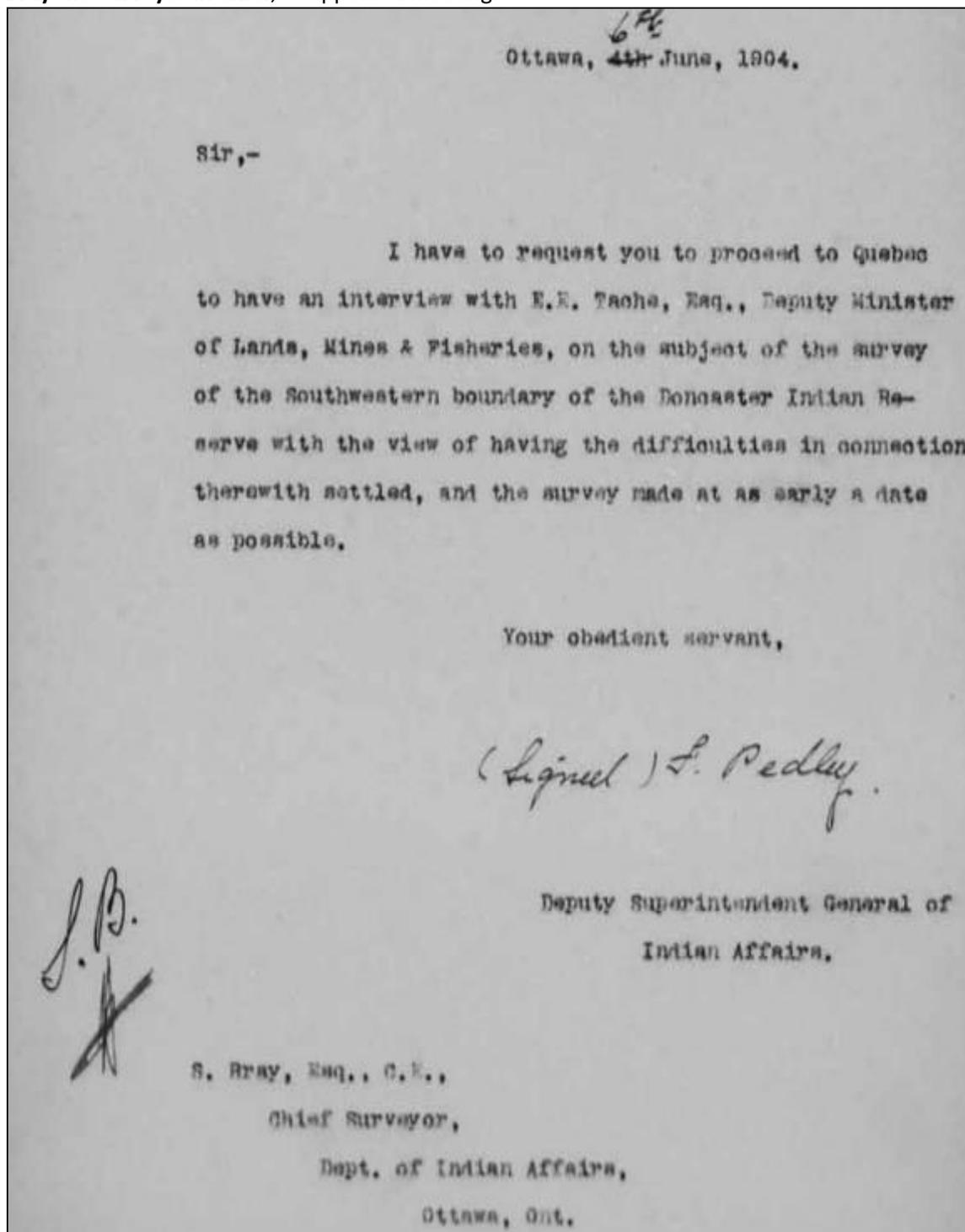
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 213 Letter from the **Secretary of Cadasters of Lands Branch, Arthur Valin** to **J.D. McLean Indian Affairs Secretary** on **28 May 1904** concerning lots 28, 29 and 30 in Ranges 1 to 7 inclusive with an extract of the book of reference (As seen on pages 211-212)



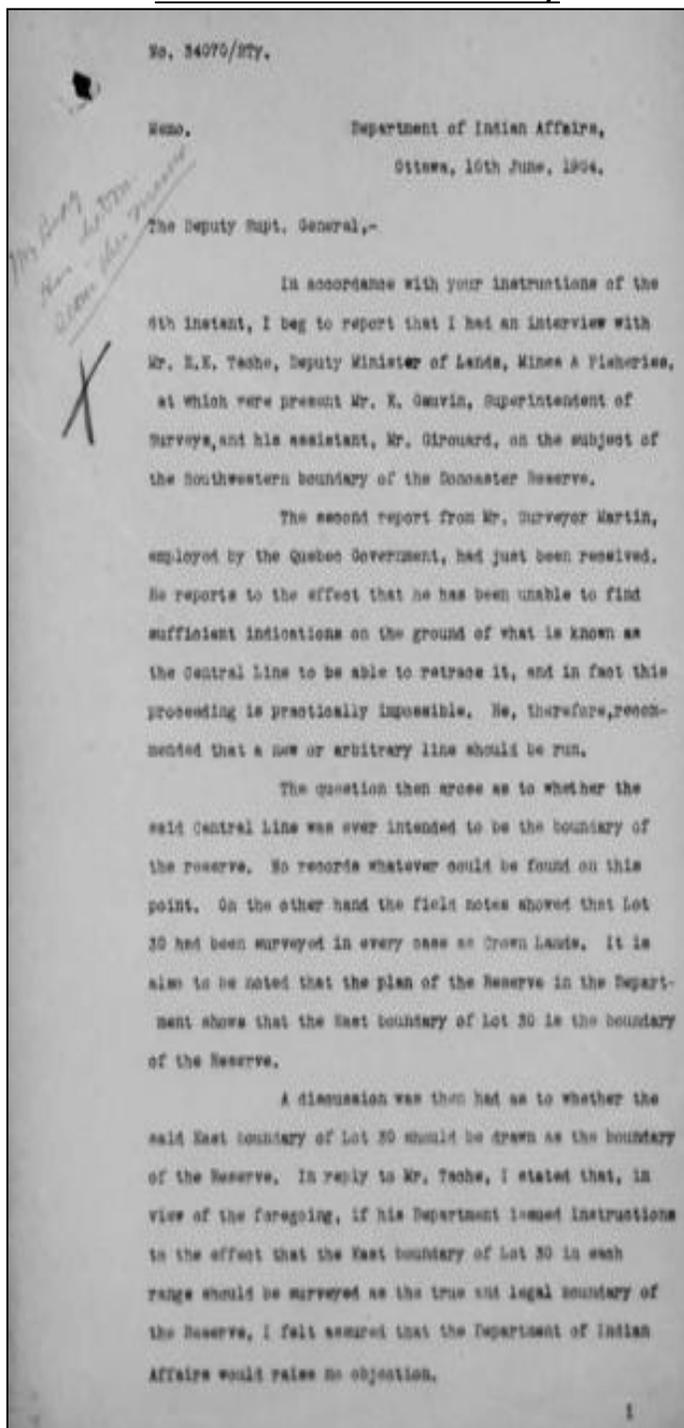
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 214 Letter from **Superintendent General of Indian Affairs, Pedley** from **6 June 1904** to **Bray the Surveyor in Chief**, to appoint a meeting.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 215-216 Memo of **10 June 1904** from **Samuel Bray, Surveyor in Chief** to the **Deputy Superintendent General** on the subject of the South western boundary and as to if "Lot 30 should be drawn as the boundary."



NO 34070/ 2Ty.

Memo

Department of Indian Affairs,
Ottawa, 10 June 1904.

The Deputy Supt. General,-

In accordance with your instructions of the 6th instant, I beg to report that I had interview with Mr. E.E. Tache, Deputy Minister of Lands, Mines & Fisheries, at which were present Mr. Gauvin, Superintendent of Surveys, and his assistant Mr. Girouard, on the subject of the Southwestern boundary of the Doncaster Reserve.

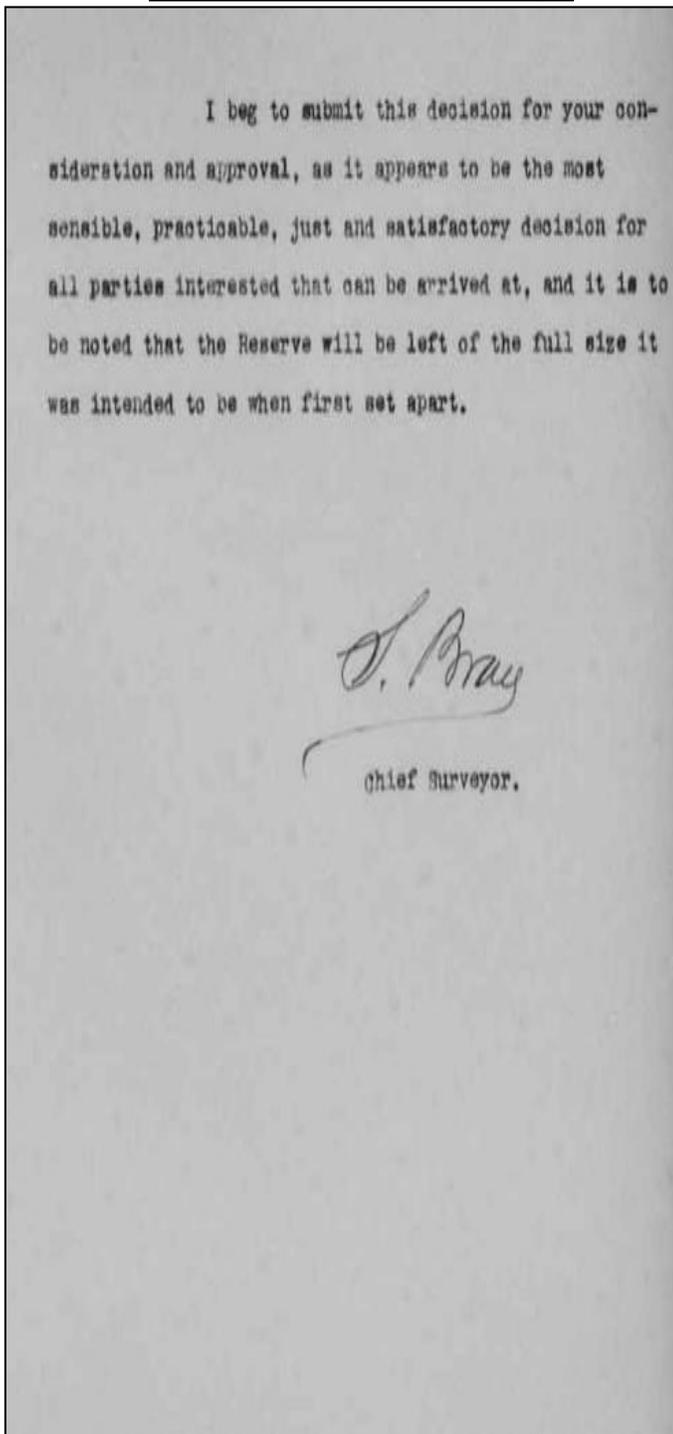
The second report from Mr. Surveyor Martin, employed by the Quebec Government, had just been received. He reports to the effect that he has been unable to find sufficient indications on the ground of what is known as the Central Line to be able to retrace it, and in fact this proceeding is practically impossible. No, therefore, recommended that a new or arbitrary line should be run.

The question then arose as to whether the said Central Line was ever intended to be the boundary of the reserve. No records whatever could be found on this point. On the other hand the field notes showed that Lot 30 had been surveyed in every case as Crown Lands. It is also to be noted that the plan of the Reserve in the Department shows that the East boundary of Lot 30 is the boundary of the Reserve.

A discussion was then had as to whether the said last East boundary of Lot 30 should be drawn as the boundary of the Reserve. In reply to Mr. Tache, I stated that, in view of the foregoing, if his Department issued instructions to the effect that the East boundary of Lot 30 in each range should be surveyed as the true and legal boundary of the Reserve, I felt assured that the Department of Indian Affairs would raise no objections.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 215-216 Memo of **10 June 1904** from **Samuel Bray, Surveyor in Chief** to the **Deputy Superintendent General** on the subject of the South western boundary and as to if "Lot 30 should be drawn as the boundary."



" page 2

I beg to submit this decision for your consideration and approval, as it appears to be the most sensible, practicable, just and satisfactory decision for all parties interested that can be arrived at, and it is to be noted that the Reserve will be left of the full size it was intended to be when first set apart.

x S. Bray,
Chief Surveyor."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 217 (transcribed and translated on page 219) Declaration of Isai Miron, squatter, Ste Lucie, 9 June 1904.

273111

Je Isai Miron, habitant jus arri moi, dans le
la Réserve Indienne du Canton de Doncaster, Ce jour-ci
au. Ceci que mes animaux, et mes biens meubles, dis-
sant tout le reste tel qu'il était quand en ma possession,
après je promets et jure n'avoir plus et ne plus vouloir
avoir chose quelconque au sujet de la dite Réserve, soit
directement soit indirectement après le règlement de
la présente affaire.

Donc tel que convenu, je suis en demeure de demander
respectueusement au Département des affaires indiennes
que l'on veuille bien m'adresser la balance due
à moi pour les améliorations et travaux que j'ai faits
comme "squatter" sur la dite Réserve.

Isai Miron

Assermenté devant moi à Ste Lucie
de Doncaster ce neuvième jour de juin 1904

Ovide Beauchamp Maire

Témoins:
x Léopold André
x Zotique Cardin ptre

"Je, Isai Miron, par le présent jure avoir évacué, abandonné la Réserve Indienne du Canton de Doncaster, n'ayant pris avec moi que mes animaux et mes biens meubles, laissant tout le reste tel qu'il était quand en ma possession; de plus je promets et jure n'avoir plus et ne plus vouloir avoir chose quelconque au sujet de la dite "Réserve", soit directement soit indirectement, après le règlement de la présente affaire.

Donc, tel que convenu, je suis en demeure de demander respectueusement au Département des affaires indiennes, que l'on veuille bien m'adresser la balance due à moi pour les améliorations et travaux que j'ai faits comme "squatter" sur la dite "Réserve".

Isai Miron

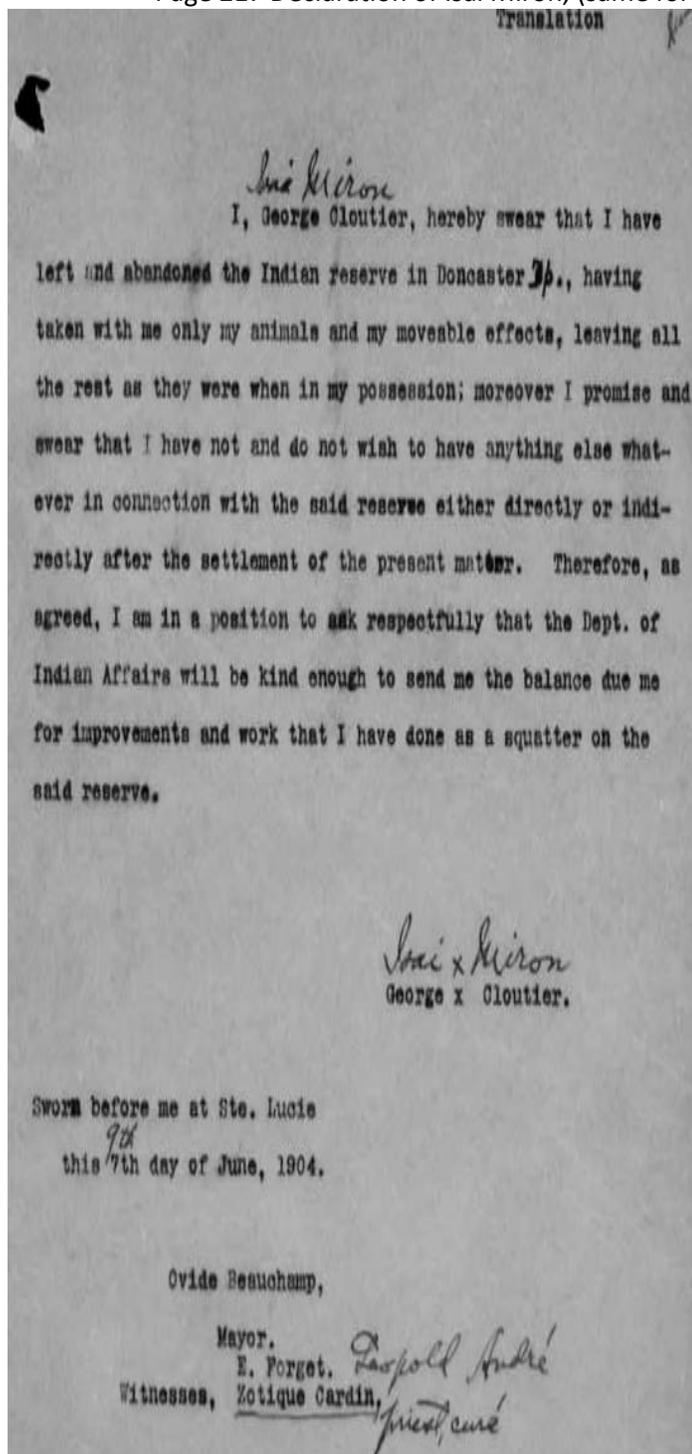
Assermenté devant moi à Ste Lucie
de Doncaster ce neuvième jour de juin 1904

Ovide Beauchamp Maire

Témoins:
x Léopold André
x Zotique Cardin ptre"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 217 Declaration of Isai Miron, (same for George Cloutier) squatter, Ste Lucie, **9 June 1904**.



Isai Miron
"Je, George Cloutier, par le présent jure avoir évacué, abandonné la Réserve Indienne du Canton de Doncaster, n'ayant pris avec moi que mes animaux et mes biens meubles, laissant tout le reste tel qu'il était quand en ma possession; de plus je promets et jure n'avoir plus et ne plus vouloir avoir chose quelconque au sujet de la dite "Réserve", soit directement soit indirectement, après le règlement de la présente affaire.

Donc, tel que convenu, je suis en demeure de demander respectueusement au Département des affaires indiennes, que l'on veuille bien m'adresser la balance due à moi pour les améliorations et travaux que j'ai faits comme "squatter" sur la dite "Réserve".

Isai x Miron

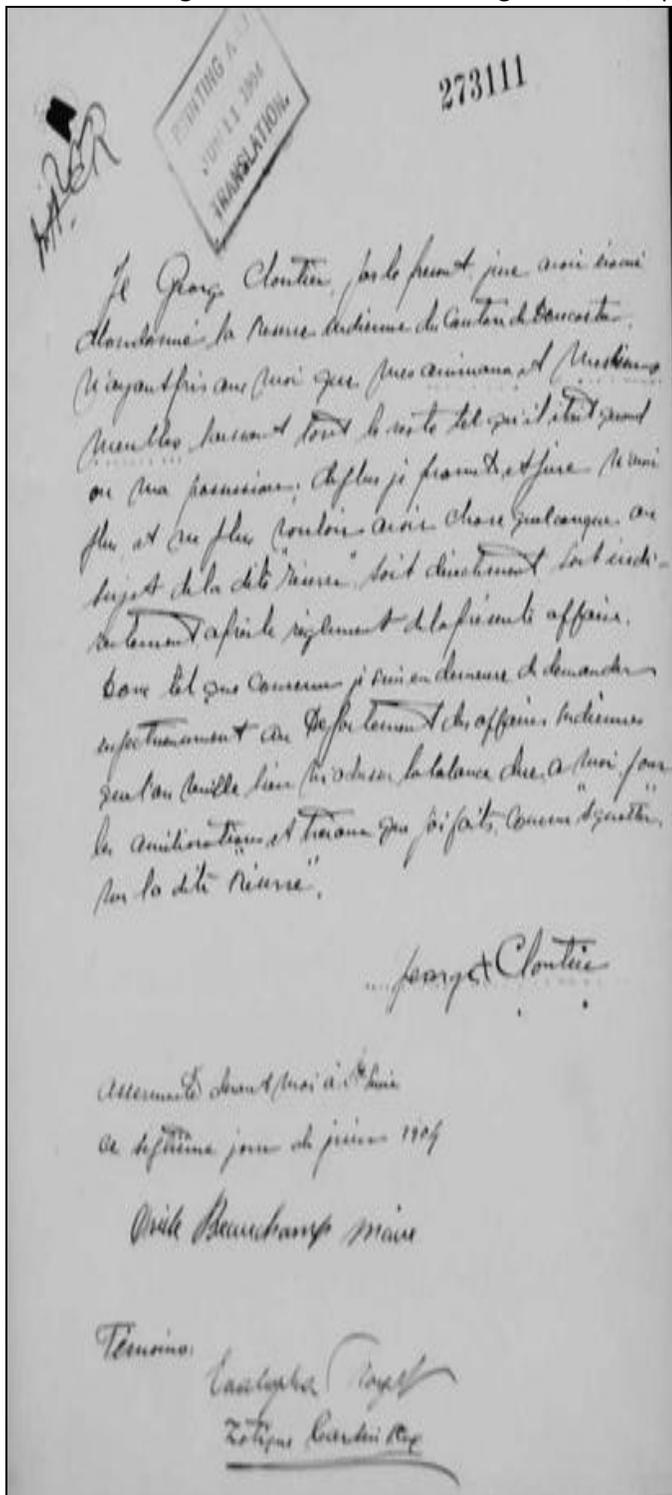
*Assermenté devant moi à Ste Lucie
de Doncaster ce 7th & 9th neuvième jour de juin 1904*

Ovide Beauchamp Maire

*Témoins:
x Léopold André
x Zotique Cardin ptre"*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 218 Declaration of George Cloutier, squatter, Ste Lucie, **7 June 1904**.



"Je, George Cloutier, par le présent jure avoir évacué, abandonné la Réserve Indienne du Canton de Doncaster, n'ayant pris avec moi que mes animaux et mes biens meubles, laissant tout le reste tel qu'il était quand en ma possession; de plus je promets et jure n'avoir plus et ne plus vouloir avoir chose quelconque au sujet de la dite "Réserve", soit directement soit indirectement, après le règlement de la présente affaire. Donc, tel que convenu, je suis en demeure de demander respectueusement au Département des affaires indiennes, que l'on veuille bien m'adresser la balance due à moi pour les améliorations et travaux que j'ai faits comme "squatter" sur la dite "Réserve".

George Cloutier

Assermenté devant moi à Ste Lucie
ce septième jour de juin 1904
Ovide Beauchamp Maire

Témoins: Castopha Roy Forget
Zotique Cardin ptre"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

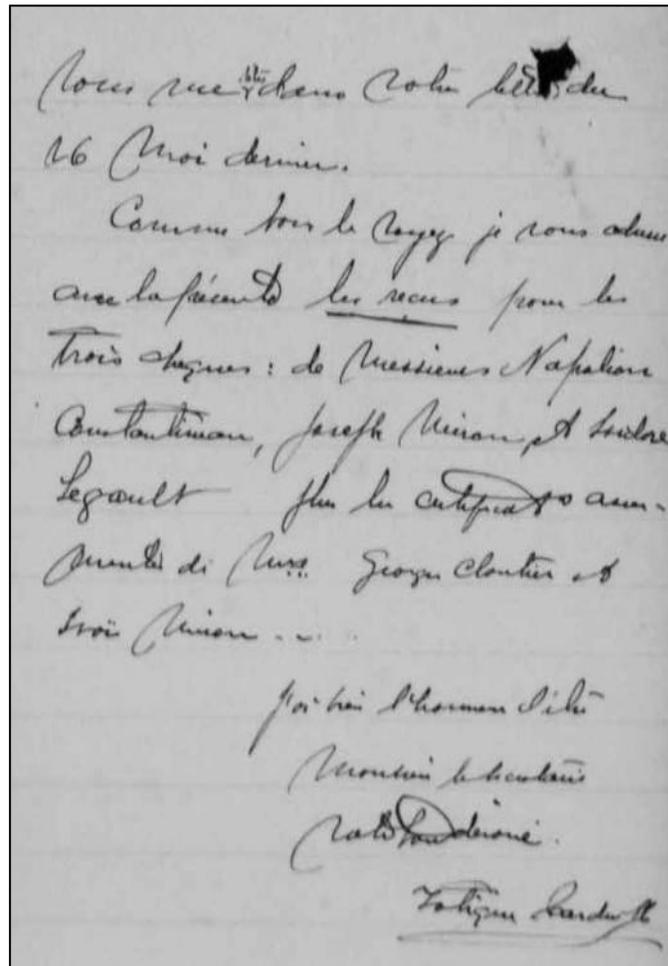
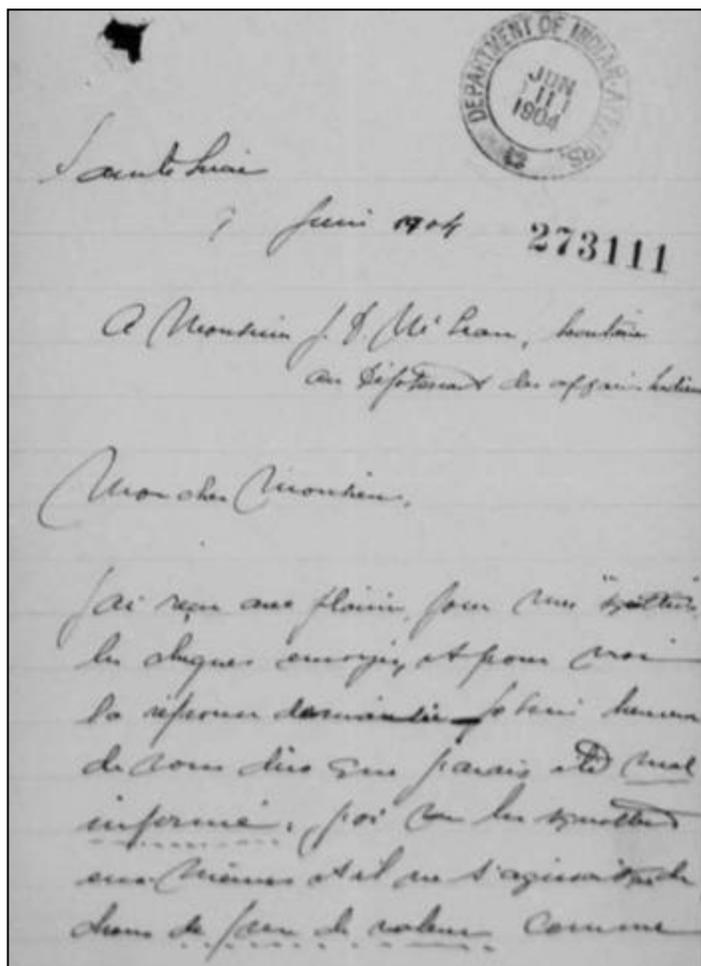
Page 219-220 **Zotique Cardin, Priest of Ste Lucie, to J.D. McLean, Secretary of Indian Affairs, Sainte-Lucie, 9 June 1904.** (Translation pages 221-222)

"Sainte Lucie ? juin 1904 A Monsieur J.D. McLean, Secrétaire au Département des affaires indiennes

Mon cher Monsieur, J'ai reçu avec plaisir, pour mes "squatters", les chèques envoyés, et pour moi la réponse demandée. Je serai heureux de vous dire que j'avais été mal informé. J'ai vu les squatter eux mêmes et il ne s'agissait que de choses de peu de valeur.

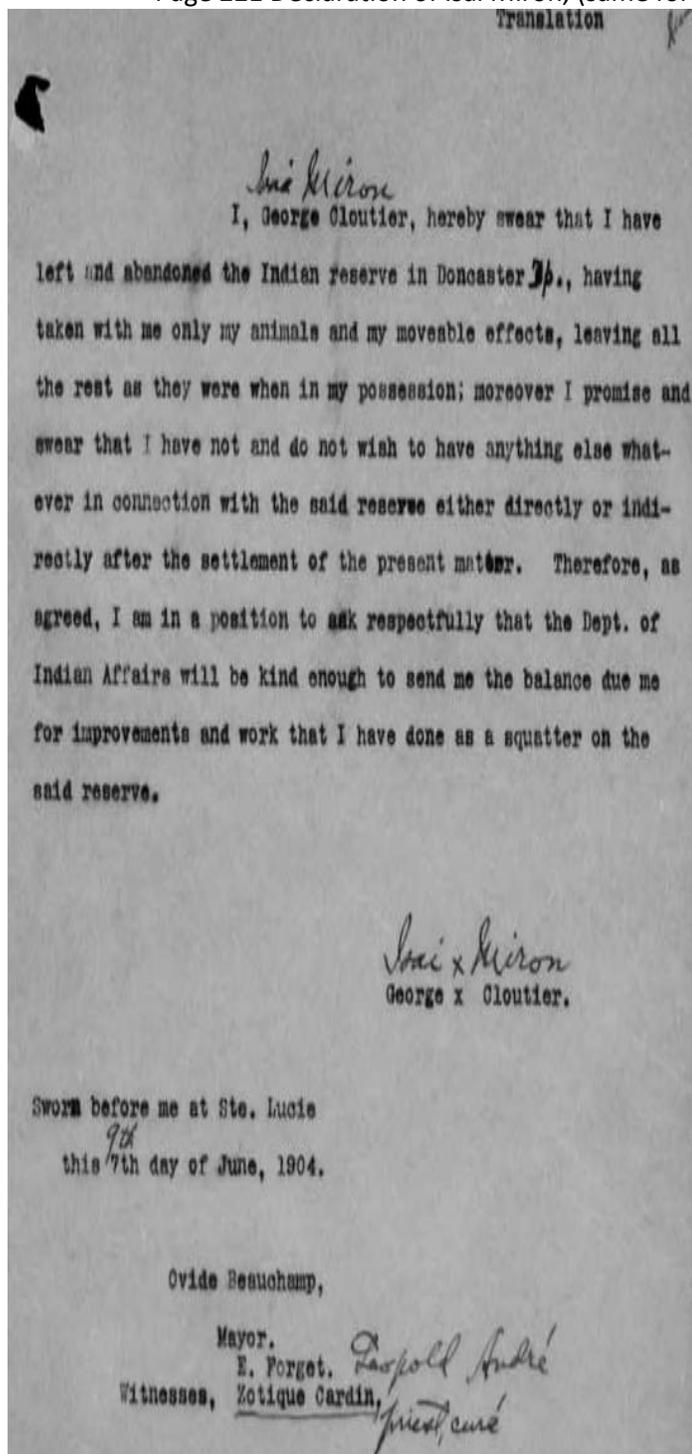
vous me dîtes dans votre lettre du 26 mai dernier. Comme vous le voyez je vous adresse avec la présente [souligné] les reçus [souligné] pour les trois chèques: de messieurs Napoléon Constantineau, Joseph Miron et Isidore Legault [plus?] les certificats assermentés de Mess. George Cloutier et Isai Miron. J'ai l'honneur d'être Monsieur le Secrétaire Votre tou dévoué Zotique Cardin ptre"

Comme



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 221 Declaration of Isai Miron, (same for George Cloutier) squatter, Ste Lucie, **9 June 1904**.



