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1995
Vol. 5
Part 2
C. 1

The Seigneury of Sault St. Louis, Vol. 5, Part 2

/ prepared by Joan Holmes & Associates, Inc. ;
for the Working Group on the Seigneury
of Sault St. Louis Grievance,
Canada - Kahnawake Relations.

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Saint-Isidore, 7 Oct. 1845

87913

Maurice,

Les chefs de mon village ayant été obligés de faire venir de l'étranger quelques contaires de Madriers pour compléter le bois de leur église, ont obtenu crédit du domaïeur du Côteau du lac, pour les payer à cette dépense, dans l'espérance que Son Excellence vaudrait bien leur faire l'amnistie de ce droit, qui se monte à £ 3-10. Je me permets donc de vous écrire en conséquence. Si Son Excellence veut pas devoir accorder à leur demande, je me suis engagé à payer moi-même cette somme, qui toute modique qu'elle soit, la sommeparlerait un peu dans l'état de dépenses où ils sont. Sur le premier avis négatif, j'inverrai immédiatement cet argent à Mr. William Simpson, au Côteau.

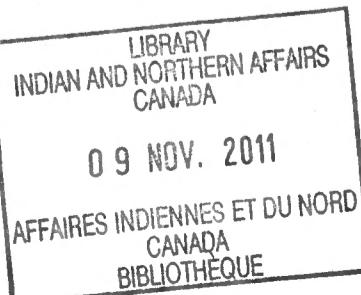
M. Le Procureur général n'ayant encore pas retiré l'ordre de Mr. Mr. Babu, j'ai été obligé, avec l'aide d'un ami, de prendre £ 300 à la Banque du peuple, pour trois mois, pour faire notre troisième paiement à la fin de Septembre. Nous nous trouvions dans une bien mauvaise position, si, à la fin de Octobre, nous ne pouvions remettre cette somme. Cette somme conviendra avec notre éditeur à payer tout, à la fin de l'ouvrage, pour lequel nous avons répondu comme Son Excellence Mille qui seul a entre les mains les moyens de gagner, payant les deux tiers du Côteau à lui, qui trouvera dans l'ouvrage plus de Mille livres. Nous espérons que la Providence viendra à notre aide, pour que nous ne trouvions point à notre obligation lorsque l'ouvrage sera achevé.

Si le Mémoire, dont j'ai eu l'honneur de vous parler, que j'avais été obligé à Son Excellence, et qui est resté sans réponse peut être retrouvé, je délivrerais, en cas qu'il soit toujours qu'il lui fut soumis, avant de m'être renvoyé.

J. P. Miggan Léveillé. J'ai l'honneur d'être, Monsieur,
avec une haute considération,
votre très humble et obéissant serviteur
J. P. Miggan Léveillé
Sect. Civil
Montreal.

Indian Affairs. (RG 10, Vol. 152, no. 1001-1100)

1845/10/07

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

RG 10. 1023

Rev L. J. Monceaux
J. Oct. 1845
Requests that kind
the Church my help
duly free &c &c.

87912

Brown Sews 2.
written to
A.D. 10 Octo. 1845

Torquay
from -
my mother H. W. S.

Indian Affairs (RG 10, Vol. 152, no. 1001-1100)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

364

Indian Office,

Montreal, 13th November, 1845.

Sir,-

I have the honor to transmit to you
12th Nov- herewith, the Original Bond of Mr. Edouard Narcisse
ember, 1845. de Lorimier, Agent to the Iroquois Tribe of the Sault
St. Louis, and his sureties, Mr. Damase Masson, and
Mr. William Gamelin Gaucher, in the penal sum of One
Thousand Pounds, Currency.

I have the honor to be,

Sir,

Your most obedient

Humble Servant,

D. C. Napier.

Captain Higgison,
Civil Secretary,
&c., &c., &c.

(Endorsed on back)

RG10
Vol. 10025

1845/11/13

(34)

(Copy on a copy.)
G.R.M.

COPY.

365

Quebec, 23rd November, 1846.

Sir,-

In obedience to the commands of His Excellency the Governor General, with which I have been honored, I have attentively examined the Petition of Mr. McKay, and others, praying to be restored to the possession of a certain tract of land within the Seigniory of Sault St. Louis, as well as the Memorial of the Indian Chiefs, and the divers documents connected therewith, and, I have now the honor of reporting for His Excellency's information, that in my humble opinion, the Petitioner's claim is unfounded in law, and justice, and that assuming as a fact, that the Indians, proprietors of that Seigniory, have been in possession of that particular tract for a period of thirty years, Mr. McKay, and others, would still be barred from any right to the same, whatever may have been the Original title, or length of possession, of their predecessors.

I have the honor to be,

Sir,

Your most obed't servant,

(Signed) J.A. Taschereau,

Sol. Gen'l.

D. C. Napier, Esqr.,
S.I.A.

Certified Copy.
D. C. Napier.

1846/11/23

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366

Indian Office, C.E.,

Montreal 27th November, 1846.

Sir,-

I beg leave to transmit for the information of His Excellency the Governor General, a copy of the Report of Mr. Solicitor General Taschereau, upon the Petition (No. 120) of Mr. Louis E. MacKay, and others, 23rd November, 1846. praying to be restored to the possession of a certain tract of land within the Seigniory of the Sault St. Louis.

I have the honor to be,

Sir,

Your obedient servant,

D. C. Napier.

George Vardon, Esqr.

A. S.G.

NAC
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(Endorsed on back)

83

367

Draft.

Civil Secretary's Office,

Indian Department,

2nd December, 1846.

Lt. Col. Napier,
S.I.A.

Sir,-

I am directed by the Governor General to acknowledge the receipt of your letter of the 27th Ult. with the copy of a Report from the Solicitor Gen'l upon the Petition of the Louis M'Kay and to request that you will inform the Petitioners that it is not in His Lordship's power to interfere in the matter referred to

Approved
C.

NOTE: Copied into
letter book No. 6 at page 69
and signed

"I have the honor,
&c., &c., &c."

Sgd. Geo. Vardon")

G. D. M.

(82)

1846 / 12 / 02

NAC
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102734

Bonitaens of South St Louis
to August 1847
Calling on the Indians
of Guanajuato to
build a Mill -

96661

Indian Affairs (RG 10, Vol. 166, no. 2701-2800)

#2734

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1847/08/04

96662

S^r Constant Seigneurie du Chastell
St Louis, le 24 Aout 1817

Aux Principaux Chefs de la Nation
Provençal du Chastell St Louis -

Majesté

Les Infrigies Constituées
de la dite Seigneurie du Chastell St Louis prennent
la liberté de demander par la présente à l'Assemblée
de population & propriété de la dite Seigneurie pour
peut faire connaitre les pertes qu'il a fait au cours
d'au moins deux ans sur l'objet suivant, savoir que dans toute
l'étendue de cette dite Seigneurie il y a des paroisses
importantes où le rapport de la population & que
rien moins depuis vingt et un ans il n'y a pas eu
tout modicum d'assise aussi longtemps & sans égard tout-
uellement, ce qui oblige tous les constitutaires de cette
Seigneurie d'aller moudre leur grains dans les Seigneuri-
es voisines & même lorsque les dites n'ont pas de grès dans
les temps précieux d'automne, & avec beaucoup plus de peines
de temps & que par cet état de chose ils leur résultent beau-
coup de dommages pour eux & leurs familles. Deux
d'ailleurs les besoins des dits Constituaires de la dite Sei-
gneurie requièrent, un'augmentation de la population

96663

La population constuction d'un Moulin afferme d'un
pouvoir d'eau & d'une force bien plus forte considérable
qui existait n'existant, lequel ne pouvoit jamais
suffire quand bien même l'inconvenable resterait.

Pie pour ces raisons lesdits Constituans ont
pri le Résolution de M. Regnier de Battir au
faire Battir dans l'entendue de la dite Seigneuré -
de ce de telle force telle que pour répondre
à leur besoins, ou qu'il y a des places pour établir sur
le Fleuve & le lac au moins deux moulins tout le long
les rapporter à fin que la dite Constitution, puissent faire
Moudre le grain, indiqué ci-dessus, pour la subsistance
desdites familles ou châagement desdites familles
lesdites Constituées étaffigies l'an, sans et pris
reconnussement & en vertu duquel la dite
lors réunion des dommages inévitables -
royal pape

M. D'Ardo, Bourreau

Louis de Léonard ^{et} Félix D'Ardo
Louis de Léonard Francis Xavier Gagné
Louis de Léonard Joseph le Bœuf

Antoine de Léonard Julian ^{et} Germain

Joseph de Léonard Michel de Bonhomme

Antoine de Longtin Michel de Ménard

Antoine de Goyette Jean Baptiste de Léonard

François

Suite

96664

François de Gérard Joseph de Barbeau
Antoine ^{marié} Dupuis Charles ^{marié} Raymond Simon
François ^{marié} Lefebvre Marcelle Boisjoly
Noël ^{marié} Pionnant François ^{marié} Guérin
Michel ^{marié} Gérard Léonille ^{marié} Lanielot
Joseph ^{marié} Faecte Antoine ^{marié} Duthorne
Louis ^{marié} Bertrand Nelly ^{marié} Delaplace
Hermes ^{marié} Longtin Joseph ^{marié} Dominielle
Joseph ^{marié} Légaré Delaplace Joseph ^{marié} Rockfert
Joseph ^{marié} Riendeau Charles ^{marié} Girard
Jean Baptiste ^{marié} Tremblay Alphonse ^{marié} Landolt
Marie ^{marié} Lefebvre Hubert ^{marié} Bourassa
Louis Noël ^{marié} Nelly François ^{marié} Bourdel
Hippolyte ^{marié} Gérard François ^{marié} Boyer, Denis
Joseph ^{marié} Dugas, Jean Augustin ^{marié} Gérard
Lazare ^{marié} Juvette Beauchêne ^{marié} Bertrand
François ^{marié} Robert Joseph ^{marié} Martin
François ^{marié} Dupuis Julien ^{marié} Dupuis
Joseph ^{marié} Robitail Célestine ^{mariée} Alain
Edouard ^{marié} Robert René ^{marié} Barbeau
Alphonse ^{marié} Pionnant Joseph ^{marié} Prevost
Joseph ^{marié} Légaré Lucie ^{mariée} Gérard
Pierre ^{marié} Bertrand Nelly ^{mariée} Légaré
Julien ^{marié} Plamondon Antoine ^{marié} Lanielot
Jean Baptiste ^{marié} Gérard Joseph ^{marié} Dugas, Denis
Charles ^{marié} Bondeau Alexia ^{mariée} Rivet

Suite

96665

liste

Louise ^{de} Lanielot
 Noé ^{de} Boudard
 manque manque
 Olivier ^{de} Fiacette
 Etienne ^{de} Bruneau
 manque
 Jean-Baptiste ^{de} Lamoreux
 Edouard ^{de} Goyens
 manque manque
 Joseph ^{de} Lamoureux
 Pierre ^{de} Bourdeau
 manque manque
 Joseph ^{de} Monette
 Marcelline ^{de} Brossard
 manque manque
 Antoine ^{de} Barbeau
 Rosamond ^{de} Biffre
 manque
 Etienne ^{de} Morté
 Louis ^{de} Roi
 manque
 François-Louis ^{de} Monjau
 François ^{de} Bizardon senior
 manque manque
 Charles ^{de} Raymond senior
 Alex, ^{de} Meind, junior
 manque
 Joseph ^{de} Pustetaud
 Joseph ^{de} Pouillotte
 manque manque
 Michel ^{de} Gagné
 Antoine ^{de} D'Inventant
 manque
 Léonie ^{de} Lomieu
 Adèle ^{de} Pâtelot
 manque manque
 François ^{de} Gibaud
 Marie ^{de} Mercile
 manque manque
 Michel ^{de} Langlois
 Joseph ^{de} Bourdeau
 manque manque
 Amable ^{de} Lemire
 Alexandre ^{de} Lavige
 manque manque
 Antoine ^{de} Bouthot
 François ^{de} Lomieu
 manque manque
 Louis ^{de} Lanielot
 Louis ^{de} Gibaud senior
 manque
 Isaac ^{de} Deau
 Charles ^{de} Lamarche
 manque manque
 Edward ^{de} Bruneau
 Bazile ^{de} Guérin
 manque manque
 Camille ^{de} Longtin
 Charles ^{de} Longtin
 manque manque
 Joseph ^{de} Sandalier senior
 Joseph ^{de} Vian
 manque
 Fabre ^{de} Longtin
 Joseph ^{de} Sandalier senior
 manque manque
 Alain ^{de} Menierot
 Ed's ^{de} Boudard
 manque manque
 Antoine ^{de} Lomard
 Louis ^{de} D'Inventant
 manque manque

fin

notes

96666

Louis ^t D'Intomate Amable ^t Longtin
marié marié
Louis ^t Gouais Alain ^t Collette
marié marié
Laurent ^t Baudin Antoine ^t Tufon
marié marié
Louis ^t Lanctot Jean Baptiste ^t Blain
marié marié
Moïse ^t Longtin Salomon ^t Lanctot
marié marié
Abraham ^t Longtin Joseph ^t Lanctot junior
marié marié
Joseph ^t Boyer Venance ^t Lefebvre
marié marié
Pierre ^t Longtin Louis ^t Payant
marié marié
Denis ^t Longtin Ignace ^t Carrière
marié marié
Moïse ^t Dubreuil Hyacinthe ^t Montchamp
marié marié
Amable ^t Beaubien François Louis ^t Marion
marié marié
Julien ^t Dubreuil Amable ^t Riobé
marié marié
Louis ^t Léger-Bégin Jacques ^t Barbeau
marié marié
Pierre ^t Page Médard ^t Lefebvre
marié marié
Ignace ^t Lefebvre Germain ^t Gauchier
marié marié
Narcisse ^t Page Jean Baptiste ^t Page
marié marié
Pierre ^t Baudin George ^t Gagnon
marié marié
Joseph ^t Page André ^t Michel
marié marié
Sylvestre ^t Gagnon Paul ^t Thompson
marié marié
Pierre ^t Dozent Jacques ^t Dostrem
marié marié
Narcisse ^t Longtin Justine ^t Pitre
marié marié
Lise ^t Lefebvre Augustin ^t Pitre
marié marié
Solim ^t Cardinal Louis ^t Bibeau
marié marié
Hyacinthe ^t B. card. Georges ^t Risteford
marié marié

Joseph

96667

dicto

Joseph ^{et} Hollissons Joseph ^{et} Dore
marque marque
François ^{et} Gaudreau Louise ^{et} Dore
marque marque
Jean Baptiste ^{et} Plante Théophile ^{et} Dore
marque marque
Pierre ^{et} Pilon Jacques ^{et} Gibaud
marque marque
Amable ^{et} Lemay François ^{et} Houche
Marie ^{et} Fleuri Joseph ^{et} Beaulieu
Léopold ^{et} Petit Constant ^{et} Butteau
Joseph ^{et} Nicaise Amable ^{et} Bourdeau, Denis
Nicolas ^{et} Robert Amable ^{et} Bourdeau, Denis
Augustine ^{et} Asselin Adeline ^{et} Laroche
Benjamin ^{et} Poirier

Nous témoins ci-jointes les signatures de la population de Saint-Constant,
et notification certifions que toutes les personnes nommées, ont signé les Requêtes.

M. D. Requêtes ci-jointes, dont plusieurs ont signé leurs autres,
N. D. Denier n'a fait leurs marques. Ne sachant écrire, il a donc toutes
portées Requêtes à la date Requisition & Notification
après en avoir lu lecture, — Pour ce qu'au nom, avons donné
l'represent à Saint-Constant, le quartier d'Orléans, le 1^{er} Janvier
Mil huit cent quatre-vingt-dix. Je suis au greffeur de
l'arrondissement.

F. Hector Lemire
et
Vancisse Denier

(Copy of a copy given.)

COPY.

379

Crown Lands Department.

Montreal 19th June, 1849.

Sir,-

In conformity to your request of the 30th ultimo, to be informed of any further proceedings relative to the Deed of Sale by the Chiefs of the Iroquois Indians of the Sault St. Louis to Mr. Delorimier, of the right to erect a Banal Mill on his land at Sault St. Louis. I have the honor to state for your information, that a letter (a copy of which is herewith) has been forwarded to the Hon'ble Attorney General East for his opinion on the subject.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) T. Boutheillier.

Major T.E. Campbell,
Superintendent General
of Indian Affairs,
Montreal.

(44)

RG 10
Vol. 10025

1849/06/1

369

1847
No. 233
The Petition of certain
Censitars of the depar-
tment of South St Louis
Praying that a Flouring
Mill may be erected

11 Aug - 1847

Referred by Col Major
for his copies
J. G. Coulter

96311

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233
(# 2684)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

RPT/pehr

96312.

M^e Son Excellence
le Très Honorable James
Comte d'Elgin et Kin-
Kardina, Gouverneur Ge-
néral de la Province du
Canada,

&c. &c. &c.

Si humble Requête
des Soussignés, consi-
taires, résidants dans
l'étendue de la Sei-
gneurie du Sault Saint
Louis
Exposée respectueusement

Que la Seigneurie
du Sault Saint Louis dont
la régie est entre les mains de
Sa Majesté, pour les Sauvages
du Sault Saint Louis qui
en sont propriétaires, compris
dans son étendue des paroisses
~~importantes~~ dans le rapport
de leur population, c'est à dire
les paroisses de Saint Bas-
tant, partie de Saint Isidore
et partie de Saint Philippe

Que depuis long
temps

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#233

(#2684)

PUBLIC ARCHIVES
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CANADA

96313

temps il n'y a plus, dans
l'étendue de cette Seigneurie,
de Moulin à farine, ce qui
oblige vos Petitionnaires
d'aller mouler leur grain
aux Moulins des Seignuries
voisines, et cela à grande
frais, vu la distance des
lieux; que vos Petitionnaires
ressentent de plus en plus
l'inconvénient et le dom-
maged qui résultent pour
eux de cet état de chose, et
veulent faire votre Excellence
d'y apporter quelque remède.

S'il a existé autre
fois un moulin sur la
petite rivière de la Tortue, mais
qu'il est maintenant tou-
té en ruines, et que quand
bien même il seroit rétabli
il ne pourroit suffire aux
besoins de vos Petitionnaires
en ce que le pourvoir d'eau
n'est pas maintenant de
nature à mouvoir un mou-
lin de la force de celui qui
requiert les besoins de vos

Pétition

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#233

(#2684)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

96314

Pétitionnaires, ni même un
moulin à farine quelconque.

Jue vos Pétition-
naires, où la position de la
dite Seigneurie ne sont pas
à même d'exercer un droit
que tous les Constitués peu-
vent généralement exercer
contre leurs seigneurs parti-
culiers, pour les forces de bâti
des moulins suffisants; que
le seul moyen de parvenir à
ce but est d'attirer l'attention
du Gouvernement sur ce sui-
jet, et c'est ce que vos Pétition-
naires ont en vue en adres-
sant la présente Requête à
votre Excellence.

J'ur il y a sur le
fleuve Saint Laurent des
pouvoirs d'eau et places de
moulins qui permettraient
à vos Pétitionnaires de rea-
liser leur but, si le Gouverne-
ment accueillait favorable-
ment leur Requête et y faire
saït justice.

Souignons

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CANADA

1180
86315

Douzeois vos Peti-
tionsnaires prient votre
Excellence de leur bien
fendre leur présente Re-
quête en la considération
favorable, et y faire justice.

Et ils ne cesse-
ront de prier.

Sigmaine du Sault St. Louis
11 Court, 1847.

To His Excellency the
Right Honorable James
Pearl of Elgin & Kinkar
Dine, Governor General
of the Province of Ca-
nada,

Dr. Dr. Dr.

The humble Petition
of the undersigned, Con-
stitutes, residing within
the limits of the Se-
gony of Sault Saint
Louis,

Humbly

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CANADA

71896316

Humbly sheweth:

That the Seigniory
of Sault Saint Louis, the
management of which is
in the hands of Her Majesty,
for the Indians of Sault Saint
Louis who are proprietors there-
of, comprises within its li-
mits parishes of importance
in regard to their population,
namely the parishes of Saint
Constant, part of Saint Isidore
and part of Saint Phi-
lippe.

That for a long time
back there has not existed,
within the limits of this
Seigniory, a Grist mill, which
compels your Petitioners to have
their grain ground at mills be-
longing to the neighbouring Sei-
gniories, and that at great ex-
pense, owing to the distance;
that your Petitioners feel
more and more the incon-
veniences and damage which
result from such state of
things.

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96317

things, and which your
Petitioners pray Your Excellen-
cy may cause to be remedied.

That there existed
at one time a mill on the
little River la Tortue, but that
it is now in ruins, and that
even if it were rebuilt, it
could not suffice for the wants
of your Petitioners, in as
much as the water power is
not now sufficient to drive
a mill of the size required,
nor indeed of any flour
mill whatever.

That your Petitioners
owing to circumstances con-
nected with the said Seigniory
are not able to exercise the
right which all creatures can
generally exercise against their
particular Seigniory to com-
pel them to build proper and
fit mills; that the only me-
ans of securing that object
is to draw the attention of
the Government to the subject,
and

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RE 396318

And this is the object of your
Petitioners in addressing the
present Petition to Your Al-
lency.

That there are on the
River Saint Lawrence, mill-
sites which would permit
your Petitioners to realize their
wishes, if the Government
looked with a favorable eye
their Petition and would
do it justice.

Wherefore your
Petitioners pray that your
Allegency will be pleased
to take their Petition into
favorable consideration.

And your Petitioners
as in duty bound, will ever
pray.

Sigony of the Saint Lawrence

11 August 1844
Signed by Dr Dugent
and

Joseph Goyette — Mr Victor LeMire M.
Aloys Biffre — Claude Guérin
Jean Bovay B. Langlois

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86319

Modard... Bruneau J.M. Parent
Martin Scott George Simard
Francis Xavier Gagné Thophile Béffre
Julien & Giroux Louis & Léonide Delaplante
Michel & Brothman François & Robert
Michel & Villard André & Lefebvre
Jean B. & Léonie Antoine & Guyette, Léon
François & Léonie Joseph & Létourneau
Antoine & Dupuis Joseph & Pageau
Joseph & Lapointe Lazare & Turcotte
Noël & Desmarais François & Dupuis
Michel & Giroux Joseph & Robidoux
Joseph & Faust Edouard & Robert
Louis & Bertrand François & Desmarais
Pierre & Longtin Joseph & Delorier
Joseph & Léonide Delaplante, James, & Beaumais
Joseph & Rémillard Julian & Rémillard
Jean B. & Tournier Jean-Baptiste & Gervais
Marie & Lapointe Charles & Bourdeau
Louis St. & Vran Joseph & Barbeau
Hippolyte & Avelin Charles & Raymond, Yves

Shute

S 96320

Mariette & Boyer Pierre & Lagunes
mariage
François & Turpement Antoine & Lanielot
mariage
Camille & Lanielot Joseph & Paganine
mariage
Antoine & Pichot Alexis & Lain
mariage
Pierre & Deschatelets Lucie & Lanielot
mariage
Joseph & Pominville Olivier & Racette
mariage
Joseph & Rockefort Jean-Baptiste & Lamoureux
mariage
Charles & Gérard Joseph & Monette
mariage
Alfred & Lanielot Antoine & Barbeau
mariage
Hubert & Bourne André & Fortin
mariage
François & Bourel François Xavier & Moquin
mariage
François & Boyer, Jean Charles & Raymond
mariage
Augustin & Gérard Joseph & Pichot
mariage
Barnabé & Bourneau Michel & Gagnon
mariage
Joseph & Martin Célestin & Lemire
mariage
Julien & Dupuis François & Gislard
mariage
Célestin & Affelini Michel & Langlois
mariage
René & Barbeau Amable & Lemire
mariage
Joseph & Prevost Antoine & Boucher
mariage
Lucie & Gérard Adèle & Lanielot
mariage

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0508321

Sous	
Isaac & Gérard	Alexandre & Lavige
maire	maire
Edouard & Brousseau	François & Lemire
maire	maire
Tamille & Longtin	Louis & Gibault senior
maire	maire
Joseph & Poucette senior	Antoine & Longtin
maire	maire
Fabien & Longtin	Charles & Léandre
maire	maire
Alexis & Ménard senior	Pascal & Guérin
maire	maire
Antoine & Brass	Charles & Longtin
maire	maire
Kod & Bouchard	Joseph & Vian
maire	maire
Stéphane & Brousseau	Joseph & Poucette senior
maire	maire
Edouard & Goyon	Pi & Bouchard
maire	maire
Pierre & Brousseau	Louis & Pilon senior
maire	maire
Narcisse & Prevost	Antoine & Pilon senior
maire	maire
Jeanneaud & Boffre	Louis & Gosselin
maire	maire
Louis & Ror	Lambert & Boudre
maire	maire
François & Bigelow senior	Louis & Létourneau
maire	maire
Alexis & Ménard senior	Moïse & Longtin
maire	maire
Joseph & Pothier	Abraham & Longtin
maire	maire
Antoine & Pilon senior	Joseph & Boyer
maire	maire
Antoine & Pâquet	Etienne & Longtin
maire	maire
Marie & Morin	Amable & Longtin
maire	maire
Joseph & Boudreau	Alix & Colette
maire	maire

Date 1882 #6322

obstaine & Lefebvre	Louis & Payant
Hénocque & Longtin	Ignace & Lassé
Moïse & Dubuc	Hippolyte & Montchamp
Mathilde & Bérubé	François Xavier & Marion
Julien & Dubuc	Anable & Babine
Luc & Payer	Léon & Barbeau
Ignace & Lefebvre	Median & Lefèvre
Langlois & Payer	Yosemain & Gauthier
René & Baudin	Jean Baptiste & Payer
Toussaint & Payer	George & Goyette
Édouard & Goyer	François & Léger Deschépelle
Émile & Parent	Adeline & Hill
Marie & Longtin	Paul & Chapman
Marie & Lefebvre	Jacques & Dallandier
Julien & Cardinal	Julien & Otero
Hippolyte & Otero	Augustin & Otero
Jean Baptiste & Main	Louis & Brodeau
Sabemon & Lanielot	Georges & Hollépine
Joseph & Lanielot	Joseph & Hollépine
Uranie & Lefèvre	François & Gadone

Lemire

96323

Ste-Dévote & Rémire ^{Léon} Jacques & Gérard
Préma & Poirier ^{marie} Louise ^{et} Anne
Amable & Léonardine Théophile & Anne
Athenaïs & Félix François & Toucher
Joseph & Petit Joseph & Beaulieu
Joseph & Picard Constant & Bulteau
Nicolas & Poissant Amable & Bourdeau
Jacques & Anne Amable & Bourdeau
Augustin & Sophie, Louis & Isidore
Athénais & Léonardine Benjamin & Poirier
Nous sommes, soussignés de la paroisse de Saint-Constant,
et croyons que toutes les personnes nommées ci-dessous
ont signé la Requête qui précède dont plusieurs ont signé elles-mêmes
autres ont fait leurs marques, détachant leurs seules
têtes, portées, Pétitionnaires à la dite Requête
après en avoir eu lecture. En foi de quoi nous avons
donné le présent à Saint-Constant, le seize d'août
Mil huit cent quarante et sept.

Fx. Hector Lessard, Q.P.
Tenu par Narcisse Desrosiers

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370

Mo 2684
13 Aug 1847
6.11 Mille Lacs
Petitions from the
Ojibway and Chippewa
of Lake Superior
praying that a line
will be erected in
the highway

96307

Refer to
for report

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CANADA

1847/08/13

96308

Montreal 13 April 1847
I am sorry to inform you that
Montreal, & vicinity are at
present in the best possible condition
the roads are excellent, & the bridges
are sufficient for the traffic and
the roads are well kept up.
There is a road from South St. Louis to Montreal
which is said to be the best in the country.
The roads are good, & the bridges
are well kept up, & the roads are
in excellent condition, particularly
in the winter time, for which reason
it is expected to continue the same throughout
the summer, and will be in general condition
as far as possible
and will be good for a long time.
The roads are good, & the bridges
are well kept up, & the roads are
in excellent condition, particularly
in the winter time, for which reason
it is expected to continue the same throughout
the summer, and will be in general condition
as far as possible.

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CANADA

96309

... que de la façon existante et administrative
par les Sauvages une même voile pour de
question, grand avantage le organiser plusieurs
de moyens permanents qui les en empêcheraient
d'agir. Mais cette dernière devrait être contrainte
de le faire administrer aux frais des denrées
afin que la surveillance du guérison
des bûcherons ouvragé de force. (V. D. 1900)
Et l'administration en ayant plus profité
de ce même avantage il ne contiendrait pas
que le locataire de pouvoirs d'agir à ses
conditions administratives, et que le ministre
toute force que ce pouvoirs d'agir exténuant
à la fin de l'entente, que l'assent de la
tribu sauf la volonté des Sauvages
à demander autre chose pourra.
D'après que je peu faire pour faire pour
a simple pouvoirs d'agir, mais tout
avoir toute raisonnable, je l'agréerai
d'autant le avantage considérable que
je pourrai faire accorder une somme
financière pour faire de leurs grandeurs
la plus objection de troublent, j'aurai
aussi le fait que je pourrai effectuer
l'effet d'un fonctionnement de la
question des affaires des Sauvages, et que
que cette question d'en son caractère de l'entente
comprend le effort que j'ai fait pour lui

96310

Si j'accepte de cet emploi, j'y verrai au
contraire un avantage au moins grand
à faire, à cause de la confiance des
sauvages en moi, de la connaissance que
j'ai de leur langage de leurs habitudes
et de leurs besoins.

Je vous prie Monsieur de vouloir
me permettre de tout à son excellente
le Gouvernement général, afin que il
donne son approbation au projet, il
pourra députer une personne convenable
pour représenter et aider les sauvages
dans cette transaction, et alors je demanderai
des instructions à un devoir pour la
préparation d'un projet d'acte pour
considération ultérieure.

J'ai l'honneur d'être
Monsieur.

Major L. Campbell, Votre très humble et obéissant
Secrétaire civil, & Secrétaire
M. R. C. R. E. *L. D. Campbell*

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371

No 234
14th August 1847.

The Petition of
certain Chiefs Kukumoo
at Coughnawaya
praying that Mr
E.N. Delorme may
be permitted to erect
a flour mill in their
village on certain
conditions

St. No 113644

1/1/35 +

23 24 2684

of 1747

96324

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CANADA

1847/08/14

96325

A Son Excellence
le Très Honorable James
Comte D'Elgin et Kinc
Kardine, Gouverneur
Général de la Province
du Canada
Be Be Dr

L'Humble Requête des Soussignés, membres de la Tribu
Iroquoise de la Scule St. Louis,
et Seigneurs Propriétaires de la
Seigneurie du Scule St. Louis

Capote respectueusement

Que vos Petitionnaires
ont en connaissance d'une certaine
Requête adressée à Votre Excellence
par les bénéficiaires de la dite Seigneurie
se plaignant de l'inconvénient et des
dommages, qui résultent pour eux du
manque d'un apôtre à faire dans
l'étendue de cette Seigneurie et dont le
but est d'attirer l'attention du Gouverne-
ment sur cet état de choses.

Que vos Petitionnaires
ayant pris communication de cette
Requête ont été à même d'en connaître
et

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CANADA

96326

et apprécier la Justice, et pourront la liberté de la recommander humblement à votre Excellence.

Que il existe sur le Fleuve Saint Laurent, tel qu'il est, mentionné dans cette Requête, des pouvoirs d'eau et places de Moulin suffisants pour y bâti un tel Moulin.

Que dans le cas où Votre Excellence acquiesceroit à cette Requête, vos Petitionnaires prennent la liberté de recommander à Votre Excellence M. A. De Lorimier, Seigneur, leur agent, comme la personne la plus propre à remplir les vues de Votre Excellence, d'autant plus que le principal pouvoir d'eau dont on pourroit se servir pour la construction d'un tel Moulin, se trouve en front d'une terre appartenant au dit Sieur De Lorimier, que la probité bien reconnue de ce Monsieur et la confiance qui ont en lui vos Petitionnaires sont un gage assuré du succès.

Que, vos Petitionnaires retiennent pour eux mêmes de grands avantages de l'existence d'un tel Moulin à farine en cet endroit, vu les conditions favorables auxquelles le Mr. De Lorimier offre de le bâti; ces conditions servoient de preuve à leur

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(2684)

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96327

leur blé, pour l'usage de leur famille,
gratuitement, pendant l'espace de
vingt années, et ensuite à perpétuité
pour un vingtième; Quant aux autres
grains Mr De Lorimer se propose
d'exiger les taux ordinaires: Que
l'existence d'un moulin dans cet
endroit et les conditions auxquelles
les grains de vos Pétitionnaires y soient
moulus, formeroient un puissant encou-
rageement aux jeunes gens de la
tribu, pour se lancer à l'agriculture,
tant à cause de la proximité que
par ce que vos Pétitionnaires se trouvent
étrangers de langage et d'origine
aux autres moulins n'y éprouvent
pas de satisfaction.

Il en Outre Mr De Lorimer
offre pour l'usage de bœuf et l'acha-
landage du dit moulin par les bensi-
taires, une rente annuelle de vingt
cinq Louis à perpétuité, somme qui
seroit très utile à vos Pétitionnaires, vu
la modicité des revenus de leur
signature, et les dettes considérables
qu'ils ont contractées pour la bâtie
de leur église.

Que ces avantages par-
ticuliers pour vos Pétitionnaires, et en
outre le bien être qui résulteroit pour
les Gens dans en général de ce
nouvel état de choses, engageront
Yotto

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96328

Votre Excellence a prendre favorablement en considération les deux Requêtes, bien du moins ce qui est concernant vos Pétitionnaires.

Vos Pétitionnaires prennent la liberté de suggérer à votre Excellence que comme M^e De Lorimier seroit doublement intéressé dans cette affaire, tant comme agent de la Signeure qui comme Propriétaire du Moulin a bâti, il seroit à propos d'autoriser quelqu'un à transiger avec M^e Delormier, et dont le devoir sera de veiller à ce que les intérêts de vos Pétitionnaires soient respectés et conservés dans ces transactions.

Pour le tout vos Pétitionnaires se confient en la bonté de votre Excellence et se reposent sur sa bienveillance.

Tout au moins vos Pétitionnaires supplient votre Excellence de vouloir bien prendre leur présente Requête en sa considération favorable, et d'y faire justice.

Et ils ne laissent de priere,
Sault St. Louis 14^{me} Aout 1847

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96329

Martin X Kanasontie
Thomas X Tsohatation
Thomas X Sakaohetstha
Charles X Katsirakewon
Joseph Tenuipat
Sasatus sasunqeshtsiozane

roqitigasagax
Sammoobie
Simon X Thaientation
Jean Bapt X Taimate
Assatis ammugay
Louis X Tsiorakewon
Sa-wa-gi-a-te-son-nan-ka
Pine X Suwechuse
Michel X Oroshakewaton
Ignace X Atonkashue
Thomas X Chaieshe
Pine X Sakokenni
Michel X Ichonewakosken
Jatta tissamata

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96338

Joseph x Tekanonsakon
Thomas x Oronheawentow
Thomas x Awenanahont
Shakshohaiie
Jacques x Atskewa
Joseph x Katorontie
Settlements
Joe Skaronsie
Joseph Phillip
Grace x Tchenmow
Jean B x Salter
Grace heminkton
Michel x Sakoteiwath
Sakkarie aroniente
Antoine x Anataras
Joseph x Yononsase
Joseph x Onaskenrat
Jean B x Atsitsake
Sa gii tis taa o kenya
Thomas x Saonwentsorong
Louis x Tekawciaon
Frs X x Savontasow

96331

Ignace Kamearakew
René X Anatassonne
~~#8ipe a son nation~~

Ignace Anonsintha

Say H. Taipie

Antoine X Kawenasa

Michel X Karakonato

Antoine mita son

Jean B. X Kanavation
parojo 68

Siuk Iga wa kete

Nous soussignés
certifions que les personnes
ci-dessous ont signé et fait
leur marque en notre présence

Charles Lydon Gapon

Robert M. Pratt

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372

No 2696
28th August 1847

96488

Colonel Napier Reports
upon the Petitions of the
Indians of St. Louis
& their tenants, praying
that Mr. A. Delorme
may be permitted to erect
a grist Mill in the vicinity

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2696

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CANADA

1847/08/28

Indian Office C. E.
Montreal 28th August 1847

96489

ff

1. Petition of the Chiefs at thefe
Heads, dated 11th August 1847. } In reference to the documents
2. Letter of Mr. de Lorimier, Agent to } noted in the Margin, I have
the Saguenay Indians of 15 August 1847. } the honor to report for the
3. Petition of the Saguenay Chiefs and } information of His Excellency the
Warriors of Caphaouaya, dated 11th } Governor General, that I consider
August 1847. — — — — — } the allegations contained in the
Petition (No. 1) of the Indian Chiefs
at thefe Heads, to be correct in substance,
and deserving of Consideration.

I am enabled to corroborate the
statement of these Petitioners, that the Indian
Mill upon the River La Fortune is at present in
Ruins, and that even if it were rebuilt, it would
be inadequate to the wants of the Indians from the
scanty and uncertain supply of water in that River.

The letter (of 2) from Mr. de Lorimier
the Agent for the Saguenay Indians, dated
13 August 1847, contains a proposal to construct a
suitable Mill upon his property in the said Saguenay, on
the following conditions, vizt. Firstly. That the Rent required
for the use of the Indians shall be ground, free of toll,

Major Campbell

Civil Secretary

for

96490

for the space of twenty years, and afterwards for a twentieth part thereof: - Secondly, that he will secure to the Indians a perpetual annuity of £25 currency, as a consideration for the keeping water privilege.

It appears by the Petition, (p.3) signed by the Chiefs and Principal Warriors of the Saguenay Tribe, that the Petitioners consider the terms offered by the Agent to be very satisfactory, and that they are desirous of obtaining His Excellency's permission to carry out this arrangement.

I see nothing in the proposed measure, that is likely to operate to the disadvantage of the Indians, as they will still retain the "droit de batteur," and, consequently, will be at liberty to build a mill, and to allow their Indians to make use of it, whenever circumstances shall enable them to avail themselves of their original right in this respect.

These the hours to be
M.
Your most obedient servant
D. J. Staples

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373

(Copie) Par décret du Roi leur Roi, pour cette partie de la Province du Canada, constituant le territoire des îles Sainte-Lucie, Sainte-Croix, et Saint-Jean, en la Ville de Montréal,

1814/3

Fait présent le 30.

Gouverneur James Cawley et Elgin et Viscount Goderich, Gouverneurs généraux de cette Province et des Provinces possédées Britanniques de l'Amérique du Nord, agissant pour eux-mêmes et plusieurs, et autorisant les chefs sur leurs noms au nom de sa Majesté la Reine, aux fins des franchises.

Et Thomas Schawakoski, Martin Schawakoski, Charles Schawakoski, Thomas Schawakoski, Joseph Schawakoski, Pierre Schawakoski & Simon Schawakoski, résidant du Sault St. Louis, dans le District de Montréal, ayant au nom et pour la Nation Inogeoise du Sault St. Louis, d'après délibération prise dans leur Conseil précédent par Stephen Postep, Mathew Sim, Louis et Hippolyte, et avec l'aide, assistance et autorisation de Son Excellence le Gouverneur général d'août part.

Et Edward L'Ecuyer De Sonniere, Écuyer commandant en la Ville de Montréal, d'autre part.

Lesdits chefs de la tribu des Inogeois du Sault St. Louis, d'après l'autorisation en leur garantie de signeur du

Plainte, à l'Amérindienne
du Canada, constituant
l'Amérindien, résidant
ici.

Tellement le Roi
et le Peuple et la Couronne,
et de cette Province et des
Bruitiques de l'Amérique

pour aider, appeler et
sauvager ce après Nomme
grande, Majesté la Reine
dit.

et Martin
et Katherin, Thomas
et Touchat, Monseigneur
de, Royaume du Saint-Et
Etat de, Montréal, appelle
laure, magistrise du Saint-Et
libération, pris dans leur
au, Stephen Joseph, Marton,
bienfaire, et avec l'aide,
régulation de ses Excellences
ingénierie part,

l'agricole De, Lommer,
et la bâtie de Montréal, d'autre

chose, au dit Montréal avec les
leur gratitut de signe du

Sault St Louis, située dans le District de Montréal
succueillant, et en faveur pour ces présents avoir
volontairement donné et consenti des Moulins
et a lajout, avec tout garantie, a être d'accou-
tement et moyen suivant les Conventions ci-jointes, au
dit Edouard, l'agricole De, Lommer, à ce présent
d'acceptant tous, lui ses biens d'agir l'avenir
à l'avenir.

Le droit exclusif de faire et tenir a
perpétuité, un Moulin à farine, dissimilant
qu'il plaira au dit preneur. Ses biens et ayant
droit, dans la date signification, en jouant de la
propriété que le dit preneur y possède mainte-
nant, un lieu appela la Côte Sainte Catherine
en auquel de la dite propriété, si le local courant
mieux, avec entretien le droit de se servir de l'an
moulin, faire faire tourner le dit Moulin, et
pour les autres fins ci-après mentionnées, de
faire tout travail, requis pour l'construction et
faire marcher tout ou pour le réparer. En tems
temps à l'avenir, d'occuper tout pour l'emplace-
ment et le service du dit Moulin, qui pour lesdits
travaux et Réparations, tout le temps nécessair
sur la grève de la dite signification et généralement
sur les droits nécessaires requis pour la bue, ex-
écution et accomplissement des présentes, avec en-
semble le droit de prendre tous grains provenant
de la dite signification et ailleurs, sauf les sèches
et brûlées, ci-après, et de prendre la plus grande

épingle étale

18145
Légal et non au delà pour que il fasse la partie de
tous droits réservant des réserves, si de lait laissons
subrogent le dit preneur des bois et ayant cause,
ou si ce est place des seigneurs de la dite Seigneurie
Le dit Moulin sera construit et entretenu
aux frais du preneur et tenu en bon état des
Moulin à faire les besoins de la dite
Seigneurie.

