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Vol. 7
Part 1
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The Seigneurie of Sault St. Louis, Vol. 7, Part 1

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

[S.l. : s.n., 1995]

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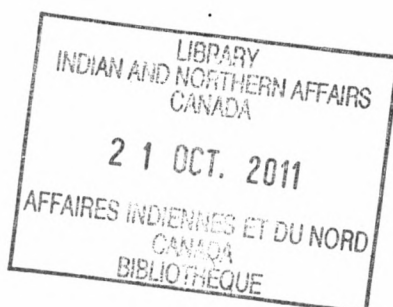


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Extraits des livres de renvoi des parties

*Paroisses St. Constant
Laprairie
St. Isidore
St. Philippe*

*comprises dans les limites de la Seigneurie
du Sault St. Louis*



*Area of the
Concession for
15,117 acres
Registered
in 1885*

1885/00/00

(2)
Extrait du Livre de Renvoi de la Paroisse St. Constan

N^o du
lot

Nom du Propriétaire

Front

Profondeur

Superficie

Aspento

Arches

Pieds

Aspento

Arches

Pieds

Aspento

Arches

Pieds

10 partie William Lewson

11 " Edward Barrett

13 " Name Charles Denault

14 Rue Lafleur

15 David Reid

16 John Griffin

17 René Barbeau

18 Alexandre Barbeau

19 Joseph Beauvais

20 George North

21 partie Louis Lanctôt

22 " Bernard Magroux

23 William Fletcher

24 Alfred Pansomault

25 Richard Boyer

26 Alfred Pansomault

27 Richard Boyer

28 Thomas Heiklan

29 partie Alfred Pansomault

35 " Eusebe Barbeau

36 " Moise Rongtin

37 " Constant Monchamp

38 Bernard Monchamp

39 Moise Rongtin

100 Abraham Rongtin

101 Julien Rongtin

102 Médéric Hamille Rongtin

103 Joseph Dupuis

104 Thomas Heiklan

105 Joseph Dupuis

3

30

90

6

irrégulier

229 50

1

12

12

3

12

92 15

1 5

"

42 75

1 5

28 2 09

42 37 1/2

irrégulier

3

"

1 5

28

42

1 5

30

45

1 5

30

45

3

30

90

3

irrégulier

37 95

6

"

78

9

"

1 5

27 5

41 25

1 5

27 5

41 25

2

32 5

65

irrégulier

57

"

68 75

3

30 5

91 50

2

irrégulier

42 50

2

"

46

Paroisse St. Constant

No du lot	Nom du Propriétaire	Front			Profondeur			Superficie		
		arpents	Paches	Pieds	arpents	Paches	Pieds	arpents	Paches	Pieds
106	Agathe Forté	4			10	2	9	41		
107	John Olson	4			irrégulier			109		
108	Edilmon Refebure	2			8			16		
109	Capitan Bojff	2			8			16		
110	Agathe Forté	1	5		8			12		
111	Capitan Bojff	3			9			27		
112	Richard Plumeau	3			irrégulier			89	25	
113	Alfred Pincormant	1			5			5		
114	William Fletcher	2			irrégulier			16		
115	Edme Landot	3			"			93	75	
116	Edouard Rangelin	4	5		8			36		
117	Jean Landot	3			8			24		
118	Marie William McEwan	3			irrégulier			88		
119	Amel Dugas	3			36			108		
120	Isaac Refebure	3			irrégulier			107	75	
121	Antoni Fortier	2			0	5		1		
122	La Fabrique	0	5		1	5				75
123	Jean Goyette	3			10			30		
124	Jean Blain	3			irrégulier			80	75	
125	Alexandre Parbeau	0	5		0	5				25
126	Joseph Beauvais	3			irrégulier			100	50	
127	Jean Landot	3			"			89	75	
128	Les Commissaires d'écoles	0	5		0	5				25
129	Theophile Robert	2			irrégulier			77		
130	John Smith	4	5		25	5		114	50	
131	Commissaires d'écoles protestants	0	5		0	5				25
132	John Adams	3			15			45		
133	Joseph Fargues	3			15			45		
134	"	2			30			60		
135	Theophile Fargues	2			30			60		

Paroisse St. Constant

Front Profondeur Superficie

N^o du
lot Nom du Propriétaire

		arpents	perches	toises	arpents	perches	toises	arpents	perches	toises
136	Sam Adams	2			30			60		
137	Alfred Gauthier	1	5		17			25	50	
138	Joseph Royer				irrégulier			53	62	
139	Richard Masson	4			"			67		
141	Isaac Newton				"			62	50	
142	partie - Pierre Giroux				"			27		
143	" William Smith				"			14	10	
146	" Thomas Whitehead				"			2	40	
148	" Louis LeFrancis				"			0	07	
150	Michel Ménard				"			156	50	
151	Celestin Ascllin	3			14	5		43	50	
152	Pierre Fauréau	1	3	6	15			20		
153	Michel Ménard	1	5		15			22	50	
154	Samuel Pumeau	5			15			75		
155	Narcisse Biron	1	5		15			22	50	
156	Jean Baptiste Niding	3			15			45		
157	Antoine Joseph Poullot				irrégulier			3	00	
158	Pierre Brossard				"			87	-	
159	Louis Fauréau	2			9			18		
160	Isaac Nib	2			6	7	9	13	50	
161	Edmond Brossard	2	5		16	5		41	25	
162	Aimé Guérin	1			17			17		
163	Neuve Rue Pumeau	1	5		17			25	50	
164	Marcel McNeil		5		17			8	50	
165	Marc Bourdeau	1			irrégulier			17	50	
166	Pierre Laplante	6			"			112	50	
167	Jean Baptiste Barbeau	5			"			100		
168	Joseph St. Francis	2			8			16		
169	Jean Baptiste Barbeau fils	2			irrégulier			24	50	
170	Pierre Laplante	1	7	9	"			34	56	

Paroisse St. Constant
Mont Profondeur Superficie

N ^o du lot	Nom du Propriétaire	arpents	Paschos	Pieds	arpents	Paschos	Pieds	arpents	Paschos	Pieds
171	Joséph - Patenaude	1	5		19			28	87	
172	(François Alvide Montigny	2			irrégulier			64	25	
173	Edouard Desautels	0	5		21			10	50	
173A	François Montigny	1	5		21			31	50	
174	Rémoville Pissella Dum	1	5		irrégulier			14	62	
175	Joséph Patenaude				irrégulier			19	127	
176	Edouard N. de Larivière	1	5		21			31	50	
177	Noël Pénissonault	3	5		irrégulier			26	37	
178	Louis Léger Raplanto	4			"			66		
179	Georges Gougeon	3			21			63		
180	Noël Pénissonault	3	7	9	irrégulier			124	25	
181	Narcisse Cusson	3			27	5		82	50	
182	Alfred Hamache	3			27	5		82	50	
183	Edmond Bellefleur	3			irrégulier			86	25	
184	Guillaume Bourdeau	3			29	2	9	87	75	
185	Louis Raymond	2			22	2	7	44	50	
186	Joussaint Cusson	2			irrégulier			74	00	
187	Constant Cusson	2			30			60		
188	Amalé Rongtin	3			30			90		
189	Olivier Robitoux	3			30			90		
190	Joséph Robitoux	8	7	9	30			262	50	
191	(Ephrem Rongtin	3	2	9	irrégulier			96	69	
192	Reo. Moire	3			"			89	25	
193	Julien Gervais	3			30			90		
194	Louis Poupard	3			30			90		
195	André Hébert	9			30			270		
196	Julien Gervais	3			irrégulier			85	50	
197	Narcisse Rongtin	3			"			76	50	
198	Theophile Trudeau	3			"			71	25	
199	José Goyette	3			"			72	75	
200	Joséph Redue	2			"			55		

		Paroisse St-Constant								
		Front			Profondeur			Superficie		
En st	Nom du Propriétaire	arpents	Paches	Pieds	arpents	Paches	Pieds	arpents	Paches	Pieds
201	Bernard Dupuis	2			irrégulier			59		
202	Julien Dubuc	2			"			62		
203	André Déniger	2			"			61		
204	Louis Noël, veau	3			"			84		
205	Joseph Trudeau	2			18			36		
206	Louis Payant	2			irrégulier			35		
207	Bernard Dupuis	1	5		"			24		
208	Charles Rongtin	4			"			49	25	
209	Joseph Reduc	2			"			19		
210	Ignace Refrançois	2			"			18	50	
211	Joseph Refrançois	1	5		"			7	87 1/2	
212	Joseph Renaud	1	5		"			6	37 1/2	
213	Alain Colletto	2			"			18	50	
214	Julien Dubuc	2	2	9	6	5		13	63 1/2	
215	Alain Colletto				irrégulier			2	25	
216	Narcisse Rongtin	2	2	9	irrégulier			65	81	
217	Solomon Lanctôt				"			161	25	
218	Joseph Retourneau	3			"			68		
219	Les Commissaires d'écoles		5			5			25	
220	Antoine Potvin	3			irrégulier			81		
221	Charles Raymond	3			"			21		
222	Augustin Bourdeau	3			"			14	25	
223	Julien Payant	3			"			9	75	
224	Vincent Bignault	3			2			6		
225	Raphael Bourdeau	3			"			5	25	
226	Joseph Retourneau	5			"			29	25	
227	Abel Lanctôt	3			"			104		
228	Joseph Retourneau	1	2	9	27			33	75	
229	Edmond Refebvre	2	7	9	27			74	25	
230	Joseph Retourneau	15			"			160	50	
231	Vincent François Dumitral	3			"			83	62	

Paroisse St-Constant

N ^o du lot	Nom du Propriétaire	Front			Profondeur			Superficie	
		arpents	Pieches	Pieds	arpents	Pieches	Pieds	Arpents	Pieches
232	Mangais Gerain	3			27			81	
233	Constant Cusson	7			irrégulier			192	50
234	Joussaint Cusson	2			28			56	
235	Joseph Retourneau	3			"			83	
236	Edmond Bellefleur	1	8	6	24			44	
237	Alfred Lamarche	2			"			13	50
238	Noël Pinsonnault	2			"			18	
239	Neuve Camille Rancotot				irrégulier			279	50
240	Charles Gerain	5			"			29	37
241	Jean Samuel Lewis	3			"			10	50
242	Denis Guérin	3			"			78	
243	Louis Lériger Laplante	3			30			90	
244									
245	Arène Lériger	3			28	5		85	50
246	Michèle Ménard	3			5			1	50
247	Georges Gougeon	3	5		30			105	
248	Alcides Roselin	3			irrégulier			38	63
249	Bazile Rongtin	3			"			20	25
250	Michèle Ménard	3			20			60	
251	Neuve Narcisse Provost	3			20			60	
252	Joseph Thorgues	3			8			24	
253	Jean Samuel Lewis	6			"			63	
254	Barnabé Bruneau	1	5		16			9	
255	Jean Baptiste Rongtin	1	5		"			21	50
256	Charles Gerain	1	5		"			57	75
257	Edmond Matto	5			"			80	
258	Jean Baptiste Deford	5			"			20	
259	Moïse Goyette	3			20			60	
260	Jeane Goyette	1	5		20			30	
261	Jeane Goyette	1	5		"			54	
262	Joseph Rancotot	2			16			32	
263	Hubert Cardinal	1			"			6	

Paroisse St-Constant

Écart Profondeur Superficie

N^o du Nom du Propriétaire
Lot

	aspects	Pieds	aspects	Pieds	aspects	Pieds	aspects	Pieds	
263 - Paul Hébert	5		1					50	
264 Joseph Lancelot	4		1					40	
265 André Forté	5		1					50	
266 Ovide Gervais	6		1					60	
267 François Bourelle	4		1					40	
268 Meuse Narcisse Provost	6	12	1					66	180
269 Antoine Lamarche	5	10		irrégulier				55	180
270 Louis Rodier	3	8		"				24	36
271 Jean Baptiste Defoy				irrégulier			1	75	
272 Narcisse Lemieux	1	6	12	4				66	60
273 Les Commissaires d'écoles				"				20	
274 Alfred Fortin		7	12	2	6			17	28
275 John Samuel Revin		7	4	2	6			16	27
276 Moïse Nadon		8	6		irrégulier			20	12
277 Charles Demers		6	8		"			15	24
278 La Fabrique				irrégulier			3	83	
279 Louis Racicot	1	9	8		"		1	88	
280 Aimé Dugas				"			7	93	
281 - Pierre L'Ébèrge		3	16		"			68	
282 Héritiers Outhert	3				"		54	60	
283 John Lancelot				"			40	31	
284 Edmond Langelier				"			78	38	
285 Sylvestre Forté	1	5			"		17	62	
286 Cajetan Boyer	3				"		42		
287 Adolphe Lafleur	2			6	"		38	84	
288 Sylvestre Forté	2			14			28		
289 Joseph Rétourneau	1	5		6			9		
290 " "	3			8	"		56	75	
291 Désiré Parant	3				"		69	75	
292 François Xavier Mongeau	3			20			60		
293 Joseph Provost	1	5		20			30		

		Paroisse St-Constant			Front Profondeur			Superficie	
No du lot	Nom du Propriétaire	arpents	Pieds	Pieds	arpents	Pieds	Pieds	arpents	Pieds
294	Menace Lemire		7	7	irrégulier			17	87
295	Moderste Patenaude	1	5		"			10	03
296	Narcisse Naveau, Coillier				irrégulier			143	10
297	Antoine Goyet	3			"			129	
298	Thomais Xavier Monjeau	3			21			63	
299	partie François Boyer				irrégulier			110	70
300	" Dominique et St. Hyacinthe				"			54	
301	" Pierre Arel				"			32	
302	" Louis St. Marie fils de Joseph				"			11	
303	" Louis St. Marie fils de Louis				"			1	95
406	Compagnie du Chemin de fer Montréal & Champlain				"		about	11	75
407	Chemin de fer Montréal et Champlain							65	19

Extrait du livre de Renvoi de la Paroisse Sagouarrie

N ^o	Nom du Propriétaire	Front			Profondeur			Superficie		
		arpents	Poche	Pieds	arpents	Poche	Pieds	arpents	Poche	Pieds
08	partis Michels Menard				Irégulier			3		
09	" Jean Baptiste Parbeau				"			9	28	
10	" Louis Brossard				"			12	90	
11	" Nicolas Guerin				"				97 1/2	
13	" Barnabe Pruneau				"			14	03	
17	" Héritiers Bazile Barette				"			22	29	
18	" Jean Baptiste Niding				"			37	75	
19	" Pierre Brossard				"			31	71	
20	" Honoré Reduc				"			17	25	
21	" Pierre Brossard				"			29	92	
22	" Isaac Rich et uscor				"			30	49	
23	" Etienne Richotte uscor				"			16	03	
24	" Héritiers Luc Pruneau				"			21	52	
26	Marc Bourdeau	1	5	12	8	16		13	47	
27	partis François Bourdeau				"			8	14	
30	" Raphaël Beauvais père				"			18	19	
31	" Gilbert Brault				"			9	75	
34	" Héritiers Briault				"			30	60	
35	" Isaac Briault				"			9	90	
36	" Honoré Reduc				"			25	37	
37	" Joseph Parbeau				"			42	66	
38	" Edmond et Honoré Parbeau				"			18	25	
39	" Jean Baptiste Parbeau fils				"			72	50	
40	" François Montigny père				"			18	96	
42	" Olophas Guerin				"			69	15	
43	" Antoine Pincemant				"			24	45	
44	" Edmond A. Desautels				"			14	20	
45	" Héritiers Desautels et p. d. Ed. Guerin				"			7	02	
46	" Edmond Desautels				"			14	68	
47	" Louis Brault sans enfants				"			14	99	
48	" Héritiers Thomas Poirer				"			42	01	

Paroisse Laprinie

N ^o du lot	Nom du Propriétaire	Front			Profondeur			Superficie	
		aspects	Pieds	Pieds	aspects	Pieds	Pieds	aspects	Pieds
650	Narciso Edmond de Lorimier	4	5		30			135	
651	Rue Brissette		5		1				50
652	Joseph Beauvais				irrégulier			118	
653	George Edmond Charrier				"			2	50
654	Denis Marotte		1	4	28	5		3	56
655	Nicolas Nicolas Marotte		1	4	28	5		3	56
656	Pierre Marotte		1	4	30			3	75
657	Maurice Brissette		1	4	30			3	75
658	Bazile Marotte		5		30			15	
659	Pauline Rion Perras		6	12	30			26	
660	Ferdinand Guérin		6	12	30			20	
661	François Montigny	3	6	12	30			110	
662	André et Pierre Bétourmay	3			irrégulier			60	
663	Denis Marotte		3	14	19			7	18
664	Ferdinand Guérin	1	3	1	7			9	13
665	Narciso Edmond de Lorimier	1	3	1	13			16	97
666	Joseph Beauvais	1	3	3	20			26	33
667	Joseph Edmond Charrier	1			20			20	
668	Joseph Beauvais	3			20			60	
669	Narciso Edmond de Lorimier	4			20			80	

Extrait du Livre de Renvoi de la paroisse St Philipe,
Front Profondeur Superficie

N ^o du lot	Nom du Propriétaire	Front			Profondeur			Superficie		
		arpents	Pasces	Pieds	arpents	Pasces	Pieds	arpents	Pasces	Pieds
250 partie	Joseph Dupuis				Irregulier			71	54	
252 "	Edmond Hefebvre							18	75	
253 "	Veuve et Henriette P. Hefebvre							12	77	
254 "	Paul Robert							18		
255 "	Xavier Poupart							16	50	
256 "	Alexandre Barbeau							19		
257 "	Theophile Bouchard							16	50	
258 "	Charles Mathieu							103	80	
259 "	Veuve et Henriette A. Balin							48	75	
260 "	Charles Deneault							37	40	
261 "	Pierre Deneault							25	15	
262 "	Alfred Pinsonnault							7	56	

Extrait du Livre de Renvoi de la Paroisse St. Isidore
Front Profondeur Superficie

No du lot	Nom du Propriétaire	Front			Profondeur			Superficie		
		arpents	Pasches	Pieds	arpents	Pasches	Pieds	arpents	Pasches	Pieds
23	Henri Beaulieu	2			25			50		
24	Nicolas Bulteau	2			20			40		
25	Jean Baptiste Kaplante	3			irrégulier			99		
26	Narcisse Yelle	3			"			114	25	
27	Charles Lalumière	2			"			11	50	
28	Joussaint Lalumière				irrégulier			74	80	
29	Emercy Gibeau	2			"			41	40	
30	Amase Brosseau	2			"			17		
31	Henri Beaulieu	1	5		"			38	25	
32	Aug. Bazinet	1	5		"			33	37	
33 partie	Julien Pité				"			53	50	
34	" Amase Brosseau				"			36	45	
35	" Julien Colpron				"			11	40	
36	" Jean Baptiste Caille				"			6	97	
37	" Henri Biron				"			2	31	
267	" Joseph Colpron				"			2	50	
268	" Julien Colpron				"			13	20	
269	" Thomas Rhéaume				"			11	25	
270	" Léon Boyer				"			22		
271	" Antoine Deniger				"			30	20	
272	" Thomas Rhéaume				"			28	05	
273	Héritier Moise Langtin	2			20			40		
274	Henri Lemieux	3	5		irrégulier			70		
275	Joseph Beaulieu	3	5		"			69	04	
276	Athamase Poirier				"			73	60	
277	Thimoléon Poirier				"			19		
278	Médard Poirier	0	5		0	5		25		
279	Enoché Rochesseau		2	9	1			28		
280	Emercy Gibeau	3			irrégulier			55	67	
365 partie	Chemin de fer Montebello						about	9	50	
366							"	15	75	

Extrait du Livre de Renvoi de la Paroisse St. Isidore

N ^o du lot	Nom du Propriétaire	Front			Profondeur			Superficie		
		arpents	Paschos	Pieds	arpents	Paschos	Pieds	arpents	Paschos	Pieds
23	Louis Beaulieu	2			25			50		
24	Nicolas Bulteau	2			20			40		
25	Jean Baptiste Laplante	3			irrégulier			99		
26	Narcisse Gelle	3			"			114	25	
27	Charles Lalumière	2			"			11	50	
28	Joussaint Lalumière				irrégulier			74	80	
29	Emercy Gibeau	2			"			41	40	
30	Amase Brosseau	2			"			17		
31	Louis Beaulieu	1	5		"			38	25	
32	Aug. Bazinet	1	5		"			33	37	
33 partie	Julien Péro				"			53	50	
34	" Amase Brosseau				"			36	45	
35	" Julien Colpron				"			11	40	
36	" Jean Baptiste Caille				"			16	97	
37	" Henri Biron				"			2	31	
267	" Joseph Colpron				"			2	50	
268	" Julien Colpron				"			13	20	
269	" Thomas Rhéaume				"			11	25	
270	" Léon Boyer				"			22		
271	" Antoine Déniger				"			30	20	
272	" Thomas Rhéaume				"			28	05	
273	Héritier Moise Langtin	2			20			40		
274	Louis Lemieux	3	5		irrégulier			70		
275	Joseph Beaulieu	3	5		"			69	04	
276	Athamase Poirant				"			73	60	
277	Siméon Poirier				"			19		
278	Médard Poirant	0	5		0	5			25	
279	Enoché Rochesseau		2	9	1				25	
280	Emercy Gibeau	3			irrégulier			55	67	
345 partie	Chemin de fer Mont-Tremblé						about	9	50	
346	"						"	15	75	

A. 1886

49 Victoria.

Sessional Papers (No. 4.)

A. 1886

DOMINION OF CANADA

ANNUAL REPORT

OF THE

DEPARTMENT OF INDIAN AFFAIRS

FOR THE

YEAR ENDED 31st DECEMBER,

1885.

Printed by Order of Parliament.



OTTAWA:
PRINTED BY MACLEAN, ROGER & CO., WELLINGTON STREET,
1886.

1885/08/31

aries working among them, with a view to extending our work in that direction, and perhaps bring back a few new pupils to our institution.

As I have already intimated to the Department (11th June), it is my desire to make use of the present crisis to extend our work among the Indians, to enlarge our present buildings and to increase the number of our pupils. A first step towards this is to ascertain whether there is any disposition among the tribes in the North-West to avail themselves of our institution here, or whether we shall have to depend, as heretofore, on pupils from the reserves in western Ontario.

But whether we take children from the North-West or not, I think there is little doubt, that if means are forthcoming, we shall be able to keep an average of 50 boys at the Shingwauk Home, and 24 girls at the Wamanosh, as there seems to be every disposition on the part of the Indians now to send their children to us, and all whom we have now are bound to us by agreement.

I believe I am justified in asking of the Department a small increase in the grant at present made to our Institutions. Indeed, unless some additional help is given, it will be impossible for me to retain the services of Mr. Mitchell as Assistant Superintendent, as this addition to our staff involves an increase of expenditure of \$500 per annum.

The moderate request I have to make is, that the Department will pay for five more boys, at \$60 per annum, and five more girls, at \$40 per annum. This will exactly make up the sum required for the Assistant Superintendent, and towards the support of additional pupils I will apply for help elsewhere.

Should the number of our pupils at any time fall below the figure of boys 35, girls 20, I should not, of course, expect the full grant to be paid.

I have the honor to be, Sir,

Your obedient servant,

EDWARD F. WILSON,

Principal.

CAUGHNAWAGA AGENCY, QUE.

31st August, 1885.

The Right Honorable
The Superintendent-General of Indian Affairs,
Ottawa.

Sir,—I have the honor to transmit to you my first report on the Caughnawaga Indians, for the year ended the 30th June last; also a tabular statement, giving the number of the population, and showing the affairs of the band in general. There were 90 births and 72 deaths during the year; and since the last report the increase in the population is 94 souls.

There were no epidemic diseases on the reserve this year, and the sanitary condition of the tribe has been satisfactory. We have had, however, to deplore the death of two chiefs, that of Chief Louis Morris, and that of Grand Chief Joseph Williams. The demise of Chief Williams was much felt in the village, as he was greatly esteemed.

The crops are very good, and the Indians have in consequence been much encouraged in their agricultural pursuits. There are several good and beautiful farms on the reserve, which are provided with good buildings, and are well cultivated by the Indians themselves. All those who have taken to farming live well; and, I believe, when the division of the reserve shall have been completed, the Indians will seriously take to agriculture.

The work of the sub-division of the reserve by Mr. Dodman, under the supervision of Mr. McLea Walbank, is steadily going on, and I hope that it will soon be completed to the satisfaction of the majority of the band. An industrial and agricultural exhibition was held at this place during the year, and the committee have decided that there should be one every year, to promote emulation among the Indians in agricultural pursuits.

The agricultural products exhibited have demonstrated to the visitors that there is very little difference between the Indians of this tribe and the civilized people, for all the articles exhibited were arranged with taste and were in abundance.

The village has been very peaceful, and the presence of Constable Lefort is a guarantee for the maintenance of peace. He is very active, constantly at his post, and always ready to give the Indians good advice.

There has been no progress in the school during the year, and I regret to have to state that the Government school is very little frequented by children, although there are about 200 on the reserve who should attend school.

A change has recently been made by appointing another teacher, which it is hoped will result in a larger attendance and greater progress of the pupils. The contractors have quarried as much stone as was necessary to satisfy the demands made upon them. They gave employment to about 30 or 35 men.

Nearly all the women work in glass beads, and a certain number of men take falls over the rapids. This occupation prevents these from tilling the land.

I have the honor to be, Sir,

Your obedient servant,

A. BROSSBAU,

Indian Agent.

St. Regis Agency, 12th August, 1885.

The Right Honorable
The Superintendent-General of Indian Affairs,
Ottawa.

Sir,—I have the honor to submit the following report, in relation to the Indians of this Agency, together with the tabular statement, for the year ended the 30th June last.

The population, according to the last annuity interest pay-list, was 1,136, being 1,035 Catholic and 81 Protestants. During the last fiscal year there were 85 births, 35 deaths and 24 marriages. The mission consists of 1,990 souls, of whom 816 are Amerindian Indians, 120 French Canadians, and the remainder British Indian families.

I am pleased to report that temperance and order now prevail in the village of St. Regis, no liquor being sold in the place. Any Indians whom I have seen under the influence of liquor this summer had procured it from the vendor through a white man either in Dundee or Hogansburgh. Owing to the Scott Act no liquor can be procured in Cornwall.

The three Catholic schools have been in operation during the year, but the attendance, I am sorry to say, has not improved very much. When I visited from house to house, taking the tabular statements, I pressed upon the parents the importance and good result of sending their children to school. They would not, however, promise to do so.

The repairs on the St. Regis church are completed, and it is now a respectable looking and very comfortable edifice. The Rev. Mr. Mainville works hard and spares no pains to minister to the spiritual wants of the Indians.

The health and prosperity of the band has been good, and many are improving their houses. The Catholic members on St. Regis Island have just finished a comfortable school house. They were very much in want of it, being quite a distance from the St. Regis school. The crops on the islands are looking well, as the Indians are giving more attention to the cultivation of their lands.

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49 Victoria.

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Canada. Annual Report of the Department of Indian Affairs for the year ended 31st December, 1885. 49 Victoria, Sessional Papers (no.4), A. 1886 p. XXIV

satisfactory in its results as one would wish. A new teacher has recently been appointed. He comes highly recommended, and it is confidently expected that a fresh impetus will be given to the education of the children.

The order and decorum that have of late years characterized the village of Caughnawaga have, I am glad to be able to report, continued during the past year.

An investigation was held into the claims to land on the reserve, and such of them as are disputed by the chiefs are receiving the careful examination of this Department and of the Department of Justice; and so soon as they shall have been determined the land on the reserve will be divided among those entitled to share in the same, and location tickets will be issued to the individual occupants, when it is hoped that the fact of each holder of land possessing a document giving him a title of occupation to a location will tend to stimulate these Indians to greater efforts in agriculture. The population of the band is one thousand five hundred and sixty-nine.

They have four thousand acres under tillage, whereof eighty acres were newly broken this year. The produce raised by these Indians amounted to thirty-seven thousand four hundred and twenty-one bushels, and they also cut one thousand two hundred tons of hay. The value of their other industries is estimated at \$44,000. This band suffered a serious loss by the death this year of their Grand Chief Joseph Williams, to whose wise counsel and excellent example the present satisfactory condition of matters on the reserve is largely attributable.

The agent at Pierreville to the Abenaki band, whose reserve is situated at St. François du Lac, reports that these Indians have been more than usually successful in disposing of their manufactures and that there is a perceptible improvement in the moral tone of the band, the same being attributable to the prohibitory liquor law which is in force in the adjoining settlements, and in consequence of which the Indians cannot so easily obtain intoxicants. The population of this band is three hundred and three. They have three hundred acres of land under tillage, three acres of which were newly broken this year. They raised three thousand two hundred and eleven bushels of produce and cut sixty-eight tons of hay. The value of fish and furs captured, and of their manufactures was \$12,050.

The condition of the small band of Abenakis who occupy a reserve at Becancour remains unchanged.

The Huron band of Lorette in the County of Quebec engage more in manufacturing snowshoes, moccasins, lacrosse sticks, bead work, and other Indian wares than in hunting or agriculture. They manage to secure a sufficiency for their families and some of them are quite well off. They number two hundred and eighty-eight souls. From the above industries they are stated to have realized about \$47,000 during the past year.

xxiv

signed: John A. MacDonald
Superintendent-General of Indian Affairs

The failure of report on the Co Rimouski renders contained in my I

The agent has to forward his report will appear hereafter that but little it worth his while

The Micmacs of the County of Bon drunkenness for some amendment of matters this Department, and services of the stipend, in order that These measures have the reserve. These I of their reserve, for an extensive tract of these advantages the receipt of a statistical in respect to the progress on the reserve.

The other Micmacs, numbers only Maria, numbers only in agriculture, and have built barns for three hundred and sixteen acres this year. They raised produce and cut forty tons

The Montagnais of the County of Chicoutou sobriety are characterized. The population attended. They have one hundred broken for the first time hundred and ten bushels still engage in the work the advancement of settlement

R.S.C. 1886, c. 43, cont'd.

Chapter 43 of the Revised Statutes of 1886 was subsequently amended with the addition of the following sections. The Act enabling their inclusion in chapter 43 is placed within parentheses.

section 132 (enacted by c. 3, c. 22, S.C. 1883)

sections 133, 134 and 135 (enacted by c. 10, c. 29, S.C. 1890)

section 136 (enacted by c. 4, c. 30, S.C. 1891)

sections 137, 138 and 139 (enacted by c. 11, c. 32, S.C. 1894)

sections 140 and 141 (enacted by c. 8, c. 35, S.C. 1895)

The Indian Advancement Act. R.S.C. 1886, c. 44 (49 Vict)



CHAPTER 44.

The Indian Advancement Act.

A. D. 1886

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

INTERPRETATION.

1. In this Act, unless the context otherwise requires, the expressions used in this Act shall have the same meaning as the same expressions have in "The Indian Act," but the expression "reserve" in this Act, includes two or more reserves, and the expression "band" includes two or more bands united for the purposes of this Act by the Order in Council applying it. 47 V., c. 28, s. 2.

APPLICATION OF ACT.

2. This Act may be made applicable, as hereinafter provided, to any band of Indians in any of the Provinces, or in the North-West Territories of Canada, or in the District of Keewatin, except in so far as it is herein otherwise provided:

2. The provisions of "The Indian Act" shall continue to apply to every band to which this Act is from time to time, declared to apply, in so far only as they are not inconsistent with this Act: Provided always, that if it thereafter appears to the Governor in Council that this Act cannot be worked satisfactorily by any band to which it has been declared to apply, the Governor in Council may declare that after a day named in the Order in Council, this Act shall no longer apply to such band, and such band shall thereafter be subject only to "The Indian Act," except that by-laws, rules and regulations theretofore made under this Act, and not inconsistent with the seventy-sixth section of "The Indian Act," shall continue in force until they are repealed by the Governor in Council. 47 V., c. 28, ss. 1 and 18.

GENERAL PROVISIONS.

3. Whenever any band of Indians is declared by the Governor in Council to be considered fit to have this Act applied to them, this Act shall so apply, from the time appointed in such Order in Council. 47 V., c. 28, s. 2.

R.S.C. 1886, c. 44, cont'd.

Chap. 41 The Indian Administration Act. 49 VIT.

repealed and
replaced by
c. 1, c. 30,
S.C. 1890.

Division of re-
serve into
sections

4. Every reserve to which this Act is to apply shall, by the Order in Council applying it, be divided into sections, the number of which shall not exceed six or be less than two, and each section shall have therein a number of male Indians of full age, equal, so nearly as is found convenient, to such proportion of the male Indians of full age resident on the reserve, as one section of the reserve bears to all the sections:

Designation of
each

2. The sections shall be distinguished by numbers from one upwards, and the reserve shall be designated in the Order in Council as "The Indian Reserve," inserting such name as is thought proper, and the sections shall be designated by the numbers assigned to them respectively. 47 V., c. 28, s. 4.

First election
of members of
the council

5. On a day and at a place, and between the hours prescribed in the Order in Council, the male Indians of full age of twenty-one years, resident on the reserve, having after former elections, shall meet for the purpose of electing the members of the council of the reserve:

Who shall be
deemed elected

2. One or more members, as provided in each Order in Council to represent each section thereof, shall be elected by the electors resident in each section, and the Indian or Indians, as the case may be, having the votes of the greatest number of electors for each section, shall be the councillor or councillors, as the case may be, therefor, provided he or they are respectively possessed of, and living in, a house in the reserve:

Who shall
preside at the
election, and
his power

3. The agent for the reserve shall preside at the election, or in his absence some person appointed by him as his deputy, with the consent of the Superintendent General, or some person appointed by the Superintendent General may preside at the said election, and shall take and record the votes of the electors, and may, subject to appeal to the Superintendent General by or on behalf of any Indian or Indians who deems himself or themselves aggrieved by the action of such agent or deputy, or of such agent or person appointed as aforesaid, admit or reject the claim of any Indian to be an elector, and may determine who are the councillors for the several sections, and shall report the same to the Superintendent General. 47 V., c. 28, s. 5.

4. In any case of an equality of votes at any such election the agent or person presiding thereat shall have the casting vote.

First meeting
of council

6. On a day and at a place, and between the hours prescribed by the Superintendent General, if the day fixed for the same is within eight days on the date at which the councillors were elected, the said councillors shall meet and elect one of their number to act as chief councillor, and the councillor so elected shall be the chief councillor. 47 V., c. 28, s. 6.

R.S.C. 1886, c. 44, cont'd.

1886. The Indian Administration Act. Chap. 41.

7. The councillors shall remain in office until others are elected in their stead, and an election for that purpose shall be held in like manner, at the same place and between the like hours on the like day, in each succeeding year, if it is not a Sunday or holiday, in which case it shall be held on the next day thereafter which is not a Sunday or a holiday:

2. If there is a failure to elect on the day appointed for the election, the Superintendent General shall appoint another day on which it shall be held. 47 V., c. 29, s. 1.

16. In the event of a vacancy in the council, by the death or inability to act of any councillor, more than three months before the time for the next election, an election to fill such vacancy shall be held by the agent or his deputy, after such notice to the electors as provided in the Superintendent General directs, at which only the electors of the section represented by the councillor to be replaced shall vote, and to such election the provisions respecting other elections shall apply, so far as they are applicable:

2. If the councillor to be replaced is the chief councillor, then an election of a chief councillor shall be held in the manner already provided, but the day fixed for such election shall be at least one week after the date when the new councillor is elected:

3. During the time of any vacancy the remaining councillors shall constitute the council, and they may, in the event of a vacancy in the office, appoint a chief from among themselves for the time being. 47 V., c. 29, s. 2.

9. The council shall meet for the dispatch of business, at such place on the reserve and at such times as the agent for the reserve appoints, but which shall not exceed twelve times or be less than four times in the year for which it is elected, and due notice of the time and place of each meeting shall be given to each councillor by the agent:

2. At each meeting the agent for the reserve, or his deputy appointed for the purpose, with the consent of the Superintendent General, shall preside and record the proceedings, and may control and regulate all matters of procedure and form, adjourn the meeting to a time named, or adjourn, and report and certify all by-laws and other acts and proceedings of the council to the Superintendent General, to which certificate full faith and credence shall be given in all courts and places whatsoever:

3. He shall address the council and explain and advise them upon their powers and duties, and any matter requiring their consideration, but he shall have no vote on any question to be decided by the council:

4. Each councillor present shall have a vote on every question to be decided by the council, and each question shall be decided by the majority of votes, the chief coun-

either voting as a councillor and having also a casting vote, in case the votes would otherwise be equal:

5. Four councillors shall be a quorum for the despatch of any business. 45 V., c. 23, s. 2.

Council may
make by-law
for

10. The council may make by-laws, rules and regulations, which, if approved and confirmed by the Superintendent General, shall have force as law within and with respect to the reserve, and the Indians residing thereon, upon all or any of the following subjects, that is to say:—

Religious dis-
tribution of
school
teacher.

(a) The religious denomination to which the teacher or teachers of the school or schools established on the reserve shall belong, as being that of the majority of the Indians resident on the reserve; but the Protestant or Roman Catholic minority on the reserve may also have a separate school or schools, with the approval of and under regulations made by the Governor in Council;

Health.
Order.

(b) The care of the public health;

(c) The observance of order and decorum at elections of councillors, meetings of the council, and assemblies of Indians on other occasions, or generally, on the reserve, by the appointment of constables and revision of back-up honors, or by the adoption of other legitimate means;

Interpretation.
Sub-division
of reserve.

(d) The revision of interpretation and jurisdiction;

(e) The sub-division of the land in the reserve, and the distribution of the same amongst the members of the band; also the setting apart, for common use, of woodland and land for other purposes;

Troops.

(f) The protection of and the preservation of trespass by cattle, sheep, horses, mules and other domesticated animals; and the establishment of pounds, the appointment of pound-keepers and the regulation of their duties, fees and charges;

School houses,
do.

(g) The construction and repair of school houses, council houses and other buildings for the use of the Indians on the reserve, and the attendance at school of children between the ages of six and fifteen years;

Boats, do.

(h) The construction, maintenance and improvement of roads and bridges, and the contributions, in money or labor, and other duties of residents on the reserve, in respect thereof; and the appointment of road masters and fence viewers, and their powers and duties;

Water courses,
do.

(i) The construction and maintenance of water courses, ditches and drains, and the obligations of virage, the destruction and repression of noxious weeds and the preservation of the wood on the various holdings, or elsewhere, in the reserve;

Removal of
trespassers,
do.

(j) The removal and punishment of persons trespassing upon the reserve, or frequenting it for improper purposes;

(k) The raising of money for any or all of the purposes for which the council may make by-laws, as aforesaid, by assessment and taxation on the lands of Indians enfranchised, or in possession of lands by location ticket in the

Paragraph
10(h), c. 44,
R.S.C. 1886,
repealed and
replaced by
c. 2, c. 30,
S.C. 1890.

reserve the land for agriculture being made yearly in accordance with the provisions of the Act, and the amount by the Superintendent General, and being only a temporary and provisional estimate for the year, and the actual amount after it has been submitted to him and corrected, if and as he thinks proper, and approved by him, the tax to be imposed for the year in which the by-law is made, and not to exceed one-half of one per cent, on the assessed value of the land on which it is to be paid; and if such tax is not paid at the time prescribed by the by-law, the amount thereof, with the addition of one-half of one per cent thereon, may be paid by the Superintendent General to the treasurer out of the funds of the Indians in default on any month of the band, or if such sum is insufficient to pay the same, the defaulter shall, for violation of the by-law, incurring the tax, be liable to a penalty equal to the default caused by such default: Provided always that any Indian desiring himself acquitted by the decision of the agent, made as heretofore provided, may appeal to the Superintendent General, whose decision in the matter shall be final;

(M) The appropriation and payment to the local agent, as treasurer, by the Superintendent General, of so much of the moneys of the band as are required for defraying expenses necessary for carrying out the by-laws made by the council, including those in respect for assistance absolutely necessary for enabling the council or the agent to perform the duties assigned to them;

(n) The imposition of punishment by penalty or by imprisonment, or by both, for any violation of or disobedience to any by-law, rule or regulation made under this Act, committed by any Indian of the reserve; but such penalty shall, in no case, except for non-payment of taxes, exceed thirty dollars, nor the imprisonment thirty days; the proceedings for the imposition of such punishment may be taken before one justice of the peace, under the "Act respecting summary proceedings before Justices of the Peace," and the amount of any such penalty shall be paid over to the treasurer of the band to which the Indian incurring it belongs, for the use of such band;

(o) The assessment, appeal or removal of any such by-law, by a subsequent by-law, made and approved as heretofore provided. 45 V., c. 24, s. 10.

11. Every member of a council elected under the provisions of this Act, who is proved to be a habitual drunkard or to be living in immorality, or to have accepted a bribe, or to have been guilty of dishonesty or of infraction of office of any kind, shall, on proof of the fact to the satisfaction of the Superintendent General, be disqualified from acting as a member of the council and shall, on being notified, cease forthwith to so act, and the vacancy occasioned thereby shall be filled in the manner heretofore provided. 45 V., c. 24, s. 11.

12. A copy of any by-law, rule or regulation under this Act, approved by the Superintendent General, and purporting to be verified by the agent for the band to which it relates to be a true copy thereof, shall be evidence of such by-law, rule or regulation, and of such approval, without proof of the signature of such agent, and no such by-law, rule or regulation shall be invalidated by any defect of form, it being substantially consistent with the intent and meaning

c. 13 added
to c. 44,
R.S.C. 1886
by c. 3,
c. 30,
S.C. 1890.

Proof of by-
law, do.

now allege that those who undertook to negotiate with the Government for the sale of the property in question had no authority to do so, or to execute a deed of surrender of the same. At this late date it is most difficult to arrive at the facts in respect to this matter. It is only recently that any doubt has been thrown on the *bona fides* of the parties who executed the surrender. The compensation, if any, to be allowed the Indians, should their claim be substantiated by sufficient evidence, would have to be arranged by the Commissioners for the adjustment of claims against the old Province of Canada.

CLAIM OF DANIEL CHOUINARD.

Mr. Fiset asked, What are the reasons which have induced the Government to defer, up to this date, the payment to Mr. Daniel Chouinard of the amount awarded to him by the Official Arbitrators for damages caused to his property by the passing of the Intercolonial Railway?

Sir JOHN A. MACDONALD. The evidence which was adduced to establish this claim was so contradictory that I am told, in one case, no damage could possibly have occurred to the parties, unless water would run up hill, so the Minister has deferred deciding in favor of Mr. Chouinard.

CAUGHNAWAGA INDIAN RESERVE.