Isai Miron
"I, George Cloutier, hereby swear that I have left and abandoned the Indian Reserve in Doncaster [?], having taken with me only my animals and my moveable effects, leaving all the rest as they were when in my possession; moreover I promise and swear that I have not and do not wish to have anything else whatever in connection with the said reserve either directly or indirectly after the settlement of the present matter. Therefore, as agreed, I am in a position to ask respectfully that the Dept. of Indian Affairs will be kind enough to send me the balance due me for improvements and work that I have done as a squatter on the said reserve.

Isai x Miron
George X Cloutier

Sworn before me at Ste. Lucie
thi 7th & 9th day of June 1904

Ovide Beauchamp Mayor

witnesses:
x Léopold André
x Zotique Cardin ptre"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 222-223 **Zotique Cardin, Priest of Ste. Lucie**, to **J.D. McLean, Secretary of Indian Affairs**, Sainte-Lucie, **9 June 1904** (Translation pages 221-222)

Department of Indian Affairs, *Translation*
 Ottawa, _____ 190__
 Ste. Lucie, June 9, 1904

J.D. McLean, Esq.,
 Secretary, Dept. of I.A.

My Dear Sir,-

I received with pleasure for my squatters the cheques sent, and I am happy to see that I had been misinformed: I have seen the squatters themselves and it was only in regard to matters of small value as you told me in your letter of May 26 last.

As you will observe, I send you herewith the receipts for the three cheques - for Messrs. Napoleon Constantineau, Joseph Miron and Isidore Legault, also sworn certificates from

"Sainte Lucie June 9, 1904

J.D. McLean, Esq.,
 Secretary Dept of I.A.

My Dear Sir,-

I received with pleasure for my "squatters", the cheques sent, and I am happy to see that I had been misinformed. I received the squatters themselves and it was only in regard to matters of small value as you told me in your letter of May 26 last.

As you will observe, I sent you herewith the receipt for the three cheques - for messrs Napoleon Constantineau, Joseph Miron and Isidore Legault also sworn certificats from messrs Geo Cloutier and Isai Miron I have, etc.,
 Zotique Cardin, P.C."

Department of Indian Affairs,
 (2)
 Ottawa, _____ 190__

Crosses. Geo. Cloutier and Isai Miron.

I have, &c.,
 Zotique Cardin, P.C.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 224 Minuterics of the Caughnawaga Council **27 May 1904** about boundaries of Sault St. Louis as well as Doncaster. (Note below: "Agent covering letter dated **9th June 1904.**")

EXTRACT.
ORIGINAL ON
275,082

273200
34070

Extract :-

Translation:

At a meeting of the Caughnawaga Council held at the council-hall the 27th day of May, 1904, at 10 A. M., J. Blain, Agent, presiding, assisted by J. W. Jocks, Interpreter, there were present the whole council.

Lafayette

1. Moved by Cr. John Beauvais, seconded by Cr. Charles Williams, and resolved to ask the Dept. to be kind enough to have the lines re-run over all points of the reserve and of the Seignior of Sault St. Louis, as well as of the Doncaster reserve, so as to establish correctly the boundaries, in order to facilitate the proof of encroachment, inasmuch as these boundaries have in great part disappeared, and the boundary marks become unknown.

X X X X

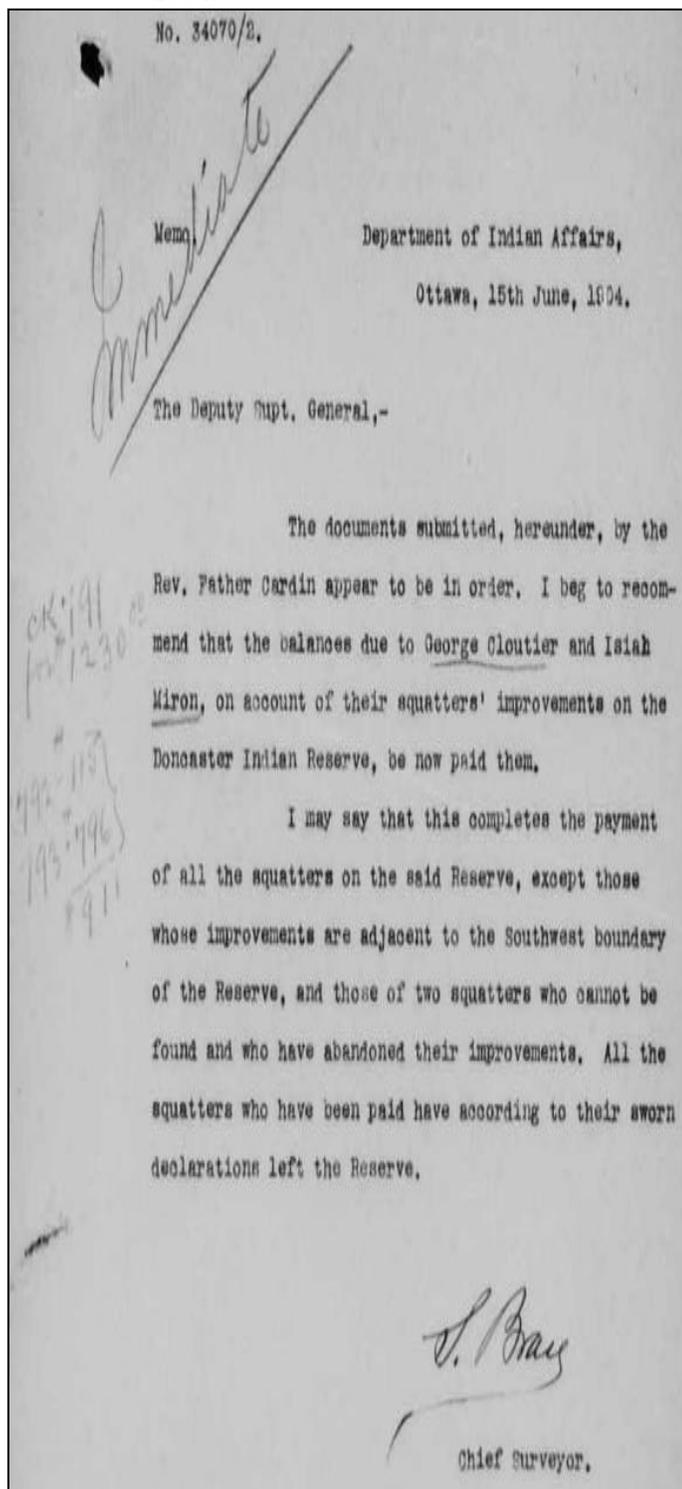
X X his X X
J. B. X Daillebout,
mark
Chief Councillor.

A true extract,
J. Blain,
Agent.

*Agent's covering letter dated
9th June 1904*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 225 **Samuel Bray Surveyor to Superintendent General of Indian Affairs from 15 June 1904.**



No. 34070/2.
Memo.

Department of Indian Affairs
Ottawa, 15th June, 1904

The Deputy Supt. General,-

The documents submitted, hereunder, by the Rev. Father Cardin appear to be in order. I beg to recommend that the balances due to George Cloutier and Isiah Miron, on account of their squatters' improvements on the Doncaster Indian Reserve, be now paid them.

I may say that this completes the payment of all the squatters on the said Reserve, except those whose improvements are adjacent to the Southwest boundary of the Reserve, and those of two squatters who cannot be found and who have abandoned their improvements. All the squatters who have been paid have according to their sworn declarations left the Reserve.

x S. Bray

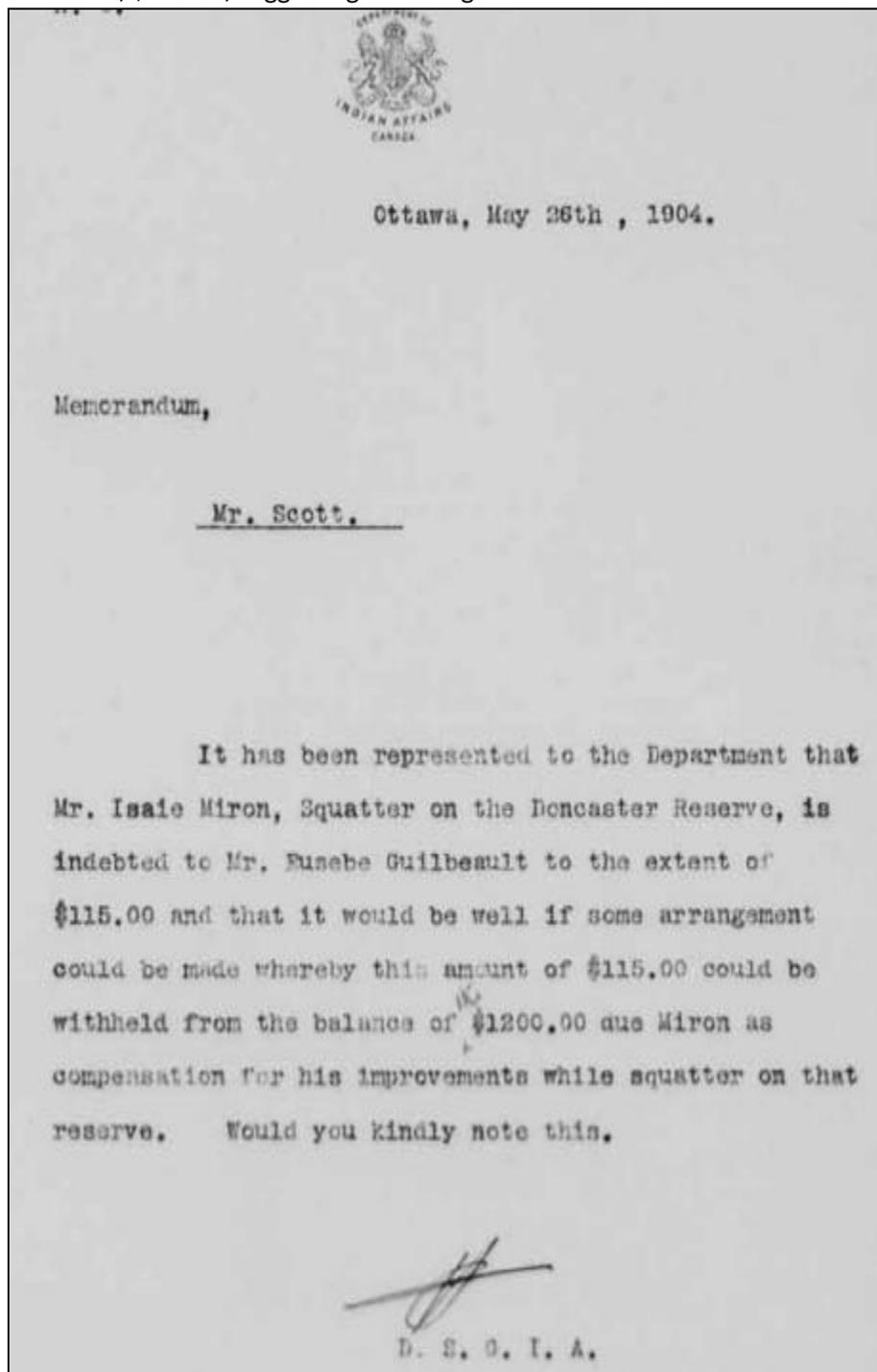
Chief Surveyor

[hand written note on the left side]

Immediate CK 791 for \$1230.00 CK 792 \$115 793 \$796 \$911

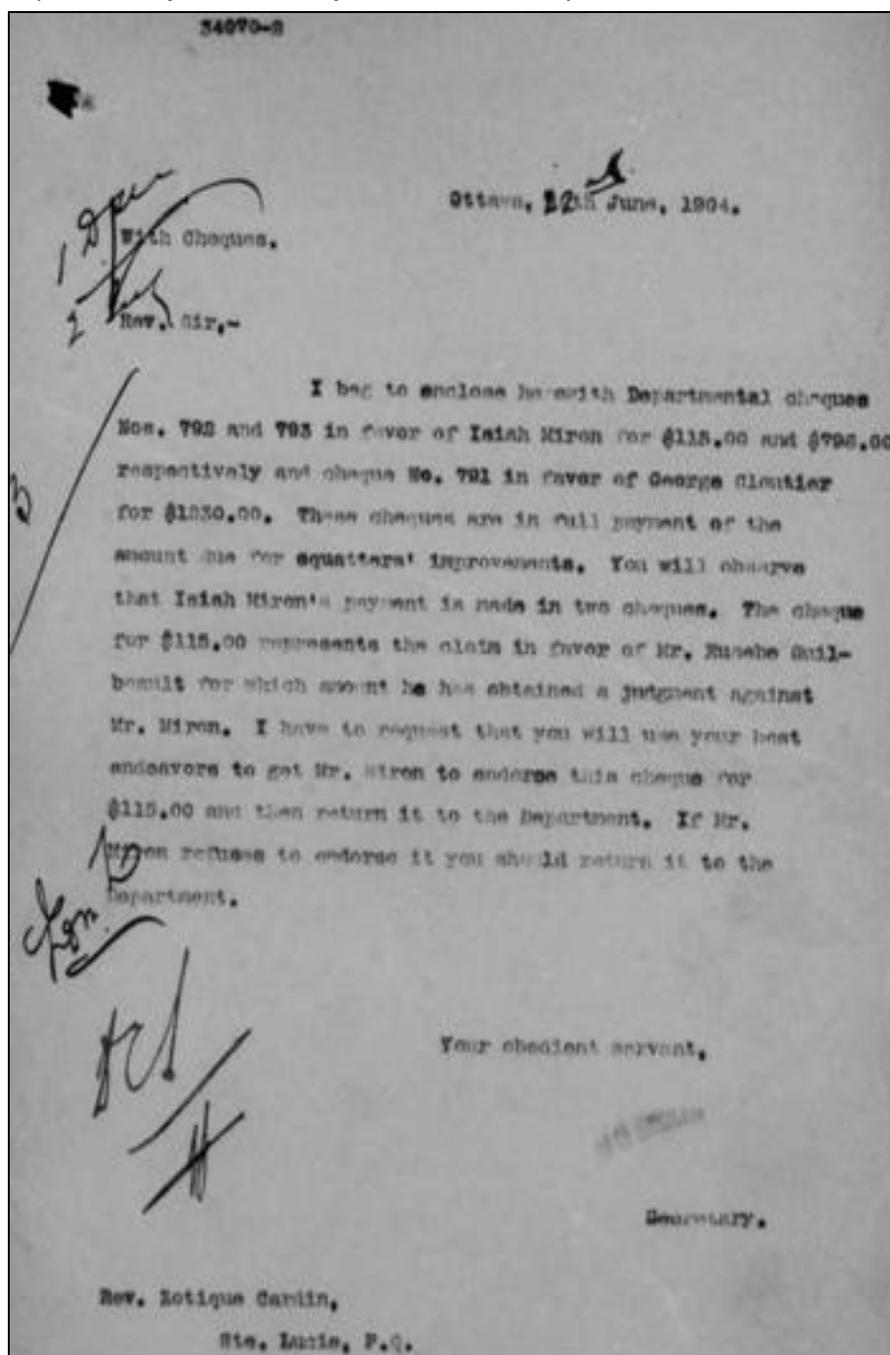
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 226-227 (page 227 is a copy) Memorandum from **Deputy Superintendent General of Indian Affairs, Mr Scott** from **26 May 1904** about sums owed by Isaie Miron to Eusebe Guilbeault, \$115.00, suggesting an arrangement.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 228 Letter of **22 June 1904** from **J.D. McLean, Secretary of Indian Affairs** to reverent **Zotique Cardin** exposing that in order to get back the due sums, he is asking him to *“use your best endeavour to get Mr. Miron to endorse this cheque for \$115.00 and then return it to the Department. If Mr. Miron refuses to endorse it, you should return it to the Department.”*



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 229 In a letter from **20 June 1904**, **J. Waniente Jocks** in Caughnawaga asks **J.D. McLean, Secretary of Indian Affairs** if all white intruders received their compensations, putting emphasis on a man owning a butter factory and the hotel keeper. **Jocks** mentions that they will leave when they will get compensated, and asks when will the Department fulfill this last task in the matter. (answered on page 231)

3401
 Caughnawaga. 20th June 1904.
 J.D. McLean Esq.
 Secretary, Dep^t. Indian Affairs.
 Ottawa.
 JUN 21 1904
 DEPT. OF INDIAN AFFAIRS
 Dear Sir:-
 Have the whites, intruders into the Doncaster Reserve, all received compensation for their improvements?
 I allude more particularly to the man who has a butter factory and to the hotel keeper who occupy about six hundred acres on this Reserve; this spring they have not sown and refuse to vacate the land, on the ground that they have not been compensated.
 I am directed by members of this Band to ask you this information. These parties desire to settle on the lands occupied by the whites and will leave, on receipt of your reply.
 Yours truly,
 J. Waniente Jocks.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 229 In a letter from **20 June 1904, J. Waniente Jocks** in Caughnawaga asks **J.D. McLean, Secretary of Indian Affairs** if all white intruders received their compensations, putting emphasis on a man owning a butter factory and the hotel keeper. **Jocks** mentions that they will leave when they will get compensated, and asks when will the Department fulfill this last task in the matter. . (answered on page 231)

The butter factory is of course quite potentially Israel Thouin since he is mentioned in this undated document entitled: *Statement giving names of squatters on the Doncaster Reserve, the extent of their holdings, and an estimate of improvements.*

(1) **Israel Thouin** purchased fifteen years ago from F. Menard and H. Deslauriers, who appeared to have been original squatters, their right to 350 acres on the Reserve for which he paid \$1,050.00. He has 120 acres broken, a good house, barns, stables, shed and fences, and a cheese and **butter factory**. He values his improvements at \$3,000.00 which appears to be within the mark. The land was first squatted upon forty years ago.

As for the hotel keeper, he is quite potentially

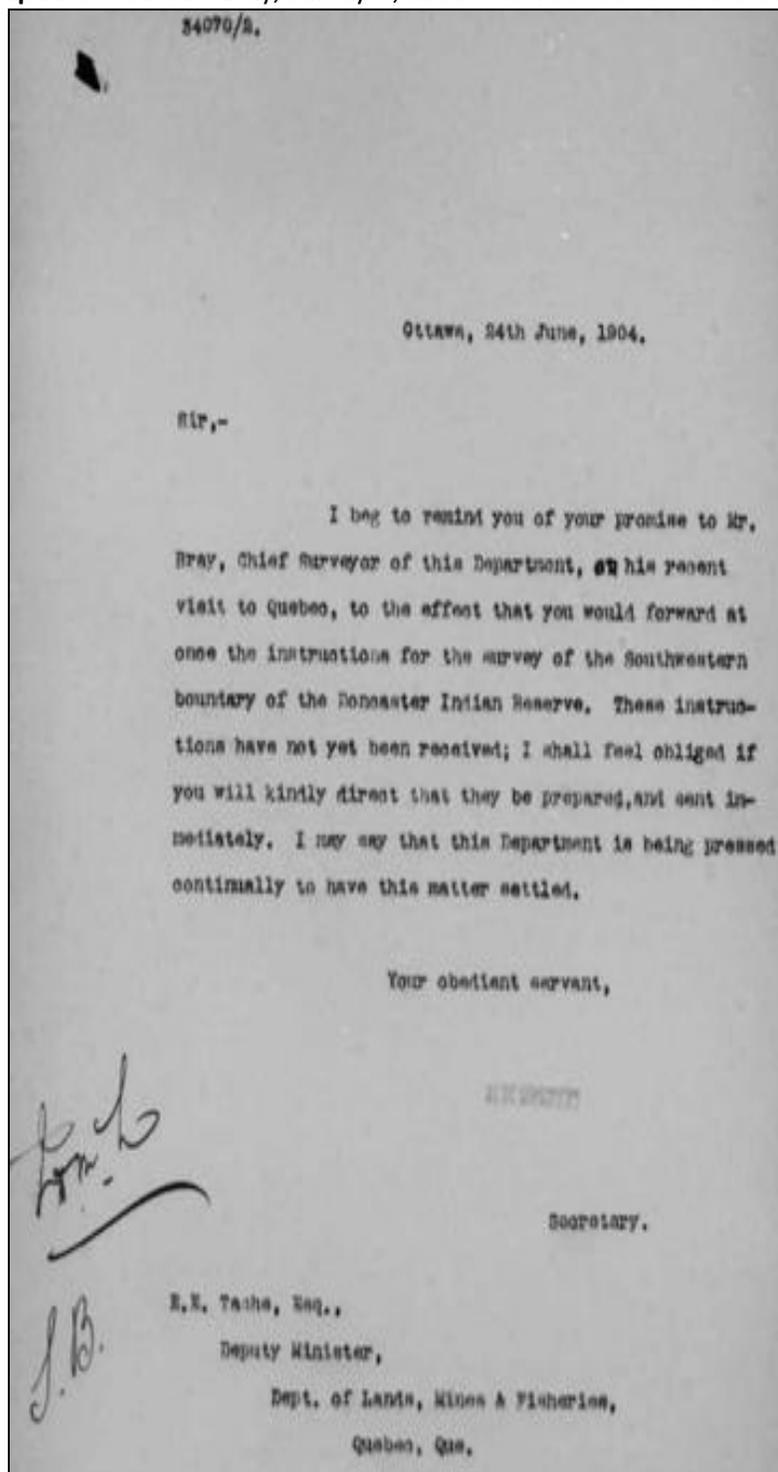
(11)**Rock Thouin** claims 450 acres which he bought 20 years ago from B. Gauthier, L. Pelletier, N. Pelletier and Noe Forget for \$200.00, the land having been held for from five to ten years previously. He has 300 acres broken and fenced, a large barn and stable. All the land is cleared and he values his improvement at \$4,000.00. He does not live on the reserve. He is a **hotel keeper** in the village of St Lucie.

He is also mentioned in a report from **Samuel Bray Surveyor** from **22 April 1903**:

<i>Ottawa, 22nd April, 1903</i>	
<i>Detailed Statement.</i>	
<i>Valuations of improvements of squatters of the Doncaster Indian Reserve, P.Q.</i>	
<i>I. Israel Thouin</i>	
<i>Lives at the Northwest angle of the reserve. The boundary line is here indefinite. It is quite probable that all the buildings and a great portion of the clearing are not on the reserve.</i>	
<i>Log house on stone foundation, clapboarded in front and one side, plastered and well finished, 31 ½ X 29 ½; driving shed 41 X 25. The house and shed together</i>	<i>\$1000.</i>
<i>Barn 65 X 42 very good</i>	<i>400.</i>
<i>Butter factory building, 30 X 22</i>	<i>100.</i>
<i>62 acres cleared and well fenced</i>	<i>930.</i>
<i>Orchard</i>	<i>75.</i>
<i>Clearing on Range 5</i>	<i>100.</i>
<i>Allowed for moving butter making machinery</i>	<i>150.</i>
<i>Allowed for water conduit and special fencing</i>	<i>245.</i>
	<i>\$3,000</i>
<i>This is the amount Mr. Israel Thouin gave Mr. McKenna, and appears to be a very fair valuation.</i>	

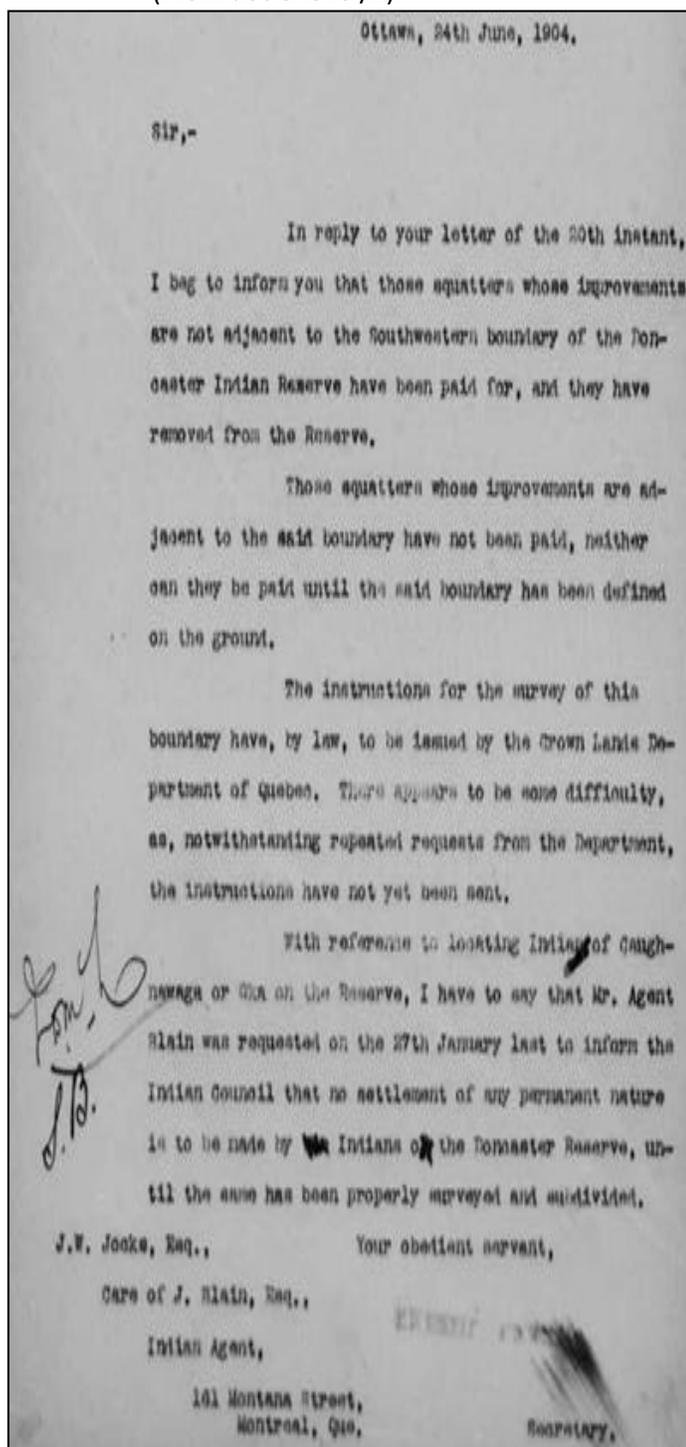
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 230 Letter of **22 June 1904** from **J.D. McLean, Secretary of Indian Affairs** asking for an **update** to Samuel Bray, Surveyor, about the instructions of the Southwestern boundary.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 231 Letter of **22 June 1904** from **J.D. McLean, Secretary of Indian Affairs** answering the letter from **20 June 1904**, by **J. Waniente Jocks** on behalf of the Caughnawaga Council.
(From doc 34070 /2)



"Ottawa, 24th June, 1904.

Sir,-

In reply to your letter of the 20th instant, I beg to inform you that those squatters whose improvements are not adjacent to the Southwestern boundary of the Doncaster Indian Reserve have been paid for, and they have removed from the Reserve.

Those squatters whose improvements are adjacent to the said boundary have not been paid, neither can they be paid until the said boundary has been defined on the ground.

The instructions for the survey of this boundary have, by law, to be issued by the Crown Lands Department of Quebec. There appears to be some difficulty, as, notwithstanding repeated requests from the Department, the instructions have not yet been sent.

With reference to locating Indians of Caughnawaga or Oka on the Reserve, I have to say that Mr. Agent Blain was requested on the 27th January last to inform the Indian Council that no settlement of any permanent nature is to be made by Indians on the Doncaster Reserve, until the same has been properly surveyed and subdivided.