Si pourront les baillures permettre
la construction d'un autre Moulin à farine
dans l'étendue de la dite Seigneurie par des
Moulin à moins que ce ne soit pour manque des
grains nécessaires d'en dehors de la dite Seigneurie
et pour l'exportation hors de la Seigneurie
seulement, sans préjudice autre de ces
besoins, et dans le cas où une permission
de batir un Moulin devrait accordée par les
baillures sous les restrictions qui précédent
ce ne pourroit être que sans préjudice ni
dommage entre le preneur pour rapport à l'eau
et aux terrains nécessaires à la libre jouissance
des droits du dit preneur au rang des réserves;
Il pourroit alors plus les baillures batir autres
Moulin à farine pour eux mêmes dans la
partie de la dite Seigneurie qui dépendraient
depuis la limite inférieure d'icelle jusqu'à
l'Eglise du Sacré St Louis, et en profondeur jus
à celles des dites limites jusqu'à celles de la dite
Seigneurie, Mais les baillures pourront tout
temps, construire un Moulin dans la partie

Supérieur
leur fin,
et paix,
leur Ma
gages q
plus.

tous dro
dits de
l'autre,
Moulin
pour la
d'auant
construction
de la
permis
des Mou
dans le
succès q
dits Mou
causes.

de la
la la
gitter
sur le
bailli
afin e
d'apres

les, pour que il pût être exécuté,
et des bailliages, le dit bailliage
meilleur des horizons ayant cause,
les bailliages de la dite signification
sera construit et entretenue
moi, et tenu en bon état des
et des besoins de la dite

ment les bailliages permettre
deux autres moulins à faire
la dite signification par des
ce ne soit pour moudre des
l'un de deux de la dite signification
en hanté la signification
moulin attendre que des
et le cas où une permission
ne sera accordée par la
instruction qui précédent
que sans préjudice ni
gêne pour l'appartenance
à la dite signification
soient au moins des personnes
qui les bailliages, bailliages dans
les deux rivières dans la
signification que tellement l'import
signification d'icelle, jusqu'à
soit, et en profondément
telle jusqu'à celles de la dite
bailliages, procéderont tout
un Moulin dans la partie

supérieure d'icelle signification, et à ce plaisir posse
leur profit et utilité, seulement, et à leurs signes
et paix, et leur défection, pour punition de
leur Malice et non intention, sauf le moment à
gagé qu'il pourront prendre, comme il leur
plaît.

vident les dits bailliages au ditz pionnier,
bus droits de banalité et autres appartenant aux
dits bailliages pour obliger les économiates dans
toute l'étendue de la dite signification à faire
Moulin leurs grains au Moulin qui sera construit
pour le pionnier, il est néanmoins entendu que
durant l'existence du Moulin qui portera le
construit par les bailliages eux mêmes en hanté
de la réserve ci-dessus, les dits économiates pourront
prendre leurs grains à l'un ou à l'autre des
dits moulins des bailliages ou du pionnier, mais
dans le cas où les dits économiates feront moudre
leurs grains ailleurs, quin l'un ou à l'autre des
dits moulins, le pionnier ou ses horizons ayant
cause auront droit de procéder contre les économiates,

Le pionnier fera bonm. dans son
cas, pour un arpentier jure le terrain tant soit
peut par lui propriétaire que lors la grise ou
sûrteau, sera remplie pour l'implacement
sur le service du dit Moulin, et mes au ditz, &
remette copie du pionnier tout fait aux bailliages,
afin de remplir à sa promptitude ce Moulin et ses
dépendances de la terre du pionnier;

181447

Pourras intants temps, se garantir, ses biens
et ayant cause, le droit des biens
et dégagements et abandonner le dit Moulin, avec
son emplacement et dépendances, en en donne
gant avis suffisant, et alors il sera dispensé
l'avenir de toutes les obligations particulières
contractées aux personnes, et il pourra alors
enterrer le dit Moulin et bâtimens du dit
Moulin et autres sisines, mais l'emplacement
et les bâtisses, l'empres d'igues et leurs dépen-
dances demeureront aux bâtimens, sans
indemnité,

Nous laisserez au dit
Moulin à faire tout autre siège ou Mar-
moultures qu'il jugera convenable dans l'île
à la marche du dit Moulin.

Les bâtimens édent au plus
valeur nés au pied des dits Moulin, il
soit nécessaires pour la construction d'elles
ou pour les digues et dunes, sera à dire
d'expert en payant aux bâtimens les fonds
et bâtimens des terrains ainsi acquis, tout
qui sera tel payement pourra être légalement
réclamé par les détentors.

En cas de vente par le promoteur
ou ses biens et ayant cause au dit Moulin,
et de ses dépendances, ou d'autre copie
équivallent à ventre, les bâtimens auront
le droit de disposer et reprendre le tout.

181448

partie
de la
date
baillier
Moulin
pendant
tout le
qui pris
enfin
de leur
davant
bâtimens
après
Moulin
disposa
dans, et
ce d'ay
sur le p
et off
cette.

parties
dans
soit
ou vedi

11. Si par rapport aux biens
instruits dans les dits Comptes
donnés à M. le Maire, il ne
dispendances, en en donne
l'attribution de ses dispendances
obligations par leur com-
pte, et il prouvera alors
et l'authenticité du dit
compte, mais l'implacement
des dites et leurs dépenses
aux bateaux, sans

procurer, ajouter au dit
de la cause si une ou deux
ou convenable et si
voulue, sans égard au prémiss
et des dits bateaux, il
ne la construction d'autre
et d'autres, sera à dire
aux bateaux, les fonds
qui ainsi acquis, lors
de la construction illegalement
échus.

à vente par le procureur
l'asile ou du bateau,
ou d'autre chose
les bateaux auront
et entraîner le tout

par préférence, ou rembourseront les prix, plus
la taxe aux coûts.

181418

Il est également convenu entre
les deux parties, qu'à propos vingt & un ans, de
la date des présentes, il sera possible aux
bailleurs un accès temps après six mois de
M. le Maire, il devra au dit procureur par lesdits
bailleurs de déterminer la propriété des dits
bateaux, terrains, chaumes, digues, dunes, etc.
dispendances, procureront et laisseront à l'entretien, avec
tous les bateaux, usines et autres constructions
qui pourront se trouver alors sur le terrain
suffisante au conformité aux présentes, à con-
sideration d'en prêter au procureur, ses bateaux ayant
fautes, la brise et autre bateau d'atours, laguette
bateau sera fixée à dire et experts, savoir d'
après la valeur actuelle d'ailleurs, devant aux
M. le Maire, usines et autres constructions qui ne
dispendront pas au dit Maire et à ses dispen-
dances, soit d'après la valeur actuelle d'ailleurs
ou d'après une estimation en capital fondu
sur le profit moyen des trois dernières années,
à l'opinion du procureur, sur cette base d'après
l'avis.

Et il est aussi convenu entre lesdites
parties qu'à propos que le dit Maire, et dispen-
dances auront été payées, si les bateaux, bacs
socie et ayant l'asile ou du bateau, offriront
ou céder le dit Maire à d'autre personnes.

en aucun cas

181459

au aucun temps que ce soit pendant sept ans après la date fixe, il sera taxable au prorata, les houes et ayant cause, après l'abattement. Ainsi il n'y a rien qui ne soit donné de reprendre le tout par prorata, comme d'usage propriétaire. Premier ou locataire tenant le cas et ce aux mêmes conditions que conservé avec les dits tiers, et sans aucun indemnité de dommages.

La présente licence sera émise par la charge sur le prorata de montant gratuitement pendant sept ans, pour l'usage et utilité des membres de la dite Nation Specialement, considérés comme tels par le Gouvernement de sa Majesté, et résidant dans la dite Nation; tout le bled qui y aura été recueilli ou qui aura nécessaire pour la consommation de leur famille et après l'expatriation desdits bleds au récés, le prorata sera tenu de accorder les mêmes à perspective, pour une longue époque au lieu d'un quartier de mouture; mais quant à tous autres grains et autres bleds que ceux ci-dépns, les membres de la dite Nation paieront comme tous autres dès le commencement, le droit de mouture.

legale.

La p-

förder, il-

cess. ann.

et ventes.

disponi-

vingt. C.

spécie, p-

le prorata.

de l'ann.

confisca-

épogne.

llus;

meur, app-

partie en

elle.

Don.

mil han-

sh. Dore.

Sis sig.

de jure,

ugant

traduc.

éloges.

Bauer.

deux. a

ce soit pendant 35 ans
18450, et sera taxable
et ayant cause, après
1845 à lui ou à
toute le tout par partie
de la propriété.

Le tout à l'Est et ce
qui concerne avec
succès indemnité de

la conception et en
large pour le financer
et pendant 35 ans,
tous les membres de la
conseil, considérés
évidemment des
dans la distinction
que il y ait sécurité ou que
la condamnation de
l'expulsion desdits
membres sera tenue de
risque, pour une
quinzaine de
et à tous autres grande
ci-après, les membres
ayant comme plus autres
et le droit de monture

18450
Loyer

La présente conception est faite en quatre
pour, et moyennant des droits anciens, c'est, des
sans un millésime imposant jusqu'à ce que
les rentes est moyennant un droit immobile
digne, perpétuelle et non déprétable de
vingt Cinq Louis, du moins actual de cette période
par chaque année, dansquels cas, il restera
le premier payement échut au mois d'octobre
de l'année mil huit cent quatre-vingts-dix, et à
continuer ainsi d'années si l'année à perpétuité
épouse à perpétuité, et prime.

Marguillier, Consulat, et deux batteurs offrent
leur signature comme témoin, se faire respectivement
pour eux leur hôte et ayant cause à perpétuité
telle soit la convention établie, partout.

Le tout fait et signé avec M. Montreal, l'an
mil huit cent quatre-vingts-dix, à la première partie
de octobre après midi, et pour les deux part
ies signé avec les deux batteurs, et l'exception
de quelqu'un qui ait fait leur marguerite
ayant déclaré, ne savoir signer, offrir
tradition, des personnes faites en sa faveur
proprement avec cet écrit fait par M. S. S.
Bourassa pour ce grec, et de faire faire
autre autre.

(Signature) L'Yves & Richardine

Ed. A. de Lorraine

Joseph Béchard

Joseph Simihah
Steer Gawanisato
Thermal ⁱⁿ Giishatekha
Mathis ⁱⁿ Schawasontso
Charles ⁱⁿ Kabinakewene
Thomas ⁱⁿ Shashatista
Simon ⁱⁿ Shashatista
(Signed) A. L. Desmarais M.P.
A. E. Belle, F.R.
Une Copie de la
Minutes, Justice en mes Etats sur
Territoire en maigre band.

A. E. Belle
(F.R.)
(dated 7th September 1847.)

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16-469
Caugoniehae Indians

Praying that they may not
be compelled to make a
road through the
Reserve.

374
6722

Answered by Mr. McPherson,
May 25, 1878

Attorney General's Office,
Montreal, 11th May, 1878.

The desire of the Petitioners
for an appropriation for the
Road in question can only
be effected by an application
to the Legislature, to establish
accomplish this object an
estimate must be obtained
through the Commissioner of
Public Works who should be
directed to prepare it after
Survey, & necessary for that
purpose. In the mean time
whatever may be the rea-
son of the increase of the
cost or diminution of the
Claims of so that the amount
of the original road and horses
of importance of the intention of
the public works department
in building the same which
will be required to be paid
will be determined by the
Commissioner of Public Works.

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1847/12/28

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

J. J. L. E. (J. J. L. E.)
Le Gouverneur Général & C. G. G.

Les Chefs du Sault St. Louis ayant demandé
formellement une communication d'une Lettre édictée par
le Secrétaire civil au Dr. Lapiere, un sujet des chemins
publics de la Bignoussie du Sault St. Louis, après une
assemblée tenue en Conseil, demandant qu'il leur soit
permis de le faire à l'exception de la Bignoussie
1. — Par le fait, les Chemins du Sault St. Louis ne
sont pas plus mauvais que ceux de Chateauguy et de
Laprairie, et que dans certaines raisons, ils sont plus
préférables. —

2. — Que les Sauvages du Sault ont bâti une Eglise
en 1843, sans aucune secours de la part du Gouvernement,
et qu'ils ont été obligés d'assurer une somme de £300
qu'ils se sont obligés de remettre à l'évêque à l'assiette, soit
les revenus de leur Bignoussie, que si elles manquent à
leur paix, ils devront s'opposer à être poursuivis par leurs
Créanciers, et si ce devrait être le cas, il suffit de faire les plus
durs procès. —

3. — Que leurs terrains n'ont pas été maliques
comme le font témoigner leurs Agents, ou que la partie
la plus lucrative de leur terrain est jusqu'à présent
entre les mains du Gouvernement, ayant été confondues
dans le terrains avec les biens de l'entité, malgré leur fré-
quentation et leurs réclamations. —

4. — Qu'ils ne refusent pas de travailler aux Chemins
mentionnés, mais que trouvant cette charge trop pesante
pour leurs faibles épaules, ils suffisent pour l'établissement
de routes bien lentes, obtenu une aide de la législature
comme il est arrivé dans les localités plus riches que
la leur, ou bien qu'on y fasse un chemin de piéage, qui
se payeroit et s'annulerait par la construction d'un

5:- D'après les payements qu'ils ont à faire pour leur Eglise, ils ont constamment besoin d'argent pour les nécessités de la communauté, les élections de la Commune, la réparation des ponts non bâis sur le Chemin public, auquel ils travaillent tous les étés, l'entretien du Culte, les entretiens, achat d'ornements & objets nécessaires au Missionnaire, Bé, Bailli, etc., les dépenses pour ramasser les denrées des différents villages pour les affaires du Gouvernement, comme il est arrivé l'Année dernière que M^r Vardon a fait à plusieurs les Chiffres Généraux de tous les villages du Bas Canada, qui a coûté plusieurs cent francs. Qu'ils sont obligés aussi, d'aller guérir les malades, et les morts, a de grande frais, ce que absorbe la plus grande partie de leurs revenus.

Apprendre à Son Excellence de maintenir bien l'ordre, maintenir l'ordre. Il a été signifié au Col. Papier par le Major Campbell, et l'ordonné. Sur les deux une enquête, à laquelle seraient présents leur agent M^r De Lorimier.

Et les dits Petitionnaires me commandent de prier pour la gloire et le bonheur du règne de Son Excellence

Saint-Louis 28 Decembre 1847.

Thomas & Teahatok

Martin & Kanasontie

Thomas & Schonohittha

Charles & Kattirakos

John Simahatic
Tartagunette

Certifié pour être les vrais sentiments et signatures des Chefs du Sacré St Louis, 28 Decembre 1847.

Robert Mc Crabb,
A. G. de Lorimier.

COPY:

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Crown Lands Department,

Montreal, 15th May, 1849.

Sir,

Having recently been informed that the Indians of Sault St. Louis, under the sanction of His Excellency the Governor General had sold to Mr. Delorimier the right of erecting a Banal Grist Mill at a distance of but three or four arpents from the Banal Grist Mill of the Seigniory of Laprairie belonging to the Crown, I have the honor to request that you would be kind enough to inform me whether such is the case, and if so, to favor the Department with a copy of the instrument which has been passed between the Indians and Mr. Delorimier.

It is apprehended, from the perusal of the title Deeds in virtue of which the Indians possess the Lands called Sault St. Louis, the originals of which are deposited in this office, that they could not grant any Droit de Banalite nor even the right of erecting a mill on the Banks of the St. Laurence and that they have therefore encroached on the rights of the Crown.

It would appear desirable to have this question settled before allowing Mr. Delorimier to go to any further expense.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) T. Bouthelliere.

Major Campbell,
Civil Secretary,
&c., &c., &c.

(Endorsed on back)

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Memorandum:

By the Adjudication of General Gage's Council all the rights and privileges of the Jesuits in and over the Seigniory of the Sault St. Louis, were supposed to have been transferred to the Iroquois Indians, as the Chiefs of the Tribe, (in the Quality of Seignior) have exercised the Droit de banalite since the year 1762.

That in consequence of the Seigniorial Mill on the River La Tortue having become decayed, and wholly unfit for further use, the said Chiefs petitioned the Governor General to sanction their arrangement described in the Notarial "Acte" of the 7th December 1847, with Mr. Equ'd Narcisse De Lorimier.

That in virtue of the Authority above mentioned, and with the sanction of the Crown, the Iroquois Chiefs have been accustomed to receive Lôds et Rentes, Cens et Rentes and all the Advantages of a Seignior, from the Tenants of the said Seigniory, during the last Eighty Seven Years.

Montreal 23rd May, 1849.

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Letter Book No.7)
 5 January, 1848)
 to
 27 June, 1850 }
 Page 161. }

Government House,
 Indian Department,
 30th May, 1849.

T. Bouthillier, Esq'r.,
 Asst.

Sir,-

In reference to your letter of the 15th Inst. I transmit to you the enclosed copy of an Instrument which has been executed by the Chiefs of the Iroquois Indians of the Sault St. Louis and Sanctioned by the Governor General and which conveys to Mr. Edward Narcisse de Lorimier an authority to erect a Banal Mill in that Seigniory.

7th
Dec.
1847.

I request to be informed of any further proceedings in this matter in order that the just rights of the Tribe in question may be duly protected and maintained.

I have the honor,

&c., &c., &c.,

(Signed) T. E. Campbell.

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(Copy of Copy g.m.n.)

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Copie.

Bureau des Terres de la Couronne,
Montreal, 19 Juin, 1849.

Monsieur,

Mon attention ayant été dernierement appellée à un moulin qui se propose de faire batir Mr. De Lorimier sur les terres des Sauvages au Sault St. Louis en vertu d'un bail qu'il a obtenu d'eux, et prevoyant que ce moulin, s'il est construit pourroit nuire à celui de Laprairie placé seulement trois arpents plus bas, et récemment loué à Mr. Sauvageau, et qu'il pourroit occasionner des dommages à la Couronne, Je crois qu'il est urgent de suggérer au Gouvernement la nécessité de faire les démarches nécessaires pour constater les droits des Sauvages, et par consequent la validité du bail de Mr. De Lorimier surtout en ce qui regarde le droit qu'il réclame de se servir des eaux du Fleuve St. Laurent.

Je vous transmets l'acte de cession à Mr. De Lorimier, aussi un livre manuscrit qui contient à la page 84 et suivantes jusqu'à la page 96, lettre R.No.6, 7 & 8 une copie de la procedure et d'un jugement intervenus entre le ci-devant Ordre des Jésuites et les Sauvages du Sault St. Louis, au sujet de ces terres, que les premiers réclamaient comme à eux appartenant Je prendrai aussi la liberté de vous indiquer les rapports faits à la Législature en 1846 et 1847, au sujet des tribus Sauvages du Canada.

Pur ces titres les Sauvages ne paraissent avoir la liberté de cultiver les terres du Sault pour leur usage, sans s'occuper ici des differents points de loi que

L'Hon'ble L.H. LaFontaine,)
Procureur General Est.)

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soulèvent les prétentions des Sauvages aux droits et priviléges des Seigneurs qu'ils prennent dans leur bail à Mr. De Lorimier, et leur accordant, volontiers le droit d'imposer à ceux qui ont pris des terres d'eux en concession telles conditions qu'ils ont jugé à propos, je demanderai simplement, si ces titres et la jouissance et possession qu'ils ont de ce terrain leur donnent le droit de disposer des eaux du St. Laurent qui sont regardées par ce Bureau comme la propriété exclusive de la Couronne Mr. De Lorimier s'engageant dans son bail à moudre gratis pour les Sauvages, il est évident qu'il n'entreprend cette batisse que pour des objets de Commerce et devra naturellement diminuer les profits de celui de Mr. Sauvageau, mais un inconvenient plus sérieux à apprécier est qu'en construisant, un chaussee ou dam pour son moulin à une aussi petite distance de celui de Laprairie, Mr. De Lorimier ne détourne une partie des eaux de ce dernier, et diminue par conséquent considérablement, la force de ce moulin, Le Locataire dans ce cas pourroit avoir des dommages à réclamer et pourroit peut être même être en droit de demander la résiliation de son bail, ces considérations m'engagent à requérir votre opinion sur les doutes qu'ils élèvent avant de soumettre le cas à la considération de l'Exécutif, j'ajouterais que Mr. De Lorimier a déjà fait des préparatifs, qu'il se propose de continuer très prochainement, et qu'il serait en conséquence à désirer que la décision du Gouvernement fut donnée sous le plus court délai possible.

Il n'est pas hors de propos de mentionner ici qu'il paraît qu'en 1827, des Lettres pour la confection d'un Papier Terrier ont été obtenu par les Sauvages, mais

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je ne puis dire le jugement de 1762. Il y a aussi un moulin à farine dans l'interieur des terres à environ une demie lieux du Fleuve, et a à peu près trois milles de la terre où Mr. De Lorimier doit bâtir.

(Signé) T. Bouthelier

(Copie)

(47)

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Translation

1857

Sather

We the principals Chiefs
and others of the Saginaw tribe
in the village of Sault Ste. Marie
have agreed after due considera-
tion of the matter, in
Council with regard to the
Lake St. Louis and Bruce
line Railway, not to oblige
Sething to the Company the
right of way through our
village, or to contract
that the said Company
pays in the sum of ten pounds
for each acre of land wanted
for the line of railway and
twenty pounds per acre per
year for land (provided this is not
in the village) required by the
Company for its buildings
near the river St. Lawrence and
on the condition that the said
Company pay for all damage
to which the contractor
or their employees may
cause or for any damage
caused by locomotives, traps,
fire etc otherwise than
as the Company shall

103793

... - Reserving for us
all the money which may
be found on the said line of
Railway passing over our
Reserve - And in the further
condition that all the houses,
Sheds, stables &c which the Con-
tractors or their employees
may have to demolish be
paid for to the owners thereof,
at the value first thereon by
an appraiser (expert) and
in the event of the said Rail-
way being abandoned, the
Company not to have the
right to sell it to any one
and the land to revert
to us as our ^{own} property.

We name thy children

Thomas ⁱⁿ Iskatakwina
Martin ⁱⁿ Tokanasonne
Thomas ⁱⁿ Sakohetka
Peter ⁱⁿ Thoroniatkina
See Madonwate
Saronoanom

Cal. D. C. Tapiss

S. D. A.

Montreal

Ed: V. de Lormier & Sons

C O P I E

Sault St. Louis, ce 16 mai, 1850

Mon Pere,

Nous les principaux grands chefs et autres de la tribu Iroquoise du Village du Sault St. Louis.

Nous avons resolu et apres mure deliberation prise en Conseil au sujet du chemin a lice du Lac St. Louis et de la ligne provinciale.

Nous n'avons aucune objection, mon Pere, de vendre a la compagnie le chemin sur notre domaine pourvu que la dite compagnie nous payent la somme de dix louis par chaque arpent de terre sur la ligne et vingt louis aussi pour le terrain (pourvu que sa ne soit pas dans le village) que la compagnie pourra avoir besoin pour les batisses necessaires pres du fleuve St. Laurent. Que la dite compagnie sera tenue de payer tous dommages commis par les entrepreneurs ou leur engaggr ainsi que par la locomotive tant que le dit chemin a lice subsisteras, soit par le feu ou autrement, que nous nous reservons toutes especes de bois qui se trouvera sur la ligne du chemin sur notre domaine. Que toute maison, hanger, ecurie et que les contracteurs au autres seront oblige de demolir sera paye au proprietaire d'icelle par dire d'expert. Qu'en cas que le dit chemin a lice serai abandonne par la Compagnie, qu'elle n'aura pas droit de vendre le dit chemin a qui que se soit mais que le terrain redeviendra notre propriete.

Cat. D.C.Napui
S.I.A.
Montreal
Ed. N.de Lorimier,
Temoin.

Nous sommes les enfants
(signe) Thomas Tiotratsttron
Martin Tekanasontie
Thomas Sakootretstho.
Pierre Thoronhiakinru
Tien Thugenvate
Savoganoven

(Qb)

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Father:

We the principal Chiefs and others of the Iroquois tribe in the village of Sault St Louis have agreed after due consideration of the matter, in Council with regard to the Lake St Louis and Province Line Railway, not to object selling to the Company the right of way through our seigniory on the condition that the said Company pays us the sum of ten pounds for each arpent of land wanted for the line of railway and twenty pounds per arpent for land (provided it is not in the village) required by the Company for its buildings near the river St Lawrence and on the condition that the Company pays for all damages which the contractors or their employees may cause or for any damages caused by locomotives by fire or otherwise so long as the Company shall exist - Reserving for us all the wood which may be found on the said line of railway passing over our seigniory - And on the further condition that all the houses, sheds, stables &c which the contractors or their employees may have to demolish be paid for to the owners thereof, at the value put thereon by an appraiser (expert) and in the event of the said railway being abandonned, the Company not to have the right to sell it to anyone and the land to revert to us as our own property.

We remain thy children.

his
(Sgd.) Thomas x Tiohatekon
mark

his
(Sgd.) Martin x Takanasontie
mark

his
(Sgd.) Thomas x Sakoohetstha
mark

his
(Sgd.) Pierre x Thoronhiakinra
mark

Tier Thageneate - Saronoganorin

Col. D. C. Napier,
S. I. A.,
Montreal.

(Sgd.) Ed. N. De Larmier. Witness.

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John M. Macmillan
Metis 15 May 1850

In Obedience to the Directions of
H. H. G. General, Conveyed This is to give
Letter of the Ottawas, I have the honor
to transmit to you a copy of information
a statement of the terms and conditions
which the Chiefs of the Saginaw Tribe
are willing to dispose of the land which may
be required by the Lakehead and Northern
Rail Road Company within the Reserve
of the Saginaw of the vaults to do so.

15 May 1850

The Indian Agent at Sault Ste. Marie
informs me, that he has not been able to ascertain
with any degree of accuracy, the quantity of land
required, and that it would be necessary to employ
a surveyor for that purpose, in the event of the
land being accepted by the Company.

John M. Macmillan
Metis 15 May 1850

John M. Macmillan
Metis 15 May 1850

Indian Affairs (RG 10, Vol. 182, no. 4301-4400)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

15 May 1850
John Smith
Treasurer
Long March
and
returning
from
the
Indians
Company

25 May
Copy Blackman

15 May 1850

Indian Affairs (RG 10, Vol. 182 no. 4301-4400)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

C A P . X L I .

Acte pour lever les doutes qui existent quant au droit des parties de recouvrer la valeur des ouvrages faits sur les chemins dans le Bas-Canada, en vertu d'actes qui sont expirés depuis.

[10 Août, 1850.]

A TTENDU que diverses personnes employées à faire ou réparer les chemins en vertu des dispositions et réquisitions d'actes de la législature du Bas-Canada qui sont maintenant expirées, avaient acquis des droits à des sommes d'argent dont le paiement leur était garanti par hypothèque, en vertu des dits actes, sur les terres à travers ou sur lesquelles, ou en front ou près desquelles les dits chemins étaient tracés; et attendu que les dits actes étant expirés, il peut s'élever des doutes si les dites personnes peuvent maintenir des actions en loi pour recouvrer les sommes qui leur sont ainsi dues: pour lever tous ces doutes, qu'il soit déclaré et statué par la Très-Excellente Majesté de la Reine, par et de l'avis et du consentement du conseil législatif et de l'assemblée législative de la province du Canada, constitués et assemblés en vertu et sous l'autorité d'un acte passé dans le parlement du royaume-uni de la Grande Bretagne et d'Irlande, et intitulé: *Acte pour réunir les provinces du Haut et du Bas-Canada, et pour le gouvernement du Canada*, et il est par le présent statué par la dite autorité, que dans tous les cas où des réclamations analogues à celles indiquées dans le préambule de cet acte, seront présentées ou soumises à l'adjudication d'aucune cour de justice dans le Bas-Canada, les dits actes respectivement seront censés et considérés avoir été et être restés en pleine force et vigueur, en autant du moins qu'il sera nécessaire pour mettre toute telle personne comme susdit en état de maintenir une action pour ouvrage fait, matériaux fournis, ou argent dépensé sur aucun chemin ou grand chemin quelconque, soit que telle personne présente telle réclamation en son propre nom comme ayant fait l'ouvrage, fourni les matériaux ou dépensé l'argent, ou comme cessionnaire de quelque commissaire de chemin, sous-voyer ou autre officier de voirie, ou comme cessionnaire de toute autre personne qui aura fait le dit ouvrage, fourni les matériaux, ou dépensé l'argent, ou qui l'aura fait faire, en obéissance aux dits actes ou à l'un d'eux, ou aux directions de quelque commissaire de chemin, sous-voyer ou officier de voirie, ou de toute autre personne qui pouvait légalement lui enjoindre, ou l'autoriser de faire tel ouvrage, ou fournir les matériaux, ou dépenser l'argent qui fait le sujet de la dite réclamation, ou pour le recouvrement desquels l'action a pu ou pourra être intentée.

Préambule.

Les actes mentionnés dans le préambule, seront encoré en vigueur pour certaines fins.

C A P . X L I I .

Acte pour mieux protéger les terres et les propriétés des sauvages dans le Bas-Canada.

[10 Août, 1850.]

A TTENDU qu'il convient d'établir de meilleures dispositions pour prévenir les empiétablissements qui pourraient se commettre, et les dommages qui pourraient être causés sur les terres appropriées pour l'usage des diverses tribus et peuplades de sauvages, dans le Bas-Canada, et pour défendre leurs droits et priviléges: à ces causes, qu'il soit statué par la Très-Excellente Majesté de la Reine, par et de l'avis et consentement du conseil législatif et de l'assemblée législative de la province du Canada, constitués et assemblés en vertu et sous l'autorité d'un acte passé dans le parlement du royaume-uni de la Grande Bretagne et d'Irlande, et intitulé: *Acte pour réunir les provinces du Haut et du Bas-Canada, et pour le gouvernement du Canada*, et il est par le présent statué par la dite autorité, qu'il sera loisible au gouverneur de nommer, de temps à autre, un commissaire des terres des sauvages pour le Bas-Canada, lequel, ainsi que ses successeurs sous le nom susdit, seront et sont par le présent investis, pour et au nom de toute tribu ou peuplade de sauvages, de toutes les terres ou propriétés dans le Bas-Canada, qui sont et seront mises à part ou appropriées pour l'usage d'aucune tribu ou peuplade de sauvages, et qui seront censés en loi occuper et posséder aucune des terres dans le Bas-Canada, qui sont actuellement possédées ou occupées par aucune telle tribu ou peuplade,

Préambule.

Nomination d'un commissaire des terres des sauvages, et ses pouvoirs.

Premise. ou par tout chef ou membre d'icelle ou autre personne pour l'usage ou profit de telle tribu ou peuplade ; et ils auront droit de recevoir et recouvrir des rentes, redevances et profits provenant de telles terres et propriétés, et pourront, sous le nom susdit, mais eu égard aux dispositions ci-après établies, exercer et maintenir tous et chacun les droits qui appartiennent légitimement au propriétaire, possesseur ou occupant de telle terre ou propriété : pourvu toujours, que cette section s'étendra à toutes les terres dans le Bas-Canada, maintenant possédées par la Couronne en *fidéicommissis*, ou pour l'avantage de toutes telles tribus ou peuplades de sauvages, mais ne s'étendra pas aux terres maintenant possédées par aucune corporation ou communauté légalement établie et habile en loi à citer et ester en justice, ou à toutes personnes ou personnes d'origine européenne, bien que les dites terres soient ainsi possédées en *fidéicommissis*, ou pour l'usage de telle tribu ou peuplade.

Poursuites en son nom ou contre lui.

II. Et qu'il soit statué, que toutes les poursuites, actions ou procédures portées par ou contre le dit commissaire, seront intentées et conduites par ou contre lui, sous le nom susdit seulement, et ne seront pas périennes ou discontinuées par le décès, la destitution ou résignation du dit commissaire, mais seront continuées par ou contre son successeur en office ; et tel commissaire aura, dans chaque district du Bas-Canada, un bureau qui sera son domicile légal, et où tout ordre, avis ou autre procédure pourra lui être légalement signifié ; et il pourra nommer tels députés ou députés et leur déléguer tels pouvoirs qu'il jugera expédié de leur déléguer de temps à autre, ou qu'il recevra l'ordre du gouverneur de leur déléguer : pourvu toujours, qu'aucune poursuite ou procédure ne sera commencée ou instituée par ou contre le dit commissaire ou toute autre personne, durant la période d'un mois qui s'écoulera après la passation de cet acte, à l'égard de toute terre ou propriété dont on a en vue de l'investir par le présent, et nulle prescription ou limitation de temps, durant lequel toute procédure ou chose devrait être commencée ou avoir lieu, ne courra, ni ne vaudra à l'encontre du dit commissaire, durant la période de temps dernièrement mentionnée.

Il pourra concéder, louer, etc. les terres,

III. Et qu'il soit statué, que le dit commissaire aura plein pouvoir et autorité de concéder ou louer, ou grever toute telle terre ou propriété comme susdit, et de recevoir et recouvrir les rentes, redevances et profits en provenant, de même que tout propriétaire, possesseur ou occupant légitime de telle terre pourrait le faire, mais il sera soumis en toute chose aux instructions qu'il pourra recevoir de temps à autre du gouverneur, et il sera personnellement responsable à la couronne de tous ses actes, et plus particulièrement de tout acte fait contrairement aux dites instructions, et il rendra compte de tous les deniers par lui reçus, et les emploiera de telle manière, en tel temps et les paiera à telle personne ou officier qui sera nommé par le gouverneur, et il fera rapport, de temps à autre, de toutes les matières relatives à sa charge, en telle manière et forme, et donnera tels cautionnements suivant que le gouverneur le prescrira et l'exigera, et tous les deniers et effets mobiliers qu'il recevra ou qui viendront en sa possession, en sa qualité de commissaire, s'il n'en est pas rendu compte, et s'ils ne sont pas employés et payés comme susdit, ou s'ils ne sont pas remis par toute personne qui aura été commissaire à son successeur en charge, pourront être recouvrés de toute personne qui aura été commissaire comme susdit, et de ses cautions, conjointement et solidairement, par la couronne ou par tel successeur en charge, dans aucune cour ayant juridiction civile, jusqu'à concurrence du dit montant et valeur.

Réserve de certains droits des sauvages,

IV. Pourvu toujours, et qu'il soit statué, que rien de contenu au présent, ne sera censé déroger au droit d'aucun sauvage ou individu qui possédera ou occupera un lot ou morceau de terre formant partie des terres dont le dit commissaire est investi, ou compris dans les limites des dites terres.

Ce que l'on entendra par sauvages.

V. Et à l'effet de déterminer tout droit de propriété, possession ou occupation à l'égard de toute terre appartenant à toute tribu ou peuplade de sauvages dans le Bas-Canada, ou appropriés pour son usage, qu'il soit déclaré et statué, que les classes suivantes de personnes sont et seront considérées comme sauvages appartenant à la tribu ou peuplade de sauvages intéressée dans les dites terres :

Premièrement.

Premièrement.—Tous sauvages pur sang, réputés appartenir à la tribu ou peuplade particulière de sauvages intéressée dans la dite terre, et leurs descendants :

Deuxièmement.—Toutes les personnes mariées à des sauvages, et résidant parmi eux, et les descendants des dites personnes :

Troisièmement.—Toutes personnes résidant parmi les sauvages, dont les parents des deux côtés étaient ou sont des sauvages de telle tribu ou peuplade, ou ont droit d'être considérés comme tels :

Quatrièmement.—Toutes personnes adoptées dans leur enfance par des sauvages, et résidant dans le village ou sur les terres de telle tribu ou peuplade de sauvages, et leurs descendants.

VI. Et qu'il soit statué, que l'acte d'interprétation s'appliquera au présent acte.

Sujet à l'acte d'interprétation.

C A P . X L I I I .

Acte pour amender et continuer l'ordonnance pour régler l'inspection de l'huile et du poisson.

[10 Août, 1850.]

ATTEINDU qu'il est expédié d'amender l'ordonnance faite et passée par le gouverneur en conseil spécial pour les affaires du Bas-Canada, dans la deuxième année du règne de Sa Majesté, intitulée : *Ordonnance pour pourvoir à l'inspection du poisson et de l'huile*, et de continuer la dite ordonnance, telle qu'amendée : à ces causes, qu'il soit statué par la Très-Excellente Majesté de la Reine, par et de l'avis et consentement du conseil législatif et de l'assemblée législative de la province du Canada, constitués et assemblés en vertu et sous l'autorité d'un acte passé dans le parlement du royaume-uni de la Grande Bretagne et d'Irlande, intitulé : *Acte pour réunir les provinces du Haut et du Bas-Canada, et pour le gouvernement du Canada*, et il est par le présent statué par l'autorité susdite, que nonobstant toute chose contenue dans la dite ordonnance, un seul inspecteur, et pas plus d'un, sera nommé ou continuera d'exercer les fonctions d'inspecteur, dans chacune des cités de Québec ou Montréal ; mais chacun des dits inspecteurs pourra nommer tels et autant de députés qu'il jugera convenable de nommer, et sera responsable des actes des dits députés.

Préambule.

L'ord. du B.C. 2 Vict.
(3) c. 65, citée.

Il sera nommé un seul inspecteur à Québec et Montréal respectivement.

Les inspecteurs nommeront des députés.

La 5^e section de l'ordonnance étendue à certains articles.

Proviso.

L'inspecteur aura un quai ou hangar.

L'inspecteur agira quand il en sera requis.

Honoraires des inspecteurs.

II. Et qu'il soit statué, que toutes les dispositions de la cinquième section de la dite ordonnance s'appliqueront au poisson saumuré ou salé de toute sorte, tout comme elles s'appliquent maintenant au saumon saumuré ou salé, et comme si les mots "poisson saumuré ou salé de toute sorte," étaient insérés dans la dite section, au lieu des mots "saumon saumuré ou salé" : pourvu toujours, que tel poisson sera étampé "No. 1," "No. 2," "No. 3," ou "rejeté," selon sa qualité : le No. 1 désignant le poisson de la première ou meilleure qualité, le No. 2, celui de la seconde, et le No. 3, celui de la troisième qualité : et la morue verte pourra être embarrillée dans des barrils qui auront servi à contenir de la fleur, ou dans tous autres qui seront propres au transport, pourvu qu'ils contiennent deux cent vingt-quatre livres de poisson en sus du poids du sel et de la saumure.

III. Et qu'il soit statué, que chaque inspecteur pourra se procurer un quai ou hangar convenable, et dans une position avantageuse, aux fins de recevoir le poisson qui y sera envoyé pour être inspecté.

IV. Et qu'il soit statué, que chaque inspecteur sera tenu de se transporter, lorsqu'il en sera requis, dans aucun endroit de la cité pour laquelle il aura été nommé, aux fins d'inspecter le poisson ou l'huile, pourvu que la quantité à inspecter ne soit pas moins de dix caisses ou vaisseaux.

V. Et qu'il soit statué, que nonobstant toute chose contenue dans la dix-neuvième section, ou dans toute autre partie de la dite ordonnance, chaque inspecteur aura droit d'exiger, pour les services ci-après mentionnés, les honoraires suivants, et nuls autres ; pour nettoyer ou laver avec de la chaux les têtes ou fonds de tout vaisseau de quelque description que ce soit servant à contenir de l'huile, neuf deniers ; pour inspecter et étamper chaque futaille d'huile de la contenance de vingt-huit gallons, six deniers ; pour

1850/08/10

20

13-14 Vict.

CHAP. XLII. 42

An Act for the better protection of the Lands and Property of the Indians in Lower Canada.

[10th August 1850.]

Preamble.

WHEREAS it is expedient to make better provision for preventing encroachments upon and injury to the lands appropriated to the use of the several Tribes and bodies of Indians in Lower Canada, and for the defence of their rights and privileges: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That it shall be lawful for the Governor to 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 which are or shall be set apart or appropriated to or for the use of any Tribe or Body of Indians, shall be and are hereby 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 and may, in and by the name aforesaid, be 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 land or property: Provided always, that this section shall extend to any lands in Lower Canada now held by the Crown in trust for or for the benefit of any such Tribe or Body of Indians, but shall not extend to any lands now vested in any Corporation or Community legally established and capable in law of suing and being sued, or in any person or persons of European descent, although held in trust for or for the benefit of any such Tribe or Body.

Appointm^tnt of a Comm^{ssn}ner of Indian Lands. His powers.

Provis.

Suits by or against Comm^{ssn}ner, how brought.

II. And be it enacted, That all suits, actions or proceedings by or against the said Commissioner shall be brought and conducted by or against him by the name aforesaid only, and shall not abate or be discontinued by his death, removal from office, or resignation, but shall be continued by or against his successor in office; and that such Commissioner shall have in each District in Lower Canada, an office which shall be his legal

domicile, and whereat any process, notice or like matter may be legally served upon him, and may appoint such deputy or deputies, and with such powers as he shall from time to time deem expedient, or as he shall be instructed by the Governor to do: Provided always that no suit or proceeding shall, during one month next after the passing of this Act, be commenced or proceeded with by or against the said Commissioner or any other party, with regard to any lands or property intended to be hereby vested in him, nor shall any prescription or limitation of time within which any proceeding or thing would otherwise require to be commenced, had or done, run or avail against the said Commissioner during the term last aforesaid.

III. And be it enacted, That the said Commissioner shall have full power to concede or lease or charge any such land or property as aforesaid, and to receive or recover the rents, issues and profits thereof as any lawful proprietor, possessor or occupant thereof might do, but shall be subject in all things to the instructions he may from time to time receive from the Governor, and shall be personally responsible to the Crown for all his acts, and more especially for any act done contrary to such instructions, and shall account for all moneys received by him, and apply and pay over the same in such manner, at such times and to such person or officer, as shall be appointed by the Governor, and shall report from time to time on all matters relative to his office in such manner and form, and give such security, as the Governor shall direct and require: and all moneys and moveable property received by him or in his possession as Commissioner, if not duly accounted for, applied and paid over as aforesaid, or if not delivered by any person having been such Commissioner to his successor in office, may be recovered by the Crown or by such successor, in any Court having civil jurisdiction to the amount or value, from the person having been such Commissioner and his sureties, jointly and severally.

IV. Provided always and be it enacted, That nothing herein contained shall be construed to derogate from the rights of any individual Indian or other private party, as possessor or occupant of any lot or parcel of land forming part of or included within the limits of any land vested in the Commissioner aforesaid.

V. And for the purpose of determining any right of property, possession or occupation in or to any lands belonging or appropriated to any Tribe or Body of Indians, in Lower Canada,—Be it declared and enacted—That the following classes of persons are and shall be considered as Indians belonging to the Tribe or Body of Indians interested in such lands:

First—All persons of Indian blood, reputed to belong to the particular Body or Tribe of Indians interested in such lands, and their descendants;

Secondly--All persons intermarried with any such Indians and residing amongst them, and the descendants of all such persons;

Thirdly--All persons residing among such Indians, whose parents on either side were or are Indians of such Body or Tribe, or entitled to be considered as such; And

Fourthly--All persons adopted in infancy by any such Indians, and residing in the Village or upon the lands of such Tribe or Body of Indians, and their descendants.

Interpretation VI. And be it enacted, That the Interpretation Act shall apply to this Act.

This is now
Cap 81 - Can. Statute
An Act for the protection of the Indians in Upper Canada from imposition, and the property occupied or enjoyed by them from trespass and injury.

13 & 14. Vict:

~~CHAP. LXXIV.~~

[10th August, 1850.]

Preamble.

WHEREAS it is expedient to make provision for the protection of the Indians in Upper Canada, who, in their intercourse with the other inhabitants therof, are exposed to be imposed upon by the designing and unprincipled, as well as to provide more summary and effectual means for the protection of such Indians in the unmolested possession and enjoyment of the lands and other property in their use or occupation: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That no purchase or contract for the sale of land in Upper Canada, which may be made of or with the Indians or any of them, shall be valid unless made under the authority and with the consent of Her Majesty, Her Heirs and Successors, attested by an Instrument under the Great Seal of the Province, or under the Privy Seal of the Governor thereof for the time being.

u.c.
+ Cap 81
S.21.