Mr. DOYON asked, When was Mr. Walbank appointed to survey the Indian Reserve of Caughnawaga, and at whose request? What is the precise nature of the work entrusted to Mr. Walbank? What sums have been already paid to Mr. Walbank, and how much remains to be paid to him? What is the object of Mr. Walbank's operations, and what action do the Government intend to take in the matter? When will the work be completed?

Sir JOHN A. MACDONALD. In the spring of 1882 Mr. McLea Walbank, P.L.S., was appointed to sub-divide by survey the Indian reserve at Caughnawaga, on his own application for the work. He had a letter of introduction from the Hon. Peter Mitchell, and was recommended by the Hon. J. C. Aikins. The nature of the work entrusted to Mr. Walbank comprised, in the first place, the preliminary survey of all of the various undefined plots of land claimed, and in part cultivated, by different members of the Iroquois band, which was a work of very great difficulty, and occupied considerable time, and in the second place, a subsequent sub-division by the regular lines of survey of the reserve into lots containing 30 acres each; also, the investigation of the individual claims to the lands. The amount already paid Mr. Walbank, on account of this survey, is \$16,000. It is impossible to say exactly what farther amount will be required to complete the survey, but it is not expected that very much more expenditure will be incurred, as the sub-division of the land will probably be completed this season. The object of Mr. Walbank's operations is to enable the Department to determine what quantity of land each Indian head of a family on the reserve, and male person of 21 years and over, is entitled to, and to distribute the land among them. As soon as the survey has been completed location tickets will be prepared and issued to each locatee. As already stated, it is expected that the survey will be completed this season.

THE LATE MR. CAMPBELL (RENFREW).

Sir RICHARD CARTWRIGHT. It is my painful duty to call the attention of the House to the loss which has been sustained by the recent death of Mr. Campbell, the member for South Renfrew, which took place yesterday. Hon. gentlemen who have been in this House with the late Mr. Campbell do not require to be told that, although, having entered the House at a somewhat advanced

Sir JOHN A. MACDONALD.

period in life, he did not take any very active share in the debates, he was a man who was noted for his unassuming and retiring character, and also for his devotion to his duties as a member of this House. Unfortunately this Session has been marked by an unusual number of deaths, and, although in Mr. Campbell's case it was not as unexpected as in the case of the other gentlemen whose loss we had to deplore—the hon. members for Digby (Mr. Campbell) and Restigouche (Mr. Moffat)—still, those of us who met Mr. Campbell in the early part of this Session were very far, indeed, from expecting that we should be called upon to deplore his loss at this period of the Session. Mr. Campbell, I believe, for a great many years was very extensively engaged in mercantile operations. In his own section of the country he always sustained a very high character for probity and honor, and he has left behind him a gap which will be hard to fill in his family and among those who were acquainted with him in that part of the country. I am sure the whole House will sympathize with his family in the loss they have sustained, and will also join in the regret at one of our number having been so suddenly removed from amongst us.

Sir JOHN A. MACDONALD. I can sincerely join in the regret which has been expressed by the hon. gentlemen in regard to the loss of our departed friend, Mr. Campbell. Although he was not politically in sympathy with us on this side, everyone of us who had the privilege of knowing him respected and esteemed him, and looked upon him with more than cold regard for his kindly genial manner, his evident sincerity of purpose, and his gentlemanlike, non-trusive demeanor, which won all parties. I can assure the hon. gentleman who has made these very proper remarks that we on this side thoroughly appreciated Mr. Campbell's qualities, that we liked to see that kindly face, though it was on the other side of the House, and that we deeply regret his loss.

Mr. WHITE (Renfrew). Coming from the county of riding of which was represented by the hon. gentleman who has been referred to by the First Minister and the member for South Huron (Sir Richard Cartwright), it may not be out of place for me to say a word or two on the subject. I have known Mr. Campbell for a great many years, and what the hon. member for South Huron has said as to his character for probity and honor, I endorse to the fullest possible extent. Mr. Campbell had the highest character for probity and honor in the locality in which he lived, and, although, as the hon. the leader of the Government has stated, I was politically opposed to him, I have learned, having been more closely drawn to him since he came into the House in 1882 than I was previously, to respect that gentleman for the honesty of his opinion, and I can only say that I regret sincerely the circumstances which have called upon us to mourn his loss.

QUEBEC SHIP LABORERS.

Mr. AMYOT. Before the Orders of the Day are called I would ask the Government if they have come to a decision in reference to the Bill which I presented respecting the ship laborers; whether they will take it under the charge and secure its passing, as it is a matter which is very urgent for Quebec.

Mr. THOMPSON. That subject is being considered, and I will be able to confer with the hon. gentleman later in the day.

COMMERCE WITH FRANCE.

Mr. AMYOT. I would also ask when the Ministers are going to produce the papers respecting commerce with France. I understood from the Secretary of State the other day that they were all ready and would be produced

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built this year. The railway is to be completed 1st January, 1891. The companies are bound to go on, and profess to have the means to enable them to go on. Fifty miles of the Manitoba North-Western is to be constructed this year. The Manitoba North-Western is to be continued under Order in Council of 6th May, 1885, at the rate of fifty miles per year.

INDEMNITY TO LT.-COL. ARTHUR EVANTUREL.

Mr. VANASSE asked, Whether a sum of money has been paid to Lieut.-Col. Arthur Evanturel, of the 9th Battalion, by way of indemnity for wounds or infirmity caused or contracted during the North-West campaign? If so, what is the said sum, and what is the nature of such infirmity?

Sir ADOLPHE CARON. Mr. Speaker, I am obliged to request the hon. member to consider his question as a notice of motion. On referring to the record, I find that it is impossible to answer this question without bringing down the returns which form part of the record. My hon. friend can make his motion now.

Mr. VANASSE. With the consent of the House, I move for:

Copies of correspondence with Lieut.-Col. Evanturel, of the 9th Battalion Rides (Voltigeurs de Québec), in relation to a claim for an indemnity in consideration of wounds or infirmity caused or contracted during the North-West campaign; also, copies of all despatches, letters and medical certificates in relation thereto.

Mr. AMYOT. Would the hon. gentleman say what are his reasons?

Mr. SPEAKER. This motion cannot be put except with the unanimous consent of the House.

Mr. AMYOT. I do not object to the motion, but I would like to know the object sought by this motion. If it is to procure personal information, I think I can give all the hon. gentleman may require. If it is for some other public reason I would like to know them. Surely he must have a motive.

Mr. VANASSE. I make this motion in the public interest, in order to ascertain what injuries he has received and amount he has obtained.

Mr. AMYOT. I move in amendment that the papers concerning all the allowances given to members of the North West Force be furnished.

Sir JOHN A. MACDONALD. It would take years to prepare such a return.

Sir RICHARD CARTWRIGHT. The motion is as much an order as the other.

Sir JOHN A. MACDONALD. No doubt of that.

Mr. AMYOT. Then I object to the hon. gentleman's motion.

INDIANS UNDER THE ROBINSON TREATY.

Mr. DAWSON asked, What is the amount of arrears and interest claimed by the Department of Indian Affairs as being due to the Indians under the Robinson Treaties?

Sir JOHN A. MACDONALD. Arrears, 1851 to 1867, 140,800; 1867 to 1882, \$212,293.60—total, \$353,093.60. Interest, 1851 to 1882, \$81,920; interest on \$353,093.60 from 1882 to 1887, at 4 per cent., \$70,618.60; total, \$152,33.60. Total, \$505,632.20. From the year 1882 the Government has advanced the requisite amount, as voted by Parliament each Session, to pay the full annuity of \$47 *capita* annually.

ARMS IN THE NORTH-WEST.

Mr. HESSON asked, Whether the Government have seen an editorial in the *Battleford Herald* of the 7th instant, complaining that an order had been issued commanding the volunteers of Battleford to send in their arms for transmission to Winnipeg, to be stored there? If there is any truth in said statement, is it the intention of the Government to enforce said order?

Sir ADOLPHE CARON. An order was at first given to collect these arms, to have them inspected and repaired, and put in order at Winnipeg. Subsequently, instructions were sent, by order of the Minister, to have them cared for by the mounted police. These arms are now being collected by the mounted police, and will be returned by them. In addition to the above, 200 stand of arms have been sent to Regina, 100 to Battleford and 200 to Prince Albert, in charge of the mounted police. We have in Battleford 274,000 rounds of ammunition, of which 150,000 rounds are to be sent to Prince Albert for safe keeping, in charge of the mounted police; 5,000 have also been sent to Regina.

PROMOTION IN THE CIVIL SERVICE.

Mr. O'BRIEN, in the absence of Mr. McNEILL, asked, Whether a candidate for promotion in the Civil Service, having passed such an examination as would entitle him to rank as a first class clerk, and there being vacancies only in the second class, would he be entitled to fill a position which might thereafter become vacant in the first class, without passing a subsequent examination?

Mr. CHAPLEAU. When a course of questions is given which would cover the qualifications for first class clerk, and the answers given such as would give the applicant the number of marks required for first class, there would be no other examinations.

Mr. O'BRIEN. The answer does not seem to meet the point of the question.

Mr. CHAPLEAU. I say yes to the question.

THE SHEPPARD CASE

Mr. RINFRET, in the absence of Mr. LANGELE (Montmorency), asked, Whether the Government have received a copy of the presentment of the Grand Jury for the district of Montreal, complaining of the conduct of the Magistrates of the city of Toronto in the case of Sheppard, charged with libel?

Mr. THOMPSON. That document was received on Monday last.

FISHING LICENSES.

Mr. BRIEN asked, Have licenses for pound-net fishing in Lake Erie, county of Essex, been refused to any person or persons making application for the same? If so, to whom and for what reasons?

Mr. FOSTER. One pound-net license each to William Haskin and George Haskin were not renewed for the season of 1887—the reason being that they had sold out all their fishing plant and apparatus. Their net was found the previous season with a large quantity of fish in it, in various stages of decomposition—not having been attended to for several days, and it appears that they had not the necessary facilities for carrying on their fishing operations.

INDIAN LAND AT CAUGHNAWAGA.

Mr. DOYON asked, Whether it is the intention of the Government to see that the Canadian Pacific Railway Com-

pany pay a reasonable indemnity to the parties entitled thereto, for land taken by the company for the construction of their line of railway on the Indian Reserve at Caughnawaga?

Sir JOHN A. MACDONALD. The Government will take care that the rights of the Indians to their land will be protected, and in case of any land being taken from their reserves for railway purposes, they will see that full compensation is got for it.

WILLIAM DALTON.

Mr. MITCHELL asked, Why have William Dalton's services been dispensed with on lightship on Miramichi after he had resumed his duties for the season, and was it by direction of the Minister of Marine and Fisheries? Had he in any way failed in his duties?

Mr. FOSTER. William Dalton is not this year in the service of the Department on the lightship on the Miramichi, and consequently it cannot be said that his services have been dispensed with. In former years his services have been satisfactory.

Mr. MITCHELL. The hon. gentleman has been misinformed. Mr. Dalton was employed by the Department, as is shown by the following letter from the agent of the Marine and Fisheries Department at St. John, N.B., as follows:—

"FISHERIES OFFICE, ST. JOHN, N.B., 3rd May, 1887.

"Mr. Wm. DALTON, Newcastle.

"Sir,—I have the Minister's order to instruct you when the lightship is placed in her berth for the season, to resume on board of her your usual duties as special fishery officer among the islands at the mouth of the river. Your pay will be the same as formerly—\$30 per month from time of commencement to 1st October.

"You will be guided by former instructions as to your duties, and at the close of the season send me a report of your action.

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

(Signed) "W. H. VENNING,

"Inspector."

So the hon. gentleman will see that he was wrong, and that this man was placed on duty by the order of his Department. On the 13th May, ten days after the previous letter, Dalton received the following communication:—

"FISHERIES OFFICE, ST. JOHN, 13th May, 1887.

"Mr. Wm. DALTON, Newcastle.

"Sir,—Reverting to my letter of 3rd inst., directing you to resume your old duties on board the lightship at the mouth of the river, I am now ordered by the Hon. the Minister of Marine and Fisheries to inform you that your services will not be required this season.

"I have the honor to be, Sir,

"Your obedient servant,

(Signed) "W. H. VENNING,

"Inspector."

So the hon. gentleman will see that he has not been informed on the point, some way or other.

Mr. FOSTER. The information is correct. Before the lightship had gone to her station he had received the second order.

Mr. MITCHELL. He did receive the authority?

Mr. FOSTER. Before he had gone to his duties on the lightship he had received the second order. He was not a permanent employé of the Fisheries Department, and his was simply a case of employing a man year after year at so much a month. He was employed in previous years in that way, and paid. This year his services were not taken by the Department.

Mr. MITCHELL. I have shown that his services were taken, and the man was put on.

Mr. DORON.

DISMISSAL OF ARSENE L'EVEQUE.

Mr. GUAY asked, For what reason was Arsène L'Eveque, station master at St. Henri, on the Intercolonial Railway, dismissed? Has an enquiry been held into the charges made against him, and what has been the result of the said enquiry?

Mr. POPE. An enquiry was made, and the result was that the gentleman in question was found guilty of neglect of duty.

CUSTOMS ACT AMENDMENT.

Sir CHARLES TUPPER moved the third reading of Bill (No. 107) to amend Chap. 33 of the Revised Statutes of Canada, respecting duties of Customs.

Sir RICHARD CARTWRIGHT. Before the Bill is read the third time, I desire, although I am afraid it is in vain, to call the attention of the House to a few points in connection with the proposed Act. I need not delay the House by enlarging on the enormous quantity and number of the changes which have been made. They amount to very nearly 200 changes made in our tariff. They cover an enormous number of the articles which are most commonly in use, and they will result, it is perfectly clear, in adding immensely to the cost to the consumer (although probably not to the amount which will be received by way of revenue on something like twenty or twenty-five millions of dollars of our dutiable imports now. In point of fact, Sir, when you come to deduct those articles which can hardly by any possibility be taxed, I think you will find the taxes on nearly one-half of our dutiable imports, all very heavily taxed already, have been largely increased under this statute. Now, it is not possible, and the Finance Minister was candid enough to admit that it was not possible, for us to ascertain what amount of revenue will be added by this measure. The hon. gentleman intimated that but a small amount, he thought, would be added. Now, it is possible in the long run, after these changes have worked out their probable results, that the hon. gentleman may be right, but I am inclined to think that, in the first instance, it will be found that a considerable amount of additional revenue—a good deal more than the hon. gentleman gave us to understand—will be obtained therefrom. However, it is not so much with the immediate results as with the ultimate results that the House has to deal. There is no doubt whatever that through these additions to the duties of Customs it will be found that a very large additional sum will be imposed on the consumers throughout this country that articles of common everyday use are being taxed to a very much greater extent than they were heretofore, and there is no doubt whatever that this will result in imposing burdens on the people out of all proportion to the amount of revenue which will ultimately go into our coffers. It is a matter of great difficulty to estimate to-day what the ultimate results will be; and apparently, as far as we can judge in following out the discussions and in examining the estimates submitted by the hon. Finance Minister, the total increase to the revenue which he ultimately expects to receive can hardly exceed the sum of \$500,000. I think he intimated that it would be about enough to balance the loss of duty on anthracite coal. On the other hand, there is too much reason to believe that the results to the consumers of this country will be to impose on them an additional burden of four or five millions of dollars at least, so that probably about ten times as much will be taken out of the pockets of the consuming population for the purpose of equalising the loss of duty incurred by the remission or loss of duty on anthracite coal. Now, that is an extremely serious matter. As I have shown the House over and over again, the results of our present policy are to be

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Papers.

A. 1888.

51 Victoria.

Sessional Papers (No. 15.)

A. 1888

y the Governor General, dated 5th May,
list of all patents issued, together with a
ship 8, ranges 1 and 2, east; township 8,
nship 9, ranges 1 and 2, west; township
west. Also sections 11 and 29 in town-
ised in the Goulet Rivière Salé survey.
scrip issued, and a schedule of the names
pplications for, in connection with, or in
1888 —Hon. Mr. Schultz..... Not printed

the Governor General, dated 10th April,
tain the Governor General's office from
, residence, travelling and all other incl-
ed to each and every of them respectively.
P Donohoe..... Not printed.

DOMINION OF CANADA.

ANNUAL REPORT

OF THE

DEPARTMENT OF INDIAN AFFAIRS

FOR THE

YEAR ENDED 31ST DECEMBER,

1887.

Printed by Order of Parliament.



OTTAWA

PRINTED BY MACLEAN, ROGER & CO., WELLINGTON STREET.
1888.

1887/08/31

Canada. Annual Report of the Department of Indian Affairs for the
year ended 31st December, 1887. 51 Victoria, Sessional Papers
(No. 15), A, 1888, p. 29

Soney—"David built an altar there; and second, Solomon built the Temple in the same place."

Willie—"The three things happened was the Temple of the Lord was built, and after some time it was taken by a king call Nobuchanezzar, and after that was done a musk was built."

Pedahtig—"David saw the burning bush, and the Temple was built, and God gave the ten commandments (1)."

Johnson—"The King David built an altar on the Mount Moriah, and his son Solomon built the Temple in a very same place, and Abraham offered his son Isaac to God on Mount Moriah."

Our senior scholar, David Oshabee, has been a pupil at Trinity College school, Port Hope, since last May. The following is his last examination report: Divinity, stands 5 in a class of 17; Latin 1 among 17; Euclid, 1 among 15; Algebra 4 among 20; Arithmetic, 3 among 25; English Grammar, 5 among 12; English Reader, 10 among 23; History, 20 among 26; Geography, 14 among 27; Latin Composition, 4 among 22; general result, 4 among 22; obtained 1,220 marks out of 1,800. Honorable mention for general proficiency. General conduct excellent.

Trades.

We are employing white men at present as carpenter and bootmaker, but their services will be dispensed with shortly, as we have not the means to meet the expense. For other trades the boys go up to the village. At the present time we have four boys learning carpentry, four bootmaking, two waggonmaking, two blacksmithing, two tailoring. The tinmith boys were withdrawn owing to the intemperate habits of the man who employed them.

Health.

The health of the pupils at both Institutions has been on the whole good during the year. Five or six cases were received into the hospital, but they all recovered. We have had no death since April, 1885.

In concluding this report I must say that we are laboring under a feeling of great disappointment, and a sense even of injustice, that the Department has not seen fit to accede to the oft repeated request for an increased grant towards the maintenance of our present Institutions. Owing to the unreadiness of the Department to relieve us at a time of most pressing need, we are now forced to reduce our already limited staff, and to shake the confidence of the Indian parents in our work, by sending away a number of pupils.

We hope that the Department will reconsider its action in this matter, and take such steps as will enable us to enlarge our building here as we have proposed, to receive and maintain a larger number of pupils, and also to erect two or more receiving homes at distant points, subscriptions towards which have already been received. Towards the Elkhorn Receiving Home, as I have mentioned in a former letter, I have \$2,000 in hand, and the offer of a free grant of land, and should begin building at once, if the Department would promise assistance towards the future maintenance. Towards the proposed Receiving Home at Banff, subscriptions have also come in, and I have the assurance of the Indian Commissioner for the North-West that he is strongly in favor of it. Whether the Department helps me or not, I intend, God helping me, to push forward both these works.

I would just add that the two Blackfoot boys whom I brought to the Home this spring are perfectly happy and contented, showing no signs whatever of homesickness; one of them is learning carpentering, the other bootmaking, and both are apt pupils.

I have the honor to be, Sir,
Your obedient servant,

EDWARD F. WILSON.
Principal.

[PART I]

The Honorable
The Superintendent-General of Indian Affairs,
Ottawa.

SIR,—I have the honor to transmit to you my report, together with the tabular statement for the year ended the 30th of June last.

There have been, during the year, eighty-four births and fifty-six deaths, making an increase of twenty-eight.

The sanitary condition of the Indians is very satisfactory; there was no epidemic on the reserve this year, notwithstanding, however, we have lost one chief, Thomas Asanasse.

The harvest has been above the average, and the Indians are pleased with the result of their labor.

Order and quietness have existed in the village, notwithstanding that two or three members of the tribe have done all they could to disturb the peace, but the presence of Constable Lefort has had the effect of preventing trouble.

The subdivision of the reserve is actively carried on under Mr. McLea Walbank, Q.R., and it is to be hoped that the work will be completed this fall, in order that each person can have a location ticket for his lot.

The school on the reserve has given complete satisfaction during the year; the pupils are well disciplined and have made great progress.

The contractors of the quarries have given work to over thirty men during the year, and the reserve is in a prosperous condition.

I have the honor to be, Sir,
Your obedient servant,

A. BROSSEAU,
Indian Agent.

ST. REGIS AGENCY,
ST. REGIS, QUE., 9th September, 1887.

The Honorable
The Superintendent-General of Indian Affairs,
Ottawa.

SIR,—I have the honor to transmit my report and tabular statement for the year ended the 30th June last.

Having but lately been appointed agent, I am not in a position to report very fully on the condition of the Indians under my charge, but, as far as I can learn, everything on the reserve is going on much the same as has been the case for a number of years back, and general peace and quietness prevail. Minor matters sometimes agitate the Indian mind, but they are mostly of local interest, with the exception of the Dundee lands question.

The repairs to the church, which have cost the Indians a large sum, paid from their annuities, are very creditable to them, and they now have a place of worship of fine appearance, especially in the interior, and very comfortable. For the decorations, they are indebted to the late Rev. F. Marconx, for many years their pastor, who left a sum to be expended for that purpose and which has been carefully administered by the present pastor the Rev. Mr. Mainville, who spared no pains in executing his trust.

The schools—numbering five—are all in operation, with an average attendance of forty-five pupils.

[PART I]

No. 241.

THIS INDENTURE made the ninth day of November in the year of Our Lord one thousand eight hundred and eighty seven, between Jacques Philip *alias* (Tetionvasera) and Monique Kaentenawe, his wife, Iroquois Indians of Caughnawaga, of the first part, and Her Majesty the Queen of the second part: Witnesseth, that the said parties of the first part for, and in consideration of the sum of five hundred dollars of lawful money of Canada to them in hand paid at, or before the sealing and delivery of these presents (the receipt whereof is hereby acknowledged), have granted, released, relinquished, abandoned and surrendered, and by these presents do grant, release, relinquish, abandon and surrender unto Her Majesty the Queen, Her successors and assigns forever, in trust for school purposes, all their estate, right, title, interest, claim and demand whatsoever, both at law and in equity or otherwise howsoever, and whether in possession or expectancy of, in, to or out of, all and singular that certain parcel or tract of land and premises situate, lying and being in the village of Caughnawaga, in the County of Laprairie, in the Province of Quebec, and in the Dominion of Canada, and being composed of that certain village lot situate in the said village of Caughnawaga opposite the church and bounded as follows, in front by the main street, on the east by another street, on the south by the lot belonging to the heirs of Ignace Jacob, and on the west by the present school property, together with all the improvements, buildings and fences thereon and thereunto appertaining and belonging: To have and to hold the aforesaid land and premises with the appurtenances unto Her Majesty the Queen, Her successors and assigns forever, in trust as aforesaid.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and affixed their seals the day and year first above written.

Signed, sealed and delivered in the presence of	}	his	
		SAK X TEOTIONERASERE <i>alias</i>	
		mark.	
		JACQUES PHILLIPS,	[L.S.]
A. DEDMAN.		her	
		WENNIK X KAENTECHAWI,	[L.S.]
		mark.	

DOMINION OF CANADA, }
Prov. of Ontario. }
To Wit: }

I, Alfred Dedman, of the Village of Caughnawaga, in the Province of Quebec, Land Surveyor, make oath and say, as follows:—

That I was personally present and did see the within named Jacques Philip (*alias* Tetionvasera) and Monique Kaentenawe, his wife, duly sign and seal and, as their respective acts and deeds, deliver the annexed deed of surrender on the day of the date thereof.

That I, this deponent, am a subscribing witness thereto.

That the said instrument was executed at the said village of Caughnawaga.

That I know the said parties.

Sworn before me at Montreal, in the Province of Quebec, District of Montreal, this twelfth day of November, A. D. 18-7.	A. DEDMAN.
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THEO. DOUCET,
A Commr., &c.

No. 242.

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned Chief and Principal Men of the Chippewas of Sarnia, resident on our reserves in the County of Lambton, in the Province of Ontario, for and acting on behalf of the whole people of our said Band in council assembled, do hereby release, remise, surrender, quit claim and yield up unto Our Sovereign Lady the Queen, Her heirs and successors forever, all the cedar seven inches in diameter and over at the butt, and all other saleable timber of thirteen inches in diameter and over at the butt, excepting beach and maple, on our reserves at Kettle and Stoney Point, in the County of Lambton aforesaid, to have and to hold the same unto Her said Majesty the Queen, Her heirs and successors forever, in trust to sell the same to such person or persons and upon such terms as the Government of the Dominion of Canada may deem most conducive to our welfare and that of our people, and upon the further condition that all moneys received from the sale thereof shall, after deducting the two thousand dollars (\$2,000) mentioned above, and the usual proportion for expenses of management, be placed at interest, and that the interest money accruing from such investment shall be paid annually or semi-annually to us and our descendants. And we, the said Chief and Principal Men of the said Chippewas of Sarnia do, on behalf of our people and for ourselves, hereby ratify and confirm whatever the said Government may do or cause to be done in connection with the sale of said timber.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 10th day of July, in the year of Our Lord one thousand eight hundred and eighty-five.

WILSON JACOBS, <i>Head Chief</i> ,	[L.S.]
JAMES MENASS,	[L.S.]
SILAS WAHBMONGE,	[L.S.]
ELIJAH GEORGE,	[L.S.]
JABEZ NAHMABIN,	[L.S.]
JOHN SUMNER,	[L.S.]
DANIEL OTTER,	
his	
WILLIAM THOMPSON, X	mark.
JAMES MENASS, JUNR.,	
his	
CHARLES MADWAYAH, X	mark.
his	
FRANCIS COTTRELL, X	mark.
his	
JEFFREY BASSETTE, X	mark.
his	
DANIEL NOWABIA, X	mark.
his	
EDWARD JACOBS, X	mark.
his	
SAMPSON JACKSON, X	mark.
his	
WM. GRAY, X	mark.
his	
ALEXANDER RODD, X	mark.
his	
JAMES LION, X	mark.
JOSEPH WAWANOSH,	[L.S.]

A. 1889

52 Victoria

Sessional Papers (No. 16.)

A. 1889

DOMINION OF CANADA.

1888/08/31

ANNUAL REPORT

OF THE

DEPARTMENT OF INDIAN AFFAIRS

FOR THE

YEAR ENDED 31ST DECEMBER

1888.

Printed by Order of Parliament.



OTTAWA:

PRINTED FOR THE QUEEN'S PRINTER AND CONTROLLER OF STATIONERY.

A. SENECA, SUPERINTENDENT OF PRINTING.

1889.

Canada. Annual Report of the Department of Indian Affairs for the year ended 31st December, 1888. 51 Victoria, Sessional Papers (No. 16), A. 1889, p. 23

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To refer more particularly to our work at the Shingwauk and Wawamosh Homes during the year just closed. Owing to a debt of \$1,400 I was obliged to dispend with the services of my assistant superintendent on the 1st October last and to reduce the number of our pupils from 80 to 65. I gave notice to the Department in my last report that this would be necessary if more help was not forthcoming. We had also to borrow money in order to drain our farm land and bring it into a state fit for cultivation.

In our school we continue the "half-day system," and find it to work very satisfactorily.

Mr. D. McCaig, school inspector, visited us in May and reported favorably on the progress of our scholars except in the matter of simple mathematical problems; these they generally stumble over. We have improved our schoolroom by altering the position of the teacher's desk and adding some half dozen new scholars' desks at the suggestion of the inspector.

Three of our senior pupils will go up this summer for the high school entrance examination with a view to getting appointments as teachers to Indian schools. Our ex-pupil at Trinity College School, Port Hope, is still making satisfactory progress and is looking forward to the appointment promised him in the Indian office, provided he passes the civil service examination.

Enclosed is a composition of one of our senior pupils, which will give an idea of the amount of progress made in the acquirement of the English language and in the development of the power of thought.

About a year ago we formed an "Onward and Upward Club" and it has worked satisfactorily throughout the year. The idea is to encourage self-reliance in speaking publicly in English, to draw out the thinking powers of the pupils and to create in them an interest in what is going on in the world, while at the same time making religion the basis on which all else must rest. While the meetings are in progress those who wish to do so engage in some handy work, such as netting, carving picture frames, &c. The meetings are held once a week.

In October last, as is known to the Department, I took a party of twenty boys and ten girls to Montreal, Ottawa, Carleton Place and Kingston, and by this means created considerable fresh interest in our work.

Last autumn, in order to put a check on petty thieving and wanton destruction of property, I instituted a court of trial and appointed three of our senior boys as constables. Any boy suspected now of thieving is arrested by a constable armed with a warrant from some member of my staff acting as magistrate, and is placed in the lock-up. As soon after as convenient he is brought before me for trial, a jury of six boys listen to the evidence, give their verdict and recommend the punishment. A great change for the better is observable since this plan was instituted.

We have had more sickness than usual during the past winter, and two deaths, both from consumption. One was a little girl named Jane Warren from Walpole Island, the other a Blackfoot boy named Etukitsin from Gleichen, Alta. Both were well cared for in our hospital. We were afraid that the death of the latter would have a bad effect on the Blackfeet Indians. Chief Crowfoot on hearing of the circumstance made due enquiries about it and on ascertaining that the parents had of their own free will sent the boy and that he had been sick, spitting blood, &c., the winter before and had been well cared for during his illness, said that no blame whatever attached to us. He received me this summer very cordially. An uncle of the dead boy gave me a handsome present as a token that no ill-feeling existed, and when I was coming away two more boys were offered me as pupils. I thought it best, however, not to take them.

Our little paper, *Our Forest Children*, has been issued monthly during the year, also illustrated Christmas and summer numbers. We have 700 subscribers.

me with as little delay as possible for employing a local superintendent at the Shingwauk Home and for filling up our schools to the full extent of their capacity.

I have the honor to be, Sir,

Your obedient servant,

EDWARD T. WILSON,

Principal.

Johnny Maggrah's composition, referred to in report of Shingwauk Home, year ending 30th June, 1888:—

COMPOSITION.

HONESTY AND POLITENESS—BY JOHNNY MAGGRATH, AN OTTAWA INDIAN.

Honesty is the truthfulness in a man. It is a thing we cannot see or feel. If honesty was in every person, the world would be in a different state than it is now. An honest man is loved by all who know him. Everybody speaks well of him. A good name is a person needs. It is better to have a good name than being rich.

An honest person is he who is true to his neighbor and to his God. When he finds anything that does not belong to him, he does not put it in his pocket, but goes and tries to find out whose it is. Hundreds of men and boys have been sent to gaols for being dishonest; and hundreds of men and boys have got into high offices for their honesty. When a man looks out for a boy to work for him, he does not choose strong and active boys, but an honest boy.

Politeness is the man's character, for being polite often gives people a good situation. A polite person is kind and willing to assist others. He does not spend his time in pleasing himself, but rather in pleasing others. All Christians should learn to be polite, for Jesus was the politest man that ever lived; and if we want to be his followers, we must be polite too. Once a man wanted to choose out a boy among a crowd of boys to work for him. He got them to come into his office one by one. Some came in without shutting the door, and their feet dirty; others came in slamming the door, and did not seem to care how they spoke. The last boy came; before opening the door he cleaned his feet, knocked the door, shut it quietly, and took off his hat. The man at once noticed how the boy acted, and for this reason he chose him. This boy was polite.

CAUGHNAWAGA, QUE., 31st August, 1888.

The Honorable

The Superintendent General of Indian Affairs.
Ottawa.

SIR,—I have the honor to transmit to you herewith my report for the year ended the 30th of June last, together with the tabular statement concerning the Caughnawaga Agency.

There were during the past year ninety-eight births and forty-four deaths, resulting in an increase of fifty four.

The sanitary state of the band is very satisfactory, and there was no case of epidemic disease on the reserve.

The harvest in general has been fair, the peas, the potatoes and the buckwheat did not yield so much as usual, but the farmers are satisfied.

The village has been quiet and there was but few cases of liquor on the reserve during the year.

The work of the sub-division of the land on the reserve into lots of thirty acres by Mr. Walbank, civil engineer, has been finished.

RETURN B—Continued.

No. 45

DR.

IROQUOIS OF CAUGHNAWAGA in Account with the Department of Indian Affairs.

CR.

	Capital.	Interest.		Capital.	Interest.
	\$ cts.	\$ cts.		\$ cts.	\$ cts.
Balance on the 30th June, 1887.....		4,214 41	By Balance on 30th June, 1887.....	6,761 24	
To the following payments:—			Timber dues	27 42	
<i>Salaries.</i>			Payment by the Canada Pacific Railway Com-	6,271 75	
Moise Lefort, constable.....		335 00	pany for right of way through this Reserve		265
Louis Sbat-kaienton, organist.....		50 00	Rents, fines and fees collected.....		122
Pierre Tirvirati, gatekeeper.....		24 00	Interest on invested capital.....		6,308
L. Ornoaketa do		24 00	Balance on 30th June, 1888.....		
<i>Pensions.</i>					
J. Salonnasakeron.....		13 00			
<i>Sundry Disbursements.</i>					
Measuring stones.....		186 24			
N. V. Bertin, commutation in lieu of supplies.....		247 00			
Books for prizes to school children.....		19 00			
Services of a member of the Dominion Police					
during absence of P. O. Gibrault.....		23 40			
Services of P. J. Clarke, assisting M. Lefort.....		207 60			
Fuel for schools.....		32 00			
Cap. &c., for Constable Lefort.....		19 00			
Services in re location of tenants.....		4 00			
Work on roads and fences.....		86 12			
Expenses in re school site.....		2 60			
Travelling expenses of J. Gibrault.....		3 03			
Expenses conveying persons to jail.....		1 70			
Funeral furnishings.....		24 60			
Services of a crier.....		10 60			
Repairs to school.....		15 60			

Legal expenses.....		91 45
Celebration of Her Majesty's birthday.....		7 00
Cost of lumber for wharf.....		10 00
Fire loss.....		50 00
Relief.....		15 00
Labour on wharf.....		7 60
Paid to the undermentioned persons for damages		
arising from the Canada Pacific Rail-		
way Company's right of way, through		
their lands, viz:—		
J. Jacobs, Lot 15.....	270 00	
J. Jacobs do 16.....	75 00	
Louis Grandpierre, Lot 11.....	124 50	
Kate Beauvais, Lot 7.....	201 75	
Léon Grasson do 2.....	53 75	
Frank Cross the River, Lot 3.....	126 37	
Joe Dallebout, Lot 6.....	107 50	
Peter Drome do 12.....	42 00	
Louis Bonrue do 5.....	18 75	
Baptiste Jocks do 5.....	51 25	
Frank Walker do 5.....	19 50	
Louis Canadien do 18.....	105 00	
Widow W. Caundien, Lot 19.....	69 00	
Tom Lazor, Lot 9.....	101 12	
Bessie Laurent, Lot 20.....	71 62	
Jas. Jacob do 8.....	30 75	
Thos. Jocks do 10.....	47 25	
John Phillips do 18.....	417 00	
Michael Daillebouch, Lot 13.....	122 25	
Purchase of a building for a school house...	500 00	
Cost of survey.....	1,000 00	
Percentage on collections carried to the		
credit of Management Fund.....	629 92	15 92
Sundries.....		7 50
Balance on 30th June, 1888.....	8,876 13	
	13,060 41	5,696 39
Balance on 30th June, 1888.....		5,308 40

Balance on 30th June, 1888 8,876 13 5,69

DEPARTMENT OF INDIAN AFFAIRS,
OTTAWA, 30th June, 1888.ROBERT SINCLAIR,
Accountant.L. VANKOUGHNET,
Deputy Supt.-Gen. of Indian Affairs.Canada. Annual Report of the Department of Indian Affairs for the
year ended 31st December, 1888. 51 Victoria, Sessional Papers
(No. 16), A. 1889, p. 23

TÊTE DU PONT BARRACKS, KINGSTON.

Mr. INNES (for Mr. PLATT) asked, Has the Government sold, leased, rented or otherwise disposed of, *Tête du Pont* barracks, Kingston, Ontario? Is it the intention of the Government to sell, lease, rent or otherwise dispose of said barracks during the present year? What use is made of said property at present?

Sir ADOLPHE CARON. The Government has neither sold, leased, rented, nor otherwise disposed of *Tête du Pont* barracks in Kingston, Ontario. It is not the intention of the Government to sell, lease, rent or otherwise dispose of said barracks during the present year. This property is at present occupied by Battery "B" of Canadian Artillery.

CORRUPT PRACTICES TRIALS AT PICTON.

Mr. INNES (for Mr. PLATT) asked, Did the Minister of Justice, or any other person as Attorney General of Canada, appoint or instruct counsel to assist the local authorities in the Corrupt Practices trials held at Picton on the 6th day of January, 1888? At whose suggestion, or upon whose recommendation was such counsel appointed? Who was the person so appointed, and what fee did he receive for his services?

Sir JOHN THOMPSON. Counsel was so employed by the acting Minister of Justice, as required by section 73 of chapter 9, of the Revised Statutes, on the report of the judge, under section 71 of that Act, and at the suggestion also of the county crown attorney of the county of Prince Edward, Mr. Lowe, Q.C. Mr. Wallace Nesbitt was so appointed, and received \$100 for his services.

THE DREDGE CAPE BRETON.

Mr. CAMERON asked, Whether it is the intention of the Government to provide for the loss of clothing, &c., sustained by the captain and laborers employed on the dredge *Cape Breton*, which was lost in the Straits of Northumberland during a gale in the fall of 1887?

Sir HECTOR LANGEVIN. It is the intention of the Government.

CUSTOM HOUSE OFFICER AT WEST BAY, N.S.

Mr. CAMERON asked, Whether it is the intention of the Government to establish a custom house officer at West Bay, county of Inverness, Nova Scotia, this year?

Mr. BOWELL. The Government will establish a custom house officer at West Bay, as soon as they are convinced that the requirements of the revenue call for that step.

CAUGHNAWAGA INDIANS.

Mr. DOYON asked, Whether it is the intention of the Government to allow the Indians of Caughnawaga, in the county of Laprairie, to hold an election of councillors, or an election of chiefs, in accordance with the provisions of the Indian Advancement Act; if so, when do they propose to grant them permission to do so?

Mr. DEWDNEY. A recommendation has been made to the Governor General in Council, that the Indian Advancement Act be applied to the above band of Indians, and that an election of councillors under the provisions of that Act be held on the 26th March next.

PROTECTION FOR LAPRAIRIE VILLAGE.

Mr. DOYON asked, Whether it is the intention of the Government to place in the Estimates a sufficient sum to complete the works, already begun, to protect the village

of Laprairie from the danger of being damaged by ice and inundation; if so, what sum does the Government propose to devote to this purpose?

Sir HECTOR LANGEVIN. Mr. Speaker, it is not possible to make known at present the intention of the Government on this subject. The hon. member will have to wait until the Supplementary Estimates are laid before the House.

CHARLES SAVARY.

Mr. EDGAR (for Mr. LISTER) asked, Is there employed in any of the departments of the Government, a person by the name of Charles Savary? If so, what is the date of his appointment, what is his salary, and what are his duties?

Sir HECTOR LANGEVIN. Yes; he has been employed in the Department of the Secretary of State since the 24th or 25th of last month. He is to be employed two months. His salary is \$2 a day. He is connected with the correspondence branch.

RAILWAY SUBSIDIES, LAKE ST. JOHN.

Mr. COUTURE asked, Did the Government receive a deputation from Lake St. John, asking for railway subsidies? If so, by whom was the deputation presented to the Ministers? What was the answer of the latter?

Sir JOHN A. MACDONALD. I may say that I, on behalf of the Government, received a deputation from Lake St. John asking for railway subsidies. The deputation was presented to the hon. the Minister of Militia, and the answer was that their representation should be taken into consideration.

Mr. COUTURE asked, Whether it is the intention of the Government to insert in the Supplementary Estimates, a sum of money to assist in the construction of the branch of the Lake St. John Railway from Chambord to Chicoutimi and St. Alphonse, a distance of sixty-seven miles? If not, why not?

Sir JOHN A. MACDONALD. The intention of the Government will be shown when the Supplementary Estimates are brought down.

CHICOUTIMI AND SAGUENAY COUNTIES.

Mr. COUTURE asked, What amount has been voted for expenditure in the counties of Chicoutimi and Saguenay since January, 1887? 2. What portion of that amount has been expended? For what purposes? 3. Has J. A. Gagné had the patronage of the county of Chicoutimi? If so, why?

Sir HECTOR LANGEVIN. In answer to the hon. member, I may say that the amount of the subsidy was \$7,750. The amount spent was as follows: for the construction of a jetty, \$2,863; for repairs, \$4,394.37, making a total of \$7,215. The patronage of the county belongs to the Government, and has been exercised by the Government, who are responsible for all the appointments that have been made.

INTERCOLONIAL RAILWAY.

Mr. CHOQUETTE asked, What have been the total receipts and expenditure of the Intercolonial Railway, year by year, since it was first put in operation, and up to this date?

Sir JOHN A. MACDONALD. This is rather an extensive question to be answered. If the hon. gentleman would make it a motion, the papers would be brought down.

1889/03/04

Copy to the Superintendent of Indian Affairs 5 March 1889.

466
Amended by P.C. 314, 18/12/34

(18)

531

Government House, Ottawa.
Tuesday 5th day of March 1889.

Present

His Excellency
The Governor General
The Right Honourable
Sir John Macdonald
The Honourable
Sir Hector Langevin
Mr. Bowell
Sir A.P. Caron
Mr. Carling
Mr. Costigan
Mr. Smith
Sir John Thompson
Mr. Foster
Mr. Gupper
Mr. Haggart
Mr. Dewdney

In Council.

Whereas the Inguois Indians
of Oanguawaga in the Province of
Quebec have petitioned the Superintendent
General

INDIAN LAND REGISTRY 5492170
CCPC 466 1889/03/05

General of Indian Affairs to apply
the Indian Advancement Act to
this Band and Reserve,

And whereas the Superintendent
General of Indian Affairs reports
that the Ingonis Band of Caughnawaga
is composed of a most intelligent
class of Indians, well advanced in
civilization, and is therefore well
fitted for the application of the
said Act to it.

His Excellency the Governor
General in Council in pursuance
of the powers vested in him by
the said Indian Advancement
Act, being Chapter 114 of the Revised
Statutes of Canada, has been pleased
to Order and declare, and does hereby
Order and declare that the Indian
Advancement

INDIAN LAND REGISTRY 5492-17D
OC PC 466 1889/03/05

the said Act shall apply to the
Stogpois Indians of Caughnawaga, and
the same is hereby applied to the said
Indians accordingly.