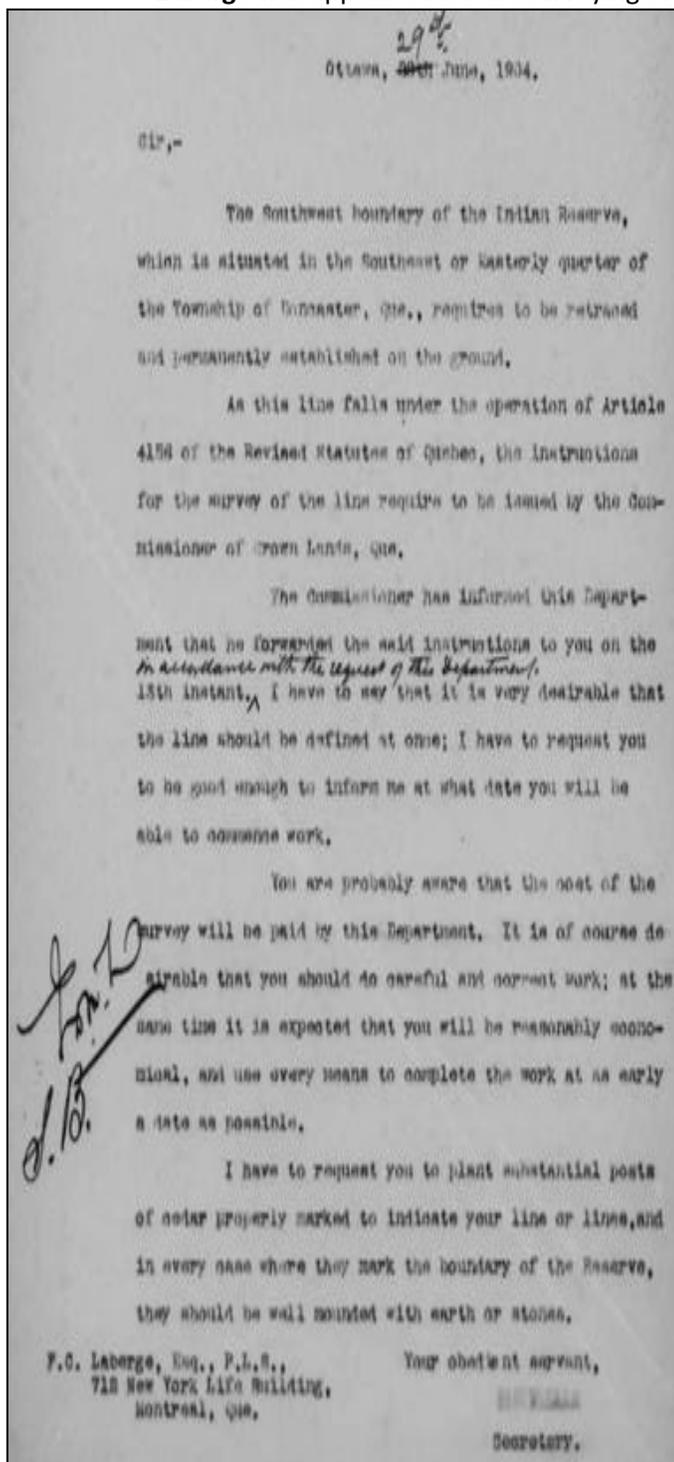
*Your obedient Servant,
J.D. McLean Secretary*

*J.W. Jocks, Esq.,
Care of J. Blain, Esq.,
Indian Agent,*

*161 Montana street,
Montreal, Que."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 232 Letter of **29 June 1904** from **J.D. McLean, Secretary of Indian Affairs** to Mr **F.C. Laberge** was appointed for the surveying of the Doncaster Reserve. (From doc 34070 /2)



"Ottawa, 29 June, 1904.

Sir,-

The Southwest boundary of the Indian Reserve, which is situated in the Southeast or Easterly quarter of the Township of Doncaster, que., requires to be retraced and permanently established on the ground.

As this line falls under the question of Article 4156 of the Revised Statutes of Quebec, the instructions for the survey of the line require to be issued by the Commissioner of Crown Lands, Que.

The Commissioner has informed this Department that he forwarded the said instructions to you on the 15th instant in accordance with the request of the Department.

I have to say that it is very desirable that the line should be defined at once; I have to request you to be good enough to inform me at what date you will be able to commence work.

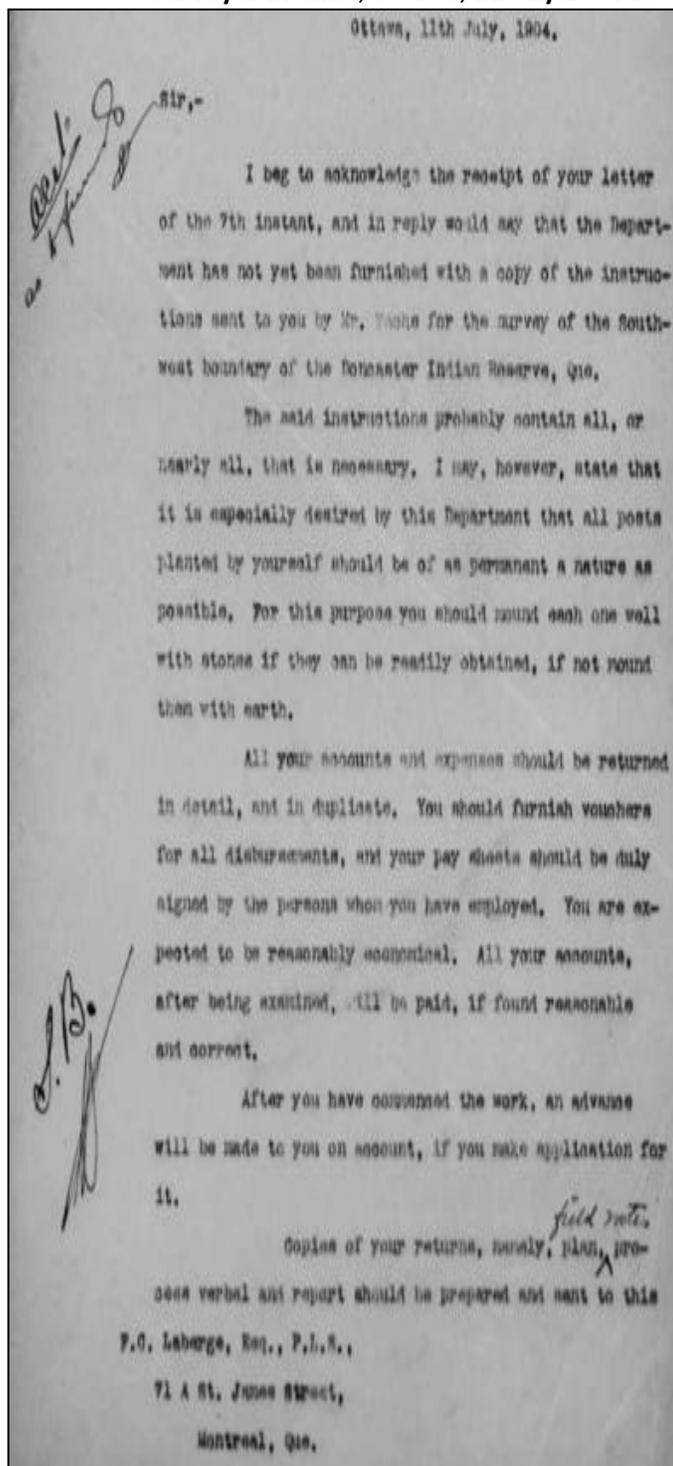
You are probably aware that the cost of the survey will be paid by this Department. It is of course desirable that you should do careful and correct work; at the same time it is expected that you will be reasonably economical, and use every means to complete the work at as early a date as possible.

I have to request you to plant substantial posts of cedar properly marked to indicate your line or lines, and in every case where they mark the boundary of the Reserve, they should be well mounded with earth and stones.

Your obedient servant,
J.D. McLean
Secretary."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 233-234 (From doc 34070 /2) **J.D. McLean, Secretary of Indian Affairs** to, **F.C. Laberge, Surveyor in Chief, Ottawa, 11 July 1904** about the management and agenda of the survey.



*"F.C. Laberge Esq., P.L.S.
71 A St. James Street
Montreal, Que.*

Ottawa, 11th July, 1904.

Sir,-

I beg to acknowledge the receipt of your letter of the 7th instant, and in reply would say that the Department has not yet been furnished with a copy of the instructions sent to you by Mr. Taché for the survey of the South-west boundary of the Doncaster Indian Reserve, Que.

The said instructions probably contain all, or nearly all, that is necessary. I may, however, state that it is especially desired by this Department that all posts planted by yourself should of as permanent a nature as possible. For this purpose you should mound each one well with stones if they can be readily obtained, if not mound them with earth.

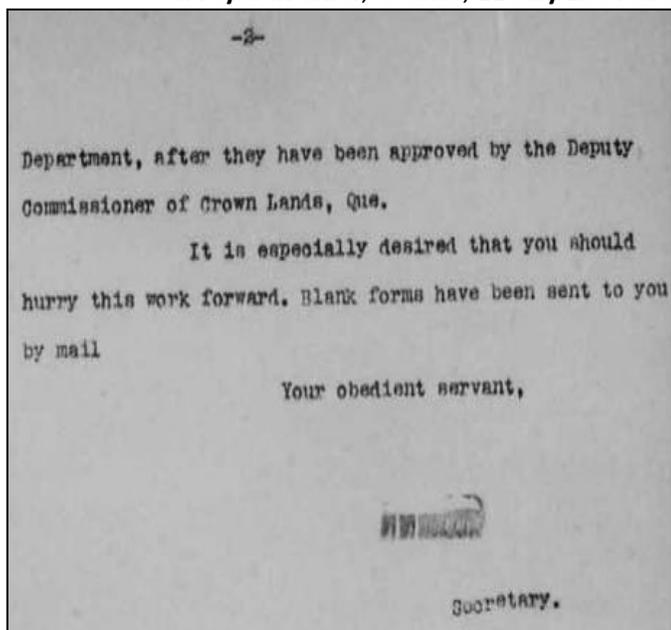
All your accounts and expenses should be returned in detail, and in duplicate. You should furnish vouchers for all disbursements, and your pay sheets should be duly signed by the persons whom you have employed. You are expected to be reasonably economical. All your accounts, after being examined, will be paid, if found reasonable and correct.

After you have commenced the work, an advance will be made to you on account, if you make application for it.

Copies of your returns, namely field notes, plan, process verbal and report should be prepared and sent to this..."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 233-234 (From doc 34070 /2) **J.D. McLean, Secretary of Indian Affairs** to, **F.C. Laberge, Surveyor in Chief, Ottawa, 11 July 1904** about the management and agenda of the survey.



"...Department, after they have been approved by the Deputy Commissioner of Crown Lands, Que.

It is especially desired that you should hurry this work forward. Blank forms have been sent to you by mail.

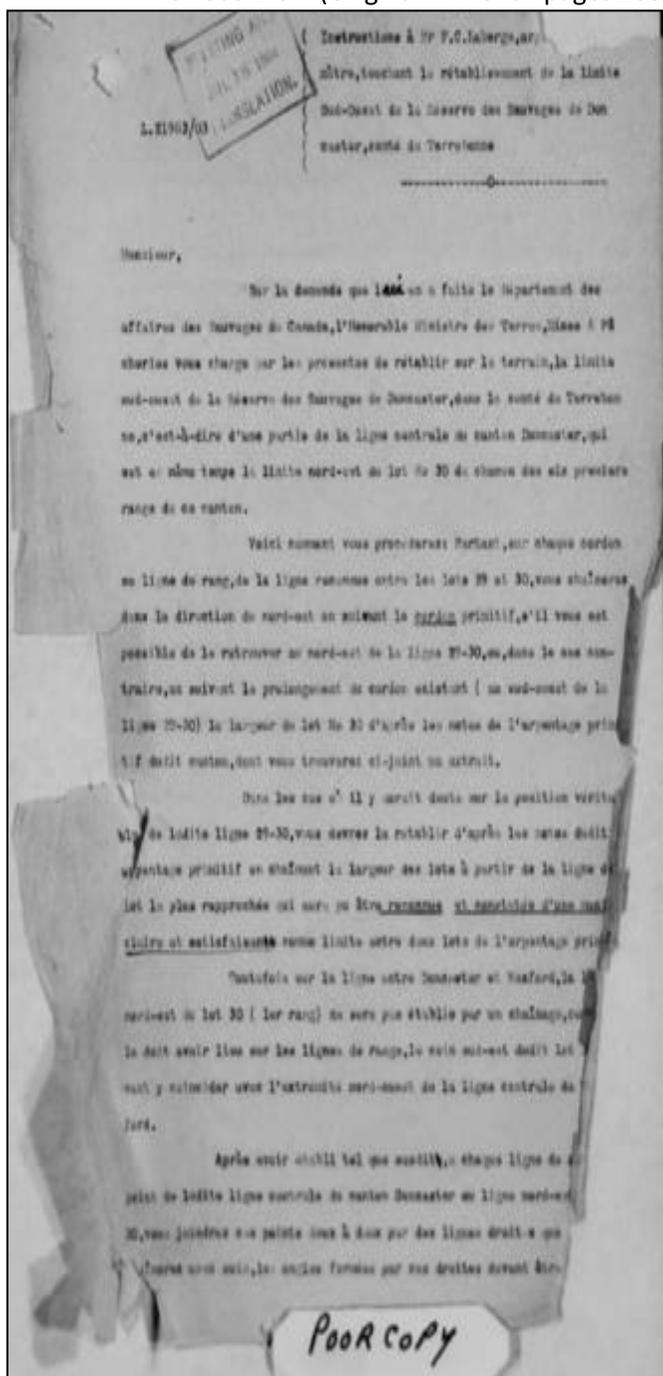
Your obedient servant

J.D.McLean

Secretary."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 235-237, **235. E.E. Taché, Sub-Minister of Department of Lands, Mines and Fisheries to F.C. Laberge, Surveyor, Quebec, June 13 1904.** L.21983/03- "Instructions to Mr. F.C. Laberge, Surveyor for the establishment of the Southwest limits of the Reserve of Doncaster, County of Terrebonne." (Original in French pages 235-237, followed by translation, pages 238-241.)



" Monsieur,

Sur la demande que lui en a faite le Département des affaires des Sauvages du Canada, l'Honorable Ministres des Terres, Mines et Pêcheries vous charge par les présentes de rétablir sur le terrain, la limite sud-ouest de la réserve des Sauvages de Doncaster, dans le comté de Terrebonne, c'est-à-dire d'une partie de la ligne centrale du canton Doncaster, qui est en même temps la limite nord-ouest du lot No. 30 de chacun des six premiers rangs de ce canton.

Voici comment vous procéderez: Partant, sur chaque cordon ou ligne de rang, de la ligne reconnue entre les lots 29 et 30, vous chaînerez dans la direction du nord-est en suivant le cordon primitif, s'il vous est possible de le retrouver au nord-est de la ligne 29-30, ou, dans le cas contraire, en suivant le prolongement de celui existant (au sud-ouest de la ligne 29-30) la largeur de lot No 30 d'après les notes de l'arpentage primitif dudit canton, dont vous trouverez ci-joint un extrait.

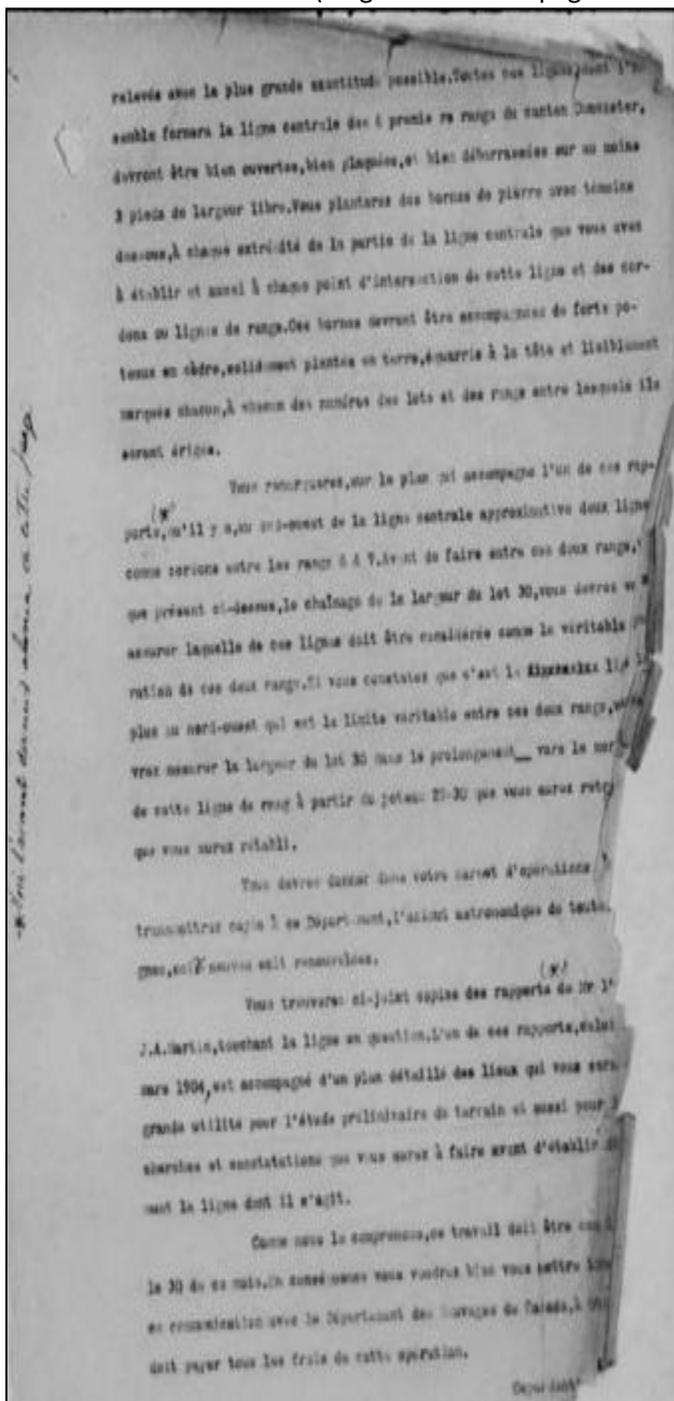
Dans les cas où il y aurait doute sur la position véritable de ladite ligne 29-30, vous devrez la rétablir d'après les notes dudit arpentage primitif en chaînant la largeur des lots à partir de la ligne de lot la plus rapprochée qui aura pu être reconnue et constatée d'une manière claire et satisfaisante comme limite entre deux lots de l'arpentage primitif.

Toutefois sur la ligne entre Doncaster et Wexford, la [limite] nord-est du lot 30 (1er rang) ne sera pas établie par un chaînage, comme ce- (celà)]la doit avoir lieu sur les lignes de rangs, le coin sud-est dudit lot [de] vant y coïncider avec l'extrémité nord-ouest de la ligne centrale de [Wex] ford.

Après avoir établi tel que susdit, chaque ligne de [?] point de ladite ligne centrale du Canton de Doncaster ou ligne nord-est [?] 30, vous joindrez ces points deux à deux par des lignes droites que [vous chaînerez avec soin, les angles fermés par ces droites devant être... "

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 235-237, **236. E.E. Taché, Sub-Minister of Department of Lands, Mines and Fisheries to F.C. Laberge, Surveyor, Quebec, June 13 1904.** L.21983/03- "Instructions to Mr. F.C. Laberge, Surveyor for the establishment of the Southwest limits of the Reserve of Doncaster, County of Terrebonne." (Original in French pages 235-237, followed by translation, pages 238-241.)



"relevés avec la plus grande exactitude possible. Toutes ces lignes dont l'ensemble formera la ligne centrale des 6 premiers rangs du canton Doncaster, devront être bien ouvertes, bien plaquées, et bien débarrassées sur au moins 3 pieds de largeur libre. Vous planterez des bornes de pierre avec témoins dessous, à chaque extrémité de la partie de la ligne centrale que vous avez à établir et aussi à chaque point d'intersection de cette ligne et des cordons ou lignes de rangs. Ces bornes devront être accompagnées de forts poteaux en cèdre, solidement plantés en terre, équarris à la tête et lisiblement marqués chacun, à chacun des numéros des lots et des rangs entre lesquels ils seront érigés.

*Vous remarquerez, sur le plan qui accompagne l'un de ces rapports *, qu'il y a eu, au sud-ouest de la ligne centrale approximative deux lignes comme cordons entre les rangs 6 & 7. Avant de faire entre ces deux rangs, [?] que présent ci-dessus, le chaînage de la largeur du lot 30, vous devrez v[ous] assurer laquelle de ces lignes doit être considérée comme la véritable [sépa-] ration de ces deux rangs. Si vous constatez que c'est la ligne la plus au nord-ouest qui est la limite véritable entre ces deux rangs v[ous] devrez mesurer la largeur du lot 30 dans le prolongement_ vers le nord [?] de cette ligne de rang à partir du poteau 29-30 que vous aurez retr[ouvé] que vous aurez rétabli.*

Vous devrez donner dans votre carnet d'opération [??] transmettrez copie à ce Département, l'azimut astronomique de toutes [li] gnes, soit neuves soit renouvelées.

*Vous trouverez ci-joint copies des rapports * de Mr. l'[?] J.A. Martin, touchant la ligne en question. L'un de ces rapports, celui [?] mars 1904, est accompagné d'un plan détaillé des lieux qui vous sera [?] grande utilité pour l'étude préliminaire du terrain et aussi pour [?] recherches et constatations que vous aurez à faire avant d'établir [?] ment la ligne dont il s'agit.*

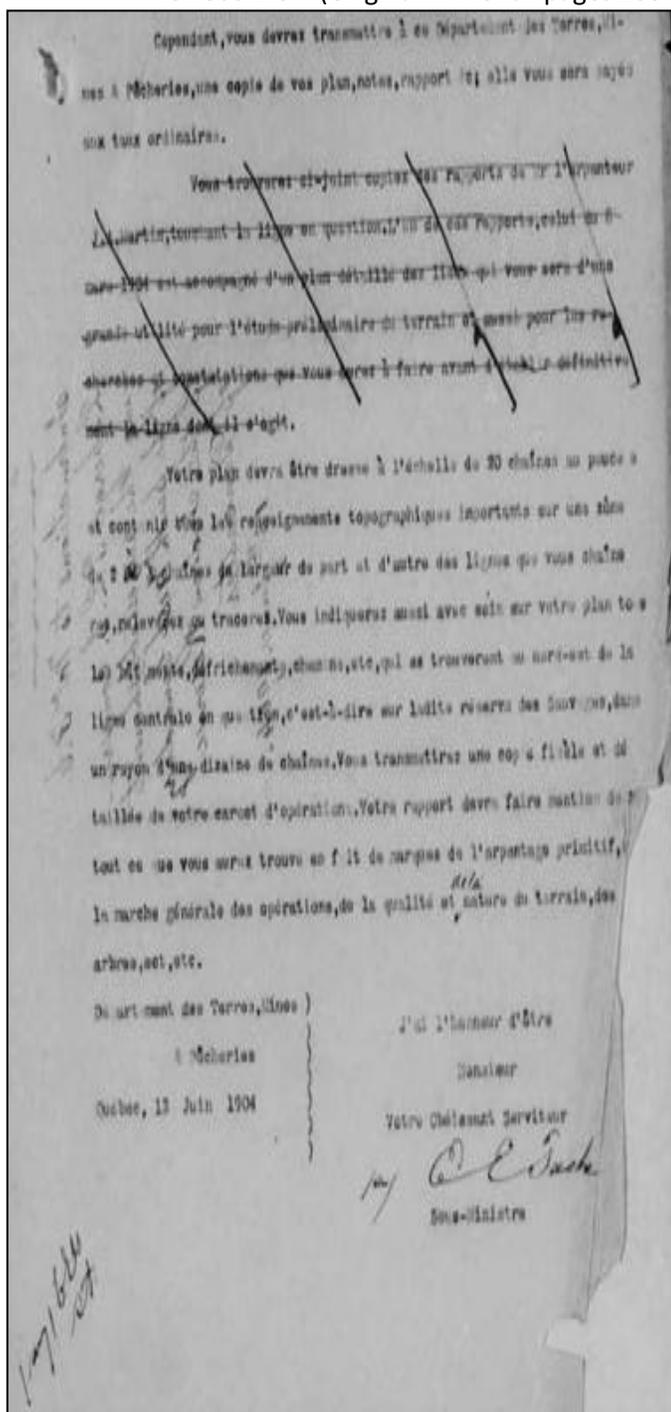
Comme nous le comprenons, ce travail doit être com[plété?] le 30 de ce mois. En conséquence vous voudrez bien vous mettre i[?] en communication avec le Département des Sauvages du Canada, à [?] doit payer tous les frais de cette opération.

Cependant..."

(Note left margin: "Voir l'avant dernier alinéa de cette page." / "See the last last paragraph of this page.")

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 235-237, **237. E.E. Taché, Sub-Minister of Department of Lands, Mines and Fisheries to F.C. Laberge, Surveyor, Quebec, June 13 1904.** L.21983/03- "Instructions to Mr. F.C. Laberge, Surveyor for the establishment of the Southwest limits of the Reserve of Doncaster, County of Terrebonne." (Original in French pages 235-237, followed by translation, pages 238-241.)



"Cependant, vous devrez transmettre à ce Département des Terres, Mines et Pêcheries, une copie de vos plans, notes, rapports, etc; elle vous sera payée aux taux ordinaires.

[Stripped section]

Vous trouverez ci-joint copie des rapports de Mr. l'arpenteur J.A. Martin, touchant la ligne en question. L'un de ces rapports, celui du 8 mars 1904 est accompagné d'un plan détaillé des lieux qui vous sera d'une grande utilité pour l'étude préliminaire du terrain et aussi pour les recherches et constructions que vous aurez à faire avant d'établir définitivement la ligne dont il s'agit.

Votre plan devra être dressé à l'échelle de 20 chaînes au pouce et contenir tous les renseignements topographiques importants sur une zone de 2 à 3 chaînes de largeur de part et d'autre des lignes que vous chaînez, relèvez ou tracez. Vous indiquerez aussi avec soin sur votre plan tous les bâtiments, défrichements, chemins, etc. qui se trouveront au nord-est de la ligne centrale en question, c'est-à-dire sur ladite réserve des Sauvages, dans un rayon d'une dizaine de chaînes. Vous transmettez une copie fidèle et détaillée de votre carnet d'opération. Votre rapport devra faire mention de [?] tout ce que vous aurez trouvé en fait de marques de l'arpentage primitif, la marche générale des opérations, de la qualité et de la nature du terrain, des arbres, etc, etc.

Département des Terres, Mines

J'ai l'honneur d'être

et Pêcheries

Monsieur

Québec, 13 juin 1904

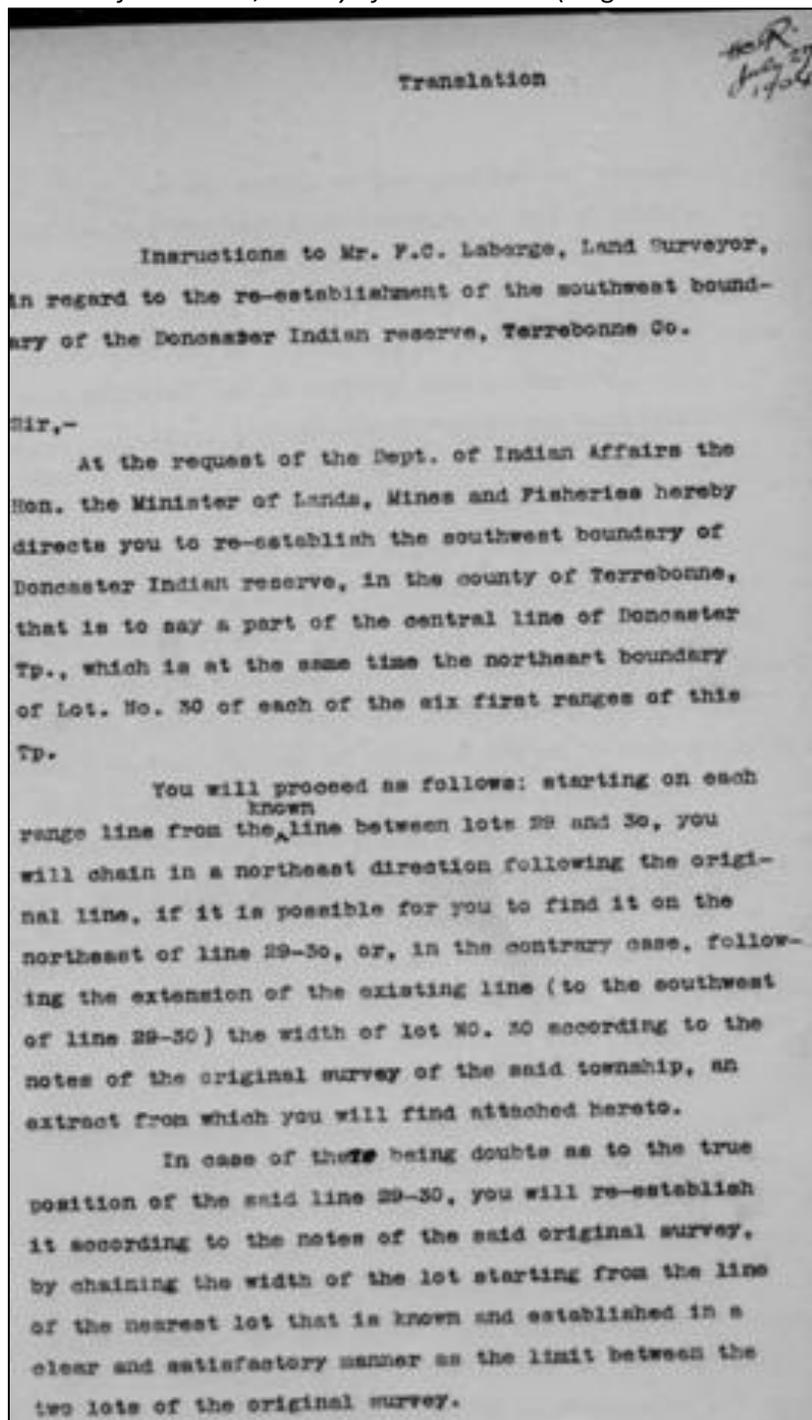
vos Obéissant Serviteur

E.E. Taché

Sous-Ministre.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 238-241, **238**, Translation of original letter from; **E.E. Taché, Sub-Minister of Department of Lands, Mines and Fisheries to F.C. Laberge, Surveyor, Quebec, June 13 1904.** L.21983/03-*"Instructions to Mr. F.C. Laberge, Surveyor for the establishment of the Southwest limits of the Reserve of Doncaster, County of Terrebonne."* (Original in French on previous pages 235-237.)



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 238-241, **239**. Translation of original letter from; **E.E. Taché, Sub-Minister of Department of Lands, Mines and Fisheries to F.C. Laberge, Surveyor, Quebec, June 13 1904**. L.21983/03-*"Instructions to Mr. F.C. Laberge, Surveyor for the establishment of the Southwest limits of the Reserve of Doncaster, County of Terrebonne."* (Original in French on previous pages 235-237.)