Purchases of
lands from
Indians not
valid without
the consent of
the Crown.

l.c.
Cap 81
S.22.

Such purchase II. And be it enacted, That if any person, without such authority and consent, shall in any manner or form, or upon any terms whatsoever, purchase or lease any lands within Upper

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N° 5,280.

119714

Le 22 Mai 1851.

Cession
par

Thomas Leishatakon
Martin Panaroutie
Hautres,

Marc Antoine Primeau
Ecouyer, c'est dit nom

1ere copie.

Ch. M. S.

1851/05/22

Indian Affairs (RG 10, Vol. 202, no. 6701-6800)

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119715

Pardessus les Volaires Publics
pour cette partie de la Province du
Canada, constituant ci devant la
Province du Bas Canada, résidant
dans le district de Montréal, soussignés

Furent présents Thomas
Triebel et fils, Martin Kanaoutie,
Charles Oshanon et Pierre Thasciente,
tous grands chefs de la tribu des Iroquois
du Vieux Saint Louis, Louis Tebasawas
et Jean Baptiste Thaisiaké, chefs -
subalternes de la dite tribu, et y assi-
dants, et Edouard Parise Delorme,
éteux, de la paroisse de la Prairie,
éigkeit de la seigneurie du Vieux St Louis.

Lesquels ci-dites qualités, ont, par
les présentes, cédé & transporté cea
jour à toujours, avec promesse de
garantir toutes troubles & empêche-
mens quelconques, à Marc Antoine
Prineau, éteux, commerçant, de la
paroisse de Sainte Martine, dans le district
& résident devant écluse
la compagnie du chemin de fer
& macadamisé du Vieux Saint Louis
à Sainte Martine, à ce présent et acceptant
toute ci-dite qualité, pour l'usage
de la dite compagnie, c'est à savoir
un terrain démenté de la seigneurie
du Vieux Saint Louis, de vingt huit pieds
anglois de largeur sur une longueur
d'une lieue, d'ouze arpens vingt
pieds.

119716

pieces de bois que, plusieurs mois,
l'ont en partie parées de Saint Louis,
par derrière à la ligne de gneuriale
dit que la ligne a été tirée par J. G.
Brown; Ecuyer, Arpenteur Jusé, avec
rencontre un morceau de terrain
quatre vingt dix pieds quarrés anglo
à chaque extrémité du dit terrain
pour y construire des maisons de peage
dit terrain étant destiné pour
faire & construire un chemin planchéié
& macadamisé.

Ainsi que tout cot actuellement,
circonstances & dépendances, que le
représentant en dite qualité s'il bien
savoir & connaitre pour la voir
un avis.

La présente cession est ainsi
faite aux conditions suivantes,
savoir : 1^o La compagnie du dit
chemin planchéié & macadamisé
sera tenue de donner aux habitants
de la tribu Iroquoise de Saint
Louis, un libre accès sur le chemin
planchéié & macadamisé à être
fait sur le terrain sus-dit & ce
gratuitement; mais bien entendu
que ce libre accès gratuit ne sera
que pour leurs affaires privées, mais
non autrement.

2^o La compagnie sera tenue de faire
& entretenir des clôtures chaque

côte.

119717

Côte au chemin en question, avec les
barrières nécessaires, à la demande
des propriétaires & avec en outre les
fûts & ponts nécessaires.

3^e De dit concessionnaire s'oblige par
les présentes, tant que ldit chemin sera
dépouillé le passage du dit chemin pour
tout échage habital Isognois du
Sault Saint Louis qui ira à ses mon-
tins, à St. Martine, pour affaires auxdits
moulins.

4^e Les dits chefs s'obligent d'indemniser
les divers propriétaires où doit passer
l'dit chemin sur leurs terrains respec-
tifs de sorte que la dite compagnie
ne soit nullement troublée, excepté
que les dommages que la dite com-
pagnie pourra causer soit dans les
grains, arbres fruitiers, fruits légumes
des divers propriétaires qui seront
pendants par racines lors de la con-
fection du dit chemin.

5^e Les dits chefs aux dts biens donnent
à dit concessionnaire ès-dit nom,
toutes les pierres nécessaires pour le
dit chemin, dans la dite Seigneurie
à prendre la dite pierre chaque côté
d'iceli.

6^e La dite compagnie mettra cha-
que Côte du dit chemin tous les bois
& branches qui seront ôtés dans
celui lors de sa construction: lesdits
bois

119718 lesdits appartenant à la dite tribu
dudit cessionnaire à dit nom, avec
la liberté d'abandonner le dudit
terrasse en ancien temps, sans dommages
et au moyen des présentes, lesdits
cédants cèdent, transmettent et
abandonnent à dit cessionnaire
à dit nom, tous droits de propriété
d'autres choses généralement qualifi-
quées, que'ils ont ou peuvent avoir
en leurs dites qualités de chasse et agent,
dont et de tout ce qu'ils possèdent
et défairent en faveur dudit cession-
naire à dit nom pourzul en
jouys, gage et dispose comme
bon lui semblera convenir des
présentes : mais bien entendu que
de ladite compagnie ne partions
travers leur chemin alors le présent
acte deviendra nul & sans effet.
Car ainsi, &c.

Et pour l'exécution des présentes,
lesdites parties élisent leurs domiciles
en leurs demeures actuelles.

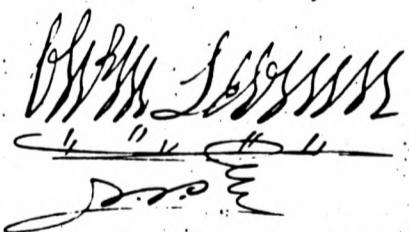
Aut & passé dans le numéro
cinq mille deux cent quatre-vingts,
au village du Sault Saint Louis,
en la demeure de M^r George Delori-
nier, l'an mil huit cent cinquan-
te-un, le vingt-deuxième jour
d'avois de mai, après midi, et
ont lesdits Charles Ondanor et

Paris

119719

Pierre Thadénante, Edouard Normand
Deslauriers, Louis Tessier Sarasere et
Marc Antoine Prineau, Seigneurs, signé
avec leurs dits Notaires, & les dits Thomas
Tsiwata Koen et Martin Kanasoutie
d'claré ne savoir signer, de ces
engages, ont fait leurs marques
et une croix, lecture faite, (signé)
Ed. N. Deslauriers, sans organes,
tier Thadénante, sadiate Sarasere
+ + +, M. A. Prineau & Kainaitie
Note & bkt M. Labrin. M. D.
tous deux avec paroisses, ainsi
que porté sur la minute
démunie vers la notarie.
Sorifeyé.

Bonne copie.



1851/05/66

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JOURNALS

OF THE

LEGISLATIVE ASSEMBLY

OF THE

PROVINCE OF CANADA.

FROM the 20th DAY of MAY to the 30th DAY of AUGUST,

BOTH DAYS INCLUSIVE,

And in the Fourteenth & Fifteenth years of the Reign of our Sovereign Lady

QUEEN VICTORIA.

BEING THE 4th SESSION OF THE 8rd PROVINCIAL PARLIAMENT OF CANADA.

SESSION, 1851.



Printed by the Order of the Legislative Assembly.

VOL. 10.

Sauvageau, Scott of Two Mountains, Smith of Wentworth, and Taché.—(25.)

So it was resolved in the Affirmative.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Monday, the ninth of June next.

Bill to authorize a Second Term of the Superior Court to be held in the District of Cap-de-la-Madeleine.

Ordered, That Mr. Christie have leave to bring in a Bill to authorize the holding of a Second Term of the Superior Court annually in the District of Cap-de-la-Madeleine, so soon as the Grand Juries thereof shall represent the same to be necessary.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Tuesday next.

Bill relating to the Fisheries in the Gulf of St. Lawrence.

Ordered, That Mr. Christie have leave to bring in a Bill to remove all doubts as to the right of Her Majesty's subjects in Canada carrying on the Fisheries in the Gulf of St. Lawrence to land and occupy, for the necessary purposes thereof, any unoccupied places on the North Shore of Labrador, within the limits of the Province, they may deem suitable thereto, and freely to carry on their Fisheries thereat.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Monday, the ninth of June next.

Bill relating to Judgments of Commissioners Courts (L.C.)

Ordered, That Mr. Laurin have leave to bring in a Bill to render executable the Judgments of Commissioners Courts in Lower Canada.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Thursday next.

Real or mixed Actions Bill (L.C.)

Ordered, That Mr. Chauveau have leave to bring in a Bill to amend the Law in Lower Canada as regards the District in which real or mixed Actions may be commenced.

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Wednesday next.

Then, on motion of Mr. DeWitt, seconded by Mr. McFarland,
The House adjourned until Monday next.

(D.)

Luna, 26° die Mai;

ANNO 14° VICTORIA REGINE, 1851.

Quæstio Tertia. M R. Speaker laid before the House the Accounts of the Trinity House of Quebec, for the year ending 31st December, 1850.

Appendix (E.) For the said Accounts, see Appendix (E.)

Distribution of the Statutes. And also, Return of the Printing and Distribution of the Public, Local, and Private Acts of the 3rd Session 3rd Parliament of Canada, 1850.

Appendix (F.) For the said Return, see Appendix (F.)

Petitions brought up. The following Petitions were severally brought up, and laid on the table:—

By Mr. DeWitt,—The Petition of the Municipal Council of the County of Huntingdon.

By Mr. Fortier,—The Petition of the Corporation of the Seminary of Nicolet.

By Mr. Armstrong,—The Petition of the Reverend F.-T. Lalage, general Agent of the Commissariat de St. Viator, for the Colleges of Industrie, Chambly, and Rigaud.

By Mr. Sauvageau,—The Petition of A. Merizzi, Esquire, and others, Councillors, of the County of Huntingdon.

By Mr. Notman,—The Petition of James Rae and others, Councillors of the Township of Westminister.

By Mr. Cauchon,—The Petition of N. F. Belcourt, Esquire, Mayor, on behalf of the Citizens of Quebec.

By Mr. Guillet,—The Petition of David Trudel and others, Censitaires, of the County of Champlain.

By Mr. Laurin,—The Petition of C. H. Lassigne, of Montreal.

By Mr. Ferguson,—Two Petitions of the Municipal Council of the County of Waterloo; the Petition of W. D. Powell, Esquire, Chairman, and Thomas Saunders, Clerk of the Peace, on behalf of the Magistrates of the Court of Quarter Sessions for the County of Waterloo; and the Petition of the Municipality of the Township of Guelph.

By Mr. Lacoste,—The Petition of the Corporation of the Chambly College.

By Mr. Dumas,—The Petition of A. M. Delisle and William H. Breault, Esquires, of Montreal; and the Petition of L. G. Brown, Esquire, and others, of the County of Beauharnois.

By Mr. Taché,—The Petition of the Reverend P. Boucher and others, of the Parishes of Ste. Anne and Cape Chat; the Petition of F. X. Poulin, Esquire, M.D., and others, of the Parish of St. Germain de Rimouski; the Petition of William E. Page and others, of Metis, County of Rimouski; and the Petition of Joseph Mooney and others, Pilots for the Port of Quebec.

By Mr. Holmes,—The Petition of the Right Reverend the Roman Catholic Bishop of Montreal, and others, the Congregation of St. Patrick's Church, in the City of Montreal.

By the Honorable Mr. Boulton,—The Petition of John Rolph, Esquire, and others, Licensiates in Medicine; and the Petition of the Woodstock and Lake Erie Railway and Harbour Company.

By the Honorable Mr. Cameron of Cornwall,—The Petition of the Port Hope Harbour and Wharf Company.

By the Honorable Mr. LaTerrière,—The Petition of Joseph Paineaud, Esquire, and others, Physicians and Surgeons, of the District of Quebec; the Petition of Baptiste Tremblay and others, of St. Louis de l'Isle aux Coudres, County of Saguenay; and the Petition of Louis Harvey, Esquire, and others, of the Parish of St. Louis de l'Isle aux Coudres, County of Saguenay.

Pursuant to the Order of the day, the following Petitions read.

Of the Reverend Antoine Racine and others, of Stanfield, Blanford, Bulstrode, and Maddington, District of Three Rivers; and of M. Nott and others, of Arthabaska, Chester, and Warwick, District of Three Rivers; praying the adoption of measures for the colonization and improvement of the Eastern Townships,—the amendment of the Municipal provisions, and the terms by which Clergy lots are governed,—and the opening and improvement of certain Roads and Bridges in the said Townships.

Of the Reverend H. de Villiers and others, of the Township of Arthabaska, District of Three Rivers; of Edward G. Paradis and others, of the Township of Chester, District of St. Francis; of P. Prince, Esquire, and others, of the Townships of Stanfield and Blanford, District of Three Rivers; and of Bernard Garnaud and others, of the Township of Warwick,

26th Maii.

A. 1851.

District of Three Rivers; praying aid to improve the Arthabaska Road, and to construct a Bridge across the River Bécanour.

Of Ignace Portneuf and other Indians of Sault St. Louis, District of Montreal, and St. François, District of Three Rivers; praying for certain amendments to the Act for the better protection of the lands and property of the Indians of Lower Canada.

Of F. Papineau and others, Chiefs and heads of families of the Indian Tribes of Algonquins and Nipissings residing at the Lake of Two Mountains; praying the adoption of certain measures for their protection, and for the improvement of the Indian Tribes in Lower Canada.

Of M. L. Helliwell and others, residing near the line of the Welland Canal; praying for the passing of an Act to incorporate a Company for the purpose of purchasing the Welland Canal lands between St. Catharines and Thorold, and of encouraging the erection of manufactories thereon.

Of Peter Paterson, Esquire, and others, Merchants, Quebec; praying an extension of the Act authorizing the formation of Joint Stock Companies in Lower Canada, to Companies for the completion of Booms across the Rivers Bécanour, Gentilly and Nicolet.

Of Urbain Beaudet and others, of the Parish of St. Jean les Chaillons; praying the adoption of certain modifications with reference to the Seigniorial Tenure in Lower Canada.

Of the Reverend Edouard Faucher and others, of the Parish of St. Louis de Lotbinière; praying the adoption of certain measures to remedy the inconvenience arising from the destruction by fire of the Registers of Marriages, Baptisms, and Burials in the said Parish.

Of John G. Bouc, Esquire, and others, Heads of Municipalities in Upper Canada; praying the passing of an Act to incorporate the Kingston and Toronto Junction Railroad Company.

Of the Reverend Stephen Lett, L.L.D., and others, Clergy and Laity, Members of the United Church of England and Ireland, in the Diocese of Toronto; praying an Act of Incorporation under the name of "Trinity College."

Of Edouard Robitaille and others, of Charlesbourg and other Parishes, County of Quebec; and of the Honorable F. W. Primrose and others, of the County of Quebec; praying that the Charlesbourg Road extending beyond the mile and a half to be macadamized above the Charlesbourg Church, may be placed under the control of the Quebec Turnpike Trustees to the distance of two miles in the direction of Lake Beauport, and of four miles and a-half in the direction of Stoneham.

Of Stephen S. Foster, Esquire, President, and others, Directors, on behalf of the Shefford Academy; praying the usual aid in support thereof.

Of Prudence Richardson, of Barrie, County of Simcoe; praying an extension, in her behalf, of the time allowed to put in claims for damages done by the construction of Public Works on the River Trent.

Of C. T. de Montigny, Esquire, and others, Censitaires of the Augmentation of the Seigniory of Mille-Isles, County of Terrebonne; of the Reverend Joseph Crevier and others, of the Parish of St. Pie, County of St. Hyacinthe; of Julien Brossois and others, Censitaires of the Parish of St. Clément de Beauharnois, County of Beauharnois; and L. Armandbeault and others, Censitaires of the Seigniory of L'Assomption, County of Leinster; praying the adoption of measures for defining the rights of Seigniors, and for the abolition of the Seigniorial Tenure.

Of Peter Desjardins, Esquire, and others, of the Township of Tilbury West, County of Kent; praying

the passing of an Act to attach the said Township to the County of Essex.

Of Joseph Bruneau and others, of Lower Canada, Militiamen; of Louis Giguère and others, of Lower Canada, Militiamen; and of Gervase Maccomber and others, of Montreal, Militiamen; praying for the passing of an Act to extend the time for producing Militia claims.

Of William Brooks, Esquire, and others, Trustees of the Sherbrooke Academy; praying the usual aid in support thereof.

Of J. Lougee and others, Trustees of the Academy in the Township of Compton, District of St. Francis; praying aid in support of the said Institution.

Of the Corporation of the College of L'Assomption; praying for an increased aid in support thereof.

Of J. O. A. Turgeon, Esquire, Mayor, and A. Gorrie, Secretary-Treasurer, of the Municipality of the County of Terrebonne; praying for the passing of an Act to remove the place for the meetings of the Council of the said Municipality to the Village of Terrebonne.

Of Angus D. Macdonell and others, praying for the passing of an Act of Incorporation to enable them to construct a Ship Canal around the Sault Ste. Marie Falls.

Of the Municipal Council of the County of York; praying certain amendments to the Municipal Council Act.

Of Peter Hunter Hamilton, of the City of Hamilton, Esquire; praying for the passing of an Act granting to him a certain portion of an original Road allowance in the fourth Concession of the Township of Barton, in lieu of an allowance of Road granted by him through his lands for the better convenience of the public.

Of the Great Western Railroad Company; praying for the passing of an Act to consolidate and amend the provisions of their Charter.

Of Margaret Powlus and Catherine John, of Brantford; praying for aid in consideration of the services of their father, the late Chief Teyendanaga—Colonel Joseph Brant, as also of their brother Captain John Brant.

Of James Madison Andrews and others, of Port Hope, County of Durham; praying for the passing of an Act to vest in them and certain other parties, respectively, certain portions of Road allowances therein described in lieu of lands given by them for the convenience of the public.

Ordered, That the Petition of Julien Brossois and others, Censitaires of the Parish of St. Clément de Beauharnois, County of Beauharnois, be printed for the use of the Members of this House.

Ordered, That the Petition of P. Papineau and others, Chiefs and Heads of Families of the Indian Tribes of Algonquins and Nipissings, residing at the Lake of Two Mountains, be printed for the use of the Members of this House.

Ordered, That the Petition of the Reverend Edouard Faucher and others, of the Parish of St. Louis de Lotbinière, be printed for the use of the Members of this House.

Ordered, That the Accounts of the Trinity House of Quebec, for the year ending 31st December 1850, be printed for the use of the Members of this House.

Resolved, That the Petition of Peter Paterson, Esquire, and others, Merchants of Quebec, be referred to a Select Committee, composed of Mr. Laurin, Mr. Boutilier, Mr. Fortier, Mr. Fourquin,

and Mr. Guillet, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

(of the Rev. E. Faucher and others, referred.)

Resolved, That the Petition of the Reverend *Edouard Faucher and others*, of the Parish of *St. Louis de Lotbinière*, be referred to a Select Committee, composed of Mr. Laurin, Mr. Christie, the Honorable Mr. LaTERRIÈRE, the Honorable Mr. Chabot, and Mr. Fournier, to examine the contents thereof, and to report thereon with all convenient speed; with power to send for persons, papers, and records.

On motion of the Honorable Mr. Boulton, seconded by Mr. Hopkins,

Resolved, That an humble Address be presented to His Excellency the Governor General, praying him to cause the proper Officer to lay before this House, a Tabular Return of all the Plank or Macadamized Roads, Toll Bridges, Mills, Dams, Slides and Harbours, in possession, or under the control of the Provincial Government during or since the year 1849; the amount of the annual receipts therefrom; the annual or incidental expenses either of management or repairs, distinguishing each head; the sales that have been effected thereof, or of any of them; the date of such sales respectively; the names of the parties who became such purchasers; the dates at which they were respectively put in possession and receipt of revenues or profits thereof; the amount of purchase money, and terms of payment in each case; the amount of security required, and the security given; and also, Copies of all Correspondence that may have taken place between any Member of the Government and parties negotiating for any such purchases.

Ordered, That the said Address be presented to His Excellency the Governor General by such Members of this House as are of the Honorable the Executive Council of this Province.

Loan and Trust Company Act. Mr. Mackenzie moved, seconded by Mr. Tache, and the Question being put, That leave be given to bring in a Bill to repeal certain parts of the Loan and Trust Company's Act; the House divided; and the names being called for, they were taken down, as follow:

YEAS.

Messieurs DeWitt, Letellier, Mackenzie, and Tache.—(4.)

NAYS.

Messieurs Armstrong, Badgley, Attorney General Baldwin, Bell, Boulton of TORONTO, Boutilier, Cameron of CORNWALL, Cartier, Cauchon, Chabot, Chauvet, Christie, Dickson, Solicitor General Drummond, Dupuis, Egan, Fortier, Fournier, Fourquin, Guillet, Hall, Hincks, Holmes, Jobin, Lacoste, Attorney General LaFontaine, LaTerrière, Laurin, Macdonald of KINGSTON, Malloch, McFarland, Merritt, Meyers, Morrison, Notman, Price, Prince, Richards, Robinson, Ross, Sanborn, Scott of Two MOUNTAINS, Seymour, Sherwood of BROCKVILLE, Sherwood of TORONTO, Smith of DURHAM, and Stevenson.—(47.)

So it passed in the Negative.

Public Accounts. The Honorable Mr. Hincks, one of Her Majesty's Executive Council, laid before the House, by command of His Excellency the Governor General, the Public Accounts for the year 1850.

Appendix (B.). For the said Accounts, see Appendix (B.).

On motion of Mr. Solicitor General Drummond, seconded by the Honorable Mr. Attorney General LaFontaine,

Ordered, That the Entry in the Journal of this Seigniorial House, of the 28th of June, 1850, relating to *Tenure*, certain Resolutions on Seigniorial Tenure in Lower Canada, be now read.

And the same was read, as followeth:

Resolved, That the Seigniorial Tenure in Lower Canada is a matter of public concern which it is the duty of the Provincial Legislature to take into consideration, more especially now that the subject has attracted the public attention in a high degree; and that it is therefore important to effect, at as early a period as possible, the conversion of the said Tenure into a free one, taking care that all the interests concerned are protected and equitably adjusted.

2. Resolved, That such Commutation of Tenure can only be effected by securing a fair indemnity to all parties whose just rights it will affect.

Resolved, That the said Resolutions be referred to a Select Committee of nine Members, composed of Mr. Solicitor General Drummond, the Honorable Mr. Badgley, the Honorable Mr. LaTerrière, Mr. Dauphin, Mr. Boutilier, Mr. Polette, Mr. Guy, Mr. Lemieux, and Mr. Armstrong; to report the various plans hitherto suggested for effecting the said Commutation, together with their own opinions, from time to time; with power to send for persons, papers, and records.

Ordered, That the Honorable Mr. Attorney General LaFontaine have leave to bring in a Bill, intituled, *The Lower Canada Municipalities Act.*

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Tuesday, the third of June next.

Ordered, That the Honorable Mr. Attorney General LaFontaine have leave to bring in a Bill, intituled, *The Lower Canada Road Act.*

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Tuesday, the third of June next.

Ordered, That the Honorable Mr. Cameron of Cornwall have leave to bring in a Bill to amend an Act, intituled, "An Act to compel Vessels to carry a Light during the Night, and to make sundry provisions to regulate the navigation of the waters of this Province."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Thursday, the fifth of June next.

Ordered, That the Honorable Mr. Cameron of Cornwall have leave to bring in a Bill to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, "An Act to improve the Law of Evidence in Upper Canada."

He accordingly presented the said Bill to the House, and the same was received and read for the first time; and ordered to be read a second time, on Monday next.

Ordered, That the Honorable Mr. Cameron of Cornwall have leave to bring in a Bill to amend an Act passed in the twelfth year of Her Majesty's Reign, intituled, "An Act to simplify the transfer of Real Property in Upper Canada, and to render certain rights and interests therein liable under execution."

By the Honorable Mr. Cayley,—The Petition of the Honorable Christopher Widmer, M.D., and others, of the City of Toronto.

By Mr. Holmes,—The Petition of the Montreal Ladies' Benevolent Society.

By Mr. Solicitor General Macdonald,—The Petition of the Municipal Council of the United Counties of Stormont, Dundas and Glengary.

Motions read. Pursuant to the Order of the day, the following Petitions were read:—

Of P. Buchanan and others, of the Township of Dundee, County of Beauharnois; representing the damage done to their Lands in consequence of the construction of the Dam, by the Board of Works, at the entrance of the Beauharnois Canal, and praying relief.

Of R. S. Noël, Esquire, and others, of the County of Lotbinière; praying aid to rebuild the Gaspard Bridge in the Parish of Ste. Croix.

Of George Samuel Wilkes, of the Town of Brantford, and of Caira Robbins, his wife; praying authority to dispose of certain property, notwithstanding certain legal objections thereto which now exist.

Of the Municipality of Dunwich; praying that the County of Middlesex may be divided by the east and west line, as contemplated in the Bill to be proposed by the Government.

Of La Corporation des Clercs de St. Viateur; praying for a certain aid.

Of Pierre Guibord and others, Censitaires, of the Parish of St. Paul de Lavaltrie, County of Berthier; of the Reverend F. Caron and others, of the Parish of St. Joseph de la Beauce, County of Dorchester; of N. L. Oliva and others, Censitaires and Freeholders, of the Parish of Ste. Claire de la Beauce, County of Dorchester; of Pierre Chassé and others, Censitaires and Freeholders, of the Parishes of St. Elzéar and St. Bernard de la Nouvelle Beauce, County of Dorchester; of L. O. Taschereau and others, Censitaires and Freeholders, of the Parish of Ste. Marie de la Nouvelle Beause, County of Dorchester; of David Lantier and others, Censitaires, of the County of Chamby; of J. Bissonette and others, Censitaires, of the County of Huntingdon; and of Joseph Beaudin and others, Censitaires, of the Parish of St. Jacques le Mineur, County of Huntingdon; praying the adoption of measures for defining the rights of Seigniors, and for the abolition of the Seigniorial tenure in Lower Canada.

Of Norbert Beliveau, of the Parish of St. Grégoire, County of Nicolet; praying indemnification for loss sustained by him in the burning of his house by incendiaries, on account of the performance of his duties as Assessor for the said Parish.

Of P. A. C. Munro, Esquire, M.D., and others, Physicians and Surgeons, Professors of the School of Medicine and Surgery of Montreal; praying the usual aid in behalf thereof.

Of William Morris and others, of the County of Two Mountains; praying for the passing of an Act to promote the construction of a Main Trunk Railway, by the line of the Ottawa River, connecting the Cities of Montreal and Kingston.

Of the Reverend Jean Langvin and others, of the Parish of Ste. Claire de Joliette, County of Dorchester; praying aid to repair the Bridge over the River Etchemin opposite to the Church of the said Parish.

Of James Rae and others, Councillors of the Township of Westminster; praying that any Bill proposing a northern and southern division of the County of Middlesex may not pass into law.

Of the Municipal Council of the County of Prince Edward; praying certain amendments to the Common School Act.

Of the Municipal Council of the County of Prince

Edward; praying a certain amendment to the Municipal Corporation Act 12 Vic. cap 81.

Of Andrew Thompson, of the Township of Woodhouse, County of Norfolk; praying for the passing of an Act granting to him a portion of a certain concession line or roadway, to enable him to use a certain stream of water for purposes of Mills and manufacturing in the Town of Port Dover.

Of the Municipality of Woodhouse; taking notice of the last preceding Petition, and praying that the prayer thereof may be acceded to.

Of Thomas Bedard, Esquire, of the Village of L'Assomption; praying an investigation of certain complaints against the Crown Lands Department of the years 1844, 1845 and 1847, and that a Commission be appointed for that purpose.

Of Thomas Haworth and others, of Canada West; praying the passing of an Act to incorporate them under the style and title of "The Western Insurance Company."

Of the Municipal Council of the County of Hastings; praying that the Municipal Council Act may be so amended as to direct that all monies collected for County purposes may be paid to the County Treasurer.

Of the Municipal Council of the County of Hastings; praying certain amendments to the Assessment Law.

Of the Municipal Council of the County of Hastings; praying an extension of time for grants of Tolls on Plank or Macadamized Roads constructed under the authority of Municipal Councils.

Of Lady S. Caldwell and others, the Ladies Committee of the Quebec Infant School; praying the usual aid in behalf thereof.

Of the Municipality of Guelph; praying that the Clergy Reserve Question may be finally settled during the present Session.

Of Sister M. R. Coulée, Superior, and others, Sisters of Charity in charge of the General Hospital in the City of Montreal; praying the annual aid in behalf thereof.

Of the Bar of Lower Canada, Section of the District of Montreal; praying the adoption of means more equitable than that now in force for levying the amount required to erect the Court House in the City of Montreal.

Of Allan Macdonell and others; setting forth the great advantages which would result from the opening of a Highway across the Continent of America, westward of Lake Superior, thereby establishing a short route to the possessions in India, as well as other Asiatic Marts, and praying that a Charter be granted to them for that purpose.

Of John Carey, of the Township of Toronto, County of York; representing the damage done to his property in the construction of the West Toronto Road, and of the unjust delay and final award of the Trustees of the said Road with reference thereto, and praying compensation and relief in the premises.

Of Henry Reynolds, Esquire, President, and Edwin Larwill, Secretary, in behalf of the County of Kent Agricultural Society; praying that the said Society be declared to be the Society of the said County, and may enjoy all the privileges and advantages thereof.

Of Donald Cameron, of Thorah; praying for the adoption of certain measures to obtain for him and his followers the issue of Deeds of Lands for which they have received Location Tickets.

Of the Reverend John Cook, D.D., Minister, and others, Elders and Trustees of St. Andrew's Church, Quebec; praying aid in behalf of the School in connexion with the said Church.

Ordered, That the Petition of G. Beaudet, Seigniorial Esquire, and others, Censitaires, of the Parishes Tenure.

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5365. 111086

7/11 August 1857.

W. G. Clegg - President to
the Lake St. Louis Amusement Co. Ltd.

This reference is made to the 31st day
of August 1857 that the Lake St. Louis
Amusement Co. Ltd. Company
made to the Company proposed to the
Proprietors of the small Island.

Copy to one Chapter 2 Attorney
1852.

Indian Affairs (RG 10, Vol. 190, no. 5301-5400)

#5365

PUBLIC ARCHIVES
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CANADA

1857/08/01

111087

Office of the Lake St. Louis & Province Line R.R. Co
Montreal 1st August 1851

Sir

With reference to your letter of the 23rd May 1850,
enclosing a copy of a communication from the principal
chiefs of Iroquois Tribe of Indians of the Sault-
St. Louis, to Col' Stapler the Indian Superintendent
in Lower Canada, and stating that if the Lake St. Louis
& Province Line Rail Road Company, was willing to
accede to the terms therein specified, the Governor
General would sanction the arrangement: I have the
honour to inform you that the Company having com-
pleted all other necessary preliminaries accedes to
the terms proposed by the Indians, and accepts the
arrangement referred to.

The demand made by the
Indians exceeds very much the value of the property,
but the Company relies upon receiving at the hands
of this Government a just consideration consistent
with their rights and interests, so soon as the precise
amount of land required for the purposes of the
Rail Road, buildings, and terminus grounds, at
Ilang-inawaga can be ascertained, a Member of
the Board of Directors will be despatched to wait
upon you at Toronto and settle the amount and
manner of payment.

I have the honour to be
Sir

Your most obt Servt

William F. Coffin
President.

Colonel
The Hon^{ble} B. Bruce
Toronto

Indian Affairs (RG 10, Vol. 190, no. 5301-5400)

#5365

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CANADA

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ANNEXE 3

1851. 14° & 15° VICTORIAE, CAP. CVI.

Acte pour mettre à part certaines étendues de terre pour l'usage de certaines tribus de sauvages dans le Bas-Canada.

[30^e Août, 1851.]

ATTENDU qu'il est expédié de mettre à part certaines terres pour l'usage de certaines tribus sauvages dans le Bas-Canada: à ces causes, qu'il soit statué par la Très-Excellente Majesté de la Reine, par et de l'avis et consentement du conseil législatif et de l'assemblée législative de la province du Canada, constitués et assemblés en vertu et sous l'autorité d'un acte passé dans le parlement du Royaume-Uni de la Grande Bretagne et d'Irlande, et intitulé: Acte pour réunir les provinces du Haut et du Bas-Canada, et pour le gouvernement du Canada, et il est par le présent statué par l'autorité susdite, que des étendues de terres n'excédant pas en totalité deux cent trente mille acres pourront, en vertu des ordres en conseil qui seront émanés à cet égard, être désignées, arpentées et mises à part par le commissaire des terres de la couronne; et les dites étendues de terres seront et sont par les présentes respectivement mises à part et appropriées pour l'usage des diverses tribus sauvages du Bas-Canada, pour lesquelles respectivement, il sera ordonné quelles [sic] soient mises à part par tout ordre en conseil qui sera émané comme susdit; et les dites étendues de terre seront en conséquence, en vertu du présent acte, et sans exiger aucun prix ou paiement pour icelles, dévolues au commissaire des terres des sauvages pour le Bas-Canada, et seront par lui administrées conformément à l'acte passé dans la session tenue dans les treizième et quatorzième années du règne de Sa Majesté, intitulé: Acte pour mieux protéger les terres et les propriétés des sauvages dans le Bas-Canada.

II. Et qu'il soit statué, qu'il sera payé annuellement à même le fonds consolidé des revenus de cette province, une somme n'excédant pas mille louis courant, qui sera distribuée et répartie entre certaines tribus sauvages dans le Bas-Canada, par le surintendant-général des affaires des sauvages, en telles proportions et de telle manière que le gouverneur-général en conseil l'ordonnera de temps à autre.

1851/08/30

14^e & 15^e VICTORIA CAP. 105. 106

C. A. P. C. V.

25

Acte pour amender l'acte d'incorporation des membres de la profession médicale dans le Bas-Canada, et pour régler l'étude et la pratique de la médecine et de la chirurgie en icelle, de manière à venir en aide à certaines personnes qui pratiquaient comme médecins et chirurgiens dans cette province à l'époque où le dit acte est devenu loi.

[30^e Août, 1851.]

Première.

10 & 11 Vict. c. 26.

Certaines personnes
pratiquant la médecine
dans le B. C. le 28
juillet, 1817.

Proviso.

ATTENDU qu'il est expédié d'amender un acte passé durant la session tenue dans les dixième et onzième années du règne de Sa Majesté, intitulé : *Acte pour incorporer les membres de la profession médicale dans le Bas-Canada et régler l'étude et la pratique de la médecine et de la chirurgie en icelle, ainsi de venir en aide aux personnes ci-après nommées qui pratiquaient leur profession comme médecins et chirurgiens dans cette province lorsque le dit acte a pris force de loi et qu'on a omis d'inclure parmi les membres de la corporation établie par le dit acte les causes, qu'il soit statué par la très-excellente Majesté de la Reine, par et de l'avis et consentement du conseil législatif et de l'assemblée législative de la province du Canada, constitués et assemblés en vertu et sous l'autorité d'un acte passé dans le parlement du Royaume-Uni de la Grande-Bretagne et d'Irlande, et intitulé : Acte pour réunir les provinces du Haut et du Bas Canada, et pour le gouvernement du Canada, et il est par le présent statué par l'autorité susdite, que les personnes suivantes, savoir, Joseph Ford, Benjamin Damon, Lathrop Shortleff, Amos Lay, Jeremiah Lovejoy, George O. Somers, Chester William Cowles, Stillman S. Rendall, et Nathaniel Jenks, résidant dans le comté de Stanstead, et Abraham Perkins Silver, Hiram Glines, Richard Norris Webber, Simon French Rankin, Asher Rogers, Simeon Mallony, Benjamin Libbee et McDougall résidant dans le comté de Sherbrooke qui pratiquaient comme médecins, chirurgiens et accoucheurs dans le Bas-Canada, le et longtemps avant le vingt-huitième jour de juillet, dans l'année de notre Seigneur mil huit cent quarante-sept, l'époque à laquelle l'acte déjà cité a pris force de loi, dont on a omis d'inclure les noms dans le dit acte comme membres de la dite corporation, seront, depuis et après la passation de cet acte, exemptes de toute responsabilité et poursuite, et ne seront pasables d'aucune pénalité pour pratiquer la médecine, la chirurgie et l'art obstétrique dans la province, et cela, de la même manière et au même degré que les membres de la dite corporation sont maintenant exempts de telle responsabilité, et ne sont pasables d'aucune telle pénalité; et les dites personnes ci-dessus nommées auront plein pouvoir de poursuivre en justice et maintenir toute action ou poursuite pour le recouvrement d'honoraires pour services rendus, ou de médicaments fournis comme tels médecins, chirurgiens et accoucheurs, de la même manière que s'ils étaient membres de la dite corporation; pourvu néanmoins, que si les personnes ci-dessus nommées, ou aucune d'elles, désirent devenir membres du collège des médecins et chirurgiens du Bas-Canada, tous et chacun d'eux seront soumis à un examen régulier devant le bureau provincial d'examinateur, tel que prescrit par l'acte ci-dessus en premier lieu cité.*

C. A. P. C. VI.

Acte pour mettre à part certaines étendues de terre pour l'usage de certaines tribus sauvages dans le Bas-Canada.

[30^e Août, 1851.]

Première.

ATTENDU qu'il est expédié de mettre à part certaines terres pour l'usage de certaines tribus sauvages dans le Bas-Canada : à ces causes, qu'il soit statué par la Très-Excellente Majesté de la Reine, par et de l'avis et consentement du conseil législatif et de l'assemblée législative de la province du Canada, constitués et assemblés en vertu et sous l'autorité d'un acte passé dans le parlement du Royaume-Uni de la Grande-Bretagne et d'Irlande, et intitulé : *Acte pour réunir les provinces du Haut et du Bas Canada, et pour le gouvernement du Canada*, et il est par le présent statué par l'autorité susdite.

quellite, que des étendues de terre n'excédant pas en totalité deux cent trente mille acres pourront, en vertu des ordres en conseil qui seront émanés à cet égard, être désignées, arpentées et mises à part par le commissaire des terres de la couronne ; et les dites étendues de terres seront et sont par les présentes respectivement mises à part et appropriées pour l'usage des diverses tribus sauvages du Bas-Canada, pour lesquelles respectivement, il sera ordonné quelles soient mises à part par tout ordre en conseil qui sera émané comme susdit ; et les dites étendues de terre seront en conséquence, en vertu du présent acte, et sans exiger aucun prix ou paiement pour icelles, dévolues au commissaire des terres des sauvages pour le Bas-Canada, et seront par lui administrées conformément à l'acte passé dans la session tenue dans les treizième et quatorzième années du règne de Sa Majesté, intitulé : *Acte pour mieux protéger les terres et les propriétés des sauvages dans le Bas-Canada.*

II. Et qu'il soit statué, qu'il sera payé annuellement à même le fonds consolidé des revenus de cette province, une somme n'excédant pas mille louis courant, qui sera distribuée et répartie entre certaines tribus sauvages dans le Bas-Canada, par le surintendant-général des affaires des sauvages, en telles proportions et de telle manière que le gouverneur-général en ordonnera de temps à autre.

C A P . C V I I .

Acte pour régler la chasse et conserver le gibier.

[30^e Août, 1851.]

ATTENDU que la manière de faire la chasse, dans certains cas, tend à détruire le gibier et à diminuer le nombre des oiseaux de passage qui fréquentent en grande quantité les côtes et les battures du comté de Kamouraska : qu'il soit en conséquence statué par la Très-Excellente Majesté de la Reine, par et de l'avis et consentement du conseil législatif et de l'assemblée législative de la province du Canada, constitués et assemblés en vertu et sous l'autorité d'un acte passé dans le parlement du royaume-uni de la Grande-Bretagne et d'Irlande, intitulé : *Acte pour réunir les provinces du Haut et du Bas Canada; et pour le gouvernement du Canada,* et il est par ces présentes statué par la dite autorité, que la classe du printemps ne commencera que le huit avril de chaque année, et qu'il ne sera pas permis de tirer sur aucun gibier qui visite les grèves et battures du comté de Kamouraska, avant le huit avril de chaque année, et après le trente mai, pour la chasse dite du printemps.

II. Qu'il ne sera pas permis de tirer sur les dits gibiers avant le quinze septembre de chaque année, qui sera considéré comme le commencement de la classe d'automne qui pourra durer tant que le gibier séjourne sur la côte.

III. Qu'il ne sera en aucun temps, ni en aucune manière, permis de chasser le gibier la nuit, et de tirer le gibier posé ou volant sur les battures après le coucher et avant le lever du soleil, excepté le canard qu'il sera permis de tirer, pendant une heure après le coucher du soleil.

IV. Qu'il ne sera pas permis de courir le gibier sur les grèves et battures à marée basse, et chasser le gibier en marchant à l'approche, dans le temps où il prend sa nourriture à basse marée.

V. Pourvu toujours, que cette défense de chasser à marée basse n'entende pas de manière à empêcher de tirer le gibier au passage à l'affût sur les pointes, et dans les abris appelés gabions, érigés sur les grèves et battures, pourvu que cette chasse se fasse sans poursuite du gibier, de jour, et dans les périodes de temps ci-dessous assujetties pour la chasse du printemps et de l'automne.

VI. Qu'il est défendu, par l'autorité du présent acte, de détruire ou élever les crues d'aucune espèce de gibier sauvage dans toute l'étendue du Bas-Canada, sous les penalties ci-après fixées.

VII. Que toute contravention aux dispositions ci-dessus prescrites sera punie par une amende d'un louis pour la première contravention, et de deux louis en cas de récidive ; lesquelles

Comment les lettres
seront octroyées, &c.,
et en quelle quantité.De leur administra-
tion, &c.Somme allouée à cer-
taines tribus du B. C.

Préambule

Commencement de la
chasse du printemps.Commencement de la
chasse d'automne.Point de chasse la
nuit.Point de chasse à
marée basse.Exception à cette de-
fense.

Détruire les dens, &c.

Contrav.
acte puni
lesquelles 2 de 2

TRANSLATION

Appendix 3.

1851. 14 and 15 Victoriae, Cap. 106.

An Act to authorize the setting apart of Lands for the use of certain Indian Tribes in Lower Canada.

(30 August, 1851)

Whereas it is expedient to set apart certain Lands for the use of certain Indian Tribes resident in Lower Canada: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same, That tracts of Land in Lower Canada, not exceeding in the whole two hundred and thirty thousand Acres, may, 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 and are hereby respectively set apart and appropriated to and for the use of the several

Indian Tribes in Lower Canada, for which they shall be respectively directed to be set apart in any order in Council, to be made as aforesaid, and the said tracts of Land shall accordingly, by virtue of this Act, and without any price or payment being required therefor, be vested in and managed by the Commissioner of Indian Lands for Lower Canada, under the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, An Act for the better protection of the Lands and Property of the Indians in Lower Canada.