His Excellency has been further
pleased to Order that for the purpose
of giving effect to the application of
the said Act, the Reserve at
Caughnawaga be designated 'The
Caughnawaga Indian Reserve,' and
that it be divided into six sections
to be described as follows:-

Section 1.- that portion of the
Reserve known as Range 1 bounded
by the River St. Lawrence, Primeau
Road, Chateaugay Line and the
Common.

Section 2.- that portion of Range
2 bounded by Primeau Road, Chateaugay
Line

Line, the old Railway track, and
Centre Road.

Section 3. the remainder of Range
2. bounded by Centre Road, the old
Railway track, Chateaugay and
St. Simeon's.

Section 4. that portion of
Range 3. bounded by the old Railway
track, the Commons and the River
St. Lawrence, the new Bye Road and St.
Constant boundary.

Section 5. the remaining portion
of Range 3. bounded by the St. Lawrence
River, the new Bye Road, the Parish of
Laprairie and St. Constant.

Section 6. to consist of the
Village and Commons of the said
Reserve:— that one Councillor be
elected for each of the above sections,

and

INDIAN LAND REGISTRY 5492-170
OCPC 466 1889/03/05

and that the election be held at
the old school house at the Village
of Oaughnawaga, between the hours
of 10 o'clock in the morning and 5
o'clock in the afternoon of ~~Monday~~ ^{Tuesday}
the 26th day of March 1889.

John Accaidonau

Approved: Wm. H. H.

Shirley J. H.

INDIAN LAND REGISTRY 5492-170
OCPC 466 1889/03/05

OCPC 466
1889/03/05

Indian Land
Registry
5192-170

DEPARTMENT OF INDIAN AFFAIRS & NORTHERN DEVELOPMENT

REGISTRATION NO. 5492-170

OCPC #466

I certify that the within instrument is
duly entered and registered in the Indian
Land Registry, Department of Indian Affairs
and Northern Development at Ottawa:

AT 9:28 O'CLOCK A.M. OF THE
14 DAY OF April
A.D. 19 21 NUMBER 5492-170
FOR Caughnawaga, par. 14
IN THE PROVINCE OF Quebec

21th June

REGISTRAR

LAND REGISTRY

OFFICIAL REPORT
 OF THE
 DEBATES
 OF THE
 HOUSE OF COMMONS
 OF THE
 DOMINION OF CANADA.

THIRD SESSION—SIXTH PARLIAMENT.

52^o VICTORIÆ, 1889

VOL. XXVII.

COMPRISING THE PERIOD FROM THE THIRTY-FIRST DAY OF JANUARY TO THE
 TWENTY-SECOND DAY OF MARCH, INCLUSIVE, 1889.



OTTAWA:

PRINTED BY BROWN CHAMBERLIN, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1889.

po ture. Almost the last act of the House of Representatives in the United States was to pass unanimously a resolution which may not perhaps indicate the precise mode or the precise way in which commercial relations between the two countries can best be settled, but which I take and which the Government should take, as holding out the olive branch to us, which is more than we deserve or than the Government deserves on the part of the United States. It is a declaration that they are prepared to treat with us for freer trade relations, and it is an answer to the absurd statement which has been made that the United States had not any desire for free and fair trade on free and fair terms with the people of Canada. More than that, it is a triumphant vindication of the position which we have always taken on this subject. Let us do our duty. Let us show to the United States that we are truly desirous of freedom of trade and friendly relations with them, and I am perfectly certain that, when the time comes and the United States are fairly approached, they will be willing to meet us in the same spirit. In order that there may be no mistake, and that the Government may understand that we are determined to fight this question out on the same lines that we have always fought it, I beg to move in amendment that you do not now leave the Chair, but that all the words after "that" be struck out, and that it be resolved:

In the present condition of affairs, and in view of the recent action of the House of Representatives of the United States, it is expedient that steps should be taken to ascertain on what terms and conditions arrangements can be effected with the United States for the purpose of securing full and unrestricted reciprocity of trade therewith.

Mr. TUPPER moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

Sir HECTOR LANGEVIN moved the adjournment of the House.

Motion agreed to; and House adjourned at 11:45 p.m.

HOUSE OF COMMONS.

THURSDAY, 7th March, 1889.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 99) to incorporate the Three Rivers and Western Railway Company.—(Mr. Riopel.)

CAUGHNAWAGA INDIAN RESERVE—SURVEY.

Mr. DOYON asked, Whether Mr. McLea Walbank has completed the survey of the Indian Reserve of Caughnawaga, in the county of Laprairie? Whether he has furnished to the Government a report of his operations? What sums have been paid, up to this date, to Mr. Walbank, or to others, for making the said survey, and how much remains due to him?

Mr. DEWDNEY. The work of the survey of the above reserve commenced in the fall of 1882, and was only completed last season. It proved to be a very complicated matter, owing to the very irregular manner in which the Indians had taken up locations on the reserve—the outlines of which had to be surveyed with a view to ascertain what were the improvements made by each claimant and the value of the same. The reserve contains 12,327½ acres, and the cost of the survey of the same, when completed, will be about \$12,000—Mr. Walbank has reported to the department.

Sir RICHARD CARTWRIGHT.

NATURAL GAS IN WESTERN ONTARIO—MR. COSTE'S REPORT.

Mr. FERGUSON (Welland) asked, Has Mr. Coste reported upon the result of his investigations during the past season on the subject of natural gas in western Ontario?

Mr. DEWDNEY. On reference to the last annual report of the Interior Department, at page 39 will be found Mr. Coste's report on his investigation during the past season on the subject of natural gas in western Ontario.

Mr. FERGUSON (Welland) asked, Is Mr. Coste still on the staff of the Geological Survey; if not, when did he resign?

Mr. DEWDNEY. Mr. Coste is still in the service of the Geological Survey.

QUEBEC MONEY ORDER OFFICES.

Mr. LAVERGNE asked, Is it the intention of the Government to make the post offices of all the county towns in the Province of Quebec offices at which money orders are issued and paid?

Mr. HAGGART. It is not the intention of the Government to make the post offices of all the county towns in the Province of Quebec offices at which money orders are issued and paid.

THE POSTMASTER OF CHESTER, P.Q.

Mr. LAVERGNE asked, Has the Government received any complaint against the postmaster of Chester, county of Arthabaska, and if so, has any action been taken against such complaint?

Mr. HAGGART. A complaint was made by Mr. Oct. Gaudet, but subsequently withdrawn. A complaint was also made by the mail carrier, Mr. D. Côté, respecting the alleged refusal of the postmaster to give him the mail. This was referred to the Post Office Inspector to arrange.

DAILY MAIL BETWEEN MURRAY HARBOR SOUTH AND MONTAGUE.

Mr. ROBERTSON asked, Whether it is the intention of the Government to establish a daily mail between Murray Harbor South and Montague?

Mr. HAGGART. An application for a daily mail between Murray Harbor South and Montague, has been received and sent to the Post Office Inspector for report.

Mr. WELSH (for Mr. DAVIES, P.E.I.) asked, Was any survey held on the breakwater at New London, P.E.I., during the summer of 1888? If so, by whom? Was a report of the condition of the breakwater made to the department, and is it the intention of the Minister to cause the breakwater to be repaired and extended during the coming season?

Sir HECTOR LANGEVIN. I am informed by the chief engineer of my department that there was no survey, and, therefore, I am not able to answer the second part of the question. My attention being called to it, I will see what can be done.

THE SHIPPING OF SEAMEN.

Canada. Official Report of the Debates of the House of Commons of the Dominion of Canada. 3rd Session, 6th Parliament, 52 Victoria, 1889. Vol. XXVII. Ottawa: Queen's Printer, 1889.

1890 civeo
(10 d 23)

533

Canada
Province of Quebec
District of Montreal.

SUPERIOR COURT

SIR J S D THOMPSON Esq

Plaintiff

vs

HORMISDAS LANCOT

Defendant.

Action to recover thirty years Seigniorial rent
at \$7.29 per annum, amounting to \$218.70, and interest
from service.

Paid for Writs.....	\$ 3.10
Paid on return.....	\$ 4.80
Attorney.....	\$ 18.00
Judgment Bill & Copy.....	\$ 1.75

\$ 27.65

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
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CANADA

1890/00/00 c.

1890
CIVCO
GOVERNMENT OF CANADA.

DEPARTMENT OF INTERIOR

To JOHN. G. FALL Jr., Q.C.

1890	re SEIGNIORY SAULT ST LOUIS	
Novr 6	To taking communication of your letter of 4th instant with enclosures re collection of arrears of rent, and letter to you acknowledging same.....	2.50
Novr 7	Long examination (at house) of large files of Department of Indian Affairs, and also file of Department of Justice.....	10.00
Novr 8	Letter to D.H.J reporting examination of papers and asking for memorandum of title and for certain documents and plans.....	3.00
Novr 30	Letter to D.H.J acknowledging receipt of his of 29th enclosing further documents...	1.33
Novr 30	Long examination of his attornal files and file of Department of Justice, reports of Mr Craighton and others, & reading opinions and extracts of judgments	20.00
Decr 3	Attendance at Court at Tuttle's office in the morning and again in the afternoon, examining records and searching for titles Douvets and other documents.....	10.00
Decr 3	Letter to Mr Brosseau asking him to bring book of Leases.....	1.33
Decr 9	Long interview with Mr Brosseau, going through book of Leases with him and other books relating to seigniority.....	5.00
Decr 11	Attendance at office of Mr H Judah (Nephew of late seigniorial Commissioner) examining Seigniorial records and books.....	5.00
Decr 14	Attendance at Court House searching for and procuring copies of deeds.....	3.00
Decr 19	Attendance at Mr Judah's office, interview with him and examining correspondence and papers to see authority for dealing with property as if it were a Seigniority.....	5.00
Decr 23	Special letter to Department of Crown Lands Quebec, for information about Letters Patent issued to Doucet and for copy if possible	2.00
Decr 25	Letter to Mr Brosseau re seigniority and asking him to call on me.....	

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
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CANADA

1890/10/100C

Department of Interior. Seigniorie Sault St Louis.

1889

Brought Forward

62.40

Decr 24 To Long interview with Mr Brosseau, general conference about affairs, making enquiries, examining plans & papers with him, engaged morning and afternoon..... 10.00

Decr 25 Attendance at Court House searching for and procuring copies of Titres Noivaux of Pinsonneault & Renard..... 5.00

Decr 27 Long interview with Mr Brosseau in the morning about affairs of Seigniorie..... 5.00

Decr 28 Attendance at Japrairie (2 a.m. to 7 p.m.) interviews with Mr Brosseau & the Registrar, long attendance at Registrar's office & examination of Registers and documents, and searching for acknowledged land deeds were now held under Seigniorial tenure... 30.00

Decr 30 Further consideration of documents & the difficulty as to institution of action in name of Attorney General and letter to S.M.J. regarding interviews with Indian Agent, attendance at Japrairie and decision to sue in name of Attorney General..... 5.00

1890

Janv 6 Examination of authorities and of Seigniorial Act and drafting special Declaration for suit against Pinsonneault, verifying lots and numbers on plans etc..... 10.00

Janv 8 Letter to Sheriff with instructions for service of Writ on Pinsonneault..... 1.30

Janv 7 Attendance in Quebec at office of Commissioner of Crown Lands, interview with Mr Tache, Deputy Commissioner, and conference about Crown Lands; about lands of Seigniorie Sault St Louis; and about Jesuits Estates..... 5.00

Janv 8 Long attendance at Crown Lands Department Quebec, interview with Mr Rivard, Superintendent of Jesuits Estates, and examining old books and registers relating to Seigniorie and property of Jesuits..... 10.00

Janv 9 Attendance all morning at office of Crown Lands Department, examining papers and documents re Jesuits Estates & making memo &c.. 10.00

Janv 10 Long interview with Mr Brosseau going into Pinsonneault's claim, and conference about matters generally..... 5.00

Janv 14 Attendance at Jesuits Church, Montreal, examining papers and records, & making notes..... 5.00

\$ 172.70

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1890

Hon. J. M. Howard

172.52

July 14	To letter to Mr Brosseau re: identity of <u>Manchote</u> lots, & for other information	5.00
July 15	Further attendance at Jesuits Church continuing examination of records.....	5.00
July 16	Interview with Mr Lamothe & Mr Pinsonneault re settlement of action against latter & re admitting his counterclaim for damage done by Indians.....	5.00
July 20	Attendance in Quebec at office of Mr Rivard Crown Lands Department, examining records and books and taking notes.....	10.00
July 21	Long interview with Mr Brosseau re granting delay to Consitaires willing to pay and form of acknowledgment to be taken from them and Pinsonneaults alleged claim....	5.00
July 21	Letter to D.M.J. reporting interview with Pinsonneault and his endeavor to unite Consitaires to defend actions, and asking authority to give fixed delay to those willing to pay.....	5.00
July 22	Attendance at office of Mr Rivard search- ing for various commissions and reports on titles belonging to, and management of, Jesuit Estates, taking notes etc.....	5.00
July 23	Attendance in Quebec at office of Registrar Langelier, making search through old records for entries of commissions....	1.00
July 23	Attendance at Mr Rivards office making fur- ther notes of documents relating to Seig- niorial and to Jesuits Estates.....	5.00
July 24	Attendance at Jesuits Church, Quebec, examining records & books, taking notes &c	5.00
July 25	Long interview with Mr Brosseau about Titres Nouveaux for Seigniorial, and re Pin- sonneaults claim, & his removal of wood &c	5.00
July 27	Attendance in Quebec, morning and after- noon, at office of Commissioner of Crown Lands, long interview with Mr Tache about Crown Lands, and lands of Seigniorial, mak- ing searches, abstracts etc.....	10.00
July 28	Attendance in Quebec at office of Registrar Langelier, making searches through old records.....	5.00

Forward

Indian Affairs. (RG 10, Volume 2248, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Seminory Sault St Louis. Department of Interior.

1890

Brought Forward 138.42

July 16	To Attendance at Quebec at the Rivers office Superintendent of Jesuits Estates, perusing General Abstract of Titles of Estates and consolidating them to that order.....	10.00
July 30	Attendance at Registrar General's office making search through old records for Reg- ulations and ordinances.....	5.00
Aug 31	Making copy of letter from the Secy to the Attorney, relating to the Jesuits, and of other papers for information.....	11.00
	Letter to Pinsonneaults Attorney with reference to plea.....	1.00
February 1	Interview with Mr. Trousseau re the full lands statement as to Pinsonneaults claim and verification of his boundary, removal of wood, and conference about Censitaires in default.....	5.00
Feb 10	Letter to Mr. Trousseau asking for list of Censitaires and with reference to form of acknowledgment.....	2.00
Feb 11	Interview with Mr. Trousseau re Censitaires and about notifying them to pay, drafting notice to be cried at Church doors etc, and instructions and advice as to same..	5.00
Feb 10	Preparing copy of description of boundary of Seminory from Crown Lands office as laid down on Provincial Cadastrol plan, and comparing same with Seminorial plan, com- paring numbers of lots, area &c and trac- ing present holders.....	10.00
Feb 12	Long and special interview with Mr. Trousseau in order to prepare report, and obtaining information re various matters, & desirab- ility of having Reconnaissance or Titres of signed by each Censitaire.....	5.00
Feb 13	To further examination of documents, judgments reports and other papers submitted, and making synopsis of same for draft report to D.M.I.	20.00
Feb 19	Attendance at Mr Doucets office making enquiries and search for Letters Patent issued in 1823 to W.B. Doucet as special Commissioner to obtain Titres Houvels..	5.00
	Letter to Secretary of State asking for information re Letters Patent to W.B. Doucet.....	

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Residentary Sault St Louis

Department of Interior

1890

Brought Forward \$ 304.03

Febry 12	To letter to Mr Brosseau with reference to cost of registering Declarations to be made.....	1.50
Febry 20	Attendance at Parliamentary Library in Quebec, searching & making Senatorial papers examining returns about Indian Affairs and also about Jesuits Estates.....	10.00
Febry 21	Do	10.00
Febry 22	Writing communication of letter from D.M.J. of 20th with file enclosed re Pincenault and examining same.....	5.00
Febry 22	Letter to D.M.J. acknowledging receipt of same.....	1.33
Febry 22	Special letter to Mr Baymer asking for information re proclamation of General Murray, & Doucet's Letters Patent.....	3.00
February 23	Attendance at Court House, Montreal, morning and afternoon, searching through records for Ordinances issued by Governor Murray, and making copies of same.....	10.00
Febry 24	Letter to Mr Baymer that I had obtained copies of General Murray's Proclamation...	1.33
Febry 24	Letter to Mr Brosseau for answer re cost of registration of Titres Nouveles.....	1.33
Febry 25	Attendance at Court House, Montreal, with Clerk comparing copies of Ordinances of General Murray with originals.....	5.00
Febry 25	Taking communication of letter from Secretary of State enclosing copy of Letters Patent appointing Doucet as Special Commissioner, & examination of said letters.	3.00
Febry 25	Letter to Secretary of State acknowledging receipt of Letters Patent & asking for copy of appointment of Mr Doucet thereunder.....	1.33
Febry 25	Examining question of obliging Censitaires to sign Titre Nouvel or Reconnaissance, and drafting form of Reconnaissance to be signed by them.....	5.00
	Revising and copying draft and special letter to D.M.J. enclosing same & suggesting execution & registration of same by Censitaires and also as to exigibility of interest.....	5.00

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Seigniory Sault St Louis.

Department of Interior

1890

Brought Forward \$ 365.47

Febry 25	To Letter to Mr Brymmer acknowledging his re General Murrays proclamation, & as to Letters Patent.....	1.33
Febry 28	Making first draft report re Seigniory with history and name of documents..... 105 folios.....	50.00
March 6	Attendance at Titelle's office with reference to R. Pinet's Reportaire, to find if any Titles Novels had been passed by Consistaires, according to General Pages judgment, examination of one commission found from Pinet's direct, and examining all remaining.....	10.00
March 8	Letter to Pinet's Reportaire, to find if his claims as to compensation be could not be allowed, and matter must be settled.....	1.00
March 4	Special letter to Hon. A. B. Larnen enquiring if certain documents relating to Jesuits Estates were at the Archives in his office.....	3.00
March 6	Further attendance at Titelle's office examining records with reference to Titles Novels registered in accordance with General Pages judgment.....	10.00
March 8	Attendance at Titelle's office examining records to see return of Sheriff of lands which he put the Crown in possession of as being Jesuit Estate lands.... (all morning)	10.00
March 9	Attendance at Sheriff's office with reference to his return of 1800, and examining properties seized etc.....	10.00
March 9	Examination of letter of Superintendent of Indian Department as to interest in, examination of Civil Code and authorities on question, and long letter to D.H.J. giving further opinion as to possibility of collecting interest on overdue instalments..	10.00
March 14	Long interview with Mr Brosseau with reference to payment of expenses by Consistaires.....	3.00
March 15	Long letter to D.H.J. with reference to claim of Indian Department that expenses of collection should be borne by Consistaires, and giving opinion upon advisability of same, and reporting conference with Mr Brosseau.....	

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1890		Month Forward	479.13
March 10	To Attend at Sheriff's office making inquiries for documents.....		5.00
March 10	Interview with Mr. Grosseau re Declaration or Titre Nouvel to be passed by Censitaires and probable cost of same.....		1.00
March 11	Taking communication of Mr. Vankor's letter with letter of D.M.J. of March 1 and letter to D.M.J. with reference to Titre Nouvel and that expense had largely arisen from defects in former title.....		5.00
March 11	Interview with Mr. Grosseau re Titre Nouvel		1.00
March 11	Letter to D.M.J. regarding Mr. Vankor's letter.....		1.00
April 1	Attendance at Library all morning examining Statutes, Decisions, Regulations and other documents in connection with this matter.....		10.00
April 2	Do	Do	10.00
April 16	Do	Do	10.00
April 17	Interview with Mr. Grosseau re receipt to be given to Censitaires.....		5.00
April 17	Attendance at Totelle's office, Montreal, concerning the deposit of original titles of Censitaires.....		5.00
April 18	Attendance at Library all morning examining Statutes, Treaties, &c relating to lands belonging to Indians.....		10.00
April 24	Do	Do	10.00
April 25	Do	Do	10.00
May 6	Further attendance all morning at Totelle's office and search amongst records of Mr. Panet for deposit of original titles of Censitaires according to General Gagne's judgment.....		10.00
May 9	Further attendance at Totelle's office continuing search for original titles of censitaires.....		5.00
July 21	Absence from office two days, making second draft report re Seigniorie, opinions &c, making extracts of documents, sorting.....		

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

Department of Interior.

Forward \$ 672.40

Indian Affairs. (RG 10, Volume 2148, File 30,894-3)

To Signatory Sault St. Louis.

Department of Interior.

1890		Forward	\$ 723.79
July 31	To Attendance at office of Secretary of State Ottawa, for record of Proclamations Letters Patent &c.....		5.00
August 7	Attendance at Court and search among Reports for case of Attorney General vs Francis..		6.00
August 12	Special letter to Mr. Roberge with reference to cost of declarations by Settlers and difficulty about those holding more than one lot, & as to hypothesis for arrears with instructions &c.....		5.00
August 12	Special letter to Assistant Commissioner, Quebec, for particulars of registration of documents relating to Jesuits.....		5.00
August 22	Letter to Mr. Roberge with reference to cost of declarations by Settlers, giving details of same & for instructions as to making same.....		3.00
August 26	Letter to Mr. Grosseau authorizing making of Cassier & incurrence of a additional expense.....		1.50
August 27	Letter to H.M.I. acknowledging telegram and letter of Mr. Roberge authorizing additional expense.....		1.83
August 27	Letter to Mr. Roberge giving statement of extra expense allowed for Declaration and Cassier.....		1.50
August 28	Making draft of Livre de Cassier, and letters to Mr. Roberge & Mr. Grosseau enclosing copies of same.....		5.00
August 28	Examination of copy of Commission of 29th December 1767 to enquire into Jesuits Estates, & letter of Commissioner of Crown Lands Quebec with same..... Letter to Assistant Commissioner, Crown Lands, Quebec, for further information.		3.00
Sept 3	Letter to Mr. Roberge with reference to signing of Reconnaissances.....		1.33
Sept 5	Letter to Dupuis for payment of arrears of rent.....		1.33
Sept 8	Interview with Mr. Dupuis re arrears of rent due by him.....		2.00
Sept 8	Letter to Mr. Grosseau reporting interview with Dupuis.....		2.00

Forward \$ 61

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1880	Forward	\$ 767.61
Sept 15	To interview with Mr. Roberge re draft of Consier, which slight alterations, and forwarding same to Printer.....	2.00
Sept 16	Attendance at Library in Ottawa examining old books and records, and making notes re same.....	10.00
Sept 17	Revising proof re Consier and letters to Mr. Roberge and Mr. Brosseau enclosing same for them to look over.....	3.00
Sept 18	Letter to D.M.J. that Consitaires were signing declarations & also reporting intervention of Attorney General who claimed that lands belonged to Province as part of Jesuits Estates.....	3.00
	Making copy of intervention.....	1.33
Sept 19	Interview with Mr. Brosseau re Consitaires who still refused to sign.....	2.00
Sept 22	Special letter to Mr. Jean B. de la Plante notifying him to sign declaration before Mr. Roberge and pay rent, or suit would be taken.....	1.33
-	Like letter to A. Barboau.....	1.33
-	Like letter to A. Gauthier.....	1.33
-	Like letter to E. Longtin.....	1.33
-	Like letter to L. de la Plante.....	1.33
-	Like letter to J. B. de la Plante.....	1.33
-	Like letter to J. Deniger.....	1.33
-	Like letter to A. Gibeau.....	1.33
-	Like letter to A. de la Plante.....	1.33
-	Like letter to N. Ziel.....	1.33
Sept 24	Letter to D.M.J. asking particulars re Ontario decision as to Indian Reserve lands.....	2.00
Sept 25	Attendance at Mr. Judah's office examining Seigniorial plans and Cadastre and long interview with Mr. Henry Judah.....	6.00
Sept 27	Telegram to Mr. Morris asking for judgment re Indian Lands, Attorney General vs Francis.....	

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1890

Belmontyault St. Louis

Department of Interior

1890	Forward	\$	\$10.57
Sept 27	To letter to D.M.J. confirming telegram....	1.33	
Sept 27	Attendance all morning at Mr Judahs office examining copies of proclamations and notices as to date of coming into force of Scimiorial Cadastre.....	5.00	
Oct 3	Interview with Mr Brosseau in the afternoon examining documents with him, and obtaining names of Consitaires who refused to sign.	3.00	
Oct 4	Special letter to Poupart demanding his signature to Titre Nouvel with alternative of suit for arrears.....	1.33	
-	Like letter to Horniedas Lefebvre.....	1.33	
-	Like letter to P. Longtin.....	1.33	
-	Like letter to G. North.....	1.33	
-	Like letter to N. Miron.....	1.33	
-	Like letter to N. Bruneau.....	1.33	
-	Like letter to D. Longtin.....	1.33	
-	Like letter to L. Ballefleure.....	1.33	
-	Like letter to H. Lanctot.....	1.33	
Oct 4	Interview with Mr Reborge re Consier and re consitaires who would not sign.....	5.00	
Oct 6	Long and special examination and perusal of case and Facts on both sides, before Privy Council in case of St Catharines Milling Co & Latour & perusing arguments before, and judgment in, Privy Council.....	20.00	
Oct 8	Examining authorities & perusing judgment and Judcas notes in case of Attorney General vs Francis.....	5.00	
Oct 15	Making third draft report (45 pages) absence from office, examining further documents and Statutes, Proclamations &	150.00	
Oct 17	Examining suggested alterations in form of Livre de repaire, making final correction, and forwarding same to printer.....	2.33	
Oct 23	Rough draft, and then drawing and revising special answer to intervention of Government, giving details.....	10.00	

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1890	Forward	\$ 1023.87
Oct 29	To Attendance and examination of Seigniorial Cadastres for information needed.....	3.00
Oct 29	Interview with Mr Brosseau re Consitaires and Livre de Terrier.....	2.00
Oct 29	Letter to Mr Roberge re 169 Consitaires having signed & re Consier and for list of those who had not signed.....	2.00
Novr 5	Letter to Indian Agent for list of consitaires.....	1.33
Novr 7	Attendance and interview at Quebec with Mr Tache, Commissioner of Crown Lands, re Seigniorial and about commissions re Jesuits Estates.....	10.00
Novr 8	Letter to Attorney of Quebec Government re clauses in Declaration.....	3.00
Novr 10	Attendance at Parliamentary Library, Quebec, searching for return about Indian affairs and Jesuits Estates, and looking through Sessional Papers.....	10.00
Novr 11	Attendance at office of Registrar Langellier examining records, and making notes re proclamations and Ordinances.....	10.00
Novr 13	Attendance at Mr Longeliars office for copies of commissions issued by Lord Dalhousie, and search for reports.....	5.00
Novr 15	Letter to E. Desautels notifying him to sign Titre Nouvelle before Mr Roberge and pay arrears and threatening suit in default of their signing.....	1.33
	Like letter to J. B. Lefebvre.....	1.33
	Like letter to B. Longtin.....	1.33
	Like letter to Dame A. Gauthier.....	1.33
	Like letter to Dame G. Bourdieu.....	1.33
	Like letter to Dame E. Laroche.....	1.33
	Like letter to M. Longtin, Filasich.....	1.33
	Like letter to M. Longtin, Filasich.....	1.33
	Like letter to L. Beaulieu.....	1.33
	Like letter to M. Longtin.....	1.33

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1890

Forward

\$ 1088/88

Novr 15

Letter to T. Lefebvre notifying him to sign
Titre Nouvelle before Mr. Roberge and
pay arrears and threatening suit in de-
fault of their signing..... 1.33
Like letter to Dame Louis St Marie..... 1.33
Like letter to C. Domingue..... 1.33
Like letter to A. Boyer..... 1.33
Like letter to N. Jontin..... 1.33
Like letter to M. Monette..... 1.33
Like letter to N. Guillier..... 1.33
Like letter to O. Montchamp..... 1.33
Like letter to R. Lanetot..... 1.33
Like letter to M. Lanetot..... 1.33
Like letter to L. Racicot..... 1.33
Like letter to N. Bruneau..... 1.33
Like letter to P. Pavreau..... 1.33
Like letter to N. Miron..... 1.33
Like letter to A. Matte..... 1.33
Like letter to G. Hebert..... 1.33
Like letter to J. Guerin..... 1.33
Like letter to O. Charron..... 1.33
Like letter to J. Beauvais..... 1.33
Like letter to E. Provost..... 1.33
Like letter to Z. Pifre..... 1.33
Like letter to R. Garner..... 1.33
Like letter to R. Brosseau..... 1.33
Like letter to S. Cardinal..... 1.33
Like letter to J. Malo..... 1.33
Like letter to S. Letourneau..... 1.33
Like letter to Z. Barbeau..... 1.33
Like letter to D. Guerin..... 1.33
Like letter to N. Boyer..... 1.33
Like letter to Wm Smith..... 1.33
Like letter to Richard Nason..... 1.33

Novr 21

Long interview with Mr. Coffrion, Atty of
Provincial Atty General, discussing inter-
vention with him, and as to his advising
all Censitaires to sign..... 5.00

Novr 23

Letter to Bailiff with Writ for service on
Lasselin..... 1.33

Novr 25

Interview with Mr. Lanetot re claim against
his brother..... 2.00

Novr 28

Attendance at Quebec Crown Lands Department
making extracts from books for evidence
and for copy of Father Gaudet's declaration..... 4.00

Novr 29

Interview with Mr. Desautels as to the sign-
ing Titre Nouvel and paying arrears..... 1.33

Novr 29

Letter to Mr. Grosseau that Desautels
now willing to sign..... 1.33

Spignior, Sault St. Louis.

Department of Interior

1890

Forward

\$ 1142.75

Dec 1	To Letter to Mr Z. Fife with statement of account due by him.....	1.88
Dec 3	Letter to Mr Brosseau re advisability of remitting costs if all Consitaires signed without further delay.....	8.00
Dec 4	Letter to Bailiff enclosing Writ re Barbeau, with instructions.....	1.33
Dec 6	Letter to Mr Brosseau asking him for list of Consitaires who had not signed.....	1.33
Dec 10	Interview with Mr Lanot re suits against Consitaires.....	2.00
Dec 12	Attendance at Mr Lamoth's office and interview with him as to terms of Titre Nouvel and necessity for signature.....	3.00
Dec 13	Interview with Mr Brosseau examining list of Consitaires who had not yet signed and re proceedings to be taken.....	2.00
	Subsequent interview with him in the afternoon re various Consitaires.....	1.00
Dec 27	Attendance while in Quebec at office of Registrar Langelier, perusing Ordinances and obtaining copies of same.....	0.00
Dec 29	Attendance at Court searching records and examining Deed of Concession granted by Jesuits to Pierre Lefebvre. Engaged all morning.....	10.00
Dec 29	Clerks attendance in the afternoon, making copy of Deed.....	2.00
Dec 30	Attendance at Crown Lands Department, Quebec, and interview with Mr Rivard re registration of grants to residents.....	2.00
Dec 30	Attendance at office of Registrar, Quebec, searching for reports of Commissioners and for copy of Commission issued by Hon. Milnes for management of Jesuit Lands.....	2.00

1891

January 5

Letter to Commissioner of Crown Lands at Quebec for copy of Commission appointing Hon. F. Baby and others to manage Jesuit Lands.....

July 3

Letter to Bailiff re suits against those who had not signed.....

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
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CANADA

1801

Forward 1187.77

Jan 7	To Interview with Mr Brosseau re Consier and remaining Consitaires who had not signed.....	2.00
Jan 8	Long interview with Mr Brosseau examining List of Consitaires who had signed and paid and those who had not signed, and making memorandum of same and discussion of difficulties with various individuals and why not signed.....	5.00
Jan 9	Letter to G. Lamothe, Advocate, that proceedings would be instituted if his clients Cardinal, Harmon, Pire & Letourneau did not sign Titre Nouvele.....	2.00
Jan 9	Letter to Mr Brosseau for Consier and for Mr Roborge to prepare Reconnaissances for Railway Companies.....	1.35
Jan 10	Letter to Mr Taché acknowledging copy of Deed re Jesuits.....	1.35
Jan 10	Making list and memorandum of Consitaires who had not signed and letter to Mr Roborge returning Reconnaissances of Consitaires who had not signed.....	2.00
Jan 12	Letter to Mr Roborge asking him to send Reconnaissances to Mr St Marie.....	1.35
Jan 12	Special letter to Cure Bedard to sign Titre Nouvele at once.....	2.00
Jan 13	Letter to J. Lafebvre threatening proceedings if he did not sign Titre Nouvele.....	1.35
-	Like letter to D. Page.....	1.35
-	Like letter to H. Gaillet.....	1.35
-	Like letter to R. Prevost.....	1.35
-	Like letter to T. Lafebvre.....	1.35
-	Like letter to J. Letourneau.....	1.35
-	Like letter to A. Gibeau.....	1.35
-	Like letter to L. Racicot, C.E.L.....	1.35
-	Like letter to H. Longtin.....	1.35
-	Like letter to D. Gauthier.....	1.35
-	Like letter to J. H. de la Plante.....	1.35
-	Like letter to O. Gauthier.....	1.35
-	Like letter to R. Gauthier.....	1.35
-	Like letter to J. Gauthier.....	1.35
Jan 14	Making final report to Mr Roborge.....	
Jan 15	Making final report to Mr Roborge.....	
Jan 16	Making final report to Mr Roborge.....	
Jan 17	Making final report to Mr Roborge.....	
Jan 18	Making final report to Mr Roborge.....	

Indian Affairs. (RG 19, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1891	Forward	1490.25
Febry 11	To letter to Indian Agent asking him to verify area occupied by Montreal & C.J. Ry Co...	1.55
Febry 18	Letter to Mr. Robarge giving list of Consitaires who had not yet signed.....	5.00
Febry 18	Interview with Mr. Robarge with reference to consitaires who had not yet signed and making and verifying list.....	3.00
Febry 18	Letter to Secretary M & C.J. Ry Co re arrears of rent due and enclosing draft Reconnaissance with explanations.....	1.55
Febry 14	Letter to Mr. Robarge acknowledging his re Deed to be signed by Railway Company.	1.35
Febry 14	Letter to Secretary M & C.J. Ry Co re correction to be made in 2nd Reconnaissance	1.55
Febry 19	Letter to Secretary M & C.J. Ry Co acknowledging Deeds and with reference to terms of resolution.....	1.55
Febry 19	Letter to Mr. Robarge enclosing two deeds signed, and also copy of resolution passed by M & C.J. Ry Co.....	1.55
Febry 20	Letter to Indian Agent enclosing cheque for \$22.70 from M.C.J. Co & voucher to be signed.....	1.55
Febry 21	Interview with Mr. Brossard re Consitaires who had not signed.....	1.00
Febry 21	Letter to Harbeau's Attorney that he must plead without delay, Reconnaissance not having been signed.....	1.35
Febry 25	Letter to Mr. Robarge acknowledging receipt of copy of Reconnaissance signed by M & C.J. Ry Co.....	1.55
Febry 27	Letter to Secretary M & C.J. Ry Co enclosing copy of Reconnaissance and re ratification of resolution.....	5.00
Febry 27	Letter to Mr. Robarge re difficulty about date of resolution passed by M & C.J. Ry Co & enclosing letter from Secretary with amended resolution.	
March 13	Letter to Secretary of Indian Affairs re New Railway Co asking for approval of signing Reconnaissance.	

1891

Forwards

Land on

March 17 To making draft of Pensions re Con-
sults who had not signed, Consults
who had signed after suit was filed in re
relieved from costs, and Consults who
had been paid and were willing to sign
relieved from costs for the Depart-
ment..... 6.00

March 18 Long letter to D.M. forwarding Report re
re collection of expenses for suits
taken and intervention of Attorney
General and difficulty with Consults
who wished to be relieved from costs for-
warding History and Report on title of
Indians, "Couture" copies of Titres
Nouveaux, and for re Consults who had
not signed, with remarks..... 5.00

\$ 1505.92

1889
December 20 By cheque on account of fees..... 200.00

\$ 1305.92

1889 DISBURSEMENTS

Decr 14 To paid for copy of Titre Nouvel re
Parotte..... 3.00

Decr 28 Paid for copies of Titres Nouveaux
of Pincasault & Mondard..... 4.20

Decr 28 Paid expenses to Laprairie..... 3.00

1890
Feby 27 Paid for searches for Titres Nou-
veaux & list of all of same that
appeared on H.B. Jones & Repertoire
in Tutelle offices, & for searches
for Letters Patent de Terrier..... 10.00

Feby 28 Paid for typewriting of first
draft report..... 10.00

March 4 Paid for telephone message to Mr
Roberts..... 25

March 27 Paid for typewriting of second
draft report..... 10.00

March 3 Paid for translation of
General Order Judgment & Affidavit
of Jones..... 10.00

March 4 Paid for translation of
General Order Judgment & Affidavit
of Jones..... 10.00

Indian Affairs. (RG 19, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

re Seigniorv Sault St Louis.

Department of Interior.

	Forward	\$ 58.85	\$ 1305.92
1890			
Octr 15	To paid for typewriting of third draft Report.....	13.50	
Novr 14	Paid for typewriting & searches re titles at Quebec.....	20.00	
1891			
Febry 16	Paid for typewriting report and appendix and making copies of authentic documents.. 175 pages...	53.50	
	Paid for translation of documents for Appendix..... 43 pages	20.00	
Febry 7	Paid for copy of General Gages judgment.....	4.00	
March 17	Paid for making two copies of memorandum re Censitaires on typewriter.....	2.00	
March 18	Paid express charges on parcel to D.M.J.....	35	
	Paid Gazette Printing Co for forms Titres Nouveles.....	14.00	186.20
			<u>\$ 1492.12</u>

*2000
and advance of 200
in all \$1000.*

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
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CANADA

535

Copy.

Montreal, 21st January, 1890.

The Deputy Minister of Justice,
Ottawa, Ont.

Dear Sir,

Re. St. Louis Seignior.

As I reported to you in my letter of the 30th December last, I instituted proceedings against two of the Censitaires, namely, Noel Pinsonneault and Solyne Lanctot. I think from the indications that this is likely to have the effect of bringing about a settlement of the whole matter.

Pinsonneault came up to my office, and he is anxious to settle, (although his lawyer talked of making a test case by joining with a number of others) and talks chiefly of a claim for compensation. He alleges that a survey was had and about fifty feet taken off the end of his farm next the Reserve, and put into the Reserve, and that all the wood was cut by the Indians, that afterwards it was found that the survey was wrong and he thinks he ought to be paid the value of the wood. I am informed, however, by Mr. Brosseau that this contention is erroneous, that the line was properly drawn, following the front line of his farm which was not straight, and that the only conversation has been as to the desirability, in the interest of both parties, of making the line straight at the back of the Farm and not of giving back the portion joined to the Reserve.

Mr. Brosseau reports that Pinsonneault has not succeeded in getting any of the other Censitaires to join him in making a test case, but that, on the contrary, they are all anxious to settle, provided they can get a little delay, as they claim that the last year has been a very hard one, and they have no ready money.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
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CANADA

1890/01/21

I think it would be desirable to do as was done by Mr. Dingman when he was at the Seignior, that is, to give a delay, say not exceeding three months, to those parties who will come in and give a Promissory Note or written acknowledgment, which will save all debateable questions in the future, and would ask for your authority to authorize Mr. Brosseau to grant such delay.

I would then write to him giving him this authority and stating that those who did not avail themselves of it were to be sued immediately.

The most troublesome question will be the question of prescription. The Censitaires claim that as the Iroquois are the beneficiaries and in possession, five years prescription should obtain, while I have advanced the pretension that the amount is due to the Government, and that the thirty years prescription must apply.

Solyne Lanctot, the other Censitaire, is anxious to settle, and it is only a question with him of fixing the amount and granting a little delay.

Awaiting your instructions especially as to giving a reasonable delay to the Censitaires.

I am,

Yours faithfully,

John Hall Jr.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

FEB. 5, 1890

Sir HECTOR LANGEVIN. On the 17th December a petition dated 11th December was received by the Department, asking for a grant to complete a wharf at the mouth of St. Peter's Harbor. It was acknowledged by Mr. Gobeil, secretary of the Department, on the 18th, and forwarded to the chief engineer's office on the 19th. On the 10th January the following letter was written on behalf of the chief engineer to the resident engineer:—

"Sir,—I enclose file 104405, being a petition for a grant to complete a wharf at the mouth of St. Peter's Harbor. Is this wharf the one assumed by the Department and known as St. Peter's Bay? Please enquire into this and furnish the usual report, and return No. 104405 therewith."
Yours obediently,
(Signed) LOUIS COSTE,
For Chief Engineer."

No examination has been ordered, but I am informed that the resident engineer proposes to make the enquiry this week. Therefore, this examination could not affect the last election.

THE CAUGHNAWAGA RESERVE.

Mr. DOYON asked, 1. What are the names of the parties who worked the quarries on the Caughnawaga Reserve since 1884? 2. Are some of the said persons indebted to the Department in connection therewith, and, if so, to what amount? 3. Did they furnish good and sufficient sureties, and to what amount? 4. Who are the said sureties? 5. When and how do the Government purpose collecting the amounts due?

Mr. DEWDNEY. 1. John D. de Lorimier and Thomas Jocks—both members of the Caughnawaga Band of Indians. 2. The former owes \$2,594.87; the latter, \$1,314.14. 3 and 4. These parties are not under security. 5. The Department is taking steps for the recovery of the amount due, but it would not be prudent to state what those measures are.

Mr. DOYON asked, What was the cost of the survey of the Caughnawaga Indian Reserve, in the County of Laprairie? Has the expenditure caused by this survey been taken out of the Indian Reserve Funds, or has it been charged against them?

Mr. DEWDNEY. Mr. Walbank, the surveyor who was employed in laying out the Caughnawaga Indian Reserve in allotments, has rendered accounts for the work up to \$22,250.32. Of this sum, \$19,000 has been allowed and paid up to date. There is a balance of \$3,250.32 as yet unpaid, and in regard to which the Department is in communication with Mr. Walbank. Payment was made out of the funds of the band.

SUMMERSIDE HARBOR BREAKWATER.

Mr. PERRY asked, Whether it is the intention of the Government to build a breakwater in Summerside Harbor, Prince Edward Island, in accordance with the recommendation of the engineer?