In any event, on the line between Doncaster and Wexford the northeast boundary of lot 30 (first range) shall not be established by chainage, as must have been done on the range lines, the southeast corner of the said lot 30 coinciding of necessity with the north west extremity of the central line of Wexford.

After having established as stated above on each line of range a point of the said central line of Doncaster Tp. or northeast line of lot 30, you will join these points two by two by right lines that you will chain with care, the angles formed by these right lines having to be retraced with the greatest possible exactness. All these lines, the whole of which will form the central line of the six first ranges of Doncaster Tp., shall be well opened, well blazed and well cleared for at least a width of three feet. You will plant stone boundary marks with witnesses underneath at each end of the part of the central line that you have to establish and also at each point of intersection of that line and of the lines of the ranges. These boundary marks shall be accompanied by strong cedar posts solidly planted in the ground, squared at the top and each plainly marked with the numbers of the lots and of the ranges between which they shall be erected.

You will observe on the plan accompanying one of these reports (see the ^{second} ~~last~~ paragraph ^{on page 3 *} ~~but one of this~~ page) that there are at the southwest of the approximate central line two lines as boundaries between ranges 6 and 7. Before doing between these two ranges, as directed above, the chainage of the width of lot 30, you will make sure which of these lines ought to be considered the true separation of these two ranges. If you find out that it is the most northwest line that is the true boundary between

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 238-241, **240**. Translation of original letter from; **E.E. Taché, Sub-Minister of Department of Lands, Mines and Fisheries to F.C. Laberge, Surveyor, Quebec, June 13 1904**. L.21983/03-*"Instructions to Mr. F.C. Laberge, Surveyor for the establishment of the Southwest limits of the Reserve of Doncaster, County of Terrebonne."* (Original in French on previous pages 235-237.)

3

these two ranges, you will measure the width of lot 30 in the extension—towards the northeast—of this line of range starting from post 28-30, which you will have found or which you will have re-established.

You will give in your field-notes, a copy of which you will transmit to the Dept., the astronomic azimuth of all the lines whether new or renewed.

You will find annexed hereto copies of the reports^{*} of Surveyor J.A. Martin in respect to the line in question. One of these reports, that of March 8, 1904, is accompanied by a detailed plan of the places, which will be of great use to you in your preliminary study of the land ~~and also~~ and also in searches and proofs that you will have to make before finally establishing the line in question.

As we understand it, this work must be finished by the 30th of this month. You will, therefore, be kind enough to put yourself in immediate communication with the Dept. of Indian Affairs, at Ottawa, which will pay all the expenses of this work. All the same you will transmit to this Dept. of Lands, Mines and Fisheries a copy of your plan, notes, report, etc: you will be paid for it at the ordinary rates.

Your plan must be drawn on a scale of 30 chains to the inch and contain all the important topographical particulars over a width of from two to three chains all over the lines that you will chain, re-run or run. You will also mark carefully on your plan all buildings, clearings, roads, etc., on the northeast of the central line in question, that is to say on the said Indian

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 238-241, **241**. Translation of original letter from; **E.E. Taché, Sub-Minister of Department of Lands, Mines and Fisheries to F.C. Laberge, Surveyor, Quebec, June 13 1904**. L.21983/03-*"Instructions to Mr. F.C. Laberge, Surveyor for the establishment of the Southwest limits of the Reserve of Doncaster, County of Terrebonne."* (Original in French on previous pages 235-237.)

4

reserve, in a radius of 10 chains. You will transmit a true and detailed copy of your field-notes. Your report shall mention all that you shall find of the marks of the original survey, the general character of operations, the quality and nature of the soil, trees, etc., etc.

Dept. of Lands, Mines and Fisheries,

Quebec, June 13, 1904.

I have, etc.,

E.E. Taché,

Deputy Minister.

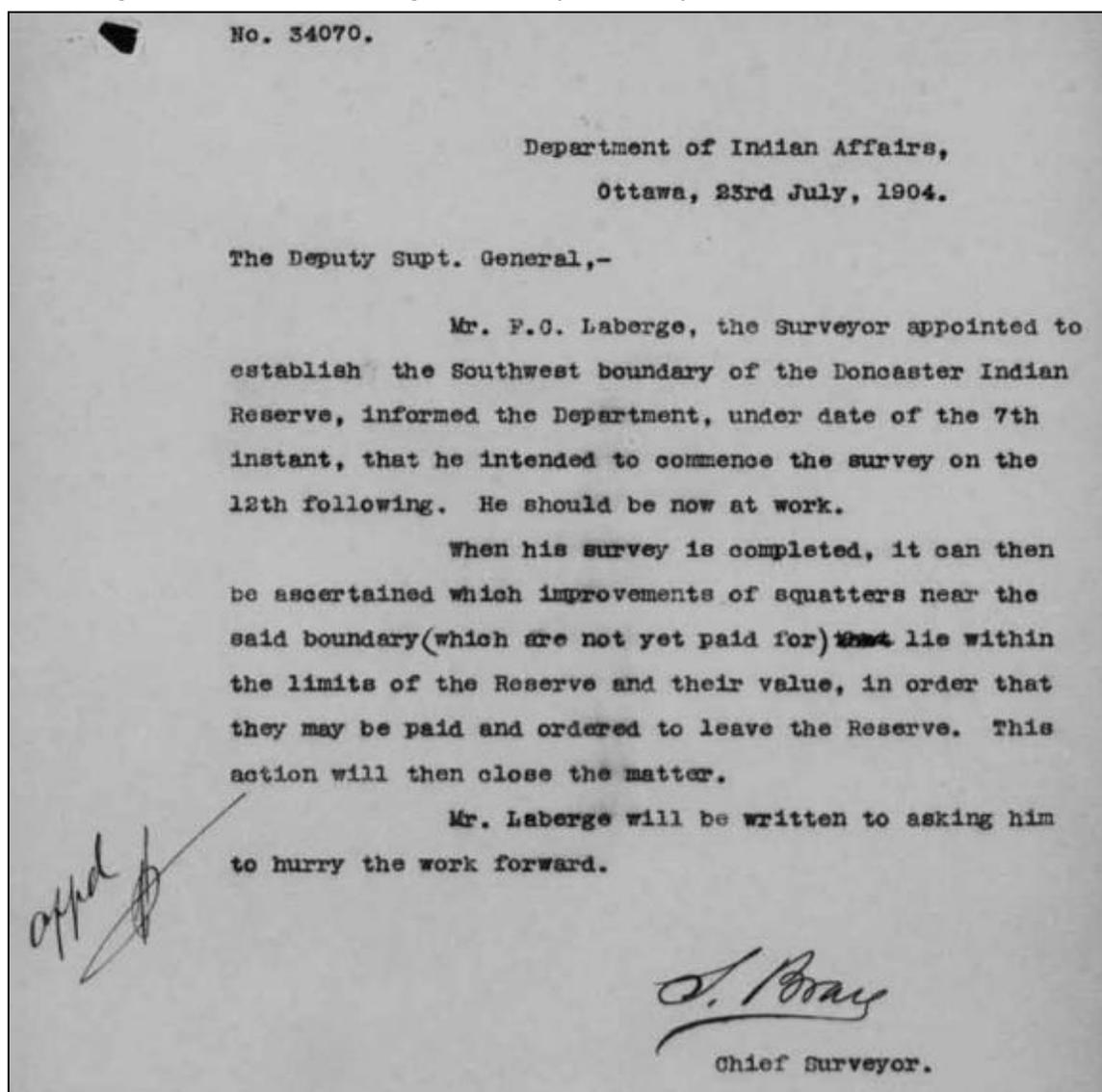
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 242 **Samuel Bray, Surveyor in Chief of Indian Affairs to Frank Pedley, Superintendent General of Indian Affairs, Ottawa, 23 July 1904**, exposing that:

"Mr. F.C. Laberge, the Surveyor appointed to establish the Southwest boundary of the Doncaster Indian Reserve, informed the Department, under the date of the 7th instant, that he intended to commence the survey on the 12th following He should be now at work.

When his survey is completed, the report can then be ascertained which improvements were made by the said squatters. Near the said boundary (which are not yet paid for) lie within the limits of the Reserve and their value, in order that they may be paid and ordered to leave the Reserve. This section will then close the matter.

Mr. Laberge will be written to asking him to hurry the work forward."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 243-244 1-Receipt made by Indian Agent Périllard on **20 July 1904** to **Timothe Arirhon** from receipt for translations from English to Iroquois for an Assembly concerning **Doncaster**, held on **July 19, 1904**: \$2.00.

2--Receipts made by Indian Agent Périllard on **20 July 1904** to **Michel Frett** from receipt for account for rent of a house for an Assembly concerning **Doncaster**, held on **July 19, 1904**: \$2.00.

No. of Account _____

INDIAN TRUST FUND.

The Department of Indian Affairs.

To *Timothe Arirhon*

DATE.	AMOUNT.
<i>20e 20 Juillet 1904</i>	
<i>Reçu pour interprétation Compte pour tra- duction de l'anglais en Iroquois dans une assemblée pour traiter la question de la réserve de Doncaster.</i>	274737
<i>19 Juillet</i>	<i>2 00</i>
<i>total \$ 2 00</i>	

I HEREBY CERTIFY that this Voucher is correct, that the material has been supplied, the work performed and the charges are fair and just; also that the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada.

Joseph Périllard
Agent

No. of Account _____

INDIAN TRUST FUND.

The Department of Indian Affairs.

To *Michel Frett*

DATE.	AMOUNT.
<i>20e 20 Juillet 1904</i>	
<i>Reçu pour loyer Compte pour loyer de maison pour assemblée la bande Iroquoise d'Okta pour traiter la question de la réserve de Doncaster.</i>	274737
<i>19 Juillet</i>	<i>2 00</i>
<i>total \$ 2 00</i>	

I HEREBY CERTIFY that this Voucher is correct, that the material has been supplied, the work performed and the charges are fair and just; also that the expenditure has been incurred legitimately and that each item of the same is a fair and just charge against the Government of Canada.

Joseph Périllard
Agent

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 245-246 On **20 July 1904**, Indian Agent **Joseph Périllard** exposing to his **Superintendent** that the **accounts-bills concerning the assembly held by the Oka Indians concerning the Doncaster Reserve**: rent of a house and translator's fees. (Translation page 246.)

na 34070/2
 34070.2
 274737

PRINTING AND
 JUL 20 1904

Joseph Périllard. Oka 20 juillet 1904
 Indian Agent.
 Oka.

L'honorable,
 Surintendant général,
 des affaires des sauvages,
 Ottawa.
 Monsieur.

Répond à votre lettre du
 12 courant m'ordonnant d'assembler
 les Indiens de la réserve
 de Doncaster. Je vous envoie ci-
 inclus le compte pour les dépenses
 que j'ai fait à cet égard
 Loyer d'une maison et traducteur
 Anglais en Inouais.

vos obéissant serviteur
 Joseph Périllard
 Indian Agent.

Translation
 Oka, July 20, 1904.

ACCOUNTANT
 JUL 20 1904
 BRANCH

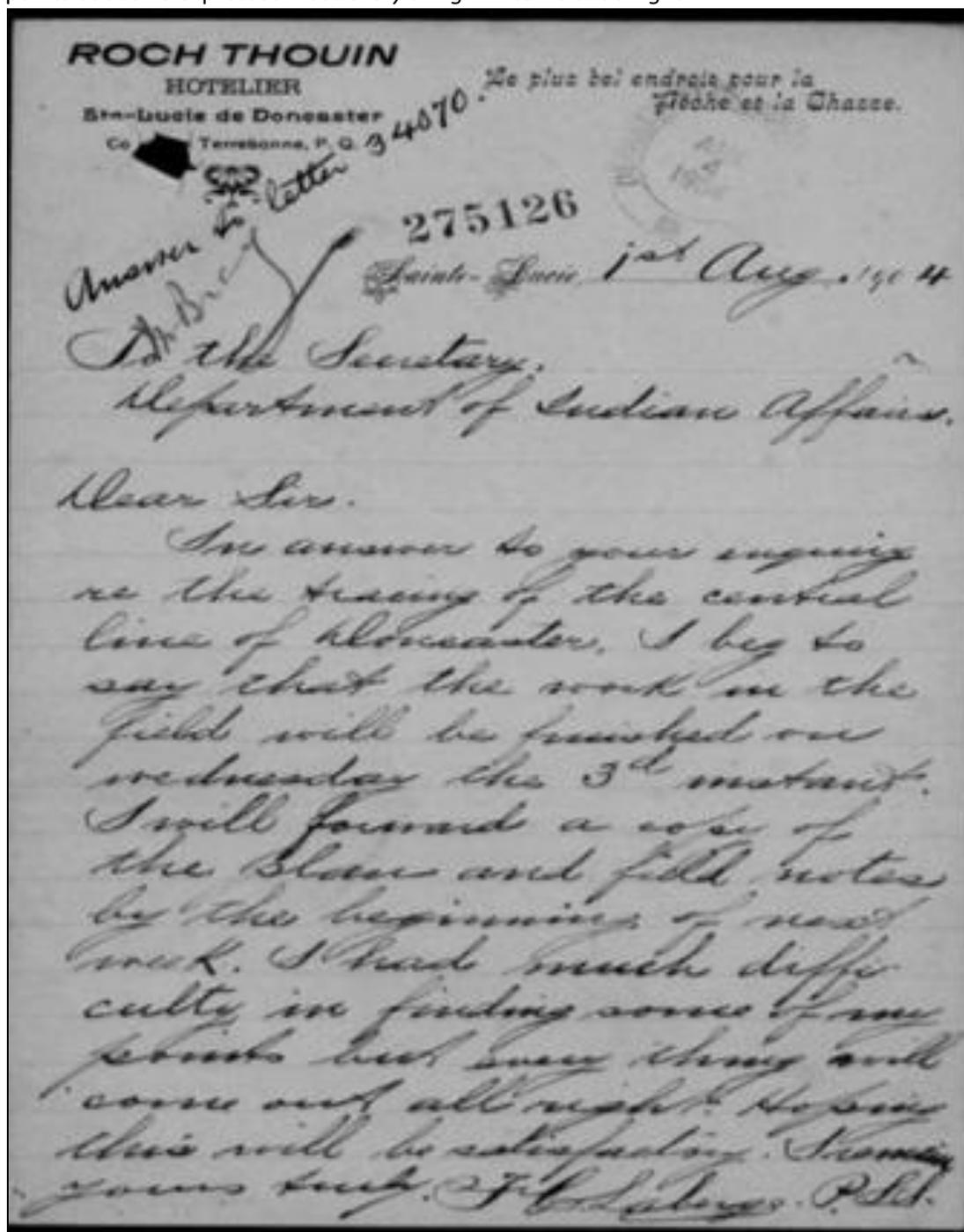
Repond à votre lettre
 de the 12th inst. ordering me to
 assemble the Indians with
 reference to the Doncaster reserve
 I enclose herewith the account
 for the expense that I in-
 curred in this matter, the
 rent of a house and the
 services of interpreters, English
 and Inouais.

Your obedient servant,
 Joseph Périllard
 Indian Agent.

Recommended for Deposit
 1904
 I. S. G. R.
 Cheque No. 491
 Sent 2/4/1904

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 247 Letter-post Card from **1st August 1904** from **Surveyor Laberge** exposing to **J.D. McLean Secretary of Indian Affairs** that concerning the Central Line of Doncaster, exposing that the work will be finished the 3rd instant (August 1904) and that he will forward a copy of the plan and field notes in the beginning of next week, expressing he had difficulties finding certain points but as he expressed: "*but every thing will come out alright.*"



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 248-249 (250-251; identical) Sketches of letters of Oath of Squatters leaving the lands, with concluded arrangements with the Governments, as seen in previous letters of Oaths.

<p>Whereas the improvements on the land occupied by _____ in the Doncaster Indian Reserve, Que., have been valued in the sum of _____ and _____ the said _____ is satisfied with and accepts the said valuation, the said _____ for the sum of _____, the receipt of which, from the Department of Indian Affairs, is hereby by him acknowledged and for the further sum of _____ is to be paid as hereinafter provided, the said _____ agrees to vacate on or before the 15th June next, and forever to leave the said Indian Reserve taking with him only his live stock and moveables, and will in no way injure or damage any building or improvements of any kind, but will leave them in the condition they are now in.</p> <p>The further sum of _____ above mentioned is to be paid on the receipt, by the Department of Indian Affairs at Ottawa, of a sworn declaration by the said _____ stating that he has actually vacated and left the said Reserve, and never intends to return and accepts the said sum in full of all claims of any nature whatever against the said Department of Indian Affairs and the said Reserve, and it is further understood by the said _____ that if he does not vacate the said Reserve on or before the 15th June next that the Department of Indian Affairs may forthwith have him ejected by the usual process</p>	<p style="text-align: center;">-3-</p> <p>process of law and that the said _____ will be liable for all costs in connection therewith.</p> <p style="text-align: center;">Signed by the said _____</p> <p>in the presence of _____</p> <p>Witnesses:- _____</p> <p style="text-align: center;">Dated at _____</p> <p style="text-align: center;">this _____</p>
--	---

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 252-256 **Samuel Bray, Surveyor in Chief for Indian Affairs to, Frank Pedley, Superintendent General du Department of Indian Affairs, Sainte-Lucie, 26 August 1904.**

Immediate Mem. 34070? 275963
 St. Lucie - Que.
 26th Aug. 1903
 The Deputy Superintendent General
 I have examined the improvements of squatters on the Doncaster Indian Reserve adjacent to its South-western boundary, which has been recently defined by Mr. F.C. Laberge P.L.S. and beg to submit for your consideration and approval the following statement of values to be paid to the said squatters on their ceasing to trespass on the Reserve;

1. Israel Thouin 988	
Improvements on Lots 31 and 32 Range 6.	
42 acres well cleared valued at	\$800.00
Extra for fencing	100.00
Clearing and improvements in Range 5	100.00
Total	\$1000.00

Mr. Thouin may move the fence North of the road on to the new line. Hereafter the Indians are to keep in repair one half of the same.

Mr. Thouin may draw water, as heretofore during pleasure, from a certain spring on the Reserve situated about 500 feet from his barn. The Easterly corner of Mr. Thouin's barn is on the Reserve about one foot. This trespass is allowed.

"34070/2
 Immediate
 Mem.

St. Lucie _ Que.
 26th Aug. 1903

The Deputy Superintendent General

I have examined the improvements of squatters on the Doncaster Indian Reserve adjacent to its South-western boundary, which has been recently defined by Mr. F.C. Laberge P.L.S. and beg to submit for your consideration and approval the following statement of values to be paid to the said squatters on their ceasing to trespass on the Reserve;

1. Israel Thouin 988
 Improvements on Lots 31 and 32 Range 6.
 42 acres well cleared valued at \$800.00
 Extra for fencing 100.00
 Clearing and improvements in Range 5 100.00
 Total \$1000.00

Mr. Thouin may move the fence North of the road on to the new line. Hereafter the Indians are to keep in repair one half of the same.

Mr. Thouin may draw water, as heretofore during pleasure, from a certain spring on the Reserve situated about 500 feet from his barn. The Easterly corner of Mr. Thouin's barn is on the Reserve about one foot. This trespass is

allowed...(during pleasure)"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 252-256 Samuel Bray, Surveyor in Chief for Indian Affairs to, Frank Pedley, Superintendent General du Department of Indian Affairs, Sainte-Lucie, 26 August 1904.

275963

allowed during pleasure.

9 - Rocque Thoin 989
 Improvements on Lots 31, Range 4 and 5.
 The following areas of cleared land are included in the Reserve in addition to those valued in report of 22 April 1903.

2 + 3 + 27 + 3 + 5 + 25 = 40 acres
 40 acres at \$ 15 ----- 600.00
 Extra for fencing 90.00
 Add for improvements valued 22 April 1903 1110.00
 Total \$ 2500.00

Edmund Cloutier
 Improvements on Lot 31, Range 4
 6 1/2 acres clearing ----- 100.00
 Fencing along the road 15.00
 \$ 115.00 990

For his garden and for moving his house \$ 100.00 991

M^r Cloutier is to be paid with two cheques. The first for \$ 115.00 is to be now paid him. The second for \$ 100.00 is to be held by Rev. Father Bardin until Cloutier has actually moved his house off the Reserve and he is allowed one year from date to remove it.

Joseph Huette

275963

10. Joseph Huette (or Ayette) 992
 Improvements on Lots 30, Range 2 and 3.

2.5 acres clearing at \$ 8	20.00
8.5 " " " 10	85.00
4.0 " " " 10	40.00
22.0 " " " 12	264.00
2.5 " " "	33.00
	<u>442.00</u>

Add for improvements valued 22 April 1903 560.00
 Total \$ 1002.00 ✓

11. Adelaud Renon 970
 The same as in report of 22 April 1903 \$ 135.00 ✓

Eugene Lecault 994
 Improvements on Lot 30, Range 1.
 5 acres clearing at \$ 10 \$ 50.00

Summary

Spruel Thoin	1000.00
Rocque Thoin	2500.00 ✓
Edmund Cloutier	215.00 ✓
Joseph Huette	1002.00
Adelaud Renon	135.00
Eugene Lecault	50.00 ✓
Total	\$ 4902.00

The total

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 252-256 Samuel Bray, Surveyor in Chief for Indian Affairs to, Frank Pedley, Superintendent General du Department of Indian Affairs, Sainte-Lucie, 26 August 1904.

275963

The total of the amounts left unpaid for squatter improvements reported 22 April 1903 (211 ind) including Nos. 13 and 14 which may be assumed to be abandoned = 5705.00

The total of the amounts to be now paid in lieu thereof as above specified = 4902.00

Leaving an unexpended balance of \$ 803.00

The survey of the South-western boundary of the Reserve now completed by Mr Sabuzé was made for the express purpose of ascertaining the limits on one side of certain of the squatters' improvements and without such survey it would have been impossible to determine the values to be paid for the same. It would therefore appear that the cost of the said survey is a just charge against the amount voted to pay for the squatters' improvements. There is also no fund specially provided to pay for the said survey. I beg to recommend, provided the Accountant has no reason to the contrary, that the said cost be defrayed from the above mentioned balance of \$803.00. I have requested Mr Sabuzé to immediately forward his account to Ottawa in order that its payment it may be considered with the above recommendation and if approved a cheque

275963

a cheque may be issued for its payment before the 31st inst. when the said available balance will finally lapse.

I also beg to recommend that Father Cardin be paid, from the said balance, the sum of \$7¹⁵ for his services in connection with the payments made for the squatters' improvements.

S. Bray
Chief Surveyor

Pierre Brayer was paid only \$50 instead of \$100 as stated in the report of 23 April. The balance unexpended is therefore \$803.00 - 700.00 = \$103.00 as above stated.

S. B.

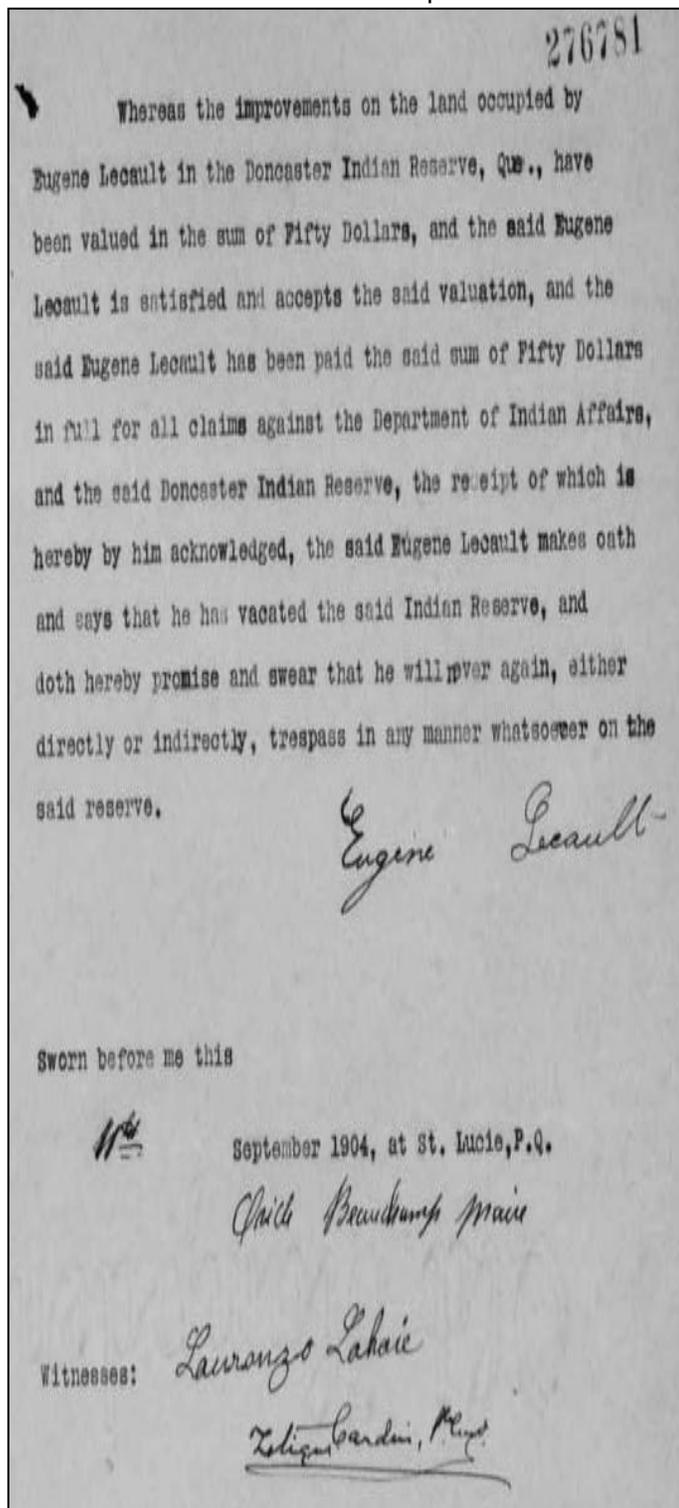
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 257 J.D. McLean, Secretary of Indian Affairs, to Zotique Cardin, Priest of Ste. Lucie, Ottawa, 31 August 1904.

<p>With cheques (8) • Declarations (6) Rev. Sir,-</p> <p>Ottawa, 31st August, 1904.</p> <p>I beg to enclose herewith cheques as follows in final payment of squatters' improvements on the Doncaster Indian Reserve:-</p> <table border="1"> <tr> <td>Cheque No. 988 in favor of Israel Thouin, for \$1,000.00</td> <td></td> </tr> <tr> <td>• • 989 • • • Rocque Thouin •</td> <td>2,500.00</td> </tr> <tr> <td>• • 990 • • • Edmund Cloutier •</td> <td>115.00</td> </tr> <tr> <td>• • 991 • • • • •</td> <td>100.00</td> </tr> <tr> <td>• • 992 • • • Joseph Huotte •</td> <td>1,002.00</td> </tr> <tr> <td>• • 970 • • • Adelard Perron •</td> <td>135.00</td> </tr> <tr> <td>• • 994 • • • Eugene Lecault •</td> <td>50.00</td> </tr> </table> <p>You will observe that there are two cheques in favor of Edmund Cloutier. Please retain No. 991 for \$100.00 until he removes his house which he must do within a year.</p> <p>I have also to enclose certain Declarations to be taken by the recipients of these cheques. I have pleasure also in enclosing cheque No. 996 for \$15.00 in your favor which I trust you will accept as remuneration for the time which you have given to the settlement of these claims. I beg to thank you cordially for the interest you have taken in the matter.</p> <p>Your obedient servant, J.D. McLean Secretary, St. Lucie, P.Q.</p>	Cheque No. 988 in favor of Israel Thouin, for \$1,000.00		• • 989 • • • Rocque Thouin •	2,500.00	• • 990 • • • Edmund Cloutier •	115.00	• • 991 • • • • •	100.00	• • 992 • • • Joseph Huotte •	1,002.00	• • 970 • • • Adelard Perron •	135.00	• • 994 • • • Eugene Lecault •	50.00	<p>34070-2</p> <p>Ottawa, 31st August, 1904.</p> <p>With cheques (8) " Declarations (6)</p> <p>Rev. Sir, -</p> <p>I beg to enclose herewith cheques as follows in final payment of squatters improvements on the Doncaster Indian Reserve:-</p> <p>Cheque No. 988 in favor of Israel Thouin for \$1,000.00</p> <p>" " 989 " " " Rocque Thouin " 2,500.00</p> <p>" " 990 " " " Edmund Cloutier " 115.00</p> <p>" " 991 " " " " " " 100.00</p> <p>" " 992 " " " Joseph Huotte " 1,002.00</p> <p>" " 970 " " " Adelard Perron " 135.00</p> <p>" " 994 " " " Eugene Lecault " 50.00</p> <p>You will observe that there are two cheques in favor of Edmund Cloutier. Please retain No. 991 for \$100.00 until he removes his house which he must do within a year.</p> <p>I have also to enclose Declarations to be taken by the recipients of these cheques. I have pleasure also in enclosing cheque No. 996 for \$15.00 in your favor which I trust you will accept as remuneration for the time which you have given to the settlement of these claims. I beg to thank you cordially for the interest you have taken in the matter.</p> <p>Your obedient servant, J.D. McLean Secretary Rev. Zotique Cardin St. Lucie, P.Q.</p>
Cheque No. 988 in favor of Israel Thouin, for \$1,000.00															
• • 989 • • • Rocque Thouin •	2,500.00														
• • 990 • • • Edmund Cloutier •	115.00														
• • 991 • • • • •	100.00														
• • 992 • • • Joseph Huotte •	1,002.00														
• • 970 • • • Adelard Perron •	135.00														
• • 994 • • • Eugene Lecault •	50.00														

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 258-263 Letters of Oath of Squatters leaving the lands, with concluded arrangements with the Government. 11 September 1904.