II. And be it enacted, That there shall be paid yearly out of the Consolidated Revenue Fund of this Province, a sum not exceeding One Thousand Pounds currency, to be distributed amongst certain Indian Tribes in Lower Canada by the Superintendent General of Indian affairs, in such proportions amongst the said Indian Tribes, and in such manner as the Governor General in Council may from time to time direct.

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Sault St Louis 10 Nov - 1851

112235

au Communique aux Chefs la Copie que vous avez de la Partie du message de la lettre du Curé-tendant général des Sauvages, le quelle nous intime que le gouvernement s'oppose à ce que Mr Coffin paye ce qu'il leur doit à leur agent commissionné, pour les raisons qui y sont indiquées.

Ceci ce que les chefs me disent de vous répondre, pour l'information du gouvernement, qui ne connaît pas suffisamment leur position dans cette affaire.

Il part une petite portion de la Commune, où passe le chemin de fer, laquelle portion n'appartient à personne mais seulement aux Amérindiens, presque tout le reste du terrains, excepté quelques morceaux inutilisables pour le moment, sans toute la longueur du Chemin, jusqu'au bout de la rivière, appartenant à des propriétaires. Ces sont des prairies, des champs enserrinés, des haies, que le Chemin coupe et morcelle, de manière qu'il faudra aux propriétaires agrandir leurs champs et prairies, ou en acheter d'autres morceaux, pour pouvoir recueillir suffisamment pour le besoin de leurs familles respectives. Plusieurs se plaignent que leurs champs ne sont plus bons à rien, et tous demandent aux chefs une indemnité suffisante pour les remettre en état de satisfaire à leurs besoins, car ces champs ne sont pas plus grands qu'il ne faut pour les besoins de chaque famille, beaucoup même ne suffisent pas. Ils veulent donc être indemnisés de leurs pertes, comme le sont les Blancs, sur les traces desquels passe le Chemin de fer. Les chefs sont donc fort en peine, pour la partie rend responsable des inconvénients du Marché, qu'ils ont fait et qu'ils doivent être dans l'intérêt de tous, par ce que Mr Coffin leur avait dit dans le procès que chacun serait indemnisé de ses pertes et qu'aujourd'hui, c'est tout autre chose. Il avait même proposé d'abord de ne payer les chefs que pour

142286
les terrains non apprisés, et l'indemnité consiste lui-même chaque propriétaire proportionnellement au dommage que lui ferait la chose même de faire. Mais les Sauvages ont refusé cette offre, ils aiment mieux avoir l'affaire à leur tête, et si les Métis ne sont pas indemnisés, comme on le leur a fait entendre, je ne réponds pas qu'il n'y aura point par la suite des actes de malveillance sur le chemin, quelques précautions que nous prendrons pour les empêcher.

2^e : Les Sauvages ont fait en 1845 une offre qui leur a coûté près de deux mille livres, soit avec les terrains de la Seigneurie qu'ils avaient acheté à nos jours des Agents provisoires des Etats-Unis, où ils avaient autrefois vécu des temps, et aussi des contributions volontaires de tout le village, pendant plusieurs années. Pour acheter de l'argent, ils ont emprunté en 1846, à intérêt légal, une somme de trois mille livres, pour cinq ans. C'est donc cette somme qu'ils doivent rendre. Cet argent, unique ils ayant mis des fois quelque chose tous les ans; vu la modicité de leurs revenus, il n'est pas le Comptable. Ils ont même été obligés de faire d'autres emprunts pour les besoins ordinaires du village, à cause de cette dette qu'ils avaient à l'agent du pays au temps passé; ils ont donc du Comptable sur cette dette faire faire à terminer avec leur créancier.

Il me semble, Monsieur, que cette église qu'ils ont bâtie sans tant de peine devrait tout au moins pour leurs enfants et petits-enfants à venir que pour eux-mêmes. Leurs descendants ne pourront donc pas trouver mauvais que la perte de ces terrains non apprisés soit versée à payer l'église dont ils auront la propriété et l'usage. Car le Gouvernement ne les a point aidés, il ne leur a rien donné pour cela. C'est la grande raison pour laquelle ils demandent que les agents tiennent à leur agent, et au plus tard, pour se débarrasser de cette dette, pour laquelle ils payent dix-huit livres par annee, un shilling par jour. Ils sont donc dans une condition exceptionnelle qui justifie de toutes manières la demande qu'ils font au Gouvernement et l'assure qu'ils veulent faire de ce service.

L'aut. Col. Nopier &c. J'ai l'honneur d'être, Monsieur,
avec beaucoup de considération,
Montréal. Votre très humble et obéissant serviteur
Marceau, M.A.

Indian Affairs (RG 10, Vol. 192, no. 5501-5600)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES

132237

P. J. du 11. Nous avons été informés ce matin, que les entretiens
pour le nouveau chemin de fer ont duré quinze jours. L'impasse de terrain
dans le prolongement du village qui l'oppose à la voie, sur le bord du fleuve.
L'agent en charge des travaux a proposé l'emplacement du chemin, et gare à même
me une autorité. Les juges ont demandé de laisser de l'espace, ils
interviennent pourraient également le terrain pour le chemin, dans la commune,
et dans le terrains de la compagnie jusqu'à la limite de la Réserve; mais
ils ne passent pas jadis au-delà. Une autre partie quinze arpents de
l'emplacement du village, où le terrain est beaucoup plus bon, ils n'ont pas
répondu. Si, nous n'en ont pas trouvé plus bon, ils n'ont pas pu faire
le reste du terrain, alors il faudrait aussi recours à nos experts. Nous nous
plaçons que les deux hommes, comme les deux autres personnes de la compagnie, devraient
être écoutées dans leurs intentions, et l'un d'eux a le moins droit que l'autre
accorde aux blancs ou aux autres personnes, d'assurer à un plus haut
niveau le terrain qui doit servir de ville et village.

Indian Office,
Montreal 11 November 1851

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112278

Having ascertained, that the
Iroquois Chiefs have incurred a debt of
£500 (one thousand dollars) to complete their
new Church at Languedoc, I do not
hesitate to forward it to the General
Supt from the Second Deptt all account, for
the information of the Governor General.

10 November 1851
Since the result of the recent hanging
Statement, the Chiefs have intimated to me,
that they will not consent to the sale of any
land on the River front of their wigwam,
beyond the quantity applied for in Mr.
Tamm's letter to me of the 1st April 1850,
namely, Sufficient ground at the terminus
on Lake St. Louis, for the erection of a
"Native House, and other requisite Buildings."

I have the honor to be
affectionately yours,
The Honorable Robert Bruce.

Superintendent,

R. B.

I have the honor to be
affectionately yours,
A. H. Stewart
H. G. Bishop

112230

Montebello
Né de que devient les dépenses du Sacré Coeur

En hiver de l'automne dernier, pour
réparer cette automne, avec les
intervis d'un an, un fonds de Comité
de la Corporation de l'Hospice de 366. 5. 0
Emprunté tout l'hiver, pour
donner aux chefs qui seraient étrayés
des terres au lac Ste. Rose - 25. 0. 0
leur Missionnaire pour argent du, pour
les bœufs, le pain, et la viande de 1851 - 23. 19. 10
Intérêse des pouvoirs avoir fait faire à leur
deux hibernacles dans l'église - 13. 15. 0
Emprunté depuis plusieurs années
d'un officier du Département - 25. 0. 0
de de Mr. R. D. Cormier 40. 0. 0
de de M. George Cormier 35. 0. 0
de de M. Sauvageau Bros Paquet 19. 10. 0
du a un docteur pour une opération 2. 10. 0
à l'apothicaire 5. 0. 0
du menuier du village pour denrées fact
à l'église et pour les chefs, sur son compte,
dépensé le 1er juillet 1857 - 17. 0. 0
Dépenses des chefs depuis un an à l'occa-
sion du Chemin de fer, voyages - 30. 0. 0
291. 0. 0

J'abouigne certifié que le compte
fait par moi à la demande des chefs
est correct et exact.

Vault St. Louis 11 Sept 1852

(Copie)

(Signé) Dr Marceau, Secrétaire

5555.112277

1/4/17 Nov 1858

D. C. Major & Co.

Transmitted to Mr. George L. Mr. G. Marston. The progress
block was received on date of
1/3/00 to complete the block of
Braymawg - Big house entirely
but they will not sell any land
on the River front of the property
beyond the quantity agreed for in
11/2 years after 1st April 1860.

Jan 22nd 1857

Human Affairs (RG 10, Vol. 192, no. 5501-5600)

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CANADA

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D. K. [Signature] Feb 22 1851.

112232

Dear Sir,
I have the honor to acknowledge the receipt of yr letter of the 1st inst. enclosing a further communication from Mr. Munro respecting the subject of the payment of the sum demanded by
the St. Louis & San Fran. Railroad Company for land within the boundaries of the Seneca Nation, I have the pleasure of returning your purpose. From the tenor of the dear gentleman's remarks he seems to have overlooked the concluding paragraph of my letter of the 5th instant in which I state the claim of the Indians through whom acts the line may pass for compensation.
Affectionately yours,

Indian Affairs (RG 10, Vol. 192, no. 5501-5600)

1851/11/22 #5555
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

112233

Set of our monies is distributed in their
You will be pleased kindly to explain this
point to the Fort Brandon and the Chiefs.
~~Consider~~ ^{Consider} also the fact so
to receive that the ~~efforts~~ made by the
Indians for the purpose of clearing the ~~their~~ ^{their} marks
are highly commendable and that the ~~effort~~ ^{effort}
of the Chiefs that a portion of the payment
in question should like laid out in reducing
the Tribe from the debt which they have incurred
in that behalf is worthy of consideration.

As at present informed however be it off
opinion that the portion of the Chiefs or their
agent to receive on capital monies arising from the
Sale of Indian lands is ~~in~~ ^{not} entitled without the

It would be necessary to determine what Act provides for
112234

of representation - The legislation has recently
passed an Act in which ~~provinces~~ ^{opposite to the Indians} ~~territories~~
~~territories~~, are confirmed in a Commission
to be appointed by the Government and
National will direct the commission to
execute those functions.

The privileges granted to the Company
are limited to those stipulated in Mr. Gordon's
letter of the 1st April 1880 and subject to
the understanding that in the work - com-
munication between the Indians a
reference thereto, and the Company's right to
it may be arranged that - modification from
the Agreement will be submitted by the
Government without previous consultation
with the Indians.

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5701 113370

24/31 January 1852.

D. G. Napier P.G.A.

Transmitto the Honorable
Chairman of the House of Commons
of Canada relative to a
difficulty with the Indians of
the N.W. Territories of Province
of Quebec and by also representing
that a proceeding on the part of
some Indians and others
to obtain a mountain, & other
to the country.

1st July 1852.

Indian Affairs (RG 10, Vol. 194, no. 5701-5800)

#5701

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CANADA

1852/01/29

113371

Sedition of the
Principal Chiefs of
the Gros Ventre Tribe of
Kangshenawake.

28 January 1832

C. T. [unclear]

Indian Affairs (RG 10, Vol. 194, no. 5701-5800)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

113372

Indian Office
Montreal C^o 29 January 1852

At the request of
the Grand Chief of the
Abenakis Tribe of the said
1852 At Louis, I transmitted the enclosed
Petition to the Secretary General,
relative to a difficulty with the
Directors of the Lake St. Louis
and Province of the Rail Road
Company, with respect to the quantity
of land required at the terminus
on Lake St. Louis, for a Station
House and other requisite
Buildings:-

The Petitioners also
represent certain proceedings

at Colneck
The Honorable Robert Bruce

Superintendent J.P.

Indian Affairs. (RG 10, Vol. 194, no. 5701-5800)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

On the part of some of the Chiefs and 113373

Young Men of the tribe to obtain
agreed to a Resolution to this
Effectively, which I understand
the Indian Missionaries in my letter
of the 27 instant. (Grace Laramie) -
intend to present to you in the
course of a few days.

I have communicated to
Mr. Coffin the instructions conveyed
to me by your letter of the 22 November
last, that the privileges granted to
the Company, are limited to those
granted in Mr. Farrows letter
of the 14 April 1850.

I have the honor to be

At

Your most obedient

Humble Servt,

J. M. Apier

391

5462 113715

27/2 February 1852

D. G. Major - P.P.A.

Recd a Recd upon the Resident with
the Indians and Government
to pay him the amount due by the
Government to the Indians in Abenaki
and Penobscot - the Stell
is no doubt as to his number and
disposition of the title to be given
and paid to the claimant for £2000
and instructions that the title
be held in common at all
times & constantly chargeable etc

Amst 29 May 1852

1852/02/27

Indian Affairs (RG 10, Vol. 194, no. 5701-5800)

5742

PUBLIC ARCHIVES
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CANADA

Indian Office,
Montreal Feb 27 February 1852

113516

W^m In Obedience to your instructions of
the 22 instant, I have called upon
the President of the Lake St. Louis and
Pneumatic Rail Road Company
to deposit in the hands of the Receiver
General, to the Credit of the Esquimos
Indians of the Village of the said
Place, the amount due by this
said company according to the terms
stated in the communication from
the Grand Chiefs of the 16th May 1850.

McCaffie has subsequently
expressed some doubt as to the nature
and description of the Title, which

Attest,

The Honourable Robert Bruce

Superintendent S. A.

the

113717
the Crown, as Guardian to the
Indian, can give to the Company,
and he proposes to bring the subject
under the Notice of the Attorney
General, on the visit of the latter
Gentleman to Montreal in the early part
of the ensuing Month.

The Quantity of land required
by the Company amounts to Sixty four
Acres, or thereabouts, and a Memorandum
thereof, signed by Mr Coffin and myself,
has been attached to the Specification
of Survey - this includes the due Road
through the various Grounds (about
five Acres,) for which the Squaw
Chief demand Twenty five hundred per
Acre, in Conformity with the terms stated
in their Proposition of the 16th May 1850;

113718

but the Claim has been rejected by
Mr Coffin, who maintains that the Way
line should commence at the Water's
edge on the Lake of the Woods, and is
only chargeable at Two pounds per
Acre, I therefore beg leave to
submit this point for the Consideration
of the Governor General, and I have
Reason to believe, that the
Chief will gratefully accept
His Excellency's decision thereon.

I have the honor to be
Yours most Obediently
H. W.
Your most Obedient
Affectionate Servt
H. W. Abbot

113726

55
Sir of the Montreal and New York
Rail Road Company
Montreal, March 1852

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I beg to inform you to acknowledge the receipt of your letter of the 24th ult. acquainting me that the Agent of the Indians of the Grand Council had informed you that the Grand Council, with reference to their letter of the 15th March 1850, claim twenty pounds per acre for the land required by the said Indians and Province of the Rail Road Company at the terminus New Westminster, including from the way from New Westminster to the station at West Point.

The value of this work and materials, estimated on the part of the Indians will be best estimated by reference to the language of their letter of the 15th March 1850, repeat them here at the same time, as the original and principal requirements of the Rail Road at its terminus at New Westminster.

It is necessary for the construction of a Rail Road that the Indians should, except the right of way from the beginning to the end of the projected road and government at a sum, which will be £1000000. £1000000. & a certain additional amount of land for their houses. The base or road-bed is occupied by the Rail, the additional land at the side is required for their houses, freight houses, engine houses, machine shops and other necessary buildings.

The base, 10 feet wide at 120' authority the Indians to take, specifies a forty yards in breadth, fence 5' on the side of road, and at the corners a fence not exceeding two hundred yards in length by one hundred and fifty yards, 10' fence, in breadth, including the road within these limits;

We consider that in this, as in other cases, a claim has been demanded for the right of way and road bed, and an additional price in the sum first for the requirements of the Company that the Indians to take additional land from the party, being in fact an additional price for an additional encroachment to which other Indians are not subjected.

We consequently give the Indians their own price, that is to say, two pounds per acre for the land on the line of road or road-bed, and twenty pounds per acre for the additional quantity to take from them for terminus grounds to their engine house and other "necessary buildings."

Yours, Col. Dyer

Wm

Indian Affairs (RG 10, Vol. 194, no. 5701-5800)

5775

PUBLIC ARCHIVES
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CANADA

1852/03/11

113727

We hold that this is the only view which can be taken of this matter, and that it is fully borne out by the expression given Indians themselves in渥太华 in their proposition of the 15th May 1855, and accepted by us on the 15th August 1855.

The Indians say in this communication "Nous n'avons aucun objection de tenir à la compagnie la somme sur notre domaine, pourvu que la compagnie nous payent la somme de six livres par hectare de terre sur la ligne, et vingt livres au-delà par hectare, sur le terrain, pour que la ligne passe dans le village, que la compagnie nous servir bavoir pour le batifor recevoir, pris de fleur et l'autre".

We wish also to state that although, in translating this passage from their letter, we agree only to the plain and common sense meaning of the language employed, the Indians have in their, say, mind in渥太华 the fact of the same cited paragraph is contrasted and distinguished by the English and Squatish meaning of another. When we speak of "to be allowed to take, at their own price, the land of which la compagnie, servira servir bavoir" - being only those acres more than the law strictly requires - we were told that our wants must be limited by "les batifor recepirs" - that we must conform to the law and to the maximum which they chose to attach to the word "batifor recepirs". Although it is well known that a Rail Road company requires land as its premium for the transaction gets business as well as for the erection of factory buildings.

From a wish to conciliate. from a desire to avoid all misgiving suspicion we desired from our application for additional land. We have taken entirely West - the law allows us to take, in this particular - with their full approval, and we submit, that if we have required in the hearing which they chose to put upon their proposition when it all to their purpose, we are entitled to the meaning their proposition holds when it occurs now.

We conceive that the line of the Rail must commence at the beginning, and that the beginning must commence at the water edge on the River St Lawrence, and that in the terms of the proposition made by the Indians we are bound to pay the pounds per acre, for the land on the line / sur la ligne / and twenty pounds per acre for the remainder - taken as barren grounds, but we have every wish to terminie a discussion which we are sure, must be as follows to us - as it is interpretation is us, and we can conceive no means more likely to secure an equitable and satisfactory decision in this matter, than by submitting the whole to the

112723

consideration and your determination of the Expediency the Governor General
does as legal Protector of the Indians will be given down to them and
we sufficiently believe so we see. In her Turn to request that you will
have the goodness to bring the matter under the Expediency notice with
the respectful assurance that we are prepared to abide by his award.

I wish my self of the opportunity to make a few observations in
Reply to your communication after it will be given to her frequently adverted
in turn but I have not yet formally replied.

In this communication you inform me that you have received
instructions from the Governor General to call upon me as President of the
Lake St. Louis and Province of the Lake Road Company, now the Montreal
and New York Rail Road Company to submit in the hands of the
Receiver General to the credit of the Indians Indians of the Lake St. Louis
the amount due according to the sum stated in the communication
from the Grand Chiefs of the Mohawk Nation 16th May 1857 and received
to the Govr Letter of the 15th August 1857, together with interest at six
per cent from the date of the same.

In the name of those I have the honor to represent I beg leave
to say first on receipt of the award of the Expediency in the letter first above
mentioned by which the amount to be paid will be distinctly established,
I shall be prepared to obey the command of the Expediency. It may
not however be important to inquire at this moment, and in anticipation
of this decision, what title you intend best giving to the company to the Indians
in question. I know not whether, in its capacity and action as such to
the Indians, the Government is competent to give a clear and undivided
title in these lands to the company. It would be most desirable that the
company should obtain a clear title from the government in ~~some other~~
~~the~~ form of a grant or lease, and common courage, if the government in its capacity of Factor
can grant such a title, but the question has suggested itself to me
whether the government can vindicate such claim with the law
of their right or, and itself limited to a superior of these lands in
the same form that other lands actually are conceded in this country,
taking the capital or price as the basis of the annual ground rent
or ~~rent~~ ~~franchise~~ at the rate of one per cent per annum to be paid
by the company to Indians or their acting agent. If this price or
capital sum is paid by us to the Receiver General it will, I presume,
be so paid for the purpose of investment, so as to leave to the Indians
the annual interest of a sum of money which represents the appropriated
portion of their property. Now, if investment is the object of this payment by
us, permit me to remark that no safer, no better, no more legitimate
investment of such money, can be found than in the security of the property
which shall place on the land Buildings and apparatus of

113729

ten times the present value of the land, which is granted to us in a
trust grantee will be pledged with all its better parts, by special mortgage,
for the payment of this annual rent at the rate of six per cent. In order
to keep circumstances, this would be the security which it would be
desirable to a bank representing money to take. In fact I question
whether he would be safe in taking any other. If the Government is able
to give the Company a clear title or one, prepared to pay the money at
such time I would respectfully suggest that if the object of this request
is, as I presume it to be, re-investment, no safer nor more legitimate
investment can be found. There is but one way in the N.W. Territories, but
it is not impossible you may find upon inquiry that the only
title that can be given is that of concession on a ground rent
on trust grantee, predicated on the price of the acquisition by the
Company.

I bring this matter under your notice, now in the
hope that it may provoke inquiry and prevent delay when
you come to final settlement.

Dear Mr. Secretary

Yours most obediently & truly
William F. Galt
President

393

118725

3/5 March 1852.

D. B. Mepier Esq^r

Submits for consideration of
the Governor General a report
from the President of the
St. Louis and Province Le
Railroad by upon the point
alluded to in his letter of 17

March 29th May 1852.

Indian Affairs (RG 10, Vol. 194, no. 5701-5800)

#5775

PUBLIC ARCHIVES
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CANADA

1852/03/03

113723

Indian Office
Montreal 3rd March 1857

App.

I have the honor to submit
for the Consideration of the Governor
General, the accompanying Representation
from the Presidents of the Lake St. Louis
and Province Line Rail Road Company
~~upon the Point adverted to in the~~
letter of the 27th Ultmo.—

William G. Bell Esq.
Montreal 1857

I have the honor to be

App.

Your most Obedient
Humble Servt

J. G. Maber

H. C. Hall

The Honourable Robert Bruce
Superintendent General

Indian Affairs.

Indian Affairs (RG 10, Vol. 194, no. 5701-5800)

PUBLIC ARCHIVES
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CANADA

394

113720

Mr. of
Indian Office 15 March 1852.

Mr.

I am desired to inform you that
your letter of the 27th ulto of the 3 instant.
~~The letter enclosing a communication~~
from Mr. Coffin the President of the
Pine Tree H. L. Railroad has
been placed into the hands of the
Attorney General in order that he may
advise as to the nature of the letters
to be given to the Company, &c.

On ~~concerning~~ the statement attached
of the Grand Chieftain of the ¹⁸⁵⁰ ~~lives~~ so what they
should be treated ~~will~~ be willing to accept from the
Company from the land required for
Military purposes, etc. See also H. L.

Indian Affairs (RG 10, Vol. 194, no. 5701-5800)

#5702

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CANADA

1852/03/15

113721

as indicated in the letter that struck speaking
there may be supposed to bear upon the
interpretation, but upon that of the Coffin
with respects to the welfare promotion
of the Indians in view of the additional areas
required as the place for building
and the growing of crops
from the same time there can
be no reason to doubt that the Indians
intend to practice their ancient form
upon all the land adjacent to the
lake shore being more valuable the
Indians intended.

67281

113721
28

Indian Affairs (RG 10, Vol. 194, no. 5701-5800).

PUBLIC ARCHIVES
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CANADA

395

5963 115111

Petition
de la Tribu de Saguenay
de Caughnawaga

Indian Affairs (RG 10, Vol. 196, no. 5900-6000)

#5963

PUBLIC ARCHIVES
CHIVES PUBLIQUES
CANADA

1852/kw/a1

Poor.Copie

115112

A son excellence le Trésorier
Honorable Samuel Pierre Léon
d'Urgel et de Kirkardine, Bon
Mérite de l'Amér. et le Très Trésorier
Honorable Compteur Public de Sa
Majesté, gouverneur du Chef
des Provinces du Canada
Nouvelle Ecosse Nouveau-Brunswick
etc. &c &c &c.

L'Amoule Petition
de la Tribu Iroquoia établie à
Cayaghmawaga.

De nos respects
à votre excellence.

Que des difficultés s'établissent
souvent au milieu de vos Petitions
nos enfant soumis à respectez, auquel
de la constante débauché, il est bon de
leur devoir de s'addresser à nous, leur
frère, pour les obtenir un système,
pour maintenir l'ordre parmi
eux et en éloigner le meurturier

115113

Les envois respectivement
Monsieur le Gouverneur Général
Qui il écrit très distinct et déterminé système
Pour conduire les affaires Municipales
D'une manière plus satisfaisante à tout
Le Trésor, Cela ne peut s'effectuer que en
accordant à nos Pittimaries le mode
qui convient la Province, parmi les
quelques qu'il a dans l'Etat Comme
Conseillers, et pour ce propos les
Effets au lendemain.

Les envois respectivement
S'impliquent immédiatement votre Excellence,
de veiller à bien prendre ces affaires
Le cas où il soit impossible, ou
le départ prochain d'un grand nombre
des envois de la Trésorerie Réquierante,
pour les voyages établies, vos envois
respectivement disent aux Pittimaries
que cette Election il y donnera leurs
votés avant leur départ.

Les envois respectivement
Sont Convaincus, qu'en tel

Mondre

115114

M. Maire de Chassé leur
Offr, tel qu'il a été recommandé
par rapport du Colonel Bruneau Frères
Mettre à fin dans les deux vicinities
qui existent pour toute la Gaule: la ville
qui, à en lire, bâtie le transversal
laquelle n'a cependant fait que une révolution
de nombre de semblables et même plus
exaltées armes. Précisément, l'affaire
Si elle est en lieu dans lequel le vaste
excellence, pour son indigne, note bien
que, à ordonner quelques moyens dans
le but de défaire pour établir l'ordre
chez nos sujets respectueux sauvage.

Nos respects respectueux ont
l'honneur d'exposer au Excellence
que des documents nous ont fait, etc.,
Précisément, faisons pour que
désavouer l'ordre des Patriotes
ont juste raison et être mercantile.

Nos respects respectueux
Ont l'honneur d'exposer à

Maire

Indian Affairs (RG 10, Vol. 196, no. 5900-6000).

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CANADA

POOR COPIE

115115

Potre excellente, qu'il
exprimera par la présente lettres
les vœux les plus ardents de la paix
totale des Tribus, vos Requérants
Exprasant que c'est à Paix, si nous
à toute des Tribus, supportent les
Chefs sécateurs.

Assurément suppliés
Pour qu'il plaise à votre excellente
de veiller bien faire droit aux
leur première demande, ordonner
que j'arrête au bon transport
dela vérité de leurs prétentions allées et
T'il y a lieu leur recorder les conclusions
de la présente.

Et sans empêche me
Cesseront de faire paular
Conseil dans dela partie de
Poter excellente.

Congnacq : Mai 1652

115116

Gerald Nasuaham

hatonga x sagunogamic
bigie x sagunogation
benies x kawabation
humas x hantiaava
sagatis x sagunoganda
tien x tawinogagan
shagsham x ka sage te
jaws x tegunogagan
vesis x tawigagan
sagatis x hategu nagiyan
vo ghi x thainoniothe
so sde x thainoniothe
bigie x ova cogagation
hatonga x hamuthagadins
jhoshe x te watic
vashair x omera nido
hatonga x hantiaava
humas x hantiaava
hatonga x tawigagan
humas + tc sonthe wha
tien + thaidi
bigie x ova cogation
jhoshe x ova cogation
jhoshe x tawigagan
jhoshe x ova cogation
jhoshe x qniondaguna
shagsham x hantiaava
tien + sagunis
tawigagan x hantiaava
sagatis x Nasuato

115117

hattonga x o'mesator
giffle x teaimaga'ga
shakasie & tewasas
no'gat x ha'entasita
no'si x o'tiagatior
tio'nt x sa'sago'wagaa
gise & kawabatti
gise & the o'nicin
shavo x o'tiogasanon
shashie & the a'seron
tiev x atca o'san u'na ton
mawas x kawagani'atit
no'si x so'ri'oda'ne
no'gat x ha'entasita
m'nten x sagoravakagaa
sa'batis x kawabatti
tiev x kawabatti
jagges & tegim'non'hagee
tian'ni x kawam'nat
sakkasie & tei'at'k'it
sais x o'te'ri'onge
sagatas x tegim'nat'san
salt & a'vina'cs
no'si x kawon'gat'se
so'se x a'vina'cs
shavo x s'gachati
go'se & s'gachati
tiev x o'mgant'gosa
savo x tei'gison'te
kawasas x kawasas x kawasas
sa'batis x kawam'nat'k'it
salt & kawatent'i
gise x tei'gason'gosa
gise x kawagon'nat'e
gise & kawagon'nat'e

115118

hakong & hanatsoo'ne
tior & alaga sageet
hen nis yga na tagueete
jose & ion i'io
si'se & hanon sasimun
saginiv & tniegaviv
jose & te amusogo tan
no'8i & o'sica tshum n'
jose & nuna si'tha
tior & ongashu'agi
shuk & shato'gaa
shuk & hanatsoo'ne
lo'von & thi'ningan
harvne & hava'antie
hennig & te'mi'ni'von
jose & sagogaviv
sa'yo & ta'is te'ga see
jose & sa'go on tageetah
no'8i & ta'a'8i'tan
si'se & hanatsoo'ne
no'8i & thi'ningan go'ga
aneksis & te'ci'vi
no'8i & sag a no'8a'mi

no'von & hanatsoo'ne
shuk & so'mi'si
jose & sgnimati
harvngsiv & so'si'gau'tan
Mais & ta'c'le'ka
si'se & ts'lik'ic'na
si'se & hanatsoo'ne
no'8i & te'at'ge Na'nat

115119

so sex ha'ggi' nante
Nfau x Ha vi gate
Nfaj x Matoggae
Nasay x Ha sun Nasay
Thabi x Ha sun wate
Suth x Taictha amse de
Tien x Thia i'sen
Sa'vo x o nida Ha
Sa'vo x o nida Ha
So'fc x Ha sun i'sas
evening x o nida gation
injnt x te'lo noma gante
Ha thon Sa x Mi'ga wa'gga sa
Tis'li x Sa'yo jui ni
Ha thon Sa x o nida gante
Tien x Ha sun naga
No'gi x Te'gaa naga
So'fc x o nida gation
No'gi x Te'gaa naga
Tien x Sa'yo naga
Ten nias x Te'gaa naga vonge
Ha thon Sa x Ha sun naga nio
No'gi x Te'gaa naga
Thabi x Thia i'sas
Sa'vo x o nida gation
Ten nias x Te'gaa naga
Ha thon Sa x Taictha amse
Ten nias x Ha sun i'sas
So'fc x Ha sun i'sas
Nafan x Sa'yo naga nio

more attention

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CANADA

POOR COPIE

115120

nous attestons que les personnes
ci-dessus nommées se sachant
signer nous ont reçus d'apprécier
leur nom sur la présente Petition

Cangnawaga 21.03 Mai 1852

John Kanehatate
Joseph Tessiaatse
Joseph Kanaataqta

Vos enfants respectueux ont l'honneur
de soumettre à Votre Excellence
que depuis que la présente Petition
est en marche, déjà un effet a touché
les fonctionnaires qui ont adapté
le mode demandé par nos enfants
respectueux.

Cangnawaga 22 mai 1852

John Kanehatate
Joseph Tessiaatse
Joseph Kanaataqta

115110

Indian Office,
Wednesday 26th May 1852

396

Mr
As the accompanying Petition
from Isaac Knantahine, and other
Indians of Hauperawga, is respectfully
worded, I transmit it to you for the
information of the General...
I have the honor to be

Mr
Your most Obedient
Humble Servt
D. Morris

Colonel
The Honourable Robert Bruce
Superintendent Indian Affairs,

Dublin

Indian Affairs (RG 10, Vol. 196, no. 5900-6000)

#5963

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CANADA

1852/05/26

POOR COPIE

115109

5963.

26/27 May 1852

C. M. M'Niel S. C. A.

Transcript of letter from
George Greenhalgh and others
Indians of Langtry regarding
the introduction of the Municipal
System for the better management
of their affairs.

Indian Affairs (RG 10, Vol. 196, no. 5900-6000)

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CANADA

Poor. COPIE

397

5968.

115132

28/18 May 1852.

My dear Commissioner

Enclosed is the title to a piece of land
at Laramie under the name of the
Company for Indian Lands at Camp
Laramie, and the value of the part
of the said land which runs through the
territory you send.

Enter to Col. Dept. 29 May 1852.

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5968

PUBLIC ARCHIVES
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CANADA

1852/05/28

115133

Memorandum relative to titles to be given to the St. Louis & Grouard Line Railway Company, for Indian lands required by them at Baugh-nauashat.

The title must be given by Letters Patent from the Province.

The mode of payment should be determined by the Superintendent General of Indian Affairs.

After mature reflection upon the question as to whether that part of the Line which runs through the Terminus Ground should be valued at the rate agreed upon for land to be taken for the line, or for land to be taken for the Terminus, I think it ought to be valued as Terminus Ground, although my first impression was different.

Quebec 28th May 1852.

(A.M.)
A.B.

113721

398

Colonel Harper

Indian Department
Quebec, 29th May 1852

Sir,
I am directed to inform you,
that your Letter of the 27th February
and that of the 3^d March last, enclosing
an addressed to you by the President
of the Lake St. Louis and Province
River Railroad, has been under the
consideration of the Attorney General
of Lower Canada.

You will be pleased soon to
apprise Mr Coffin that the title for
the land purchased by the Company
within the Indian Territory of St Louis
will be given by Letters Patent from
the Crown.

That after full consideration
it is the opinion of the Governor General
as advised by Mr Attorney General
Drummond that all the ground at
the Caughnawaga Reservoir including
the Way Line should be rented at
£20 per acre.

That before the delivery
of the Patent the price of the Land
and interest accrued thereon must
be

.. Indian Affairs (RG 10, Vol. 194, no. 5701-5800)

6775

PUBLIC ARCHIVES
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CANADA

1852/05/29

+13725

be deposited with the Receiver
General of the Province to the credit
of the Saguenay Indians of Caughnawaga.
You will have the goodness to
furnish the Land Office of the
Crown with a duly authenticated
description of the land required by
~~the Company as agreed upon between~~
~~Mr Coffin and yourself on behalf of~~
~~the Indians in order that the Title~~
~~may be prepared with as little delay~~
~~as possible.~~

Yours etc
R. Bruce
"cup" Govt.

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PUBLIC ARCHIVES
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CANADA

399

Office of the Montreal
and New York Railroad Company
Montreal
7th June 1852.

Sir,

I have the honor to acknowledge the receipt of your letter of the 31st Ultimo, by which I am informed that my letter of the 1st March last having been under the consideration of the Attorney General for Lower Canada, you are directed to apprise me, first, that the title for the land purchased by the Montreal and New York Rail Road Company, within the Indian Seigniory of Sault St. Louis will be given by Letter Patent from the Crown, secondly, that after full consideration, it is the opinion of the Governor General as advised by Mr. Attorney General Drummond that all the ground of

the

Lieut. Colonel D. C. Lapire.
Indian Department

21

Indian Affairs. (RG 10, Volume 2503, File 104,113)

#5997

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1852/06/07

the Caughnawaga Terminus, in-
cluding the Way line should be
rated at twenty pounds per acre,
and thirdly, that before the delivery
of the Patent, the price of the land
and interest accrued thereon must
be deposited with the Receiver Gen-
eral to the credit of the Iroquois
Indians of Caughnawaga.

In compliance with the terms
of your communication, I have un-
der instruction from this Board, paid
over to the Receiver General of the Pro-
vince a sum of seven hundred
and thirty six pounds eight shill-
ings, cy. being the interest accrued

Price of the land purchased by the Iroquois Indians of the Sault St. Louis, on the said Price since the 1st day of August 1851, making in all a sum including the interest of seven hundred and seventy three pounds 45. 07. and as voucher for such payment I herewith enclose a copy of receipt from the Receiver General's Department to that effect, I have now therefore to request that the paper, plans, and descriptions relating to the proposed grant may be referred to the Attorney General so that Letter Patent from the Crown conveying the land

in

92

my question to the Montreal and
New York Rail Road Company
may be prepared as soon as pos-
sible.

I would at the same time call
your attention and through you
I would respectfully invite the at-
tention of His Excellency the Gov-
ernor General to the subject of an
extension of the ground now ac-
quired by ~~the~~ Company at Caugh-
nawaga as heretofore frequently
advertised to in conversation between
us. You are aware that the quan-
tity of land acquired by the Com-
pany at Caughnawaga, although
paid for at the full price demand-
ed by the Indians, is limited to
the precise quantity prescribed by
the Statute, and taken in the shape
the terms of the Statute seem to
require. That shape is a parallelo-
gram. Now it must be manifest
to any person conversant with
Rail Road business or the require-
ments of Rail Road business,
that the amount of land acquir-
ed is insufficient for the trans-
action of the business of the
Company.

23.

Company, much of which as being connected with the Lumber Trade, must be of a very cumbersome character and requiring the use of great space. But the shape in which we are compelled to take the land makes the land so taken inconvenient, and in some respects useless for the purpose required as well as insufficient in quantity.

The frontage of the parallelogram rises abruptly from the river with a very narrow interval of beach, and the surface ^{is} sand rugged, and so disposed in relation to the frontage as to be unfit for the reception of lumber, or indeed for any other object of Rail Road business.

Under these circumstances I am directed to submit herewith a plan and description of a certain additional piece or parcel of Land situated on the South Western side of the land already acquired, and on the shore of the River St. Lawrence, and to pray that His Excellency will be pleased in the exercise of his just discretion, and in view both of the insufficiency and inconvenience

of

24.

of the land we hold, and of the necessities of the future business of the Company, do authorise the Company to acquire and hold the additional extension described in the plan and specification referred to marked B and to cause the same to be included in the letter patent about to be ordered.

I feel that I can, with justice, assert that in the whole of this negotiation the Company I have the honor to represent, has acted with perfect good faith, with liberality, and from pride. We accepted the price proposed by the Indians, although we have paid less for cultivated farm lands on the line of route. When a difficulty arose we submitted that difficulty to the arbitration of His Excellency the Governor General, and we acquiesced cheerfully in an adverse award. That award having been made and communicated to us, within four days therefrom the amount so awarded has been paid. I trust therefore that I may confidently appeal to His Excellency to interpose

his

25

his legitimate authority do secure
to this Company all the benefits
contemplated by the legislature,
and do protect its interests, and
the interests of the public from
the effects of a perversity which it
cannot mitigate and a caprice
which it can not control.

I have the honor to be

Sr.

Your Most obt. Servt.

William F. Goffin.

President.

26

400

115281

3997.

15/16 June 1861

Dr. G. M. Ross
St. John's, Newfoundland
15/16 June 1861
Received from Mr. George
Harris, Esq., the sum of one hundred
and twenty dollars, being the amount
due him for services rendered
in connection with the
construction of the
Government buildings at St. John's,
which were completed in the month
of June 1861.

John B. & Son, Ltd.

Indian Affairs (RG 10, Vol. 196, no. 5900-6000)

5997

PUBLIC ARCHIVES
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CANADA

1852/06/15

115283

Indian Office
Montreal 15 June 1852.

Sir -

In obedience to your instructions of the 29 Ultimo I have communicated to the President of the Lake St. Louis and Province his Rail Road Company, the Desires of the Indians General upon the following Points vizt.

1st. That the title of the land purchased by the Company within the Indian Reserve at Longue Pointe, will be given by letters patent from the Crown. -
2^d. That all the Ground at the Longue Pointe terminus, including the Bay hair, shall be rated at 20 per Acre. -

3^d. That before the delivery of the Patent, the Price of the Land, and interest accrued thereon, must be deposited with the Receiver General to the credit of the Saguenay Indians of Lepage.

I have now the honor to submit a letter from Mr. Coffin, stating that he has complied with the terms of my communication, and transmitting a copy of Mr. Tuck's Receipt for the Office of the Land in Quebec, according to the statement transmitted to the Attorney General in my letter of the 3^d instant, a copy whereof is enclosed.

A. G. Gould, the Honourable Robert Bruce

With

Superintendent General Indian Affairs.

Dubree.

11528

With reference to the Office's Application,
in the Name of the Company, for the Purchase
of a Certain Additional Piece of Land,
situated on the South-Western side of the
Land already Required, and on the Shore
of the River St. Lawrence, I have Ascertained,
that the Chiefs, and (I believe I may add)
all the Members of the Iroquois Tribe, are
most decidedly opposed to the sale of
the Additional Quantity of Land demanded
by that Gentleman. —

I have the honor to be
Sir
Your most Obedient
Son the Servt
A. G. Morris

P.S. The Plan and Specifications marked B.
will be forwarded upon an Opportunity
Offering. —

115282

Copy of Statement transmitted to Mr.
Attorney General Government on the 3rd June 1852.

For Ground at the Langlance Terminal
including the Way line through the
Station amounting to 10^{1/2} Acre at £20/-
per Acre. £209. 4. 0

in the Way line from the Terminal to
Supreme Boundary, being a Street
52^{7/8} Acre at £10 per Acre. 527. 11. 0

Amount of Principal £ 736. 8. 0
Interest due thereon from the
1st August 1851. — } 36. 16. 5
Amount of Principal and Interest £ 773. 4. 5

115285

(Copy Receipt)
Indian Affairs.

H. J. B. Receiver of Canada

Feb 11. 1859. General Receiver's Office
India & China, 1859

Received from Mr. H. J. B. Receiver of
the Montreal, & other Bank Notes, Rs. Seven Thousand
and twenty five pounds 45 Cts. to be paid with
Bank of Upper Canada in this City on Feb 11th 1859.
G. L. Thompson's Letter of Feb 1st last has been received
of this date which claim is placed to his credit on May
of the following month being for certain beads of
Caughaun (a) purchased by said Company from the Mohawk
Indians and for which Mr. H. J. B. are to be responsible
etc.

M. J. B. Receiver

H. J. B. Receiver

115571

401

Indian Department

Toronto 18th June 1852

Sr.

Referring to your letter of the 15th instant
They directed to request that you will at your
earliest convenience notify the Chiefs and Indians
of Langford's Bay that the sum of money
amount of thirty five thousand dollars will be
deposited with interest from the 1st August 1851
has been paid into the hands of the Receiver
General by the St. Louis and Province Line
Railroad Company. You will further
please to inform them that in His Excellency's
opinion the Company has acted in a very
fair and liberal spirit throughout those
negotiations, and that the Chiefs have on their
part exhibited commendable judgment and
discretion and done the tribe good service
in this matter.

You will send to them Mr. Coffin's
application for an additional allowance of
land of the said and precise location of
which His Excellency is not aware as the
Sketch furnished by that Gentleman did
not accompany your letter. He desires one.

Colonel Report
S. J. to
Montreal

Answer

Indian Affairs (RG 10, Vol. 197, no. 6001-6100)

#6026

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
OF CANADA

1852/6/18

115575

desired to observe that while it would result
in reasonable time and he thinks it
only right that sufficient time for the efficient
working of the road and for the full development
of its traffic should be granted so long as
the Indian village is not encroached upon.
The issue of a Patent does not necessarily
be delayed until this point shall have been
reached.