Sir HECTOR LANGEVIN. The works proposed for the improvement of the entrance to the harbor consist of a breakwater extending southwardly from Welling's Point a distance of 3,800 feet, and a second from the lighthouse on a length of 1,000 feet in a southerly direction towards Indian Head, the cost of these two structures being placed at \$75,000. The Government do not intend erecting these works.

Mr. MCINTYRE.

DUTY ON FISH IN BOND.

Mr. EISENHAEUER asked, 1. Whether changes have been made during 1889 in the regulations regarding the bonding of foreign fish, and, so, what changes were ordered? 2. Have changes so made been carried out by the Collectors of Customs at the ports where foreign fish was entered in bond?

Mr. BOWELL. There have been no changes in the regulations, but instructions were sent to Collectors of Customs by Departmental Order No. 3015, of the 26th July last, requiring them to comply with the provisions of the law as amended in chapter 14, 15 Victoria, as to treatment of foreign fish in bond. The instructions have been carried out, so far as is known to the Department. Customs. If the hon. gentleman has not a copy of that order, I will have pleasure in sending it to him.

I. C. R.—FREIGHT CHARGES.

Mr. AMYOT asked, What is the sum charged over the Intercolonial Railway for the carriage of a barrel of flour from Quebec to Métis? What is the charge made over the Intercolonial for the carriage to the Maritime Provinces of a barrel of flour coming from Montreal or from Toronto by the Grand Trunk Railway?

Sir HECTOR LANGEVIN. The Intercolonial Railway freight charges on a barrel of flour from Quebec to Métis is 32 cents. The Intercolonial Railway receive out of the rate on flour from Montreal to Amherst, N.S., 57 cents per barrel.

THE SHIP BRIDGEWATER.

Mr. EDGAR asked, 1. Whether the Government has received any further representations, since the close of last Session, respecting the seizure of the ship *Bridgewater* from or on behalf of the owners, or from the Imperial Government, or from the Government of the United States? 2. Has the Government yet made any settlement of the owners' claims for damages for such seizure? 3. If any settlement has been arrived at, what amount is to be paid by Canada?

Mr. BOWELL. No further representation have been received from the Imperial Government or from the Government of the United States respecting the seizure of the ship *Bridgewater* since the close of last Session; no settlement of the owners' claim has been made or recognised, and no amount has been paid or promised to be paid.

PROVINCIAL LEGISLATION.

Mr. EDGAR asked, Whether it is the intention of the Government to reprint the correspondence reports, and Orders in Council upon the subject of Provincial Legislation, from 1867 to 1884, so that members and others may obtain copies?

Sir JOHN THOMPSON. That subject has not yet been considered at all. I understand that the volume is out of print, but I am not aware that there has been any particular demand for it.

PURSE SEINES AND GILL NETS.

Mr. MCINTYRE moved for:

Copies of all petitions from fishermen and others interested in the fisheries on the coast of Prince Edward Island.

1890/02/05

[FEBRUARY 25, 1890.]

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representative. That was received on Saturday
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CAUGHNAWAGA RESERVE.

Mr. DOYON. (Translation.) Mr. Speaker, before the Orders of the day are called, I desire to call the attention of the Government to the fact that I made, at the beginning of this Session, for the production of the report of the operations of Mr. James Wallbank as land surveyor of the Indian Reservation of Canghnawaga. The hon. the Minister of the Interior answered me that he had no objection to produce that document. During last Session I made the same request, and I received the same answer : nevertheless, the report has not been brought down. Am I to understand that the Government, although having no objection to that report before the House, has no intention of doing so ? If, on the contrary, it is disposed to produce it, I would desire to know how soon, for I am sure that it is not without good reason that I ask for it. I thought the matter had been forgotten, and that is why I have taken this opportunity of recalling it to the Government.

DEWDNEY. I understand that the hon. man wants to know when the report and the survey of the Caughnawaga Reserve is brought down. The map is a very intricate and it will take a long time to prepare it, therefore, I cannot say when it will be brought

DOYON. The hon. Minister will recollect this is a private conversation with him last week. I asked for that report, and he told me he could not produce it during the Session, would file it during the recess.

DEWDNEY. I will bring it down at the possible moment.

EXPLANATION--DUTIES ON SEEDS.

COUTURE. (Translation.) Mr. Speaker, I think reasons beyond my control prevented me attending yesterday's sitting, when the hon. member was called upon to vote on a most important question as regards the agricultural class; in the motion of the hon. member for South (Mr. McMillan), in favor of free importation of animals not produced in Canada and used for the improvement of the lands and the raising of animals. Had I been here, I should have voted in favor of the motion of the hon. member for South. I understand his proposition is calculated to do immense service to the agricultural

COLLEGE—THE FRENCH LANGUAGE IN THE NORTH-WEST.

MR. WYOT. Mr. Speaker, I rise on a question of order. It has been spread over the country by voting as we did the other evening against amendment of the hon. Minister of Justice. I ascertain number of the members of this House for the Bill of the hon. member for North (Mr. McCarthy). I did not take the necessary last Friday to explain my view of the matter, because I desired to enable my colleagues

to take the train so as to go to their homes. I was of opinion, first, that all the hon. members in favor of Mr. McCarthy's Bill had to vote against any amendment tending to prevent that Bill from being read a second time; second, that all the hon. members in favor of Mr. Davin's amendment had to vote against any sub-amendment tending to prevent that amendment from being affirmed by the House; third, that all the hon. members opposed to any change being made in the existing law had to vote against the sub-amendment offered by the hon. Minister of Justice, as they would have to vote against Mr. Davin's amendment, and the Bill itself, had they reached a vote. The Bill presented by the hon. member for North Simcoe was struck off the Order paper for the second reading by the adoption of the sub-amendment, and no direct vote was practically taken upon the Bill itself. I have consulted very high authorities on this point, and I may quote Bourinot, our worthy Clerk, who has been so justly honored by the Queen lately, who, at page 130, says:

"If a resolution opposed to the principle of the Bill be resolved in the affirmative, or the motion that the Bill be now read a second time be simply negatived on a division, the measure will disappear from the Order Book."

So that we never had a vote on the Bill itself.

Sir JOHN A. MACDONALD. Oh, yes, we had. Mr. AMYOT. The meaning I gave to my vote was that I was opposed to any change in the existing law, and I am authorised to make the same statement on behalf of the hon. members for Laprairie (Mr. Doyon), Napierville (Mr. Ste. Marie), L'Assomption (Mr. Gauthier), Joliette (Mr. Neveu), Verchères (Mr. Geoffrin), St. John's, Quebec (Mr. Bourassa), Chicoutimi (Mr. Couture), and I do not doubt that if the hon. members for Berthier (Mr. Beausoleil), and Chambly (Mr. Préfontaine), were here, they would join in the declaration.

Sir RICHARD CARTWRIGHT. I desire to call the attention of the Government to the fact that, although the right hon. the First Minister himself indicated some time ago that important changes were likely to be made in the tariff, we have not only not yet got the Budget but have no intimation as to when the Budget is likely to come down. It is important, both to the business of the House and the interests of this country, that the period of suspension should not be prolonged any longer than possible, and the Government ought to be in a position to tell us within a day or two when they propose to bring down their financial statement.

Sir JOHN A. MACDONALD. The hon. the Minister of Finance is not here, and will not be here the first part of the evening unless specially sent for, and, therefore, I cannot speak specifically in answer to the hon. gentleman. But the hon. gentleman must have seen that ever since the Session began, all kinds of deputations have visited Ottawa for the purpose of pressing their various interests on the attention of the Government with respect to the re-adjustment of the tariff. There is too much tendency on the part of the various interests to postpone discussing subjects or calling the attention of the Government to them until Parliament has met, which is really the most inconvenient season for that purpose. Still, they come during that period, and, I think, until this

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OFFICIAL REPORT
OF THE
DEBATES
OF THE
HOUSE OF COMMONS
OF THE
DOMINION OF CANADA.

FOURTH SESSION — SIXTH PARLIAMENT.

53^d VICTORIA, 1890.

VOL. XXIX.
COMPRISING THE PERIOD FROM THE SIXTEENTH DAY OF JANUARY TO THE
TWENTY SIXTH DAY OF MARCH, INCLUSIVE, 1890.



OTTAWA:
PRINTED BY BROWN CHAMBERLIN, PRINTER TO THE QUEEN'S MOST
EXCELLENT MAJESTY.

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Mr. RINFRET (Translation.) I laid some petitions myself on the Table of this House, in the early days of the Session. I think the Government have not had time to consider them yet, but I hope they will send inspectors to the spot who will enquire as to the truth of what is recited in the petitions. I hope that, after investigation, they will comply with the request I have just made.

Mr. COLBY. I will make further enquiry. This is the memorandum placed in my hands by the deputy.

Motion agreed to.

INDIANS OF CAUGHNAWAGA—INDEMNITY.

Mr. DOYON (Translation) moved for:

Copies of all correspondence between the Indian Department and the agent and chiefs of the Caughnawaga reserve respecting any indemnity claimed by the Indians of the reserve, on the ground that the extent of their reserve has been considerably diminished by encroachments.

He said: Mr. Speaker, in making this motion, I desire to call the attention of the House to the fact that the reserve of Caughnawaga has been considerably diminished, and I may say by more than half; for I have in my hands the original title deeds of the concessions made by the Kings of France, bearing the respective dates of the 29th May, 1680, of the 31st October, 1680, and of the 15th June, 1717, which give to the reserve of Caughnawaga an extent of two square leagues, besides another concession of two leagues by one league and a half. In order to make the thing better understood, I produce the title deeds and patents of concession I have referred to. I may also add that they even likewise granted two islands and islets, described in these deeds which have also been taken away from them:

"29th May, 1680.

"Concession Louis by the Grace of God, King of France and Navarre, To all who these present letters shall see:

of the land called "Le Saull," Our very dear and well beloved the Jesuit Fathers, members of the Religious Society of Jesus, residing in our country of New France, having most humbly represented to us, that the lands of the Prairie de la Magdeleine, which have been heretofore granted to them, being too wet to be sown and provide for the subsistence of the Iroquois settled there, it might be feared that they would go away, if we were not pleased to grant them the tract of land called "Le Saull," containing two leagues in front, to commence at a point of land situate opposite the St. Louis Rapids, and ascending along the lake, by the same depth, with two islands, the islets and shoals opposite and adjoining the lands of the said Prairie de la Magdeleine which would allow them not only to settle the Iroquois, but also to increase their number and to extend by this means the light of the Faith and the Gospel.

"Now, therefore, being desirous of contributing to the conversion and instruction of the said Iroquois, and favourably treating the said petitioners, we have made and do make them a gift by these presents, signed with our hand, of the said tract of land called Le Saull, containing two leagues in front, commencing at a point of land situate opposite the St. Louis Rapids and ascending along the lake by a similar depth, with the two islands, the islets and shoals opposite and adjoining the lands of the said Prairie de la Magdeleine subject to the condition that the said tract of land called Le Saull shall belong to us, all cleared, when the said Iroquois shall abandon it. We do hereby permit all persons desirous of bringing to the said Iroquois, rings, knives and other small wares and things, to do so; most expressly prohibiting and forbidding the Frenchmen who may settle among the said Iroquois, or other Indian nations, who may establish themselves on the said tract of land called Le Saull, to have and keep any cattle, and

Mr. COLBY.

all persons to establish any tavern in the village of the said Iroquois, to be built on the said tract of land.

"Herby commanding our well beloved and trusty officers holding our Supreme Council at Quebec, and other our officers of justice whom it may concern, that these letters of gift and concession they cause to be read and registered, and the contents thereof to be enjoyed and used by the said petitioners, ceasing and causing to cease all troubles and hindrances thereto, for such is our pleasure.

"In witness whereof we have caused our seal to be affixed to these presents.

"Given at Fontainebleau, the twenty-ninth day of May in the year of grace one thousand six hundred and eighty, and of our reign the thirty-eighth.

(Signed) "LOUIS.
(Signed) "COLBERT.

"And sealed with the great seal in yellow wax.

"Registered according to decree of this day, at Quebec the twenty-fourth of October, one thousand six hundred and eighty.

(Signed) "PEUVRET."

"OFFICE OF THE PROVINCIAL REGISTRAR.

Quebec, 11th May, 1887.

"I certify that the preceding copy is in everything conformable to its original, registered in Lib. Reg. des Ind. du Cons. Supérieur, folio 93.

"JOHN LANGELEER,
"Dep. Prov. Reg."

TITLES OF SAINT ST. LOUIS, THE REVEREND JESUIT FATHERS.

"Louis, by the grace of God, King of France and Navarre, to all those who these present letters shall see Greeting.

"Our very dear and well beloved the members of the Religious Society of Jesus, residing in our country of New France, having most humbly represented to us the lands of the Prairie de la Magdeleine, which have been heretofore granted to them, being too wet to be sown and provide for the subsistence of the Iroquois settled there, it might be feared that they would go away if we were not pleased to grant them the tract of land called Le Saull, containing two leagues in front, to commence at a point of land situate opposite the St. Louis Rapids, and ascending along the lake, by the same depth, with the two islands, the islets and shoals opposite and adjoining the lands of the said Prairie de la Magdeleine which would allow them not only to settle the said Iroquois, but also to increase their number and to extend by this means the light of the Faith and the Gospel. We therefore, being desirous of contributing to the conversion and instruction of the said Iroquois, we have made and do make them a gift by these presents, signed with our hand, of the said tract of land called Le Saull, containing two leagues in front, commencing at a point of land situate opposite the St. Louis Rapids and ascending along the lake, by a similar depth, with the two islands, the islets and shoals opposite and adjoining the lands of the said Prairie de la Magdeleine, subject to the condition that the said tract of land called Le Saull shall belong to us, all cleared, when abandoned by the said Iroquois. We do hereby permit all persons desirous of bringing the said Iroquois rings, knives and such other wares, to do so; most expressly prohibiting and forbidding Frenchmen who may settle among the Iroquois, other Indian nations, who may establish themselves on the said tract of land called Le Saull, to have and keep any cattle, and all persons to establish any tavern in the village of the said Iroquois, to be built on the said tract of land.

"Herby commanding our well beloved and trusty officers holding our supreme council at Quebec, and other our officers of justice whom it may concern, that these letters of gift and concession they cause to be read and registered, and the contents thereof to be enjoyed and used by the said petitioners, ceasing and causing to cease all troubles and hindrances thereto, for such is our pleasure.

"In witness whereof we have caused our seal to be affixed to these presents.
"Given at Fontainebleau the twenty-ninth day of May in the year of grace one thousand six hundred and eighty and of our reign the thirty-eighth.

(Signed) "LOUIS, by the King.
(Signed) "COLBERT.

"The above letters patent have this day been registered at the Greffe Souverain at Quebec, in pursuance of

decree of this day, the said petitioners to use and enjoy the contents thereof.

"Quebec, 21st October, 1680.

(Signed)

"PEUVBET."

"Louis de Baude, Comte de Frontenac, conseiller to the King in His Councils, Governor and Lieutenant-General for His Majesty in Canada, Acadia and the Island of Newfoundland and other countries of North France, and Jacques Duchesneau, Chevalier, also, Conseiller to the King in His Councils, Intendant of Justice, Police and Finance in the said country. By reason of what has been represented to us by the Reverend Fathers of the Religious Society of Jesus, that His Majesty by his letters patent of the 29th May, 1680, registered in the Supreme Court at Quebec, on the 24th October following, having made them a gift of the tract of land called Le Sault, containing two leagues in front commencing at a point of land situate opposite the St. Louis Rapids and ascending along the lake by a similar depth with the two islands, the islets opposite and joining the lands of the Prairie de la Madeleine, for the reasons set forth in the said letters and subject to the same charges and conditions therein contained, they ask that it will please us to grant them a remnant of land of one league and a half, or thereabouts, in length, commencing at the said tract of land called Le Sault, ascending along the Lake towards the Seigneurie of Chateau-Gay by two leagues in depth, which would allow them to attract there still more Iroquois and other Indians, and to increase their number and to extend by that means the light of the Faith and the Gospel. We, in virtue of the power given us conjointly by His Majesty, and to facilitate still more to the Reverend Fathers of the Society of Jesus the means of continuing the care they have for so long and with so much zeal taken for the conversion and instruction of the Iroquois and other Indians, have given, granted and conceded to them, and give by these presents the remnant of land of about one league and a half in length, commencing from the said tract of land called Le Sault and ascending towards the Seigneurie of Chateau-Gay by two leagues in depth to be enjoyed by the said Reverend Fathers subject to the same charges and conditions contained in the aforesaid letters patent of His Majesty, and they shall obtain from His Majesty the confirmation of these presents. In witness whereof we have signed these presents, and caused our seal and arms to be affixed thereto.

"Given at Quebec, the thirtieth of October, one thousand six hundred and eighty.

(Signed)

"FRONTENAC,

"DUCHESNEAU."

"OFFICE OF THE PROVINCIAL REGISTRAR.

"QUEBEC, 11th May, 1886.

"I certify that this present copy is conformable in everything to the original registered in the Cahier d'Intendance Vol. 1, folio 122.

"JOHN LANGELLIER,

"Dep. Prov. Reg."

"15th June, 1717.

This day, the fifteenth of June, "Letters Patent of one thousand seven hundred and concession to the seven, the King being in Paris, Reverend Fathers, having caused to be produced letters of the patent of the gift to the members of the Religious Society of Jesus, residing in the country of New France, dated at Fontainebleau, the twenty-ninth of May, one thousand six hundred and eighty, of a tract of land called Le Sault, containing two leagues, commencing at a point of land situated opposite the St. Louis Rapids and ascending along the lake by a similar depth, with the two islands, the islets and shoals opposite and joining the lands of Prairie de la Madeleine, in order to settle thereupon the said Iroquois Indians, who were settled upon the lands of the said prairie, which were found to be too wet to be sown, and to provide for their subsistence, subject to the condition that the said tract of land should belong to His Majesty all cleared, when the said Iroquois should abandon it, the deed of gift dated at Quebec, the thirty-first day of October, one thousand six hundred and eighty, granted to Simon, the Comte de Frontenac and Duchesneau, the Governor, General and the Intendant of New France, to the said Reverend Fathers, in order to put them in a position to settle a greater number of Iroquois Indians, of a remnant of land of about one league and a half in length, commencing from the same tract of land called Le Sault, towards the Seigneurie of Chateau-Gay, with a depth of two leagues,

to be enjoyed by the said Reverend Fathers subject to the clauses, charges and conditions contained in the said letters patent of the twenty-ninth of May, one thousand six hundred and eighty, and His Majesty having been informed that a change of locality had become necessary for these Indians, seeing that the tract of land in which they were settled was exhausted, and that it was necessary to settle them in another place upon the lands granted to them, and having also been informed that the said Indians were only leaving their former lands for a time and that they intended to return thereto, now, therefore, His Majesty, having taken cognisance of what had been written on this subject by the Sieurs de Vaudreuil and Bezon, Governor and Intendant of New France, and of the memorials presented on this subject by the said members of the Religious Society of Jesus, and desiring to reserve the said tracts of land as much for the said reverend fathers as for the said Indians, His Majesty, on the advice of M. le Duc d'Orleans, Regent, has anew granted and made a gift to the members of the Religious Society of Jesus residing in New France, of the tract of land called Le Sault, which, in future, shall not only contain the tract of land, the islands, the islets and shoals mentioned in the said letters patent given at Fontainebleau, the twenty-ninth May, one thousand six hundred and eighty, but also the tracts of land mentioned in the said deeds of gift made by the Sieurs de Frontenac and Duchesneau on the thirty-first October, one thousand six hundred and eighty, for the purpose of locating thereon the mission of the Iroquois Indians, called the Mission of the Sault St. Louis, subject to the condition that the said tract of land shall belong to His Majesty when abandoned by the Iroquois. His Majesty commands that the present letters shall be registered in the Superior Council at Quebec, that parties concerned may have recourse thereto, and in testimony of his will His Majesty has commanded me to forward these present letters patent, which he has been pleased to sign with his hand and has caused to be countersigned by me, Comte, Secretary of State and of his Finance Administration. Signed, Leon, and lower down, Phelypeau, with flourish."

"The deed of gift above transcribed was registered in the records of the Superior Council at Quebec, the Attorney General heard and so requiring under his order of this date by me, the undersigned, Commissioner, Ac., at Quebec, the second October, one thousand seven hundred and nineteen.

"RIVET."

"DEPUTY OF THE PROVINCIAL REGISTRAR.

"QUEBEC, 11th May, 1887.

"I certify that this present copy is in everything conformable to its original, registered in the books of records of the Conseil Supérieur, E. No. 5, folio 6.

"JOHN LANGELLIER,

"Deputy Provincial Registrar."

And when I pass it that these concessions have considerably diminished in extent, I refer, in support of that assertion, to the answer to the enquiry I made last Session, of the hon. Minister of the Interior (Mr. Deydun), reported at page 481 of *Huard*, and to the following words at the end of that answer:

"The reserve contains 12,327 acres, and the survey of the whole reserve, when all the work is done, will cost \$22,000."

I believe that the original reserve must have contained at least 30,000 acres more. My intention in asking the Government to produce all the correspondence and any deeds that may have been made respecting lands taken from the Caughnawaga Reserve, is to ascertain by what right the Government or any other person or society, having the administration of this estate, have, at any time since the original concession of these lands, disposed the Indians of this part of the reserve. What justifies me in concluding that a portion of the reserve has been conveyed to whites in an illegal manner, is the fact that I have here a deed made before a notary by Ignace Mikamawidia, on 16th April, 1819, to a Canadian, Jacques Patenaude, a farm labourer of the parish of Saint Constant;

whereas we know that at no period had an Indian the right to give a valid deed to a white man. The deed in question reads as follows:

"Before the undersigned, notaries public of the Province of Lower Canada, residing at the village of La Prairie de la Madeleine, in the district of Montreal.

"Appeared Ignace Mikanaawaha, one of the principal chiefs of the Iroquois nation of Sault St. Louis, authorized herewith, by a resolution of all the chiefs of the said Nation, in Council assembled yesterday, the twenty-sixth April instant.

"Who did voluntarily admit and declare by these presents, that he hath given and conceded *à titre de cession* *rentes seigneuriales*, unredemtable, henceforth and forever, and free from all disturbance and impediments whatsoever resulting from acts and promises of the said chiefs, their successors or administrators, to Jacques Patenaude, laborer, of the parish of St. Constant, herewith present and accepting, lessee, for himself, his heirs and assigns forever, a land and concession situated in the Seigneurie of Sault St. Louis, measuring two arpents in front by about seven arpents in depth, bounded to front by the land of the said lessee, in rear by the line laid down by M. Archambault; on the one side Alexis Henry to the south, and on the other side Paul Chapillon to the north; without any warranty of precise measurement, but in accordance with return of miles and fathoms prepared by M. Archambault, surveyor, which the said lessee declares he well knows, having seen and examined the same, and is content and satisfied therewith; the said lessee to enjoy, use, work and dispose of the said land, himself, his heirs and assigns, on the charges, clauses and conditions following, that is to say: the lessee, his heirs and assigns shall pay each year to the seigniors, their successors, administrators and assigns, at their accounting place in the said seigniorie, or to their receiver or agent, two *Sols Tenants*, French money, for each arpent in superficies and one bushel and a half of wheat, all good, dry, clean and merchantable, for each twenty arpents in superficies; and three *Sols Tenants* *à rentes* for the whole of the said concession; the whole *rentes et cotes*, *seigneuriales* payable each year, the first payment shall fall due and be payable on St. Martin's day, 11th Nov., next year; but the lessee binds himself to pay to the seigniors next St. Martin's day for all seigniorial rights, one *denier* or three *deniers* for each arpent in the place and stead of the aforesaid *rentes et cotes* of the present year only, and shall continue thenceforward, while and so long as the said lessee, his heirs and assigns shall be holders in whole or in part of the said land; with power, nevertheless, to the said chiefs to alter the term of payment; the said *rentes et cotes* to carry profit of *habits et cotes* seizure and fines, on occasion, together with all other seigniorial and feudal rights, in accordance with the original title deed of the said seigniorie; the said concession to be subject to the common mill thereof, under pain of confiscation, arbitrary fine and payment for the grinding of any grain ground elsewhere; lessees to occupy the said land within a year and day from date hereof, give *dissement* to their neighbors as it is required by them, and make party ditches with them (the said seigniors not being in any way bound thereunto as regards their unenclosed land) and suffer all roads, bridges, ditches and discharge for watercourses suitable for public convenience, keep the same in good condition, and help with the other tenants to make roads and bridges on the *domaine* of the seigniorie and to maintain the same; work and cultivate the said land, keep it in a good condition, so that the said *rentes et cotes* may easily be collected therefrom year by year.

"The said seigniors, lessors, reserving to themselves the right of redemption in case of the sale or other equivalent alienation of the whole or part of the said land, on repaying to the purchaser of the principal money of his purchase, costs and true outlay.

"Right of *reconnaissance* and declaration at each change of seignior, by succession or otherwise, at the cost of the holder; nor shall the lessee his heirs or assigns have the right to give, cede or otherwise alienate the whole or part of the said land to any holder in mortmain, nor any community impose *rentes* on *sons* of the said seigniors the lessors, who shall be entitled to take from the said lands all kinds of timber, stone, lime, sand, and other materials required for building churches, priests' houses, mills and other public works, manors or other houses, or enclosures on the *domaine* of the said seigniorie without in any way paying anything to the said lessee, his heirs and assigns, and if the said seigniors wish to build water-mills, windmills, or saw-mills, they reserve the right, for the building thereof, to take, occupy, or cut lands for the passage of water in such places as they think proper, on paying for the clearing.

Mr. Doyon.

as estimated by experts, and reducing the *rentes et cotes* in proportion to the land cut or taken, and the lessee shall not nor shall his heirs and assigns have power to build on the said concession any mill whatsoever, under pain, &c. And should the common mill of the seigniorie be burnt, or the dam thereof carried away by flood, in that case only the lessee, his heirs or assigns, shall be bound to give two days labor, in order to assist the other tenants in restoring the said mill or dam.

"To all which clauses, conditions, servitudes and reservations, the lessee hath submitted himself, for himself, his heirs and assigns, hath promised to comply therewith, and the whole thereof will follow out and execute and well and duly pay the said *rentes et cotes* to the said seigniors at the time and place aforesaid; with hypothecary lien on his estate, movable or immovable, and specially on the land above conceded, and the one obligation shall not derogate from the other.

"And if the lessee, his heirs and assigns, fail to comply with the conditions aforesaid, in such case the said seigniors may re-enter *de plein droit* the said land, and restore it to the domain of the said seigniorie, and dispose thereof in favor of any person as they think proper, and they shall not be bound to adopt any form of process whatsoever in so doing. The lessee shall be bound to have the said land measured by a sworn surveyor, and before planting bounds shall furnish the surveyor's report thereof to the seigniors at his own cost and expense, together with a copy of these presents within eight days.

"And for the execution hereof, the lessee hath elected his domicile on the land herein above conceded, at which place, &c.

"Notwithstanding, &c., for, &c., promising, &c., binding, &c., renouncing, &c.

"Done and passed at the village of La Prairie, at the office of the undersigned notary, in the year 1891, the 26th April, in the afternoon; and the said Ignace Mikanaawaha hath signed with the notaries; the said lessee, on enquiry, having declared his inability to write, hath made his mark, these presents having first been read.

(Signed) "IGNACE MIKANAAWAHA,

his

"JACQUES X PATENAUDE,

notary

"Is, BARBEAU A. E. F. DANDURAND, N. P.

"As set forth in the minutes hereof preserved at the office of the undersigned notary.

"The marginal reference good.

"R. E. DANDURAND, N. P."

This deed is sufficient to create a strong presumption that the reserve has been illegally disposed of and diminished by similar proceedings. Moreover, the present Government has threatened with legal process some of the *seigneurs* who have occupied these lands for many years, and who have not paid any seigniorial rents, for the benefit of the Indians, for over 25 years in many cases. These *seigneurs* who have been threatened by the Government are located at La Prairie, St. Constant and St. Isidore, and are now proprietors of these lands. These threats have not been generally put in execution, but I learn that the Government have prosecuted two of the richest and largest proprietors of St. Constant, in order to make their case a test case. I know not how the matter stands now; but in any case the fact of the farmers who occupy these lands being compelled to pay certain *rentes*, would not prove that the Indians had a right to sell these lands, whether they were sold by them, or by others who held them for their exclusive benefit; for the deeds of grant from the French kings declare that these lands were given to the Reverend Jesuit Fathers for the benefit and education of the Indians. It is also declared in the said deeds that the said lands shall revert to the Crown only in the event of the Indians abandoning the reserve. It is perfectly clear that the Indians have not abandoned their reserve, for they still occupy it; but they only occupy it in part, having been dispossessed of the rest. Mr. Speaker, I desire specially to call the attention of the Government

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to these facts. I do not want that the farmers who now hold a part of the Caughnawaga reserve should be dispossessed. In fact I am not sure the thing could be done, even if it were desirable to do it, but I want that justice should be done to the Indians. If their lands have been unjustly taken from them—and until proof to the contrary, I am inclined to think they have—I think it would be but reasonable that the Government should take steps to indemnify them, or at least to ascertain whether they have not been dispossessed in an illegal manner. Mr. Speaker, I did not anticipate that this question would be taken up this evening, and I am unprovided with certain documents which would have enabled me to treat this question more completely. Nevertheless, I submit these explanations, reserving to myself the privilege of bringing this question before the House again, when I shall be in possession of fuller information.

Mr. DEWDNEY. From what I can gather of the remarks made by the hon. gentleman, as interpreted to me by the hon. member for Provencher (Mr. LaRivière), the white settlers have been making encroachments on the Indian reserves at Caughnawaga. Since the notice appeared on the paper, I have had enquiries made in the Department, and I find that there is no correspondence whatever in reference to this matter. Since the hon. gentleman has made these remarks I will, when they are printed in the *Herald*, go through them, and I will instruct my officers to enquire further into the matter, and I shall be very glad to confer on the subject with my hon. friend.

Mr. LAFFRÈRE. I would call the attention of the Minister to these facts in connection with this matter. It appears that the Indian reserve, such as it was conceded first by the Government of France, covered an area of over 50,000 acres of land, and it appears the reserve has now been diminished to about 12,000 acres. The white people evidently have crowded out some of the Indians, and taken possession of their lands. This may have been done with or without authority. I understand that some of these encroachments have been made with authority, though I do not know what the authority could be. I understand that the Indian Department has taken proceedings a few months ago to compel some of those who are in possession of these Indian lands, to pay the ground rent. Now, I do not see how the Department could sue anybody in possession of Indian land to pay ground rent, unless those parties had derived their title to possession from some concession made by the Government. If the Government are collecting ground rents which are owing to the Indians, these payments naturally go into the funds of the Indians, and would inure to their benefit; but if they are encroachments which have been made without any authority whatever by the whites, the case is different. We know how it is in the vicinity of reserves: the white settlers are very apt to encroach a little every year, and the process goes on so long that the Indians may be deprived very materially of the reserve they originally possessed. If some of the encroachments have been going on, if to-day the Indians are deprived of a good deal of their lands, certainly the Department must take some measure—not to restore them their land, because I suppose that could not be done without a good deal of disturbance—but certainly in my

opinion the Department should take some measure to indemnify them for the encroachments they have suffered. It is not fair to the Indians that they should be deprived of the lands which have been conceded to them for their benefit, that the white settlers should be allowed to encroach upon them without any compensation being given to the Indians whatever. This is the idea which my hon. friend has been endeavoring to impress upon the Minister. The Minister says there is no correspondence; there may not be correspondence, but the subject is one which, in my opinion, ought to engage the attention of the Department.

Motion agreed to.

I.C.R.—EMPLOYEES' INSURANCE SCHEME.

Mr. DAVIES (P.E.I.) moved for:

Return showing the past operation of the Intercolonial Railway employees' insurance scheme, and specially, (a) the annual receipts and expenditure, including salaries of officials for each year the scheme has been in operation; (b) the amounts paid each year out of the fund to the employees or their representatives, and whether for death or injury; (c) the surplus (if any) now on hand of such fund. He said: I hope this return will be brought down at an early day, because I should like to have it before we pass to the estimates of the Intercolonial Railway. The information is almost at hand, and with a little extra exertion I think we might have it in a day or two.

Motion agreed to.

I.C.R.—OFFICIAL CARS.

Mr. DAVIES (P.E.I.) moved for:

Return showing (a) the names and number of officials' cars on the Intercolonial Railway and its branches; (b) the original cost, date and place of building each car, or name of person or company from whom purchased; (c) the cost of repairs to, or expenditure in each of such cars since acquired; (d) the names and salaries and expenses of each employee on such official cars; (e) the annual expenses of providing the supplies to each such car.

He said: The return will be interesting for more than one reason. A few years ago we had one official car, and I know that about 1878 that car formed the text of more speeches and orations than I suppose any other similar expenditure ever made in the country. I do not think there were any Conservative candidates from the Province of Quebec down to Prince Edward Island who did not iterate and reiterate the expenditure on the celebrated Brydges car. Since then we have been undergoing a process of development at the cost of the taxpayer, and it has been a very rapid progress. If I am rightly informed, we have not simply one official car by which railway officials can pass from one place to another, but we have six or seven, or at all events a considerable number. These cars have not only increased in number, but also in magnificence, for this is a great country, we are a great people, and we have great officials, especially great officials. In comparatively modern times and under the comparatively economical expenditure of the hon. member for East York (Mr. Mackenzie) and his Administration, we had only one great railway official entitled to travel in an official car. Now every railway official must have his car, not only the general manager of the Intercolonial but some of the Ministers, and also some of their families; and, moreover, they must have cars with all modern improvements, black men to wait on them, and so on. We want to know how much

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To provide for the survey of Indian
reserves..... \$639.02

Mr. PATERSON (Brant). I think the Minister
should explain about these surveys of Indian re-
serves, how they are conducted, and whether,
before a survey is conducted, it is asked for by the
bands, and whether, in cases where surveys are
made, the funds of the band are used to pay. If
I remember rightly, I heard the Minister reply to
my hon. friend from Laprairie (Mr. Doyon) that a
survey had taken place on the Caughnawaga
reserves, and that the amount had been paid out of
their funds. In a case of that kind does the
Department order a survey without any request
from the Indians, and pay the cost out of their
funds; or is it paid out of the amount voted by
Parliament? I ask this question because in the
case now under consideration the amount asked is
not nearly sufficient to cover the expenditure of
the survey on the reserve.

Mr. DEWDNEY. When the Indians have a
fund at their disposal, surveys are only made on
the application of the Indians themselves. The
vote asked for is for surveys in Ontario and Quebec,
where there are no funds at the disposal of the
Indians.

Mr. O'BRIEN. Has the Tomogaming reserve
been set apart? Application has been made for a
reserve, and some dispute arose between the Onta-
rio Government and the Department with respect
to its location; and that is the last I have heard
of it. Has it yet been set apart?

Mr. DEWDNEY. The Department is still in
communication with the Ontario Government with
regard to that matter, and after several letters had
been written, to which, I believe, we received no
reply, I had an Order in Council passed a few days
ago, asking that a final reply be obtained from the
Ontario Government with regard to this matter.

Mr. DOYON. (Translation.) Mr. Speaker, if I
rightly understood the hon. the Minister of the
Interior, he said that, in the Province of Quebec,
when there is anything to the credit of the band,
the Government take out of their funds what is
required to have the reserve surveyed. The hon.
Minister stated, a few days ago, that he had, out of
the funds of the band, paid \$19,000 for the survey
of the Caughnawaga reserve, and that a sum of over
\$3,000 was still due. I find in the Auditor Gen-
eral's Report, that the balance to the credit of the
band only amounts to \$83.95. I should like to
know whether the Government will pay the balance
due on the cost of that survey. They cannot pay
it out of the funds of the band, for there is nothing
left to their credit, unless it is entered elsewhere.

Mr. DEWDNEY. The cost of the survey has
been taken out of the funds of the band.

Mr. DOYON. Two weeks ago the hon. Minister
gave me the same answer, that the money was
taken out of the fund of the band. This survey
has cost \$22,250, and upon that amount there has
been paid \$19,000, so there is a balance due to Mr.
Walbank, the surveyor, of over \$3,000. On look-
ing at the Auditor General's Report I find the
balance to the credit of the band only amounts to
\$83.95. I should like to know from the Govern-

ment if they intend to take this balance to pay
that sum.

Mr. PATERSON (Brant). There does not
appear to be, according to the Auditor General's
Report, a sufficient sum at the credit of the band to
pay the amount required. Have not the Caughna-
waga Indians a trust fund in the hands of the Gov-
ernment?

Mr. DEWDNEY. A few years ago their trust
fund amounted to over \$20,000.

Mr. PATERSON (Brant). This expenditure
was taken out of that fund.

Mr. DEWDNEY. Yes.

Mr. DOYON. Then the whole fund has been
expended in order to have the reserve surveyed,
and there is a balance of \$3,300 still due to the
surveyor, according to the Minister's statement a
few days ago. I should like to know from the
hon. Minister why the Government had that
reserve surveyed? The work was commenced in
1882 and was not completed until 1888, and, if I
remember correctly, the surveyor was nominated
on his own recommendation. A few days ago in
answer to the hon. member for Huron, who asked
the cost of surveys in Manitoba and the North-
West Territories, the Minister answered that the
cost was a little over 4 cents per acre; but the
cost of surveying the Caughnawaga reserve has
been \$22,250 for 12,327 acres, or a little over \$1.80
per acre. What does the Government intend to
do in regard to this matter, for there is no money
to complete the sub-division of the reserve?

Mr. DEWDNEY. The survey was made on a
petition of the Indians themselves, and it has been
carried on, as the hon. gentleman states, for a
number of years. Of course a survey of this char-
acter must cost a great deal more than the survey of
the Dominion lands. The cost per acre of the Domi-
nion lands survey, was calculated on millions of
acres which had been surveyed. This survey, as
the hon. gentleman knows, was cut up into small
fields, resembling much the appearance of this
chamber, the desks representing the little holdings
of the Indians. The location of every house, and
fence had to be surveyed, and a most complete and
detailed map, equal to an ordnance map of the old
country, I find has been made. Whether there
was a necessity for such a detailed survey as that,
I am not prepared to say. I know something about
that class of work, and I can say that the map has
been very well made, showing the topography of
the whole of the reserve, as well as the various
holdings. The sub-division of the reserve has
been commenced although not completed. The
reason of the survey was, I have no doubt, as was
found to be the case in other reserves, that some
of the more advanced Indians took up larger por-
tions of the reserve than others thought they were
entitled to, and they believed that the survey
would give them more equal portions. I know
that this difficulty has presented itself to such an
extent in our North-West country, that we have
already commenced to sub-divide our reserves there
into forty-acre sections, and, as far as we possibly
can, we are inducing the Indians to settle on their
own sections of land, not compelling them to
remain there if they do not like it, but when they
get there, we find that they make their improve-
ments, and begin to look upon it as a home. I

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have no doubt that this undertaking will have a beneficial effect. This survey does appear to have cost a great deal of money, but the work, as far as it has gone, is very good work, perhaps, indeed, too good for what we really require.

Mr. DOYON. I admit that there was a good deal of work in sub-dividing that reserve, but the hon. Minister must see that there is a great deal of difference between the cost of this survey, and the cost of the survey in the North-West. I should like to know, whether in this survey the estimate of the cost of the improvements made by the Indians has been calculated. Some of them owned larger tracts of land than others, and, if I understand aright the views of the Government, they want to sub-divide the land into equal parts to the members of the band. I heard that the surveyor made an estimate of the improvements on the whole property. I should like to know if that is correct, and I would also ask the hon. Minister when the Government intend to sub-divide the reserve?

Mr. DEWDNEY. I informed the hon. gentleman that the sub-division had commenced, but was not yet completed, and I presume that until it is completed it will be impossible to get the Indians to settle on the permanent locations. I find from the remarks of the hon. gentleman that I was correct that the difficulty on the reserve was, as I thought, that some held more land than others thought they should. If the surveyor were also instructed to make an estimate of the improvements, I presume that will be obtained in the report which is in the Department, and when the time arrives, and the Indians themselves are satisfied to take their different locations, I am sure the Government will give them every assistance.

Mr. SOMERVILLE. In connection with this item for the travelling expenses of Indian agents, I wish to ask the Minister, if he can give us any further information with reference to the travelling expenses of Mr. Dingman, which amounted to \$1,795 last year.

Mr. DEWDNEY. The information was asked by the hon. gentleman some days ago, and I now hold in my hand a statement showing the points to which the inspector was sent from July, 1888, to June, 1889. That was the year, I think which covered the amount of expenses referred to. Would the hon. gentleman wish me to read the different items or shall I pass the statement over to him?

Mr. SOMERVILLE. I might just say that this expenditure for travelling expenses has been attracting the attention of the newspaper press of the country, not merely the Reform press, but the Conservative press as well, and I have in my hands the *Stratford Times*, one of the strongest supporters of the Government in Western Ontario, in which I find some criticisms in regard to Mr. Dingman's expenses for travelling. I will just quote for the information of the Minister a few sentences from that article.

Mr. DEWDNEY. I have read it.

Mr. SOMERVILLE. I think, probably, the House would like to hear it. This is a staunch Tory newspaper which invariably supports the Government, but it appears to have no faith in Mr. Dingman as an Indian inspector. The article says:

Mr. DEWDNEY.

"It is a well known fact that this man, who is called an Inspector of Indian Agencies, is loafing part of his time about Stratford. Time and again the *Times* has called the attention to this barnacle, and it is a satisfaction to know that our efforts in the direction of having a useless 'official' removed, are at last bearing fruit. Time works wonders. In addition to a salary of \$1,700, which Absalom Dingman received last year, he squeezed \$1,700 out of the Government for travelling expenses, less \$3. Just imagine \$3,400 for a useless tool called an 'Indian Agency Inspector.' And what does he do for that extravagant expenditure? As Mr. Casey pointed out, the Hon. Mr. Dewdney, Superintendent General of Indian Affairs, 'did not know whether Absalom Dingman's work was shown in the report of his Department or not. He did not know where Absalom Dingman had gone, what he had done, or how far he had travelled! But he did know that the Government had to pay \$1,700 (for travelling expenses alone). Mr. Casey characterised this 'as rather a loose way of doing business.' We should say it was a decidedly loose way of doing business! Something that calls for a searching enquiry."

"Absalom Dingman had, it is true, paid a visit to the seaside for the purpose of settling some grievances among the Caughnawagas last summer. The Government might just as well have sent a native of Congo or an Esquimaux, as Absalom does not understand their language, nor yet can he speak French. When he is away from his office in Brantford, he frequently conveys the impression that he is out on an inspection tour, but the facts are he is loafing about this city, where his family are quartered. His frequent trips between here and Brantford and Barnia every few days will explain some of the travelling incidents. Every time he wants a change of linen he makes a trip to Stratford, travelling by the back streets to his residence in the outskirts of the city. And, then, it is currently reported, that whenever one of his progeny goes on a kissing or fishing excursion to Port Dover or the back townships, his travelling expenses are charged up to the 'Indian contingency fund.' Was there ever a ranker fraud perpetrated upon the people than this man drawing \$3,400 from the Ottawa Government?"