"Whereas the improvements on the land occupied by Eugene Lecault in the Doncaster Indian Reserve, Que., have been valued in the sum of fifty Dollars, and the said Eugene Lecault is satisfied and accepts the said valuation, and the said Eugene Lecault has been paid the said sum of Fifty Dollars in full for all claims against the Department of Indian Affairs, and the said Doncaster Indian Reserve, the receipt of which is hereby by him acknowledged, the said Eugene Lecault makes oath and says that he has vacated the said Indian Reserve, and doth hereby promise and swear that he will never again, either directly or indirectly, trespass in any manner whatsoever on the said Reserve.

Eugene Lecault

Sworn before me this

11th September 1904, at st. Lucie, P.Q.

Ovide Beauchamp Mayor

Witnesses: x Laurenzo Lahaie
X Zotique Cardin, Mayor."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 258 Page 258-263 Letters of Oath of Squatters leaving the lands, with concluded arrangements with the Government. 11 September 1904. Exact same formulas as the first one for the next pages:

Page 258- 11 September 1904, Eugene Lecault

Page 259- 14 September 1904, Adelard Perron

Page 260- 4 September 1904, Joseph Huotte

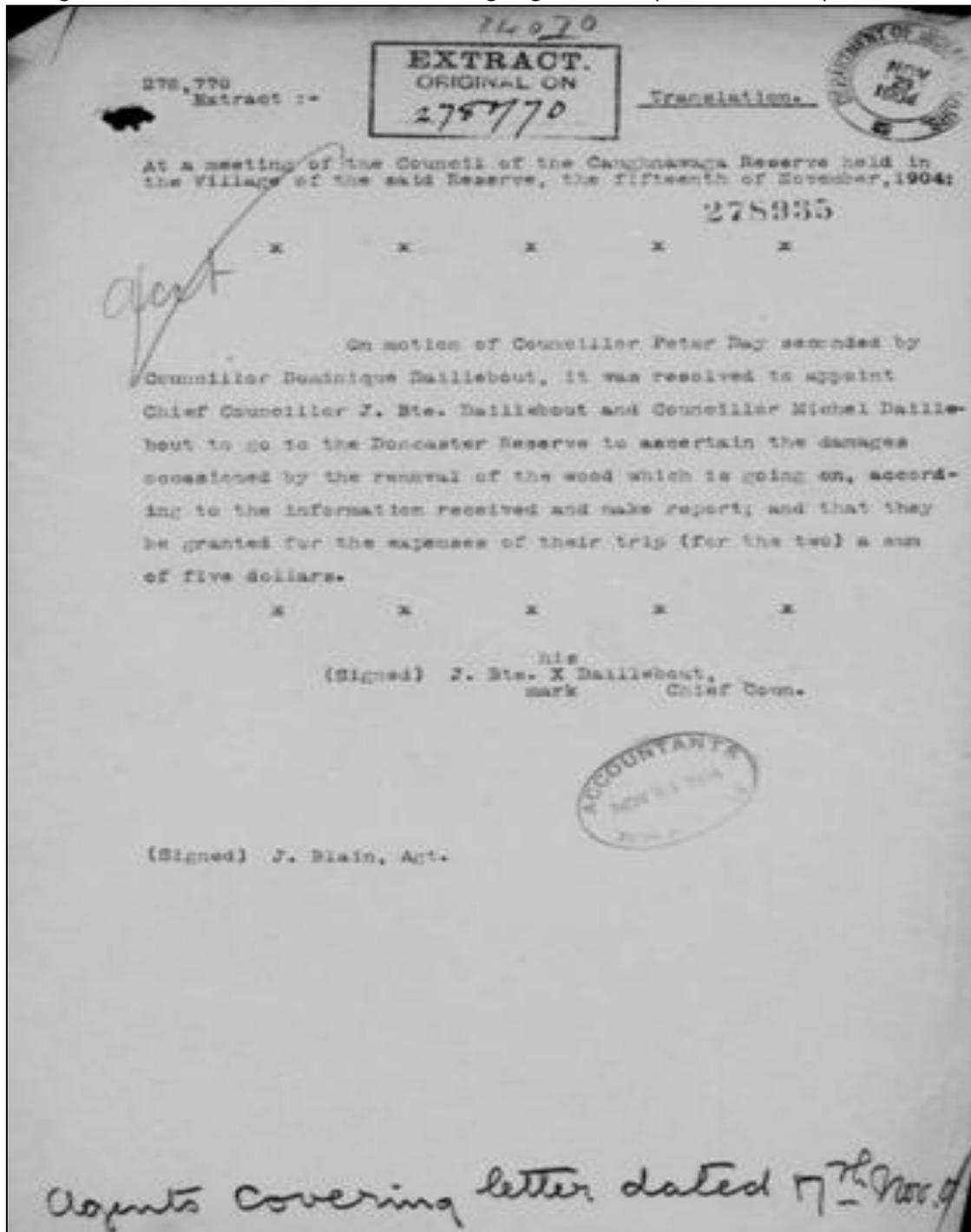
Page 261- 4 September 1904, Edmon Cloutier

Page 262- 5 September 1904, Roch Thouin

Page 263- 5 September 1904, Israel Thouin

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 264 **Meeting of Council of Caughnawaga: 15 November 1904:** Exposing ascertaining the damages occurred from wood removal which is going on, and expenses of the trip.

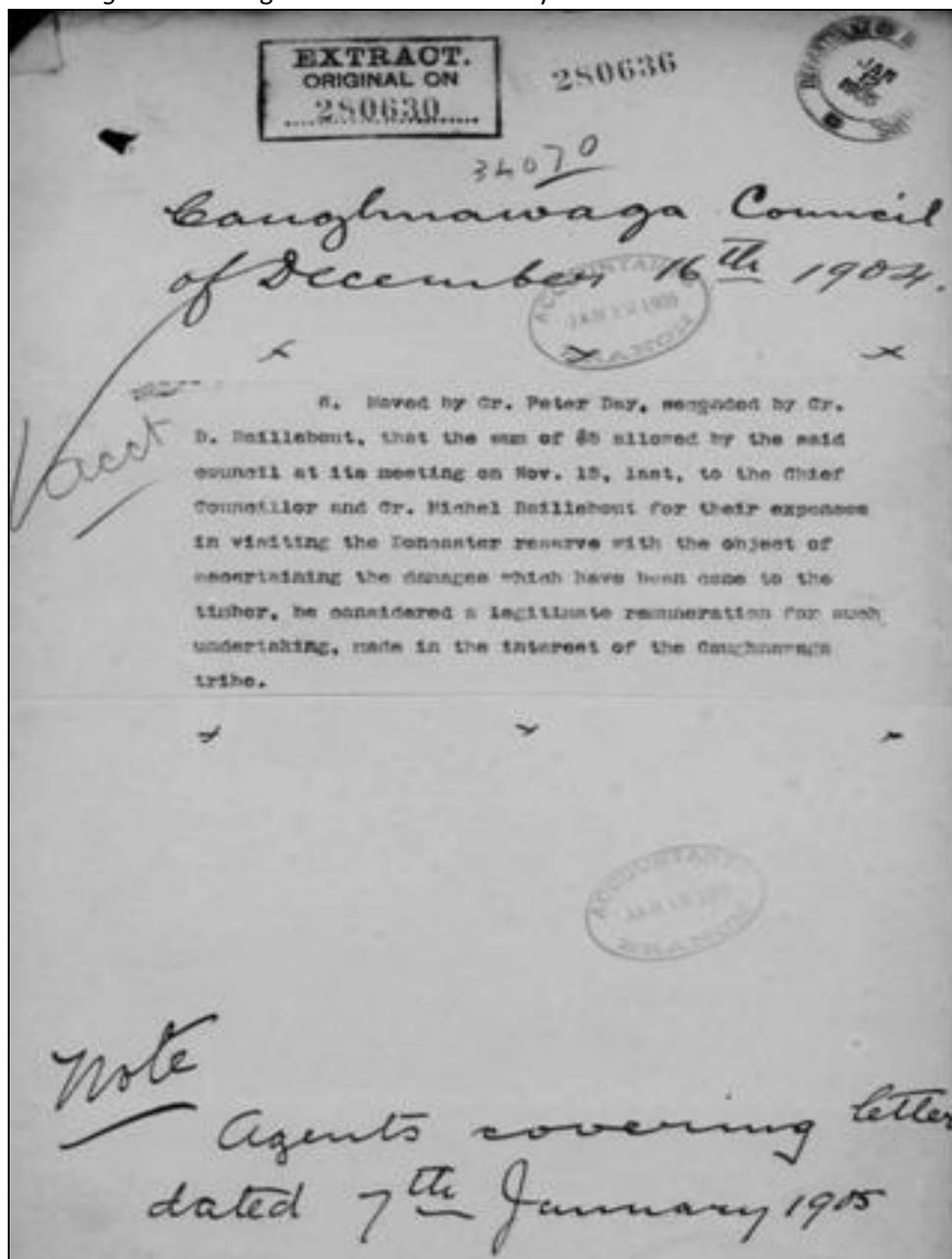


CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 274 Letter from **16 December 1904** from **Accountancy of Indian Affairs Secretary** concerning a Resolution passed on Council in Caughnawaga exposing that **Chief Daillebout** be ascertained and report fees covered by Indian Affairs.

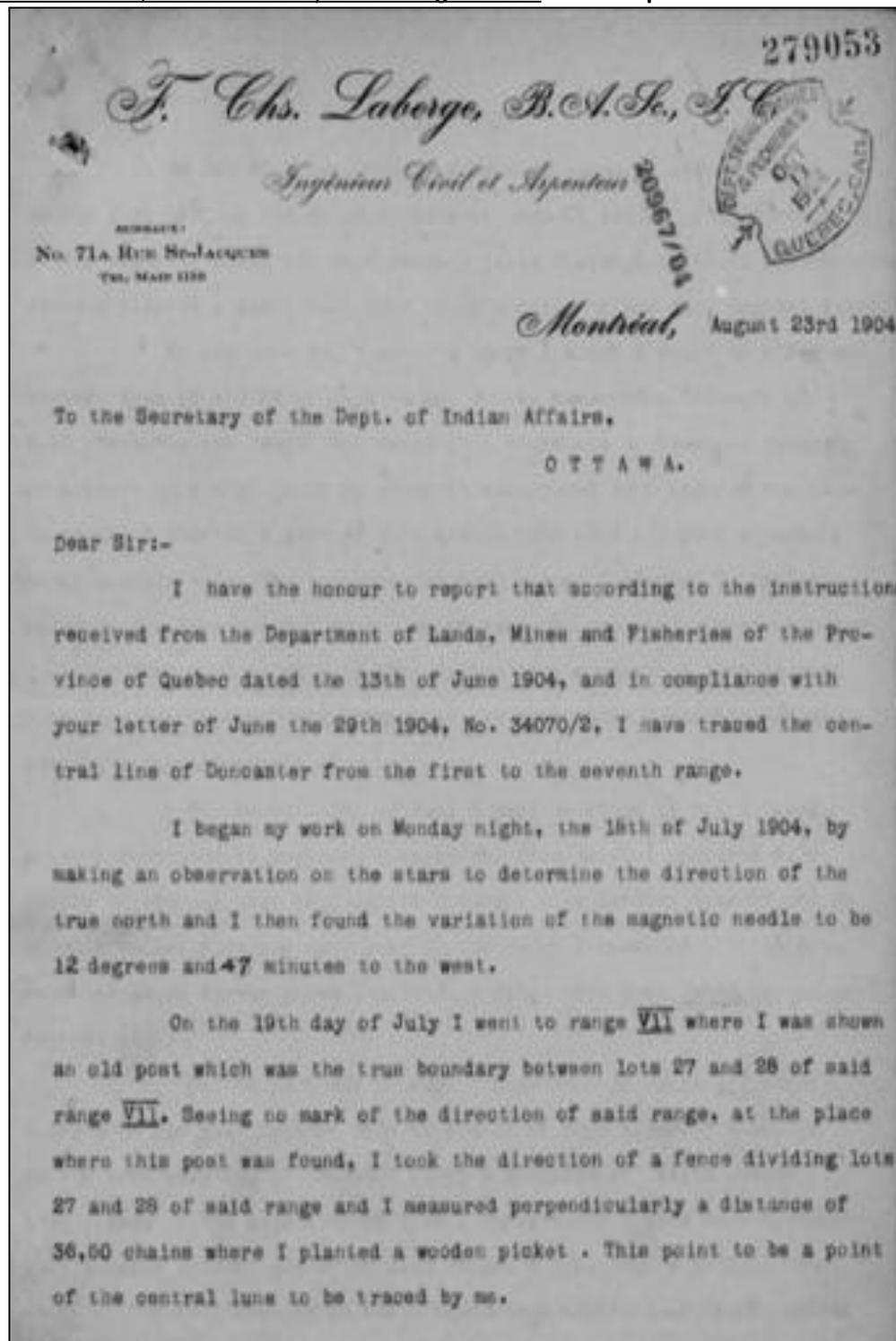
Below, a note exposes:

"Note: agents covering letter dated 7th January 1905."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 266-273. 266-Full Report of F.C. Laberge Surveyor appointed for the surveying of the Doncaster Reserve, to the Secretary of 23rd August 1904 to the Department of Indian Affairs.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 266-273. 267-Full Report of **F.C. Laberge Surveyor** appointed for the surveying of the Doncaster Reserve, to the Secretary of **23rd August 1904** to the **Department of Indian Affairs**.

-2-

On the 20th day of July I went to range VI where I found an old post marking the division between lots 26 and 27 of said range. I then measured along the said range a total distance of 50,71 chains, where I planted a post, said post to be a point of the said central line.

On the same day I went to range V where I found an old post between lots 29 and 30 of said range. I then measured a distance of 4,37 chains on the range. The range line could not be measured directly on account of a high cliff on which it was traced so I figured the distance and I planted a post **at** 7,50 chains from said old post according to my calculations. This distance of 7,50 chains I checked by taking a point in the line between 29 and 30 of range V, and then a perpendicular distance from said point 7,50 chains, and then a parallel to said division line and this parallel struck at the post which I had planted according to my calculations.

On the 21st day of July I went to range IV and I found a creek described in Regnault's notes and from there I measured 4,36 chains to the old post marking the division line between lots 27 and 28 of said range. From the said post in the range I measured a total distance of 36,80 chains where I planted a post, said post being in the said central line.

On the 21st day of July I also went to range III where I found an old post between lots 26 and 27 of said range. I measured in the road existing in the said range a distance of 14,32 chains till I came to the direction of a rail fence which I took as a division line between lots 27 and 28 of said range. I then took a point in the direction of said rail fence and I measured a distance of 14,28 chains

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 266-273. 268-Full Report of **F.C. Laberge Surveyor** appointed for the surveying of the Doncaster Reserve, to the Secretary of **23rd August 1904** to the **Department of Indian Affairs**.

-3-

where I found an old post situated in the range. From the said post I measured in the same direction a distance of 22,40 chains where I planted a post, said post to be in the central line.

On the 22nd day of July I went to range II where I found an old post marking the division line between lots 26 and 27 of said range. From said post I measured in a crooked direction a total distance of 14,21 chains where I planted a post marking the division line between lots 27 and 28 of said range. The last post planted was exactly in the range as far as I could find by the testimony and lay of road which is existing at that point. From there I measured in different directions till I came to a point in the range II where I planted a post, said post being at a distance of 36,79 chains from the post planted previously, as found by my calculations. This post marks a point of the said central line.

On the 23rd day of July I went to range I and I measured in the direction of said range a total distance from the road called Prevost road of 42,34 chains where I planted a post, said post was supposed to be a point of the central line.

On the 23rd day of July, I then traced a line from said post planted at 42,34 chains mentioned above to the point marked as the central line of Doncaster, on range II. I found the total length of said line to be 79,49 chains and I was at 1,71 chains to the left of the post planted on range II. This difference was due to the difficulty that exists to see one point from the other. Until this part of the line was traced I could not get any testimony to show me where the central line of Wexford was striking the 1st range of Doncaster.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 266-273. 269-Full Report of **F.C. Laberge Surveyor** appointed for the surveying of the Doncaster Reserve, to the Secretary of **23rd August 1904** to the **Department of Indian Affairs**.

-4-

On the 24th day of July I went to see an old settler by the name of Mery Laforest, proprietor of lot No. 31 in the 10th range of Wexford, and this man told me that there was a boundary post and that he could show me the blazes on trees where the central line of Wexford was passing in the neighborhood of the 11th range of said township. This testimony was corroborated by Mr Lahaie, proprietor of lot No. 30 in the 11th range of Wexford, who came and showed me the post and the blazes on the trees.

On the 26th day of July I went to range XI of Wexford where I had found a post marking the division line between lots 30 and 31 of said range and I measured a distance of 24,50 chains, in the division line between lots 30 and 31 in the direction of the township of Doncaster, said line being the central line of Wexford. On account of the rain I had to stop the work that day, and the next day, the 27th of July, I prolonged the said line till I came to the 1st range of Doncaster. This line was not measured throughout because the nature of the land, which is marshy and the presence of one small lake in the line, did not permit me to do so.

The line of the 1st range of Doncaster was struck at a distance of 44,35 chains from the Prevost road instead of 42,34 chains where I had planted a post on the 23rd day of July.

On the 27th day of July I measured the central line from the second range of Doncaster to the third and I found a total distance from post to post, of 77,05 chains.

On the 28th day of July I measured from range I of Doncaster to range II and I found from the post at 44,35 to the post on range II a distance of 79,30 chains.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 266-273. 270-Full Report of **F.C. Laberge Surveyor** appointed for the surveying of the Doncaster Reserve, to the Secretary of **23rd August 1904** to the **Department of Indian Affairs**.

-5-

On the 28th day of July I planted a stone borne marking the central line on the first range.

On the 29th I planted a stone borne marking the central line on the second range and the same day I also planted another stone borne on the third range marking a point of the central line.

On the 30th day of July I measured along the central line, from the third range to the fourth, a distance of 63,66 chains where I planted a stone borne marking the intersection of the central line and of range IV.

On the 1st day of August I measured along the central line, from range IV to range V a distance of 47,49 chains where I planted a stone borne.

On the 1st day of August and on the second day, I measured, from range V to range VI a distance of 108 chains where I planted a stone borne marking the intersection between the central line of said range VI.

On the 3rd day of August I measured from range VI to range VII a total distance of 62,08 chains, and I planted a stone borne. My post planted on the 19th of July was found at a distance of 64,66 chains from range VI, or at 2,58 chains to the North West of Range VII which was the end of my work.

On the 4th day of August I measured a part of the central line between ranges VI and VII and I also measured the cultivated land to the right of said line.

The central line of Doncaster as traced by me is more particularly described in the following manner:- Beginning at the point on range I where I planted a stone borne of 28" x 7" x 5"

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 266-273. 271-Full Report of **F.C. Laberge Surveyor** appointed for the surveying of the Doncaster Reserve, to the Secretary of **23rd August 1904** to the **Department of Indian Affairs**.

-6-

roughly dressed, said borne was planted in presence of Napoleon Constantineau, William Constantineau, Elie Blanchard and Charles Moretti.

At the first range, 2 feet south-west of said borne, I planted a cedar post marked IP. XI.XXI.I. Around this borne and the post I piled stones. At 10,87 chains from the said borne and in the central line I planted a cedar post marked XXI. I R. At 70,41 chains, I planted another cedar post marked XXI. I R.

20- On the second range, I planted a stone borne of 21" x 7" x 4", roughly dressed at the top, in the presence of Napoleon Constantineau, William Constantineau and Charles Moretti. On range II I planted a cedar post, 2 feet to the south-west of said borne, said post being marked I R. II.XXI.III. I piled stones around this borne and post. From range II to range III at 35,26 chains from range II I planted a cedar post marked XXI. I R. in the central line.

30- On range III I planted a stone borne of 24" x 8" x 5" roughly dressed, in presence of Henri Charette, Napoleon Constantineau, William Constantineau, Elie Blanchard and Charles Moretti. On said range III at 3 feet to the south-west I planted a cedar post. Around the borne and the post I piled stones. From range III to range IV, on the central line, at a distance of 9,02 chains, I planted a cedar post marked XXI. I R. and at 53,66 chains I came to the IVth range.

40- On range IV I planted a stone borne of 30" x 8" x 5" roughly dressed, in presence of Napoleon Constantineau and Henri Charette. At three feet to the south-west of said range I planted a cedar post. Around the borne and the said post I piled stones. From range IV to range V on the central line I planted a cedar post at 20,95 chains

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 266-273. 272-Full Report of **F.C. Laberge Surveyor** appointed for the surveying of the Doncaster Reserve, to the Secretary of **23rd August 1904** to the **Department of Indian Affairs**.

-7-

came from range IV marked XXXI. IR. and then I came to range V, a distance of 47,49 chains, where I planted another borne.

50- On range V, I planted a stone borne, roughly dressed, of 24" x 6" x 4", in presence of Napoleon Constantineau and Henri Charette. On said range V, at 2 feet to the south-west of the borne I planted a cedar post marked IV. IR. V. XXX. Between ranges V and VI in the central line I planted a cedar post at 21,26 chains from range V, said post marked XXXI. IR. At 74,46 chains on the central line I planted another cedar post marked XXX. IR. and I came to range VI, at a distance of 108 chains, where I planted a stone borne.

60- On range VI I planted a stone borne, roughly dressed, in presence of Charles Moretti, Napoleon Constantineau and Henri Charette. On the range VI, 2 feet to the south west of said borne, I planted a cedar post marked V. IR. VI. XXX. Around the stone borne and the said post I have piled stones. From range VI to range VII on the central line at 33,27 chains from range VI I planted a cedar post marked XXX. IR. Then I came, at a distance of 62,06 chains, to range VII where I planted a stone borne.

70- I planted a stone borne, roughly dressed, on range VII in presence of Napoleon Constantineau and Charles Moretti. At 2 feet to the south west of said borne I planted a cedar post. Around the borne and the said post I have piled stones.

Under all these bornes I have put broken earthenware and around all the cedar posts I have piled stones and the cedar posts are substantial posts of at least 6 inches square.

The direction of the central line of Wexford coming to the 1st range of Doncaster is North 43 degrees, 34 minutes west.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 266-273. 273-Full Report of **F.C. Laberge Surveyor** appointed for the surveying of the Doncaster Reserve, to the Secretary of **23rd August 1904** to the **Department of Indian Affairs**.

-8-

The direction of the 1st range of Doncaster is North 46 degrees, 7 minutes east.

The Central line of Doncaster from the first to the second range is North 50 degrees, 13 minutes west.

the second range:- North 33 degrees, 35 minutes east.

The Central line from

range <u>II</u> . to range <u>III</u> .	"	53	"	6	"	5	west
Range <u>III</u>	"	40	"	48	"		east
Central line from range <u>III</u> to <u>IV</u>	"	38	"	47	"		west
Range <u>IV</u> .	"	45	"	14	"		east
Central line from range <u>IV</u> . to <u>VI</u> .	"	47	"	2	"		west.
Range <u>V</u> .	"	53	"	14	"		east
Range <u>VI</u> .	"	44	"	25	"		east
Central line from range <u>VI</u> . to <u>VII</u>	"	44	"	8	"		west
Range <u>VII</u> .	"	44	"	34	"		east.

All these directions are astronomical.

The chainmen which were sworn were Elie Blanchard, civil engineer and Charles Moretti. This report accompanies a plan signed by me on like date.

The central line as traced was open at least 3 feet wide and the trees were blazed all along, the stones roughly dressed at every change in the direction and where described.

Signed at Montreal, this 23rd day of August 1904.

F. C. Laberge, P.L.S.
Provincial Land Surveyor.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

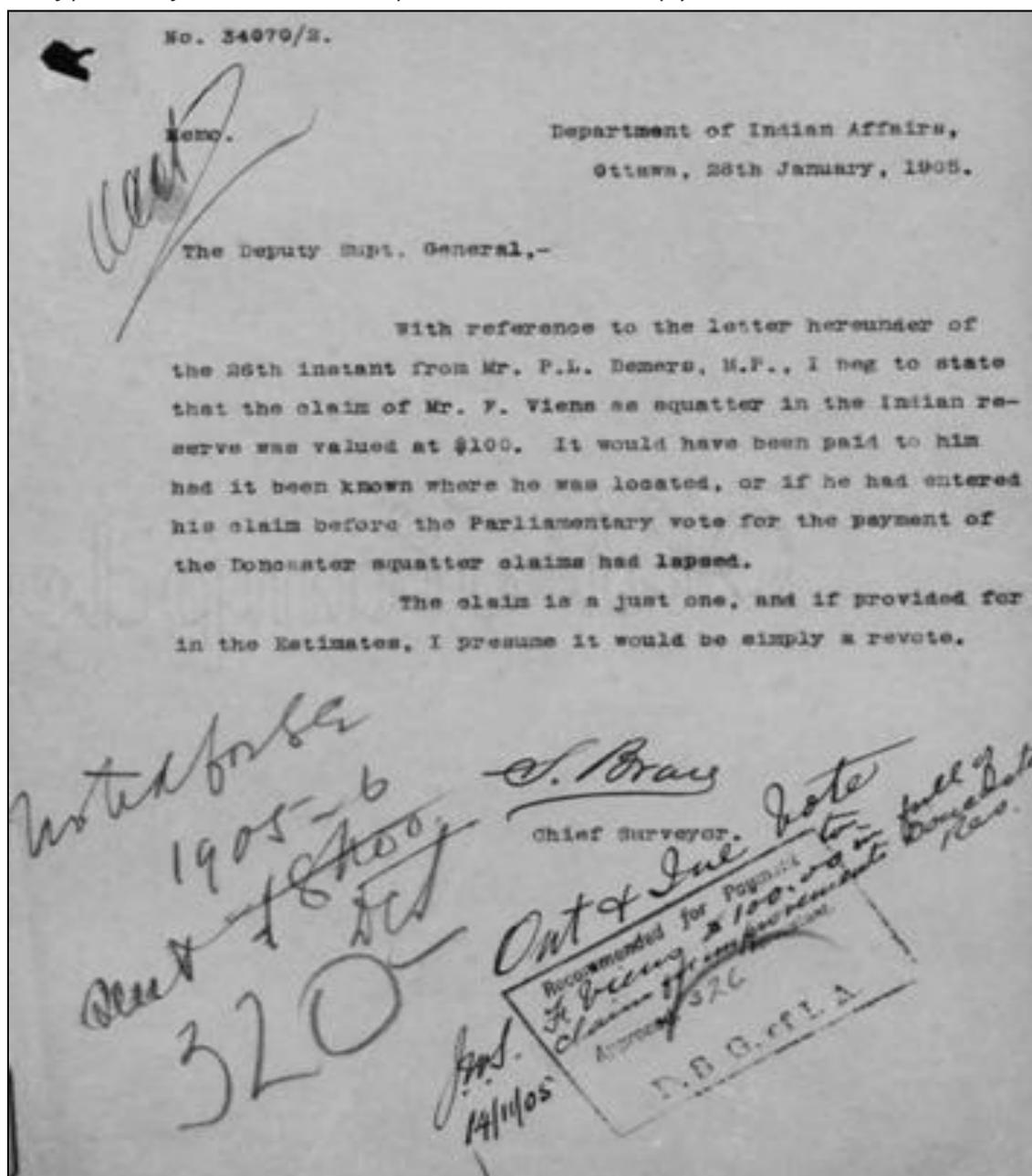
Page 275 (Page 274 is classified after page 265) **Philippe Demers, M.P.** sent a letter to **J.D McLean** on **6 January 1905**, exposing that the late fees to the claim of Mr Viens a squatter, would have been paid to him if having known where he was located or of he entered his claim before the Parliamentary votes for the payments of the squatters claims has lapsed.