Please do not let me
see
Yours obediently yours

R. Bruce
Superintendent General.

402

Office of the Montreal and New York Railroad. 115569

Montreal, 31st Jan 1852.

Dear Sir:

Having been informed by you in a late letter, with reference to the late application of the Montreal and New York Rail-Road, respecting an additional issue of land, contiguous to their premises at Caughnawaga, that you had received instructions to refer the matter to the Chiefs of the Indian Village of the Six Nations for the opinion of their extension thereto, accompanied by a communication that the application of the Company should be accented, provide the quantity of land required does not exceed reasonable limits; and learning that at the time of receiving the above instructions, His Excellency the Governor General was about in possession of the Map or Plan letter A annexed to your last was therefore anxious whether the extension of land required by the Company was or was not within reasonable limits.

It is now respectfully requested that you will be enable His Excellency to judge of the nature of our application at its present stage transmit to Quebec for His Excellency's information the Plan, or Map letter A before referred to, which delineates and describes the extension of land required by the Company in which I trust will suffice to the satisfaction of His Excellency, that the quantity of land petitioned for, in no way exceeds the reasonable requirements of the Company. I trust at the same time respectfully obtain before His Excellency the Governor General, my earnest request, that he would be pleased in the exercise of his own legal and legitimate authority, to decide upon this matter in accordance with his own sense of justice and right, our dealing and discussions with the Indians have been such as not to justify the expectation that any agreement to them can have to a satisfactory view. We are most willing that His Excellency shall after our application to any competent

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Vol 197

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CANADA

#6026

1852/06/30

115570

Arbitrator to decide whether the sum being demanded in its
present, whether the quality of land asked for is not such as the
transmission of our business moderately requires, whether one section
be taken in another shape or in a manner prejudicial to the
interests of the Indians, how we are bound to take into account
engagement His Excellency may be pleased to grant, not to exceed
the sum required for any purpose other than that of our business.

We beg leave respectfully to call the attention of His
Excellency to the fact that the Indians agree to give us the land
required for the "habitation required" to do the business of the Company
for a certain time - that we consider them, as usual persons, and
in good faith - that we have not paid a higher price for the
best cultivated farm on the whole line of towns than we pay for
the wages, &c., in uncultivated soil on the shore of the River
at Coughmanawas. That we have paid, of the full amount, due on
the land thus far, received by us. When we might, in fact, and in
truth have demanded, to pay him, until we have obtained the
full amount of the Indian proportion namely the land requisite
for our habitation required; and we humbly trust that His Excellency
will in the exercise of his lawful authority, and guided by the
information which he so largely possessed on Paul (or) subjects,
will decide a question which regards both the capacity and
experience of the Indians of Coughmanawas. We pray that you
will send the Indians to submit the foregoing with the Map
or Plan A, first above referred to, and have the honor to be

Yours Most Obediently
John G. Baker
Indian Department

Dear Sir
Your Most Obedient Servt
William F. Coffin
President

403

6026

115565

2/3 July 1852

D. R. M'Gillivray, M.L.A.

Has notified the Minister of
Confederation that the purchase,
survey of the West Side and Terminal
of the Railroad has been paid and
of the Govt officials of minor &c. the
transaction and the application
by the Company for an additional
allowance of land, transmittal letter
from the Minister regarding it and
the Map which has been forwarded

1852/07/02

Indian Affairs (RG 10, Vol. 197, no. 6001-6100)

#6026

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

115566

Indian Office
Montreal 29 July 1852.

Mr.
In accordance with the
instructions conveyed to me in your
letter of the 18th ultimo, I have duly
notified the Saguenay Chiefs of
Coughshagan for the information of their members,
that the Proclamation of the 1st May has
and remains the within the Reserve, with
effect from the 1st August 1851, has been
read at the hands of the Indian General
by the Indian Agent and Sacrament has been
read; -

These Indians informed me that
in the Indian General's opinion, the Company
had acted in a very fair and liberal spirit
at all the Grand River, Bruce
Saguenay & General Indian Affairs.

115567.

Throughout these negotiations, and that
the Chiefs have on their part, exhibited
commendable judgment and discretion,
and done the best good service in this
matter. -

I have distinctly explained to
the Grand Chief and Council, Mr.
Coffey's application for an additional
allowance of land, and that this being
thinks it only right that sufficient
place for the efficient working of
the line should be granted, so
long as the Indian Village is not
inclosed upon; and I expect
to receive a communication from them
on the subject in a day or two: -

In the mean time, I have the
honour to remain,

115568

for the Excellency's Consideration the
Accompanying Letter from the President
of the Company, and with Reference to
the P^rnt Ba which I forwarded to
Yours Reddick by the Chamber of
Commerce in Charge of the Cross of
this City. -

Please be kind & be

Yours

John M^r C. C.
F. G. T. C.

J. F. Habib.
10

Indian Affairs (RG 10, Vol. 197, no. 6001-6100)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

404

Laprairie
5th July 1852.

Sir,-

On the receipt of your letter I called a meeting of the Chiefs of this village and submitted it to them, — They wanted time for consideration, and I now beg to communicate to you the answer they have given me. —

In the first place, they say they are not at all satisfied with Mr. Goffin's conduct towards them, that he always treated them with haughtiness, often avoiding to meet them, acting without consulting them, giving for excuse that the Seignory of Sault St. Louis was not their property, but the Government's, which is absolutely contrary to the tenor of their primordial title.

You tell them that the money has been deposited at Quebec, so thus

they

Lient. Colonel Lapier,
Superintendent Indian Affairs.
Montreal.

13

they say that they gain nothing by it. - They also say that you told them in your own house that they would get only the interest on that money, that it would remain in the hands of the Receiver General. In this course they say will again start in the village the trouble - which to a certain extent was disappearing for all the owners must on being paid for the land taken from them. - They constantly worry the Chiefs for compensation. And on the other hand the Chiefs are much perplexed, and do not know what to do. They are anxious to get the dad contracts but in the interest of the community they feel bound to make the following suggestions
1st. That all along the line of flat way, gates for passers-by, and tunnels to allow the cattle to go to the river, be made.
2nd. That each land cultivated, sugar bush, and prairie land, over which the railway runs should have a passage, that is to say, bridge and gate, to enable

the

84

the owners thereof to have access thereto.

3rd. That passages should also be made to the bush lands to enable the people to procure their wood in the winter, as it would be impossible otherwise to get there on account of the snow.—

4th. That the employees of the road are encumbering the common with wood and stones [débris] taken from the line, which they throw here and there on their land excavations being also made for earth to fill up hollow places yet all this causing damage.

The Chiefs are under the impression that they have no right to trespass on their land outside the limits fixed by law without paying for any damage committed.—

5th. That no river or brook be in any way obstructed for fear of causing inundations on cultivated lands or prairies.—

6th. That the fence of the commons be well secured so as to prevent cattle from committing depredations on the cultivated lands.

as

51

- as these are protected only by thin fence; otherwise the crops would be entirely at the mercy of the cattle.
- 7th That the line of railway be fenced in on both sides, with the necessary passages as above stated.— This fence, however, has not been commenced as yet.
- 8th That those who have been prevented from sowing their lands in the Spring, on account of this fence not being made, are now asking for compensation.
- 9th That although the Company should take only 60 feet in width; they have in reality, on account of the excavations made, and the obstructions placed on the common taken 99 feet, this excess of land the Indians are losing, for they cannot cultivate close to the fence, and they urge the Chiefs to ask payment for the land taken over the 60 feet.
- 10th That the public road leading to Chateaugay was changed where the Railway passes, and they ask that it be made straight again as far as the village.

village, so as to avoid the long
turn the Company gave to it
11th. That as they sold the land to
the Company by the arpent,
and not by the acre, the latter -
measurement being unknown
in Lower Canada, they insist
on being paid by the arpent
and not by the acre.

12th. That as the Chiefs do not
care to address themselves to Mr.
Coffin in regard to these matters,
for the reason that he neither cares
for, or listens to them, acting
altogether independently of
them, they avail themselves of
this opportunity to give you
those explanations, hoping that
you will be good enough to sub-
mit this letter to His Excellency
whom they regard as their
father, and as the only one who
will give them justice.

Although they, (the Chiefs) don't
know how their land was mea-
sured, they are altogether so
morant of it, and several In-
dians are urging them to have
it re-measured by a surveyor.

to ascertain whether they have been deceived.—

As regards the 6 arpents asked for by Mr. Coffin, the Chiefs say that even if they were so disposed as to grant his request they would not be allowed to do so, because of the opposition of the whole people of the village to that transaction.—

It is well known that the trouble in this village was caused by the Chiefs having been compelled by law to sell to the Company a strip of land for their Railway, and the young men and warriors are even at this moment under the impression that the Chiefs were never obliged to sell that land, that they could have refused and prevented the road from being built.

That is the reason why they have worked so hard during the Government to obtain the dismissal of the Chiefs, so as to replace them themselves.

One and all are opposed to this

this sale, and if it takes place,
there will be blood shed, and the
chiefs will be the victims.

This, sir, is what the chiefs
have requested me to say to
you, as they feel more than ever
bound to look after the in-
terest of the village.

I have to

Yours Ed. N. de Lorimier
~~██████████~~ Agent.

405

Indian Office
Montreal.
26th July 1832.

Sir,

In reference to my letter of the 2nd instant, I beg leave to transmit to you the enclosed communication from Mr. A. de Lorimier, agent to the Seigniory of the Sault St. Louis, ~~representing the object~~ of the Iroquois Chiefs to the sale of the additional quantity of land required by the St. Louis and Thornewood Rail Road Company, and demanding certain works to be performed by the company upon the Way line.

Mr. Coffin has been furnished with a copy of the enclosed letter for his information, and to enable him to answer the demands of the Indians.

I have &c
Aug 2, D. C. Papineau.

St. Colonel
The Honorable Robert Bruce
Superintendent General
Indian Affairs.

36.

119720

406

A
Son Excellence le très
Honorable James, Comte
d'Elgin & Kincardine, Gou-
verneur Très Ancien & Très
Noble Ordre du Chardon, Gou-
verneur Général de l'Atte-
nue Britannique du Nord,
& Capitaine Général &
Gouverneur du Chef d'ars
& sur les Provinces du Canada,
de la Nouvelle Ecoce du
Nouveau Brunswick & de
l'Île du Prince Édouard,
& Vice-Amiral des mers & d'

La Petition de la
"Compagnie du chemin de fer
à Macadamisé de St. Martine
au fort St. Louis" dans le
District de Montréal"

Oppose respectueusement -

Due la date, Compagnie
a été donnée forme let
constitué sous le nom ci-dessus
conformément aux dispositions
d'un acte de la législature de
cette Province, fait dans la
12me Année du Règne de sa
presente Majesté, & intitulé
"Acte

Indian Affairs (RG 10, Vol. 202, no. 6701-6800)

#6739

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1852/08/20

119721

"Acte pour autoriser l'établissement
de Compagnies à Fonds Social dans
le Bas-Canada, pour la construction de
chemins macadamisés, Ponts & autres
travaux y minotomés," ainsi qu'il
appert par acte de Société Mississipi
à cette fin le 22 Aout 1831, & Déposé
le même jour chez M^r J. T. Racine,
notaire publique à Montréal.

Que la dite Compagnie a
été ainsi formée dans le but de
construire un chemin planchéié
& macadamisé depuis & à partir
du Lac St Louis, à l'Ouest du
village de Sault St Louis, passant
sur une partie de la Seigneurie
des Sauvages environ du lieu
& douze arpents, c'est à dire jus-
qu'à la ligne Saguenay le
l'entre la dite Seigneurie des
Sauvages & la Seigneurie de
Bhotibougi, & de continuer
jusqu'à dans la paroisse de St
Martin, Comté de Beauce.

Que pour la construction
de dit chemin, la dite Compa-
gnie a par acte du 22 Mai 1831
(Lebrun Notaire) obtenu de
bonne foi de Thomas Teekatchewan,
Martin Kanesatayé, Charles Ondanow,
& Paul Chadeurata, tous grands Chefs
de la tribu des Iroquois de Stult
Saint Louis, Loris, Cesassasen & Jean
Baptiste Chaisicka, chef des Iroquois
de

119722

De la dite tribu des résidants à L'Assomption
Nasapee de L'Assomption, Environs de la
Baie du Lac Saint-Louis, agent de la
Saguenay du Lac St. Louis, la
cession d'un terrain dénommé
de la Saguenay du Lac St. Louis
(Savez la dite Saguenay du Sauvage)
De vingt trois pieds anglais de
largeur sur une longueur d'une
lieue, doix corps et cent pieds
plus plus de moins, borné au
front par le Lac St. Louis, par
derrière à la rivière Saguenay le,
tel que le long a été tiré par
J. C. Courley Environs, arpenteur
juré, sur la route du Mouvement
l'île de 30 pieds grammes anglais
à charge de tenir à la dite terrains
pour y construire des maisons
et jardins -

+ presque
t.p.

" sur la plus
grande partie
d'icelui

N.A.S.

Le dit chemin plan-
chéié & macadamisé est par-
cisé, & la dite compagnie en
position d'exercer le droit d'y
prendre des peignes conformément
aux dispositions de l'acte
Provincial -

Que par l'acte d'option
suivant, la dite Compagnie a obtenu
de forme loi avoir acquis un
titre relatif à la portion de terrains
qui en faisoit l'objet; mais qui a
précédé la dite Compagnie est
informée qu'il failloit & il faut
des

119723

119723

Des doutes sur la véracité de
l'acte ci-après, faut d'avoir été
fait ou confirmé selon
l'usage par Votre Excellence,
ou d'avoir été fait dans les
formes prescrites par l'acte
du Parlement Provincial, passé
dans la session tenue dans les
13 et 14 ^{me} années du règne
de Sa Majesté, Chapitre 642,
intitulé : "Acte pour mieux
protéger les terres & les pro-
priétés des Sauvages dans le
Bas-Canada," Dans le cas où
la signature de Sault St Louis
fomeroit partie des propriétés
qui troubent mis les dispo-
sitions de dit acte Provincial ci-
désus cité en dernier lieu -

Que la construction de dit
chemin est un grand améliora-
tion privilégiée d'un avantage
considérable tant aux dits
Sauvages de Sault St Louis
qu'à aux autres habitants des
Comtés de Huntingdon & des
Brudenhamois, lorsque cette
construction a entraîné la
dite compagnie dans des
dépenses considérables -

Que il importe beaucoup
à la dite Compagnie d'assurer
un très grande bâche à la
propriété & possession de
dit

119724

de terrain dont il a été formé
pour obtenir la cession par acte
du 22 mai 1851.

C'est Bourgouin le dit
Compagnie appelle humili-
ment M. de l'Excellence de
terrain que j'envoie la présente
Petition en sa faveur con-
sideration, & qu'il lui con-
firme selon l'usage faire
un permis cas, le dit cession
du 22 Mai 1851, ou l'on leur
ordonner, au désir du dit
acte Provincial, chapitre 42,
qu'il soit donnée instructions
au Commissaire des terres
Saumur pour le Bas-Canada
deconseille de faire cession en
nom d'ordre forcé, à ladit
Compagnie, de terrain en
question, & ce aux mêmes
clauses & conditions que celles
parties dans le dit acte du
22 Mai 1851.

Et lors Petitionnaires
me apperent d'avoir -
J. Martin 20 Aout 1862

M. A. Grinnan

President

119725

Montreal 20 Aout 1852

L'Hon. J. W. C. Brown -
Secrétaire Provincial
H. D.

Monsieur

J'ai l'honneur de m'addresser
à vous pour vous faire la présente
à Son Excellence la Reine de la
Compagnie du chemin de fer
Macdonald et St. Martin au Trône
St Louis qui accompagne le prochain
Voyage d'y faire un fait de droit.
Il s'agit - Il vous suffira de lire

b

119726
la Régule & les piens qui l'accompagnent
pour vous convaincre que les conclusions
de la Petition doivent être accordées -

Je vous envoie également un règlement
de la même Compagnie en date du
19 Aout 1832, tel quel doit être confirmé
par le Gouvernement en Conseil - Voix
a cet égard les sections 18- 19- de l'art.
50 de l'art d 1849 -

Au sujet de ces deux demandes je
vous envoie 1: l'acte de dépôt chez le
Notaire Racicot de l'instrument d'abordant
la Compagnie susmentionnée -

2: L'acte de cession du 22 Mars 1831 par
les Chefs Sauvages à la dt Compagnie

3: Un plan figuratif des lieux -

Bennet

119727

Permettez moi de vous faire de dommages
les deux applications de la compagnie respectent
que tout ce qui va concerne etlement

C. L'herminier Diction
Montreal

With the best regards

J. L. Bertrand.

Indian Affairs (RG 10, Vol. 202, no. 6701-6800)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Montreal 19 October 1952
117135

G. Carter - Esq.

Mon cher Carter -

Je suis le convaincu que tu me donnes
dans ta letter d'hier d'ye l'autre une copie de la
Petition de Rémane connue Penuerd de la
Compagnie en question - La Petition de Rémane
est signé par le notaire du 15 Aout dernier re
vers ce tems - Si j'ai adoupi trois copies - Une
muni connue Scouting avec deux lettres dont
l'une officielle et l'autre d'autre - Pour faire
au notaire de la faire accompagner de l'autre
d'application du 22 Aout 1851, Le avis de l'ac
quisition fait de Chiss Seaway de Shult Hove
& dont la Petition a pour but de demander la
confirmation ou ratification ou l'équivalente
de la Petition des propriétaires au notaire de Rémane
et le trouvés tous peu de jours, confirmé. Je n'ai pas
peur faire d'autre copies de l'autre à souhait
d'application d'ye ferai venir Rémane pour
signer

117136

Afin que autre Sécheron -

Dis à M. Monin que lorsque je l'ai rencontré
au voyage de Shetland il m'a dit que Sécheron
avait été nommé à la Banque & n'était pas
Banquier & Banquier Général.

Rippon to Douglass. Bottemey a fait un rapport
à la Chambre d'Assemblée de la province de la
généralité de la situation et il a été
décidé qu'il devrait être nommé à la Banque & à la
Chambre d'Assemblée pour gérer les deux.
L'accord est conclu.

Jugé à présent, il sera très méprisé dans le
monde le second de nos deux nouveaux
Banchambers -

Conseil des Finances

S. A. Brewster

407

0346.

10/11 November 1852

Col. Napier:

Report on M. Primeau
appr. (6301) on the subject of
Plank tolls Adams Road
this Seigniory of Sault St
Louis. In reply to letter
of 23 Octr 52

117331

Report on
Plank tolls - The
matter on account of
different roads

BS2/11/10

Indian Affairs (RG 10, Vol. 199, no. 6301-6400)

#6346

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

117332
Rideau & Ottawa
Market 10 November 1852

Mr.
On returning the document
which accompanied your letter of the
23 Ultimo, I am enabled to report,
that the arrangement entered into between
the Hon. Marc Primeau, and the Chiefs and Agent
of Saguenay, in the Month of May 1851, for
the Construction of a Plank and Macadamized
Road through the Steepings of the said town,
Appears to offer all the Advantages desired
in the enclosed Explanatory letter on the subject
from the Principle of duration, and, I therefore
do not hesitate to recommend Mr. Primeau's
Application for the favorable Consideration of the
Governor General. —

29 October 1852.
22 May 1851. I beg leave to transmit for His
Excellency's inspection, a Material Copy of
the Deed above mentioned. —
St. John's Oct 1852.

Yours to have & to do

Mr.

You most obedient

Humble Servt

D. G. St. John

408

6381 117637

25/11/52 November 1852.

J. E. Campbell

Reports on differences
between Rogers Chief of
Caughnawaga, and the
Montreal and New York
Rail Road company.

Copy to Mr. Office 2 Dec 53

1852/11/25

Indian Affairs (RG 10, Vol. 199, no. 6301-6400)

#6381

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES

CANADA

017638

Ottawa March 15 1869

On the 1st instant I received from Mr. [unclear]
of this place a copy of Circular letter
from Mr. [unclear] of the Lake Shore and Atlantic Railway
with regard to his distinguishing certain points of difference
in the rates charged between the ports of the harbour of Lake
Michigan and the port of New York. The New York Railroad
company particularly with respect to an application
from the Company for a reduction of the 25 miles
granted in the Lake Shore. I proceeded to Langhampton
a residence of Mr. [unclear] of the company's office
of the Engineers, in order to meet him and
by the 3rd instant so did.

This being complained mainly by the parties here, that as
sufficient numbers of shipping had not been provided
by the company to meet the demand of the local
carrying business, the port of New York had
at intervals taken ships from the Lake
and much damage had been done to the
interests of the [unclear] by having to pay

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CANADA

117639

for the purpose of the Conference of
representatives of the Indians of the Northwest
and the Indians of the Province of Manitoba, and
that the Indians in general throughout the country, will be
entitled to the same treatment and to be allowed to
be present at the Conference. It is also agreed
that the Indians will be allowed to have a place of
assembly to be used for the purpose of
transacting business. There is no indication in the papers
that the government of Canada will be responsible for
providing such a place. More space is
required not only for storage but also for
the erection of dwellings for the Indians employed
in the timber camps. It is also recommended that
relations with the Indians be maintained
by the Indians themselves as far as possible
to prevent alienation between the Indians and the
considering the nature of the work of the camp
this important object being very difficult to

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PUBLIC ARCHIVES
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CANADA

117610

...the war like, the government gave a subsidy
to each nation for supplies. But as it turned out
the Mex. won. The French were so surprised
they took to flight. We enjoyed a great many of
the French food and drink. We had a great time.
Now the commissioners planed for peace or war.
It would be to the best interest of a general election
the people of the U.S. to let the Indians have their
land.

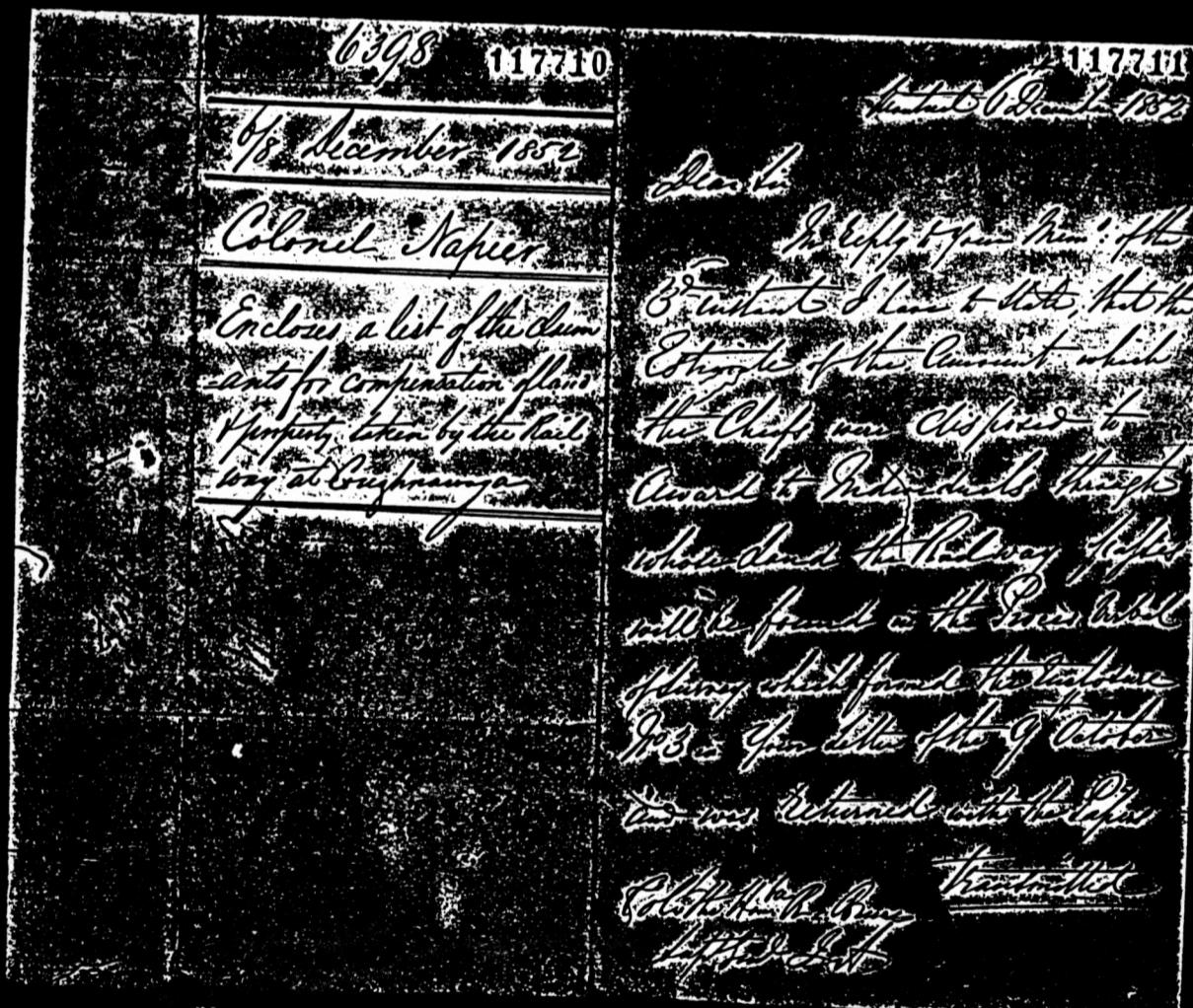
117611 *John Andrew Adams*
William B. Brewster Editorial sample

Supt. Genl. of Indian Affairs

"Indian Affairs" (RG-10) Vol. 199, no. 6301-6400)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

409



Indian Affairs (R.R. 10, Vol. 199, no. 6301-6400)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
(G.P.U.C.)

1852/12/06

117712

transmitted to your Address in
Charge of Major Fourhill, on the
27th of that Month.

I enclose a list of the
Claimants as extracted from
the Copy of the Trois Verbal
on Record in this Office.

Yours very truly

H. Capier

Indian Affairs (RG 10, Vol. 199, no. 6301-6400)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

410

TRANSCRIPTION D'UNE LETTRE DATÉE LE 12^E JANVIER, 1853, DU
COLONEL BRUCE, SURINTENDANT GÉNÉRAL DES AFFAIRES INDIENNES, À
JOHN ROLPH, COMMISSAIRE, MINISTÈRE DES TERRES DE LA COURONNE,
QUÉBEC

Quebec, 12th Janr. 1853

The Honb^{le} The Commissioner of Crown Lands

Sir

I have the honor to inform you that I lately procured from Your Department a Memorandum of the Tracts of land which you propose to allot to the Indians of Lower Canada under the provisions of the Act 106 cap. 14 & 15 Vic. and that there are a few points on which the Governor General directs me to offer some observations for your consideration before the intended arrangement is finally carried in effect.

The Tracts to be set apart are situated as follows

R. Desert	46,000 Acres
R. Blanche	69,120
L. St Jean	23,040
R. Des Outardes	76,800
Viger-rear of Isle Verte	3,650
Township of Man [sic] Restigouche	<u>9,600</u>
	228,200

The entire quantity of Land authorized to be so appropriated by the Act being 230,000.

With regard to the quality of the lands selected for the Indians of the Ottawa & the Saguenay and of the Interior generally this Department cannot offer any very positive opinion. I have reason to believe however that they are satisfied with the choice you have made and that at the R. Desert & L. St Jean they have commenced settling themselves in considerable numbers. The Reserves at Viger of Restigouche will unquestionably prove of great service to the Amalictes & Micmac Indians.

His Excellency is of opinion however that it would be inexpedient at once to grant lands to the full extent contemplated by the Act. The progress of cultivation & settlement will be necessarily slow on those destined for the uncivilized & wandering Tribes and until the success of the experiment has been tested the appropriation of very extensive tracts for that purpose would seem to be premature however it is submitted that the claims of the Indians of S^t Lawrence should not altogether be overlooked in this arrangement, unlike the Indians of Upper Canada & the U. States they have received no compensation for their Territorial rights they are in many cases very inadequately provided for and having long resided in the settled Districts would naturally be extremely averse to remove to the more sterile & uninhabited regions of the Province. Thus the Iroquois of Caughnawaga have outgrown their Seignory and the Abenaquois of Becancour and S^t Francois. The Indians of Lorette, the Algonquins of Three Rivers are in very destitute circumstances. The Number of these Indians is not large and it would be an act both of humanity and justice to bestow upon them under the provision of the Act in question lands if there are any such available in the neighbourhood of their present settlements and Meanwhile His Excellency desires me to suggest that 30 or 40,000 Acres might be deducted from the intended Reserves at River Blanche & Outardes for the purpose of being more conveniently allocated elsewhere should circumstances permit.

I have & c

1853/01/12

(Signed) R. Bruce

Indians, and entirely concurs in your deportation to them that they should turn to profit the many advantages they possess, and establish their own to the liberal policy which has been pursued towards them at all times by the Imperial & Provincial Govt.

I have the
Respectfully yours
Signed) R. Price

J. W. Readings Esqre

Toronto 11th Jan: 1855

Sir

6924 I am directed to acknowledge your letter of the 2nd ulto and to state that the Governor General has perused with much interest your elaborate report on the Indian Nations upon the shores of Lake Huron, and that your suggestions and recommendation will respect them so far as the attainable consideration of the Government and of this Department

I have the honor

Signed) R. Price

The Honorable

The Commissioner of Crown Lands

Sir

I have the honor to inform you that I have
recently procured from your Department a Planimetry
of the Tracts of land which you propose to allot to the
Indians of Lower Canada under the provisions of the Act
106 cap. 11, & 15 etc. And that there are a few points
which the Governor General directs me to offer some
observations for your consideration before the in-
tended arrangement is finally carried in effect.
The Tracts to be set apart
are situated as follows

R. Price

1853/01/12

1d3

R. Blairstown	46,000 Acre
R. Blanche	69,120
L. St. Jean	23,040
R. Des Outardes	76,800
bigr. Lne of St. Lawrence	3,650
Township of Beauportigouche	9,600
	228,260

The entire quantity of land authorized to be so appropriated by the Act being 2,300,000.

With regard to the quality of the lands selected for the Indians of the Ottawa & the Saguenay and of the interior generally this Department cannot offer any very positive opinion. There seems to believe however that they are satisfied with the choice you have made and that at the R. Desert & L. St. Jean may now be connected with themselves in considerable numbers. The Province of Quebec will unquestionably prove of great service to the Mississauga Indians.

His Excellency is of opinion however that it would be unsafe to grant lands to the full extent contemplated by the Act. The progress of colonization and settlement will be necessarily slow on those districts of the unoccupied & wandering tribes and until the success of the experiment has been tested the appropriation of very extensive tracts for that purpose would seem to be premature however it is to be understood that the claims of the Indians of St. Lawrence should not altogether be overlooked in this arrangement. Unlike the Indians of Upper & the West they have received no compensation for their territorial rights they are in many cases very inadequately provided for and having long resided in the settled Districts would naturally be anxious to remove to the more sterile & unpeopled regions of the Province. Thus the Iroquois, Beaubearans, & have outgrown their former and the Abenakis of Beauce & the ^{St. Francis, the Abenaki,} Gaspesie & Three Rivers are in very destitute circumstances. The number of these Indians is not large (NAC RG10, Vol. 515, page 298)

294

it would be an act both of humanity and justice to
stow upon them under the provision of the Act in
question lands if there be any such available
in the neighbourhood of their present settlements and
Meanwhile His Excellency desires me to suggest
that 30 or 40,000 Acres might be deducted from
the intended Reserve at River Blanche & Butte
for the purpose of being more conveniently &
conveniently elsewhere should circumstances
presenting.

Globe & C.
Signed) W. Wilson

(P.S.) Hamilton began
Toronto

December 12th Jan 1855

Sir

6463

I have directed to acknowledge the
receipt of your letter of the 31st ultm respecting
to inform as early as possible what course this
Department intend to pursue with regard to the
proposed arrangement entered into between
you and the Indians respecting the lands
existing thereon. On behalf of beg to state that
Department desires to relieve your suspense as soon
as possible, but that it is not as yet in a position
to add anything to the last letter from Captain
Anderson which is quoted in your communication.

Globe & C.
Signed) W. Wilson

The Honbl-

The Govmt of Canada

Sir

December 12th Jan 1855

Referring to my letter of the 25th Ad:
last, I enclose therewith the most recent to your
quest. of the surveyor's Bills instructions and field
Notes of Survey on the Indian Lands adjoining
Port Clarence.

Globe & C.
Signed) W. Wilson

(WAC RG10, Vol. 515, page 299)

411

119057 6693

12th March 1853

Colonel Mapes

Enclosed a letter to him
from E.M. Delormier claiming
an Agency of 10 per Cent of
the money paid for lending by
the Rail Road Company

119059

13th March 1853
Sir
I have the honor to inform you
that I have received your
letter of the 12th instant
and I am enclosing a copy
of the same. Not to alarm
you, but I have been informed
that the Indians will be
here to day and I have
not yet been able to get
any information concerning
them. I will let you know
as soon as possible.

Indian Affairs (RG 10, Vol. 201 pt. 2, no. 6601-6700)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1853/03/12

His Office, 119058
Montreal 12th March 1853

LH

With reference to the concluding Paragraph
of your letter of the 1st ultimo, & by leave to
transmit for your favorable consideration of this
Enclosed the former Grant, the Enclosed
Application from M^r St. Pierre de Lorimier
a Declaration of his Claim to Agency
Upon the Amount of the Sale of Land
to the Montreal and New York
Rail Road Company in the Brigadoon
of the County of St. Louis.

1st March 1853

I have the honor to be

J. H. J.

To follow,
The Honourable Robert Bruce
Superintendent General
Indian Affairs

You most obedient

Humble Servt

J. H. J.

Indian Affairs (RG 10, Vol. 201 pt. 2, no. 6601-6700)

#6623

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

412

6635 X 119097

19/3 March 1853

Colonel Napier

Enclosed Recd General Receipt
for £142 13. 2 paid in by
the Montreal and New York
Railroad Co in full for land
at Longueuil

119096

No 6634

Vide

No 6716.

1853/p3/19.

Indian Affairs (RG 10, Vol. 201 pt. 2, no. 6601-6700)

#6635

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

119098

Indian Office,
Montreal 19th March 1850

Will you be so kind to forward herewith
the Rec'd amount recd from me £142. 13. 2 currency
which has been transmitted to him by the steamer
of the Montreal and New York Railway Company.
in payment of the balance due on accounts
Required by the Company from the Saguenay
Indians at L'Anse au Loup.

I shall thank you to be

Your most Obedient
Humble Servt

D. Tapier

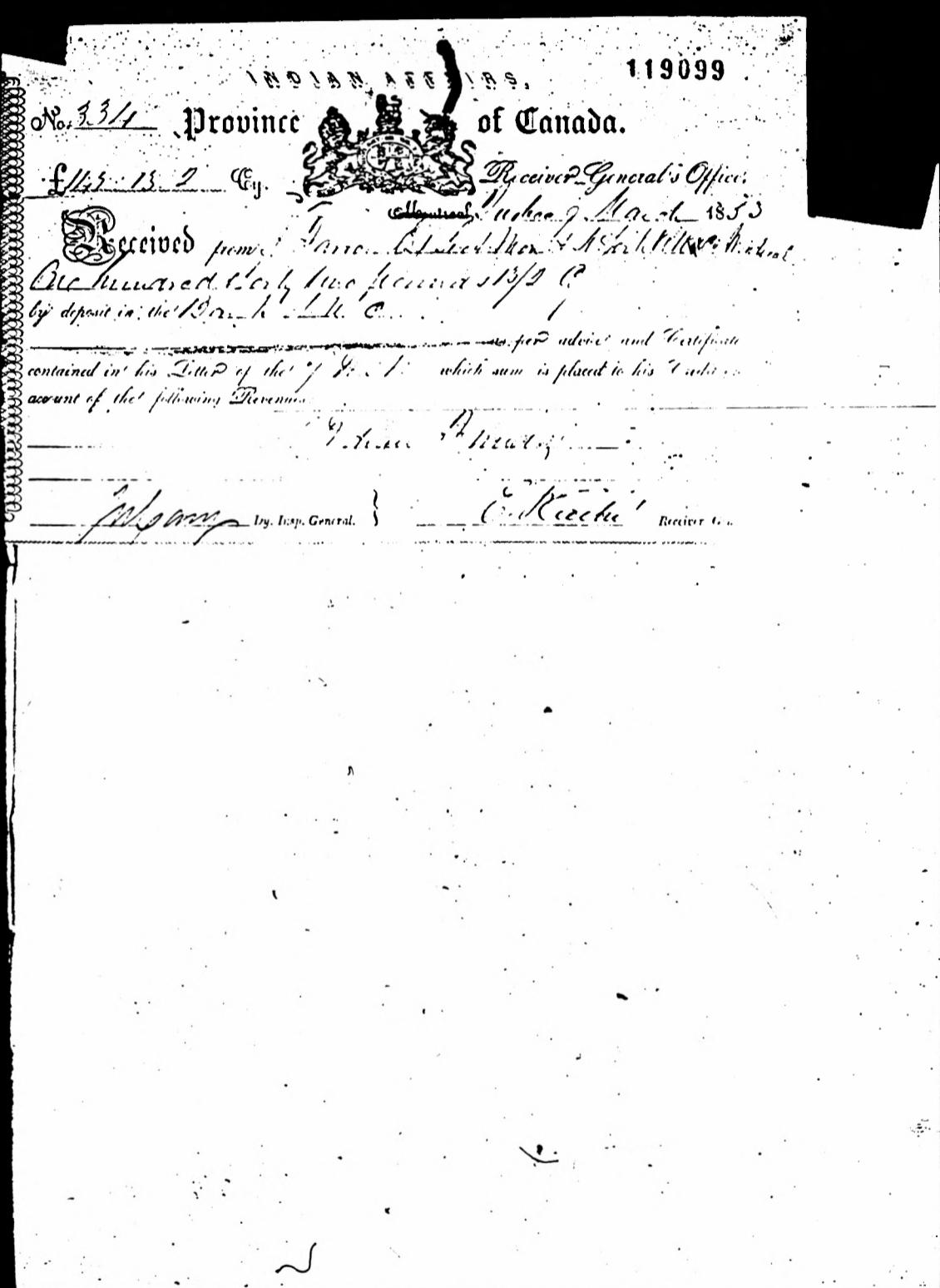
H. Colclough

The Honorable Robert Bruce

Superintendent General Indian Affairs

Indian Affairs (RG 10, Vol. 201 pt. 2, no. 6601-6700)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA



Indian Affairs (RG 10, Vol. 201 pt. 2, no. 6601-6700)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

334

INDIAN AFFAIRS.

158583

No. ~~334~~ Province of Canada.

£ 11,2. 13. 2 Cy.



Receiver General's Office.

Montreal Quebec & March 1853

Received from J. Farmer Esq. of Montreal & New York
Mail Road Co. Montreal. One Hundred forty-two pounds 13/12 Cy
by deposit in the Bank of N.Y.C.

as per advice and Certificate
contained in his Letter of the 1st Inst. which sum is placed to his Credit on
account of the following Revenues:

Being on account of Land purchased from the
Caughnawaga Indians

July 1853 D. Insp. General.

1853 1st 13/12 Receiver Gen.

Indian Affairs (RG 10, Vol. 262 pt. 1, no. 1400-1500)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

158582

Recd. General Receipt
for \$162.13. 2 deposited
by the New York & Montreal
Rail Road Company, to
the Credit of Government
Indians

Indian Affairs (RG 10, Vol. 262 pt. 1, no. 1400-1500)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

119709

413

Extract from a Report of a Committee of the
Honorable the Executive Council on MATTERS
OF STATE, dated the 29th April 1852
approved by His Excellency the Governor General
in Council on the same day.

On the letter of J. A. Beethelot,
Esquire, transmitting for approval, under
the provisions of Act of 12 Vict. ch. 56, Sec:
19. a By law passed, on the 19th August
1852, by the H^{on}ble. Martine & Sainte F^{te}
L^{ake} Planked, and Macadamized
Road Company - establishing a Tariff
of Tolls to be levied on that Road.

The Committee recommend
that the By law in question be approved.

Certified,

M. G. Lee
Acting

To the Honorable
The Provincial Secretary }
Gc. Gc. / Gc.

1853 May 29

Indian Affairs (RG 10, Vol. 202, no. 6701-6800)

PUBLIC ARCHIVES # 6739
ARCHIVES PUBLIQUES
CANADA

119707

Secretary's Office,
28 April 1853.

Referred to the Committee of
Hon: the Executive Council for
their consideration & report with
regard to the written draft of
Tolls. (See 19 section of the 12
Act: Chap: 54.)

By Command,

E. Beresford

Opp't: Secy

of enclosed, 29 April; — and
letter to Mr. Berthelot. —

so April.

Transferred to Sup'r. Gen'l. of Indian Affairs, with
letter. 4 May.

Indian Affairs (RG 10, Vol. 202, no. 6701-6800)

PoR.COPIE.

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

6444 v. 1770

6.178.

119708

J. A. Barthélémy D'Amour
Avocat. Montréal
Montreal

Je vous transmets avec la présente
désirant approuver
mes conclusions
les réflexions sur
cernant les peuples
sur votre bleuvin
de St. Maritime
au Sault Ste. Anne.

Je profite de
cette occasion pour
vous dire que
l'affaire des terres
des Sauvages amène
l'attention de ce
il appartient et
qu'elle va être
mise en voie
d'agir tout au
plus prochainement.

M. P.
J. R. R.

Indian Affairs (RG 10, Vol. 202, no. 6701-6800)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Mr. Martine & Sons &c
Louis Halk Road Comp.
This. J. A. Mitchell
Montreal 21 August 52
for confirmation of Con-
cession made to them by the
Caughnauga Indians
Tariff of Tolls enclosed
for approval.

Secretary's Office
21st August 52
Referred to the Hon:
the Attorney General
Each, for report to
the Committee of the
Concession of the
Tolls.

13th September
J. Mitchell
Ass't Secy.

See for D. J. Forrester
13th Sept.

119705

Government
Decree, Chancery 1/3 1/1853

It does not appear by the documents
submitted that all the preliminary steps required
by the 12th Act. Cap. 56, to give a legal existence to the com-
pany, have been taken. Among the documents required
by the 3^d section of the above Act are the Treasurer's

receipt for one hundred parts of the Capital stock of the
proprietors company, the certificate from the cashier of
an incorporated Bank of the deposit of such funds part
therein, and a certificate of the registration of such
two documents in the office of the County Registrar,
where no warranting, and until evidence be
afforded of the compliance with the above provisions
the applicants cannot be recognized as incorporated

119706

noted under the above file

C. S. Travers
Sgt. M.

Letter to Mr. Borthler

Reply enclosed. 21 March. 14 Jan't

& retransmitted to Attorney General for further report.

W. C. W.

23 March.

Ad.

✓ Bank certificate sent back

26 March.

All the formalities required for the formation of the Company have now been completed.

L. D. D.

Sgt.