This is rather a serious charge for a Conservative newspaper to bring against the Government, of giving this large sum of money to Mr. Dingman for services which it declares are not rendered, and I think the Minister should give us a full explanation with regard to it.

Mr. DEWDNEY. That is an Opposition organ.

Mr. SOMERVILLE. I beg pardon; it is a Conservative organ.

Mr. DEWDNEY. It is in opposition to Mr. Dingman. I may say it is a newspaper quarrel. Mr. Dingman is a very able officer, and does not deserve the criticism made in that paper, which is opposed to a newspaper owned and carried on, I believe, by some members of Mr. Dingman's family in the same town. But probably it would be well, as the hon. gentleman has raised the question, that I should read to the House a statement of Mr. Dingman's expenses during the year for which this amount is charged, though I understand that the gentleman has been summoned before the Public Accounts Committee, where it would be much more convenient that he should himself give an explanation of his travelling expenses:

STATEMENT of Mr. Inspector Dingman's travelling expenses, &c., for the Year ended 30th June, 1889.

1888.		\$ cts.	\$ cts.
July...	Balance from 1887-88		160 00
	Moving expenses from Brantford to Montreal, Quebec, Lorette, headquarters and return	56 96	
	Livery at Brantford, visiting Six Nation Reserve	27 50	
	Board and lodgings	60 00	
	Assistance in the Brantford office	22 50	166 96

STATEMENT expenses. 1889-Co

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April.	Mov	Lo
	Wa	Lo
	Liv	Lo
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Service Board of Examiners should go round once
a year and invite candidates to come and be exam-
ined, and obtain certificates. In a great many
cases the young men are induced to wait during
several years in the hope of securing positions, and
they even reach a period of life when it is almost
impossible to apply themselves to learning a trade or
profession. The whole system of examination
should be changed. The Government should be
willing to accept a certificate issued by a school
board or other body, such as would admit a man
as a high school or collegiate institute, and if the
persons holding these certificates were eligible for
admission into the service, the Government would
not be responsible for many young men waiting for
several years anticipating engagements. Some
change should be made, because, if it is continued,
the number of young men waiting for employment
in the service will certainly increase, and men will
not learn learning trades or professions, which they
should acquire, in order to become more useful to
themselves.

Mr. CHAPLEAU. Young men are well aware
that they are not going to obtain situations in the
Civil Service simply because they have submitted
themselves for examination; but the fact of hold-
ing these examinations is not at all conducive to
harm to the young men. They prepare them-
selves for a very severe examination. Every year
the examinations are made more and more severe
the number of candidates is increasing. If we
accepted other certificates, outside those of the
Board, we would only increase the number of
persons qualified to be employed in the Service. I
do not object to certificates from high schools
being accepted, but it would not remedy this
supposed evil—I do not so consider it—of so many
young men having passed the examination. In
the United States, thousands of young men and
young ladies take certificates entitling them to be
employed as teachers or to hold positions in the
Civil Service. It is the same here. It is perfectly
well known to the candidates, and they are so
trained, that, because they obtain a certificate,
they are not entitled to a position in the Civil
Service.

Mr. CASEY. The hon. Minister said that the
young men are perfectly well aware that the mere
act of passing examinations for the Civil Service
does not entitle them to positions in the service.
They do not know that, as a matter of fact. The
hon. Minister's Bill, and the discussion which took
place in the House, have led young men to expect,
that if they pass the examinations they will secure
positions in the service. I do not say it is the
hon. Minister's fault. I think he means that
they shall know what they do gain by passing the
Civil Service examination; but it ought to be
known, and is not known, that passing the exam-
ination does not entitle a man to a place in the
service.

Mr. JOHN A. MACDONALD. Perhaps, after
the general expression of the House, the hon.
gentleman who moved the Bill will withdraw it.
I think that would be the better plan after this
discussion, and after the assurance given by my-
self on the part of the Government, and after the
statement I have given for any hon. gentleman to
look over the Civil Service List, and see in what
direction we have given undue preference to strangers.

I think my hon. friend ought, for this Session at all
events, to withdraw the Bill.

Mr. McMULLEN. After the assurance that
has been given by the First Minister that the
Government will in the future, as they have in the
past—

Mr. LAURIER. Oh no; not the past.
Mr. McMULLEN. Well, after the assurance
that Canada is to be kept for the Canadians, and
after he has stated that when places become vac-
ant the preference will be given to Canadians and
not to those from outside, I have no objection to
withdraw the measure.

Mr. MULLOCK. Do I understand that the Gov-
ernment guarantee is that they will only do as
well in the future as they have done in the past?

Mr. MITCHELL. They are going to do better.

Mr. MULLOCK. I think that the complaint
about this Bill is that they have not done well in
the past. They must do better in the future than
in the past.

Motion withdrawn.

INDIAN ADVANCEMENT ACT.

Mr. DOYON (Translation) moved the second
reading of Bill (No. 42) to amend chapter 44
of the Revised Statutes of Canada, intitled:
"The Indian Advancement Act." He said:
Mr. Speaker, in moving the second reading of
this Bill I wish to make some observations.
Chapter 44 of the Revised Statutes of Canada,
intitled: "The Indian Advancement Act,"
was applied a year ago to the Caughnawaga
Reserve. That Act provides that the Indians to
whom it shall apply shall have the right to elect
councillors. Section 10 of this Act states the ob-
jects as to which the council shall have the right
to pass by-laws, but it also provides that these by-
laws shall be binding only when sanctioned by the
Superintendent General of Indian Affairs. This is
the section I wish to amend. The object of the
amendment I propose is to extend the powers of
the council of the Caughnawaga Reserve, by pro-
viding that the by-laws of the council shall be
valid without requiring the sanction of the Super-
intendent General. I am seeking to introduce this
amendment to the Act in respect to the Caughna-
waga Reserve only, because I know the Indians on
this reserve more particularly, and I think they
are more advanced than a good many other Indians.
Indeed, the neighborhood of the towns of Lachine
and Montreal with which they have daily inter-
course, has greatly tended to their rapid advance-
ment; their daily relations with the inhabitants
of the Counties of Laprairie and Chateauguay
have also greatly tended to their advance-
ment. There are to be found among the inhabi-
tants of the reserve well-educated people. There
are doctors, lawyers, law students, and they gen-
erally, a good many of them, speak the French
language and the English language as fluently as
their own language. There are even some who
have taken to farming, and a good many are
farming with the implements used by the farm-
ers of the adjacent counties. The report of
the hon. the Superintendent General of In-
dian Affairs mentions the fact that this Indian
tribe is far advanced and supports my state-

ment in reference to their farming with improved implements. I quote from the report for 1880 the following paragraph:

"The Indians of the adjoining County of Lacaprie experienced about a year of prosperity, but the crops of 1885 were, with the exception of oats and hay, inferior to their yield in those of the preceding season. The increase in the number of new houses and barns and in their supply of farming implements and cattle indicates healthy progress. They own among them as many as twenty threshing machines."

This is, among others, one reason that goes to show that these Indians are comparatively more advanced than a good many other tribes. Mr. Speaker, I am not conceding to myself the importance of the amendment I am seeking to introduce. But should I entertain doubts as to the justice of what I claim, the fact that the Government passed an Act granting them the right to vote for a member of this House would be sufficient in itself to warrant my present request. In fact, they were granted by an Act of Parliament, in 1885, the right to vote for a member of the House of Commons, and they were recognised as capable, like any other citizens of this country, to manage the public affairs. Well, Mr. Speaker, I ask whether, after that, it would be fair to maintain the restriction contained in this section 10 of the Indian Advancement Act which reserves to the Superintendent General the right to decide whether the by-laws passed by the Indians through their council shall become law or not. Mr. Speaker, I think I am warranted in saying that the management of local affairs requires less capacity and knowledge than the management of public affairs. And I take it for granted that it requires less skill for one to manage his own cooking than to manage that of the whole country. No one supported more than I did the Government when they granted to these Indians the right to vote. No one, moreover, wishes more earnestly than I do, that the affairs of this reserve be carefully and wisely managed, and that harmony should prevail among them. But one must remember that the powers granted to this council with respect to the objects as to which they have a right to pass by-laws, are not as extended as those which are granted to our ordinary municipal councils. Under the present system, it is the agent who, so to speak, exclusively manages the affairs of the reserve, for I think the Department interferes only on the advice of the agent, and, if I am not mistaken, I believe the Superintendent General never went there once in order to ascertain for himself how the affairs of the reserve were managed. I have here the resolutions which were passed a year ago by the council of the Indians, and a whole year's experience must be sufficient to enable us to judge whether these people are fit to properly manage their own affairs. Allow me to read a proof of these resolutions for the purpose of showing whether they know their interests and their needs, and whether they are qualified to properly manage their affairs. The first thing the council did, as soon as it was properly organised, was to ask for the appointment of a health committee. Here is the resolution:

"Resolved, inasmuch as Mr. Patton, Michel Fitch, and Joseph Barnes, be appointed to take charge of the sanitary affairs of the reserve, as sanctioned at the meeting of the council held on the 23rd April last."

Mr. Speaker, this is a matter the Department never thought of, and yet the Caughnawaga

Indians, up to last year, were exposed, like any other citizens, to contagious diseases. The House must remember that in 1885, when an epidemic of small-pox was raging in Montreal, several Caughnawaga Indians died of that disease. There was then no council, and had there been one it would not have prevented them from dying. But, by order of the constable and by order of the Government, children and adults were buried in the fields near the residence of their relatives. I, myself, saw the places where these people were buried, and the corpses are there still, enclosed with fences, in the heart of pastures. I think that, had the Caughnawaga council existed at that time, they would not have allowed that members of their tribe should be buried in the fields, for there was there, as everywhere else, a graveyard; and I am not aware that in any other parish in the Province, people who died of this disease or other contagious diseases, were buried in the fields. I know, as a matter of fact, that their being compelled to come to the Government, for the approval of by-laws passed by the council, is the cause of delays that are detrimental to the good management of the affairs of the reserve. Thus I find that on 3rd May the council passed a resolution asking for the appointment of a turnpike man, his predecessor having gone away. This resolution was passed at the time when the animals are generally sent into pastures. This toll-gate is situated over the common which intervenes between it and the quarries. Well, the answer of the Government did not come but a month later. The council also passed resolutions asking for the erection of fences to enclose the reserve. Answers were very slow in coming. I do not say that that is owing to the bad administration of the Government; it is rather because the agent was compelled to draw up the resolutions, and forward them here, in order that the Department might consider them previous to their being carried out. The council passed another resolution, asking for the removal of the organist of the Catholic church, and the Department answered, a month afterwards, that they allowed the removal, and authorised them to deduct a month's salary, because the answer had been delayed a month's time. They also passed a resolution recommending a man named Murray as a measurer of stones; the Department would not allow the appointment. Mr. Murray was formerly chief of the tribe, and the present measurer of stones on the reserve is also a policeman; and, moreover, he is a mulatto. Were there no other reason than patrolling a member of the tribe, I think the Government ought to have complied with the request of the council, even had that resolution only been passed by way of a petition. The council also appointed special constables, and the Government sanctioned the resolution passed to that effect. Subsequently, on 27th September the council passed a resolution recommending the removal of Mr. Louis Beauvais, a former Indian chief, an Indian who had held a chieftainship during thirty-four years, and the same party who had been removed as organist. That is to say, Mr. Lefort received a salary of \$365 a year, and Mr. Beauvais was willing to do the same service for \$165. The Department would not approve of this resolution; not only did they not approve of it, but instead of

complying with the wishes of the council, who were anxious in asking for the removal of Mr. Louis Lefort, for the six councillors were unanimous in requesting that he should be replaced; some were recommending Mr. Beauvais and some Mr. Stacey; but the whole six wanted another man at a reduction of about \$200 in the salary—the Government, I say, not only would not approve of the resolution, but they also increased the salary of the policeman. By referring to the report of the Indian Department for 1888, I find that the salary of Mr. Louis Lefort as policeman, at Caughnawaga, last year, was \$231 and that he was allowed an extra sum of \$10 for clothing. And in the report for 1889, I find that his salary has been increased to \$240 and that he has been allowed for clothing a sum of \$11.75. So that it can be seen that the Department not only would not yield to the wishes of the council by approving the appointment of another policeman who would have cost a good deal less, but that they also increased the salary of Mr. Lefort. Well, Mr. Speaker, this same policeman has been in Caughnawaga for more than ten years. Ten years ago, the Indians were not recognised as voters in the country, and I think they must have been less civilised than they are now. Last year, the council appointed two additional policemen to assist in the preservation of order on the reserve. I think this was a reason that should have impelled the Government to comply with the request of the council. But what reason did the Department allege for not allowing the replacing of Mr. Lefort? I think the answer of the Superintendent General concluded by saying: "So long as Mr. Lefort shall discharge his duties as he now does, the Government shall not deem it expedient to have him replaced." Well, this policeman holds two offices at the same time. He is both a policeman and a measurer of stones; so that he sells his time twice to the tribe, and he receives two salaries, although he cannot possibly be in two places at the same time. I think this is a serious evil. Moreover, I cannot well see how the Minister of the Interior can recommend his answer to the council by which he declines to allow the replacing of Mr. Lefort, by an Indian, with the following statement contained in his report for 1889, pages 13 and 14:

"The presence on an Indian reserve of an officer of the law cannot but have a good moral effect on an Indian and generally, and by one of the members of the band being that position the detection of crime will, it is considered, be rendered more certain, and proof of guilt will be more easily obtained than it could be were a white man to hold the office; besides, the expense is very much lessened by employing Indians as police."

Well, Mr. Speaker, quite the contrary was done. The Superintendent General of Indian Affairs makes the expense would be very much lessened by employing an Indian as policeman. I agree with him, and I am of the opinion that the employing of a negro is more expensive. It is a well-known fact that the present policeman is not an Indian. He is a mulatto. This is what the council understood last year, when they asked for the replacing of Mr. Lefort by an Indian, which the Government would not allow. The Department, by refusing to allow the resolution of the council, caused serious dissension among the tribe. Since the Department would not approve of the last resolution—passed on the 27th September—the council would not attend the meetings of the

council; if they ever went there it was for the sole purpose of enquiring whether the resolution passed at the last sitting had been approved of or not. This has been a source of difficulty, and I might say that the affairs of the reserve have been neglected. If I am to judge by the report of the hon. the Superintendent General, unfortunate reports were made to the Department. I quote again the following from the report for 1889:

"The Indian Advancement Act was last year applied by order of Your Excellency to this band, but owing to the obstructive conduct of some of the councillors, notoriously of one of them who acts as their ringleader, the beneficial effects of the same upon the community, which were as hopefully looked for, have not been as yet experienced."

Mr. Speaker, I do not know who can possibly have brought the hon. Minister to such a state of mind. By referring to the report of the very agent of the Indians where the Department take their information, I notice that, on page 32 of the first part, after referring to the births, the sanitary condition of the tribe and the crop, he concludes by saying:

"The Indians of this reserve are prosperous, and I can say that in general they are progressing."

So that the agent says they are progressing, and the hon. the Superintendent General says they are retrograding. I am sometimes led to presume that there might be some secret correspondence between the agent and the Department that does not appear in the report. Mr. Speaker, after what I have just stated, I hope the Government will not be unwilling to accept the amendment I am seeking to introduce. We might perhaps be told by the Government that it would not be wise to extend the powers of the council. Allow me to relate a few facts recorded in the debates of this House which will enable us to decide as to the manner in which the Government have managed the affairs of the Indians and whether the council themselves could more wisely manage their affairs. There is a large quarry at Caughnawaga, and the lease of it is one of the best sources of reserve for the tribe. The quarry was leased to the Indians. Some time ago I enquired from the Government, as to the names of the parties to whom the quarry had been leased; whether the Government had taken sureties, and whether those who worked the quarry were indebted? It appears from the answer of the Department that these quarries were leased without any surety being taken, and that the lessees are indebted to the amount of nearly \$1,000. Those who are familiar with the law relating to Indians know that it is difficult to have their property sold, and I think judgments were rendered in Montreal, by which it was held that it was impossible to have the real property of the Indians or their houses sold. When I made that enquiry, I never intended to be informed as to the private affairs of the parties who had leased this quarry, but I thought it my duty to comply with the wishes of my constituents, and to ascertain how their affairs were managed. Well, Mr. Speaker, I think the Indians, left to themselves, would not have leased their quarry without taking some additional surety besides the word of the parties who leased it. Here is another fact. In 1882, the Government had the Caughnawaga reserve surveyed. The survey lasted from 1882 to 1888. The work was given to a man named Wallbank. I know him only by name. I think he may be an estimable

man, but the Department appointed him on his own recommendation, as recorded in the *Hundred* of 1887. According to his report, the reserve contained 12,327 acres of land, and the Government paid for the survey of that reserve out of the funds of the band, the handsome sum of \$22,250, that is to say, a sum of \$1.80 per acre. Some time ago, the hon. member for Huron enquired from the Government, as to the cost to the Government of surveys in Manitoba and the North-West, and the answer came that they cost a little over four cents per acre, including office expenses. Now, Mr. Speaker, I earnestly feel that the Government was not warranted in taking so large a sum out of the funds of the band to cover the survey of that reserve. I am not an expert in surveys, but all the surveyors to whom I have spoken about that matter agreed that it was an enormous sum; and they would not believe it, until I showed them the answer of the Ministers recorded in the debates of this House. There is a difference of \$1.71 per acre between the cost of the survey in Caughnawaga, in close proximity to Montreal, and that of the surveys in Manitoba and the North-West Territories. All these facts show, beyond the shadow of a doubt, that the Department do not manage the affairs of the reserves with much care and saving, and that it would not be wise to grant to the Caughnawaga Council the object of my request. I have shown, moreover, some days ago, that there was a sum of \$1,333.33 which belonged to the Indians, the interest on which they had a right to, and of which nothing was heard for those last ten years. I have no news of it yet, and, if I judge by the answer the Minister gave me, he is not quite sure of finding it out. Still it exists, and the Indians are losing the interest on it. Another matter which was not managed with much care—I have referred to it a few days ago in this House—is shown by the carelessness with which the seigniorial rents of Caughnawaga were collected. These rents are paid by the farmers of the Counties of Chateauguay and Laprairie. The Indians have been losing the benefit of these rents, which should have been paid annually, and the *seigneurs* paid nothing whatever these last twenty-five or thirty years. While the Indians were incurring this loss no good service whatever was rendered to the inhabitants of those counties, who could easily have paid two, three, or four dollars rent each year, while they are now sued in sums ranging from two to three and four hundred dollars for the payment of these rents. This is another instance of the carelessness with which the affairs were managed by the Department, and they cannot plead now that there would be danger in granting to the Indians the management of their own affairs. Indeed, I think the latter could not do worse than that. But what is more, Mr. Speaker, if I am to believe the report of the Auditor General, there is nothing left in the funds of the Indians but a sum of \$85.75. I have always heard that the traveller whose pockets are empty has no fear of singing out in the midst of thieves. And if they have nothing left there is no danger in freeing them. I shall, therefore, conclude these remarks by saying it would be fair to extend the powers of the council as asked for in my amendment, and I hope that my request will have the assent of the whole House.

Mr. CASEY. Having a few Indians in my county, I have an interest in this question, and as nearly as I can understand the principle of the Bill proposed by the hon. member (Mr. Doyon) is that the Indians shall have full municipal powers to carry on matters concerning their tribes, to the same extent as the powers given to township councils. At the present time, the powers of the Indians in regard to their municipal affairs are subject to revision from headquarters at Ottawa, or from the agent in charge of the tribe. I think, as my hon. friend does, that if the Indian is qualified to vote for a member of this House, he is qualified to manage his own municipal affairs, and, to put it briefly, for this reason, I support the Bill of my hon. friend.

Mr. DEWDNEY. I am sorry I am unable to accept the Bill of the hon. member for Laprairie (Mr. Doyon). The Act which the hon. gentleman wishes to amend has only been in force for some two years, and very few of our Indians have taken advantage of it. From what has been reported to us, if there is one band of Indians who should not get the advantage proposed to be given to them by the hon. member, it is the band which that hon. gentleman has been advocating. The reports we have had in reference to the business which has been transacted by the council of the Caughnawaga tribe, has been anything but satisfactory. In fact the hon. gentleman himself in his speech has indicated that that has been the case, because he read a paragraph of my annual report of this year, which goes on to say: "that the council of this band has been the cause of a great deal of trouble, and that the good results we expected from the Franchise Act being extended to them had not resulted." Before this Act was extended to this reserve, a petition was sent to the Department signed by a majority of the band. There was a large minority who were opposed to it, and when the election took place, the leaders of the obstructive party were the ones who were returned as members to the council. They passed several by-laws, and they were submitted in accordance with the Act to the Department. One of these was thought to be objectionable, and on its being returned to them and their being notified to that effect, two or three of the members of the council commenced to obstruct the business of the council, and from that day to this no business has been transacted. As this hon. gentleman has said, the by-law to which the Department took exception recommended that a man named Beauvin, I presume one of the Indians of the reserve, should be appointed to fill the place of the Dominion policeman on the reserve, who had for years occupied that position with satisfaction to the Department and to the restoration of order, which had hitherto been very much disturbed. The bill also recommended a man named Murray as a measurer of stones. Both of these recommendations were reported very strongly against by our agent. The man recommended for the position of Dominion policeman was reported by the agent as notorious for drinking to excess at times. It was on that report that assent was refused to the by-law. This is the first case in which any by-law passed by a band of Indians which has taken advantage of the *Enfranchisement Act*, has been refused

early date, while the Act is still on its trial, to take this power out of the hands of the Superintendent General. To show that there is a very strong feeling on this reserve in reference to the manner in which these councillors have carried on their work, I will read the following petition, which I received a few days ago:—

"The humble petition of Thomas Kanatehah, Eunus Kachela, Louis Kenwendorhon and others, respectfully sheweth:

"That, according to the Indian Advancement Act, the election of councillors for the Reserve of Caughnawaga was held at Caughnawaga, the twenty-sixth day of March last past, eighteen hundred and eighty-nine.

"That, at the said election, one Louis F. Jackson was elected councillor for section six (6), which comprises the village of Caughnawaga.

"That ever since said election, said Louis F. Jackson has unworthily discharged the office of councillor.

"That said Louis F. Jackson has worked openly against the best interests of the Indians of the Reserve, by continually obstructing the business of the council for said Reserve of Caughnawaga, he being assisted thereto by some other councillors, to wit: Mitchell Hoardson and Mitchell Daillebout, who said Louis F. Jackson induced to absent themselves from the meetings of the council in order to cause want of quorum.

"That out of twelve meetings of the council called for by the Indian agent from the twenty-second day of April, eighteen hundred and eighty-nine, to the twenty-seventh day of January, eighteen hundred and ninety, they the said councillors, Louis F. Jackson, Mitchell Hoardson and Mitchell Daillebout did not assist at seven council meetings, and at three other council meetings, they assisted but immediately left before any business could be transacted, thereby preventing the council to proceed for want of a quorum.

"That these proceedings, to which said Councillors, Louis F. Jackson, Mitchell Hoardson and Mitchell Daillebout resorted, are inimical and detrimental to the welfare and prosperity of the Indians of the Reserve of Caughnawaga.

"That said Louis F. Jackson is unworthy to sit as a member of the Council, being an habitual drunkard, and, according to the hereinbefore mentioned Act, is subject to disqualification as a councillor.

"That all those facts mentioned in the premises are well known and public.

"That the election for new councillors will take place on the twenty-sixth day of March, instant, at the Village of Caughnawaga.

"Wherefore your petitioners pray that the disqualification of said Louis F. Jackson, Mitchell Hoardson and Mitchell Daillebout be immediately proceeded with and that, at the coming election for new councillors, they be not allowed to become candidates.

"And your petitioners as in duty bound will ever pray.

"Caughnawaga, 18th March, 1890."

This petition is signed by ten of the principal Indians on the reserve and by one councillor. I have no doubt, as the hon. gentleman states, that there are a great many stupid and intelligent Indians on the reserve, but they do not appear to take an active part in the municipal affairs of the reserve, and while that is the case, I think we shall have to continue the very wise provision which gives the Superintendent General the power of approving the by-laws which have been passed. The reports that have reached me compel me to come to that conclusion, and I think any one who knows the Indians and remembers that this Act is really on trial, will see the wisdom of continuing that provision at present.

Mr. LAURIER. The Act which it is now sought to amend by this Bill is entitled "The Indian Advancement Act," and it provides that the municipal councils on the reserves shall have the power to pass by-laws, which, however, may not become law on the reserve until they have been approved by the Superintendent General.

for the maintenance of schools, the care of the public health, the preservation of public order, the repression of intemperance, the subdivision of the land in the reserve, the prevention of trespass, the construction and repair of school-houses, the construction and maintenance of roads and bridges, the construction and maintenance of water courses, and so on. Now, the object of this Bill is simply to provide that in the reserve of Caughnawaga the by-laws passed by the council shall become valid without the sanction of the Superintendent General of Indian Affairs. In my judgment the Bill of my hon. friend only lacks in one respect, that it does not go far enough and apply to all the reserves. At present we have this anomaly: this Parliament, influenced by the Government, passed a law some five years ago giving the suffrage to the Indians; so that though you allow them to participate in the affairs of the country, though you give them the right of exercising the highest privilege of civilised men, yet you do not allow them to dispose of their own petty affairs on their reserve. In the name of common sense, I ask the hon. Minister who now resists this Bill, and in whose opinion the Indians of Caughnawaga have a right to vote in parliamentary elections—a right to pronounce on his conduct as a Minister—on what principle can he defend this anomaly or refuse to allow them to conduct their own municipal affairs? If there is any reason whatever why the franchise should be given to the Indians, I cannot conceive how, in the name of common sense, this amendment should not be adopted. The hon. gentleman says that the Indians have not shown themselves fit to exercise the powers given them on the Caughnawaga reserve. He said that the councillors have been obstructive, and charged one of the men known to the whole world as Capt. Jackson, who commanded the Canadian boatmen in Egypt, during Lord Wolseley's campaign, with drunkenness. I was surprised to hear this man charged with drunkenness by the Superintendent General of Indian Affairs.

Mr. DEWDNEY. This is from his own friends.

Mr. LAURIER. This is from his enemies. The hon. gentleman was all the less warranted in making that assertion since he knows that Captain Jackson, whom he was asked to disqualify by ten men of the tribe, has been elected as councillor no less than three weeks ago. In the face of such a certificate given to Mr. Jackson by his own fellow-countrymen, the hon. gentleman has no warrant in charging him with drunkenness, and I lay against the hon. gentleman that he did not discharge his duty as Superintendent General of Indian Affairs towards this man, who is his ward, and that Mr. Jackson deserved better treatment at his hands. The hon. gentleman has received a petition demanding the disqualification of Jackson as a councillor, but that petition is signed by only ten men of the tribe, and, if I am not mistaken, the hon. gentleman has in his hands a petition coming also from the tribe, but signed not by ten men, but by 110 men, approving of every act of Mr. Jackson as a councillor. I do not know whether I am wrong or not, but I am informed that the hon. gentleman has such a petition in his hands, and it behoves, how in the name of justice and fair play could he rely upon a peti-

especially when the conduct of Mr. Jackson as a member of the council has been approved by his election by a handsome majority over his adversaries. I may also state that Capt. Jackson is an interpreter in the courts of Montreal appointed by the Quebec Government. The hon. gentleman has also said that the council have not discharged their duties properly. I cannot see that from anything that has occurred. If I followed the speech of my hon. friend from Laprairie (Mr. Doyon) correctly, he stated that one of the first acts of the council was to appoint a board of health; a resolution, by the way, which received the approval of the Superintendent General of Indian Affairs. Then, they passed a resolution with reference to a toll gate, which also received the approval of the Superintendent General of Indian Affairs; then, they passed a by-law to compel parties to erect fences, which also received the Superintendent General's approval. In fact all the by-laws and resolutions received his approval, until the resolution was passed dismissing LeFort, who was receiving a salary of \$300 a year, and appointing another in his place, who was to cost the tribe only \$165 a year. This resolution did not receive the approval of the Superintendent General of Indian Affairs. No valid reason has been given by the hon. gentleman for his refusal. It is the opinion of the Department that wherever possible a full-blooded Indian should be appointed in preference to a white man or a half-breed, and in proposing Beauvais as constable to replace LeFort, who is a half-breed, the council acted on this principle, and showed a proper economy in the expenditure of their own money; for by appointing Beauvais, who was approved by the Indians, they saved \$200 a year. Unless, therefore, some very good reason can be given by the Department for interfering with the action of the council, they cannot be justified in a thing as they did. If I am to believe, and I have no reasons for not believing, the statements of the hon. member for Laprairie, the Indians would have administered their own affairs infinitely better than they have been administered by the Department of Indian Affairs. What do we hear? My hon. friend brings this charge against the Department, that a survey was made, under orders of the Government, of the reserve which contains 12,000 acres, and yet this survey cost no less than \$22,000. It cost \$1.80 per acre, although the reserve is at the very door of Montreal, within five miles of that city, and in face of the fact that, in the North West Territories, the survey of the wild lands there cost but four cents an acre. Under such circumstances, what reason can be given by the Department in defence of their own action? There was at one time a lump sum in the hands of the Department to the credit of the band at Caughnawaga, and there is now left, I understand, but the small sum of \$85; and this is due to the squandering of \$22,000 on a survey of 12,000 acres of land. Under such circumstances, the Indians are justified in believing that they would have managed their own affairs better than the Department has managed them, and that is a good reason why the amendment of my hon. friend is necessary. I find only one fault with the Bill of

he has given should induce the House to accept the Bill.

Mr. MONTAGUE. I do not rise with the object of adding anything to the discussion of this Bill, so far as it applies to the reserve of Laprairie, with which my hon. friend from that county is more particularly acquainted; but I do rise for the purpose of saying a word in connection with the effect of the Indian Advancement Act on the Indians in the reserve in the county which I have the honor to represent. Let me say at once, that the proposition of the leader of the Opposition is a very debatable one, namely, that this Bill should apply to all the reserves that come under the operation of this Act. On the other hand, the Bill of the hon. member for Laprairie, applying as it does to only one reserve, does not seem to me to be one which we should deal with very seriously. It seems to me that the question which the hon. gentleman discusses is this: That there has been a dispute in the reserve of Caughnawaga recently, such as might arise in a township council of any municipality in any of the Provinces, and on account of that dispute and the evil effects arising therefrom, the hon. gentleman asks us to pass a measure, an Act in this House, which shall apply to that reserve and no other. It appears to me, Sir, that such is not the kind of legislation which is the rule in this Parliament. I do not for a moment doubt the agency of the hon. gentleman's statements that the Indians whom he has the honor to represent are an intelligent tribe, but the expressions of compliment and eulogy which he has used in regard to them, apply also, and perhaps in a stronger sense, to some Indians in the Province from which I come. I know that as to the Mississaugas of the Credit, who have their reserve in the County of Haldimand, anything which he has said may be said more strongly in regard to their intelligence. They are cultivating the soil extensively; there are many of them highly educated; they live in good houses, and one of them occupies the responsible position of Indian agent on the reserve. They are one of the few bands, I believe, in the Province of Ontario who have been, at their own request, allowed the operation of the Indian Advancement Act, and no difficulties have arisen in the operation of that Act among them. They have not at all objected to their by-laws being supervised by the Superintendent General of Indian Affairs, and I am not informed of any reserve, except the one to which the hon. gentleman refers, on which the Indians have asked that they should be relieved from the revision of their by-laws. It seems to me that it is necessary to have an Indian agent, representing the Government, resident on and in practical control of the reserve, because he must be the means of communication between the Indians and the Department of Indian Affairs. Not only that, but he must be the officer of the Department in connection with the reserve; and as long as the Indian agent is admitted to be a necessity, he remains the adviser of the Government, and the Government must follow his advice in relation to matters connected with the reserve. It appears to me, therefore, that the Indians not having

been enfranchised. There are certain amendments, which I think, though they have not been very strongly agitated, are, nevertheless, necessary to the successful operation of this Act. Hon. gentlemen who refer to the Indian Advancement Act will notice that the reserve has to be divided into wards for the election of councillors. I believe hon. gentlemen from Ontario, at all events, will admit that the division of rural municipalities for the election of municipal councils did not receive very great support, and that, where that system was once adopted, it was ultimately dropped in many municipalities. That is true in regard to the Indian reserves, and the necessity of dividing them into wards should be amended, so that the members elected from the reserve to the council may be elected by the reserve as a whole. Another amendment which is required is that there should be one day for nomination and another for polling, as there is in the other municipalities. Another amendment asked by the Indians particularly, is that those who become members of the council of the reserve shall be empowered to have pay voted to them, if they have the funds, as other municipalities are empowered. While these amendments are desirable and some of them necessary, I do not think the one proposed by the hon. gentleman is necessary, as the Indians have not asked for it, and there has been no question raised in regard to it, except in the reserve which he represents, and no voice in this Parliament but his own, and I am inclined to think he is entirely influenced by the dispute to which I have referred. I shall, therefore, oppose this measure.

Mr. BIRDETTE. While I have pleasure in agreeing with a good deal of what the hon. gentleman has just said, I do not understand why he and others on that side of the House do not treat the Indian as they speak of him, and talk of him, and talk at him. Then he is an intelligent and refined gentleman, but, when they deal with him here, he is a ward of the Department, and must be looked after under the protection of the Royal Court at Ottawa; and, as in the case of a good many imprudent guardians, I think the infant's estate has suffered from these to a great extent, to the benefit of the guardian and the loss of the infant and his friends. I happen to know something of one Indian reserve at any rate; and it appears to me to be very extraordinary, if these Indians are so well educated, and so intelligent, and so well informed, and many of them are—and if, by the persistence of the Government, they have been given the power to vote at Dominion elections, they cannot be allowed to pass a by-law to appoint a constable without its being liable to be set aside by the Superintendent General of Indian Affairs. Their resolutions and by-laws must be dealt with by the Government here while no other municipality is so dealt with. The by-law passed by any other municipality must be dealt with by the courts of law. Why not treat with these highly educated and intelligent Indians as you do with any other intelligent gentlemen, and why not allow the councillors elected by the Indians to have the same power to pass by-laws which others have. I have a great interest in the Indian, and I was born on an

Sir JOHN A. MACDONALD. You were enfranchised.

Mr. BIRDETTE. When the First Minister did me the honor, before the last election, of visiting that reserve with what, I think, was called the elastant combination—a company composed of many members of the Government, and others—he was received at Deseronto, a flourishing town which was formerly a part of the reserve, with great kindness and cordiality, and he was presented by the head chief of the Mohawks with a fine cane. I am glad to see that he has not been called upon to use that cane in consequence of any failure of his physical power. I was not invited upon that occasion, possibly because of my political persuasion, but I was informed that the hon. gentleman said Sam Burdett claims to be a half-breed, but I am a full-breed. Well, I now ask this full-breed to give the other full-breeds the full municipal power to manage their own affairs, and I have no doubt the hon. gentleman will do so when it is called to his attention. Now, with respect to this question of giving the Indians the right to vote, although there may or may not be any objection to it—I was not here and did not take a hand in the argument—it appears to me that it is hardly consistent with the liberty a man ought to enjoy when he votes, that you should say to him: I control your moneys, I control your lands, I control the appointment of your officials, I control the power to remove your councillors for intemperance or almost anything else, although I cannot do it in other municipal councils; in other words, I have your hand and foot, so now you are free, grant vote as you see fit. If you give these men the power to vote, also give them the liberty to vote freely as they see fit. If you give them the power to elect councillors, give those councillors the same power as you give to others. I do not look upon the Indian as a ward, I look upon him as a man. I do not understand they are subjects by subjugation. They came in by treaty. The Six Nations claim that they came in by treaty, that they are independent nations, that they are allies, and when they address the Governor General or any other superior, they address him as brother, because they claim that they are equals in a national sense, although under the protection of this Government, because the Government gave them that right in our original treaties. But by law and by statute they are allies of the British Crown, and any liberty that has been taken from them, or any rights that have been taken from them, have been taken by Act of Parliament, and they now ask to have some measure of those rights given back to them. I quite understand the objection to this Bill being limited to one tribe only. It ought not to be so limited, but it ought to apply to all tribes in the same position, and in the same condition. I, therefore, respectfully submit that as the Indians are growing in intelligence and in prosperity, they ought to be further enfranchised, they ought to have greater liberties allowed them, in fact they ought to be treated as equals and not as wards.

Mr. MILLS (Bothwell). This is a very important Bill, and it is in a great measure the necessary outcome of the legislation of the Government. A few years ago the hon. gentleman, whom I

Indians, and he stated that upon enquiry he did not think they were qualified to discharge the duties that devolved upon an ordinary council in reference to municipal affairs. But the hon. gentleman very shortly afterwards thought those people who were not qualified to discharge the duties of ordinary municipal councillors, were qualified to discharge the important duties of the elective franchise; while not capable of judging with regard to their local and municipal matters, they were capable of judging with regard to the affairs of the nation. Now, it seems to me that it is impossible for the Government to stand still; they must either resign from the position they have taken on the subject of the elective franchise, or they must go further and grant to the Indians full emancipation. The hon. gentleman has, in the report relating to the political enfranchisement of the Indians, recognised the principle of property qualification. Now, so far as the white population are concerned, property is regarded as an indication of thrift and industrious habits, and the party who possesses property is, *provida*, supposed to be qualified to exercise the electoral franchise. But that rule does not apply to the possession of property by the Indians. The Superintendent General controls his property, he cannot put it in jeopardy; in effect the Crown holds it for him, and no matter how unthrifty he may be in his habits, no matter how extravagant or idle, he still retains the qualification upon which he is entitled to vote. No white man stands in that position. The Indian is not a part of the body politic, he does not assist in the administration of justice, he does not act as a juror, he is not called upon to discharge any military duties, he is an isolated individual so far as the general population is concerned. He is simply a member of a tribe, and so far as the Six Nations are concerned, they no doubt stand by treaty in the exact position which the hon. gentleman who has preceded me has stated. They claim to be the allies of the Crown, they are so recognised by treaty. The Six Nations and the Iroquois in the colonies took a particular position and never claimed to be subjects of the Crown. They were always spoken of and treated as allies, and in the Treaty of Utrecht, by Article 15 these Indians were expressly recognised as allies, and the land of which they were in possession was held in trust by the Crown on their behalf. Of course, by the action of the British Government and by the decision of the courts, this principle has to some extent been departed from. But it would not be difficult for the Indians to discharge the duties devolving upon them with as much success as they are discharged by the Superintendent General in this particular. Now, my hon. friend beside me (Mr. Laurier) tells us: I think it is a matter to which this House ought to give some attention—that 12,000 acres of a reserve was surveyed, and that the survey of that reserve has cost upwards of \$22,000—that it has cost about \$1.80 an acre. It does seem to me that was an improvident expenditure of the Indian fund, and it ought not to pass without the serious consideration of Parliament, and the Superintendent General ought to bring down to the House the papers which would enable the House to form some judgment with regard to this particular transaction. Now, my hon. friend behind me (Mr. Doyon) has called attention to the

condition of things that exists in this particular reserve. This House, upon the advice of the Government, has conferred upon these Indians the electoral franchise. You have said they are capable of exercising judgment, not merely with regard to the qualification of councillors, but with regard to these important questions that are put in issue in every general election, questions of free trade and protection, the question of the independence of Parliament, the question of elective franchise—all these are questions upon which the Indians are asked to pass an opinion, and if that is so, how can the Government come down to the House and say that these people are not capable of electing a council without our interference, that they are not capable of judging of the simplest matters without having to refer to the Superintendent General? I do not say that we ought not to exercise a supervision over the Indians and protect their interest, but if the intellectual and social condition of the Indians is such as to require an interference from the Superintendent General, and require his supervision, they are not in a condition to exercise the elective franchise properly; neither are they in a position to exercise the elective franchise properly if they are made wards of the Government. If the Government is capable of supervising their acts and interfering with their liberties at every step, you must either withdraw from that position and give to the Indians complete control over their own affairs, whatever the consequences may be to them, or you must withdraw from them those elective privileges which you have conferred upon them, by which you undertake to make them part of the community if they are not part, and of which they never were a part. He has stood separate and apart from the rest of the community, recognised as the Congress of the United States has said, as a dependent nation; he is no more a member of the community than a member of a tribe of gypsies is a member of the body politic. That being so, the Government cannot, on any fair or just principle, resist the measure which my hon. friend has submitted. They must either consent to abandon their supervision over the Indians and give them full emancipation, or withdraw from the position they have taken, and withdraw from them the elective franchise. The ordinary course of proceeding is to begin to confer these rights which are regarded as the most elementary. No one in his senses will undertake to teach a boy the integral calculus before he has learned arithmetic, and become acquainted with the more simple elements of mathematical calculations. He will not undertake to teach Greek before English. And who would undertake to confer on an Indian the very highest mark of modern civilisation and withhold from him those provisions which every civilised community permits to be exercised by members of the community. But that is what the Government have been doing, and they must either go further or retrace their steps and leave the Indian as he was before, to become a member of the community and enjoy the rights that pertain to every other citizen when he is prepared to assume the responsibilities which belong to every other man. If he has control of his own property, if he is capable of holding it and disposing of what he possesses, if he stands in the same position as the rest of the community, but if the Government

take charge of him and his property and treat him as incapable of taking care of himself, why ask Parliament to confer on the Indians the power of controlling the destinies of the country, as was done by the Act considered some time ago? The position of the Government is a most illogical and absurd one, and they must either give up the ground which they formerly took, or they must give up their protection over the Indians.

Sir JOHN A. MACDONALD. The hon. gentleman has addressed to the House an argument, full of his usual acuteness and ability, against the Franchise Act which was passed some years ago, and some of the arguments, I fancy, have been used on a former occasion. But this is not a question at all connected with the Franchise Act, it is not connected with it in the slightest degree, and the circumstances are quite different. I remember perfectly well that hon. gentlemen prided themselves on the persistence with which they opposed the Indians receiving the franchise at all, and by their persistence they forced the Government to grant the franchise to those particular Indians who were able to show that by their position, prudence and acquisition of property they were worthy of the franchise. There is a wide distinction between voting by an Indian under the Franchise Act and voting by an Indian with respect to tribal affairs. In the latter case there is no limitation. Every Indian, including the wild and dissolute Indian, has a right to vote in the council of the tribe as well as those who have not earned under the Franchise Act the right to vote in elections to this House. The hon. gentleman says he is in favor of the Superintendent General having supervision over the Indians. He and I agree on that point, and he agrees with the law as it is to-day. It may be if we resist this motion, if he and I vote together against this Bill, that I may be inconsistent. But that is not the question. The question is, whether, under this Bill, the law should be altered so as to allow the Indians to act without any supervision. The hon. gentleman will not agree that they should be allowed to act without any such supervision, and he will not agree that the present law should be altered. After that Bill is defeated and the present law remains, then my hon. friend from Bathwell (Mr. Mills) may come forward with a Bill to alter the Franchise Act, so far as it affects the Indians.