"Sir last fall a friend of mine Mr Fr Viens ... a claim concerning the Doncaster Indian Reserve Que. You answered him of the 11th of November last (1904) no 34070/2 that his claim was valued at \$1—that he has not found his claim in the proper time and that the money lapsed. Would you not recommend that this sum be sent again if the estimate of there is no other reason to defain this poor man of his due ? Yours truly, Philippe Demers, M.P."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

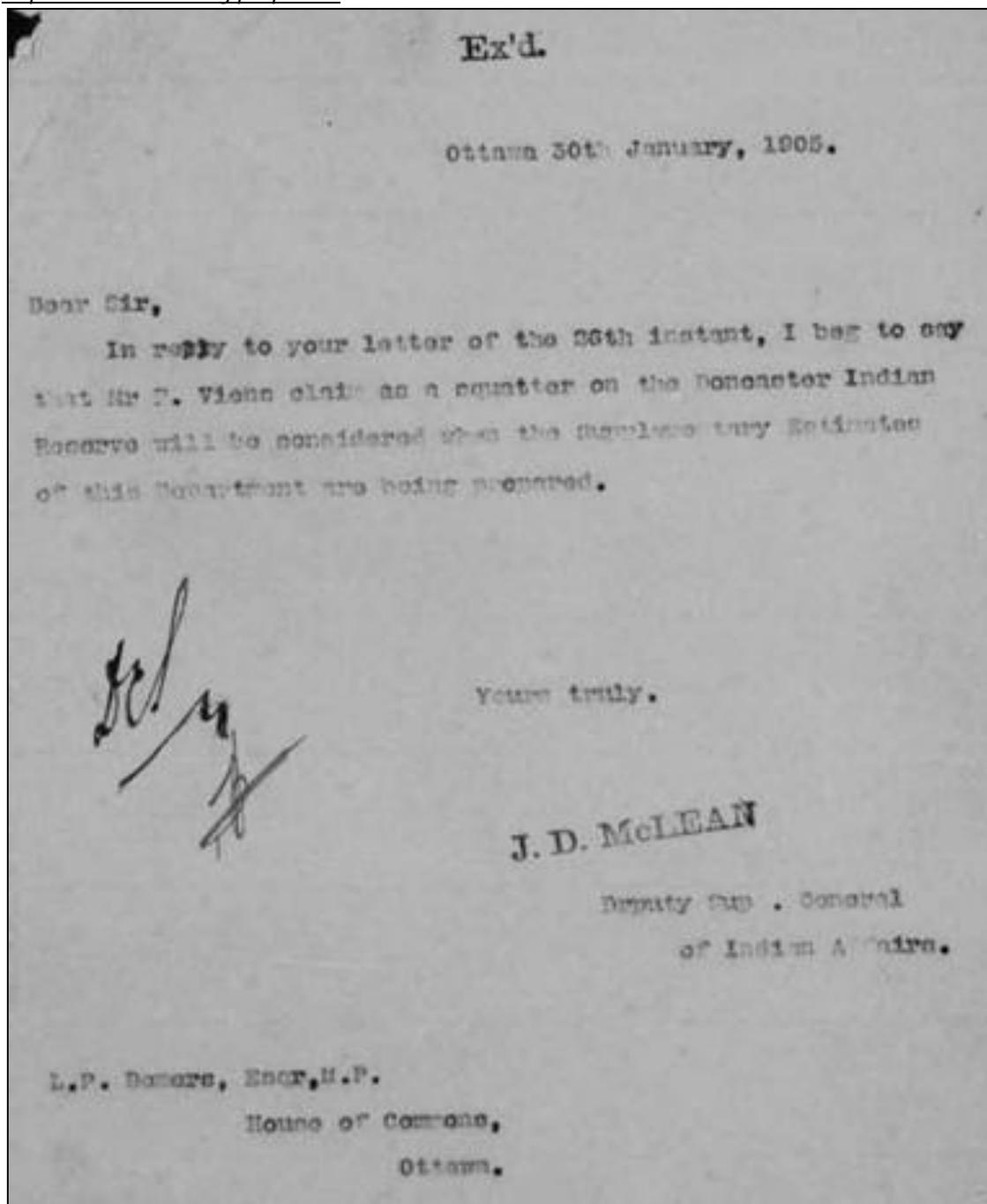
Page 276 (Page 274 is classified after page 265) Letter from **28 January 1905** from **Samuel Bray, Chief Surveyor to the Deputy Superintendent General of Indian Affairs** exposing clarifications concerning the late letter of **M.P. Louis Phillipe Demers from House of Commons to J.D McLean** exposing that the late fees to the claim of Mr Viens a squatter, would have been paid to him if having known where he was located or of he entered his claim before the Parliamentary votes for the payments of the squatters claims has lapsed. Below he adds: "*The claim is a just one, and if provided for in the Estimate, I presume it would be simply a revote.*"



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 277 On 30 January 1905, J.D. McLean Indian Affairs Deputy Superintendent General answers M.P. Louis Phillipe Demers from House of Commons exposing his request for the late compensation was accepted:

"Dear Sir, In reply to your letter of the 26th instant, I beg to say that Mr. Viens claim as a squatter on the Doncaster Indian Reserve will be considered when the supplementary estimation of this Department are being prepared."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 278 Montreal Herald, 14 February 1903

Department of Indian Affairs,

P. E. B.

Ottawa, _____ 190

1903
FEB 14
RS.

SQUATTERS MUST LEAVE RESERVE

Government Accepts Claim of Indians to Doncaster Reserve.

*Montreal Herald
Feb. 14, 1903*

Caughnawaga, Feb. 14.—(Special.)—On Saturday John Lefevre, snow-shoe maker of Caughnawaga, had a narrow escape from drowning. On going for water he slipped on the edge of the ice and fell into the St. Lawrence River. Indians working near by came to his rescue, and only after fifteen minutes' hard work succeeded in landing him. Lefevre was much exhausted and is now under medical care.

Last week Caughnawaga received a visit for the first time since his appointment two years ago of Mr. Frank Redey, superintendent of Indian Affairs, Ottawa. Mr. S. P. Leef, K.C., of Montreal, was one of the party. The visitors were ferried over from Lachine and enjoyed the trip. The councillors of the Indian reserve had a long conference with the government official about affairs of a general interest to the tribe at large. J. Wamnie Jocks acted as interpreter. Among other things the question of

reserve the trespassers who are despoiling the Indian lands of the most valuable timber was discussed. The government undertakes to immediately put an end to this waste of Indian property.

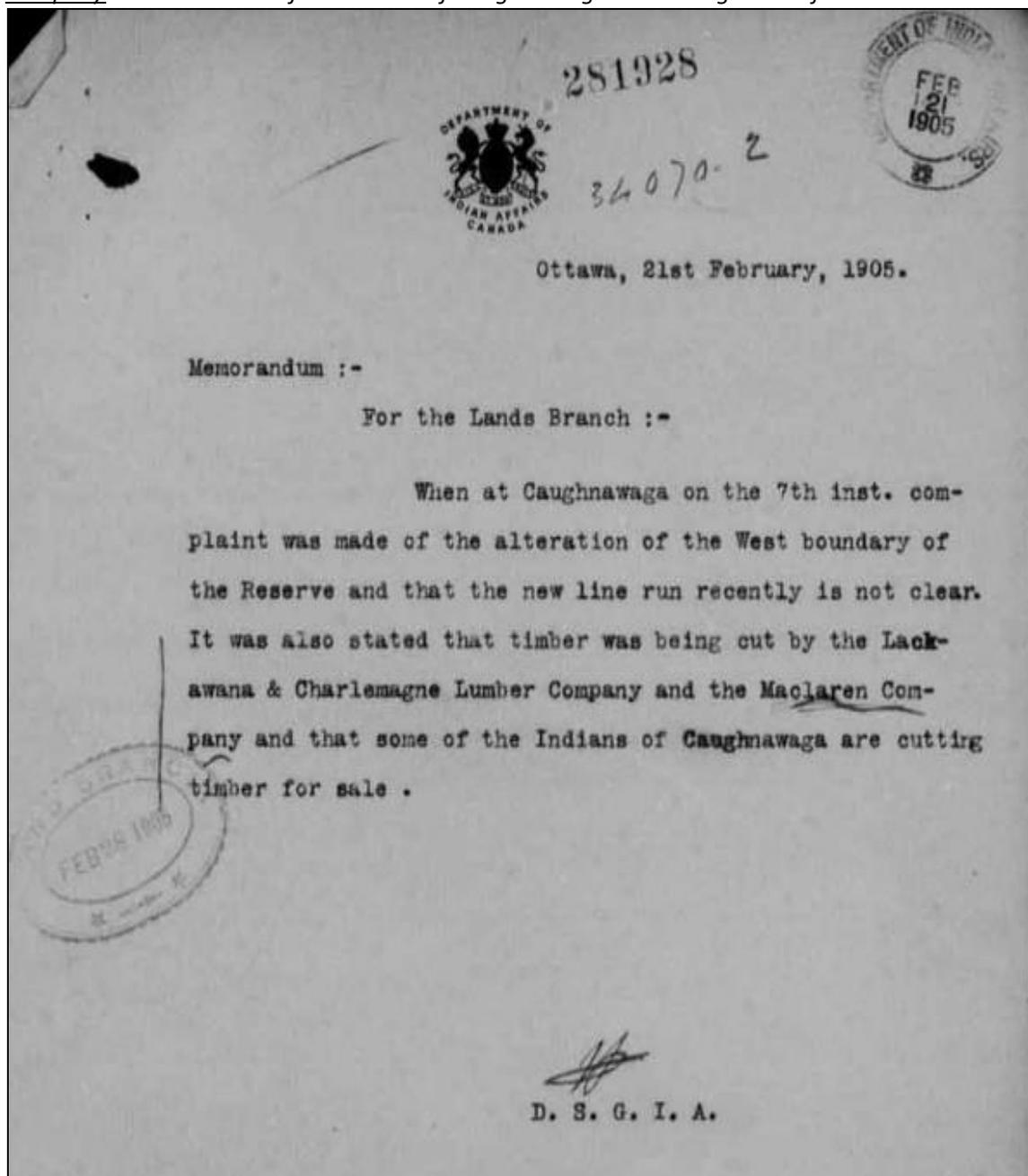
The Doncaster Reserve, containing 13,200 acres will be divided between the tribes of Caughnawaga, Oka and Caughnawaga, Ont. After the division the Government will allow the settlement of the reserve by the Indians. Indian Agent J. Blatu received instructions to take immediate proceedings against the squatters, both whites and Indians, who have no right or permit of residence in Caughnawaga.

The Indians are feeling the severity of this winter, the roads being almost impracticable on account of the depth of the snow, and they have experienced great hardships in getting their fuel from their bush holdings.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 279 Memorandum from **Deputy Superintendent General of Indian Affairs** from **February 21st 1905** to the effect that:

"When at Caughnawaga on the 7th inst. Complaint was made of the alteration of the West boundary of the Reserve and that the new line run recently if not clear. It was also stated that timber was being out by the Lackawana & Charlemagne Lumber Company and the Maclaren Company and that some of the Indians of Caughnawaga are cutting timber for sale."



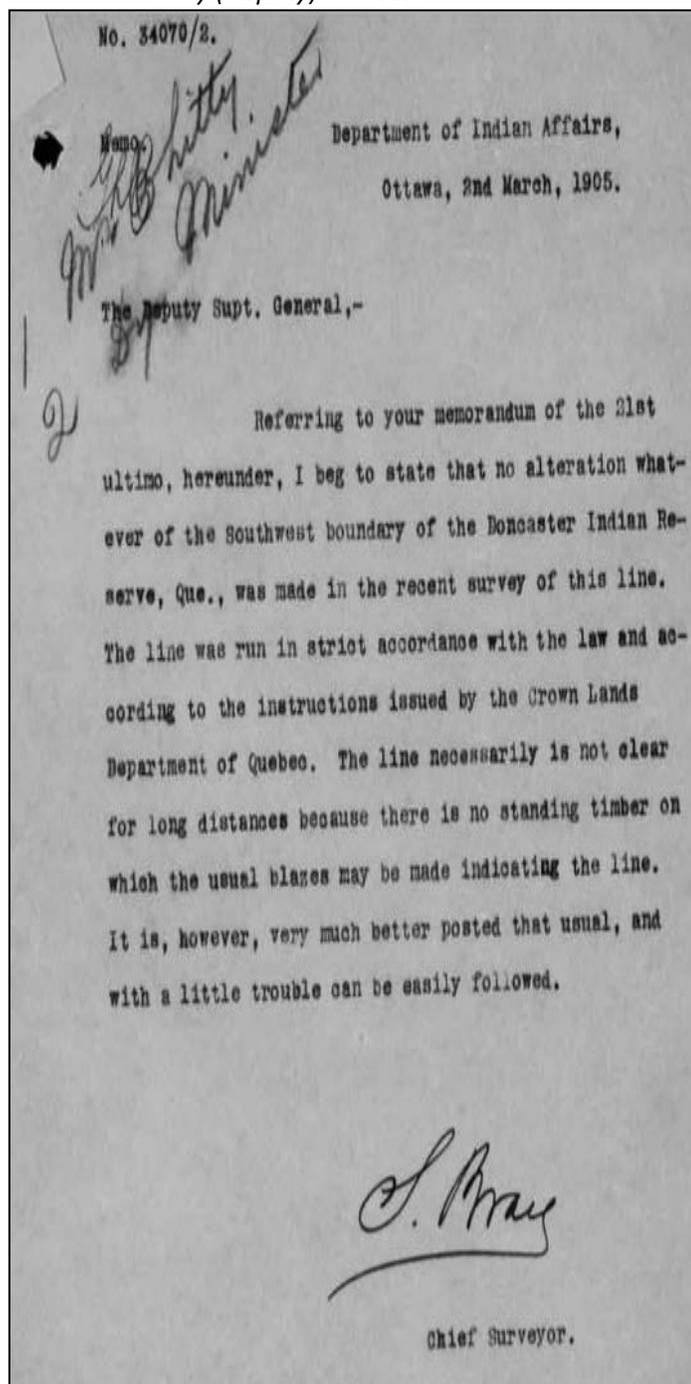
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 280 Memorandum from **Samuel Bray Chief Surveyor** to the **Deputy Superintendent General of Indian Affairs** from **2 March 1905**.

Note on the left side:

"1 Mr. Chitty

2 Dy (Deputy) Minister"

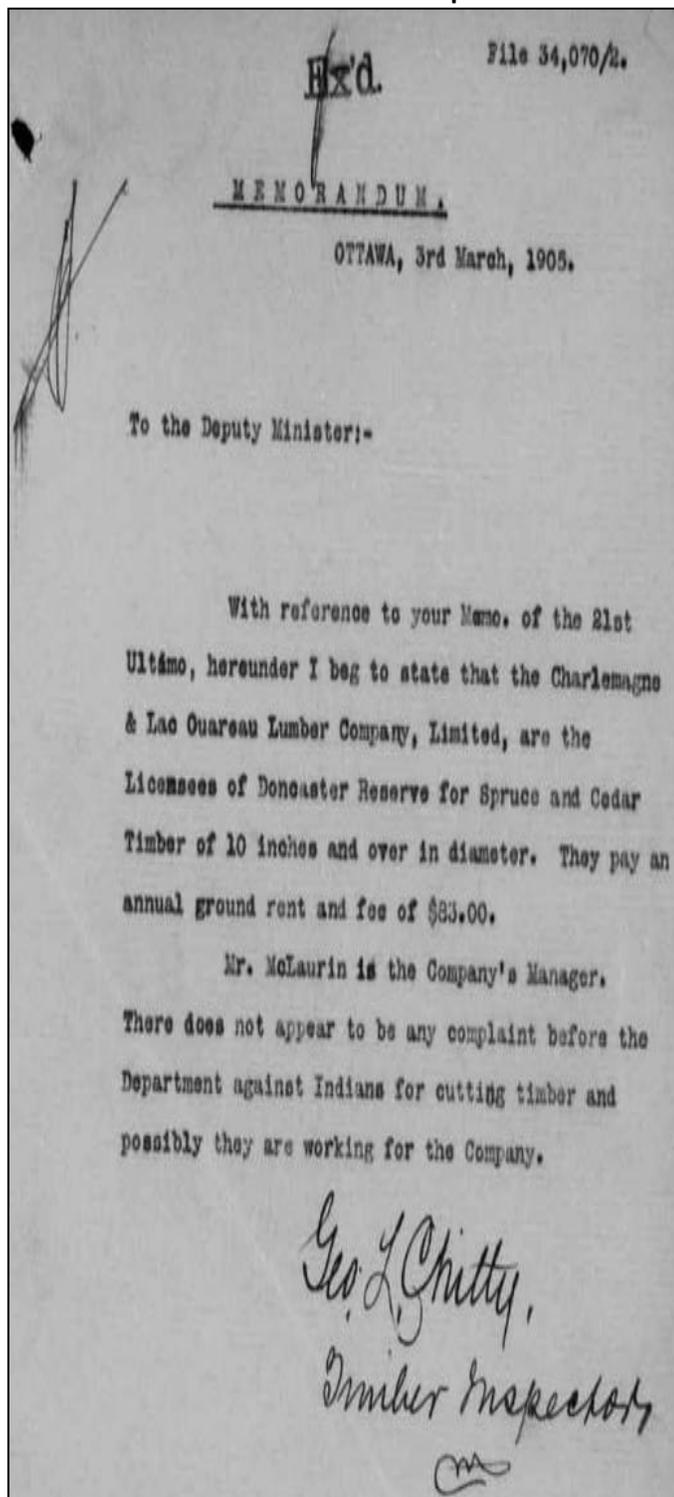


"Referring to your memorandum of the 21st ultimo, I beg to state that no alteration whatever of the southwest boundary of the Doncaster Indian Reserve, Que., was made in the recent survey of this line. The line was run in strict accordance with the law and according to the instructions issued by the Crown Land Department of Quebec. The line necessarily is not clear for long distances because there is no standing timber on which the usual blazes may be made indicating the line. It is however, very much better posted than usual, and with a little trouble can be easily followed.

*x S. Bray
Chief Surveyor."*

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 281, Letter from **George Chitty, Timber Inspector** from **3 March 1905** to the Deputy Minister **M.P. Louis Phillipe Demers**



"File 34070 /02

Memorandum.

Ottawa, 3rd March 1905.

To the Deputy Minister:-

With reference to your Memo. Of the 21st Ultimo, hereunder I beg to state that the Charlemagne & Lac Ouareau Lumber Company, Limited are the Licences of Doncaster Reserve for Spruce and Cedar Timber of 10 inches and over in diameter. They pay an annual ground rent and fee of \$83.00.

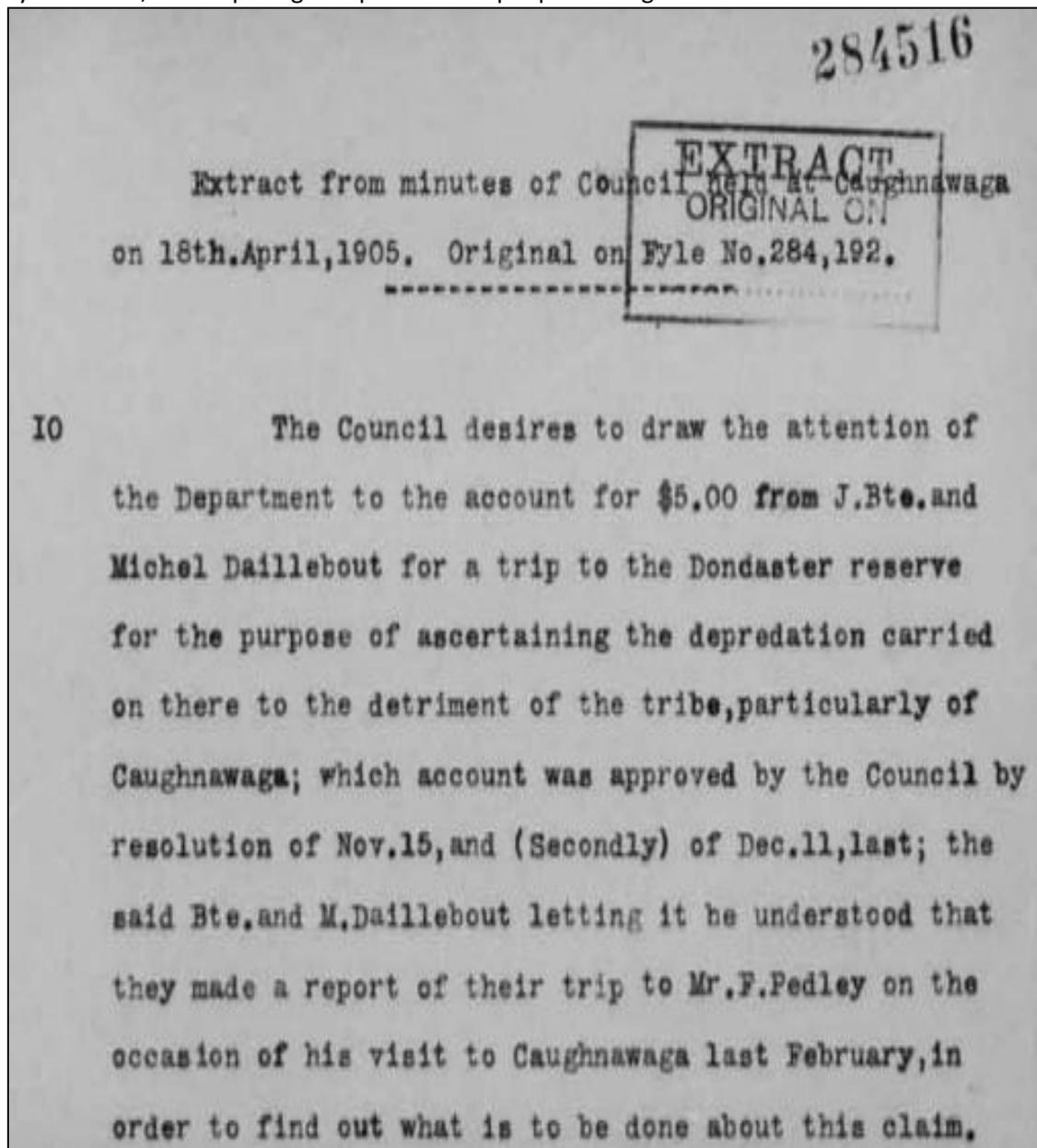
Mr. McLaurin is the Company's Manager. There does not appear to be any complaint before the Department against Indians for cutting timber and possibly they are working for the Company.

Geo. L. Chitty.

Timber Inspector."

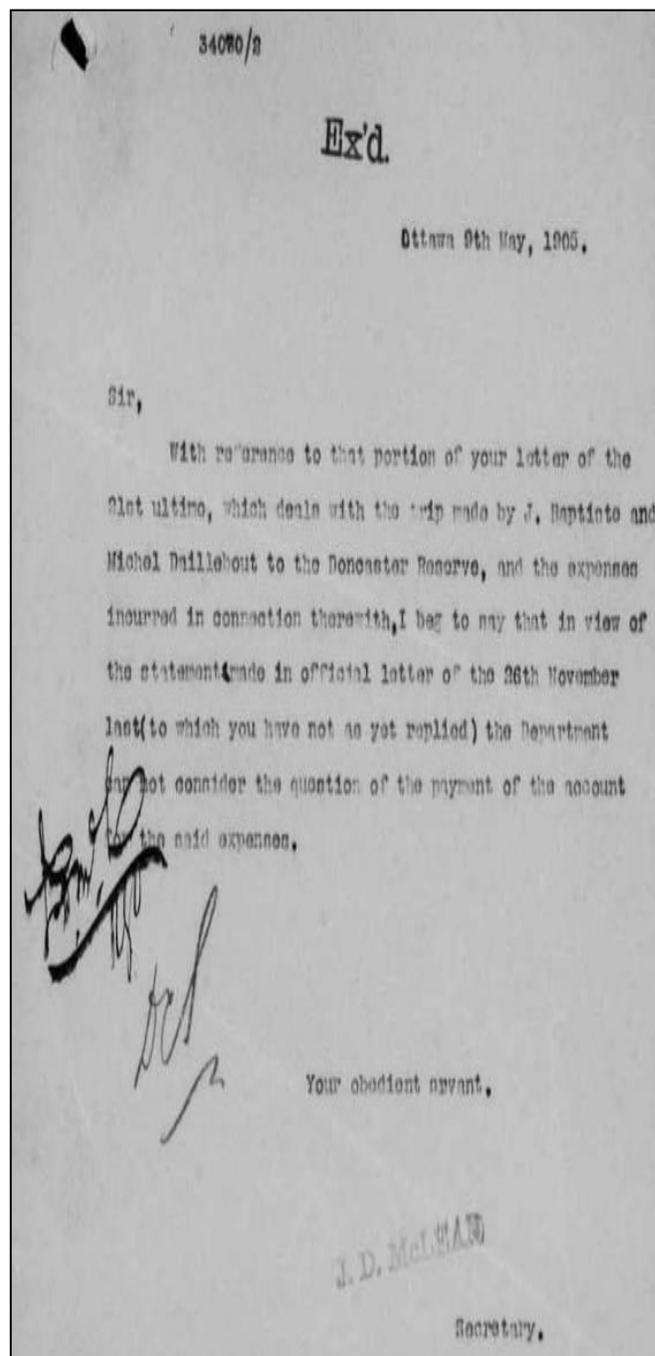
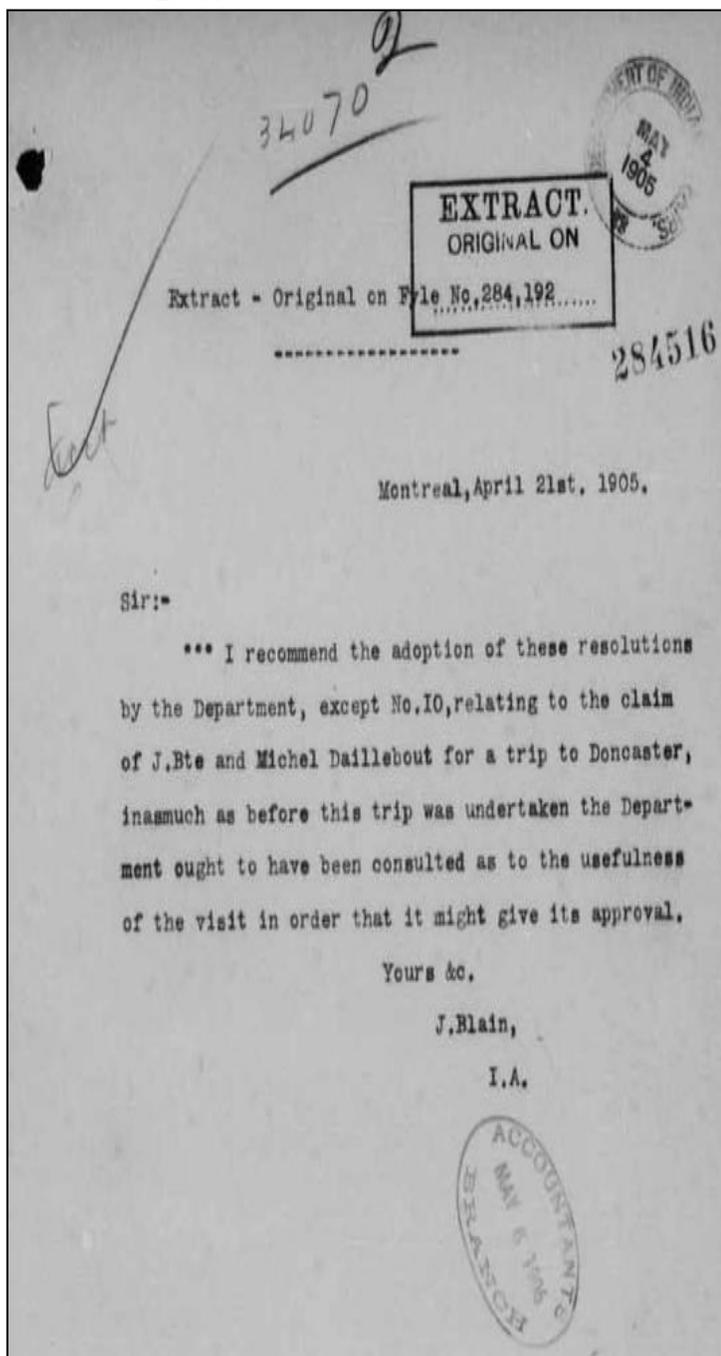
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 282 Extract of Minutes from **Council held at Caughnawaga on 18th. April, 1905**. Original on Fyle No. 284, 192. Exposing the problems of people cutting wood on their lands.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 283-284 **Indian Agent Blain** exposes the "usefulness" of the last resolution in Council in Caughnawaga, on **21 April 1905**. **Indian Affairs Secretary J.D. McLean** answers Blain on **9 May 1905**.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 285 **Lawyer from Prévost & Rinfret, Agents : Barristers, from St. Jerome**, sending the legal bills, a letter entitled: The Department of Indian Affairs: In debt with Thibaudeau Rinfret, from **10 February, 1904**, concerning **Louis Beauvais and Francois Laurent (Thires)**.

<i>Prévost & Rinfret</i> <i>Agents : Barristers</i> JEAN E. PRÉVOST, C. S., L. L. B., B. P. P. THIBAUDEAU RINFRET, S. A., S. G. L.	TELEPHONE 46
<i>Saint-Jérôme, 10th Feb. 1904</i>	
THE DEPARTMENT OF INDIAN AFFAIRS	
In debt with	285049
THIBAUDEAU RINFRET.	

1904, Feb. 4, 5, 6, 7, & 9	
<u>10: Defense by nomination "d'Office" by the Court, of J. N. LAURENT, Indian, who, when he appeared declared that he had no attorney to defend him and expected that the King or Crown should give him a lawyer.</u>	
A. Upon indictment against him for assault on a white man, on the Doncaster reserve,	25.00
B. Same upon indictment for house breaking on the same Reserve,	25.00
<u>20: Defense of FRANCOIS LAURENT:</u>	
A. Upon indictment against him for assault on a white man, on the Doncaster Reserve	25.00
B. Same upon indictment for house breaking on the same Reserve,	25.00
C. Same upon indictment for unlawfully detain one land against the will of its owners in the said township of Doncaster	25.00
<u>30: Defense of LOUIS BEAUVAIS:</u>	
A. Special study during one afternoon and two two nights upon the validity of the indictment against him and preparation of a motion to quash,	25.00
B. Defense of same upon an indictment for having stolen trees on the suppose property of a white man, at Oka,	25.00
Actual expenses, the Chief Lien of the Court being outside of the town when I have my office	8.35
	208.35

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 286 Lawyer from **Prévost & Rinfret, Agents : Barristers, from St. Jerome**, sending the legal bills, a letter entitled: The Department of Indian Affairs: In debt with Thibaudeau Rinfret, from **10 February, 1905**, concerning **Louis Beauvais and Francois Laurent (Thires)**.

TELEPHONE 40

285049

St. Jerome, Feb 10th, 1905.

THE DEPARTMENT OF INDIAN AFFAIRS,
In debt with
THIBAUDEAU RINFRET.

1904, Feb. 4, 5, 6, 7 & 9.

To: DEFENSE by nomination "d'office" by the Court of J.B. LAURENT, Indian, who, when he appeared, declared that he had no Attorney to defend him and expected that the King or Crown should give him a lawyer.