294 sur 1770 de 1852.

119710

p. 117

Quebec
le 26 Mars '53

J. A. Berthelot M.P.
Avocat

M. Morin

Le certificat ci-inclus, transmis par notre lettre du 21 courant, ne porte pas celui d'enregistrement au bureau d'enregistrement des Comtés de Huntington. A quelques reçus par le 12^e Vict. Chap: 56 et selon que je vous le demandais par ma lettre du 14 Janvier dernier.

Veuillez voir, si vous jolaissez à faire remplir ^{aussi tôt que possible} cette dernière formalité afin de ne point retarder l'action de l'Avocat sur la requête de nos clients.

Yours,

E.P.

1950

Montreal 21 Mars 1853

S. J. Con A. N. Morin, Sec. Prov.
Quebec

Monsieur

Par notre Lettre du 14 de Janvier dernier
et en réponse au sujet de la Requête de la Com-
pagnie du chemin de fer à Macdonald
de St. Mauricie au Sault St. Louis, nous vous in-
formez qu'elle n'était pas accompagnée de la
personne des procédures préliminaires à son émis-
tance légale, & voulues par la 12 Ch. 56, de
particularité d'un reçu du Trésorier pour un
dixième du Capital, un Certificat du Trésorier
d'aucune Banque incorporée telle tant que ce
10ème a été versé dans cette Banque, en
outre l'acte de dépôt de l'association avec
Certificat d'enregistrement.

Les documents qui accompagnent la
présente seront dans deux jours au
fisante de l'observation de ce qui était pos-
crit par la section 3^{me} de la 12^e Vict. Ch.
56.

1^o Acte de dépôt du 22 Août 1851 - avec
Certificat d'enregistrement en date du 25
Août 1851.

2^o Le Reçu du trésorier de la Compagnie
pour un dixième de son Capital avec son
Certificat d'enregistrement en date du 25
Août 1851.

3^o Certificat de l'apostille Bailliard de la
Banque du Peuple pour Cinq Cent Dollars
en date du 3 Août 1851.

119717A

M. : Si certifie de son enregistrement en date du
25 Aout 1854.

Permettez-moi de vous faire de l'avis au
sujet qu'il nous sera possible l'obtention
des conclusions de la Requête susmentionnée.

Sai l'honneur d'être

Monseigneur
Votre très obéissant serviteur

J. A. Bertrand

46 ans 1770 de 52

b. 18.

119712

J. A. Barthélémy Barre à Québec
aracah le 14 Janvier 1773
Montreal M.

Re sujet de la
repuée ~~des~~ de la Compagnie des
Chemin de fer et meadina
de Mr. Bentin au bailli O. Louis
Franomie par votre lettre du 20
Avril demandant le conces-
sion ou cession d'une certaine
étendue de terrain appartenant
aux Sauvages du bailli O. Louis,
j'ai l'honneur de vous inform-
er que par ordre du G. G., je suis
par D. J. ~~prémunis~~ et envoi
action sur cette demande il
est nécessaire que vous ren-
driez les procédures prélimi-
naires mises par la 12^e
Vieille Ch. 56, afin de donner
à la ~~compagnie~~ une assistance
léale, ce qui n'appartient pas par
les documents soumis - ainsi,
il manque, entre autres documents,
requis par la 3^e section de
l'acte susdit, le recu des
Tresorier pour un dixième
du Capital demandé suffisant
de la ~~ite compagnie~~ pour faire, le
certificat du Caissier d'ancien

119713

Banque incorporé. Affirant
que ce dixième est de dépôt
versé cette Banque, puis un
certificat de l'enregistrement
de ces deux documents au
Bureau d'enregistrement du
Comté. Toutes ces pièces men-
grent ici à moins qu'elles
ne soient fournies les pér-
spectives ne peuvent avoir
les avantages de l'incorporation
en vertu de l'acte susdit.

P. H. Stet
Si vous renviez,
sous ce pli, l'acte de dépôt
~~pour~~ que vous y fassiez mention
du certificat du Répétiteur comme
ci-dessus mentionné -

Gard

714

6739.

4/4 May 1853.

The Provincial Secretary.

Encloses application of the A. Mather
and Charles A. Louise West Road
for confirmation of a claim
of certain land made to them by
the Mississaugas Indians.

Letter to Col. Mather 13 May 1853.

Letter to Col. Mather 16 June 1853.

To the Hon. Sir J. G. W.
Colton, Secretary of State.

119702

Indian Affairs (RG 10, Vol. 202, no. 6701-6800)

PUBLIC ARCHIVES #6739
ARCHIVES PUBLIQUES
CANADA

1853/05/04

119703

Secretary's Office,
Quebec, 4th May 1853.

Sir

I have the honor to enclose
the accompanying application of the
St. Martin & Sault St. Louis Blank
Road Company for confirmation of a
cession of certain land made to them
by the Caughnawaga Indians for the
purposes of their road, for your action
with reference to the provisions of the
16 Sec. of the 12 Vic. ch. 56.

Should you require it the Act
of Cession can be obtained from Mr.
A. Barthelot, of Montreal, the Company's
agent.

I have the honor to be,

Sir, Your most Obedt Servt

A. D. Morris
Sel

H. Hall

The Honble

Robert Bruce

Sept. General of Indian

Affairs

He. Honble

Indian Affairs (RG 10, Vol. 202, no. 6701-6800)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

415

(Copy)

120292

17th May 1853

Lease of 3 Arpents
of land for building stone
by for 5 years

The Principal Chiefs
of Saugmanagan
etc.

Messrs Brown & Watson
of Montreal.

1853/65/19

Indian Affairs (RG 10, Vol. 203, no. 6801-6900)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

120293

In presence of the undersigned Witnesses Thomas
Tchahatkoos, Martin Kanionoote, Jean Baptiste
Saouoniateconne, Charles Onowaron, and Pierre
Pronhakewaw, five of the Principal and
Louis Tewassie, one of the Subaltern
Chiefs of the Maguire Village and tribe of
Caughnawaga, representing the said tribe,
by these presents acknowledged to have lived
for the term of five years to be computed
from this date and to expire on the nineteenth
day of May in the year of our Lord One thousand
eight hundred and fifty eight, unto Messrs
David Birkin and Thomas Watson of the city
of Montreal contractors carrying on business
under the style and form of Brown & Watson
that is to say a certain piece of land of
Three Acres in surface situated on the
domain of Saint St Louis

The said lease is made as aforesaid and
further for and in consideration of the sum
of £2400 and 13 pence per Acre per
Annum, with the following privilages
in favour of the said lessors that is to say,
to dig quarry and remove from off the said
three Acres no stone as they may
require or please to dig and quarry thereon

It is further understood between the said
parties that should the said lessors leave any
part or portion of land near to the three Acres
now leased it shall not be nearer than one Acre
all around the three Acres now leased

It is further agreed and understood between
the said parties that in case the lessors were
to leave any part or portion near the three Acres,

now

120294

now leased they promise to give a preference
to the present lessee Mr. George Brown & Watson
that is to say of the Captain all around the three Leases
now leased furthermore the said lessors promise
and bind themselves to give a free passage through
all lands belonging to them as being unappropriated
by them from the said Country to the place of embar-
cation all the time they may remain thereon, but
in all places appropriated the said lessors will
arrange with the proprietors of the lands through
which they will pass.

If in the said leases acknowledged
to have received from the said lessors the sum of
AHL HUNDRED AND FIFTY POUNDS, CURRENCY
being for the said Five Years, and of which
sum the said lessors discharge aight and
exonerate the said lessors of the said sum, and oblig
themselves to give to the said lessors the peaceful
enjoyment of the said three Leases mentioned
for the said term of Five Years, In testimony
whereof the said lessors have signed with some
of the lessors the others not knowing how to write
have made their Marks at Langman on the
nineteenth day of May in the Year of Our
Lord One thousand eight hundred and fifty three.

Thomas Pickatton. Martin Kanawha }
Sagatsi Shonsentsoosoo Sato Anbanoro }
Piney Shonkiskeno)
Nodi Teawasasee

Principal
Chief

(Signed) L. Brown
(Signed) Thomas Watson

(Signed) Robert McRabb

(Signed) A. G. de Lorimer and J. Whitney

416

120295

Narape de domine, Agut

2nd June 1853

Submit Copy of a lease from
the Chief ofayhaenger to
Chief Brown and Nation of 30 acres
land for few Years at \$10 per
Acre per annum. —

1853/06/02

120296

Loparrie le 2 Juillet 1853

Colonial

J'ai l'honneur de vous montrer par la présente, la copie d'un Contrat Bail fait entre les Provinces du Canada, et M. Mr. Morin & Mathieu des Hép. Outlons des Chiffres des Moulins de Carrière pour Cinq Ans à raison de Dix Louis l'Arpent par Année, formant la somme de Cent Cinquante Louis lourant.

N'ayant pas été apprisé quand ce bail fut passé, j'aurais été surpris en apprenant que ce bâti était érigé par les partis intérêts et les urgentes besoings, au nom absence, car je n'y serai assis, en attendant vos ordres à ce sujet.

Je me permets pourtant de vous dire que je crois que c'est le Meilleur Marché que les Chiffres Montréal aient fait, car c'est un terrain d'aucune valeur pour les émouges, et Cinquante Louis l'Arpent est un prix énorme, il faudra à l'auanture faire pourraient faire Cent Cinquante à deux Cent Acres qu'il possède de la même manière du même prix.

Il est en conséquence répondu que pour le bien des provinces que leur Excellence Souveraine soit autorisé l'agent à signer le dit bail, ou tout autre document de la même nature avec cette approbation et le consentement des Chiffres, car je prendrai la liberté de vous dire que les Chiffres ne donneront pas prendre sur eux de faire aucune affaire en Marché, sans l'autorisation de l'agent, afin que ce dernier puisse faire le lourant et attendre vos ordres, autrement de l'on permettait aux Chiffres de contracter Marché avec toute individu qui se présenterait, il est inutile qu'il y ait un agent nommé

Fait par D. B. Naper

par

120297

par le Gouvernement pour faire faire l'affaire pour moi
Colonel Je professe ma désignation Agency.

Lient Col. —
Dr. B. Tapier
J. A.
Montreal

Le 1^{er} Janvier 1853
Très respectueusement
Col. H. de Lassus
Agent

120295

Narape de dominez, Agent

2nd June 1853

Submit Copy of a lease from
the Chief of Saguenay to
Mess' Brune and Naton, of 3000
Acres for five years at \$10 per
Acre per annum. —

Schedule
showing the distribution of the area of
the Statute 14 & 15 Vic: ch. 106 for the
Lumber L

County	Township or Locality	No of acres (hundred)	Description of the
Ottawa	Lake Simcoamingue	38400	A tract extending along or des Quinze miles on divisional boundary betw Canada at the head of Par ter Mission depth.
	Manawaki or River Desert	45750	A tract on the West Bank of the North East by the River Desert. by the Eagle Branch, average in depth.
Mégantic	Cataracte Tiniste Concater North River	2000 16000	Lots Nos 1, 2, 3, 4, 5, 6, 7, 8 in 1st Range A quarter Township in rear
Petawawa	La Sige	14900	A tract on the River St. Maurice
Rimouski	Rivière Piger	9600 3650	A tract 3 miles in front on the River St. Amo by 5 miles in depth A tract in rear of the 4th & 5th Range by lots Nos 33 in the 1st 2
Bromont	Marie	9600	A tract 3 miles front by 5 in depth a
	Peribonka River?	16000	A tract 3 miles on the River Peribonka
Saguenay	Metabetchouan	4000	The Range 1-8, 0, south shore of -
	Manicouagan	70000	On the River St. Lawrence from Ri Outardes at Manicouagan, about in depth
		249000	Crown Land Dep Quebec 4th ju John Newell

1853/06/09

Le	Land set apart and appropriated under the benefit of the Indian Tribes Canada	
Boundaries	Names of the Indian Tribes	Remarks.
ng the River Ottawa in breadth from the Upper & Lower the Nemiscamouque by	Nepissingues, Algonquins & Outaouais.	Nomadic Tribes inhabiting the country watered by the Ottawa, adjacent to the Hudson Bay Territory
the Gatineau bounded on the North on the North West Algonquins going 9 miles in front by 8 dunes. as of Weaford.	Tetes de Boule Beaconsur Indians Chouettes of Caughnaw gas & Two Mountains.	Tribes dwelling on the territory between the Ottawa and Gatineau principally residing at the Mission of L'Isle des Chou tains.
rice 5 miles square. the North West Branch of the th.	Tetes de Boule. Algonquins & Abenakis of Beaconsur	Dwelling on the Banks of the Ottawa & its tributaries in the vicinity of Rivers & at Granary.
ounded south east by the Ranges of the Township as surveyed by Mr. McDonald	Amalictes	Indian Lorette, Sillery Resident Tribe upon a former alloca tion by Government.
the North Shore of Lakes St John & Lake St John.	Micmacs	Mipow Point Restigouche
River des Vases to the River des font 11 Miles in breadth by 15 partment	Montagnais, Gascons, Pa sonackis, Hauskape, & other nomadic Tribes in the inte rim of the King's Posts.	Indian Tribes having their hunting grounds on the territory & extensively on the tributaries on the North Shore of the St Lawrence East of Riviere Saguenay within the King's Posts.
J. P. Bouchette for the C.C.L.	W.C. Fletcher	2de2

[O.C. # 482]

In the letter from the Hon. Commr. of Crown Lands, dated 5th June 1853, submitting for approval a Schedule showing the distribution of the area of land set apart & appropriated under the Statutes 14 & 15 Vic. Cap. 106 for the benefit of the Indian Tribes in Lower Canada.

The Committee humbly advise that the said Schedule be approved and that the lands referred to be distributed & appropriated as herein proposed.

of June 1853
C. B. H. C. J. S.

418

6822 120288

16/1/19 June 1853

Colonel Rooper

Transcript letter from Mr. H.
de Lorimier with copy of a
copy from the British Columbia
of 3 acres of land for surveying
purposes to Chief Brandy
and Watson.

120290

June 20 June 1853

Indian Affairs (RG 10, Vol. 203, no. 6801-6900)

PUBLIC ARCHIVES #6822
ARCHIVES PUBLIQUES
CANADA

1853/06/16

120289

Indian Office
Montreal 16 June 1853.

J. J.

You will observe by the accompanying
letter and enclosure from Mr. Marquis de Lorimier,
~~27 June 1853~~ that the Saguenay Chiefs of Lachenaie have
leased for five Years, three Acres of land
for Quarzing purposes, without his cooperation
as their Agent. —

Although the terms proposed
appear to be very favorable to the Indians,
yet from the highly irregular conduct of
the Chiefs in this transaction; I do not
consider myself at liberty to instruct
Mr. de Lorimier to sign the lease, without
Your sanction. —

Affleck

The Honourable Robert Bruce
Superintendent General
Indian Affairs

I have the honor to be

J. J.
Your most obedient

Humble Servt

J. M. Mayne

Indian Affairs (RG 10, Vol. 203, no. 6801-6900)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

419

6847 120398

22/23 June 1853.

Colonel Macpherson

Reports that Mr. de Lassus and
Mr. Merton Macdonald and
Frank Readby has duly obtained
the stipulations in the Board of
Séminaire from the Clergymen at
Wauwinet agree and to remain
Report from Mr. de Lassus
Showing that the only Clergyman
having a claim for compensation
has been duly indemnified by the
Clergy -

Asking when
Letter to Mr. Macpherson 14 July 1853

W.M. Macpherson

R853/06/22

Indian Affairs (RG 10, Vol. 203, no. 6801-6900)

#6847

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Indian Office 120399
Montreal 22 June 1863.

Mr.
Since the Receipt of Your Letter of the
12 Ultimo I have Ascertained, that the Agent
and Master Macdonald and ~~the~~ the Company
has duly Observed the stipulations in favor of
the Indians Indians of Loughborough, contained in
the Deed of Cession to the Company from the
Chiefs of the Tribe dated 22nd May 1851. —

At the same time, I beg leave to
submit the Enclosed Copy of Mr. Hincks'
the Indians' Report upon the Petition of
Certain Indians of Loughborough, forwarded with
My letter of the 7 Ultimo, by which it appears,
that George Atcharka, the only one of the
Petitioners having a Claim for Improvements,
has been duly indemnified by the Chiefs. —

Colonel,
Honorable Robert Bruce
Superintendent General
Indian Affairs. —

I have the honor to the
Sir
Your most Obedient
Humble Servt
D. Chapman

120400

Syndicat No. 5. M. 1853.

Témoins,

Je suis partie de venir déclarer à l'Excellence le Gouverneur général,

que je suis témoin de voir que les cinq propriétaires de la pétition du 20. Avril dernier se désignant que les Chefs Maquais MacEachern, St. Louis et domine un chemin traversant toutes leurs terres à Baie la Seigneurie; — que ces cinq propriétaires ont maintenant une propriété sur le dit chemin; — pas même une partie de terres, il n'y a que Ignace Alenharha qui a une petite concession de terres qui le chemin coupe.

Les Sauvages ont droit de passer et de passer sur le dit chemin, autant de fois qu'il leur plait gratuitement droits éteints, il jurent de tout moment, les chefs pour le bien général de la tribu ont payé au chef Alenharha, la somme de cinq francs cinq centimes, pour la largeur du chemin passant sur son terrain; les autres propriétaires, où le chemin passe, ayant reconnus le grand avantage d'un chemin Macadamisé, leur terre ont donnée gratuitement le terrain nécessaire à la confection du état chemin; — Ignace Alenharha étant le seul qui n'a pas voulu le donner.

Ajout la honte témoin de voir mon rapport sur sujet du chemin des Messieurs Binnane

E. P. C.

120401

Siens et Maist y trouverez les Gouverneurs ouganda
L'agent et les Chefs ont un permis de ce
Monsieur de faire son chemin au travers le
domaine de la Seigneurie du Sault St Louis.

Le Sault St Louis n'est pas encore tout à
fait finis. C'est à dire que le territoire n'est
pas encore mis en les marchés, mais il sera
bien pris du Suid dit Domaine, mais
pas entier. M. l'Ammeau & Cies et les Chefs a
été signé au Sault St Louis le 22 Mai 1851.

Je me permettrai de faire remarquer
que les cinq individus qui ont signé la requête
du 20 avril appartiennent à ce parti qui est
toujours contre les Chefs, et contre tout ce
qui il y a de bien.

J'ai l'honneur d'être
votre très humble & très
obéissant serviteur

M. l'Ammeau & Cies
Signor Ed. J. de Lorimier
Sault St Louis
S.A.S.
Montreal

Agent



Indian Affairs (RG 10, Vol. 203, no. 6801-6900)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

420

122837

1/13 January 1854
The Attorney General
On letter of Sept 2nd of 1st half 1853
relative to a grant of land to the
St Louis & San Joaquin Railroad
at Black Rock City by the Indians
of the Jemez

Copy to Mr. Harper 16 Jan 1854

Indian Affairs (RG 10, Vol. 207, no. 7201-7300)

#7287

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Poor Copy

1854/01/13

122838

On letter of the Sup^r. Govt
of Indian Affairs of the
1st July 1853 relative
to grant of land to
the St. Louis & the Mar
line Grand. & Plank
Road Company

Crown Land #3
Quebec Jan. 13. 1854

The course
adopted by the Indians of
Sault St. Louis in the cession
of part of their lands to the
St. Louis & St. Maritime Mc
Adam & Plank road Comp.
is altogether irregular - they
having no power to concede
those lands except through the
medium of the Commissioners
appointed under the 13th &
Vict. Cap. 43. - I know
of no means of confirming
the deed passed by the
Indians. It should be con
sidered

122839

considered a nullity - The Commissioner named under the above Act can concede the lands in question, by bilateral note on such terms as may be considered for the advantage of the Indians.

*Wm O. Drummond
Att'ly*

Indian Affairs (RG 10, Vol. 207, no. 7201-7300)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

421

STAT. CANADA.



ANNO DECIMO SEPTIMO ET DECIMO OCTAVO

VICTORIÆ REGINÆ

MAGNÆ BRITANNIÆ ET HIBERNIÆ.

AT the Parliament begun and holden at *Westminster*, on
the Thirty-first day of January, *Anno Domini* 1854, in the
Seventeenth and Eighteenth years of the Reign of Our
Sovereign Lady VICTORIA, by the Grace of God, Queen
of the United Kingdom of Great Britain and Ireland, De-
fender of the Faith, &c.

Being the SECOND Session of the SIXTEENTH Parliament of
the United Kingdom of Great Britain and Ireland.

THE HOUSE OF COMMONS

QUEBEC:
PRINTED BY STEWART DERBISHIRE & GEORGE DESBARATS,
Law Printer to the Queen's Most Excellent Majesty.

Anno Domini, 1854.

1854 | 12 | 18

10

Cap. 2, 3.

Clergy Reserves.

18 Vict.

Certain lands
to be deemed
Clergy Reser-
ves.

VII. Any lands which may have been, under the authority of the Acts hereinbefore cited, or any of them, accepted in exchange for lands originally forming part of the Clergy Reserves in any part of this Province, shall be deemed to be Clergy Reserves for all the purposes of this Act.

C A P . III .

An Act for the abolition of feudal rights and duties in Lower Canada.

[Assented to 18th December, 1854.]

Preamble.

WHEREAS it is expedient to abolish all feudal rights and duties in Lower Canada, whether bearing upon the *Censitaire* or upon the Seignior, and to secure fair compensation to the latter for every lucrative right which is now legally his, and which he will lose by such abolition; And whereas in consideration of the great advantages which must result to the Province from the abolition of the said Feudal Rights and duties and the substitution of a free tenure for that under which the property subject thereto hath heretofore been held, it is expedient to aid the *Censitaire* in the redemption of the said charges, more especially as regards those which while they press most heavily on industry and enterprise, cannot from their very nature be otherwise made immediately redeemable without grievous hardship and injustice in many cases: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows:

Acts 8 V.
c. 42,

And 12 V.
c. 49,

Repealed as
regards Seig-
nories to
which this
Act extends.

1. The Act passed in the eighth year of Her Majesty's Reign, intituled, *An Act the better to facilitate optional commutation of the tenure of lands en roturie in the Seigniories and Fiefs in Lower Canada, into that of franc-aleu roturier*, and the Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to amend the Act passed in the eighth year of Her Majesty's Reign, intituled, 'An Act the better to facilitate optional commutation of the tenure of lands en roturie in the Seigniories and Fiefs in Lower Canada, into that of franc-aleu roturier'*, shall be and they are hereby repealed in so far as regards the Seignories to which this Act applies: but deeds of commutation granted or other things done under them shall remain in full force and have the same effect as if the said Acts had not been repealed.

DETERMINATION

An Act for the Abolition of
federal rights and duties in Lower Canada
1854, 18 Victoria Cap III

DETERMINATION OF THE PRICE TO BE PAID BY SEIGNIOR AND
CENSITAIRE FOR THE COMMUTATION OF THE TENURE OF THEIR
PROPERTY.

II. It shall be lawful for the Governor to appoint Commissioners under this Act, and from time to time to remove them, and to appoint others in the place of any so removed, or dying or resigning office; and each of the said Commissioners shall, before entering upon the duties of his office, take and subscribe, before a Judge of the Superior Court, the following oath:

"I, , swear that I will faithfully, and without partiality, fear, favor or affection, perform my duty as Commissioner under the Seigniorial Act of 1854."

III. The said Commissioners shall receive for their services under this Act, and for their necessary expenses and disbursements, such compensation as shall be allowed to them respectively by the Governor, and no other fees or emoluments whatsoever.

IV. Each of the said Commissioners shall and may act as such in any part of Lower Canada, and they shall be aiding to each other, so that any one of them, if need be, may continue and complete the work begun by any other of them; but subject to this provision the Governor may, from time to time, assign the Seigniory or Seigniories in and for which each of them shall act.

V. It shall be the duty of each of the said Commissioners to value the several rights hereinafter mentioned, with regard to each Seigniory which shall be assigned to him as aforesaid by the Governor, and to draw up in tabular form in triplicate, a shewing: Schedule of such Seigniory, shewing:

1. The total value of the Seigniory, that is to say of all the property and lucrative rights which the Seignior holds as such, whether as Seignior dominant of any fief held of him as such Seignior or otherwise, including in such total value, the value of the rights of the Crown;

2. The value of the rights of the Crown in the Seigniory, including the value of the *droit de quint*, and all other valuable rights of the Crown therein as Seignior dominant; or by reason of any reservation in the original grant of the Seigniory, and any difference between the absolute value in *franc-aleu roturier* of all unceded lands, waters and water powers in the Seigniory, and appertaining thereto, and the value of the Seignior's rights therein, as they may be ascertained by the decisions of the Judges, under the provisions hereinafter made;

*And of lods
of any other
Seignior domi-
nanti;*

*The yearly
value of the
Seigniorial
rights on each
lot;*

*The extent of
each lot;*

*How the
charges on
my lot shall
be determin-
ed;
And its ex-
tent;*

*How each lot
shall be des-
cribed in the
Schedule;*

*Commutated
lands how to
be entered.*

*General rules
for valuation.*

*Rents et rentes
and annual
charges.*

3. The value of the lucrative rights of the Seignior dominant, of whom the Seigniory for which the Schedule is made may be held, if the Seigniory be an *arrière-fief*;

4. The yearly value of the Seigniorial rights upon each land, that is to say, each parcel of land originally conceded as a separate lot, or actually owned at the time of making the Schedule by a separate person; entering severally,—the yearly value of the *lods et ventes*,—the yearly value (if any) of the *droit de banalité*, and of the exclusive right to build mills in the Seigniory, as distinguished from the right to the water powers, if such rights be recognized by the decision of the Judges who are to enquire of the same as hereinafter provided, but not otherwise,—the yearly value of the *cens et rentes* and other fixed rights, and of any other legal charges to which the land may be subject; but the *droit de retrait* shall not be deemed a lucrative right;

5. The extent of such land according to the title of the owner, if produced, and whether it is held for agricultural purposes, or is a mere emplacement or building lot;

6. In determining the Seigniorial charges to which each land is subject, the Commissioner shall be guided by the title of the owner from the Seignior, subject to the decision of the Judges hereinafter mentioned, if such decision shall in any way limit the rights of the Seignior under the said title; and in the absence of the title of the owner, the Commissioner shall determine the extent of the land and the Seigniorial charges to which it is subject by such Books, Plans, *procés-verbaux*, or other secondary evidence as he may be able to procure;

7. Each land shall be described in the Schedule by the number, and concession, under which it stands in the land-roll of the Seignior, (or if it bear no such description therein, then by the best brief designation the Commissioner can assign to it,) and the name of the owner as it appears on the land-roll, and in default of information on any of the said points, the Commissioner may describe it in such manner as he may think most convenient, provided he assign to each land a separate and distinct number;

8. The Commissioner shall also include in the Schedule all lands in regard to which the Seigniorial Rights have been commuted, and write opposite thereto the word "Commuté" only.

VI. In order to determine the value of the Seigniorial rights on lands held *en roture*, the Commissioner shall observe the following rules, namely:

1. The amount of the *cens et rentes* and annual charges shall be taken as the yearly value thereof; and if any of such rents

on charges be payable in grain, fowls or other provisions or fruits of the earth, their average value shall be computed according to the average price of articles of the same kind, taken from the books of the merchants nearest to the place, or ascertained in any other manner the Commissioner shall think most equitable ; to establish such average year, the fourteen ^{Average year.} years immediately preceding the period at which the valuation is made, shall be taken, the two highest and the two lowest shall be struck out, and the average year shall be established on the ten remaining years; the value of personal labour (*corvées*) shall be estimated in the same manner ;

2. In order to establish the yearly value of the ^{Casual rights.} casual rights, an average year of their value shall be computed for each of the two classes of lands hereinafter mentioned, upon the ten years immediately preceding the passing of this Act, and the amount of the valuation of the said average year shall be the yearly value of the said casual rights for all the lands in the Seigniory of the same class ; and the Commissioners in estimating the yearly value of the *lods et ventes* in any Seigniory, shall distinguish those accruing on lands held as *emplacements* or building lots or for other than agricultural purposes, which shall form one class, from those on lands held for agricultural purposes, which shall form another class ; and the Commissioner shall apportion the yearly value of the *lods et ventes* on each class, upon the lands belonging to that class, charging each land with a portion thereof proportionate to its value with regard to lands held as *emplacements* or building lots, or for other than agricultural purposes, and proportionate to its extent with regard to lands held for agricultural purposes : and any *rente* expressly charged in any Deed of partial commutation under the Acts hereby repealed, as an indemnity to be paid by the *Censitaire* instead of *lods et ventes*, shall be held to represent the value of the right to *lods et ventes* on the land referred to, and shall be entered and dealt with in all respects accordingly ;

3. In order to establish the yearly value of the *droit de banalité* and the exclusive right of having mills in the Seigniory, (independently of the right to the water power,) if any such rights be recognized by the said Judges as aforesaid, the Commissioner shall estimate the probable decrease (if any) in the net yearly income of the Seignior from his mills, to arise from the loss of such right, and the said sum shall be deemed the yearly value of such right, and shall be apportioned upon the lands subject to the said right in proportion to their extent ;

4. Any other rights shall be valued according to the revenue or profits which may have accrued therefrom to be ascertained by the Commissioner in such manner as he shall deem most equitable, and shall be charged upon the lands subject thereto respectively ;

Yearly value
of all rights to
be converted
into a *rente*
constitue, on
each land.

Where payable.

As to broken
periods.

Value of the
rights of Sei-
gnior domi-
nant to be the
capital of a
*rente consti-
tue*, payable
to him.

His share in
the Fund pro-
vided by this
Act.

Casual rights
of the Crown
how valued.

Notice by the
Commissioner
before com-
mencing his
inquiry.

He may enter
upon lands for
the purposes
of the inquiry.

5. The yearly value of each class of rights upon each land, shall become a *rente constitue* charged upon the same as the compensation payable to the Seignior thereof, and the total amount of such *rentes constitutes* on any land, after the deduction to be made therefrom as hereinafter provided, shall be payable to the Seignior yearly, at the time and place where the *cens et rentes* on such land are now payable, unless it be otherwise agreed between the Seignior and the *Censitaire*, and shall accrue from the day on which notice of the deposit of the Schedule of the Seigniory shall be given in the *Canada Gazette*, on which day the present *cens et rentes* and other annual charges upon the land shall cease to accrue; and both they and the *rentes constitutes* under this Act shall accrue rateably for any broken period less than a year, during which they may exist;

6. The value of the rights of the Seignior *Dominant* in any *arrière-fief*, shall form the capital of a *rente constituée* payable yearly by the Seignior of the *arrière-fief*, on the day of the date of the publication in the *Canada Gazette* of the notice of the deposit of the Schedule of such *arrière-fief*, and accruing from the day of such publication; but out of the moneys coming to the Seignior of the *arrière-fief*, from the Provincial aid herein-after mentioned, a sum bearing the same proportion to the whole of such moneys as the value of the rights of the Seignior *Dominant* in such *arrière-fief* bears to the value set upon the Seigniorial rights of the Seignior *servant* in such *arrière-fief*, shall belong to the Seignior *Dominant*, and his said *rente constituée* shall be diminished by the amount of the yearly interest at six per cent per annum, of the sum so coming to him out of the said Provincial aid;

7. And in estimating the value of the casual rights of the Crown in relation to each Seigniory, the Commissioner shall be guided, as nearly as possible, by the same rules as are hereby prescribed for the determination of the yearly value of the casual rights of the Seigniors.

VII. Before beginning to prepare the Schedule for any Seigniory, the Commissioner entrusted with that duty, shall give public notice of the place, day and hour, at which he will begin his inquiry; and such notice shall be made by placards and publications in the English and French languages, at the door of every parish Church in such Seigniory, during four consecutive Sundays at the conclusion of divine service in the forenoon, or by placards in both languages, posted during four consecutive weeks, in the most frequented place in any Seigniory in which there shall be no church.

VIII. It shall be lawful for the Commissioner to enter upon all lands situate in the Seigniory the Schedule whereof is to be made by him, in order to make such examination thereof as may

may be necessary, without his being subject in respect thereto to any obstruction or prosecution, and with the right to command the assistance of all Justices, Peace Officers and others, in order to enter and make such examination, in case of opposition.

IX. The said Commissioners, and each of them separately, shall have full power and authority to examine on oath any person who shall appear before them, or any of them, either as a party interested or as a witness, and to summon before them, or any of them, all persons whom they or any of them may deem it expedient to examine upon the matters subject to their consideration, and the facts which they may require to ascertain in order to carry this Act into effect, and to require any such person to bring with him and produce before them or any of them any Book, Paper, Plan, Instrument, Document or thing mentioned in such summons, and necessary for the purposes of this Act: And if any person so summoned shall refuse or neglect to appear before them, or before the Commissioner who shall have summoned him, or appearing, shall refuse to answer any lawful question put to him, or to produce any such Book, Paper, Plan, Instrument, Document or thing whatsoever which may be in his possession, and which he shall have been required by such summons to bring with him or to produce, such person shall for every such refusal or neglect incur a penalty of not less than ten nor more than fifty pounds currency, payable to Her Majesty, to be recovered with costs upon summary plaint by such Commissioner before any Judge of the Superior or Circuit Court, and in default of immediate payment shall, by warrant of such Judge, be apprehended and committed to the Common Gaol of the District for a period not exceeding one calendar month.

X. Whenever the Commissioner charged with the making of the Schedule of a Seigniory shall be of opinion that the rules prescribed in this Act for determining any value which he is hereby required to determine, do not form an equitable basis for determining the same, or when the Seignior, or not less than twelve *Censitaires* of the Seigniory, shall call upon the said Commissioner in writing, within a period not exceeding eight days after the day fixed for the commencement of the inquiry by the Commissioner, requiring that experts be appointed to determine the value of the Seigniorial rights therein, the said Commissioner shall call a public meeting of the *Censitaires* of the Seigniory, at such place therein, and on such day and at such hour, as shall be specified in the public notice thereof, which he shall give in the manner prescribed by this Act with respect to the commencement of his inquiry, for the purpose of appointing two experts, one of whom shall be appointed by the Seignior and the other shall be elected by the majority of the *Censitaires* present at such meeting; and in case the Seignior or his agent, shall not be present at the said meeting, or being present, shall refuse or neglect to appoint

Powers of the
Commissioners obtain-
ing informa-
tion.

Punishment of
persons refu-
sing to appear
before them,
or to give in-
formation.

Value may be
estimated by
Experts if
required by
Seigniors or
Censitaires.

How such
experts shall
be appointed.

appoint an *expert*, the said Commissioner shall appoint one on behalf of the Seignior, and such *expert* shall have the same powers as he would have had if he had been appointed by the Seignior, and in the event of the *Censitaires* refusing or neglecting to appoint an *expert* on their behalf, the Commissioner shall in like manner appoint an *expert* to act for them.

Powers of experts.

They shall not be bound by the foregoing rules.

Third expert.

The value fixed by them to be entered in the Schedule. 2. The two *experts* so appointed shall have and exercise the same powers with respect to the valuation of the Seigniorial rights as could be exercised by the Commissioner himself, except that they shall not in any case be bound by the rules aforesaid; and the said two *experts* shall appoint a third *expert*, but in case the two *experts* shall not agree upon the person to be the third *expert*, then any Judge of the Superior Court in the District in which the Seigniory or the greater part thereof lies, shall, on the application of either *expert*, after three clear days' notice to the other, appoint such third *expert*: and the sums fixed by any two of such *experts* as the yearly value of the Seigniorial rights respectively, shall be taken by the Commissioner as the value thereof, and shall be apportioned by him in the manner hereinbefore prescribed, upon or among the lands subject to such rights; and the Commissioner shall mention in the Schedule that the value was determined by *Expertise*.

Sole expert may be chosen.

Commissioner may be sole or third expert. 3. Provided that when the Seignior and the *Censitaires* shall agree to appoint and elect, or shall appoint and elect one and the same *expert*, such sole *expert* shall have the same powers as the three *experts* would have had, and his decision shall be final: And provided also, that the Commissioner may be appointed either third *expert* or sole *expert*.

Case of experts dying, &c., provided for.

4. In the event of one of the said *experts* dying, becoming incapacitated, or refusing to act, the appointment or election of another in his stead shall be proceeded with in the manner above prescribed, excepting that it shall not be necessary to call a public meeting of the *Censitaires* for the appointment of an *expert* in the stead of the person representing the Seignior; but if the Seignior refuse, or neglect during eight days to appoint another *expert*, after having been required so to do by the Commissioner, the Commissioner shall appoint an *expert* on behalf of the said Seignior.

And if the Commissioner be the expert.

5. If the Commissioner be appointed third *expert* or sole *expert*, then if he be prevented from acting by any cause, the Commissioner who shall be directed by the Governor to continue the proceedings in the Seigniory, shall be third *expert* or sole *expert* in the place of the former Commissioner.

Fees of experts.

6. The said *experts* shall be entitled to receive, out of the funds provided by this Act, such fees as the Commissioner shall deem proper to tax, provided that they do not exceed the sum of fifteen

fifteen shillings for each day of necessary attendance. And Commissioner
the said fees shall be paid by the Receiver General upon the certificate of the Commissioner.

XI. The said Commissioner, immediately after the making of Notice that
the Schedule of a Seigniory, shall give eight days' public notice Schedule is
in the manner prescribed by the seventh Section of this Act, that ready for in-
such Schedule will remain open for the inspection of the Sei- spection.
gnior and the *Censitaires* of the Seigniory during the thirty days
following the said notice; and during that time the Commis- Inspection,
sioner may correct any error and supply any omission which and correction
may be pointed out to him by any party interested, or which of errors.
shall come to his knowledge in any other manner, but he shall
not alter any value determined by expertise without the consent
of the majority of the experts or of the sole expert;

2. The proprietor or possessor of the Seigniory may appear Who may ap-
either in person or by his agent, before the Commissioner, for pear to demand
the purpose of having any error corrected which may have crept corrections.
into the said Schedule; and for the like purpose the *Censitaires*
of the Seigniory may appear before the said Commissioner by
their agent to be appointed by a majority of the *Censitaires* of
the Seigniory present at a meeting called for that purpose by any
three or more of the *Censitaires* thereof, eight days' public notice
thereof having been previously given in the manner prescribed
in the seventh Section of this Act;

3. But no Schedule shall be completed until the Judges of the Special Court shall have given judgment upon the Questions to be com-
to be submitted to them as hereinafter mentioned; and in the event of any of the decisions pronounced by the said Special Court, being reversed or altered upon appeal to the privy Council, the Commissioners forming the Court of Revision of Schedules hereinafter mentioned shall alter and amend the Schedules accordingly;

XII. It shall be lawful for the Governor, by letter under the signature of the Provincial Secretary, to select from the Commissioners so to be appointed, four of their number, of whom any three shall form a Court for the revision of Schedules made under this Act, and in like manner from time to time to remove them and to appoint others in the place of any so removed, dying, resigning office or being incapacitated to act;

2. The decision of any two of the Commissioners so selected, Two may
whether the others be present or not, on any matter relating to decide.
the revision of any Schedule made under this Act, shall be final;

3. In making such revision the Commissioners shall proceed They may
summarily, but they may order any evidence to be adduced require evi-
which they may think requisite to enable them to pronounce a deince.
correct decision, and for that purpose shall have the same powers as in making a Schedule;

Not to revise
their own
Schedules.

When and
how a revision
may be ob-
tained.

How Sche-
dules shall be
referred to
them for
revision.

Costs against
party wan-
tonly requir-
ing a revision.

Notice of com-
pletion and
deposit of
Schedule with
the Receiver
General.

Triplicates
how disposed
of.

Copies and
extracts to be

4. No Commissioner so selected shall sit in revision of Schedule made by him ;

5. And no revision of any Schedule shall be allowed until application be made for the same within fifteen days from the expiration of the time allowed under the Eleventh Section of this Act for the correction thereof by the Commissioner within whom it was made ; and every such application shall be made by a Petition presented on behalf of the party interested to the Governor, specifying the objections made to such Schedule and the amendments demanded, and praying for the revision thereof ;

6. Upon the receipt of any such Petition, the Provincial Secretary shall refer the same to the Commissioners forming the Court of Revision aforesaid, whose duty it shall be, after having given eight days' notice in the manner provided by the seventh Section of this Act, to proceed to revise the Schedule therein mentioned, and if they find any error to correct the same in so far as, but no farther than, it shall have been so specifically objected to ; but they shall not alter any value determined by expertise without the consent of the majority of the experts or the sole expert ;

7. The said Court of Revision may award and tax costs against any party who may in their opinion have demanded or opposed the revision of the Schedule without reasonable cause, and such costs may be recovered on the certificate of any one of the said Commissioners as a debt due by the party against whom they shall have been awarded, to the party whose favour they have been taxed.

XIII. As soon as the Schedule of a Seigniory shall be completed in the manner hereinbefore provided, the Commissioner who shall have made it shall transmit a triplicate thereof to the Receiver General of this Province ; he shall deposit another triplicate in the office of the Superior Court, the District in which the Seigniory is situate, or if such Seigniory be situate in two Districts, then in the office of the Superior Court in that District in which the greater part of such Seigniory is situate ; and shall retain the other triplicate in his hands until it shall be otherwise provided by law ; and he shall give public notice of his having so deposited the same, in the terms of the form A, annexed to this Act, or in other terms of like import, in the English and French languages in the *Caribean Gazette*, or other newspaper recognized as the Official Gazette of the Province, and in at least one newspaper published in the District in which such Seigniory or the greater part thereof is situate, or if there be no newspaper published in such District, such notice shall be so published in the nearest District where in one or more newspapers are published. And the Clerk of the Superior Court shall furnish copies of or extracts from such Schedule

Schedule duly certified in the usual form, to any person applying for the same, and may demand three pence currency for every hundred words or figures in any such copy or extract; and he shall also furnish one copy of every such Schedule on demand to the Seignior of the Seigniory to which it relates, and the costs thereof shall be paid out of the funds provided by this Act; and all such copies and extracts, whether in words or figures, shall be deemed authentic, and shall serve as *prima facie* proof of all matters therein set forth.

ABOLITION OF FEUDAL RIGHTS AND DUTIES.

XIV. Upon, from and after the date of the publication in the *Canada Gazette*, or other Official Gazette as aforesaid, of a notice of the deposit of the Schedule of any Seigniory as aforesaid, every *Censitaire* in such Seigniory shall by virtue thereof hold his land in *franc-aleu roturier*, free and clear of all *Cens*, *Lods et Ventes*, *Droit de Banalité*, *Droit de Retrait* and other feudal and Seigniorial duties and charges whatever, except the *Rente constituée* which will be substituted for all Seigniorial duties and charges; and every Seignior shall thereafter hold his domain and the unconceded lands in his Seigniory, and all water powers and real estate now belonging to him, in *franc-aleu roturier*, by virtue of this Act, and the same and the *Rentes constituées* payable to him under this Act by his *Censitaires*, or by any Seignior of whose Fief or Seigniory he is the Seignior *Dominant*, shall be held and enjoyed by him free and clear of all *Quint*, *Reliefs* or other feudal dues or duties to the Crown or to any Seignior *Dominant* of whom his Fief or Seigniory is now held; subject always, both as regards Seignior and *Censitaire*, to the provisions of this Act: Nor shall the Seignior as such after the said time be subject to any onerous obligation towards his *Censitaires*, or be entitled to any honorary rights, nor shall any land be thenceforth granted by any Seignior to be held by any other tenure than *franc-aleu roturier*, or subject to any mutation fines or other feudal dues; Provided always, that no Seignior shall concede or alienate any part of the unconceded lands in his Seigniory, until after the notice of the deposit of the Schedule thereof has been given as aforesaid, and any such concession or alienation shall be null and void.