Mr. MILLS (Bathwell). What will you do?

Sir JOHN A. MACDONALD. The arguments of the hon. gentleman might have some weight then, but they have no bearing on this issue now before the House, which is simply this: whether the Indians should have unrestricted power in regard to disposing of property on their several reserves. When the hon. member for Bathwell (Mr. Mills) introduces his Bill for amendment of the Franchise Act, I will give him permission to hit as hard as he likes against us for the so-called inconsistency.

Mr. MILLS (Bathwell). The hon. gentleman voted us down on that question. I hold that we must go on, but the hon. gentleman is prepared to go back.

Sir JOHN A. MACDONALD. These are quite different subjects. One affects tribal relations

on certain Indians the right to vote for members of this House. They are quite different subjects. I move that this Bill be not now read the second time, but that it be read the second time this day six months.

Mr. PATERSON (Brant). The Bill now under discussion for second reading does not go quite as far as the First Minister said. The mover asks in this Bill that so much of section 10 of the Indian Advancement Act as relates to the approval and confirmation, by the Superintendent General, of the by-laws, rules and regulations made by the council, shall not apply to the council of the Indian reserve of Congahawaga, in the County of Laprairie in the Province of Quebec. I understand that my hon. friend has been induced to introduce the Bill at the request of the Indians whose interests are involved. That is a point which weighs on my mind. The hon. member for Haldimand (Mr. Montague) has spoken about the Bill being deficient, in that it does not take in other bands of Indians, but for my part I think we are warranted in dealing with this Bill when it comes at the request of the Indians themselves.

Sir JOHN A. MACDONALD. There never was a request forwarded to the Government. Some of the Indians may have asked the hon. gentleman, but the tribe has never expressed the desire to have this law.

Mr. PATERSON (Brant). The First Minister was not in at the time the previous part of this discussion went on, but I presume the hon. member (Mr. Doyon) is warranted in bringing in the Bill from the well understood wishes of the band. The Superintendent General of Indian Affairs has read a petition signed by ten names against the chief councillor of the reserve, but that was replied to by the hon. the leader of the Opposition, who stated that he was informed and believed that a petition signed by more than a hundred names had been forwarded in favor of Jackson.

Mr. MONTAGUE. That does not refer to the Bill.

Mr. PATERSON (Brant). No; but I insist that as an answer to the statement made that my hon. friend has been asked by only some few of the Indians. If he had been asked by the ten, and I had spoken in another way on another question, it might be inferred that he was not advocating the wishes of the band; but when he is advocating the wishes and desires of the council elected by that band, and by whom the chief councillor was re-elected we find that four out of five who constitute that council, that council are in accord with the chief whose conduct has been censured here, and who has been denounced as unworthy. I cannot give full credence to the view that has been indicated by the Superintendent General as to the character of these Indians. I think that if the Minister felt strongly with regard to this matter he ought to have used the power he has under this Indian Advancement Act to have him removed from office.

Mr. DEWDNEY. I consulted the Department of Justice, and I found I had no power to remove him. That is the reason I have given notice to bring in a Bill this year to amend the Act in order that I may take that power.

Mr. PATERSON (Brant). The Amendment Act says that every member of a council elected under the provisions of this Act, and who is proved to be an habitual drunkard, may be removed.

Mr. BURDETT. Drunkenness is one of the causes for removal.

Mr. PATERSON (Brant). I think there is a case of one being removed for drunkenness on the reserve in the county of my hon. friend from Hastings. If I understand the Superintendent General correctly, he has charged drunkenness against this man at Coughnawaga, and the Department has either acted outside the law in the case of the Indian on the Hastings reserve, or they have the power to remove this man here.

Mr. DEWDNEY. The accusation of drunkenness was not made against Jackson until in the petition which reached me some three days ago. The proposition I submitted to the Department of Justice was that he should be removed for obstructing the business of the council, and the Act does not give us that power.

Mr. PATERSON (Brant). As I understand the only obstruction to the business of the council, was that the council made some regulations, and that when these regulations were disapproved by the Department here, the members of the council then took the not unreasonable ground of saying: "What is the use of our meeting in council and passing by-laws and regulations which are right and proper to themselves, and in the interest of the band if they are to be disallowed?" They took that not unreasonable view of the situation, and, as I understand, they have simply abstained from going to council?

Mr. LAURIE. That is all.

Mr. PATERSON (Brant). Here is a council composed of electors of the Dominion of Canada, and they are passing by-laws dealing with their own reserve, their own lands, and their own moneys, and they in their wisdom see fit to appoint an individual at something like \$165 a year to discharge a duty for which another was being paid some \$50. One would have thought that was a matter that was clearly within their competence, and that it was a matter, as we should term it in a municipality of white people, that was a wise and economical transaction. However, that is disallowed by the Department, and the objection, as it is termed, simply arose from the fact that when they attempted a matter of economy of this kind in the internal affairs of the tribe, it was disallowed at Ottawa, and they said: "There is no use attempting to do anything at all." That being the case they have asked my hon. friend to introduce this Bill, which leaves considerable power in the hands of the hon. Superintendent General yet, but does away with so much of the action of the Indian Advancement Act as requires the approval and confirmation of the Superintendent General of Indian Affairs of the by-laws, rules and regulations of that council at Coughnawaga. I think this state of things has been brought about by the First Minister leading the House in the direction of giving the Indians the right as citizens to vote. When that proposition was made, I expressed my opinion that it was not desirable that should be done without the Indians themselves first having asked to do so. The First Minister assumed the responsibility

of doing that and he has brought upon himself complications in connection therewith. It seems to me that in giving the greater power to them to vote on national affairs, and to withhold from them the power to say whether a man shall be paid \$300 of their own money for discharging the duties of an office when they could get a man for \$165 to do the same, is treating them as wards, without even intelligence enough to determine a small matter of this kind. Naturally those Indians of Coughnawaga reason to themselves that if having been admitted by the Parliament of Canada and by the Government that they were able to judge of national affairs, and that they were able to judge of great questions of State that agitate the Dominion, it is simply ridiculous that they are not given equal power with other white people to have the entire control of their own internal affairs. The question is not as the First Minister views it. He has taken the point that this is not manhood suffrage to allow them to vote for members of the House, but that every one over the age of 21 years on the reserve can vote for members of the municipal council. In the Province of Ontario, all over the age of 21 years can vote for members of the Local Legislature; but they cannot vote for members in this House; but it does not follow that because all over 21 years of age and not entitled to vote for a member for this House, they are, therefore, not possessed of character and ability to fit them to cast an intelligent vote as others who are permitted to cast that vote. So with regard to the Indians on the reserves. It is not to be argued, simply because they happen to be over 21 years of age and have not the qualification necessary to vote for this House, that they are necessarily disolute characters and lacking in the capacity for the guidance of their own affairs. The Indian Advancement Act, it seems to me, will have to go further than it does go in the light of recent events. The First Minister cannot fail to see that the circumstances were changed when he introduced that provision into his Franchise Bill, and I do not see how he can well hesitate, when an Indian band, having been given the right to vote in all national matters, asks for the same privilege in municipal matters. I think it is evident that that Act shall have to be extended to the extent now proposed, so that the assent of the Superintendent General to the by-laws of the councils shall not be requisite. This is asked by the representative of the Indian Reserve at Coughnawaga. I do not take exception to the amendment on the same ground as my hon. friend from Haldimand (Mr. Montague). If the Bill is considered in committee, the hon. member for Haldimand could then move to include other bands if he saw fit. With reference to my own Indians, as the hon. Superintendent General knows, they have not adopted the Indian Advancement Act. I believe they are as advanced a body of Indians as any to be found in the Dominion; but they have always taken the position that they are not subjects, but allies of the Crown, having come here under a treaty; and they are very fond of speaking in that way. They hold to their old system of managing their affairs by chiefs, and the chiefs seem to have the confidence of the band. I have myself always taken the ground that we should not force anything on the Indians, speaking more particularly for my

own which is contrary to their own expressed desire. I took this position with regard to the Franchise Act. They had not asked for the privilege of voting in Dominion affairs, and I thought it was not wise to force the suffrage upon them. But it was done, and many of them abstained from voting simply because they thought it might lead to a condition of things of which they did not approve. As they are not under the operation of the Indian Advancement Act, I cannot speak of the working of that Act on the reserves to which it has been applied. I heard the testimony of my hon. friend from Haldimand (Mr. Montague) that it works well among the Indians of the Carleton Place. They are a very advanced band of Indians, as are also the Coughnawagas. But the fact that this Bill is limited to the Coughnawagas is not, in my mind, a reason for rejecting it. I hold to the principle which I laid down before, that it is better not to force anything on the Indians for which they do not ask. I take it that this amendment has been asked for by a majority of the Indians on the Coughnawaga reserve, because a majority of them have re-elected, apparently, those Indians who are condemned as obstructionists, simply because they refused to attend a meeting of the council, because their acts were disallowed.

Sir JOHN THOMPSON. The fact that the Indians have the right of voting under the Franchise Act cannot be accepted as a reason why they should be allowed to exercise legislative powers; these are two things distinct from each other. The hon. gentleman might as well say that because the white people of Ontario have the right to vote for the members of the Legislative Assembly, that they might have the right to pass statutes irrespective of the assent of the Crown or the Lieutenant Governor. He might as well argue that it is inconsistent with the right of the people of Ontario to elect members to the Legislature of Ontario to pass statutes, that these statutes are subject to disallowance by the Federal authority. He might as well argue that it is inconsistent for the people to exercise the franchise for members of this House, and yet have this House, when it passes an Act, require the assent of the other two branches of Parliament. That is the argument the hon. gentleman advances to the House. The question is not whether the Indians in their councils should be controlled in their decisions as to whether they should appoint a man receiving \$165 or a man receiving \$300; but the question is whether an Indian band should have the right to pass any by-laws they please, or whether there should be any power to control them or keep their legislation within proper limits. Surely there is no parity of reasoning between by-laws passed by a municipal council and by laws passed by an Indian band; and to say that the validity of a by-law passed by an Indian council should be decided only by the courts, is to say that the affairs of a little Indian band shall be in a confused state until they get litigation before the courts. True and again it has occurred that they have attempted to pass by-laws entirely beyond their authority: by-laws dealing with the criminal law, or imposing penalties on people outside of the reserve altogether; and when it was called to their attention that these were matters beyond their authority, they were of course prepared to be controlled by the Superintendent General. But

the proposition is that any of these bands, when they ask for it, shall have the right to pass any by-law they please, irrespective of any control whatever: that because the Indians have the franchise, they ought to be allowed to pass any legislation they please without any control.

Mr. LAURIE. The question is whether these Indians shall have the right to pass by-laws which the statute gives them the power to pass, uncontrolled by the Superintendent General of Indian Affairs. The law provides that certain powers shall be exercised by the councils of the Indians. Is there any reason why they should not have the power of any municipal council, and that their by-laws should not become valid by the mere fact that they have been passed by the council? Any other council can pass by-laws which cannot be affected one way or the other by the interference of the Government. The argument which is used is that if these men are allowed to vote in national affairs, *a fortiori* they should have the right to vote on their own local affairs. Certainly, if they have the right to pass judgment as to who shall be the Superintendent General of Indian Affairs, they should have the power to decide who shall be the toll-keeper on their own reserve. If they can vote as to who shall be Prime Minister, they should have the power to appoint a constable. It seems to me if they have the greater power, they should have the lesser power also. The Indians have reason to believe that their affairs have been mismanaged by the Department, and that they would manage them better themselves. Whenever the Department have interfered with the by-laws of these Indians, the Department has been in the wrong, and a striking instance of the mismanagement of the Department is the manner in which the money of the Indians has been squandered by the Department in surveying the reserve. If they are so advanced in the opinion of the Government that they can exercise proper discrimination and judgment in relation to their own affairs, it seems to me, as a matter of sequence, they should be allowed to manage their own business without the interference of the Government, and that is the object of the Bill.

Mr. PATERSON (Brant). The Minister of Justice surely does not mean to say that the by-laws and regulations passed by municipal councils require the assent of the Crown?

Sir JOHN THOMPSON. I was speaking of legislative assemblies and not of municipalities. The argument of the hon. gentleman was that the people who exercise the franchise should be allowed to legislate without control, and I said that did not exist with regard to legislative assemblies, in respect to which the people of the Province exercise the franchise, but the legislation of which is subject to the assent of the Crown.

Mr. McMILLLEN. There is one point to which the Government has not replied, and that is with regard to the expenses of this survey. It is most singular to me that a piece of land containing only 12,000 acres should cost for its survey \$1,800 an acre, or \$22,000. When we see the money of the Indians squandered in this way, it is high time they should be permitted to conduct their own affairs. In looking over the expenditure in connection with Indian affairs, it seems to me that there is enormous amount spent in connection with

services, not only in Quebec but in the North West Territories. A few days ago, before the Public Accounts Committee, during an investigation into the travelling expenses of agents in the North West, we found that some men were allowed to draw under this head \$2,500 to \$2,800 a year, besides their salaries. That is undoubtedly an abuse, and this survey appears to me to be in keeping with such extravagance and mismanagement.

Mr. DEWDNEY. This question has already been brought up on the motion of the hon. member for Laprairie, and I told the hon. gentleman I was preparing a copy of the plan, which he insisted on having, and which will cost between \$300 and \$400; and I said further, I would bring down all the papers in that connection. The survey was most intricate one. Whether it was necessary it should be made so intricate I am not aware. The plan is some eight or ten feet in length and five or six feet in breadth, and shows not only the boundaries of the reserve, but every field and building on it. This work was done at the request of the Indians, for the purpose of seeing what amount of land belonged to each Indian family on the reserve. It was then determined to subdivide the reserve into rectangular sections, in order that the Indians might be allowed to locate on these different sections; and it was understood that if any Indians were disturbed in their own holdings, they would be compensated for their improvements. The survey took some time to make and cost a good deal of money. It was done at the request of the Indians, and is not yet completed.

Mr. LISTER moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

REPORT.

Annual Report of the Department of the Interior for the year 1889. (Mr. Dewdney.)

FIRST READING.

Bill (No. 126) respecting marriage with a deceased wife's sister. (Sir John Thompson.)

Sir JOHN A. MACDONALD moved the adjournment of the House.

Motion agreed to; and House adjourned at 12.20 a.m. (Tuesday).

HOUSE OF COMMONS.

Tuesday, 1st April, 1890.

The Speaker took the Chair at Three o'clock.

PRAYERS.

THE LATE MR. PERLEY, M.P.

Sir JOHN A. MACDONALD. Mr. Speaker, before the Orders of the Day are called, it is my painful duty to announce the sudden death of one of our hon. colleagues, Mr. Perley, the senior member for the city of Ottawa. I believe that every member of this House who has known him will be in feelings of deep regret at hearing this announcement. Mr. Perley was a man of sterling

qualities. The fact that he attained the position which he held in this House until his death, shows what he was. Coming from the United States, where he had been a citizen, he was at first a stranger here, without the advantages of a British-born subject, but by his sterling qualities he soon acquired a position of confidence and trust among those who knew him in this city. He was one of a class of whom we hope to see many more coming to this country from the United States, who have sought their fortunes here, and who have, by honest industry and ability, acquired positions here, and have identified themselves with Canada and become, in every sense of the word, Canadians. In his commercial pursuits he was singularly successful. By patient industry, by enterprise, by attention to his business, and by the confidence that he had earned through a uniform life of honesty and integrity, he rose, as he deserved, to rise, high in the estimation of the people in this vicinity, and among all who knew him. That confidence enabled him, I am happy to say, for the sake of his family, to acquire a competence which provides for them, I believe, in all comfort. The character that he had won, socially and commercially in business, was so high, that he was invited by those whose political opinions accorded with his to become their representative in this House. The hon. members of this House all know his demeanor in it. In no way obtrusive, in no way attempting to take a position which he felt, perhaps, that in his inexperience he ought not to claim; he was always a careful, a thoughtful, and a conscientious member of Parliament. I can say no more, and desire to say no more, with respect to him. You have all known him; you have all seen him; and I believe all the members of the House who have come in contact with him must have appreciated his good qualities; even those, if there are any in this House, who did not come into contact with him socially, must have observed the uniform propriety of his demeanor, and must have observed, also, that he worthily represented the important constituency which had selected him as their representative.

Mr. LAURIER. I heartily endorse every word the right hon. gentleman has spoken, in regard to our late colleague. I can well understand the feeling with which the Prime Minister has spoken of one, who was not only a faithful follower, but, as I understand, a faithful friend. The tribute which the right hon. gentleman has paid to our colleague, is fully deserved in every way. Mr. Perley was endowed with all the good qualities, which the right hon. gentleman has claimed for him. Those who were opposed to him politically, will, I am sure, be most ready to pay him an equal tribute to that which has been paid to him by his leader. As the First Minister has said, Mr. Perley was modest in his manner; he was a party man, and an upholder of the principles of his party, but, at the same time, he had the rare gift, of never making himself offensive to any one. He was endowed, also, with many business qualities; but, and this is not so well known, except to his friends, he was, also, endowed with great social qualities, and many of us have pleasant remembrance of visits to his house, thanks to his personal qualities and to the qualities of the amiable woman

charming women to be found in the capital. Every one will agree with the statement made by the First Minister, and every member, on both sides of the House, will join with his family in their sorrow and bereavement.

EASTER RECESS.

Sir JOHN A. MACDONALD. Before the Orders of the Day are reached, I desire to call the attention of the House to the question of the Easter adjournment. There is a little difference of opinion on the question of adjournment. From memorandum given me I find as follows: In favor of adjournment from Wednesday night to Tuesday, 38; from Wednesday to Wednesday, 5; Thursday to Monday, 20; Thursday to Tuesday, 45; Thursday to Wednesday following, 1; Thursday to Friday following, 1. The largest expression of opinion is from Thursday to Tuesday, 45; but that in favor of an adjournment from Wednesday to Tuesday, closely approaches it, 38 votes. So it is very difficult to come to a conclusion. As I said yesterday, the Government are quite in the hands of the House. They are obliged to be here, and they will have no holiday, whatever holiday other hon. members will enjoy. The decision, so far as the Government can decide the question, will depend very much on the debate on the tariff. I think hon. gentlemen opposite will allow that it would be very unfortunate if we should discuss the tariff to-day, to-morrow, and Thursday, and adjourn with the debate unfinished, to recommence after Easter recess. Hon. gentlemen who have been long in Parliament know that when an important subject is being discussed, no matter how long, and an adjournment then takes place, the whole debate is opened *de novo*, and the discussion goes on as if it had never been commenced. I would throw across the floor the suggestion that if we could make an arrangement by which the debate would close to-morrow night, in so far as the amendment of the hon. member for South Oxford (Sir Richard Cartwright) is concerned, and we could have the Tariff Bill introduced, and read the first time, with the understanding that the discussion would go on with the Speaker in the Chair, just as if we were in committee, we would make very considerable progress and greatly shorten the Session. If that were agreed upon, I, personally—and I have no doubt my colleagues would agree with me—would agree to an adjournment to-morrow night, so that hon. members leaving to-morrow night would spend Good Friday with their families, at all events those who are within a reasonable distance of Ottawa. Many hon. members like to be with their families and enter into their religious duties on Good Friday. If we adjourn on Thursday, they are travelling on the day when they would prefer to be with their families and attending to their religious ordinances in the bosom of their families. So my proposition would be this: If we could come to an arrangement by which the debate on the amendment would be closed to-morrow night, and the Tariff Bill introduced, and read the first time, with the understanding that the whole discussion could go on as if we were in committee, I think we would make great progress and shorten the Session.

Mr. LAURIER. What day may be selected for the adjournment, will it be to-morrow or the

day afterwards, it is difficult to see in advance whether the debate will close or not. It is impossible to lay down, in advance, any rule as to the course the debate will take. For my part, I am very much disposed to favor the closing of the general debate before the adjournment; but the right hon. gentlemen must remember that we are afterwards to take the resolutions into consideration. They are numerous and important, and will, no doubt, require a good deal of discussion by themselves, and it will be impossible to proceed with that discussion before recess. The only point we can settle is whether we can close the general debate on the amendment to-morrow or the day afterwards, but it is impossible to say in advance, and I would not even express my opinion at this moment without hearing from other members of the House.

Sir RICHARD CARTWRIGHT. I am very much afraid, judging from what has been said to me by hon. members on this side of the House, of course for the other side I cannot speak, that there can be no possibility of closing to-morrow night; that, in any case, Thursday night will be the earliest time that can be fixed for the closing of the debate. But I will make this suggestion to the First Minister and to the Finance Minister. I understand the First Minister to say that his proposition was that the bill founded on the resolutions, should be introduced, and we should go into committee on it. Looking at the very much larger number of changes which are being made than I had anticipated from the speech of the Finance Minister, and looking at the possibility, to say the least of it, that he may find it necessary to modify some of those propositions, I would say to the First Minister that time would be saved by putting those resolutions *pro forma*, and taking them back into committee and having a discussion there. The First Minister will understand that if it is required to modify those resolutions, there will have to be new motions in committee, and the rest of it. I doubt whether time will be saved. The safest plan will be, to take all the resolutions and have a searching discussion in committee upon them.

Mr. BLAKE. After the statement of the hon. member for South Oxford (Sir Richard Cartwright), that he does not think the principal debate can close until Thursday, I think the question is settled. I agree with the First Minister that the present debate should be disposed of before the adjournment, and as the hon. member for South Oxford (Sir Richard Cartwright) is of opinion, from what he has learned, that the debate cannot be closed on Wednesday, I do not see how an adjournment can take place until Thursday. Even if it were possible, I would, as a private member, very strongly object to the course which the First Minister suggests, namely, that we should so expedite matters as to pass the whole tariff of this country through all the preliminary stages, introduce the Bill, pass it, give the second reading and get it into committee. These various stages are for a purpose; they are for the purpose of giving time for consideration, and for the purpose of giving an opportunity for representations being made from various persons all over this broad country with reference to the proposed changes, in order that no mistakes may be

541

115341

Montreal, 10th April, 1931.

The Deputy Minister of Justice,

Ottawa, Ont.

Dear Sir,

re Lefebvre, Seignory Sault St. Louis.

Mr. Thomas Lefebvre was one of the Consular-
es whose name I sent up some time ago in connection with
this matter, he occupying property the yearly rent of
which was \$3.21, and the arrears up to November amount-
ing to \$25.24.

Yesterday I ascertained that the property had
been sold by licitation in the Prothonotary's office here
on Seignory proceedings connected with the community of pro-
perty between him and his wife, the latter having died
some months ago leaving minor children.

To-day I filed an opposition in the name of Sir
John S.D. Thompson, Attorney-General afin de conserver in
order to obtain payment of the amount of the arrears
due up to the 11th November next.

The property was bought by Mr. Victor Bar-
beau of Laprarie, who has to day signed one of the Tites
Nouveles to apply in the future.

(sd) John S. Hall, Jr.

Indian Affairs. (RG 10, Volume 2147, File 30,847 P.2)

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CANADA

1891/04/10

118129

MEMO RE CENSITAIRES. SEIGNIOBY SAULT ST. LOUIS.

21ST JULY 1891.

THIS MEMO IS SUPPLEMENTARY TO REPORT AND MEMO OF 18th MARCH 1891.

"A"

LIST OF CENSITAIRES WHO, AT PRESENT DATE HAVE NOT
SIGNED RECO VAUSSANGES, WITH REASONS.

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NAME	YEARLY RENT	RENT	REMARKS
1. NOEL PE SENEVAULT	13.38	350.84	has refused to sign. Is the principal one objecting. Seems to have influence the others. Sued. Pending. In this case Attorney General of the Province of Quebec has filed an intervention, claiming that the Government has no right to collect them. Is now awaiting argument.
2. LOUIS BEAULIEU	4.57	58.41	He is absent in the States with his family and his address is not known at present.
3. PIERRE DUDE	3.58	32.22	He is absent in the States sent word that he would be here some of these days but has not returned & Mr Brosseau does not know his address.

"B"

LIST OF THOSE WHO SIGNED AFTER MEMO OF 18th MARCH 1891.
AND WHETHER SUED.

NAME	YEARLY RENT.	RENT	REMARKS
1. JEAN B. BARBEAU	2.62	34.06	Sued, Signed 7th April '91 two deeds.
2. J. BTE. LAPIANTE	3.58		Sued. Signed 23rd March '91
3. ARTHUR GIBEAU	1.87		Sued. Signed 23rd March '91

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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A M E	YEARLY RENT	ARREARS TO 11 th Nov. 1890	REMARKS.
4. THOMAS LEFEBVRE now VICTOR BARBEAU	8.21	28.84	Sued 4th February 1891. Property affected was sold by Sheriff's sale, Montreal, 1st April 1891 to one Vic- tor Barbeau who signed re- cognition 10th April 1891 but not for arrears. Opposition was filed for arrears, subsequently a- mount received and sent to Department of Justice.
✓ 5. DENIS GUERIN	1.52		Sued. Signed 19th March 91
✓ 6. LOUIS STE MARIE	.04		Signed 17th July 1891.
✓ 7. ATLANTIC & NORTH WEST RAILWAY CO.	2.66 .09	10.64 .36 <i>Parish of St Constant Parish of Laprairie</i>	Signed two deeds, one for each Parish, 8th July 1891

"C"

THE FOLLOWING FIRST NINE SIGNED BEFORE 18th MARCH 1891, AND THE REMAIN-
DER AFTER THAT DATE. ALL AFTER SUIT AND CASES NOW RETURNED. THEY WISH
TO BE RELIEVED FROM THE COSTS.

1. OLIVIER PAGE ✓
2. NORMISDAS LANCTOT ✓
3. L'ASSELIN, dit BELLEFLEUR ✓
4. S. CARDINAL ✓
5. E. GAGNIER ✓
6. S. LETOURNEAU ✓
7. JOS. LETOURNEAU. ✓
8. J. B. LAPLANTE ✓
9. A. GIBEAU ✓
10. JEAN B. BARBEAU ✓
11. DENIS GUERIN ✓
12. THOMAS LEFEBVRE ✓

This latter one has ceased to be proprietor. Is said to be
worth little or nothing. At present am waiting a further reply from all
these.

Montreal 27th July 1891

Wm. Hall Jr

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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M E M O R A N D U M

Department of Indian Affairs,
Ottawa, 12th Oct. 1891.

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A letter was written to the Attorney General East on the 17th March 1853 asking that a patent be prepared transferring to Montreal & New York Ry. Co. the land in the Indian Reserve, Caughnawaga, purchased for Railway purposes. The letter also enclosed to the Attorney General East, plan & description furnished by the Company and the Proces Verbal furnished by the Inds. There is no record in this Dept. of the patent having been received, and the Grand Trunk Ry. Co. who now are in possession of the Line, state that the patent cannot be found among the documents in their possession. I would recommend that a letter be written to the Crown Land Dept., Quebec, asking whether there is any record of any action having been taken on the letter of 17th March '53, and asking also for copies of plan, description and proces verbal enclosed in said letter.

It might be well to add that the Dept. of Secy. of State here, reports that a letter on the subject of the patent for this land was transferred to the Crown Lands Dept. Quebec, on the 14th June '53.

(Sgd.) S. Stewart.

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100

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544

Approved

(Sgd.) R.S. for
D.M.

Department of Indian Affairs

Ottawa, 5th Nov. 1891.

As will be seen by letters from the Crown Lands Dept. and the Attorney Genls. Dept. Quebec, the letter of the 17th March 1853, which enclosed plan, description & proces verbal of land required by the Montreal and New York Ry. Co., and which letter asked that patent be prepared, cannot, be found among the records of either of the Depts. mentioned. The letter from the Attorney Genls. office states that the Archives of that Dept., previous to 1867, are to be found at Ottawa. I have been to the Dept. of the Secy. of State, the Dept. of Public Works, Dept. of Railways and Canals, the Archives Branch of the Dept. of Agriculture and the Dept. of Justice, in all of which Depts. a search was made for the missing document without success. In the latter Dept. I was informed that that Dept. had not been a record keeping Dept. and the officers had no knowledge of the whereabouts of the documents previous to 1859.

I would respectfully recommend that J. Little, Esq., General Offices, G. T. Ry. Montreal, be informed of the result of the search for the missing document.

(Sgd.) S. Stewart.

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(101)

For the consideration of
the Hon. E. Dewdney
Minister of the Interior
128494
1896
545

The Petition of the undersigned, Censitaires of the Seignior of Sault St. Louis in the County of Laprairie, in the Province of Quebec.

Respectfully sheweth:

That for a long period the rentes have not been collected in this Seignior;

That the agents who preceded Mr. Brousseau did not keep any books, and that about two years ago your Government was compelled to make schedule of the lands subject to Cens and of the arrears of Rentes and the names of the Censitaires;

That meantime your Government entered an action for the recovery of arrears of Rentes against Noel Pinsonnault, farmer, of St. Constant, in the County of Laprairie;

That the Government of the Province of Quebec intervened in the said action in order to assert its claim to the property of the Seignior of Sault St. Louis and to the arrears of Rentes;

That the said action is still pending;

That your Government urged the Censitaires to consent to execute deeds in acknowledgment of the arrears of Rentes due and conforming the designation of their respective lands;

That the Censitaires executed the said deeds under the conditions and understanding that they were not to be forced to pay before the final decision of the action pending of the Queen against Pinsonnault;

That by your own official reply we are informed that that case will not be adjudicated upon until the reopening of the Courts in September next;

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892/06/21

Colton Church
 Mainy
 River
 Justice

Joseph ^{ad} Robidoux ^{mayne} Alfred ^{ad} D...
 Emile Robidoux
 Ancher ^{ad} ^{mayne} ^{ad} Maff
 Eusebe ^{ad} ^{mayne} ^{ad} Maff
 Thomas ^{ad} ^{mayne} ^{ad} Gortin
 Parson ^{ad} ^{mayne} ^{ad} Thron
 Joseph ^{ad} ^{mayne} ^{ad} Harque
 Charles ^{ad} ^{mayne} ^{ad} Harquemet
 J. B. ^{ad} ^{mayne} ^{ad} Harque
 Edouard ^{ad} ^{mayne} ^{ad} Gortin
 Alvin ^{ad} ^{mayne} ^{ad} Gortin
 mayne

Indian Affairs. (RC 19, Volume 2143, File 30,896-3)

30,896/2

Department of Indian Affairs

Ottawa 30th September, 1892

His Excellency

The Governor General in Council.

Memorandum

The undersigned has the honour to report that for many years the censitaires on the Seignior of Sault St. Louis, which forms part of the Caughnawaga Indian Reserve, in the Province of Quebec, have failed to pay their rents. In order to enforce payment, proceedings were taken in December 1889 against two of the censitaires, Noel Pinsonneault and Solyne Lanctot. The Government of Quebec intervened, and these cases are still before the Courts. A large expenditure has been incurred, and the interest account of the Caughnawaga Band is now overdrawn. The following amounts have been already paid on certificates from the Department of Justice:-

13th March, 1889, J.S. Hall..... \$200.00 —

2nd June, 1891, A.J.A. Roberge, N.P., 549.50 .

25th June, 1891, J.S. Hall..... 800.00. —

A balance of \$132.50 is still due Mr. Roberge and he is pressing for payment.

The undersigned, in this connection, begs to refer to the Order of Your Excellency in Council of the 25th July 1892 authorizing the payment from the vote for unforeseen expenses of certain legal expenses in the

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removal of trespassers from the Tobique Indian Reserve in New Brunswick, on the ground that, as important points were likely to arise as to the title of the Dominion to the Reserve in question, the costs of the proceedings would not be a proper charge to make against the capital at the credit of the Tobique Band.

The undersigned would respectfully submit that the intervention of the Government of Quebec in the suits against the Sault St. Louis censitaires appears to put these in the same category as the suits in connection with the Tobique Reserve.

The undersigned has, therefore, the honour to recommend that the authority of Your Excellency in Council be given for the transfer from the appropriation made by Parliament for unforeseen expenses to the credit of the Caughnawaga Indian Fund of the sum of \$1,549.50, which, as before stated, has already been paid in connection with the suits against the censitaires; and for the payment to aforementioned Mr. A. J. A. Roberge, N.P., from the same appropriation of the balance of his account, viz., \$132.50.

S. C. C. C.

Superintendent General of
Indian Affairs.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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CANADA

Province of Quebec
County of Lepraurie

133333



547

MEMORANDUM

TO THE HONORABLE

In the matter of payment of arrears of rents of the
Seigniorie of Saint Louis in the County of Lepraurie.

To the Honorable

Sir John Thompson

Minister of Justice.

The Honorable

Minister of the Interior and Superintendent, ge-
neral of Indian Affairs

The Honorable

J. A. Ouimet
Minister of the Public Works

The undersigned has the honor to submit to your consid-
eration, the following memorandum:-

For over thirty years the Government had
neglected to collect the rents, had not taken into
consideration the divisions, parcelings and mutations
of the properties, did not know the names of the pro-
prieters and was almost in the impossibility of collect-
ing rents.

In order to so, a complete abstract of
all the property of the Seigniorie would have had

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- 1892/10/17 -

to be made giving the names of all the proprietors, a work which ~~could~~^{would} have been very considerable and ~~could~~^{would} have cost a great deal and occasioned great troubles and delays.

Mr. Alexandre Brosseau the Agent of the Government, some friends and myself have advised the land-owners to appear voluntarily before Mr. A.J. Leclercq, Notary, acting on behalf of the Government, and to furnish him with the exact description of their lands and to declare to him since how many years they had not paid their rentes &c. &c.

The land owners have followed our advice and in so doing they have saved to the Government considerable troubles and expenses, and the government has the advantage of getting within a short time a true and correct statement of the affairs of the Seigniorie.

I have them to understand that they would not be able to pay before the decision of the Case of the Government against Noel Pinsornault, a land-owner, which case is uselessly delayed for about three years. I had calculated that the case would be terminated in 1891; but the year 1892 is almost to an end, and the case did not make any progress. For the Public feeling it would be extremely urgent to finish that case.

Pinsornault pleads compensation for damages caused to his property by the negligence of certain Indians residing in the reserve.

There is moreover a plea of revindication on the part of the Province of Quebec, who claims the ownership of the rentes of the Seigniorie.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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The most part of the other land-owners have ~~the~~ a claim for compensation for damages of the same nature caused to their property by the negligence of certain Indians. They are all peaceable persons disliking law-suits and who understand that an amicable settlement on fair and reasonable bases would be better.

The Government is the Indian Trustee, ~~as he~~ is also the protector of the land-owners and owes to all equal justice.

10 It is not to be forgotten that if the Government had kept ~~the~~ affairs of the Seigniorie in a business-like way; and had forced the collection each year, the land owners would have paid without difficulty as it is done in other private seigniorie; whilst on the contrary, the negligence of the Government to collect the rentes annually, have caused them to be accumulated to a considerable extent.

Is this not for the land owners a direct cause of damages, which might be fatal and cause the ruin for some of them? When a man is already incumbered, the least overcharge might be sufficient to ruin him.

In the present case, the default of the Government to collect these rentes annually, left the land owners under the impression that they would never be called to pay them; one must admit that it looked very much like it.

10 The land-owners have suffered damages on their lands by the fault of ~~of~~ certain Indians of Caughnawaga in corroboration ^{of} my assertion, I will cite the plan of compensation produced by the said Noel Pinsonnault.

This is not fairly stated, the rent has been paid for years & again has endeavored to collect but without success
JH

The Constables have frequent notices to pay up
JH

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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Mr Noel Pinsomnault is a rich farmer who ~~at~~ dislike law-suit, but pleads compensation in good faith, and with the conviction that he can prove the damages he alleges to have suffered.

There is no doubt that the rentes due to the Indian can be compensated by the damages caused to the lands by these same Indians.

Now have the Indians ~~any~~ interest that new law suits be undertaken to have the Court to decide the damages suffered by each land-owners, as it is ~~done~~ in the case of Pinsomnault. On all points of view, ~~it~~ do not believe it. I do not believe in the law-suit itself on account of the judicial delays and also for political reasons. For example the case of Pinsomnault which is lasting since three years and ~~is~~ which is not to ~~be~~ decided for a considerable length of time.

The Indians are in need of money without ~~delay~~ ~~as they have not yet received the money~~ for their fund is over-drawn. Consequently they are interested to collect immediately the arrears of rentes; therefore an amicable arrangement would give them an opportunity to have money immediately.

There are two Seigneuries in the County of Laprairie neighboring one another, one known as Laprairie de la Caroleine, belonging to the Government of Quebec and the other as "Saint St Louis" under the control of the Federal Government.

The Quebec Government having also neglected to collect the rentes annually, has ordered the payment of arrears, granting the land-owners a reduction of one half or fifty per cent.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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You might object that there is a difference and that the Government of Quebec is the owner of the Seignior in question, whereas the Federal Government are only the trustees of the Seignior of the St. Louis.

I will answer to that objection by saying that the Quebec Government in so doing did not intend to make a gift to the land-owners; but only took into consideration its default of collecting the rentes annually and the prejudicial and ruinous accumulation of arrears of rentes, which accumulation was occasioned by their fault; and the Government of Quebec in so doing has considered it as a pure and simple act of justice. I do not believe the Federal Government, because they are only the Trustees, would be exempted to render justice to whom it is due.

If the Government had forced the payment of these rentes annually, the land-owners would have paid without any difficulty, but the Government did not do so. In many instances payment of these rentes was refused by the agent of the Government Mr. Alexandre Tremblay. The books of the Seignior were in complete mess.

These rentes have thus accumulated in a very onerous way and very ~~prejudicial~~ prejudicial to the land-owners by the fault of the Government; and I believe that in justice, the land-owners should not suffer by it.

Considering the default of the Government to force the payment of said rentes during thirty years.

Considering the heavy and prejudicial accumulation of arrears of said rentes.

*There is no pre-
scription against
the Crown.
Certaines moreover
as before stated
received repeated
notification to
pay up -
See above note
AW*

Indian Affairs. (RG 10, Volume 2148, File 80,896-3)

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Considering the good will of the land-owners before the Government Notary in furnishing him with all informations and declarations in order to put the Affairs of the Signiory in perfect order.

Considering that in so doing the land-owners have saved to the Government considerable troubles and expenses to the great benefit and advantage of the Indian funds.

Considering the damages that the land-owners allege to have been caused on their land by the Indians and their rights to compensate these damages with the arrears of rentes they now owe, as it is done by Pinsonneault in the case now pending.

Considering that new informations absolutely procured in this matter which come to my knowledge ~~are~~ from good sources lately.

For all the reasons above stated/believe ~~it~~ to be just and fair to suggest to the Federal Government to act as amiable compositeur between the parties and that a remittance of ~~a portion of~~ the arrears of rents accrued to this date, to ~~the~~ land-owners who will pay entirely the other ~~part~~ of said arrears in the hands of the agent of the Government from the first ~~April~~ next; and that instruction be given as soon as possible to whom it may concern.

And in so doing will do justice.

Montreal 17 Octobre 1892,

L. C. Pelletier

Indian Affairs. (RG 15, Volume 2148, File 80,696-3)

PUBLIC ARCHIVES
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1892/11/14

Department of Indian Affairs,

Ottawa, 14th November, 1892.

MEMORANDUM FOR THE DEPUTY.

With regard to Agent Brosseau's letter of the 7th instant, and to the conversation had by the undersigned with the Deputy as to the proposition made by L. C. Palletier, Esq., M.P., on behalf of the Censitaires of the Seignior of Sault St. Louis to pay on or before the 10th of January 1893 fifty per cent of the arrears of rent due on the 11th of November 1892, and also to withdraw all claims by them for alleged damages to their property caused by the Indians of the Caughnawaga Reserve, in consideration of the Department agreeing to accept the same as payment in full of the arrears acknowledged by the Censitaires to be due on the latter date,----the undersigned would state that he considers that the time has arrived for a final settlement of the long standing difficulty between the Censitaires and the Department.

The undersigned quite agrees ^{however} with Agent Brosseau that the Government should be the arbiter in the case, so as to render justice to all, and that it would be impossible to obtain from either the Censitaires or the Indians an equitable solution of the question.

(i)

Indian Affairs. (RG 19, Volume 2148, File 30,896-3)

Whilst there is no doubt, as pointed out in the Memorandum submitted by Mr. Pelletier, that the Censitaires rendered the Department valuable assistance by volunteering the information necessary to obtain the amount of arrears due, as well as the exact description of the land occupied by each as contained in the Recognizances signed by them, still it should be remembered that the Censitaires have themselves fixed the amount of arrears, and it is natural to suppose that they acknowledged the minimum rather than the maximum amount due. Further, the services of Mr. Roberge in obtaining the Recognizances from the Censitaires cost the Department the sum of \$682.

As to the plea made in the Pensonault case for damages caused by the Indians, it is questionable whether such a plea could be successfully made in many other cases.

As regards the contention that had the Department kept the affairs of the Seigniorie in a business-like way, and had forced the collection of rents each year, the Censitaires would have paid without difficulty, and the arrears of rent would not have accrued, it should be stated that ever since Confederation persistent efforts have been made by the Department to effect these collections, but owing to the uncertainty about the title to

(2)

Indian Affairs. (RC 18, Volume 2148, File 30,896-3)

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the Seignior, the absence of records of the doings of the Agents before Confederation, and the necessity of leaving so much to the intelligence and discretion of the Agents, there is no doubt that the Censitaires availed themselves of the uncertainty and the Department has therefore been unable to obtain from them what was properly due its Indian wards. But as the Censitaires have come forward and acknowledged their indebtedness, it is only fair to assume that they were always cognizant of what was due the Department, and therefore should have paid the rent regularly as it fell due.

*Not
to be
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It should also be remembered that the Department has foregone its claim to interest due on the arrears, and has borne the full expense of investigating the title, which was necessary before proceedings could be taken to enforce the payments of the arrears due by the Censitaires.