A. Upon indictment against him for assault on a white man on the Doncaster Reserve,	\$25.00
B. Same upon indictment for house breaking on the same Reserve,	25.00
<u>To: DEFENSE OF FRANCOIS LAURENT:</u>	
A. Upon indictment against him for assault on a white man, on the Doncaster Reserve,	25.00
B. Same upon indictment for house breaking on the same Reserve,	25.00
C. Same upon indictment for unlawfully detain one land against the will of its owners in the said township of Doncaster,	25.00
<u>To: DEFENSE OF LOUIS BEAUVAIS:</u>	
A. Special study during one afternoon and two nights upon the validity of the indictment against him and preparation of a motion to quash	25.00
B. Defense of same upon an indictment for having stolen trees on the suppose property of a white man, at Oka	25.00
Actual expenses, the Chief lieu of the Court being outside of the town where I have my office	9.35
Total,	\$ 208.35

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

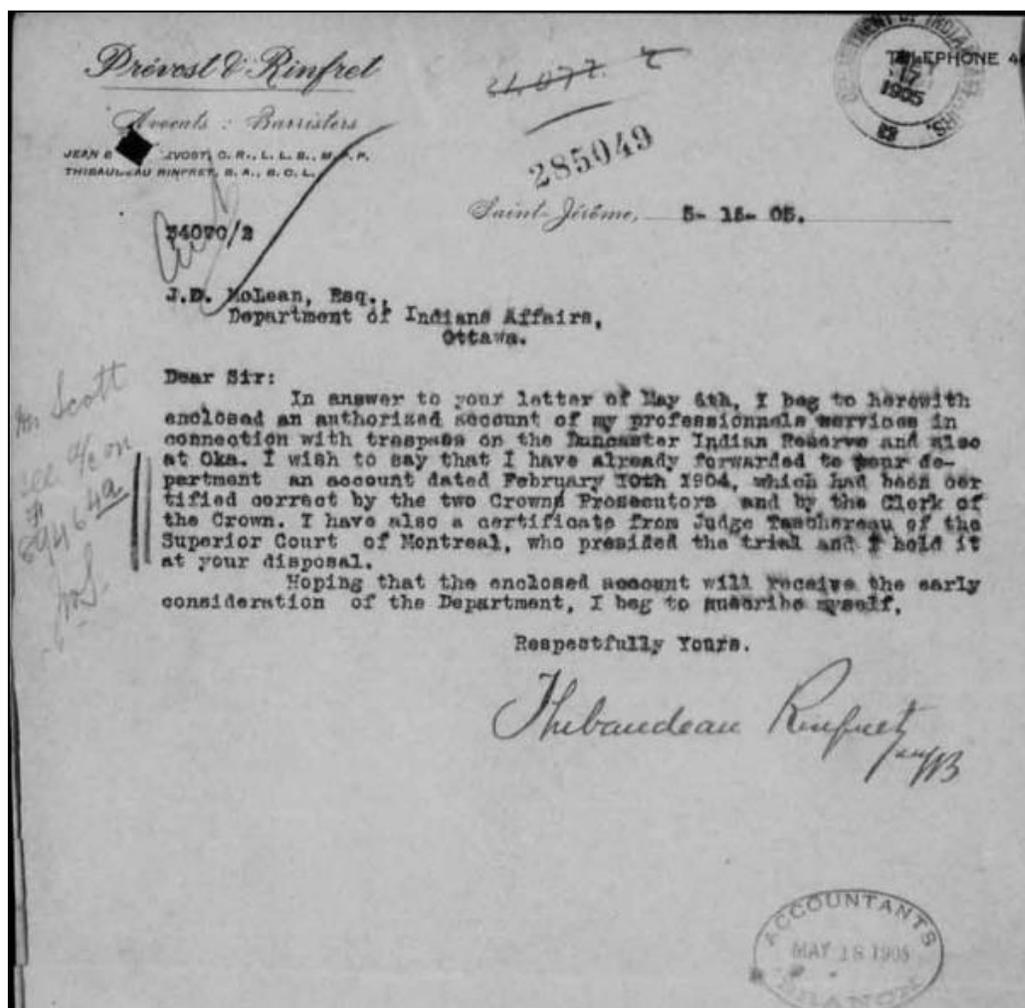
Page 287 **Lawyer from Prévost & Rinfret, Agents : Barristers, from St. Jerome**, answering Indian Affairs Secretary J.D. McLean on the 15th of May 1905 exposing:

"In answer to your letter of May 6th, I beg to herewith enclosed an authorized account of my professional services in connection with trespass on the Doncaster Reserve and also at Oka. I wish to say that I have already forwarded to your department an account dated February 10th 1904, which had been certified correct by the two Crown Prosecutors and by the Clerk of the Crown. I have also a certificate from Judge Taschereau of the Superior Court of Montreal, who presided the trial and I hold it At your disposal.

Hoping that the enclosed account will receive the early consideration of the Department, I beg to subscribe myself.

Respectfully yours,

Thibaudeau Rinfret."



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 288 Report of Band Council of Caughnawaga from 17 May 1905 concerning the settlers taking timber, exposing their travelling expenses.

Indian Office

Caughnawaga

285189 *May 17 1905*

MEMO

Report of Michel Daillebout and J.B. Daillebout on visit to Doncaster Reserve in November 1904.

Found that timber was being taken by settlers from the reserve, and examined boundaries, Made report to the band on quality of land, timber etc, and as to suitability for settlement, The views of the undersigned as to dealing with the Reserve were given verbally to Mr. Pedley. Fares on railway \$1.65 each each way, carters ^{board} and meals \$5.40.

J.B. Daillebout.
M. Daillebout.

Witness.
J. Waniente Jocks.

"Indian Office 285189

Of Caughnawaga

Memo

May 17th, 1905

Report of Michel Daillebout and J.B.

Daillebout on visit to Doncaster Reserve in November 1904.

Found that timbers was being taken by settlers from the reserve, and learned boundaries, made report to the band on quality of land timber etc and on to suitability for settlement., The views of the undersigned as to dealing with the reserve were given verbally to Mr. Pedley. Fares on Railways \$1.65 each Each way carters boards and meals \$5,40.

his

J.B. "x" Daillebout
mark

his

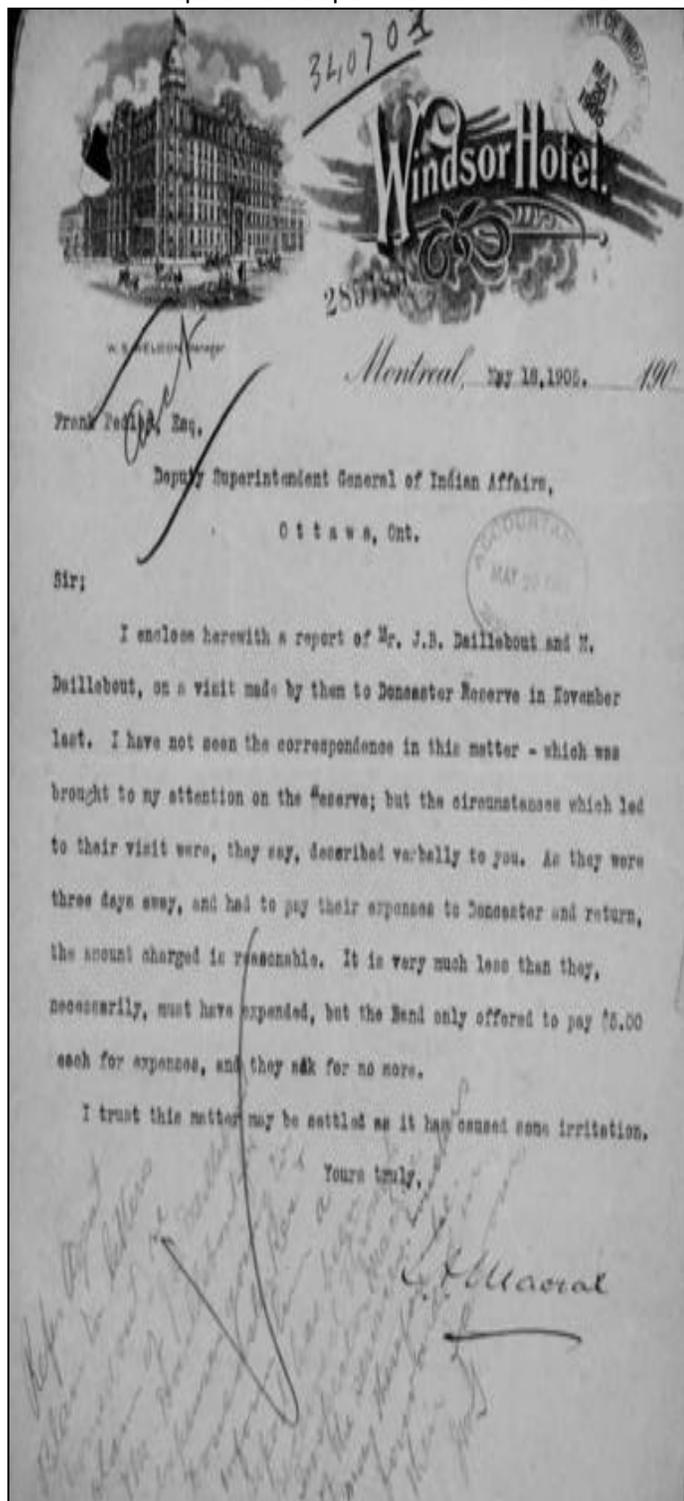
M. "x" Daillebout
Mark

Witness

J Waniente Jocks."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 289 Letter from **18 May 1905** from **Indian Agent J.A. Macrae** to **H. Frank Pedley**,
Department Superintendent General of Indian Affairs



"Windsor Hotel

Montreal, May 18, 1905.

Frank Pedley, Esq,

Deputy Superintendent General of Indian Affairs
Ottawa, Ont.

Sir,

I enclose herewith a report of Mr. J.B. Daillebout and M. Daillebout, on a visit made by them to Doncaster Reserve in November last. I have not seen the correspondence in this matter - which was brought to my attention on the Reserve: but the circumstances which led to their visit were, they say, described verbally to you. As they were three days away, and had to pay their expenses to Doncaster and return the amount charged is reasonable. It is very much less than they, necessarily, must have expended, but the Band only offered to pay \$5.00 each for expense, and they ask for no more.

I trust this matter may be settled as it have caused some irritation.

Your truly

x J.A. Macrea."

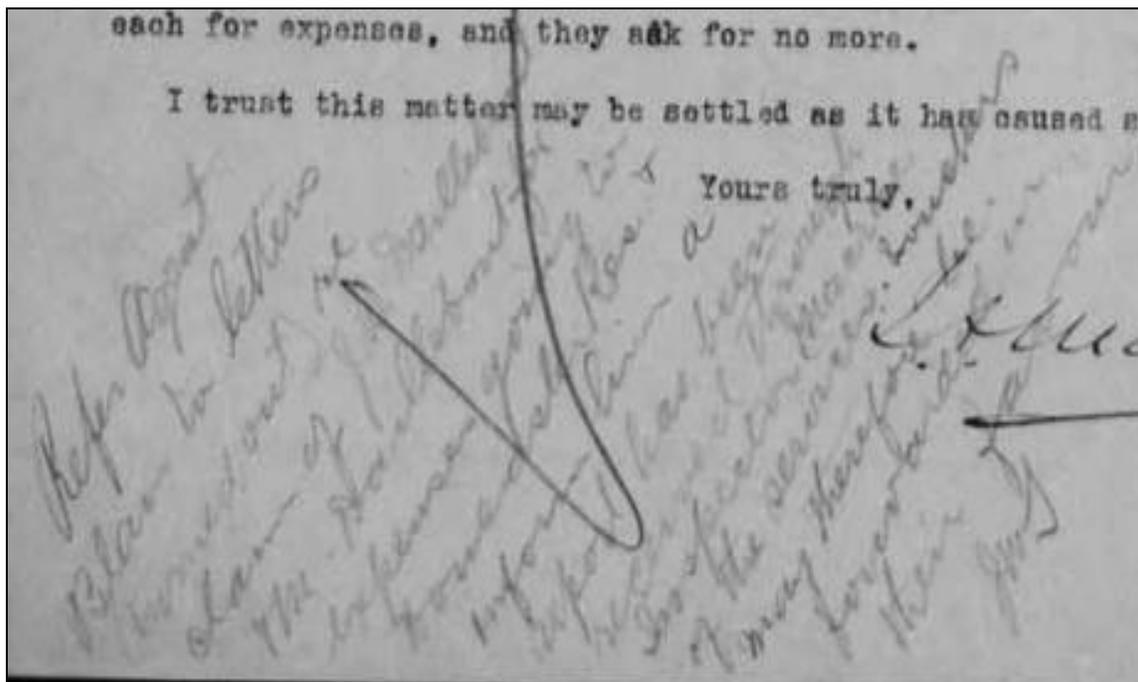
Note written below exposed the agreement reading as:

"Refer Agent
Blain to letters
(turned out) the
claim of J.B. Daillebout and
M. Daillebout for
expenses going to
Doncaster Res.
Inform him a
report has been
received through
Inspector Macrae
of the services. Vouchers
may therefore be
forwarded in
their favour.
JWS."

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 289 In the same letter from **18 May 1905** from **Indian Agent J.A. Macrae to H. Frank Pedley**, Department Superintendent General of Indian Affairs a note written below exposed the agreement reading as:

*"Refer Agent
Blain to letters
(turned out) the
claim of J.B. Daillebout and
M. Daillebout for
expenses going to
Doncaster Res.
Inform him a
report has been
received through
Inspector Macrae
of the services. Vouchers
may therefore be
forwarded in
their favour.
JWS."*



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 290-292 from **May-June 1905**, from **Lawyer Thibaudeau Rinfret**, answering Indian Affairs Secretary J.D. McLean in the May-June 1905 period after the previous letter sent the 15th of May 1905 exposing clarification in a deeper report of 3 pages.

285597

DEPARTMENT OF INDIAN AFFAIRS,
OTTAWA, P.O.-

I have the honour of submitting to you a detailed report concerning my account for services rendered before the Criminal Court, at Ste-Scholastique, in February last, and which has already been sent to you on March 1st or 2nd, 1905.

Another copy of this account is annexed to the present report. I may say respectfully that the circumstances in which I was chosen by the Court to represent the Indians in those cases are such that would show most favourably in favour of the claim which I have made against this Department.

I was chosen by the Judge, at the special request of the Indians, who said that they had no lawyer, and that they waited for the Crown to give them one. I was nominated "d'office" by the Court. The cases were just about to proceed. There was no time to communicate with the Department of Indian Affairs for instructions. Besides, having been chosen by the Court, I did not think it proper to disregard the choice and call at the Department for special orders.

I may mention that the chef-lieu, where the Court was sitting, was outside of the place where I have my office and that therefore, during six full days, I was detained out of town, and prevented from attending to the regular business of our office, which is a very busy one, and at a time, when my partner had to be in

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 290-292 from **May-June 1905**, from **Lawyer Thibaudeau Rinfret**, answering Indian Affairs Secretary J.D. McLean in the May-June 1905 period after the previous letter sent the 15th of May 1905 exposing clarification in a deeper report of 3 pages.

-2-

Quebec, for his parliamentary duties as member of the House.

But, besides those good reasons, the very nature of the charges preferred against the three Indians would be a reason for this Department to pay the account which I have presented to it.

The Indians were accused of ~~seven~~ different crimes, each of which was connected with the question of land reserves in the Counties of Two-Mountains and Terrebonne, in the Province of Quebec, and therefore connected with the very affairs which, by section 21, Cap. 43, of the Revised Statutes of Canada, are vested with this Department, and which it is bound by law to look after and protect.

I am speaking of the Indian Reserves of the Township of Doncaster, in the County of Terrebonne, and of Oka, in Two-Mountains.

The two Laurents were accused each of assault, house-breaking and unlawfully detaining land against the will of its owner, in the said Township of Doncaster. The land which they were thus detaining proved to be precisely the one to which they are entitled by the Statute, so that, upon a rather intricate argument on law points, which covered two days of study and of pleading, Judge Taschereau decided in favour of my pretensions and both Indians were acquitted on every indictment.

As for Beauvais, he was accused of having stolen trees at Oka. His pretensions were that what he had taken was on the Indian Reserve. So that here also the case was connected with the Land Reserve. Beauvais was acquitted and the indictment quashed.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 290-292 from **May-June 1905**, from **Lawyer Thibaudeau Rinfret**, answering Indian Affairs Secretary J.D. McLean in the May-June 1905 period after the previous letter sent the 15th of May 1905 exposing clarification in a deeper report of 3 pages.

-3-

I have furnished the Department with a certificate from the Judge who presided the Criminal Court, stating that I had been nominated by the Court upon the representations of the Indians, that they had no attorney and that they expected the Crown to give them one.

My account bears the approval of the two Crown Prosecutors, the Clerks of the Crown; and has been approved and is supported by the Hon. the Solicitor-General.

The payment of my account would also be in accordance with the precedents established by this Department in the case of Vahbe, where Mr. Jérôme Décarie was paid for his services and another case in Hull, where Mr. Auguste Lenoir was remunerated. Their cases were less favourable than the present one, for they had to deal with ordinary crimes, while my cases were connected with questions of Land Reserves. I wish to add that in the special case of Beauvais, Mr. de Laronde, who represented him at the preliminary inquiry, was paid by this Department for his services.

These cases have taken a whole week of my time when I could not afford to loose any time at all; and have necessitated a long and special study. I have received nothing from the Indians, who have always been and still are under the impression that my account should be paid by this Department. Under the circumstances, I respectfully ask that said account be accepted and paid; and I wish to remain

Your most obedient and confident servant,

Thibaudeau Rinfret

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 293-294 Letter from **7 June 1905**, from **Lawyer Thibaudeau Rinfret**, to the **Minister of Justice**, exposing clarification in a report of 2 pages exposing a detailed agenda of the legal procedures encountered:

C O P Y. - 34070-2

Saint Jerome, 7th June, 1905.

To the Honorable Minister of Justice,
Ottawa P.C.

Honorable Sir,-

I am in receipt of a letter from the Department of Indian Affairs stating that the Deputy Minister of Justice has re-enclosed to the Department of Indian Affairs in a letter dated the 29th May my account for professional services rendered to the latter Department, in connection with indictments preferred against three Indians at Ste. Scholastique.

The account has been sent back to me by the Department of Indian Affairs and I annex it to the present letter.

The letter of your Department of the 29th of May stated "There is no sufficient information contained in the account to enable me to tax it. It will be necessary for Mr. Rinfret to give details in his account showing dates and length of time taken in each case, particularly the length of time occupied in Court."

I beg to herewith furnish the information asked for. I may say that I have already sent to the Department of Indian Affairs two reports and two accounts in connection with this matter. In order that your Department may be well acquainted with all the facts, I beg to herewith annex a copy of one of these reports and I believe that it contains all the information which you ask.

However, here follows a short and precise answer:

I have been occupied in Court for the cases of J.B. Laurent, Francois Laurent, and Louis Beauvais, from February 4th at 10 o'clock in the morning to February 6th 1904 at 5 o'clock in the afternoon. The 7th was a Sunday. I was again occupied in Court from February 8th at 10 A.M. of the clock to February 9th 1904 at 5 o'clock in the afternoon.

But

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 293-294 Letter from **7 June 1905**, from **Lawyer Thibaudeau Rinfret**, to the **Minister of Justice**, exposing clarification in a report of 2 pages exposing a detailed agenda of the legal procedures encountered:

But, I may add that, having been charged of those cases in Court, I had given no study to them prior to these days and that therefore I had to give up all the evenings of these six days and the whole of Sunday exclusively to them, in order to understand and master the points of law arising in each of them. Besides having many consultations with the accused ~~who~~ did not understand either French or English and with whom I had to consult through an interpreter. I am therefore, ready to swear, if necessary, that from February 4th in the morning to February 9th in the afternoon, I have given all my time exclusively to the cases above referred to. Besides, as I live in St. Jerome, and the cases were going on in Ste. Scholastique, I could not have attended to my other business, as had I been willing to. I think, under the circumstances, that my account is more than reasonable and with all confidence I respectfully submit it to you.

Your most obedient servant,

(Sgd)Thibaudeau Rinfret.

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 295-297 Letter from **7 June 1905**, from **Lawyer Thibaudeau Rinfret**, to the Department of Indian Affairs, a literal copy as the previous sent to **Minister of Justice (on pages 290-292)**, exposing clarification in a report of 2 pages exposing a detailed agenda of the legal procedures encountered.

Department of Indian Affairs,
Ottawa, P.C.

I have the honor of submitting to you a detailed report concerning my account for services rendered before the Criminal Court, at Ste. Scholastique, in February last, and which has already been sent to you on March 1st or 2nd, 1905.

Another copy of this account is annexed to the present report. I may say respectfully that the circumstances in which I was chosen by the Court to represent the Indians in those cases are such that would show most favorably in favor of the claim which I have made against this Department.

I was chosen by the Judge, at the special request of the Indians, who said that they had no lawyer, and that they waited for the Crown to give them one. I was nominated "d'office" by the Court. The cases were just about to proceed. There was no time to communicate with the Department of Indian Affairs for instructions. Besides, having been chosen by the Court, I did not think it proper to disregard the choice and call at the Department for special orders.

I may mention that the chef-lieu, where the Court was sitting, was outside of the place where I have my office and that, therefore, during six full days, I was detained out of town, and prevented from attending to the regular business of our office, which is a very busy one, and at a time, when my partner had to be in Quebec, for his parliamentary duties as member of the House.

But, besides these good reasons, the very nature of the charges preferred against the three Indians would be a reason for this Department to pay the account which I have presented to it.

The Indians were accused of seven different crimes, each of which was connected with the question of land reserves in the Counties of Two-Mountains and Terrebonne, in the Province of Quebec, and therefore connected with the very affairs which, by section 21, Cap. 43, of the Revised Statutes of Canada

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 295-297 Letter from **7 June 1905**, from **Lawyer Thibaudeau Rinfret**, to the Department of Indian Affairs, a literal copy as the previous sent to **Minister of Justice (on pages 290-292)**, exposing clarification in a report of 2 pages exposing a detailed agenda of the legal procedures encountered.

Canada, are vested with this Department, and which it is bound by law to look after and protect. I am speaking of the Indian Reserves of the Township of Doncaster, in the County of Terrebonne, and of Oka, in Two-Mountains.

The two Laurents were accused each of assault, house-breaking and unlawfully detaining land against the will of its owner, in the said Township of Doncaster. The land which they were thus detaining proved to be precisely the one to which they are entitled by the Statute, so that, upon a rather intricate argument on law points, which covered two days of study and of pleading Judge Taschereau decided in favor of my pretensions and both Indians were acquitted on every indictment.

As for Beauvais, he was accused of having stolen trees at Oka. His pretensions were that what he had taken was on the Indian Reserves. So that here also the case was connected with the Land Reserves. Beauvais was acquitted and the indictment quashed.

I have furnished the Department with a certificate from the Judge who presided the Criminal Court, stating that I had been nominated by the Court upon the representations of the Indians, that they had no attorney and that they expected the Crown to give them one.

My account bears the approval of the two Crown Prosecutors, the Clerks of the Crown; and has been approved and is supported by the Hon. the Solicitor General.

The payment of my account would also be in accordance with the precedents established by this Department in the case of Vahbe, where Mr. Jérôme Desjarle was paid for his services and another case in Hull where Mr. Auguste Lemieux was remunerated. Their cases were less favorable than the present one, for they had to deal with ordinary crimes, while my cases were connected with questions of Land Reserves.

I wish to add that in the special case of Beauvais, Mr. de Larocde, who represented him at the preliminary enquiry, was

CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 295-297 Letter from **7 June 1905**, from **Lawyer Thibaudeau Rinfret**, to the Department of Indian Affairs, a literal copy as the previous sent to **Minister of Justice (on pages 290-292)**, exposing clarification in a report of 2 pages exposing a detailed agenda of the legal procedures encountered.

was paid by this Department for his services.

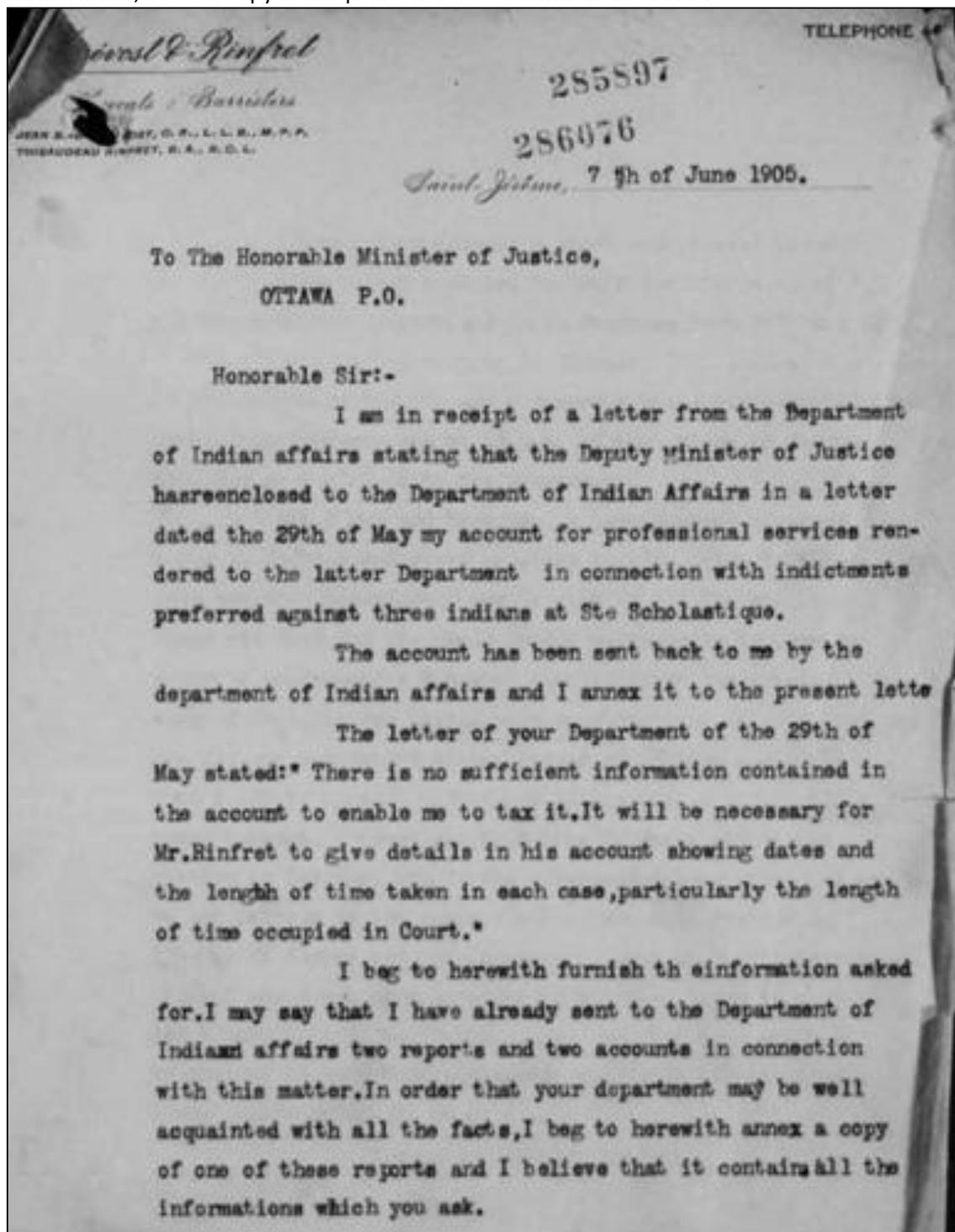
These cases have taken a whole week of my time when I could not afford to lose any time at all; and have necessitated a long and special study. I have received nothing from the Indians, who have always been and still are under the impression that my account should be paid by this Department. Under the circumstances, I respectfully ask that said account be accepted and paid; and I wish to remain

Your most obedient and confident servant,

(Sgd) Thibaudeau Rinfret.

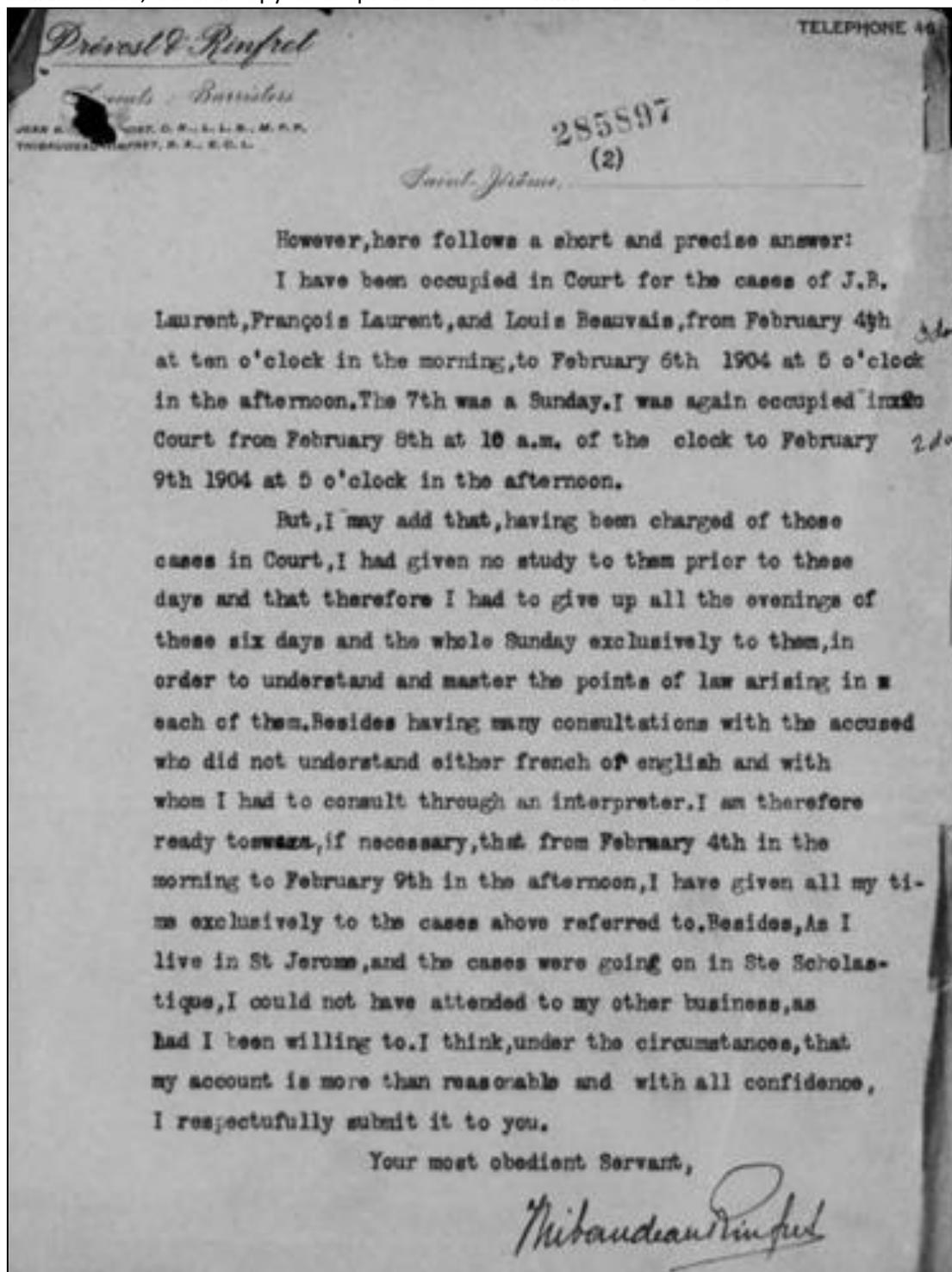
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 298-299 Letter from **7 June 1905**, from **Lawyer Thibaudeau Rinfret**, to the Department of Indian Affairs, a literal copy as the previous sent to **Minister of Justice**.