No Seigniorial right or duty to remain or be established.

Proviso : Seigniors not to concede before the Schedule is completed.

XV. But no right which any Seignior may have acquired by any legal stipulation entered into before the passing of this Act, by any deed subsequent to the deed of concession, to take any land for the purpose of using the water power adjoining the same and belonging to such Seignior, on paying for such land the full value thereof and of all improvements thereon, shall cease by reason of the passing of this Act, but the same shall remain in full force: Provided always, that the owner of any land adjoining any water power so acquired by the Seignior, and not then used by him, may, at any time after the expiration of one year from the passing of this Act, demand the right to

Proviso : owner of land adjoining a water power may to

demand it in
certain cases.

to use such water power from the Seignior on paying him the full value of such right, which value, if not agreed upon, shall be fixed by Arbitrators, one to be named by the owner of such land, another by the Seignior, and the third by the other two, or if they disagree, then by a Judge of the Superior Court or of the Circuit Court, and the award of any two of them shall be conclusive; and upon payment or tender to the Seignior of the value awarded, the owner of such land shall have the right to use such water power in the manner mentioned in the demand thereof and in the said award.

DETERMINATION OF THE LEGAL RIGHTS OF THE SEIGNIOR AND CENSITAIRE.

Questions to
be submitted
by the Atto-
rney General
to all the
Judges for
determining
Seignior's
rights.

To be filed.

They shall be
published.

They shall be
taken into con-
sideration, and
decided as soon
as possible.

Seigniors may
file counter-
questions and
propositions.

XVI. And in order to avoid as far as may be possible, unnecessary expense, uncertainty and delay in the valuation of the several rights aforesaid, and in the completion of the Schedules of the Seigniories respectively, and all errors as to matters of law on the part of the Commissioners under this Act, Her Majesty's Attorney General for Lower Canada, shall, as soon as may be practicable after the passing of this Act, frame such Questions to be submitted for the decision of the Judges of the Court of Queen's Bench and of the Superior Court for Lower Canada, as he shall deem best calculated to decide the points of law, which will, in his opinion, come under the consideration of the said Commissioners, in determining the value of the rights of the Crown, of the Seignior, and of the Censitaires, and he shall file a copy of such Questions in the Office of the said Court of Queen's Bench, and cause a copy thereof to be transmitted by Post to each of the Judges of the said Courts;

2. The said Questions shall then be published at least once a week, during six consecutive weeks, in the *Canada Gazette*, with a notice to all concerned that they have been filed aforesaid, and are submitted for the decision of the said Judges;

3. The said Judges shall take the said Questions into consideration, and shall hear the Attorney General, or Solicitor General, and such Counsel as such Attorney General or Solicitor General may deem it advisable to associate with them, at as early a time as may be practicable after the expiration of thirty days from the last publication of the said Questions in the *Canada Gazette*; and it shall be the duty of the said Judges to give the consideration of the said Questions and the hearing thereof such precedence over other matters before them, and to adopt such other measures with regard to them, as will ensure a decision thereon at as early a period as may be conveniently practicable;

4. Any Seignior may, at any time before the end of the said period of thirty days after the last publication of the said Questions, or with leave of the said Judges at any time before the hearing

bearing thereon, cause an appearance to be filed for him in the Office of the Court of Queen's Bench, in the matter of the said Questions, and having caused such appearance to be so filed, shall be entitled to be heard by his Counsel upon such Questions, and may submit any supplementary or counter-questions and append to every such Question, a Statement of the Proposition or Propositions he intends to maintain with regard thereto ; but no more than five Counsel shall be heard on the part of all the Seigniors so appearing except by special permission of the Court, and if more claim to be heard, the Judges shall decide between them which shall be heard ;

5. The *Censitaires* of any Seigniory acting by their Agent to be elected in the manner provided by the eleventh Section of this Act, may also in like manner and within a like delay cause an appearance to be filed for them in the Office of the said Court, and having so done shall be entitled to be heard by their Counsel upon the questions filed by the Attorney General as well as upon any questions or propositions filed by any Seignior, and may submit supplementary or counter-questions or propositions to those of the Crown or of any Seignior ; but no more than five Counsel shall be heard on the part of all the *Censitaires*, unless by the special permission of the Court, and if more claim to be heard, the Court shall decide between them which shall be heard ;

6. No publication or service of any such supplementary or counter-questions or propositions shall be necessary, but the same shall be printed, and, when they are filed, at least fifty copies thereof shall be delivered to the Clerk of Appeals, who shall give copies to the Attorney General and to the Advocates appearing for Seigniors or *Censitaires* ;

7. From the expiration of the said thirty days after the last publication of the said Questions, the matter shall be dealt with by the said Judges, as if an appeal were pending and inscribed and ready for hearing, in which the said Questions had arisen for decision, but no case, or pleadings, or other proceeding than such as are herein prescribed shall be required previously to such hearing ; no technical objection of procedure shall be entertained, and if any question arise as to the proceedings in any matter not provided for by this Act, the Judges sitting shall *instanter* make such order therein as shall seem most equitable and convenient ;

8. The decision and opinions of the said Judges shall be *motivées* and delivered as in a judgment on a case in appeal in which all the Questions had arisen and were put in issue, but without any further sentence in favor of the Crown the Seigniors or the *Censitaires*, whether as to costs or otherwise ;

9. The decision so to be pronounced on each of the said Questions and Propositions shall guide the Commissioners and the

Number of
Counsel limit-
ed.

Number of
Counsel limit-
ed.

Copies of
counter ques-
tions, &c. to
be furnished
to all parties.

How the ques-
tions shall be
heard, &c.

Effect of deci-
sions.

Proviso.

Proviso: in
what case an
appeal shall
lie.

the Attorney General, and shall in any actual case thereafter to arise, be held to have been a judgment in appeal *en dernier recours* on the point raised by such Question, in a like case, though between other parties; Provided always, that it shall be competent to the said Judges to render separate decisions upon any particular question or questions; And provided also, that if, as to any such decision, there be any dissentient Judge, either party may, within one month, by summary petition duly notified to the others, appeal from such decision to Her Majesty in her Privy Council; but otherwise, there shall be no appeal from any such decision;

**Special Session
to be held for
the purposes
of this Act.**

10. The Governor may at any time and from time to time, by Proclamation, direct a Special Session of the said Judges to be held at the City of Quebec or at the City of Montreal, and to commence on the day to be named for that purpose in such Proclamation, which shall be issued at least twenty clear days before the commencement of such Special Session; and to any such Special Session all the provisions of the Act constituting the said Court of Queen's Bench, and of the law with regard to the ordinary terms of the said Court (*Appeal side*) shall apply; except that at every such Special Session, nine of the said Judges shall be a Quorum; and the Questions to be proposed under this Act, and no other business, shall be taken up at such Session; and such Special Session shall continue until no further matter or proceeding relating to this Act shall be before the said Judges, who shall at such Session form a special Court for the purposes of this Act; Provided always,

Quorum.**Duration.****Proviso.****Adjournment
for rendering
judgment****Proviso:
Term of other
Court may be
suspended, &c,
or Assistant
Judges ap-
pointed.****Who shall
preside at such
by this Act.**

that if for the purpose of holding any term, either of the Court of Queen's Bench or Superior Court, it become necessary to suspend the sittings of such Special Session, the Judges shall adjourn such Special Session to the first convenient day after the close of such term; and the said Special Court may, after hearing all parties on the various matters submitted to them, adjourn for the purpose of rendering judgment only, to any day thereafter, on and after which day they may adjourn for the like purpose; and such adjournments for rendering judgment may be to any day during or between any terms of the said Court of Queen's Bench or Superior Court; And provided also, that it shall be lawful for the Governor, by any proclamation directing such Special Session, to suspend or postpone any Term or Terms of either of the said Courts, or to alter the duration thereof; and also to name any Circuit Judge or Judges, or Barrister or Barristers of at least ten years' standing at the Bar of Lower Canada, to be and act as Assistant Judges of the said Courts, or of either of them, during the pendency of any such Special Session, and of all adjournments thereof, and for such term of time before or after as he may deem necessary; and every person so named shall, for the term of such appointment, have all the powers of a Judge of the Court whereof he shall have been named an Assistant Judge, except the powers given

shall

shall be the Chief Justice of the Court of Queen's Bench if Special Session present: if absent, the Chief Justice of the Superior Court, and in the absence of both Chief Justices, the Senior of the Puisné Judges of the Court of Queen's Bench then present.

PROVINCIAL APPROPRIATION FOR RELIEF OF CENSITAIRES AND EXPENSES OF THIS ACT.

XVII. The emoluments and disbursements of the Commissioners who shall be appointed under this Act, with the expenses to be incurred under the same, shall be paid out of the Consolidated Revenue Fund of this Province, by Warrant of the Governor: and a sum not exceeding in the whole what shall remain of the amount hereinafter limited after deducting therefrom the said emoluments, disbursements and expenses may likewise be paid out of the said Fund for the purposes of this Act: and it shall be lawful for the Governor in Council to cause any sum or sums not exceeding in the whole the sum required for defraying the expenditure authorized by this Act, to be raised by Debentures to be issued on the credit of the said Consolidated Revenue Fund, in such form, bearing such rate of interest, and the principal and interest whereof shall be payable out of the said Fund at such times and places as the Governor in Council shall think most advantageous for the public interest: and the moneys so raised as aforesaid shall make part of the said Consolidated Revenue Fund of this Province: Provided always, that the total amount of moneys to be paid, whether in money or debentures, under this Act, shall not exceed by more than one hundred and fifty thousand pounds, the sum of which the average yearly proceeds of the other sources of Revenue hereinafter mentioned (upon an average of the last five years) would be the yearly interest at six per cent per annum added to the value of the Crown's rights in the Seignories affected by this Act.

XVIII. The moneys arising from the following sources of Revenue, shall be and are hereby specially appropriated to make good to the said Consolidated Revenue Fund, the amount which may be taken out of the same for the purpose of paying the sums charged upon it under the next preceding section, that is to say :

All moneys arising from the value of the rights of the Crown, from *droits de Quint* and other dues, in or upon the Seignories in which the Crown is Seignior *Dominant*, and which are to be commuted by this Act as such value shall be fixed by the Schedules of the said Seignories respectively, and all arrears of such dues;

All moneys arising from the Revenues of the Seigniory of Lauzon, or from the sale of any part of the said Seigniory which may hereafter be sold, and all arrears of such Revenues;

All

Auctionduties. All moneys arising from Auction Duties and Auctioneers' Licenses in Lower Canada;

Shop licenses. All moneys arising in Lower Canada from licenses to sell spirituous, vinous or fermented liquors by retail in places other than places of Public Entertainment, commonly called Shop or Store Licenses;

Tavern licenses in certain cases. All moneys which shall arise from Tavern Licenses in Lower Canada, after the present charges on that Fund shall have been paid off, except however such portion of that Fund as shall be levied in the Townships.

Separate accounts to be kept with a view to an appropriation for Upper Canada purposes. And separate accounts shall be kept of all moneys arising from the sources of Revenue aforesaid, and of the moneys disbursed under this Act, allowing interest on both sides at the then current rate on Provincial Debentures, to the end that if the sums payable out of the Consolidated Revenue Fund under this Act, shall exceed in the whole the total amount of the sums arising from the sources of Revenue so specially appropriated and any interest allowed thereon as aforesaid, a sum equal to such excess may and the same shall be set apart, to be appropriated by Parliament for some local purpose or purposes in Upper Canada.

How the money hereby appropriated shall be applied in aid of the censitaires. XIX. The Special Fund constituted as aforesaid for the purposes of this Act, shall, after deducting the expenses incurred under this Act, be appropriated in aid of the *Censitaires* in the several Seigniories, in the following manner:

Value of Crown rights in each Seigniory to be given the censitaires therein, in reduction of commutation for *lods et ventes*. 2. The sum to be established as the value of the rights of the Crown in each Seigniory as aforesaid, and the difference between the absolute value in *francs-alou roturier* of all unenclosed lands, waters and water powers in the Seigniories and the value of the Seigniors' rights therein, shall be appropriated in aid of the *Censitaires* of such Seigniory in reduction of the *rentes constituées* representing the *lods et ventes* or other mutation fines therein, by an equal per centage of reduction on each such *rente*;

Remainder among all the Seigniories in proportion to the charges on each. 3. The remainder of the said Special Fund shall be apportioned by the Receiver General (amongst the several Seigniories to which this Act extends,) giving to each an equal per centage on the total amount of the constituted rents established by the Schedule of each such Seigniory, after deducting the value of the Crown's rights therein; And the sum as apportioned to each Seigniory shall be applied by the Receiver General in the following order, which shall be the order of charges thereon:

To redempⁿ of commuta- 1st. To the redemption of so much of the said *rentes constituées* representing the *lods et ventes* or other mutation fines in

in the Seigniory as may remain after the reduction made by the application of the value of the Crown's rights as *lods et rentes*; aforesaid, by an equal per centage of reduction on such remaining *rentes* in each case;

2dly. To the redemption of the *rentes constituées* representing Of banality; the Banality in the Seigniory, by an equal per centage of reduction on each such *rente*;

3dly. To the redemption of the *rentes constituées* representing Of *cens et rentes* exceeding agricultural purposes in the Seigniory, by an equal per centage of reduction on each such *rente constituée*, exceeding the rate of one penny half penny per annum, per *arpent*;

4. The reduction of such *rentes constituées* shall always be Reduction of in proportion to the capital sum applied to effect such reduction, *rente* in any case; the reduction being equal to the legal interest of such capital;

5. The sums so apportioned for each Seigniory shall belong Sum apportioned to be long to the Seignior thereof, subject always to the right of the Seignior Dominant, and shall be dealt with in every respect, as moneys paid in redemption of the *rentes constituées* mentioned in the Schedule of such Seigniory, subject to the special provisions hereinafter made.

APPLICATION OF MONEYS ARISING FROM THE REDEMPTION OF SEIGNIORIAL RIGHTS, &c.

XX. Every proprietor of a Seigniory who shall have within his *mouvance* another or several fiefs, (unless the value of his rights has been entered in the Schedule thereof), and every person having an hypothecary claim on any Seigniory the Schedule relative to which shall be deposited in the office of the Clerk of the Superior Court in the District in which such Seigniory or part thereof is situate, must, for the preservation of his privileges, within six months from the date of the notice in the *Canada Gazette* of the deposit of the Schedule of such Seigniory, file an opposition to the distribution of all moneys arising or which may arise from the redemption of the Seigniorial rights in such Seigniory; every such opposition shall be filed in the said office and have effect for thirty years, unless sooner withdrawn, or by Judgment of the Court dismissed; and if any such opposition be renewed within a less time than thirty years, the opposant shall only be entitled to the costs of one single opposition; and while such opposition shall so remain in force, any *Censitaire* who shall pay the capital or redemption money, of the *rente constituée* to the Seignior, shall do so at his peril, and on pain of being liable to any such opposant for any loss he may thereby sustain.

XXI. All minors, interdicted persons and married women, What parties even in the case of dower not yet open (*non encore ouvert*), and must file opposition all

positions to
preserve
their privi-
leges.

all who have entailed or contingent rights, by themselves or their tutors, curators, husbands or others, who may act for them, shall be also required, for the preservation of their privileges, to file their opposition to the distribution of all such moneys in the manner provided in the next preceding section: but tutors, curators, husbands or others who shall have neglected to file such oppositions shall, nevertheless, continue to be responsible towards the persons under their charge or authority for any loss which may result from their negligence in the said behalf.

In default of
opposition
Seignior may
receive his
share of the
fund, &c.

XXII. If, after the expiration of six months, from the date of the first publication in the *Canada Gazette* of the Notice by the Receiver General of the Deposit of the Schedule of the Seigniory in which such land is situate, the possessor of such Seigniory produce to the Receiver General a certificate, granted by the Clerk of the Superior Court for the District in which the Schedule relative to such Seigniory, or a triplicate thereof, is deposited, stating that there is no opposition to the payment of the redemption moneys in such Seigniory, the said Receiver General shall pay to the said Seignior, on his giving a duplicate receipt therefor, the amount of any moneys coming to such Seignior out of the Special Fund hereinbefore mentioned, with interest thereon, at six per cent per annum, to be computed from the date of the said notice, and thereafter the Seignior shall have full right to receive the price of the *rentes constituées* in his Seigniory directly from the *Censitaires*, and to deal with such *rentes* as he shall see fit.

And the capi-
tal of the
rentes consti-
tutes.

How money
in Receiver
General's
hands shall be
dealt with in
case of opposi-
tion filed.

XXIII. Whenever the Receiver General shall have ascertained the amount of money coming to any Seignior out of the Special Fund hereby appropriated in aid of the *Censitaires*, and there shall be an opposition filed as aforesaid to the distribution of such money, the Receiver General shall deposit a certificate of the said amount in the hands of the Clerk of the Superior Court in the District wherein the Schedule relative to the said Seigniory, shall have been deposited; and the said Court shall make the distribution of the said moneys among the opposants, according to the order of their hypotheces, and the preference of their respective privileges; and the Receiver General shall pay the same to the Clerk of the Court to be distributed according to such order, but the interest on any sum coming to a Seignior, and in the Receiver General's hands, shall always be payable to such Seignior.

Corporations,
tutors, &c.,
empowered to
pay off the ca-
pital of *rentes*
constituées
under this Act.

Proviso.

XXIV. All persons holding in mortmain, corporations, tutors, curators and administrators possessing lands held *en roture*, or persons holding entailed lands the *rentes constituées* upon which may be redeemed with advantage to those whom they represent, may effect the redemption of any *rente constitue* under the provisions of this Act by paying the price of redemption out of the moneys of those whom they represent: Provided that tutors, curators,

curators and usufructuary proprietors (*usufructuaries*) and holders of entailed lands, observe the formalities required by law in the alienation of the property of the persons whose rights shall be represented by them; but persons holding in mortmain and corporations shall not be required to observe any other formality in or before the redemption of any such *rente constitue* than those prescribed by this Act.

XXV. And it shall be lawful for the several religious or ecclesiastical communities, holding in mortmain Fiefs or Seigniories in Lower Canada, to invest from time to time, as they shall see fit, in any lands or tenements in this Province, or in any public or private securities in this Province, which they shall deem the most advisable or advantageous to their respective communities, any sums of money that may accrue to them from the redemption of any *rente constitue* created under this Act, or out of the Special Fund appropriated by this Act.

DESTINATION AND LEGAL CHARACTER OF PROPERTIES AND RIGHTS HEREAFTER TO REPRESENT SEIGNIORIES.

XXVI. In respect of all rights acquired in, to or upon, any Seigniory before the publication in the *Canada Gazette* of the notice of the Receiver General of the deposit of the Schedule of any Seigniory in his hands, and for the preservation whereof an opposition shall have been filed within six months from the date of the said publication, all lands and real rights which at and immediately before the passing of this Act were held by the Seignior as part of his Seigniory, all rights secured to him under the Schedule thereof, all *rentes* under this Act to be created, all moneys to arise from the redemption of the Seigniory, any such *rentes*, or to be received by the Seignior out of the aid granted by this Act to the *censitaires* towards the redemption of Seigniorial rights, duties and dues, and all properties and rights so by such Seignior acquired as to represent such moneys, shall be held and taken as though attached to the *domaine* of such Seigniory, and as representing such Seigniory; but in respect of all rights thereafter to accrue, or for the preservation whereof no opposition shall have been filed within the delay aforesaid, all such lands, rights, *rentes* and moneys shall be held and taken to be, and shall be to all intents separate and independent properties and rights; and it shall not be requisite that any person, in order to the holding, recovery or enforcement of any thereof, should qualify himself as being, or as ever having been, a Seignior.

XXVII. All *rentes constitue* to be created under this Act, shall have the same privileges *ex causâ* as the right of the *bailleur de fonds*, and the like preference over all other hypothecary claims affecting the land, as any Seigniorial dues upon or arising out of such land would have had previous to the redemption of the

No more than
five years' ar-
rears to be
recoverable.

the said dues, without any registration in any Registry office to that end ; but the Creditor shall not have the right to recover more than five years' arrears of any such rent ; and in default of moveables out of which the amount of any judgment for such arrears, though amounting to less than Ten Pounds currency, may be levied, execution may issue against such land after a delay of one year from the date of such Judgment, and not sooner.

In what cases
any such
rentes shall be
redeemable.

XXVIII. Every *rente constituée* established by virtue of this Act, shall always be redeemable by consent of the owner of the land and of the Seignior, in cases where the Seignior has the right to the capital thereof for his own use, and not otherwise ; but if the Seigniory be entailed (*substituée*) or held by a tutor, curator or usufructuary proprietor (*usufruitier*), and an opposition be filed and then in force, the *rente* and arrears only shall be received, subject always to the exception in the next following section, which shall apply to all cases of redemption of such *rentes*.

Such *rentes*
shall be re-
deemable in
every case if
paid off at once
for the whole
Seigniory.

How the
redemption
money shall
be dealt with.

Money may
always be
raised for this
purpose on the
credit of the
municipal loan
fund.

XXIX. Provided always, that it shall not be lawful to redeem any such *rente constituée* except by the consent of the Seignior having the right to the capital thereof for his own use, at any other time in any year than the day on which such *rente* is payable ; but provided also, that at any time, and whether the Seignior have or have not the right to the capital of the *rentes constituées* under this Act, for his own use, it shall be lawful for the *Censitaires* in any Seigniory to redeem by one payment all the said *rentes constituées* then remaining in the Seigniory, and in such case the redemption money shall be paid to the Seignior, if there be then no opposition filed as aforesaid and in force ; and if there be such opposition, then it shall be paid to the Receiver General, and shall be dealt with in all respects as money coming to the Seignior out of the Special Fund appropriated in aid of the *Censitaires* ; and the paying of such redemption money shall always be one of the purposes for which money may be raised on the credit of the Consolidated Municipal Loan Fund for Lower Canada, under any law in force for raising money on the credit of such Fund : and the redemption money under this Section shall always be the capital sum of which the *rentes* redeemed shall be equal to the legal interest, unless another rate be agreed upon by the *Censitaires* and a Seignior having the right to such redemption money, for his own use.

MISCELLANEOUS PROVISIONS.

Décret not to
purge Sei-
gniorial rights
or any *rente*
constituée
representing
them.

XXX. No sale under Writ of Execution (*par décret*) shall have the effect of liberating any immoveable property then or theretofore held *à titre de cens*, and so sold, from any of the rights, charges, conditions or reservations established in respect of such immoveable property in favor of the Seignior, due before the completion of the Schedule of the Seigniory in which

which such property lies, or from any *rente constituée* payable thereon under such Schedule, but every such immoveable property shall be considered as having been sold subject thereto to all such rights, charges, conditions or reservations, without its being necessary for the Seignior to make an opposition for the said purpose before the sale.

XXXI. If notwithstanding the provisions of this Act, any opposition *afin de charge* be made hereafter for the preservation of any of the rights, charges, conditions or reservations mentioned in the next preceding section of this Act, such opposition shall not have the effect of staying the sale, and the Opposant shall not be entitled to any costs thereon, but it shall be returned into Court by the Sheriff after the sale, to be dealt with as to law may appertain.

XXXII. The Seignior of whom any land the tenure of which shall be commuted under this Act, was held, shall be maintained, in his privileges and hypotheces on the land, for the payment of all arrears of Seigniorial rights lawfully due at the time of such commutation.

CERTAIN LANDS DECLARED TO BE AND TO HAVE BEEN
HOLDEN IN FRANC-ALEU ROTURIER.

XXXIII. All lands which any Seignior has, by any Act (*Acte*) or Deed in writing heretofore executed, released or agreed to release from all Seigniorial rights in consideration of the payment of any sum of money or of any annual rent, are hereby declared to be and to have been from the day of the date of every such Act (*Acte*) or Deed, free from all such Seigniorial rights and holden in *franc-aleu roturier*; but the Commissioners, for the purpose of making the Schedules of Seigniories in which any such lands are situate, shall deal with all such lands as if they were now held *en roture*, and when the same are liable to an annual rent, shall establish and specify in the Schedule the capital of every such rent, in order that the same may be redeemed by the person liable therefor, in the same manner as any *rente constituée* established by this Act.

XXXIV. All lands upon which mortmain dues (*des droits d'indemnité*) have been paid to any Seignior, and which have not been sold or conceded since such payment to parties holding otherwise than in mortmain, are hereby declared to be and to have been from the day of the date of such payment or of any Act (*Acte*) or Deed in writing, binding the owner to pay the same, released from all Seigniorial dues and duties and held *en franc-aleu roturier*, but subject to the payment of a *rente constituée* equal to the *cens* and rent legally due thereon.

INTERPRETATION

INTERPRETATION AND EXTENT OF THIS ACT.

Act not to extend to certain Seigniories.

Seignior of the Seminary of St. Sulpice, and certain fiefs held of it.

Crown and Jesuits' Seigniories.

Ordinance Seigniories.

Certain lands in Sherrington.

Act of L. C. 3 Geo. 4, c. 14.

Proviso:

Governor may grant equal advantages to censitaires in Crown Seigniories.

Act not to affect arrears, &c.

Seignior's rights to be determined as they stood before the passing of this Act.

Interpretation of words:

Seignior;

Seignior;

XXXV. And, for the interpretation of this Act—Be it enacted, That none of the provisions of this Act shall extend to the wild and unconceded lands in Seigniories held by the Crown in trust for the Indians, nor to the Seigniories held by the Ecclesiastics of the Seminary of St. Sulpice of Montreal, nor to either of the Fiefs Nazareth, Saint Augustin, Saint Joseph, Closse and Lugauchetière, in the City and County of Montreal, nor to any other *arrière-fief* depending upon (*relevant de*) any of the said Seigniories, nor to the Seigniories of the late Order of Jesuits, or other Seigniories held by the Crown and not above mentioned, nor to the Seigniories held by the Principal Officers of Her Majesty's Ordnance, nor to any lands held *en franc-aleu noble* and granted under and by virtue of the Act of the Parliament of the late Province of Lower Canada, passed in the third year of the Reign of His late Majesty King George the Fourth, and intituled: *An Act for the relief of certain censitaires or grantees of La Salle and others therein mentioned, possessing lands within the limits of the Township of Sherrington: Provided always*, that the Governor in Council may if he shall see fit, grant to the *Censitaires* of the Crown Seigniories the Revenues whereof belong to the Province, (including the Seigniories of the late order of Jesuits), upon commutation of their lands, equal advantages and relief as are hereby granted to the *Censitaires*, of Seigniories not excepted from the operation of this Act.

XXXVI. Nothing herein contained shall affect the right to, or the recovery of, any arrears of Seigniorial dues accrued before the passing of this Act, or shall give any person whosoever any right of action for the recovery of money or other value paid by him or his predecessors in the form of rents or other Seigniorial dues, or for the recovery of damages which he may pretend to claim for the privation of any right of which he may deem that he has been illegally deprived by his Seignior, unless he would have had such right of action if this Act had not been passed; nor shall any thing in this Act be construed to weaken or to support any claim of any Seignior or of any *Censitaires* to any right claimed by or for them respectively, at the hearing on the questions and propositions to be submitted under this Act to the Judges for their decision, but the same shall be decided by the law as it stood immediately before the passing of this Act.

XXXVII. The word "Seignior," wherever it occurs in this Act, shall be construed as meaning any part of a Fief, *arrière-fief* or Seignior held by a single individual, or by a Corporation, or held by several persons in common (*par indivis*) as well as the whole of a fief, *arrière-fief*, or Seignior, except in such parts of this Act in which the words "*arrière-fief*" and "*Seignior*" are made use of to distinguish the *Fief dominant* from the *fief servant*; and the word "Seignior" shall be construed as meaning

meaning any Corporation, or any sole proprietor, and all persons who are proprietors in common (*par iudicis*) of any part of a *Fief, arrière-fief* or Seigniory, as well as any person or Corporation, being sole proprietor, and all persons, proprietors jointly and *par iudicis* of the whole of any such *Fief, arrière-fief*, or Seigniory : the words "Seignior" and "Censitaire" shall apply to the owner of any *rente constituée* created under this Act, and the person charged therewith, respectively, as well as to the owner of and person charged with the rights and duties represented by such *Rente*; the words "Seigniorial Rights," whenever they occur in this Act, shall include and be construed as including all rights, duties, charges, obligations, and Seigniorial or feudal dues whatsoever; the word "Land" shall mean any lot, piece or parcel of land, and Land, shall include the buildings thereon constructed, and all its appurtenances.

XXXVIII. The Legislature reserves the right of making Right to any provision, declaratory or otherwise which may be found amend this Act necessary for the purpose of fully carrying out the intent of its intent of this Act; which intent is declared to be,—to abolish reserved, as soon as practicable, all feudal or Seigniorial rights, its intent duties and dues, substituting therefor *rentes constituées* declared, of equal value,—to grant to the Seignior a fair indemnity, and no more, for all the lucrative rights which the law gives him, and which this Act will abolish,—to preserve the rights of third parties, unless such rights be lost by their own neglect or laches;—and to aid the *censitaire* out of the Provincial Funds in the redemption of those Seigniorial charges which interfere most injuriously with his independence, industry and enterprise; and every enactment and provision of this Act shall receive the most liberal construction possible with a view to ensure the accomplishment of the intention of the Legislature, as hereby declared.

XXXIX. The "Interpretation Act" shall apply to this Act. Interpretation Act to apply.

XL. This Act shall be known, cited and referred to as Short title.
"The Seigniorial Act of 1854."

XLI. This Act shall apply to Lower Canada only. Extent of Act.

FORM A.

Public notice is hereby given that the Schedule (*of the fief, arrière-fief or of the Seigniory*) of (*name of fief, arrière-fief or Seigniory*) shewing the *rentes constituées* into which the feudal and Seigniorial rights, dues, charges, obligations and rents due and payable upon each land in such (*fief, arrière-fief or Seigniory*) are converted, is completed, and that a triplicate thereof has been deposited in the office of the Receiver General, and another

another in the office of the Superior Court in the District of [REDACTED] and that the third remains in the possession of the undersigned.
(Here give the name of the locality in which the Commissioner is sitting, and the date.)

A. B. } Commissioner under
 } the Seigniorial Act of
 } 1854.

C A P . I V .

An Act for granting to Her Majesty certain sums of money for defraying certain expenses of the Civil Government of the Province for the year one thousand eight hundred and fifty-four, and for certain purposes for which a supply is required, and also for raising a loan on the credit of the Consolidated Revenue Fund.

[Assented to 18th December, 1854.]

M O S T G R A C I O U S S O V E R E I G N :

Preamble.

Message 1st
December,
1854, and
Estimates ac-
companying it
referred to.

WHEREAS by Message from His Excellency the Right Honorable James, Earl of Elgin and Kincardine, Governor General of British North America, and Captain General and Governor in Chief in and over this Province of Canada, bearing date the First day of December in the year One Thousand Eight Hundred and Fifty-four, and the Estimates accompanying the same, laid before both Houses of the Provincial Parliament, it appears that the sums hereinafter mentioned are required to defray certain expenses of the Civil Government of this Province for the year One Thousand Eight Hundred and Fifty-four, not otherwise provided for by law, and also for defraying the Cost of certain Public Works, and for other purposes in the said Message and Estimates mentioned; And whereas also it is expedient to authorize the raising of the sum hereinbefore mentioned by loan towards making good the cost of the said Public Works: May it therefore please Your Majesty that it may be enacted, and Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows:

£768,841, 15s.
1d., appropri-
ated out of the
Consolidated

I. From and out of any unappropriated moneys forming part of the Consolidated Revenue Fund of this Province, there shall and may be paid and applied a sum not exceeding in the whole the sum of Seven hundred and sixty-eight thousand eight

130393

422

Montreal 21st September 1855

My Lord

I have had this morning put in possession
of an extract from your letter of the 18th Inst. to
Col. Nipissing.

I beg to contradict the assertion of the
Col. that I have ever complained of any
want of co-operation on the part of Col. Nipissing.
On the contrary, that gentleman has always been
ready to afford all the assistance in his power
towards carrying out the measures adopted
to stop the plunder of wood at Sault St Louis.

Your Lordship doubtless is aware that
the peculiar tenure under which the Indians
hold their possessions prevents our applying
the ordinary remedies which would necessarily
be adopted should similar plunder be attempted
on lands held under the common tenure.

Indians on our Courts of Justice have
been long recognised as proprietors and
many petition actions have been brought and
maintained by one Indian against another,
relative to lands on the Seigniory of
Sault St Louis.

Last winter when the first complaints were laid
before

Indian Affairs (RG 10, Vol. 220, no. 8601-8700)

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 CANADA

1855/09/21

130400

before me relative to the sale of wood, I was disposed to try the question in a summary way before Magistrates but did not proceed in this way, because I found that the law of the Magistrates in the neighborhood of the Saguenay were determined to dispose of such cases unfavorably to the general interests of the Indians, on the ground of their rights of property. I therefore adopted the more tedious and costly proceeding of remonstrating the wood and bringing the matter before the Superior Court. These actions I ought to say have been pending a long time, delayed first by the absence of the counsel for the Defendants who was attending his duties in Parliament. The matter was however argued in June last and I await a judgment since that month. A judgment would no doubt have been rendered during this month, had it not been for the absence of all the judges who are now sitting at Quebec in the Sessional Court.

Under these circumstances I determined that should any new case of wood selling present itself I would adopt summary proceedings before Magistrates and bring the cases into Montreal. Of this I have informed the Chiefs and instructed them as soon as they are prepared with proof of any cutting or carrying away wood, to give me immediate notice.

I may here call attention to the very
Respectfully

130401

Narrow minded and illiberal views of the
chiefs with reference to the sale of woods.

It is quite certain that any Indian who
desires to establish himself on a portion of the
imcharded lands of the Tribe, may do so. He
may cut down wood for the purpose of clearing
his land, but he cannot reap the same benefit
from his labor that another citizen can do.
He is compelled to burn it on the spot. I have
suggested to the chiefs and others that some
regulations should be made to prevent this
abused distinction of property, but as far
without effect. If it were possible to make
some such regulations which should, at the
same time protect property who claims his piece
of land in good faith and give him the
full value of his labor - and check the
cutting of wood by parties whose only
object is the sale of the wood when cut,
it would obviate all the difficulties which
at present exist on the subject, and tend
to restore peace among the Indians them-
selves, which has been suddenly threa-
tened of late, from these circumstances.

I may in conclusion remark that
I am by no means certain that the
judgment of the Superior Court when
rendered will be favorable and would
strongly recommend some legislative
action to provide a certain remedy.
The existing enactments relating to Indian
affairs

130402

affairs have never contemplated the
present difficulty. In fact at the time they
had passed word was of no value, and
the peculiar feature in all the cases of wood
Cutting which have come under my notice
is that the Indians have themselves kept the
word to the parties who have cut, and carried
it away.

I have the honor to be
Your Obedient servant

Wm. Vicount Berry
Subintendent pub
of Indian Affairs
Quebec

C. D. Maloty

RG 37-430393

2/28/1853

C. D. Maloty

Considered the question
of the right of compensation
and it is considered that
any compensation on the
part of your Deptt.

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CANADA

855/W/03

423

REPORT
of the
COMMISSIONER

Appointed by the Governor,
on the
CLAIM
of the
IROQUOIS INDIANS.

Made to the Legislature, Nov. 3, 1855.

MONTPELIER: [Vermont]
E. P. Walton, Jr., Printer.
1855

REPORT

To the General Assembly of the State of Vermont, now in session:

On the 22nd day of January last, I was appointed by his Excellency, Governor Royce, a Commissioner, to discharge the duties indicated by a resolution adopted at the last Legislature of Vermont: That the Governor be directed to appoint a Commissioner to ascertain the amount and extent of the claim of the Iroquois Indians upon this State for compensation for land formerly owned by them in this State, and that said Commissioner be fully empowered to negotiate said claim, and ascertain what sum. to be paid by this State, will satisfy the same. and report the result of their investigations and negotiations to the next General Assembly of this State. And I now submit to the Legislature the result of my investigations and negotiations, with said Iroquois Indians, together with such facts as I have been able to gather, from the early history of this people.

In the year 1609, a Frenchman by the name of Champlain, in company with several other Frenchmen, and about one hundred of the Canadian Indians, started from Quebec, upon an expedition against their enemies, the Iroquois Indians.

Champlain's object was to explore the country, and to assist the Canada Indians in their wars against the Iroquois Indians.

Report of the Commissioner, Appointed by the Governor, on the
Claim of the Iroquois Indians. Made to the Legislature, Nov. 3,
1855. Montpelier, Vermont: E. P. Walton, 1855

After leaving the River St. Lawrence they struck another river, which the Indians called Iroquois, and soon reached a lake by the same name, to which Champlain gave his own name. As they proceeded up the lake, they soon came in sight of the Green Mountains upon the East side of the lake, and upon inquiry of the Indians, Champlain was told that this was the country of the Iroquois, but that their enemies lived still farther to the south, upon the west side of the Lake, where the country was thickly settled with the Iroquois.

It was subsequently ascertained that the Iroquois were a very powerful confederacy, consisting of the Mohawks, Onondagas, Oneida, Cayugas, and Senecas; each having their own territory, but had united together for the common defense of their own country, and also for prosecuting their wars against their enemies, and extending their won dominions. The Mohawks resided in the Valley of the Mohawk River, and it was subsequently admitted by the people of New York, and by historians, that their territory did extend into the present limits of Vermont, and that they had a few settlements in the Valleys of Vermont, a very early day.

Immediately after the settlement of the Province of Lower Canada was commenced by the French, their Jesuit Missionaries went in every direction, among the natives of the rest, with a two-fold purpose. One was to bring them over to the interests of the French, and the other to induce them to embrace the Roman Catholic faith.

In this project they were very successful and as early as 1670 to 1676, they induced a large portion of the Mohawk nation or tribe, to emigrate to the province of Lower Canada near Montreal, where they built a church, and soon after swore allegiance to the French Government.

The other portion of the Mohawks remained upon their won territory, and were the firm friends of the English during the French and English war, and so continued until the Revolution, when they still adhered to the interests of the English, and emigrated to the province of Lower Canada, commonly known as The Caughnaugas, are the rightful claimants upon Vermont for compensation for their lands.

From the Caughnaugas, there was an emigration in the year 1759, to a place called St. Regis, and in 1780, another portion emigrated to a place called the Lake of Two Mountains, both of which tribes I have allowed to participate in common with the Caughnaugas, in the investigation of this claim.

In relation to the Iroquois having parted with the title to their lands in Vermont, there seems to be but very little evidence upon the subject.

It was claimed by the people of New York, at a very early day, that the Dutch had purchased this territory, extending to the Connecticut river, of the Indians, and that New York had taken it, by conquest, from the Dutch; And New York, then a British Colony, claimed the territory under a grant of Charles Second to the Duke of York.

The British government also claim that large grants of land were made on both sides of the Lake, at an early day, by the consent of, and argrement with, the Iroquois Indians.

But I find no written documents to substantiate these claims. Still, it may be some evidence of these claims of New York, that the Iroquois, who claim this territory, left it at so early a period, and set up no claim for about a century and a quarter, to their lands or for compensation.

Since the Iroquois emigrated to the Province of Lower Canada, there seems to be no evidence that they have occupied this territory, more than other tribes of Indians, but upon this point there is but very little history.

The habits and customs of the Indian tribes of the country, at an early day, were such, that the occupation of any territory for the purposes of hunting and fishing, rendered the possession of that territory as realy theirs, as though they had cultivated fields, built houses, &c.

Hence, when we look at their former mode and habit of living, their ability to understand legal questions, as practiced by enlightened nations and the legal bearing of their own actions, they are all to be construed in their favor.

If they have parted with the title to their lands, it has usually been for a mere pittance, or at best, for a very small compensation.

I therefore recommend the claim of the unfortunate people, to the favorable consideration of the Legislature.

By a previous arrangement, I met the agents and deputies of the several Tribes interested in this claim, at the United States Hotel, in the Town of Massena, N.Y., on the 14th day of last June, and the following is the result of our investigations and negotiations.

All of which is very respectfully submitted.

JAMES M. HOTCHKISS.

MASSENA, STATE OF NEW YORK, June 14, 1855

Present, J. M. Hotchkiss, Commissioner on the part of Vermont, and Joseph Kanataklah and Francis Athorishon, from Caughnauga, Rev. Eleazer Williams, St. Regis.

GENTLEMEN OF THE IROQUOIS:

The General Assembly of the State of Vermont, on the 14th day of November, 1854, adopted the following resolution:

Resolved, That the Governor be directed to appoint a Commissioner to ascertain the amount and extent of the claim of the Iroquois Indians upon this State for compensation for land formerly owned by them in this State, and that said Commissioner be fully empowered to negotiate said claim, and ascertain what sum, to be paid by this State, will satisfy the same, and report the result of his investigations and negotiations to the next General Assembly of This State.

On the 22nd day of January, 1855, I received from his Excellency, Stephen Royce, the appointment of Commissioner to discharge the duties indicated by said Resolution.

Having caused the parties interested in this claim to be duly notified of the time and place of holding this meeting, I am now ready to proceed with the investigation.

Before proceeding with the investigation, allow me to inquire if the Iroquois Indians designated by the foregoing Resolution, are all represented at this meeting.

Answer by Rev. Eleazar Williams.---
 There is a branch of the Iroquois at the Lake
 of Two mountains, numbering about 258 souls
 which are not represented at this meeting.
 The notice of this meeting failed to reach
 in season for them to attend. The American
 branch at St. Regis are not represented here,
 but have received due notice of this meeting.

The Commissioner considering it of the
 utmost importance that all the tribes inter-
 ested in the claim against the State of Ver-
 mont, should be notified of this meeting,
 here suspended the investigation and adjourned
 to Wednesday the 20th inst., and caused a
 dispatch to be sent to the Chiefs of the Lake
 of The Mountains, notifying them to attend
 this meeting, if they have any claim to pre-
 fer against the State of Vermont.

MASSENA, June 20, 1855

Present, James J. Hotchkiss, Commissioner
 on the part of Vermont, and Francis Athorishan
 and Joseph Kanataktah, who presented to
 the Commissioner the following instrument.