With the view, however, of getting the whole matter amicably settled, the undersigned considers that the Department should accept Mr. Pelletier's first proposition, and reduce the arrears of rent due on the 11th of November 1892 by 25 %, provided that the remainder is paid in cash on or before the 10th day of January 1893, and on the understanding that the Censitaires will agree as follows :—

(3)

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1st. To abandon all claims that they may have for alleged damages to their property caused by the Indians of the Caughnawaga Reserve.

2nd. In the event of the suit pending in the Pensinnault case (in which the Quebec Government has intervened) resulting adversely to this Department, that the Censitaires will then pay over to this Department, in case the same should be demanded by the Quebec Government, the amount of arrears included in the 25 % reduction now made.

3rd. In the event of any Censitaire hereafter failing to pay his rent annually on the date same is due, or within a reasonable time thereafter, the Department may claim in addition to such arrears payment of the 25 % reduction now made to such Censitaires.

With regard to the costs that have been and may yet be incurred in the Pensinnault case, there seems no reason why the Censitaires should be called upon to pay any portion of the same, if the above settlement is agreed upon ; as, in such case, the suit will be abandoned by them, and if continued it will be by the Quebec Government, who have their own interests to serve.

The undersigned attaches herewith a copy of his report of the 10th of January 1888, which shows the

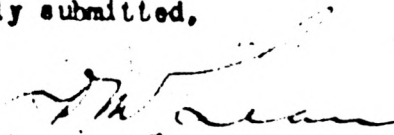
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Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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CANADA

position of the whole matter up to about the time proceedings were begun by Mr. Hall.

Respectfully submitted,



In charge of
Land and Timber Branch.

Note.

Memo. of 10 Jan. 1888 by
Mr. L. C. Lean referred to above is
on No 1 of this file.

549

1892/12/12

+



To Mr. [unclear]

Mr. [unclear]
please see me
in [unclear]

To [unclear]
[unclear] with [unclear]

Dec 13
1902

Dec 19
1902

1892/12/12

Some [unclear] question to
[unclear] [unclear] [unclear]
[unclear] [unclear] [unclear]
[unclear] [unclear] [unclear]

Genl. [unclear]
Deputy [unclear]
Intending General
[unclear]

Sir,
I have seen
many of the [unclear]
and they would
consent to compro-
mise the matter
with a remittance
of 25 per cent.

I have the honor
to submit to you
this new Memorandum
[unclear]



NAC RG 10
Vol. 2148
File 30,896-3

1892/12/12

Anthony
Cuty Chapin
General
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dum, and to ask you
to settle that question
as soon as possible.

I have the honor to be
Your obedient servant

L. E. Pelletier
M. P.

Montreal, 12 Dec: 1892

NAC RG 10
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File 30,896-3

550

1790/10/19

51/21/15

*Mr. Pelletier M.P.
to the Minister
about the A.C.*



Ottawa, 15th December, 1912

*It was only
an inkblot - no letter.*

A.C.

Dear Mr. Daly:-

In reply to your note of this date, just received, I forward to you file - a rather huge one - No. 30,896 of this Department respecting the collection of arrears due by the Censitaires of Sault St. Louis (Caughnawaga Indian reserve, P.Q.).

Among the papers on the file will be found an opinion from the Department of Justice dated the 17th ultimo, which I have turned out; also a letter from Mr. Pelletier, M.P., and the memorandum referred to therein. You will observe from the memorandum that the Censitaires have agreed to compromise the matter by a reduction of 25% on the amount of the arrears due, or rather I should say that Mr. Pelletier has agreed on behalf of the Censitaires for whom he is acting to accept of this compromise. From Mr. Sedgewick's letter you will observe that Sir John Thompson thinks that it would be necessary to get legislation to authorize the proposed

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reduction, and that as the Crown holds the Seigniorship as trustee for the Indians the consent of the Indians should be obtained.

I am in doubt which should be the initial step to be taken in the matter. The matter might be submitted to the Indians before legislation is sought for, or the legislation might be provisional upon the consent of the Indians being given to the proposed reduction.

I may state that I consider that the only feasible solution of the question is that proposed, viz., to compromise the matter by reducing the arrears by 25%. We have been for some time past in litigation with one Pinsonneault with a view to make the verdict in that case serve as a warning to the other Censitaires; but complications and obstacles of various kinds have prevented the suit from being brought to an issue, and it is probable that were suits entered against all the Censitaires for arrears similar complications would ensue. I may add that the Province of Quebec intervened, claiming a right to the Seigniorship; but this was under the Hovell regime, and was no doubt done for political purposes, as the Province has no right to the Seigniorship. This Department has, however, been advised by the Department of Justice that the

de Boucherville Government intended to continue the intervention
on behalf of the Province *probably for similar reasons.*

Yours sincerely

A. Van Koughnet

Hon. T. M. Daly,
Supt. General of
Indian Affairs.

1893/08/21

141101



551

Extract (original on file No 141067) of
the Minutes of Meeting of the Indian
Council of Caughnawaga held in my
office this 21 day of August 93, at 8
P.M. according to adjournment on
the 14 inst.

The Minutes of the adjournment
were read and approved of - 1 Resolution -
Proposed by Michel Montour seconded by
Thomas Pilon that having taken communication
of the application of the Censitaires of the
Seigniorie of Sault St Louis to the De-
partment of Indian Affairs for a rebate
of 25% on the arrears due to the Seigniorie
as per Departmental letter dated the
13 June 93 No 30896²

Be it resolved to grant the re-
bate applied for by the Censitaires
on the conditions specified in said
letter and that the Department of
Indian Affairs be authorized to
grant the rebate to the Censitaires
but it must be well understood
that a portion of the same

Indian Affairs. (RG 10, Volume 2148, File #0,896-3)

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1893/08/21

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NACRG 10 Vol. 2148, File 30,896-3
Pp. 141101-

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1893/11/07

552

Ottawa, 7th November, 1893

Sir:-

With reference to the enquiry made of me as to what the reasons were for the opinion of the Minister of Justice that it would be necessary to obtain legislation to authorize the proposed reduction in the arrears of rent due by the tenants of the Seignior of Sault St. Louis, I have the honour to state that the Government has no authority to accept in final settlement an amount less than the total amount of revenue due the Crown. In this case, moreover, the Crown is really acting as trustee for the Indians, and there is, therefore, that further objection against accepting less than the amount due, the Indians having no authority to authorize the Crown to compromise the claim. I may add that Mr. McCord, the Law Clerk of the House of Commons, is the proper officer to prepare the necessary legislation. I therefore return all the papers in the matter.

Your obedient servant,

G. M. M. M.

Deputy Minister of Justice

The Deputy Superintendent General
of Indian Affairs,

Ottawa.

Indian Affairs. (RG 10, Volume 2148, File 30,696-3)

PUBLIC ARCHIVES
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1893/11/07

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NACRG 10 Vol. 2148, File 30,896-3
Pp. 141101-

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1893/11/07

552

Ottawa, 7th November 1893

*Negative
& return*

Sir:-

With reference to the enquiry made of me as to what the reasons were for the opinion of the Minister of Justice that it would be necessary to obtain legislation to authorize the proposed reduction in the arrears of rent due by the tenants of the Seignior of Sault St. Louis, I have the honour to state that the Government has no authority to accept in final settlement an amount less than the total amount of revenue due the Crown. In this case, moreover, the Crown is really acting as trustee for the Indians, and there is, therefore, that further objection against accepting less than the amount due, the Indians having no authority to authorize the Crown to compromise the claim. I may add that Mr. McCord, the Clerk of the House of Commons, is the proper officer to prepare the necessary legislation. I therefore return all the papers in the matter.

Your obedient servant,

E. M. M. M.

Deputy Minister of Justice

The Deputy Superintendent General
of Indian Affairs,

Ottawa

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
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CANADA

1893/11/07

1894/01/02

Pls. send me more bills. I will be glad to receive them.

Pls. send me more bills. I will be glad to receive them.

Pls. send me more bills. I will be glad to receive them.



Ottawa, 3rd January 1894

Dear Mr. Daly,-

I send you herewith for submission to Council several copies of the Bill drafted by the Law Clerk of the House of Commons, respecting the reduction in arrears of rent due by the tenants of the Seigniory of Sault St. Louis to the Caughnawaga Indians. The Bill, you will observe, applies to the arrears of rent due up to the 11th November, 1892, that being the date on which the yearly rent falls due. The Indians gave their consent to the reduction in August of that year, and it could not apply, of course, to rents which since came due.

Hon. F. Mayne Daly,

Superintendent General

—of Indian Affairs.

Yours very truly,

Hayden

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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1894/01/02

NO. 111

Ottawa, 11th January, 1894.

The Honourable T. Layne Daly,

Superintendent General of Indian Affairs.

The Seignior of Sault of St. Louis is held in trust by the Crown for the Iroquois Band of Caughnawaga.

The rents, however, were allowed to get many years in arrear, and former Agents of the Department at Caughnawaga neglected to keep proper records in connection with the Seignior; so that it was impossible for the Department to tell exactly what each censitaire owed, how much ^{and} ~~he was in possession of, or what was coming into his possession, or what divisions, parcels, lines the nature of his title, or relations of the properties had been made.~~

Since 1882 the Department has vainly endeavoured to collect the rents. An Agent of the Department of Justice was employed to investigate the whole matter, with a view to taking legal proceedings against the censitaires; and the Inspector of Indian Agencies and Reserves was sent to Caughnawaga to co-operate with the Agent in endeavouring to gather accurate information respecting the quantity of land held by each censitaire, and the amount of rent due, &c.

In 1888 the Agent employed by the Department of Justice reported that nothing had been effected, and that

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to have anything more to do with the case. The matter was then placed in the hands of Mr. Hall Q.C. Proceedings were taken against one of the censitaires. Elaborate researches were made to establish the right of the Crown to the Seignior and a notary was employed to prepare a rent book and notarial deeds, and to obtain acknowledgments from the censitaires. All the censitaires except one signed acknowledgments; but it was still found impossible to collect the rent from them while proceedings were pending in the Court. These proceedings were complicated by the Government of Quebec intervening and claiming that the title to the Seignior was in the Province. The case dragged along without any apparent hope of a speedy or effective settlement, though the funds of the Indians which had to bear the expense were almost depleted; and the difficulty of collecting the arrears was augmented by the fact that the Quebec Government granted a reduction of 10 \$ in the arrears due it by the censitaires of the adjoining Seignior of Lacarrière de la Madeleine which belongs to the Province.

On the 17th October, 1892, Mr. L. C. Pollard, acting on behalf of the censitaires, submitted a memorandum - a copy of which is placed herewith - in which he suggested that a settlement could be brought about by the Department's following the example of the Quebec Government and granting a reduction of 50 \$ in the arrears. The Dept. finding itself no nearer a settlement of this very complicated matter than when the proceedings were instituted which resulted in so great an outlay decided that it was best in the interest of the Indians to agree to a compromise, and accordingly a reduction

25 \$ was offered and accepted by Mr. Pollard on behalf of the censitaires. The proposed compromise was submitted to the Council of the Government and the Department.

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were in brief as follows:-

The censitaires to pay in cash the arrears due up to the 11th November, 1898; to abandon all claim that they might have for alleged damages to their property caused by the Indians; any censitaire failing to pay his rent annually on the date due, to be held liable to pay the 25 % reduction made on his arrears; and in the event of the intervention of the United Government in the suit before the Courts being successful, and that Government claiming the revenue coming from the territory, the censitaires to be held liable to repay to the Department the 25 % reduction, should the United Government demand the collection of the same.

On the matter being submitted to the Department of Justice, this Department was informed that the Minister of Justice was of opinion that it would be necessary to obtain legislation to authorize the proposed reduction, as the Government had no authority to accept in final settlement an amount less than the total amount of revenue due the Crown. And as in this case the Crown is really acting as trustee for the Indians ^{as a trustee for the Indians} there was that further objection against accepting less than the amount due, the Indians having no authority to authorize the Crown to compromise the claim.

In accordance with the opinion of the Minister of Justice the attached Bill was prepared for ^{submission to} Parliament at its next Session.

(sgd) *Henri Reed*

Deputy Supt. General

of Indian Affairs.

Indian Affairs. (EO 10, Volume 2148, File 30,896-3)

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CANADA

1894/01/17

555

no file 145.1-2-3

[Handwritten signature]

Ottawa, 17th January, 1894.

Sir,

*Notice
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quere

Please report what action you have taken respecting the collection of the rents due by the consitaires of Sault St. Louis for the year ended the 11th Nov., 1893. You will remember that, the meeting of the Indian Council which I attended on the 22nd ultimo, complaint was made respecting the delay in collecting the arrears due by the consitaires. I explained that as it was found necessary to have the authority of an Act of Parliament to give full effect to the agreement come to for securing the payment of the arrears by making a reduction of 25 %, it would be impossible to force payment under that agreement until the required authority was obtained. But I stated that as the reduction was only to be on the arrears due to the 11th Nov., 1893, there was no reason why the rent due for the year ended the 11th Nov., 1893, should not be collected; and I directed you to collect the same, entering on the receipts therefor the statement that payment was accepted without prejudice to the claim for arrears.

Yours obedient servant,

A. G. Brown, Esq.

Indian Agent,

Sault Ste. Marie,

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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1894/01/17

1894/04/05

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Ottawa, 5th April, 1894.

The Honourable T. Mayo Daly,

Superintendent General of Indian Affairs.

The Minister will remember that proceedings were taken in 1839 to enforce payment of the arrears of rent due by the censitaires of the Seigniorie of Sault St. Louis.

The amount already paid on account of these proceedings is \$1612.00. As the funds of the Sault St. Louis Indians were very much depleted, an effort was made by the Department to have the legal expenses paid from the vote for unforeseen expenses; but the Government declined to act on the recommendation made on that line. Payment was made from the funds of the Sault St. Louis Band without the authority of Council and charged against their overdrawn interest account. But as the overdrawing of interest was an actual expenditure of Capital, there should have been an Order-in-Council in order to comply strictly with the regulations; and in pursuance of the ^{more} strict and accurate system of dealing with the accounts which has been adopted, it is necessary to have the authority of Council for paying this last account from the Hall. I gather from the reports of the Department of Justice that the proceedings will soon be brought to a close, and that we are near the end of this expenditure for the same.

The report hereunder is submitted to the Minister's signature.

[Signature]

Indian Affairs. (ES 10, Volume 211, File 30,550-3)

1894/04/05

1894/04/17

557

17th April

Dear Sir,-

The Superintendent General is desirous of having your views on the compromise with the censitaires of Sault St. Louis. By the compromise come to with the Indians, the censitaires agree to pay in cash the arrears due by them up to the 11th November, 1892, less 25 %; to abandon all claims on account of damages to their property, and in the event of the intervention of the Quebec Government in the suits before the Courts being successful and that Government claiming the revenue coming from the Seigniory, the censitaires to be held liable to repay to the Department the 25 % reduction should the ^{Government} higher demand the collection of the same. It is further agreed that any censitaire failing to pay his rent annually on the date due could be held liable to pay the 25 % reduction made on his arrears.

The Department proposes having legislation to give effect to the compromise, but before moving in the matter in the House the Superintendent General would like to have your views as to the proposed settlement.

He would also like to have a report from you on the Pinsonneault case, showing the exact position in which the matter in litigation stands.

Hon. J. S. Hall, C.C.,
Montreal.

Indian Affairs. (EG 19, Volume 2148, File 30,896-3)

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1894/04/17

1894/04/18

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111
 Certified Copy, of a Report of a Committee of
 Honourable the Privy Council, appointed by
 His Excellency the Governor General in
 Council, on the 18th. April, 1894.

On a Memorandum, dated 5th April, 1894, from the Superintendent General of Indian Affairs, stating that a certificate has been received from the Department of Justice to the effect that the Honourable J.S. Hall Q.C. of Montreal, is entitled to the sum of \$350.00 for professional services and disbursements in connection with the proceedings taken against certain censitaires of the Seignior of Sault St. Louis (which forms part of the Caughnawaga Reserve) who failed to pay their rents.

Minister further states that the Department of Indian Affairs has no funds at its disposal other than the Capital at the credit of the Coughnawaga Band from which Mr. Hall's account can be paid.

The Minister, therefore, recommends that the necessary authority be given for paying from the Capital at the credit of the Caughnawaga Band (which amounts to \$2,539.62) the said sum of \$650.00 to Mr. Hall.

The Committee advise that the necessary authority be granted.

To the Honorable
The Attorney

Clerk of the Privy Council
The Superintendent General of Indian Affairs

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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1994/04/18

1894/04/25

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Ottawa, 25th April, 1894.

Dear Mr. Daly,-

I return my memorandum re-
specting the Bill to authorize reduction in arrears of rent
by the cointenees of the Seignior of Sault St. Louis;
and pursuant to the instructions contained in your note of
the 14th instant, I place with it a statement of the
persons who are affected by the reduction, together with a
copy of a letter of the 25th March from the Deputy Minister
of Justice, which contains as full information as we have
been able to obtain respecting the position of the Pin-
sonneault case. I cannot find that Mr. Hall expressed, or
ever asked to express, his views respecting the case;
and in accordance with your directions, I write him on the
15th instant asking for a statement of his views, as well
as a report on the Pinsonneault case. So far, I have not re-
ceived any reply, and I observe that the 9th of April
report him to be confined to his house with scarlet fever.
I, therefore, thought it well to put you in possession of
the information the Department has, without waiting for
a reply from Mr. Hall, which may be delayed on account of
his illness.

Yours faithfully,

James G. Macdonald, General

Indian Affairs. (RG 19, Volume 6148, File 30,896-3)

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1894/04/25

ANNEXE O

An Act respecting the Seignior of Sault Saint-Louis, 23 juillet 1894,
57-58 Victoria, Chap. 25.



57-58 VICTORIA.

CHAP. 25.

An Act respecting the Seignior of Sault Saint Louis.

[Assented to 28rd July, 1894.]

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

1. The Governor in Council may, on such conditions as he deems expedient, and with the consent of the Iroquois Indians of Caughnawaga, accept from the *censitaires* of the seignior of Sault Saint Louis seventy-five per cent of the arrears of rents due by the said *censitaires* on the eleventh day of November, one thousand eight hundred and ninety-two, as payment in full of the said arrears. Payment of
arrears of
rents.

OTTAWA: Printed by SAMUEL EDWARD DAWSON, Law Printer to the Queen's most Excellent Majesty.

1894/07/23

OUR REPLY REFER TO
20,131
FILED TO THE DATE OF THIS LETTER
ADDRESS REPLY TO THE
DEPUTY SPT GENERAL OF INDIAN AFFAIRS
OTTAWA.



Ottawa, 27th July, 1894.

Sir,-

INSTRUCTIONS for the RESURVEY of the
SOUTHERLY & SOUTH-WESTERLY boundaries of the
County
CAUGHNAWAGA Indian Reserve of la Prairie, P.Q.

As it is found desirable to have the out-
line boundaries of the Caughnawaga Indian Reserve fully and
permanently defined, you will proceed at your earliest con-
venience to re-survey the south-western and southerly
boundaries in so far as the latter have not already been
defined. A survey and plan by Mr. Provincial Land Surveyor
Walbank in December, 1880, shows certain lines in the Parishes
of St. Isadore and St. Constant with boundary stones planted
by him which have been accepted by the Department as correct
in so far as they go, the work having been fully performed
according to the deeds of the said lands.

The rear boundaries of the above last men-
tioned lands were never connected by bearings and dis-
tances, which rear boundaries form the southern boundary
of the Caughnawaga Indian Reserve, and with the exception
of a portion of Joseph Le Duc's farm, the side lines of
which were not run on account, as Mr. Walbank says, of the
titles being of too recent a date, the survey
of the side lines in those parishes would be complete.

With reference to the south-westerly boundary or boundaries, great care will have to be exercised, as the said line originally was considered to have been run as a straight line (as shown on various maps), but it may be ^{much} broken on account of many farms which abut against it, and this line may also ^{originally} have been run magnetically and perhaps not with the care of modern surveys.

Great care, therefore, will have to be exercised in dealing with the rear lines of the abutting lots. When you are satisfied as regards their correctness, you will place boundaries of iron, stone or wood, as provided by law, to ensure the permanence of your operations.

You will procure from this Department and from any other source all the information in plans and documents you may deem advisable to ensure correctness.

In view of economy, I would limit your party to five and yourself, and ask you to report weekly as to the expenditure; and when the amount has reached \$400.00 no further expenditure is to be incurred without authority.

When your work is completed you will return to this Department a plan on a scale of ten Gunter chains to the inch, with field notes and description of your operations or a procès verbal.

Your obedient servant,

W.A. Austin Esq., C.E., P.L.S.,

Dept. Indian Affairs,

Ottawa.

Hayter Reed

Deputy Supt. General

of Indian Affairs.

894/09/11

THIS

THIS

I have just been advised by Mr.

..Your obedient servant.

advise me in the matter.

Your obedient servant,

J. H. H. H. H. H.
Deputy Supt. General
of Indian Affairs

A. Brossan Esq.,

Indian Agent,

CAUTIONARY, P.O.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

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1894/09/11

1894/09/11

50896

563

11th Sept.

Dear Sir,-

THE LETTER HAS BEEN SENT

Replying to your private letter of the 8th instant relative to the censitaires' indebtedness to the Department, I would say that in so far as their arrears are concerned I shall direct the Agent not to press them too strongly but endeavour to get it during November and April. But as regards the current year's rental, I fear it would be very injudicious under the circumstances to give them further time owing to the great trouble we have had. I shall confer with the Agent in the matter.

Yours obediently,

L.C. Pelletier Esq., M.P.,

Montreal.

J. A. Hayter

(over)

Indian Affairs. (RG 19, Volume 2148, File 30,896-3)

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1894/09/11

1894/12/11



Coughmanaga,

11th Decr. 1894.

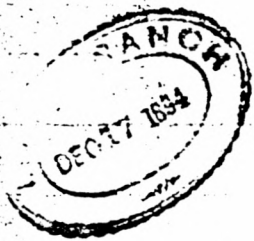
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Deputy Supt General
of Indian Affairs, Ottawa.

Sir:-

I beg to acknowledge the receipt of your letter of the 6th instant, No 30896, respecting the collection of seigniorial rents of the Seigniorie of Saint St. Louis.

In reply I have the honour to inform you that I notified the curates of the Seigniorie of Saint St. Louis at the church doors after service for two Sundays in each parish of the Seigniorie that I would be at St. Constant to receive the seigniorial rents on the 27th and 28th Novr. last, at Le Prairie on the 4th inst. for the curates of the Parish of St. Philippe, and on the 6th inst. at Côte St. Catherine to receive the rents from the curates



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1894/12/11

from that part of the Seignior.

I collected at St. Constant
on the 27th and 28th Nov last
the sum of \$220²⁴/₁₀₀; at
Laprairie on the 4th inst. the
sum of \$13⁴⁵/₁₀₀; and at Cote
St. Antoine on the 6th inst. the
sum of \$5³⁸/₁₀₀; making the
total of collections \$239⁹/₁₀₀.

I shall again notify the
seigniores in a near in order
to induce them to pay forthwith.

I have, &c.,

A. Drosseau,
Agent.

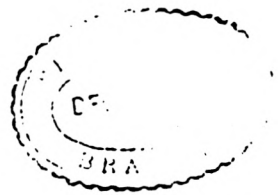
Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

27005-1 1162

Department (19)
of Indian Affairs
Ottawa Dec 12 1894

For the Record
Dept. of the Interior



Dear Sir

Obediently to your request of last evening in accordance with your instructions dated the 27 day of July last.

I proceeded to retrace the ^{original} ~~the~~ Boundary of the Langhamawa Ind. Res. I started from the old established boundary (point A on plan) at the mouth of the Chateaugay River being the North-west corner boundary of the Reserve where a dressed Boundary Stone is placed having upon it "Geo III," a crown the words "Honi sui qui malit ponce" and dated 1762.

Thence I followed a wire fence being the only indication of a line I could find on the ground being aware also that at the South-west corner of the reserve (point B on plan) that there was an original Boundary Stone marking that corner of the original grant of the Reserve.

I continued the line for the purpose of ascertaining the relative position of the point B. aforesaid from the point A. in other words to ascertain the bearing of the direct line between these

1894/12/12

Two

two Boundary stones, two White owners of lands in the Seigneurie of Chateauguay when I was running the line, came and objected but saying that it was not in the correct place and asked me why I had not notified them of my intention of running the line? I informed them that the line I was then running was only a Trial line and that before I established the line I would give them ample notice.

Then having run the Trial line by which I ascertained the positions of the points A. & B. I duly notified them, and also showed them the sketch of the line & where a direct line between A. & B. ~~would~~ would run,

At the appointed time they met me on the ground, and prayed me stop operations and, to ascertain in the Crown Lands Dept. of Quebec if there was not an angle in the original line, for they said that Mr. Walbank had run the line some 14 years ago & that his posts existed on the Pionneau Road & in other places, & that the line was not a straight line connecting the extreme boundaries of the Western limit of the Reserve.

Therefore deemed it under the circumstances advisable to go to Quebec & search the books, but could not find any thing relating to the line in question, with the exception of decision of the Military Council at Montreal in
March

March 22nd 1762. hereto attached.

In the archives there was not even a Plan of the westerly boundary of the Reserve to be found. Mr. Asst. Commr. of Crown Lands of Quebec advised me to inspect the plans in the possession of the Huns who owned the Seignior of Chateauguay, this seignior is of older date than that of St. Louis & the oldest plans ~~that~~ ^{that} they were in possession of, were dated 22nd of May 1816 signed Jean Baptiste Larue and another dated 1827 signed Charles Archambault both of these gentlemen were Provincial Land Surveyors & their plans show that the North-easterly boundary of the Chateauguay Seignior was a straight line lying between the boundary across at the points A & B, aforesaid. The North-easterly boundary of the Chateauguay Seignior is the ^{South} westerly boundary of the Ind. Reserve.

I also interviewed Mr. Surveyor Walbank of whose survey we have never received any returns, he informed me that he ran portions of the line but left the work unfinished as there was so much trouble between himself the Indians & the Whites about the line. but he thought that there was an angle in the boundary line in question.

I would here say that there are indications of an old line having been run in. The

DIAND
Indian Land Registry
Instrument No. 5495-170

(4)

The Blue dotted line in a number of places show where old stone fences had been built before Mr Walbank made any survey these dotted lines are even short of a direct line between the boundaries at A. & B. as can be seen on referring to the Red line on the Plan, the portions of Mr Walbanks line ^{is shown} in black dots were at once taken as the true boundary of the Whites and they moved their fences from the Blue lines (dotted) to the Black dotted lines encroaching on the reserve & now the Whites say that the Dept had that survey made of their own free will and did not consult or notify them & for this reason they deem it unfair that they should be obliged to move their fences again.

I would further respectfully call your attention to the fact the Bearing of the lines of the signaries is N. 45° W. & S. 45° E. astronomically and not on two or three different bearings - although Mr Tache' C. E. D. of Quebec informed me that many of these lines were not originally run correctly, varying as much as (6°) six degrees.

I am of opinion that when the original Boundary stones are in position & that the oldest plans show the line as a direct line between those boundaries the line connecting those boundaries should be a straight line.

5
I would further say that quite
a number of the White settlers do
not object to the change of the line for
they say that they in no wise desire land
that does not belong to them

I have the honour to be

Sir

Yours Obedt Servt

M. J. Austin

(6)

Report of the Surveyor Boundary

With reference to the Survey Boundary of the (Langmanaga Ind. Res. Survey).

I wish to state that I only went there to connect with lines bearings and distances the Boundary stones places along that Boundary by W. R. L. Surveyor Walbank he not having fulfilled the demand of the Department in that respect. Consequently no boundary existed there.

The Boundary stones planted by W. Walbank were ^{positioned} ~~done~~ in accordance to the title deeds of the lands sold to the various White people in Parishes of St. Isidore and St. Constant, he having followed the original lines of the lots that had been run out many years ago. and my particular duty was to connect these Boundary stones aforesaid in the way above mentioned, which would have been comparatively an easy survey if the said B. stones had been left where they were - but many of them were entirely gone which involved a extra amount of labour so that the position of the renewed Stone Boundary should correspond with that of the position of the one placed by W. Walbank.

In some cases since W. R. L. Surveyor's lines had ^{run}

(7)

run over sections of the country & in one place four Boundary Stones were down three had been entirely taken away one was on the ground and having dug up the place where this last mentioned stone was I found the crockery ware that had been placed under it, the soil at this particular spot had been burnt away from 6 to 18 inches deep the other three Boundaries could not be found in any way except by resurvey. I mention this to show you what some of the difficulties were in connection with this survey.

Nearly every where encroachments had been made upon the Indian lands by the Whites and on many of the B. Stones were not taken any notice of whatever some of them I would find chains away from the boundaries of the fields occupied by the Whites and they had been using this surplus land belonging to the Indians ever since 1880 when Mr. Walbank made the survey. In one place I had to change the position of a boundary stone, in which case Mr. W.'s plan & Proctor's belt both showed that he was wrong in placing the stone boundary where he had.

I would further add that I had not much trouble with the White settlers along this Boundary. a number of them asked

Page

one why I had not notified them that I was about to make a new survey? I then informed them that I was not sent to make a new survey but to see how the old Stone Boundaries which Mr. Wal-
bank had placed bounding the reserve had been preserved that my duty was only to retrace ^{which at long last I had done} his survey and not to make a new one.

They afforded me in quite a number of places a great deal of information as regards the position of a number of the Boundaries. I appeared very well satisfied when they fully understood that I was taking the old boundary stones and working from them & not making any changes from the old survey.

It is a well known fact that surveys of boundary lines &c should be examined & if necessary renewed to prevent trespasses which I am sorry to say in the case of this Southern boundary I have been obliged to mention.

The Indians blamed the Whites for encroaching on their Reserve, and the Whites accused the Indians of cutting wood and appropriating it to themselves.

Respectfully Submitted

W. L. Smith

MEMORANDUM.

To

Department of Indian Affairs.

Ottawa.

189

Report. I would like to say that the land
occupied by Indian Members
(J. L. Lue.) long aspiration
of the southern boundary of the reserve
has not as yet been surveyed according
to his title. & knowing that I would have
to return to Caughnawaga & complete the
south-westerly boundary of the reserve
when it would be fully decided by the
Dept. & the Hon. the Com^r of Crown Lands
of Quebec what final action will
be taken as regards ^{the establishment of} that boundary.
The survey of (199) & (200) can then
be made with but little ^{extra} expense &
outlay.

DIAND
Indian Land Registry
Instrument No. 5495-170

DEPARTMENT OF INDIAN AFFAIRS & NORTHERN DEVELOPMENT

REGISTRATION NO. 5495-170

Report of Survey

I certify that the within instrument is
duly entered and registered in the Indian
Land Registry, Department of Indian Affairs
and Northern Development at Ottawa:

AT 9:40..... O'CLOCKA.....M OF THE
.....14..... DAY OF April.....
A.D. 19 71..... NUMBER 5495-170.....
FOR Caughnawaga I.R. NO. 14.....
IN THE PROVINCE OF Quebec.....

Bertha Francis
REGISTRAR

LAND REGISTRY

DIAND
Indian Land Registry
Instrument No. 5495-170

1895/03/04

566

Sir:-

Be kind enough to press for
a decision in the suit of the Government
against Noel Pousmeault in
the matter of his moral rents
of Sault St. Louis.

You do not know whether
this will be better on account
of others that have been settled
without litigation.

Please push this matter
to a conclusion without delay.

Your obedient servant
L. C. Pelletier

Montreal, 4th Mar 1895.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1895/03/04

1895/03/06



Campden, N.B.

6th Mar. 1895.

567

Deputy Supt. Genl. of Indian Affairs,
Ottawa.

Sir:-

I beg to acknowledge the receipt of your letter of the 22^d Feb. last, No. 30896^a, respecting arrears of seigniorial rent, &c.

In reply I beg to inform you with reference to the last paragraph of your letter that according to the law of the Province of Quebec seigniorial rents are a privileged claim on the property; that I am of opinion that a writing by the censitaires and myself tend to diminish the value of the claim of seigniorial rent, & that I believe and that all that should be written on the receipt which I give to the censitaires at the time of payment of such arrears

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
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CANADA

1895/03/06

should be the balance remaining
due

Have, &c.,
A. Grosseau,
Agent.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

THIS LETTER HAS A

Form 1

568

Ottawa 19th June 1895

Sir-

Mr. Ernest Marceau, Superintending Engineer of Quebec Canals, Montreal, has made enquiry in the Department as to whether the Contractors for the Canal at Lachine could obtain permission to use St. Nicholas Island, near Caughnawaga, for the purpose of ^{manufacturing dynamite} ~~storing~~ Dynamite thereon to be used in connection with the ~~Sanct~~ Canal works. I may say that objection has been raised to the storing of this explosive in the neighborhood by the people of Lachine and hence the desire to secure this Island. You will be good enough to report fully in the matter to the Department and whether the Indians would be willing to give a Surrender for the purpose of leasing, and what rental you think should be charged.

Your obedient servant

Deputy Superintendent General
of Indian Affairs-

A. Brosseau, Esq.-
Indian Agent,
Caughnawaga,
Que-

Indian Affairs. (RG 10, Volume 2925, File 190,255)

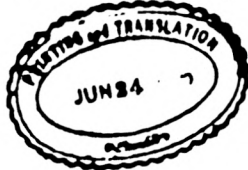
PUBLIC ARCHIVES
ARCHIVES PUBLIQUES

1895/06/19

103226

163093

569



Caughnawaga 21 June 1895

Sir: - I beg to acknowledge the receipt of your letter
 of the 19th inst. relative to St. Nicholas Island near
 Caughnawaga. In reply I beg to say that this island
 belongs to two Monsieur, Indians of Caughnawaga
 who have owned it for many years. It is impossible
 to obtain the consent of Accusant reception de votre
 the Band to the letter du 19 courant à l'égard de l'île
 lease of this island, St. Nicolas près de Caughnawaga etc.
 but we can obtain ^{la réponse} ~~la réponse~~ je vous devrai vous informer
 the consent of ^{actuel} ~~actuel~~ que cette île appartient à deux Indiens de
 the ~~présent~~ Caughnawaga qui la possède depuis un
 owners, if that grand nombre d'années, qu'il n'est pas pro-
 will be sufficient able d'avoir le consentement de la Bande pour
 with the authority louer cette île; mais que nous pouvons
 of the Département obtenir le consentement des propriétaires
 Shan, le. actuelle, si cela suffit avec l'autorité du
 H. Brossier, Département.



Corice

Under circ

Corice

Corice

Corice

Corice

Corice

Deputy Superintendent General
 des Affaires des Sauvages

C.P.

Sir, I don't
 know that
 the island
 is in the
 name of the
 Indians of
 Caughnawaga
 who have
 owned it for
 many years.
 It is impos-
 sible to ob-
 tain the con-
 sent of the
 Band to the
 lease of this
 island, St. Ni-
 cholas near
 Caughnawaga
 etc. but we
 can obtain the
 consent of the
 owners, if that
 will be suffi-
 cient to have
 the consent of
 the Band for
 the lease of
 this island.
 I am, Sir,
 very respectfully,
 Yours,
 H. Brossier

Indian Affairs. (RG 10, Volume 2925, Pile 190,255)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES

1895/06/21

Ottawa 28th June 1895

Sir,

In reply to your enquiry as to whether the Contractors for the Canal at Lachine could obtain permission to use St Nicholas Island near Caughnawaga for the purpose of Manufacturing and stowing Dynamite, I have to inform you that the Department regrets it will be unable to comply with your request. *on account of the unavailability of the island*

Your obedient servant,

Deputy Superintendent General,
of Indian Affairs/

Q-100
Ernest Marceau Esq.,

Superintending Engineer of Quebec Canals
Montreal, P.Q.,

1895/09/20

Translation



571

Campbawaga,
20th Sept. 1895.

Deputy Supt. General of I. A.,
Ottawa.

W^m Sir:-

I beg to acknowledge the receipt of your letter of the 13th inst. No. 30896² relative to my request for a commission on the collection of arrears of rent due to the Seignior of Sault St. Louis.

In reply I beg to inform you that I do not think my request has been properly understood by the Department, because I do not ask for a commission on the collection of the annual rents due by the censitaires of the Seignior, ~~which I know~~ as I know that this comes within the sphere of my duties, for which I receive a salary from the Department, — but for having got into shape the books respecting the censitaires.

Acct
I do not see how we can
of see 51 of C.S. Acct. we can
pay Mr Proprieur any extra
remuneration.

Indian Affairs. (RG 19, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1895/09/20

which had been in a deplorable
state for many years, for which
reason the contractors were
not willing to pay their annual
rent and arrears, - so the collection
of a year's rent some weeks
twenty years and more to other
periods when the collection was
not made annually - which
work I consider extra, a collection
so difficult and full of
responsibility and under the
eye of the Department, and
which I do not think I was
bound to do without remuneration
which at the first I was promised
contingently conditionally upon
the result of the collection.

Yours, &c.

A. Crossman,

Supt.

Indian Affairs. (RG 10, Volume 2112, Page 31, 374-2)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

*Repts. Ottawa
Sept 26th 1895
of Andrew Murray*

Hayter Reed, Esq.,
Deputy Superintendent General
of Indian Affairs.

Sir,

Description
of
Surveys.

I have the honour to report that agreeably to the instructions of yourself, dated 27th July 1894, I on the 6th August proceeded to re-survey the south-westerly boundary of the Caughnawaga Indian Reserve, and also to connect by bearings and distances that portion of the southerly boundary that had boundary stones at the northern termination of the side lines dividing the lots in the Parishes of St. Isidore and St. Constance, placed by Mr. Surveyor Walbank in 1880.

Consent of
the Honourable
the Commis-
sioner of Crown
Lands to make
the survey.

Before entering on a description of my operations, &c., I would premise that with reference to the south-westerly boundary (of the above reserve) it being a main dividing line between the Federal Land (i.e. an Indian Reserve) and land of the Province of Quebec, it was necessary to get the consent of the Honourable the Commissioner of Crown Lands (Act 45 Vic. Chap. 16, Sec. 72, Consolidated Statutes of Quebec), whose consent was obtained by letter of the 7th May 1894, with the proviso that the Surveyor appointed from this Department should be a "sworn land surveyor for the Province of Quebec", with also the express understanding that the operation should not be binding upon the Commissioner of Crown Lands before the work had been inspected and approved of by the Inspector.

1895/09/26.

Inspector of Surveys of that Department.

Started the
Survey.

Having made all necessary arrangements, I went to the North-westerly corner of the Reserve on the 7th of August 1881, and there finding a dressed limestone Boundary (marked Point A on Plan) with cuttings upon it, i.e. a crown "Geo III" and the motto "Honi soit qui mal y pense," with date attached "1782."

From the above mentioned Boundary stone a wire fence has been standing for a number of years, dividing the Indian land from the land of Lot No. one in St. Joachim de Chateauguay. The course of this wire fence pointing in the direction of the original Boundary stone placed as I was informed at the original South-westerly corner of the Reserve (marked "B" on the Plan). I followed the direction of this wire fence and continued so as to find the relative position of the Point "B" to the Point "A" to get a direct line between the original Boundary stones of the reserve.

(mentioned by

the white occupants of lots in Chateauguay.

The white occupants of the lots in the Seigniory of Chateauguay objected to my running the line saying that it was not in its correct place and asked me why I had not notified them in of my intention? I informed them that the line I was then running was only a Trial line and that before I established any line I would give them ample notice.

Notified the

Occupants &c

Then having run the trial line by which I ascertained the position of the Point "B" from "A" I duly notified them and also showed them a sketch of the line and there

a direct line between "A" & "B" would run. The above trial line was run with a theodolite, hubs being driven well into the ground (as in Railway surveys and stakes numbered alongside them) and points taken upon them and then tacks driven and points again taken on the tacks well made surveying flag poles being used and back and fore sights taken throughout and the line well cleared of trees and brush.

Asked to stop operations

At the appointed time they met me on the ground, and prayed me to stop operations and to ascertain in the Crown Lands Department in Quebec if there was not an angle in the original line, for they said that Mr. Walbank had run the line some 14 years ago, and that his posts existed on the Primeau Road and in other places, and that the line was not a straight line connecting the extreme boundaries at the Points "A" & "B" on the South-western limit of the Reserve.

Interviewed Mr. Asst. Commr.

Taché.

I therefore deemed it advisable under the circumstances to proceed to Quebec and interview the Assistant Commissioner of Crown Lands in the matter, knowing that from his long experience in that office he would be able to give substantial information. That gentleman informed me that as regards the above South-west boundary of the Reserve he did not think that there was any plan or document in that Department that would show the line, but kindly said I might have free access to the archives. With the aid of the keeper we made a thorough search and could not find anything relating to the line in question.

With

Data in Crown With the exception of the decision of the Military
lands Archives Court of Field Officers at Montreal held by Order of his
in Quebec Excellency Major General Gage (22 March 1782) between
the Indians as Complainants & Jesuits as Defendants con-
cerning the Land of Sault St. Louis, 1782. -

"Having heard the parties on both sides. We order
"that from the date of these presents, the concessions in
"question be brought into one only concession, under the
"title of Concession of the Iroquois of Sault St. Louis,
"bounding on the one side on the line of the Prairie de la
"Magdalorine Patent, and on the other side on that of
"Chateauguay.

.
" We order that the limits of said Concession of the
"Iroquois of Sault be run as soon as possible by a sworn
"Surveyor and marked by stones being put in the ground
"with His Britannic Majesty's Coat of Arms, and that the
"plan of the figures be left in our office.

Plans of
Chateauguay
Seigniory

Mr. Tache advised me to examine the Plans in posses-
sion of the Grey Sisters who own the seigniory of Chateau-
guay, which I did and find that they hold two plans of
Chateauguay, one dated 22nd. May 1816 signed Jean Baptiste
Barne and the other dated 1827 signed Charles Archambault
Both of these gentlemen were Provincial Land Surveyors,
and their Plans show that the North-easterly boundary of
the Chateauguay Seigniory is a straight line lying even-
ly between the Boundary stones at the points "A" & "E"
aforesaid, and as shown by the Red constant line on Plan
accompanying this report, and that the said North-east

boundary

boundary of the Chateauguay Seigniorie is the South-west boundary of the Seigniorie of Sault St. Louis known as the Caughnawaga Indian reserve.

Further Ex-
tracts.

From- "Pieces et documents relatifs a la Tombe Seigneuraillo." "Chateauguay" (The Seigniorie of) on the South side of the St. Lawrence-----was granted 24th. Sep. 1673. (Sd) Frontenac.

"Sault St. Louis (the Seigniorie of) is on the South side of the St. Lawrence-----confined by the Seignories of Chateauguay, La Prairie de la Madeleine and La Salle-----granted May 29th. 1680 (Sd) Louis-

Old Survey
of boundaries

Brigadier General Huron issued an order in 1763 to have the boundaries surveyed, and in 1765 the boundaries of the Seigniorie were established by J. Baimont and L. Guyer, two sworn Surveyors.