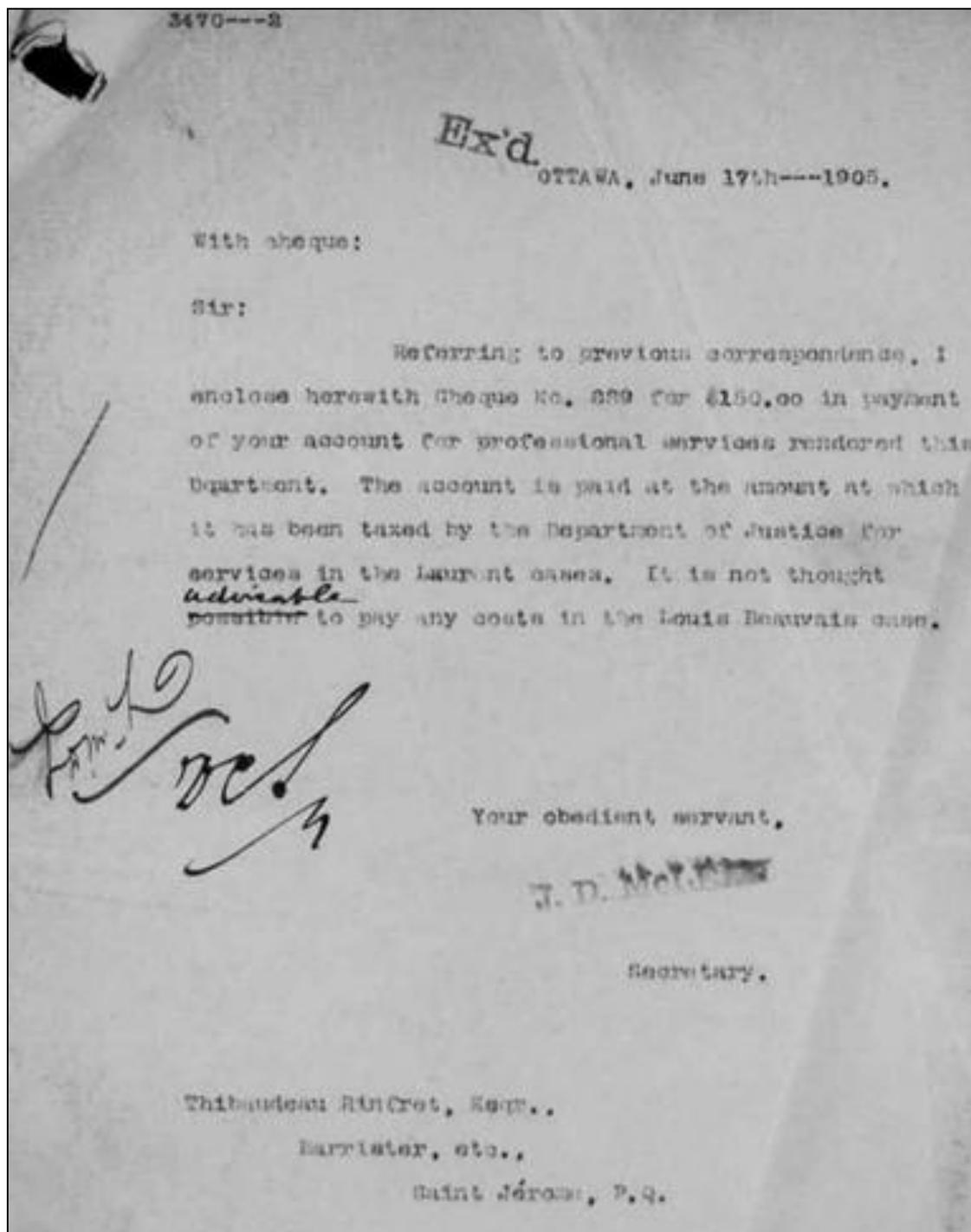
CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 298-299 Letter from **7 June 1905**, from **Lawyer Thibaudeau Rinfret**, to the Department of Indian Affairs, a literal copy as the previous sent to **Minister of Justice**.



CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, Microfilm reel C-11172, Unsuccessful attempt to buy the Doncaster reserve and settlement with the squatters

Page 300 On **7 June 1905** J.D. McLean Indian Affairs Secretary enclosed a \$150,00 payment to **Lawyer Thibaudeau Rinfret**, exposing that *"it is not thought advisable to pay any cost in the Louis Beauvais case."*



NAMES ENCOUNTERED IN ALPHABETICAL ORDER

A-

André, Pierre or Paul, Assistant Secretary Treasurer of Doncaster, 1901.

André: Leopold André, Secretary Treasurer to the Municipality of Doncaster, 1897.

B-

Beauchamp, Ovide, Mayor of Ste. Lucie de Doncaster, 1897.

Belle, C.E., Esquire, Crown Timber Agent, Montreal, October 4, 1873.

Bernier, C.S., Superintendent of Department of Lands and Forests of Province of Quebec, 1924.

Bray, Samuel Bray, Surveyor, 1901-1906

Brosseau, Alexander Brosseau, Indian Agent 1897.

Bruce, Robert, Superintendent of Indian Affairs, 1853.

Butler, Thomas John Indian Agent, 1874.

C-

Caldwell: Caldwell, Acting as Deputy Superintendent General of the Lands and Timber Branch of Indian Affairs 1932.

Campbell, McMaster & Couture Law firm, 1901-1903.

Cardin, Zotique, Priest of Ste Lucie, 1904

Chitty, George L., Timber inspector, 1905.

Conley, G.A., a temporary employee, Indian Affairs departmental accountant, 1932.

F-

Fletcher, K.T. (or H.T.), Secretary for the Commissary of Crown Lands, 1853.

Forget, Noé, Mayor, Ste Lucie Doncaster, July 1890.

Fortin, Pierre-Etienne, commissioner of Crown Lands, from Quebec, on the 13th September 1873.

G-

Gauvin, Superintendent of Surveys, 1904

Gerow, Thomas Gerow Murphy, on May 18, 1932, was a Canadian politician, Superintendent General (October 29, 1883 – April 7, 1971).

G.M. Matheson, who was employed in the Records Branch of the Department of Indian Affairs from 1888 until his retirement as head registrar in 1936.

Guthrie, Hughes Minister of Justice, 1932.

H-

Hauser, Caughnawaga Priest, 1927-1932.

Hugh Guthrie, E.C., Minister of Justice to Superintendent General, 1930.

J-

Joly: Henry G., Honorable Henry G. **Joly** of Lobtiniere, Minister of Interior and General Surintendent of tribes of Savages, 4 October 1893.

L-

Laberge, F.C: Mr **F.C. Laberge** Surveyor appointed for the surveying of the Doncaster Reserve, 1901-1904

Lanctot, Charles, Deputy Attorney General of Quebec from 30 August 1932.

Langevin, Jean, Esquire of Crown Lands, 1853.

Lee, William H., C.E.C., Clerk of Executive Council of Indian Affairs, 1853.

M-

Mackenzie, A.F., acting as Assistant Deputy and Secretary of Indian Affairs, 1929.

Macombe, E.C., minister of Justice, 1921.

Macrae: Indian Agent J.A. Macrae, Ottawa, from 27 August 1901.

Matheson, George M., (who was employed in the Records Branch of the Department of Indian Affairs from 1888 until his retirement as head registrar in 1936.)

McGill, Harold Wigmore, PC. Who served in the Legislature for just over two years before vacating his seat. He was appointed as Superintendent-General of Indian Affairs in Ottawa. 51 His appointment took effect and he vacated his seat in the Alberta Legislature on October 14, 1932. 52

McKennea, Andrew Private Secretary of superintendent gen. of Indian Affairs, 1898. 53

McLean, Mr McLean Secretary of Indian Affairs, October 1897.

Marchand, A.J., Land Agent, 1904

Martin, J.A., Surveyor, 1904

Martin J. Crown Surveyor from Agency of the Department of Lands and Forests and Fisheries of Quebec, 1904

Mercier, Honoré, Minister of Lands and Forests, 1924

Meredith: .A. Meredith, Deputy of the Minister of the Interior, 29 November 1873. In the summer of 1873 he became deputy minister of the new Department of the Interior with Alexander Campbell as the first minister. The department assumed a wide range of

⁵¹ N. Hindsley takes seat in Calgary". Vol XXXII No. 16. Edmonton Bulletin. January 20, 1933. pp. 1–2.

⁵² "Calgary Doctor Gets Federal Appointment". Vol 58, No. 87. Winnipeg Free Press. December 14, 1932. p. 1.

⁵³ E. Brian Titley, "McKENNA, JAMES ANDREW JOSEPH," in *Dictionary of Canadian Biography*, vol. 14, University of Toronto/Université Laval, 2003–, accessed May 22, 2017, http://www.biographi.ca/en/bio/mckenna_james_andrew_joseph_14E.html.

responsibilities, including the Indian affairs branch and the dominion lands branch, but Meredith was loath at this stage in his career to take on burdensome new responsibilities.

Still, Meredith and Campbell quickly developed a high regard for each other's abilities, and Meredith as deputy apparently achieved a far-reaching restructuring of the Indian affairs and the lands branches.⁵⁴

Murphy, Thomas Gerow Murphy, on May 18, 1932, (October 29, 1883 – April 7, 1971) was a Canadian politician, Superintendent General. Born in Northumberland County, Ontario, he was a pharmacist before being elected to the Canadian House of Commons representing the Manitoba riding of Neepawa in the 1925 federal election. A Conservative, he was defeated in the 1926 election by Progressive Robert Milne. He defeated Milne in the 1930 federal election to return to Parliament and was appointed to the Cabinet of R.B. Bennett. He was defeated in the 1935 and 1940 elections. From 1930 to 1935, he was the Superintendent-General of Indian Affairs and Minister of the Interior.⁵⁵

N-

Napier, Referred to Colonel Napier, 1853.

Newcomb-Newcombe, E. L. Newcomb, Esq, Deputy Minister of Justice, Ottawa, 1896-1921.

P-

Parent S.W. Parent, Minister of Lands, Mines and Fisheries, from 27 August 1901.

Pedley-Peddler-, H. Frank, Department Superintendent General of Indian Affairs, 1904
Pennefather, Richard Theodore, superintendent-general, was the official head of the Indian Affairs, superintendent-general, from February 20, 1858. His greatest contribution to Canada was his chairmanship of a three-man commission which conducted an inquiry from 1856 to 1858 into the Indian Department's operations.

Perillard, Joseph: Indian Agent for Oka, **1901-1903**

Piché: G.C., (Gustave Clodomir) Piché, Chief of Forestry Service, Quebec, 1929.

Pinsonneault, Joseph Euclide Rosario, (J.E.R.), Esq. Indian Agent, from August 15, 1874.

⁵⁴ Peter Oliver, "MEREDITH, EDMUND ALLEN," in *Dictionary of Canadian Biography*, vol. 12, University of Toronto/Université Laval, 2003–, accessed May 8, 2017, http://www.biographi.ca/en/bio/meredith_edmund_allen_12E.html.

⁵⁵ Thomas Gerow Source: Wikipedia–, accessed May 3, 2017 https://en.wikipedia.org/wiki/Thomas_Gerow_Murphy

Pope: Joseph Pope, Under-Secretary of State to the Secretary of Indian Affairs, 28 February 1902.⁵⁶

Prefontaine: Raymond Prefontaine, Solicitor, Barrister 1897, Liberal Prime Minister, 1901-1910.

Prevost & Rinfret Barrister, Lawyers, 1964.

R-

Rimmer, Reginald, Law clerk of Indian Affairs, 1902

Rinfret, Thibodeau, PC (June 22, 1879 – July 25, 1962) was a Canadian jurist and the ninth Chief Justice of Canada and Administrator of Canada in 1952.

Rolph: John Rolph, Commissioner of Crown Lands, 1853.

Russell: Andrew Russell, Assistant Commissioner, 1858.

S-

Scott, Duncan C., the Deputy Superintendent General of Indian Affairs in Ottawa 1927-1928.

Sifton: Clifford Sifton, Lawyer, politician, newspaper publisher, and office holders worn into Laurier's cabinet as minister of the interior and superintendent general of Indian affairs on 17 Nov. 1896.⁵⁷

Sinclair: (potential assistant of Indian Affairs.), 1890.

Smart: J.A. Smart, Deputy Minister of Interior in **Ottawa** from October 19, 1897.

Steward, Charles, Canadian Minister of the Interior and Mines, 1921.

(STUART; SEE EDWARD)-Stuart: William Stuart Edwards, Deputy Minister of Justice, exposing the rights sold from the Reserve.

Stewart, Samuel, Assistant Secretary of Indian Affairs (who became Keeper of the records in 1905)

T-

Taché: E.E. TACHÉ, Assist.-Commissioner, of Crown Lands, Quebec, 30th April, 1889 and Deputy minister of Lands, Mines and Fisheries 1904-1906

Taschereau: Henri Taschereau

Taschereau, Louis Alexandre, Prime Minister of Quebec, and Attorney General, 1929-1932.

Thibodeau-Rinfret, Esquire Barrister, Lawyer, 1901-1905.

Thires AKA LAURENT: François Thires, from Caughnawaga, 1901.

⁵⁶ Joseph Pope P. B. Waite, "POPE, Sir JOSEPH," in *Dictionary of Canadian Biography*, vol. 15, University of Toronto/Université Laval, 2003–, accessed May 5, 2017, http://www.biographi.ca/en/bio/pope_joseph_15E.html.

⁵⁷ David J. Hall, "SIFTON, Sir CLIFFORD," in *Dictionary of Canadian Biography*, vol. 15, University of Toronto/Université Laval, 2003–, accessed May 22, 2017, http://www.biographi.ca/en/bio/sifton_clifford_15E.html.

Tucker, William James: Member, Standing Committee on Agriculture and Colonization and of Municipal Law, 1898-1902 at Parliament, in the County of Wellington West.

V-

Valin, R.A. (sometimes wrongfully spelled: Varin) Started as Secretary of Cadasters of Lands Branch from Department of Lands and Forests of Quebec, 1904-1929.

Vankoughnet: Vankoughenet, Superintendent of Indian Affairs, 1874.

Vankoughnet: H Vankoughnet, Esquire Superintendent General of Indian Affairs, 1889.

Varin, G. Arthur, -see VALIN, Minister of Cadastre, Department of Lands, Mines and Fisheries, Quebec, 1904

W-

Wauhebe, Joseph, Department of Crown Lands 1858.

William Stuart Edwards, Deputy Minister of Justice, 1932 (potentially same as the next.)

William: A.S. William acting as Deputy Superintendent General of Indian Affs 1932.

Sources and Notes

1- Ste Lucie des Laurentides official website, consulted November 2015

<http://www.municipalite.sainte-lucie-des-laurentides.qc.ca/>

2-Source mainly used for this Chapter: HEADQUARTERS - CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC, 1853-1920. LAC, MIKAN no. 2082318, reel C-11224, (120 items), RG10. Volume/box number: 2457. File number: 95452.

3-15-Province of Canada, Legislative Assembly of Canada, Journals, 1847, Appendix (T.), “Report on the affairs of the Indians in Canada” at folio 5.

4-PRE-CONFEDERATION CLAIMS AND FEDERAL AND PROVINCIAL OBLIGATIONS: A SURVEY OF THE APPLICABLE LAW prepared for the Indian Claims Commission (Revised version) David Schulze with Peter W. Hutchins and Jameela Jeeroburkhan Hutchins Grant & Associés 11 November 2005, page 16, accessed June 11, 2017, :

<http://www.dionneschulze.ca/wp-content/uploads/2012/09/pre-Confed-DS-rev-for-ICC.pdf>

5-Canada, Royal Commission on Aboriginal Peoples, Report, Volume 1, Looking Forward Looking Back, Part One, The Relationship in Historical Perspective, Chapter 6, “3. Treaty Making in Ontario, the West and the North”.

6-The substance of the Order in Council of 9 August 1853 was published as “Schedule of Lands Appropriated to the Indians of Lower Canada under Act 14 and 15 V. c. 106”, signed for the Commissioner of Crown Lands and dated 8 June 1854, in Province of Canada, Legislative Assembly, Journals, 1858, Vol. 16, App. (No. 21), Appendix No. 34.

7-Jacqueline Beaulieu, Localization of the Aboriginal Nations in Québec - Land Transactions (Québec: Ministère des ressources naturelles, 1998) page 120, , accessed June 11, 2017, :

<http://www.dionneschulze.ca/wp-content/uploads/2012/09/pre-Confed-DS-rev-for-ICC.pdf>

8-Clément E. Deschamps, Municipalités et paroisses dans la province de Québec (n.p., 1896) page 986.

9-An Act to Authorise the Setting Apart of Lands for the Use of Certain Indian Tribes in Lower Canada, S.C. 1851, c.106

10-Elizabeth Gibbs, ed., Debates of the Legislative Assembly of United Canada, 1841-1867, vol. 10, part 1, 1851 (Montreal: Centre de recherche en histoire économique du Canada français) page 199.

11- Earlier, three justices of the Supreme Court of Canada had concluded that title to an 1851 reserve passed to the federal Crown at Confederation: *Attorney-General for Canada v. Giroux* (1916), 30 D.L.R. 123, 4 C.N.L.C. 147 (S.C.C.), per Duff J. at 137-40 and per Idington J. at 132-33.

12-*Attorney-General for Quebec v. Attorney-General for Canada. Re Indian Lands, a judicial review granted, under the name Star Chrome Mining* (1920), 56 D.L.R. 373 (P.C.) at 375, 4 C.N.L.C. 238 at page 240.

13-Caughnawaga Agency - Petition signed by the inhabitants of the Doncaster Township requesting the abolition of the Indian reserve in the township, Library and Archives Canada.

14-*Attorney-General for Quebec v. Attorney-General for Canada. Re Indian Lands* (sub nom. *Star Chrome Mining*) (1920), 56 D.L.R. 373 (P.C.) at 375, 4 C.N.L.C. 238 page 240.

15-Ibid 3

16-An Act respecting lands set apart for Indians, S.Q. 1922, c.37, s.1.

17-24-31 LAC, Oka agency - Lake of Two Mountains - dispute between the band and the Seminary of St. Sulpice as to who holds title to the land in the Seigniorship, 1853-1920, Microfilm reel C-11138

18- Douglas Leighton, "PENNEFATHER, RICHARD THEODORE," in *Dictionary of Canadian Biography*, vol. 9, University of Toronto/Université Laval, 2003–, accessed May 5, 2017, http://www.biographi.ca/en/bio/pennefather_richard_theodore_9E.html.

19-20-21-56-P. B. Waite, "POPE, Sir JOSEPH," in *Dictionary of Canadian Biography*, vol. 15, University of Toronto/Université Laval, 2003–, accessed May 5, 2017, http://www.biographi.ca/en/bio/pope_joseph_15E.html.

20-Douglas Leighton, "PENNEFATHER, RICHARD THEODORE," in *Dictionary of Canadian Biography*, vol. 9, University of Toronto/Université Laval, 2003–, accessed May 5, 2017, http://www.biographi.ca/en/bio/pennefather_richard_theodore_9E.html.

21- Ibid 19

22-LAC reel c-11224, consulted on March 2014

http://collectionsCanada.gc.ca/pam_archives/index.php?fuseaction=genitem.displayItem&rec_nbr=2082318&lang=eng&rec_nbr_list=2082319,2082318

23- *An Act respecting Indians and Indian Lands*, taken from *Christian Aboriginal Infrastructure Developments* website–, accessed June 2, 2017

<http://caid.ca/http://caid.ca/IndLanAct1860.pdf>

24- Ibid 17

25-*Report of the Minister of Lands and Forests for the Province of Ontario, For the Year ending 31st October, 1928*. Legislative Assembly of Ontario. 1929. pp. 7–8. Retrieved 4 October 2013.

<https://archive.org/stream/reportofminister192730ontauoft#page/n150/mode/1up>

26- LAC, Microfilm reel C-11224, HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC.1853-1954, 222 pages

27-Usufruct is a limited real right (or in rem right) found in civil-law and mixed a jurisdiction that unites the two property interests of *usus* and *fructus*: *Usus* (use) is the right to use or enjoy a thing possessed, directly and without altering it.

28-Richard H. Bartlett, *Indian Reserves in Quebec*, ISBN 0-888880-140-8, 1984, 44 pages.

29 -*St. Catharines Milling and Lumber Co. v. R.* 1886 CanLII 30, 13 Ont. App. R. 148 (20 April 1886), Court of Appeal (Ontario, Canada)
-(1885), 10 O.R. 196

-*St. Catharines Milling and Lumber Company v The Queen*[1888] UKPC 70, [1888] 14 AC 46 (12 December 1888)

- "*Ontario-Manitoba Boundary Case*". 22 July 1884. Retrieved 18 January 2013.

- "*Canada (Ontario Boundary) Act, 1889, 52-53 Vict., c. 28 (U.K.)*". 12 August 1889. Retrieved 18 January 2013.

- *The Ontario Mining Company Limited and The Attorney General for the Dominion of Canada v The Attorney General for the Province of Ontario* [1902] UKPC 46, [1903] AC 73 (12 November 1902) (on appeal from Canada)as approved by *An Act for the settlement of certain questions between the Governments of Canada and Ontario respecting Indian Reserve Lands*, S.C. 1924, c. 48 and *The Indian Lands Act, 1924*, S.O. 1924, c. 15

-*Indian Lands Agreement (1986) Act*, S.C. 1988, c. 39 , with corresponding provincial approval in the *Indian Lands Agreement Confirmation Act, 1989*, S.O. 1989, c. 26 (repealed in error by the *Legislation Act, 2006*, s. 98(3), as enacted by the *Access to Justice Act, 2006*, S.O. 2006, c. 21, Sch. F , and subsequently reenacted by the *Indian Lands Agreement (1986) Confirmation Act, 2010*, S.O. 2010, c. 1, Sch. 10)

30-*St. Catharines Milling and Lumber Company v The Queen*[1888] UKPC 70, [1888] 14 AC 46 (12 December 1888)

31-Ibid 17

32-MINERAL RIGHTS ON INDIAN RESERVES IN ONTARIO RICHARD H. BARTLETT, College of Law, University of Saskatchewan, Saskatoon, Saskatchewan, Canada, S7N 0W0, 1983.

33-CANLI website, Canada, –, accessed June 2, 2017

<https://www.canlii.org/en/ca/scc/doc/1887/1887canlii3/1887canlii3.html>

34-Bradford Morse, *Aboriginal Peoples and the Law*, McGill-Queen's Press - MQUP, Feb 15, 1985, page 58.

35-Ibid 19.

36-Justice and Law Department website, Canada, –, accessed June 2, 2017

<http://laws-lois.justice.gc.ca/eng/acts/I-7.2/FullText.html>

37-LAC, MIKAN no. 2082318, reel C-11224, (222 items), RG10. Volume/box number: 2457. File number: 95,452-1.

38- Burthen: etymology: the terms that which is borne with difficulty; obligation; carrying capacity.

39-HEADQUARTERS CORRESPONDENCE REGARDING THE DEPARTMENT OF CROWN LANDS SETTING ASIDE CERTAIN LANDS FOR INDIANS OF THE PROVINCE OF QUEBEC. 1853-1934, LAC, MIKAN no. 2082318, reel C-11224, (222 items), RG10. Volume/box number: 2457. File number: 95,452-1.

40-Tantamount: means, equivalent in seriousness to; virtually the same as.

41-CORRESPONDENCE REGARDING THE UNSUCCESSFUL ATTEMPT TO BUY THE DONCASTER RESERVE AND THE SUBSEQUENT SETTLEMENT WITH THE SQUATTERS WHO HAD OCCUPIED IT, 1897-1905, LAC, MIKAN no. 2083454, reel C-11172, (301 items), RG10. Volume/box number: 2163 File Part 2A. File number: 34,070.

42- L'Avenir du Nord, French Canadian newspaper from BANQ, consulted on 17 May 2015:

http://collections.banq.qc.ca:81/jrn03/avenirdunord/src/1904/02/11/164429_1904-02-11.pdf

43- 53-E. Brian Titley, "McKENNA, JAMES ANDREW JOSEPH," in *Dictionary of Canadian Biography*, vol. 14, University of Toronto/Université Laval, 2003–, accessed May 22,

2017, http://www.biographi.ca/en/bio/mckenna_james_andrew_joseph_14E.html.

- 44- Manifolded: old term designating having many, several folds, layers: exposing a complexity.
- 45- *Indian Treaties and Surrenders, from 1680-1890: In Two Volumes, Volume 1*, Editor, Chamberlain, Printer of the Queen's most Excellent Majesty, Ottawa, 1891.
- 46- *Ste Lucie, Doncaster: Tioweró:ton archives 1851-1921* from Eric Pouliot's book online at Library and Archives Canada available online: http://epe.lac-bac.gc.ca/100/200/300/eric_pouliot-thisdale/ste_lucie/Ste_Lucie_Doncaster_Tioweroton_archives_1851_to_1921.pdf
- 47- Source mainly used for this Chapter: CAUGHNAWAGA AGENCY - PETITION FROM THE INDIAN OF STE LUCIE OF DONCASTER FOR THE SURVEY OF CERTAIN INDIAN LAND ON THE RESERVE. 1873-1890, LAC, MIKAN no. 2062876, reel C-11234, (49 items), RG10. Volume/box number: 2425. File number: 107,786.
- 48- "Report of the Dominion fishery commission on the fisheries of the province of Ontario, 1893", issued as vol. 26, no. 7, supplement, Canadian Parliament, 1892, from Stanford University Library.
- 49- Eric Pouliot-Thisdale, The Eastern Door, Kahnawake weekly paper, "*Pinsonneault: Indian agent for Sault St. Louis and Two Mountains*", Kahnawake, July 22, 2016.
- 50- Report of the Superintendent of Education for Lower Canada, a report from the Laval Normal School for the scholastic 1870-71, from the Minister of Public Instruction, a chapter entitled "Extracts from Reports of Schools, managed from 1869-70", From University of Michigan.
- 51- N. Hindsley takes seat in Calgary". Vol XXXII No. 16. Edmonton Bulletin. January 20, 1933. pp. 1-2.
- 52- "Calgary Doctor Gets Federal Appointment". Vol 58, No. 87. Winnipeg Free Press. December 14, 1932. p. 1.
- 53 Ibid 43
- 54- Peter Oliver, "MEREDITH, EDMUND ALLEN," in *Dictionary of Canadian Biography*, vol. 12, University of Toronto/Université Laval, 2003-, accessed May 8, 2017, http://www.biographi.ca/en/bio/meredith_edmund_allen_12E.html.
- 55- Source: Wikipedia-, accessed May 3, 2017
https://en.wikipedia.org/wiki/Thomas_Gerow_Murphy
- 56- Ibid 19

57-David J. Hall, "SIFTON, Sir CLIFFORD," in *Dictionary of Canadian Biography*, vol. 15, University of Toronto/Université Laval, 2003–, accessed May 22, 2017, http://www.biographi.ca/en/bio/sifton_clifford_15E.html.

58-An analysis of court case involving Innus of Uashaunnuat (Innus de Uashat et de Mani-Utenam) c. Compagnie minière IOC inc. (Iron Ore Company of Canada), 2016 QCCS 5133, exposing several proofs and citations of the Doncaster Archives depicted and transcribed from microfilm reel: BAC, RG10, volume 2163, file 34070, pt.2A, reel. C-11172. Consulted online on May 2016:
[file:///C:/Users/HP/Documents/DONCASTER COURT%20mentioning%20several%20court%20cases%20of%201904%20and%20squatters%20petitions%20.pdf](file:///C:/Users/HP/Documents/DONCASTER_COURT%20mentioning%20several%20court%20cases%20of%201904%20and%20squatters%20petitions%20.pdf)

Sources: An analysis of court case involving Innus of Uashaunnuat (Innus de Uashat et de Mani-Utenam) v. Mining Company IOC inc. (Iron Ore Company of Canada), 2016 QCCS 5133, exposing several citations of the Doncaster Archives depicted and transcribed from microfilm reel C-11172.⁵⁸

58 An analysis of court case involving Innus of Uashaunnuat (Innus de Uashat et de Mani-Utenam) c. Compagnie minière IOC inc. (Iron Ore Company of Canada), 2016 QCCS 5133, exposing several proofs and citations of the Doncaster Archives depicted and transcribed from microfilm reel: BAC, RG10, volume 2163, file 34070, pt.2A, reel. C-11172. Consulted online on May 2016:
[file:///C:/Users/HP/Documents/DONCASTER COURT%20mentioning%20several%20court%20cases%20of%201904%20and%20squatters%20petitions%20.pdf](file:///C:/Users/HP/Documents/DONCASTER_COURT%20mentioning%20several%20court%20cases%20of%201904%20and%20squatters%20petitions%20.pdf)