CAUGIRACACA, June 12, 1855

This is to certify, that, this day, we
 the undersigned, Grand Chiefs, appoint and
 authorize as our Agents and Representatives,
 in all matters concerning the claims of the
 Iroquois Tribe of Caughnawage, which lieth
 in the State of Vermont. Whatever shall be
 done by these two persons whom we duly author-
 ize are to know and acknowledge as such, we
 shall bind, as though we were together. The
 two appointed are FRANCIS ATHORISHAN and JO-
 SEPH KANATAKTAH. We name also the Interpreter,
 who has been since the year 1852, seventh of
 November, who has interpreted upon the comm-
 unications of the claim, is Rev. Eleazer
 Williams our Interpreter.

Report of the Commissioner Appointed by the Governor, on the
Claim of the Iroquois Indians. Made to the Legislature, Nov. 3,
1855. Montpelier, Vermont: E. P. Walton, 1855

(Signed.)

Grand Chiefs:

Joseph Kentorontie,
 Louis Tiorakaron,
 Joseph Taioroniote,
 Thomas Asennase,
 Martin Shakoraiatakwha,
 Louis Shatekainton.

Present on the part of the Iroquois at
 St Regis, representing the British party
 Rev. Eleazer Williams, who presented to the
 Commissioner the following Instrument:

Know all men by these presents, that we,
 Swasen Teiosharakwente, Tier Kanewatron, Rawi
 Tarakonnente, Rawi Atawenta, Thomas Tahate,
 Chiefs and principal men of the St. Regis
 Indians, do hereby irrevocably make, consti-
 tute and appoint Eleazer Williams of Hogans-
 burgh, of the State of New York, our true and
 lawful attorney, with power of substitution,
 for us and in our names, places and stead, to
 contract, treat, negotiate and bind said
 Tribe of Indians, and to release all debts,
 claims and dues of said Tribe, and to Trans-
act all business of all kinds, pertaining to
 their interest, and he is fully authorized
 to receive from the State of Vermont any pay
 or compensations for lands within the limits
 of said State, and to discharge all liabilities,
 claims or dues for such lands, from the State
 and in all things fully release all such claims and
 and forever bind the St. Regis Indians and se-
 veral members of said Tribes respectively.
 And we do hereby and herewith empower our said
 attorney in our names, to give receipts and other
 sufficient discharges for such moneys due or
 claimed to

as aforesaid, or sum as the State of Vermont may grant, hereby ratifying and confirming whatever our said attorney shall do in and about the premised by virtue hereof. In testimony whereof, we have hereunto set our hands and seals in the name and behalf of the St. Regis Indians, this third day of February, Anno Domini, 1855.

Signed and Sealed in presence of A. Fulton.

SWAGEN TEISHORAKW INTE,	LS.
TIER KANAWATERON,	LS.
KAWI TARAKONNENTE,	LS.
RAWI ATAWENTA,	LS.
THOMAS TAHATE,	LS.

STATE OF NEW YORK: } On the third day of
Franklin County, ss. } February, in the year
1855, personally appeared before me the individuals described in, and who executed the above power of attorney, and severally acknowledged that they executed the same for the purposes therein mentioned.

ALFRED FULTON?
Justice of the Peace

Present on the part of the Iroquois at Lake of the Mountains, Joseph Ononkwatkon and Francois Sasametest, Chiefs of said Tribe.

Present, on the part of the American party at St. Regis, Louis Taoroniate, Michel Gawanety, Peter Skatekainton, denominating themselves trustees of said Tribe.

Gentlemen of the Iroquois:

The meeting for investigation and negotiating your claim against the State of Vermont is now open.

Report of the Commissioner, Appointed by the Governor, on the
Claim of the Iroquois Indians. Made to the Legislature, Nov. 3,
1855. Montpelier, Vermont: E. P. Walton, 1855

By the resolution which I have read in your hearing, adopted at the last General Assembly of the State of Vermont, the Legislature virtually admit that there may be some ground for the claim of the Iroquois Indians against the State. It became the duty of the Commissioner, to ascertain who the Iroquois Indians, designated in the resolution, were; and after a thorough investigation of the subject, the Commissioner came to the conclusion that the tribes at Caughnawaga, the tribes at St. Regis and the tribe of Iroquois at the Lake of Two Mountains, are the proper and only tribes for the Commissioner to meet and negotiate with. We are now prepared to proceed with the investigation. As the representative of the people of the State of Vermont, I shall endeavor to conduct the negotiations in behalf of the State, in a fair and honorable manner.

You will observe by the resolution under which we are now acting, that a report of the investigations or negotiations of this meeting or any subsequent meeting, is to be submitted to the next General Assembly of the State of Vermont, for their approval or disapproval, as they in their judgment, shall think just and right.

Objection was made by the agents from Caughnawaga against admitting the agents from the Lake of Two Mountains to participate in this claim, upon the ground that they are not descendants of the Caughnawaga, they say that they have no record of their separation.

The Chiefs from the Lake of Two Mountains replied, that they separated from the Caughnawagas about the year 1789, and soon after emigrated to the Lake of Two Mountains; they have always claimed, and still claim, to belong to the Iroquois and relatives of the Caughnawagas And St. Regis tribes.

Report of the Commissioner, Appointed by the Governor, on the
Claim of the Iroquois Indians. Made to the Legislature, Nov. 3,
1855. Montpelier, Vermont: E. P. Walton, 1855

The St. Regis admit that they are of the Iroquois nation and entitled to participate in the claim against Vermont.

The Commissioner overruled the objection of the Caughnawagas, and the Chiefs from the Lake of Two Mountains were allowed to participate in the investigations, in common with the other agents.

Report of the Commissioner, Appointed by the Governor, on the
Claim of the Iroquois Indians. Made to the Legislature, Nov. 3,
1855. Montpelier, Vermont: E. P. Walton, 1855

INTERROGATORY BY THE COMMISSIONER

GENTLEMEN:

What is the amount and extent of your claim upon Vermont for compensation for the lands you originally claimed in said State?

BROTHER:

We, the agents and deputies on the part of the grand Chiefs of the Iroquois Indians at Caughnawaga, St Regis and Lake of Two Mountains, are very happy in meeting yours as Commissioner on the part of our brethren of Vermont. It is a long time since our fathers presented to the Grand Council of Vermont, their claim to their ancient hunting ground in said State. In behalf of said Iroquois Indians we return you ~~and~~ many thanks for the several sums of money paid to our said agents from time to time, for which we most willingly acknowledge.

You now desire to be informed as to the amount and extent of our claim upon the State of Vermont for compensation for the land originally claimed by us in said State.

In answer, we refer you to the report of Mr. Redfield, as well as to our frequent memorials to the General Assembly of Vermont, beginning A.D. 1798. We now ask for pay for all lands lying northerly of a strait line from Ticonderoga to the great falls of Otter Creek, (called Sutherland's Falls,) from thence to be continued to the top of the Green Mountains, thence along said mountains which divide the water that runs into Connecticut river and the water that flows into Lake Champlain and Mississquoi river, to the latitude of 45°.

We are of the opinion that there is east of the New York line, within this tract or territory, much more than two millions of acres

of land, exclusive of the waters of Lake Champlain, and including the islands not ceded to the State of New York by the Treaty of A.D. 1796. As relates to the value of this, our hunting ground, We, on behalf of the Iroquois Indians of Caughnawage, St. Regis and Lake of Two Mountains, Indians, propose to you, Mr. Commissioner, to relinquish to the State of Vermont our claims to said territory upon the following condition, viz: We propose to take into consideration at least twenty of the most favorable treaties made between the United States and different tribes or nations of Indians within the past thirty years, wherein lands by said Indians had been ceded to the United States. As you have so long occupied our ancient hunting ground, and thereby deprived us in a great measure of the means of maintaining our numerous families, you in honest justice ought to pay to us an average price equal to the average price per acre of said twenty treaties by us selected, whatever shall prove to be the average sum per acre, by the United States, for cessions of lands embraced in said twenty treaties, shall be the sum to be paid to us by the State of Vermont, for our hunting ground.

Brother: In your report to our Father Governor Royce, you will request him to consider well this our first proposition for settlement, and that he will present it to the members of your Grand Council when assembled at your Wigwam in October next. We say to you, Brother, that we will be present, ready to hold a further conference with you, in hopes that we shall make a final settlement and to our mutual satisfaction.

The forgoing is respectfully submitted to the consideration of the Commissioner by his friends and brothers, the deputies.

MASSENA, June 21, 1855.

BROTHERS:

I have listened attentively to your speech of yesterday, and considered it well. In your speech you propose to relinquish to the State of Vermont all claim to territory you have described, as your ancient hunting ground, provided the State of Vermont will take into consideration twenty of the most favorable treaties made between the United States and different tribes of Indians within the last thirty years, wherein lands by said Indians have been ceded to the average price of the land per acre, ceded in those treaties, shall be considered the price per acre of your ancient hunting ground in Vermont. Said treaties to be selected by you.

Brothers: This appears to me to be a very indefinite way of arriving at any proper conclusion. If your proposition was to be accepted, it might be exceedingly difficult, and be attended with great expense, to ascertain what the price per acre of the lands ceded to the United States would be, as most of the treaties are for the extinguishment of the Indian claims, and no number of acres defined. But your proposition appears wholly inadmissible.

In the first place, you will observe, that many of the Indian tribes were living upon their lands at the time the treaties were made with them, and had valuable improvements, and their titles to their lands undisputed, and their lands at so late a period had become very valuable. Your title to lands in Vermont is not only doubtful, but it is utterly denied, and it has never been admitted that you have any legal claim; and you only ask for compensation for the lands your ancestors once occupied as their hunting ground. You say in honest justice that the people of Vermont ought to pay you, as specified above, from the fact that they have so

long lived upon your ancient hunting ground,
and thereby deprived you in a great measure of
the means of supporting your numerous families.

You will please to observe, that your ancestors left their ancient hunting ground and emigrated to Canada about the year 1676, and placed themselves under the Crown of France, and soon after swore allegiance to his Majesty's government, became the allies of the French and the enemies of the English and American Colonies. Had your fathers chosen to have remained on your hunting grounds in Vermont (if they ever occupied them,) they might have done so until their title should have been extinguished by purchase in a fair and honorable manner; and that sense of justice, which has always been prominent with the people of Vermont, in all their transactions with their neighbors, warrants the belief that they would not have endeavored to obtain it in any other way. But the country was found to be vacant at an early day, and grants of lands were made to the people of Vermont, first by the Governor of New Hampshire; then New York claimed the territory of Vermont upon the ground that it was a Dutch province, and that the Dutch had purchased it of the Indians, and New York, then a British province, had taken it by conquest from the Dutch, and by a grant of Charles Second to the Duke of York in the years 1664 and 1674 of the disputed territory. Whether the lands in Vermont were ceded to the Dutch in an early day, as claimed by New York, I have no further means of knowing; but one thing is certain, that the king of Great Britain, when the territory was claimed by New York, made grants of land extending upon the territory which you claim in Vermont, without requiring a previous purchase from you, or any other nation, or tribe of Indians; which is a very strong proof against the existence of any title, in you, to the lands your ancestors owned in Vermont.

Many of the early settlers of Vermont, after

Report of the Commissioner Appointed by the Governor, on the
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purchasing their lands from New Hampshire, re-purchased them from New York, and after continuing the controversy with New Hampshire and New York for a quarter of a century or more, it was finally settled by the State of Vermont paying New York the sum of thirty thousand dollars to relinquish her claim to the territory of Vermont.

So you see, Brothers that the people of Vermont have already paid very dear for their lands.

It was not my intention to enter into any very lengthy argument relative to the merits of your claim, only sufficient to show you that it is of a very doubtful character, and will probably be so regarded by the Legislature of Vermont. The Commissioners on the part of New York with whom you treated in 1796^k so regarded it, and only settled and paid you some thing ofor the lands you claimed in the State of New York, that they might live in contentment, and live in good neighborhood with you. So, I apprehend, it will be with the Legislature of Vermont. If they are induced to give you any thing for the extinguishment of yo r claim, it will be upon the ground of giving mutual satisfaction; and the amount they may be induced to give, will depend very much upon the merits of your claim.

Brothers, I now wait for you to give a definite answer to one part of my inquiry, viz:

What is the amount of your claim against the State of Vermont for your ancient hunting grounds?

In fixing on a definite sum, you will allow me to suggest, that, the smaller the sum you claim, the greater will be the probability that the Legislature will allow it.

BROTHER:

In answer to your two first questions given us in writing, Friday last, we had no idea of giving offence. We claim the privilege of answering in our own way; for want of better information, possibly some portions of our answer may be considered surplusage, or in other words, inadmissible. Brother, in answer to yours of this day, we observe that you are not well pleased with ours of yesterday, as regards the price of our hunting grounds in Vermont. As Indians, we did suppose that the people of Vermont would be willing to pay us poor Indians as much per acre as the United States Government pay other Tribes or Nations of Indians for their hunting grounds.--Brother, we have well considered your answer to us of yesterday, and have concluded to make the people of Vermont, through you, a further offer, as we are very desirous of being considered just, honest, and generous. We now say further, the people of Vermont may have their choice, either to pay us four cents per acre for our hunting grounds lying easterly of the New York State line, after deducting that portion of the waters of Lake Champlain, or an average of the twenty treaties as communicated in our answer of yesterday; or you may pay us \$89,600, at such time as may hereafter be agreed upon. Brother, we say that we have in our possession volumes of treaties published by the general government, and other official documents, from which we learn the date of each treaty, with whom made, the amount ceded to the United States in acres, the sum paid in consideration of said cessions, from the origin of government to A.D. 1840. The same documents are in your State Library. Therefore, Brother, it is a very easy matter for our Brothers of Vermont, to examine for themselves; we prefer the privilege of selecting the twenty treaties; we most willingly give our Brethren their choice.

Brother: as regards that portion of your answer to ours of yesterday as relates to our equitable or legal claim to our hunting grounds

in Vermont, we have taken good counsels and say in brotherly love, that we consider our claim on our ancient hunting grounds in Vermont just in equity, and that we are legally entitled to a reasonable compensation. We are prepared to make many quotations from the decisions and records of the white men, in our favor. We forbear at present from making but one extract. Brother, we refer you to the second page, second paragraph, of Mr. Redfields's report:

"There seems no reason to doubt that the Iroquois had possession of these lands and exercised dominion over the same, until dispossessed by the encroachments of civilization; and had, what has been treated by the United States Government, in other cases, title to these lands; and have never parted with that title by any treaty or compact, to which they, as a tribe or nation, have been a party,."

Brother, this extract, with others on page tenth and eleventh, from said report, justifies us in believing that our claim on Vermont is just and equitable.

All the foregoing is respectfully submitted to the Commissioner, by the Deputies.

The meeting was now adjourned, until the first Monday after the second Thursday in October next, at Montpelier, Vermont.

MONTPELIER, October 15, 1855.

The agents of the Iroquois met the Commissioner agreeably to adjournment, and again adjourned to October 17, 1855.

MONTPELIER, Oct. 17, 1855.

GENTLEMEN OF THE IROQUOIS:

I have listened attentively to your second proposition, which is to pay you four cents per acre, or the sum of eighty nine thousand six hundred Dollars, for your ancient hunting ground in Vermont.

You seem to infer from my reply of the 21st June, that your language, or manner of speaking, in a previous proposition had given me offence. In this you are mistaken, your language and manner of expression are very acceptable, your proposition was wholly inadmissible.

In your last proposition, you refer to Mr. Redfied's report, to substantiate a legal claim to a reasonable compensation for your lands in Vermont. The paragraph to which you refer, is as follows:

"There seems no reason to doubt, that the Iroquois had possession of these lands and exercised dominion over the same, until dispossessed by the encroachments of civilization, and had what has been treated by the United States Government in other cases, title to these lands; and have never parted with that title by any treaty or compact, to which they, as a tribe or nation have been a party."

I have already shown you in a previous reply, that you forsook your country, as early as 1675 or 1676, and yourselves admit that you left your country even earlier than this period, and emigrated to the province of Lower Canada, near where you now reside, which was then a French province; you then swore allegiance to the French government, became their allies in war, and the inveterate enemies of the English colonies in America. At this early period there was not a white inhabitant residing within the present

limits of Vermont, neither was there any settlements of white persons in Vermont, to any extent, for nearly half a century subsequent to that period.

When you left your hunting grounds, and emigrated to Canada, you left a wilderness and went into the midst of civilization; Montreal and the adjacent country, was at that time, quite numerously settled by the French.

In relation to your having parted with your title to your hunting grounds, there seems to be but very little evidence upon the subject. The fact that your ancestors abandoned their lands at so early a period, and no claim or ownership was set up for nearly a century and a quarter, seems pretty conclusive evidence that they had parted with their title in some manner, in a very early day.

I find by examining the Documentary history of New York Vol 1, Page 582, that the board of trade at London declare, that by agreement with the Iroquois Indians, the land on both sides the Lake to a very great extent, was granted by the Governors of New York, to British Subjects, a long while previous to the year 1731. There is other testimony which goes to prove the same facts.

Your last proposition of \$89,600, is entirely out of the question, and unless you should think proper to make a very different proposition, I shall feel myself under the necessity of declining your proposition altogether. In your treaty with New York, A.D. 1796, you accepted a sum equivalent to about twenty thousand Dollars, and extinguished your claim to a tract of country much larger(if I mistake not) than what you claim in Vermont.

There are many reasons why your claim upon New York for compensation, was better than it is upon Vermont. The first, and perhaps most important is, that you were living upon your

lands in New York, and had been for a great number of years, which is very good evidence that you had not parted with the title, nor did not intend to abandon them. If you have any further propositions to make, I am now ready to receive them.

JAMES M. HOTCHKISS, Commissioner.



MONTPELIER, October 18, 1855.

MR. COMMISSIONER ON THE PART OF THE STATE OF VERMONT:

In reply of our last meeting at the State House, we will say, in the very commencement of our Father's communications upon this State, was in the year 1798, for compensation for their hunting grounds within the State, for which they claim and ask compensation, and have visited the Honorable Assembly of the Legislature, up to A.D. 1826. Several appropriations were made for their expense while attending upon the Legislature, as a gratuity, and token of friendship, and have always been rejected, not coming to a final settlement; but have not costed a dollar's worth of the lands which they claim in Vermont, to any Government whatever, upon said claim on Vermont. And our ideas in the year 1852, were the same as our forefathers! Communications for compensation for land in this State, and did not in the least intend to make any price whatever as we had full confidence in the generosity of the people of the State of Vermont; and our communication did not have any effect at this Session.

We again visited your respectable House, the preceding year in 1853 - The Legislature were at their session; we were then listened at, and instructions were given us to have our communication entered into the House of Representa-

tives. Mr. Redifeld was then appointed to make a Report at the next Session, in relation to our claim in Vermont.

At the next Session of 1854, we again presented our claim at your council fire, at your wigwam in the city of Montpelier, and renewed our claim. We then waited to witness whether our communication should succeed or have it ended by the Legislature. Our brotherly thanks to those who pitied and respected us, so far as putting life to our communications, which was through the goodness and kindness and humanity, also from the good feelings of the people of Vermont; it is true that joy went through our whole Iroquois Tribe, when the Report was made by us of being in hopes of coming to a final settlement, for our compensation.

As to the Iroquois ever abandoning their claim upon Vermont by leaving it as their hunting grounds, and have always hunted upon the same, since the time they emigrated to the river St. Lawrence, from the wilderness in which their support contained, in the year 1660, or thereabouts. There seems sufficient proof by the expedition of Champlain, in 1609, for the name Iroquois Country would be deemed sufficient proof that though this country was exercised as their hunting ground, but did not part with that title, although they emigrated into Canada, and did not cross the lines of their Territory, but still remained on the south side of the River St. Lawrence, and will ever bear the name Iroquois Country, till the name Iroquois is constrained off; the State of Vermont, by trade in relation to compensation, the aforesaid hunting grounds. The Iroquois Indians had not parted with that title, for they kept fighting all the other tribes or nations of Indians, and expelled them off, as it were from off their farm of produce.

But in as much as you do not accept of our proposition for compensation for our hunting

ground, we have now come to the conclusion to make you the following proposition viz: We propose to submit our claim directly to the Legislature of Vermont, and rely upon the justice and Humanity of the Government of Vermont, and desire to have no debate upon the sum that ought to be paid, but prefer to hear from said Government through their commissioner, and we trust that the Christian benevolence, and strict moral rectitude and equity of the Legislature will authorize the Commissioner to make us such a proposition as we in justice to ourselves and our people ought to accept, and we hereby agree to relinquish all claim upon Vermont, in consideration of such sum or sums of money as the Legislature shall appropriate for that purpose; all of which is respectfully submitted by the Deputies,. We now wait to hear from the Legislature upon the subject.

(Signed.)

FRANCIS D. ATOMASHOSHOR, } Delegates of
SO SE TAIOVONIOTE,) Caughnawaga.

JOSEPH KANATAKTAK PHILLIPS,
Secretary for the part of Caughnawaga Indian
Tribe.

his
LOUIE X TAIORONHISTEE,)
mark

his
PETER X SAKOIAENTHA,
mark

his
PETER X SATEKAIDENTON,
mark

his
JOSEPH X ONONKUATKOWA,
mark

Delegate of Lake of Two Mountains.

Antoine Baron,
Interpreter for the St. Regis and Lake of
Two Mountains Iroquois Indians.

GENTLELEN OF THE IROQUOIS.

I have listened attentively to your last proposition, which is to submit your claim, without further debate, to the Legislature; which proposition I very readily accept, trusting that the Legislature will be willing to do you ample justice, .

J. M. HOTCHKISS.

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21 Victoriae.

Appendix (No. 21.)

A. 1858.

REPORT

OF THE

SPECIAL COMMISSIONERS

APPOINTED ON THE 8th OF SEPTEMBER, 1858,

TO

INVESTIGATE INDIAN AFFAIRS
IN CANADA.



TORONTO:

PRINTED BY STEWART DERBISHIRE & GEORGE DESBARATS,
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1858.

Report of the Special Commissioners appointed on the 8th of September,
1858 to Investigate Indian Affairs in Canada. 1858 Appendix No. 21

N.H.C. # A-44

1858/00/00

the app. lation of two of their Bands, perpetuated in the names of the Rivers Penobscot and Androscoggins; they were among the first to immigrate in order to place themselves under the protection of France. Incorporated with them are still to be found individuals of the dispersed Tribes Mohicans or *Les Loups* and the Sokokis, who formerly lived at Saco, and were known as allies of the Mohawks.

The Etchemins or "Canoemen" whose haunts on the north shore can be traced in "Les Ecoumains" are the same as the Amalacites, who originally roamed through the forests on the St. John and Ste. Croix Rivers in New Brunswick, and are still to be found on the Rivière Verte; while, further west, the Micmacs or the Gaspé Nation, are the Canadian representatives of the principal nation once spread over the north shore of New Brunswick, throughout Nova Scotia, and thence along the coast of Maine.

Such a brief statement of the nations, whom the early settlers either found in possession of the Country, or who at a very early period sought the alliance and protection of the French.

At later dates other Tribes were added to the population of Canada; of these the Iroquois are by far the most important.

In 1783, the Six Nations, as the celebrated Confederacy of the Iroquois was called, followed the fortunes of the English at the conclusion of the American War, and received in lieu of their possessions on the South shore of Lake Ontario, a grant on the Grand River from Sir Frederick Haldimand, which was confirmed on January 14, 1793, by a Patent under the Great Seal, issued by Lieutenant Governor Simcoe. The tract so granted had been previously purchased from the Mississagans. One of the Tribes, the Mohawks, received a similar grant on the Bay of Quinté which had likewise been acquired in the same way from the Mississagans in that neighbourhood.

The oldest members of the confederacy are Mohawks, Onondagas, and Cayugas, whose union precedes tradition; the Oneidas and Senecas are younger associates,—while the Tuscaroras, who constitute the sixth Nation, were adopted at a still later period. The Oneidas seem at one time to have been omitted from the category, and the Aucquagas inserted in their stead.

Another branch of the Oneidas, who remained in the United States when the majority of the Tribe removed to Canada, subsequently followed their friends, and are settled on the River Thames, in the County of Middlesex. Several other bands have been from time to time absorbed into the number of the Iroquois, and now only exist as families or subdivisions of the Tribes. In this way we find the Nanticokes, who formerly dwelt on the East Shore of the Continent beyond the Delaware River. The Tutelies, Munsters and Delaware Indians have also representatives among the Six Nations.

These latter are related to the Iroquois who are to be found lower down on the St. Lawrence, and at the Lake of the Two Mountains. The Iroquois of Caughnawaga and Aketissasno or St. Regis, are the descendants of those who were induced by the French to congregate at Frontenac, whence they removed to their present settlements. With them are incor-

porated the Oswegatchies of La Galette, or Prescott, who were chiefly emigrants from the Onondagas. The Iroquois at the Lake of the two Mountains separated from those at the Sault St. Louis, when the Village was moved from the lower end of the Reserve near Longueuil to its present site.

We are led to believe that the Iroquois have a better claim to the Islands in the St. Lawrence, below Guananoque than the Mississagans, who dispute them with them, inasmuch as the former seem to have been the earlier recognized occupants of that part of the Country.

IROQUOIS OF THE SAULT ST. LOUIS.

Rev. M. Antoine's Evidence Appendix, No. 2. These Indians occupied lands in the Valley of the Connecticut, and State of New York. They received for many years a small annuity for Territory ceded by them to the above mentioned State in the year 1796, but this allowance was commuted about the year 1848. The proceeds were in part laid out on their Church, while the balance was placed in the hands of the Séminaire at Montreal. This Institution pays the interest regularly on the sum so invested.

On entering this Province they were settled on the Seigniory now in their possession, which was granted in 1630, to the Jesuits for the conversion, instruction, and subsistence of the Iroquois.

Subsequently the land was withdrawn from the management of the Jesuits, and the interest of the Tribe only under the supervision of the Indian Department was recognized, the fee simple being retained by the Crown. Their temporal affairs are managed by a resident Agent who is paid by a per centage on the rents received by him, and who is bound to account to the Tribe in Council, and to the Superintendent for the management of the moneys in his charge. He gives security to the Indian Department to the amount of \$4,000. The principal part of the Seigniory of the Sault St. Louis has been conceded to Whites at the low rates ordinarily exacted under the old feudal tenure; 14,257 acres are so leased.

Besides the land at Caughnawaga, these Indians are entitled to share in the Grant of 16,000 acres made under the Act 14 and 15 Vic. c. 106 to them and their brethren settled at the Lake of the Two Mountains. This Tract is situated in the County of Leinster on the Rivière du Nord, in the rear of the Township of Wexford.

This Tribe are under the spiritual charge of the Rev. J. E. Antoine who receives no salary from Government for his services in this respect.

The Indians by the last Census Return number 1342 souls.

Adults of 21 Years and Upwards.	Young 14 to 21 years.		Children under 14 years.		Number of heads of families.	During the year 1856.
	Males.	Females.	Males.	Females.		
307	277	116	147	279	248	321
						Births 79 Marriages 17 Burials 46

The Tribe is decidedly on the increase, the returns in 1842 giving a total strength of only 1,100. The average number of Baptisms annually shews an augmentation of 59 to 80; while the statistics before us manifest a considerable preponderance of births over burials.

These Indians though of such mixed descent, as scarcely to reckon a single full blooded individual among their number, retain the aboriginal apathy and disinclination to settled labour of any sort. They still cling to their roving habite, and many of them are Voyageurs and Canoemen in the employment of the Hudson's Bay Company. A considerable number too are occupied during the summer in rafting timber and as pilots through the rapids of the St. Lawrence.

They cultivate a limited quantity of land, but most of the Reserve which is in their own hands, is lying idle, unprofitable alike to themselves and the country at large.

From its proximity to Montreal, the temptation to plunder firewood is irresistible. So extensive have been the depredations of this nature carried on by the whites, aided by a considerable party of the more dissipated among the Indians, that a serious riot was the result, and some of the offenders were tried at Montreal for the crime.

The agricultural produce raised by the tribe during the year 1856, is as follows:

Wheat.....	561 Bushels.
Oats and Barley.....	1800 "
Peas.....	1121 "
Potatoes.....	423 "
Indian Corn.....	410 "
Hay.....	602 Tons.

The manufacture of maple sugar is carried on to a very considerable extent in the Reserve, and forms an important item in the resources of the Tribe.

They possess a very considerable quantity of live stock, having no less than 251 cows, 15 oxen, 226 horses and 517 swine. They also own 119 carts or wagons, but we have no return of the other agricultural implements in their hands.

Their village is the largest, and one of the best built Indian Settlements in Canada. It contains 245 houses, of which many are constructed of stone, a spacious and handsome church, with a presbytère attached to it, and a council house or "Maison du Gouvernement," also used as a school house: All these are substantial edifices of stone. The school has been lately re-opened, with an average attendance of 38 scholars.

Mr. Antoine speaks most favorably of their advancement in Christianity; their attendance at the services of the church is regular and punctual. Amongst several proofs which could be produced, the numbers who have entirely renounced the use of ardent spirits shew that the teaching of their missionaries produces a practical effect upon their daily life.

The revenue of this band is small, consisting of \$1062 40; of this \$62 40 represents the yearly interest of the money funded for their use, and

is derived from the land sold to the St. Lawrence and Champlain railroads, which passes through the Reserve.

The balance amounting to \$1000 annually is derived in part from the interest accruing on \$3333 33 placed in the hands of the séminaire at Montreal. This fund arises from the commutation received from the State of New York for the annuity granted in consideration of lands in that locality ceded to the State by the Iroquois. The balance of \$1000 is derived from rents in money and kind from their leased lands.

Over most of this money the Indian Department has no control, nor does it pass through their hands. The above named rents are collected by the local agent who is bound to render annual returns to Head Quarters of his receipts and expenditure.

IROQUOIS OF ST. REGIS.

Rev. Mr. Marceau's Evidence. Appendix No. 2.

This Tribe occupy a part of their former hunting grounds, which were in their hands at the time of the French Rule in this Country. The land on which their Village is built is in Lower Canada, abutting on the American frontier. In fact many of the band are subjects of the United States residing in that side of the border.

That part of the Tribe which comes under the jurisdiction of the Indian Department of Canada, is that to which our attention has been exclusively turned, and to which our remarks are confined; Their numbers are as follows :

Adults of 21 years and Upwards.		Youths from 14 to 20 years.		Children under 14.		No. of heads of families.	Total Indian population.	During the year 1856.	
Males.	Females.	Males.	Females.	Males.	Females.			Births	Marriages
97	100	112	115	134	127	183	685	34	8

They were all until lately members of the Roman Catholic Church, but within the last 10 years some of them have been converted to the Methodist persuasion. A considerable number of the Tribe are of mixed descent.

They are under the charge of their resident Missionary the Revd. Mr. Marceau, who receives in that capacity an annual stipend of £300 or £303,34 from the Imperial Government. The British Indians receive in addition \$100 annually from their own funds, besides fees for baptisms, marriages and funerals.

Most of their temporal affairs are superintended by a local Agent, who is paid by a percentage on the rents which he collects; He is under

13, 14 Vic. c. 42, s. 5. "And for the purpose of determining any right of
15. Vic. c. 3, s. 25. "property, possession or occupation in or to any lands
belonging or appropriated to any tribe or body of Indians in Lower Ca-
nada, be it declared and enacted, that the following classes of persons
are and shall be considered as Indians belonging to the tribe or body of
Indians interested in such lands."

"First. All persons of Indian blood reputed to belong to the
particular body or tribe of Indians interested in such lands, and their
descendants.

"Secondly. All persons intermarried with any such Indians and
residing amongst them, and the descendants of all such persons.

"Thirdly. All persons residing among such Indians, whose parents
on either side were or are Indians of such body or tribe, or entitled to
be considered as such, and

"Fourthly. All persons adopted in infancy by any such Indians and
residing in the village or upon the lands of such tribe or body of Indians
and their descendants."

The wild lands in the Seigniories which are held in trust for the
Indians are exempted from the operation of the Seignorial Act.

The only statute which applies to both sections of the Colony is the
Act of last Session, enabling Indians of sufficient education and character
to become in all respects members of the Canadian Community, when the
Commissioners appointed for that purpose shall after due examination find
an Indian competent to manage his own affairs, they may give him a
certificate to that effect, and he may receive a portion of land in his own
name as well as the capital of his share of all moneys receivable by his
tribe. He thus breaks the link which binds him to his band, and assumes
the responsibilities and privileges shared by the community at large.

Other Indians not so far advanced in civilization may take advantage
of the Act after a certain probation, the period of which is fixed by law.

The same Act also empowers the Municipalities, on application from
the Superintendent General of Indian Affairs to attach any Indian reserve
to a neighbouring school section thereby enabling the Aborigines to benefit
by the excellent and cheap education afforded by the Common School
system of Canada.

PART III.

The protracted investigation in which we have been engaged has
impressed upon us the magnitude of the interests involved in the questions
to which our attention has been specially directed, in obedience to Your
Excellency's commands.

On commencing the task allotted to us, we found the prospect far
from encouraging. We saw the Indians in a state of tutelage, occupying
a position in the midst of the White population, and yet separate from
them, preserved in an artificial state of existence by the help of special
legislation.

We cannot but fear that the day may be approaching when the pres-
sure of the tide of immigration into the country may overpower all the
barriers which now fence the Indian possessions, when the demands of the
White population for land may become too strong to be successfully with-
stood, and that the Redman may be deprived of all that still remains to
him of his once wide domain.

Such an occurrence, if it were to take place, would be but the natural
consequence of causes now at work. The hardy pioneer, who in advance
of his fellows, plunges with a half snlten resolution into the forest,
determined to make a home for himself, is not likely to be over scrupulous
in respecting reserved lands. In a country like Canada the tendency to
take possession of waste lands is irresistible, and the feelings of the country
at large will always sympathise with the Squatter, who is earning his
living by his labour.

The Indian and European Races are therefore to a certain extent
influenced by antagonistic interests, and it will be for the Government to
remove the risk of collision by adopting such measures as may secure the
Indian rights at the same time that, so far as may be possible, they throw
open for settlement the unoccupied land, which is the bone of contention.
It has been part of our duty to collect information on this point, and to
consider how far it may be practicable.

We grieve over the misery so apparent among some of the bands, and
cannot help contrasting it with what we believe might have been their
present state; their actual condition is due partly to themselves, partly to
causes beyond their control.

The Commissioners' Report of 1844, touches on one of the sources of
this degraded condition. There is no lack of interest evinced by the
Imperial Government on the subject; successive Secretaries of State have
desired to ascertain the condition of these people, and have suggested mea-
sures for their benefit. This desire has been met in a reciprocal spirit
on the part of the several Governors of the Province. The correspondence
affords abundant evidence of this; but with the fatality which seems to
have attended this unfortunate race, various obstacles appear to have arisen
which have prevented these benevolent and judicious projects from being
carried out. Interests of greater magnitude have sprung up and the Indian
has been lost sight of and has sunk to a state of comparative neglect.

It is this absence of action which amongst other things has been so
prejudicial to the Indians. Of the various schemes which have been
tried, few have ever been tried, and even when tried, but little enquiry
seems to have been made whether the failure of an experiment arose from
any inherent defect in the plan, or from accidental external causes which
marred its full development.

We are therefore After all these years and in spite of the industry and
ability displayed in collecting information and drawing up Reports, still

425

10891 142590
Native re their land

Cognacqua Cliff

I sign that the original
deed of this land from
the King of France
was given to me by him
through the Agency
of the Governor

Indian Affairs (RG 10, Vol. 239 pt. 2, no. 10,801-
10,900).

1858/02/15

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES—
CANADA

#10891

Caugnawaga Sept 15th 1858
R. T. Pennefather Esq: Superintendent
of Indian affairs —

142591

Father

Your Red children, the Iroquois
of Caugnawaga, wish you to listen to
the words of our chief, Joseph Taissocote,
who is authorized by us to tell you the
feelings of our people —

Father

The Indians of this settlement
have, for many years, occupied the
land by virtue of a deed from the King
of France, and we wish still to enjoy
the same privilege —

Father

The law-makers of this country
during the last session passed an act
offering Indians, under certain conditions,
a deed for 50 acres of their own land —
The Provincial Secretary has endeavored
to induce us to accept these terms, which
we are united in opposing —

Father

We hope you will befriend your
dutiful Red children, & not suffer them
to be deceived by white wolves, who are
always endeavoring to take advantage

Father

We have always confined in our
great Master, the Queen, & we still

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10,900)

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CANADA

142592

intend to be loyal subjects, trusting
to her gracious protection -

Father

Would you kindly return by our
messenger the original deed given
us by the King of France - we think
that we can take care of it ourselves,
and wish it, so as to be able to confute
the slander of those, who say we have no
title -

Good Father

We remain your attached
children -

Do Be Thee Andante
Sah-har-deatchashish
wasi tsi-taka-ka
pa-to-sigat ha-sen-nah
wasi date-kun-ka
mar-tin sa-kor-dain-ha-ka

Indian Affairs (RG 10, Vol. 239 pt. 2, no. 10,801-
10,900)

PUBLIC ARCHIVES
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CANADA

426

11862

1112 March 1859

C. H. Delorimier Esq.

Reports that the Wood is
being felled from the
Saguenay of St. Lawrence
at the rate of 500 cords
a day & Requests on behalf
of the Chief to know if
the Govt will purchase
the logs.

1112 March 1859

1859/03/01

Indian Affairs (RG 10, Vol. 247 pt. 2, no. 12201-
12300)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

11862

No 1-

R. J. Provencher
 Agent général
 Toronto

Monseigneur

J'ai l'honneur de vous informer que depuis qu'il a été décidé par les affaires de la Couronne qu'il n'y avait pas de loi protégeant les Sauvages des Was榜ata dans la possession de leur bœuf,

Je Regrette d'être obligé de vous dire que le petit village sur le domaine de la Signerrie du Sault Ste. Marie, est rendu au point qu'il est brûlé et brisé plus de 1000 bœufs sont perdus, et pour cette raison je suis chargé de la part des grands Chef, afin de savoir si le Gouvernement, sera encore disposé à acheter leur Signerrie, en 1000 bœufs plus à propos de division leur terrains intérieurs ou de cette Comme ils sont actuellement avec chacun son Contrat, informez moi droit de vendre ce même terrains fait avec quelqu'un autre.

Les Chef désiraient que l'état ou ils se trouvent dans ce moment obtenu une récompense pour le portant.

D'après les informations que j'ai pu —
 jusqu'ici, je suis d'opinion que la Majorité votera favorablement.

Ce qui sera la plus haute évaluation.

Monseigneur

Assez longtemps

à Toronto le 14 juillet 1830

John R. Provencher

Conseiller

427

12193.

14919

22/24 August 1859.

Baughnawga Gedon

Pelton against the
conduct of their Agent, is
in offering their Slavery
for sale, and not rendering
them an account of the
Wines of the Tribe.

Indian Affairs (RG 10, Vol. 250 pt.1, no. 12101-
12200)

1859/08/22 PUBLIC ARCHIVES #12193
ARCHIVES PUBLIQUES
CANADA

Clayghnawaga 22 aout 1859.

149193

Monsieur

Nous vous prions de bien m'adresser
à Son Excellence le Gouverneur Général, une
Requête des Iroquois du village pour empêcher
de vendre notre réservation, en le priant
vous-même de nous accorder notre demande.

Nous nous plaignons beaucoup contre
la conducte de nos Chefs, premièrement parce qu'ils
veulent nous faire expatrier.

Deuxièmement, parce qu'ils nous ont ja-
mais rendu compte des argents qu'ils ont perçus
de différentes revenues pour notre tribue.

par exemple : depuis un an ils ont
reçu de l'agent au dessus de \$3000 sans compter
les quatre années précédentes.

Nous avons aussi écrit que les Chefs
ont mis dans leurs poches la plus grande partie
de cette somme de sorte qu'il n'y a plus d'argent
dans le coffre-fort.

Nous avons plusieurs chemins publiques
qui sont en très mauvaise ordre, nos voisins
d'à coté nous menacent de nous poursuivre
mais nos Chefs sont immobiles.

Comme le Gouverneur Général a
toujours été le Protecteur des opprimés.

Nous prions donc à Son
Excellence le Gouverneur Général d'ordonner
le commissaire des Terres Sauvage de
nous faire rendre compte et restituer
les argents que les Chefs ont reçus depuis
cinq ans.

R.T. Pennefather

Indian Affairs (RG 10, Vol. 250 pt.1, no. 12101-
12200)

PUBLIC ARCHIVES
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CANADA

149194

Am mis ga neva haec

I hasatis a nionker
Dak sasic eroniente
Tis r thawn is a ker
tier phi retha

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12200)

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CANADA

149195

428

1. Sir. Excellence
Le Très-Honorables Sir Edmund Walker
Stead, Baronnet, Gouverneur Général.

L'Humble Requête des Principaux
Savages de Minganawaga :

Répresentant respectueusement.

Que ayant appris par une personne
très digne de foi : qu'une requête a été
soumise à votre Excellence par une par-
tie de leurs Chefs en offrant au Gouver-
nement à acheter leur Seigneurie, main-
tenant cette requête et en considération par
votre Conseil exécutif.

Que leur Seigneurie a été lasser-
ée depuis si longtemps par leurs ancêtres
pour leurs descendants.

Que vos pétitionnaires croient com-
mettre un grand crime et extorsion de
consentir le vendre aujourd'hui leur sei-
gneurie, pour mettre une population de
12 à 1400 âmes à la dispersion !

Que vos pétitionnaires se plaignent
sensiblement contre l'inclination, des-
Chefs, à vendre leur Seigneurie au Gouver-
nement Britannique, encore plus possible de
vendre la Seigneurie au Gouvernement Amé-
ricain, parceque ils ont offert la Seigneu-
rie l'été dernier au Président des Etats à
Washington.

Que tous les demandes des Chefs

soient rejette

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au sujet de la vente de cette Seigneurie
ont toujours été veillées et à l'instar
de vos Pétitionnaires

Que les descendants de vos pétition-
naires et eux mêmes ont toujours été et
seront toujours des fidèles sujets de Sa
Majesté Britannique, en temps de paix comme
en temps de guerre ; aussi de Son côté
Sa Majesté a toujours été la Proté-
trice des enfants du Sol.

Que vos pétitionnaires app-
plient instamment à votre Excellence
de l'accepter et annuler l'offre de
vente Seigneuriale des Chefs.

Que vos Pétitionnaires ne laisseront
de prière pour le succès de votre Gouver-
nement et de toutes sortes de Prospérités
pour votre Excellence.

Naniboo a nataras sakkasian aroniente
Noyate gya fayal NL
Shugatis amiamasendosekamen takanta
gutias a generation
Joseph Tironiak dan tenun
sonongasi

Tier tha givata Tier mitha
Tier thava ragata
rasar hewattha & tier sheka ra
sa kgu mica shina ton
fatorba x miha men tia sa
Sa Mkhari ya karon
Kemias ga natawae

Longmanaga 22 Aout 1859 - Ageo de Lorimier

Indian Affairs (RG 10, Vol. 250 pt.1, no. 12101-
12200)

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ARCHIVES PUBLIQUES
CANADA.