I also interviewed Mr. Surveyor Walbank of whose survey of portions of this line in 1880 we have never received any returns, he informed me that he ran portions of the line but left the work unfinished as there was so much trouble between himself and the Indians and himself and the white settlers about the boundary line, but he was of opinion that there was an angle in the boundary in question.

Old Stone
Fences

I would here say that there are indications of an old line or lines having been run i.e. (The blue broken line or lines in a number of places show where ^{old} stone fences had been built before Mr. Walbank made any survey.)

These

entering the Reserve on that line, also at one mile, a stone boundary with crockery ware under, and a good squared cedar post alongside of it, and at 2 miles, 3 miles and 5 miles iron posts were planted. All these iron posts are 2 inches square (solid) and 3 1/2 feet long, driven to within (6") six inches of the head, with a good ~~xxxx~~ wooden post alongside. A stone boundary with cedar post is also planted at 408.93 1/2 chains, which is the South end of the Indian boundary and besides these there are some 32 cedar and other durable wood posts duly inscribed planted on the red continuous line for accommodation of the white settlers and at their particular request being offsetted from the Trial line with a theodolite at right angles from said Trial line. The bearing of the Trial line as obtained at hub 298.70 3/4 chains from the starting point of survey was N 43° 35' 40" W astronomic with a magnetic variation 13 53' W. The bearing of the corrected line by Acct. i.e. the line on which the posts &c have been planted is N. 43° 54' 40" W. showing a difference of (19') nineteen minutes.

The White settlers while the Trial line was being run made a great deal of trouble about their woods being cut through. And consequently when I brushed out the line between the points "A" & "B" I left the trees standing until the line was finally decided upon only cutting the brush and blazing the trees in the line.

All of which is respectfully submitted.

I have the honour to be,

Your Obedt. Servt

W. G. L. Gusting

Prov. Land Surveyor.

mon

Report of the Southerly Boundary.

With reference to the Southerly Boundary of the
Gaughnawaga Indian Reserve Survey

I beg to state that I only went there to connect
with lines bearings and distances the boundary stones
placed along that boundary by P. L. Surveyor Walbank,
he not having fulfilled the demand of the department
in that respect, and consequently no boundary existed
there.

The boundary stones planted by W. Walbank were posi-
tioned in accordance to the title deeds of the lands
sold to the various white people in Parishes of St.
Isidore and St. Constant, he having followed the original
lines of the lots that had been run out many years ago,
and my particular duty was to connect these boundary
stones aforesaid in the way above mentioned, which would
have been comparatively an easy survey if the said
boundary stones had been left where they were, but many
of them were entirely gone, which involved an extra
amount of labour, so that the position of the renewed
stone boundary should correspond with that of the pos-
tition of the one placed by Mr. Walbank.

In some cases since Mr. Walbank's survey fires had
run over sections of the country, and in one place four
boundary stones were down, three had been entirely taken
away, one was on the ground, and having dug up the place
where this last mentioned stone was I found the crockery
ware that had been placed under it ; the soil at this
particular spot had been burnt away, from 6" to 18"
inches deep, the other three boundaries could not be
found in any way except by re-survey. I mention this

this to shew you what some of the difficulties were in connection with this survey.

Nearly everywhere encroachments had been made upon the Indian lands by the whites, and many of the boundary stones were not taken any notice of whatever. Some of them I would find chains away from the boundaries of the fields occupied by whites, and they had been using this surplus land belonging to the Indians ever since 1880, when Mr. Walbank made the survey. In one place I had to change the position of a boundary stone, in which case Mr. Walbank's plan and Proces Verbel both shewed that he was wrong in placing the stone boundary where he had.

I would further add that I had not much trouble with the white settlers along this boundary, a number of them asked me why I had not notified them that I was about to make a new survey. I then informed them that I was not sent to make a new survey, but to see how the old stone boundaries which Mr. Walbank had placed bounding the Reserve had been preserved, that my duty was only to retrace his survey, and not to make a new one, which explanation appeared to satisfy them, for they afforded me in quite a number of cases a great deal of information as regards the position of a number of the boundaries, and appeared very well satisfied when they fully understood that I was taking the old boundary stones and working from them, and not making any changes from the old survey.

I would here say that the land occupied by Cadastral Numbers (199 and 200) (J. Leduc) being a portion of the southern boundary of the Reserve, has not as yet been ,

been surveyed according to his titles, and knowing that I would have to return to Caughnawaga to complete the south-westerly boundary of the Reserve when it would be fully decided by this department and the Honourable the Commissioner of Crown Lands of Quebec what final action will be taken as regards the establishment of that boundary.

The survey of 199 and 200 can then be made with little extra outlay.

It is a well known fact that surveys of boundary lines, &c., should be examined, and if necessary renewed, to prevent trespass, which I am sorry to say in the case of this southerly boundary I have been obliged to mention.

The Indians blamed the whites for encroaching on their Reserve, and the whites accused the Indians of cutting wood and appropriating it ^{to} themselves.

Respectfully submitted.

A handwritten signature in cursive script, appearing to read "M. C. B. P. L. B.", written in dark ink.

1896/01/16

30,896 - 3



Ottawa, 16th Jan., 1896.

Dear Mr. Pelletier,-

I should be very glad to meet your wishes respecting Mr. Brosseau's being allowed an increased remuneration on account of his work in collecting the arrears due by the censitaires of Sault St. Louis, were it possible for me to do so. Mr. Brosseau has done excellent service, and is certainly deserving of every consideration. Under the law, however, the Department could not allow him any compensation over and above his regular salary without a special appropriation by Parliament and I shall speak to the Minister as soon as possible.

Yours very truly,

L. C. Pelletier

L. C. Pelletier Esq., M.P.,
House of Commons.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1896/01/16

50 090/3-

574
Ottawa 8th May 1896.

THIS LETTER HAS BEEN SENT
Sir,

With reference to your March Return of Rents collected from the Censitaires, I beg to inform you that 99 of the Censitaires have paid all arrears, 40 have paid half, 14 less than half and 39 have not paid any.

I have to request that you will again see the delinquents and endeavour to collect what is due.

With regard to the Pinsonneault case, I might say that it is expected that it will be disposed of very soon by Judge Doherty. When last seen on the subject he stated that he would take up the matter as soon as he possibly could.

Your obedient servant,

(SGD) HAYTER REED
Deputy Superintendent General
of Indian Affairs.

A. Brosseau, Esq.,
Indian Agent,
Caughnawaga,
Que.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1896/05/08

1896/05/16

575

Translation

Cahoonewaga, 16th May, 1896.

Deputy Supt. General of Indian Affairs,
Ottawa.

Sir:-

I have the honour to transmit herewith a complaint from Mr. Noël Pinsonneault, one of the censitaires of the seignior and who has been sued for his seigniorial rent, that the water from the reserve has been doing considerable damage to one part of his property since the fire.

I know that on one part of the reserve — at this place — the land slopes in that direction, and as there are only the natural water-courses that drain the reserve, there is no doubt that this complaint is well founded.

I have, &c.,

A. Brosseau,
Agent.



Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1896/05/16

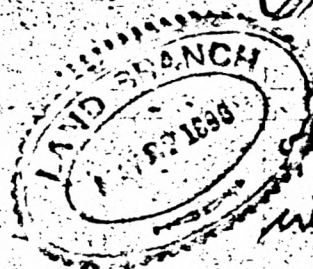
1896/05/23

576

Camp, Winnipeg, 23rd May, 1896.

Deputy Secy. General of A. N.
Ottawa.

Sir:



I beg to acknowledge the receipt
of your letter of the 14th inst., No. 30896³,
with respect to the collection of arrears
of seigniorial rent.

In reply I have the honour to
inform you that recently I met nearly
all the dilatory seigniores; some
of them promised to pay during the
course of next month, while others
are awaiting the result of the Pinsonneau
suit. It is impossible to do any more
at present.

I have, &c.,
A. Brosseau,
Agent.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1896/05/23

577

30 896/2-

17-11

THIS LETTER HAS BEEN SENT

Ottawa 4th July 1896-

Sir-

144
In reply to your letter of the 2nd Instant, stating that Mr. Justice Doherty has given an adverse decision in the Pincomeault case to the effect that the Provincial authorities of Quebec and not the Dominion have the collection of the rents due by the Censitaires in the Seigneurie of Sault St. Louis, I have to inform you that, as the judgment rendered is of such importance to this Department ^{the Superintendent} ~~that I consider~~ the case should be at once appealed and I have, therefore, to request that you will be good enough to cause the necessary steps to be taken with this object in view.

Your obedient servant

(SGD) HAYTER REED

Deputy Superintendent General
of Indian Affairs-

144
E.L. Newcombe, Esq-

Deputy Minister of Justice-

Ottawa-

Indian Affairs. (EG 10, Volume 22.8, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1896/07/04

80 690/3-

1002

578

THIS LETTER HAS BEEN SENT

Ottawa 6th July 1896-

Sir-

I beg to inform you that this Department has been advised by the Department of Justice that Mr. Justice Doherty has given an adverse decision in the Pinsonneault case to the effect that the Provincial Authorities of Quebec, and not the Dominion, have the collection of the rents due by the Censitaires of the Seigneurie of Sault St. Louis, although he admits that the Province has no interest in the matter and would probably have to account to the Dominion for any collections made. Instructions however, have been given by the Superintendent General for the appeal of this case and, in the meantime, I should like if you would make a special effort to collect the arrears due, informing the Censitaires that, of course, they will ultimately have to pay and, if they do so at once, they ^{will} ^{stand} be able to participate in the reductions offered.

Your obedient servant

Geo HAYTER REED

Deputy Superintendent General
of Indian Affairs-

A. Brossan, Esq-

Indian Agent,

Chapmanville,

P.Q.-

Indian Affairs. (E 19, Volume 2148, File 30, 896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1896/07/06

579

60 Victoria.

Sessional Papers (No. 14.)

A. 1897

DOMINION OF CANADA

ANNUAL REPORT

OF THE

DEPARTMENT OF INDIAN AFFAIRS

FOR THE

YEAR ENDED 30th JUNE

1896

PRINTED BY ORDER OF PARLIAMENT



OTTAWA

PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST
EXCELLENT MAJESTY

1897

[No. 14—1897.]

1896/08/29

PROVINCE OF QUEBEC,
IROQUOIS OF CAUGHNAWAGA,
CAUGHNAWAGA, 29th August, 1896.

The Honourable
The Superintendent General of Indian Affairs,
Ottawa.

SIR,—I have the honour to submit my report for the year ended 30th June last in regard to the agency of the Iroquois of Caughnawaga, also tabular statement respecting the affairs of the tribe.

Area of Caughnawaga Reserve.—This reserve has an area of twelve thousand acres, of which four thousand four hundred are under cultivation, about four thousand in timber and the remainder in underbrush. Most of the soil on the reserve is of good quality.

Resources.—The resources of the reserve consist of agriculture and quarrying stone.

Tribe or Nation.—These Indians belong to the Iroquois tribe.

Vital Statistics.—There are on the reserve four hundred and sixty-six men, four hundred and sixty-five women, and nine hundred and fifty-eight children under twenty-one years of age. There have been eighty-seven births and sixty-six deaths during the year. The decrease in the population this year compared with last year is owing to the fact that some families that had been absent for some time were entered in the census as temporarily absent, but this year I had to deduct their names on account of their prolonged absence. There has not been any remarkable emigration during the year.

Sanitary Condition.—The sanitary condition of the tribe has been pretty good, as a result of the precautions prescribed by the board of health having been attended to. There has been no epidemic on the reserve.

Occupation.—Some of the Indians engage in farming, others take rafts down the rapids; others, again, act as pilots in running the rapids. Some of them sell medicine in the United States and elsewhere and engage in various occupations: work on barges, in the manufacture of lacrosse and snow-shoes, etc.

Buildings.—The buildings of the Indians in the village and on the farms are very suitable for the care of their stock.

Farming Implements.—Nearly all the Indians are provided with farming implements.

Education.—On this reserve there are four hundred and twelve children of school age. Of this number about two hundred attend school very irregularly. Only very little progress is made by most of them. There are two Roman Catholic schools—one for the boys, with a master, and one for the girls, with a mistress and assistant.

There is a Methodist school for boys and girls, with a master. The pupils in the Roman Catholic schools are at present being taught in standard IV. The equipment of the schools is satisfactory. The discipline and order in the Roman Catholic schools are good. For the most part the parents do not seem to take much interest in the education of their children, and do not send them regularly to school.

Religion.—There are on the reserve one thousand eight hundred and sixty-two Roman Catholics, two missionaries and one Roman Catholic church; and twenty-seven Methodists, with a clergyman and a school-house used as a church. The Indians take great interest in their religion.

Characteristics and Progress.—These Indians are industrious, but all the same they do not appear to make much progress in material welfare.

Temperance and Morality.—There certainly has not been any progressive movement in temperance, but the morality of the tribe has improved.

condition, and the Indians are quiet.

I have, &c.,

A. BROSEAU,
Indian Agent.

PROVINCE OF QUEBEC,
IROQUOIS OF ST. REGIS,
ST. REGIS, 29th July, 1896.

The Honourable
The Superintendent General of Indian Affairs,
Ottawa.

SIR,—I have the honour to transmit my report and tabular statement for the year ended the 30th June, 1896.

Location.—The St. Regis Reserve is in the township of Dundee, Huntingdon county.

Area.—It contains an area of four thousand eight hundred and sixty-nine acres.

Tribe or Nation.—The Indians of this band are Iroquois.

Vital Statistics.—This band has a population of one thousand two hundred and fifty-four, consisting of four hundred and four men, three hundred and fifty-nine women, and four hundred and ninety-one children. The number of births during the year was thirty-eight, deaths twenty, immigrations seven and emigrations two; increase, twenty-three. The immigrations and emigrations have been the result of marriage.

Health and Sanitary Condition.—The Indians mostly die from lung disease. There are frequently cases of whooping cough, measles or chicken-pox among the children. As a rule the Indians keep their premises quite neat and clean.

The vaccination has not been a success, as they are opposed to it.

Occupation.—Basket making, lacrosse-making, hunting, fishing, acting as guides to tourists. Farming in general is in fair progress, improving gradually from year to year.

Buildings, Stock, Farming Implements, &c.—They are still improving their houses and outbuildings. Their principal stock is horses and cattle; no sheep. They are inclined to take more interest in horses than in cows, which I consider is not to their benefit. As to farming implements of all kinds, they are well supplied.

Education.—The number of children of school age is two hundred and eighty-seven, number of schools five, four Roman Catholic and one Protestant; well located for convenience. Grade of teachers, elementary course of studies taught: first, second and third grades. Equipment of schools, good. Discipline and order, fair. Progress of pupils, not satisfactory owing to the lack of interest taken by the parents in sending, consequently progress cannot be expected, for the following reasons: first—they have to learn the English language, which requires years; second—one day at school and three days out of school is not of much use; third—when in school they are taught in English; when out of school they return to their native tongue; fourth—there are children of school age and over that never have attended school.

Religion.—Roman Catholics, one thousand one hundred and sixteen; missionary, Rev. M. Mainville. Methodists, one hundred and thirty-eight; Rev. E. Tennant, residence, Cornwall, Ont. Two churches—one Roman Catholic and one Protestant. The Indians appear to be sincere in their religious belief.

37230-3-18 Vol 2

580

to His Honor
The Commissioner of Crown Lands
Quebec

Sir

Separate

I have the honor to transmit ^{herewith}, my plan report ^{and account} of inspection survey of the division line between the Seigniories of Chateaugay and Sault St. Louis (Caughnawaga Indian Reserve) made under instructions dated Quebec November 2 1896. I also include a copy of a process verbal by Mr. Archambault P. L. Surveyor made in 1815, which I obtained from Mr. Walbank P. L. S. of Montreal. I have the honor to be

Sir

Your most obedient servant

J. H. Sullivan

Commissioner & P. L. Surveyor

Quebec

December 11, 1896.

3 P. L. I also return plan & field notes
re. &c. by Mr. Austin
J. H. S.

1896/12/11

TO THE HONOURABLE

THE COMMISSIONER OF CROWN LANDS,

QUEBEC.

In conformity with your Instructions regarding the inspection of the line run by Mr. Austin P. L. Surveyor, between the Indian Reserve of Caughnawaga, and the Seigniorv of Chateaugay, dated the Second Ultimo L. L. 11480/95 & 112286/96: I have the honor to report as follows:-

In compliance with the request, contained in said Instructions, I wrote to Mr. Havter Reed, Deputy Superintendent General of Indian Affairs at Ottawa, appointing Wednesday the Eleventh day of November last, to commence my inspection of the line, if that date would suit Mr. Austin, and if not, that we might appoint some other date. Mr. Reed replied that Mr. Austin was confined to the house, and that I might go on with the inspection without him.

I also wrote to the Secretary Treasurer of the parish of St. Joachim de Chateaugay, to publish at the Churches on the Sunday following, that I was going to inspect the line run by Mr. Austin, and that if any of the proprietors of land abutting the Indian Reserve had any remarks to make about the said line, I would note and take due account of what they

had to say.

On the day appointed I met Mr. Robert Jack, Jerome Dupont, William Watt, Joseph Dupont, J. Bte. Lefebvre, I. Bte. Laberge, Andrew Lang and James Hamilton, all proprietors of land abutting the Reserve.

We adjourned to Mr. Laberge's hotel, in the village of Chateauguay, where I showed them the plans sent me, and explained to them my instructions regarding the inspection of the line.

They all, without exception, objected to the line as laid down by Mr. Austin, and assured me that all the landholders abutting the Reserve, who were not present, were of the same opinion, and that none of them would accept it.

They said,--Some sixteen years ago, Mr. Molea Walbank was sent by the Indian Department to survey the Reserve, and that he then traced out the original line from the boundaries at the river and old marks that were then plainly visible, and assured them he had reestablished the original line, and that they need not fear that it would ever be altered. This line, they say, they have always maintained and made their fences and ditches on, and they will never agree to its being altered. They complain bitterly of the Indians as neighbors, and say they can never get them to do any joint work, but on the con-

DIAND
Indian Land Registry
Instrument No. 5496-170D

trary they tear down the fences and pillage the best timber. They also say that the Department at Ottawa encourage, or listen too much to their protegés.

After getting what information I could from these people, I went and inspected the line, as far as the Primeau road, and found Mr. Austin's line straight, that is to say, his trial line, and the offsets agreeing with his ^{field} notes.

I then wrote to Mr. Walbank for any information he could give me in the matter. That gentleman answered me that if I would call at his office in Montreal, he would show me his plans and give me all the information he could. On the 24th Ultimo I went to Mr. Walbank's office, when he showed me his plans and gave me the copy of the proces-verbal made by Mr. Archambault in 1815, which I herewith transmit. He told me that when he made the survey of the Reserve, he found the two boundary stones in front, standing, and several old marks along the line, and ran by them straight to the Primeau road, finding there was originally an angle in the line there, that he ran a straight line, from the rear boundary, to the line he had run from the river to the Primeau road.

I am myself of the opinion that Mr. Walbank's statement about there being an angle in the original line at the Primeau

as shown, as shown in the original plan when I made the survey in 1878.

I have however seen, as shown in Mr. Austin's notes, where are traces of an old fence, and in one place a ditch, which I was told was considered to be on, or about, the original line, those marks are a little to the west of the line run by Mr. Walbank, on that part of it from the St. Marguerite road to the rear or South East.

I then completed the tracing out of Mr. Austin's trial line as far as the St. Regis brook, and across to the extreme South Eastern boundary, but I could find no traces of the boundary shown at dist. 418chs. by Mr. Austin, nor could I find any iron post at the Primeau road. There are now no traces of the work done by Mr. Austin in the cleared land, the line of offset posts cannot be traced out on account of its not having been cleared, and many of the posts he mentions have now disappeared and there are none to be found in the clearance. The boundary stone on the left bank of the St. Regis brook has been moved away from where it originally was placed and is lying up by the road, therefore it is of no use in giving the direction of the original line.

During the course of my operations, I consulted with Mr. Seers A lawyer of Beauharnois, and former director of the Cad

share of the district: who is proprietor of no. 160 of the
Cadastral plan of Chateauguay, which is bounded in rear by
the line in question.

That gentleman said to me, -

"The Dominion Government some sixteen years ago, sent Mr.
Walbank to make a survey of the reserve - he appears to have
made a very accurate survey, and traced out the original lat-
eral lines very correctly, from bearings and traces of the
line then existing, which may since have disappeared. He as-
sured me he had traced out this line as carefully as possible
from the boundaries in front which were then standing. We
then accepted his work as final. And will it be supposed that
we are now to move our fences and ditches on to another line,
which the same Government chooses to have run by a Surveyor
who adopts a method which is contrary to law and custom, in
the province? As it is well known that the proper method
would have been to have traced out the original line from
any traces to be found, as Mr. Walbank did instead of joining
the extreme boundaries by a straight line." "Supposing," he
said, "The straight line joining the boundaries he took, had
cut off a much greater quantity of land than it does, on one
side or the other from the original lateral line, would it
not have been a loss to the reserve?"

sent case? And as to the argument that the line is shown as a straight line on the old plans, are such lines not generally, if not always, found straight on plans? Yet how few of them are found straight as laid down on the ground.

In concluding, I would say that if the Seigniory of Chateauguay belonged to the province of Quebec and the farms not sold, I would advise the adoption of the line recommended by Mr. Austin, since it is a straight line, differing so little from the old marks of the line that can now be seen. But, under the present circumstances I consider it would be an injustice to the farmers, were they obliged to change their fences and ditches. And since the Seigniory of Chateauguay pays rent to the Sisters of Providence, and the farmers are the real proprietors of the land, I cannot see how the Quebec Government can interfere in a herbage any farther than as mentioned by Mr. Austin in his report.

I transmit herewith a tracing showing where I found posts and where the side lines run up to Mr. Walkank's line.

The whole humbly submitted by,

Your most obedient servant,

Quebec, December 11th 1896.

J. H. Sullivan
S. J. P. L. Sullivan

Les Seigneurs de la Seigneurie de Chateauguay ont été informés par le Ministre des Terres et des Mines, le 18 mai 1899, que le Gouvernement du Canada a l'intention de vendre la Seigneurie de Chateauguay.

1897

1897

581

TO

JOHN B. HALL

RE SEIGNIORY SAULT ST. LOUIS.

1897	Mar. 28	Letter to Deputy Minister of Justice that Pinsonneault's case was the only one outstanding and that the Attorney General for Quebec had asked for delay to consider position	12.00
	Apr. 25	Letter to Messrs. Faillon and Co. that we were anxious to proceed with case	1.00
	Oct. 20	Letter to Mr. Geoffrion with inscription for Enquete & Moritz, and as to proceeding with case	1.00
		The like letter to Mr. Lamotte	1.00
1898	Mar. 1	Letter to Mr. Geoffrion as Attorney of Record that case was fixed for 15th inst., when I hoped he would be ready to proceed	2.00
		Letter to Mr. Lamotte to same effect	1.00
	4	Attendance at Court on motion for substitution of Intervenant's Attorney	2.00
	13	Preparing for argument, examining papers &c., Attendance at Court on argument of case	10.00
	16	Letter to Deputy Minister of Justice in reply that case was now on deliberation before Mr. Justice Gauthier	1.00
	Apr. 4	Making special fixture for Judge - typewriting same in duplicate	25.00
	5	Letter to Mr. Lamotte with Court Record and admissions to be signed and returned	5.00
	13	Letter to Mr. Lamotte to return admissions	1.00
	May 28	Letter to Mr. Brodeur, Indian Agent, Laprairie, asking him to bring in original seigniorial map to enable me to identify properties held by Pinsonneault	1.00
	28	Interview with Mr. Brodeur - going carefully over seigniorial maps and Cadastre Plan to verify lots held by Pinsonneault	8.00
		Preparing memorandum showing number of lots on Terrier and Cadastre	2.00
		Letter to Mr. Lamotte therewith	1.00

Forward

Indian Affairs. (RG 10, Volume 218, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1897/00/00

	Expt. Forward	2.00
June 12	Letter to Mr. Lamthe with admissions to be agreed upon by all parties	1.00
	Interview with Mr. Lamthe discussing do and obtaining his assent thereto	2.00
	Letter to Mr. MacMillan with admissions as agreed upon with Mr. Lamthe	2.00
20	Letter to Mr. Justice Doherty with factum and memo thereon	2.00
	Letter to Mr. MacMillan asking him to send in his factum	1.50
	The like letter to Mr. Lamthe	1.50
July 5	Letter to Deputy Minister of Justice in reply that same was 'en delibera' before Mr. Justice Doherty, but that judgment would not be given before vacation	5.00
1898 Jan. 27	Letter to Deputy Minister of Justice reporting as to chances of delivery of judgment	1.50
Mar. 25	Attendance at Court and interview with Judge Doherty re delivery of judgment herein, and for rehearing in Chambers	10.00
	Letter to Deputy Minister of Justice reporting interview	2.00
June 30	Attendance at Court on rendering of judgment in favor of Attorney General of Quebec - taking notes	5.00
	Letter to Deputy Minister of Justice reporting judgment and advising appeal	2.00
July 12	Letter to Deputy Minister of Justice acknowledging instructions to take an appeal in this matter	2.00
29	Attendance at prothonotary's office and office of Clerk of Appeals with respect to lodging appeal	3.00
Aug. 6	Attendance at Court with respect to not giving security on appeal	2.00
Sept 11	Letter to Mr. MacMillan with appeal record and asking him to be ready to argue case this term	1.50
25	Preparing on argument and attendance at Court of Queen's Bench arguing appeal	10.61
1897 Jan. 20	Attendance at Court of Queen's Bench on delivery of judgment in Appeal respecting judgment of Judge Doherty	5.00

Forward

Indian Affairs. (R 19, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Brot. Forward 131.00

1897

Jan. 20

Letter to Deputy Minister of Justice reporting judgment and sending copies of draft judgment 62.00

25

Interview with Mr. Bisailon as to probability of the province of Quebec taking case to Privy Council 2.00

Letter to Deputy Minister of Justice acknowledging instructions, and reporting interview with Mr. Bisailon 2.00

Letter to Mr. Lamothe requesting that in view of decision of Court of Appeal, he either pay arrears of rent or file plan 2.00

25

Letter to Deputy Minister of Justice with corrected copy of judgment in appeal and thereon 2.00

Mar 3

Letter to Mr. Lamothe for plan 1.50

Letter to Mr. Bisailon for his decision as to appealing 1.50

15

Letter to Deputy Minister of Justice that Attorneys for the Province of Quebec had given notice of motion for leave to extend time to furnish security for one month - delay having expired - and asking for instructions 2.00

17

Attendance at Court on motion for additional delay, when Province of Quebec was allowed further delay of two months to put in security for appeal 2.00

Letter to Deputy Minister of Justice acknowledging telegram instructing me not to oppose above motion, and informing him of result of motion 2.00

19

Letter to Deputy Minister of Justice acknowledging receipt of letter informing me that proceedings in appeal to Privy Council (if any) would be conducted by Department of Justice 2.00

Apr 20

Long letter to Deputy Minister of Justice in reply recapitulating facts, &c., and with reference to suggestion by Province of Quebec that the Dominion should pass an Order-in-Council recognizing the right of the Province to the ~~same~~ ownership of the seigniorial rents, subject to the usufruct and enjoyment of the Seignior by the Indians whilst remaining there, but that Dominion was entitled to administer seignior and collect rents, and advising that such Order would be in accordance with opinion expressed by Court of Appeal 25.00

152.00

A. L. stenographer for copy of judgment of Court of Quebec March 1907

I hereby certify that I have examined this copy and found it correct and true to the original.

of 185.00

D. J. M. O. J. M. O.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1896.
Déchéne
&
Dussault.
Lacoste, J.C.

A quelque point de rue que l'on se place, je crois que cette cour devrait déclarer que la participation du défendeur au contrat illicite, par elle seule, ne le prive pas de ses droits de défense, et, appliquant ces règles à la cause actuelle, je suis d'opinion d'accorder l'appel avec dépens.

Jugement infirmé, Blanchet, J., *diss.*

T. E. Bédard, C.R., procureur des appelants.

F. X. Drouin, C.R., procureur de l'intimé.

(W.C.L.)

MONTREAL, 20 January, 1897.

Coram SIR ALEXANDRE LACOSTE, C.J., BOSSÉ, BLANCHET,
HALL and WURTELE, JJ.

THE HONORABLE SIR OLIVER MOWAT, Attorney-General for the Dominion of Canada (plaintiff by continuance in the court below), appellant, & THE HONORABLE THOMAS CHASE CASGRAIN, Attorney-General for the Province of Quebec (intervenant by continuance in the court below), respondent, & NOEL PINSONNEAULT, defendant.

Constitutional law—Indian lands—Seignior of Sault St. Louis.

HELD:—1. The distribution of powers contained in sections 91 and 92 of the British North America Act, 1867, not only divides the legislative powers between the Parliament of the Dominion and the Legislatures of the Provinces, but it also defines their respective administrative powers and functions whenever the subjects mentioned are capable of being administered by a government.

2. By paragraph 24 of section 91, the government of the Dominion is entrusted and charged with the care and supervision of the Indians and with the control and administration of the property appropriated for their use.

3. Section 109 of the British North America Act, 1867, assigns all lands vested in the Crown to the government of the province in which they are situated, but does so subject "to any trusts existing in respect thereof and to any interest other than that of the province in the same."

4. The Seignior of Sault St. Louis was granted for the use and habitation of the Iroquois Indians and the soil is vested in the Crown, but subject to the enjoyment or usufruct of the Indians.

5. The naked ownership therefore belongs to the Province of Quebec within which the Seigniorship is situated, but the control and administration of the Indians' usufruct is entrusted and appertains to the government of the Dominion.

6. The suit for the recovery of the arrears of rent due by the defendant was therefore properly brought by the Attorney-General of the Dominion.

1897.
Mowat,
Atty.-Gen.
&
Casgrain,
Atty.-Gen.

The appeal was from a judgment of the Superior Court Montreal, Doherty, J., 30th June, 1896, and the formal judgment of the Court was as follows:—

"The Court having taken communication of the *facta* submitted by the parties, plaintiff and intervenant, respectively, upon the merits of the intervention of intervenant, and the contestation thereof by plaintiff, examined the proceedings and proof of record, and deliberated:

"Whereas plaintiff in his quality of Minister of Justice and Attorney-General of Her Majesty the Queen for the Dominion of Canada, now represented by the plaintiff *par reprise d'instance*, (his successor in the said office) by his action seeks to have certain lots of land situate in the Seigniorship of Sault St. Louis, in the parish of St. Constant, in the County of Laprairie, and known as numbers 177, 180, 233, 150, and 245, of the plan and book of reference of said Seigniorship, whereof he alleges defendant is in possession as proprietor, declared affected in favor of Her Majesty for the payment of a yearly rental of \$8.80, payable by privilege, and defendant ordered to abandon the same unless he prefer to pay an annual rental of \$8.80, for the past 30 years, amounting to \$264, and pass a *titre-nouvel* at his own expense, in favor of Her Majesty, binding himself to pay said rental for the future, he further alleging that said Seigniorship and the lands therein, appertain to and are held by Her Majesty the Queen, the Crown in trust, and to be administered for the tribe of Indians known as the Iroquois Indians, and such Indians as may join them upon the Caughnawaga Reserve, and that the Government of the Dominion of Canada acts for and represents and has full control for Her Majesty, of matters

SEIGNIORSHIP
DUES.

1897.
Mowat,
Atty.-Gen.
&
Casgrain.
Atty.-Gen.

relating to Indians, and lands reserved for Indians as proprietor and Seigneur of the said Seigniory of Sault St. Louis ;

" That there is due on said lands a yearly seigniorial rent of \$8.80, which has not been paid for a period exceeding thirty years ; that the defendant holds said lands under titles, recognizing the rights of the Crown, as aforesaid, his *auteurs* having by two *titres-nouveaux* of dates respectively the 30th July, and 8th August, 1823, in favour respectively of Alexis Ménard, and Joseph Pinsonneault, promised to pay to the Crown a certain yearly rental, now fixed under the schedule duly prepared and published by the Seigniorial Commissioners at the sum of \$8.80 per annum, for the whole of said lots ; that in said *titres-nouveaux* and in other deeds, it was erroneously stated that the said lands formerly formed part of the estates belonging to the religious order of Jesuits, but said property never did so belong, but was originally ceded in favor of and for the use and benefit of the said Iroquois Indians, and since 1762 has been held and administered by the Crown, in trust for said Indians, and defendant has so admitted, and has up to 30 years ago, paid to Her Majesty the obligations under said titles, and subsequently the seigniorial rents provided by the Seigniorial Act of 1854 ;

" Whereas intervenant in his quality of Attorney-General of Her Majesty for the Province of Quebec, now represented by the intervenant *par reprise d'instance*, his successor in said office, intervenes, by his petition in intervention, as amended by leave of the Court, alleging that, as appears by the declaration and the *titres-nouveaux* therein recited and therewith produced as exhibits, the defendant is indebted to Her Majesty in the sum of \$264, under authentic deeds passed in 1828 ; that it appears also by said exhibits, that the lands for which said sum is claimed, as seigniorial rents, are situate in the Seigniory of Sault St. Louis, and heretofore formed part of the property of the order of Jesuits in this Province ; that under the British North America Act, the Seigniorial rents of said

Seigniorship belong to the Province of Quebec, and can only be claimed by intervenant; that assuming said Seigniorship not to belong to the Province but to form part of the property of the Indians, the sum claimed cannot be so claimed by plaintiff, but by intervenant,—the Provincial Government, under the terms of the British North America Act, having alone the administration and control of the *cens et rentes* which may accrue in the said Seigniorship, which Seigniorship, even were it the property of the Indians, would nevertheless be held in trust by the said Province, and the Government of the Dominion has no control in the said property; that it is true that, under the British North America Act the Government of the Dominion has power to legislate concerning Indians and Indian reserves, but that it is not true that said Government has the administration of the properties reserved for Indians—and intervenant in consequence concludes that it be declared that the sum claimed is not the property or under the control of the Federal Government, but belongs to the Province of Quebec, subject to any trust attaching to said Seigniorship, and that defendant be condemned to pay the same to him;

“Whereas plaintiff contests said intervention, reiterating the allegation of his declaration, that the lands in question formed no part of any property that ever belonged to the Jesuit order, and reciting in support of said assertion the original deeds of concession of the land in question, granted in 1680, by the king of France; a judgment of General Gage and his military council, of date 22nd March, 1760, and the fact that in said judgment, which declared the lands in question as forming part of a larger extent of land in said deeds referred to, and described to have been conceded to the Iroquois Indians, and not to the Rev. Fathers of the Society of Jesus, the latter acquiesced, and that in no list of their properties made by said Rev. Fathers, or by public authority, were said lands included; that by said judgment it was ordered that as regards any portion of said lands conceded

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by the said Rev. Fathers of the Society of Jesus prior to said judgment, the *cessionnaires* should not be disturbed, provided they appeared before the proper authorities, and executed *titres-nouveaux*, and that the revenues of the lands so conceded should be received by Her Majesty for the benefit of said Indians ; plaintiff further, by said answer alleges that under the provisions of the Act, 18 Victoria, chapter 3, the conceded portion of the lands granted under the original deeds above referred to, was included as coming under said Act, and styled the Seignior of Sault St. Louis, and the balance of the territory remains as an Indian Reserve, known as the Caughnawanga Indian Reserve ; that of said conceded portion of said territory a schedule and Seigniorial cadastre was duly made and published, showing the amounts that would be due by the various *cessionnaires* under the terms of the Seigniorial Act, which cadastre and schedule was made and proclaimed, and came into force on the 17th December, 1860 ; that from 1762 to 1830 the management and administration of Indians and of Indian affairs, including the lands and rents thereof, were under the control of, and vested in, the Governor-General for Canada, or Lower Canada, for the time being, and thereafter the same was transferred to the Governments of the respective Provinces of Upper and Lower Canada until Confederation, since which time the Government of Canada has control of Indians and Indian affairs, and said rents have been by said Government collected ; that under the B. N. A. Act of 1867, all matters respecting Indians, and lands reserved for Indians come within the jurisdiction, control and legislation of the Government of Canada ; that the rents in question are rents and revenues on the property belonging to the Indians, reserved for them and to be administered by the Government of Canada for their behalf, and that intervenant and the Province of Quebec have no right or authority to claim or collect said rents, or anything to do with them, or any powers of administration in respect thereof ;

"Considering that the rents claimed by plaintiff's action, and to enforce payment whereof said action is brought, are so claimed under deeds executed by defendant's *auteurs* in favor of Her Majesty in 1828, and that for whosoever benefit or subject to whatsoever trust Her Majesty in virtue of said deeds collected said rents prior to Confederation, the same continued and were at the time of Confederation moneys payable to the Government of the heretofore Province of Canada, for lands situate in the now Province of Quebec;

"Seeing section 109 of the B. N. A. Act;

"Considering that under said section of said Act all sums of money then (to wit: at the time of Confederation) due or payable to the then Province of Canada, for lands situate in the now Province of Quebec, belong to the Province of Quebec, subject to any trusts existing in respect thereof, and to any interest other than that of the Province therein;

"Considering that, assuming the lands for which the rents now in question are owing, to have originally been conceded to the Iroquois Indians, as contended for by plaintiff, and said rents to have been at the time of and prior to Confederation, payable to the then Province of Canada in trust for and for the benefit of the said Iroquois Indians—the said rents were nevertheless subject to said section 109, as being money payable to said heretofore Province, and as such passed to and belong to the Province of Quebec, subject to such trust for, and to any interest therein of said Indians;

"Considering that the dispositions of said B. N. A. Act (sec. 19, 324) vesting in the Parli. of Canada the exclusive legislative authority in all matters concerning Indians, and lands reserved for Indians, had not the effect of vesting in the Dominion of Canada, or the Government thereof, the ownership of any lands situate in the Province of Quebec, or the right to receive any moneys payable to the heretofore Province of Canada, for lands situate in the said Province of Quebec—even though said.

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moneys may have been payable to said heretofore Province in trust for or for the benefit of Indians ;

" Considering that the existence of any such trust would merely have the effect of subjecting the Province of Quebec, to whom the money, subject thereto, became payable under the section (109) above mentioned, to the obligation of fulfilling said trust, and paying over or accounting for said moneys, to the beneficiaries thereunder or to their lawful representative,—but that the same would not affect the right of said Province of Quebec to collect the same, nor confer upon the Government of Canada any right to collect the same from the debtors thereof :

" Considering that the intervention of the intervenant is well founded :

" Doth maintain the said intervention and doth declare that any sum that may be due by defendant for the reasons set forth in plaintiff's demand, is not the property nor under the control of the Government of the Dominion, but belongs to the Province of Quebec, subject to any trust that may attach to the said *Seigneurie* of Sault St. Louis, and doth reserve to pronounce upon the demand of intervenant for a condemnation against defendant, until the latter shall have pleaded to or been duly foreclosed from pleading to said demand."

WURTELE, J. :—

The defendant in this cause, Noel Pinsonneault, is the owner of certain lands situated in the Seigniorie of Sault St. Louis, which are subject, under the cadastre made by the Seigniorial Commissioner, to the payment of constituted rents representing the *cens et rentes* with which they were formerly charged. The Seigniorie of Sault St. Louis is in possession of the Tribe of Iroquois Indians, and their village is built on a part of the unconceded portion.

A suit has been instituted by the Attorney-General of the Dominion, against Noel Pinsonneault, for thirty years'

arrears of the constituted rents with which his lands are charged; he alleges that the Seigniorship is held by the Crown in trust for the Iroquois Indians and that the Government of the Dominion, which has the administration and control of all matters relating to Indians and of all lands reserved for them, has the right to sue for and collect the arrears of the rents in question. The Attorney-General for the Province of Quebec, has intervened in the cause and alleges that under the provisions of the Union Act of 1867, the Seigniorship of Sault St. Louis is vested in the Crown, represented, not by the Government of the Dominion, but by that of the Province of Quebec, and that the latter alone has the right to sue for and recover the arrears of the rents in question, subject, however, to the trust in favor of the Iroquois Indians, and he therefore prays that it should be declared that the arrears in question neither belong to nor are under the control of the Federal Government, but that they belong to and are under the control of the Province of Quebec, subject to the trust in favor of the Indians, and that the defendant should be condemned to pay such arrears to the Provincial Government. The defendant thereon declared that he was ready to abide by the judgment of the Court, and reserved the right to produce a plea of payment and compensation after the decision of the question raised by the intervention.

The Superior Court has maintained the pretensions of the Provincial Government, and the Government of the Dominion now appeals from this decision.

The Iroquois Indians, before 1680, were in the spiritual charge of the Jesuit Fathers and had been settled on lands situated in the Seigniorship of Laprairie. As these lands were swampy and undesirable, the Indians were dissatisfied with them and threatened to leave the locality. In order to retain them within the sphere of civilization, and to keep them under the spiritual charge of the Jesuit Fathers, Louis XIV, by letters patent of the 29th May, 1680, granted to the Jesuit Fathers a tract of

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land containing two leagues in front on the River St. Lawrence, adjoining the Seigniorship of Laprairie, for the habitation and use of the Iroquois Indians, but with the condition that the land contained in such grant would revert to the Crown if the Indians should ever abandon it. Later on, another tract of land containing one league and a half in front, lying between the first grant and the Seigniorship of Chateaugay, was granted to the Jesuit Fathers by Louis de Buade, then the Governor of Canada, by letters patent of the 31st October, 1680, for the same purpose and on the same condition as the first grant. The Indians established their village on the land contained in the second grant and afterwards the Jesuit Fathers conceded, under the Seigniorial Tenure, a part of the first grant to persons other than Indians.

The year after the Capitulation of Montreal, the Iroquois Indians laid a complaint against the Jesuit Fathers before the Governor of Montreal, alleging that the two grants of land had been made for their habitation and use, and complaining that the Jesuit Fathers pretended that they were the owners of the land and that they were conceding portions of it to their detriment. The case was heard by the Governor, Thomas Gage, assisted by his Military Council, and on the 22nd March, 1762, a decree was rendered depriving the Jesuit Fathers of all right in the land contained in such grants, known as the Seigniorship of Sault St. Louis, and ordering that the Indians should be put and maintained in the peaceful enjoyment of the same, and of all the revenues produced thereby, but confirming however the concessions which had been made by the Jesuit Fathers up to the 8th day of September, 1760, date of the Capitulation of Montreal, and requiring the occupants to take new titles. It was further ordered that an agent should be appointed by the Governor for the collection of the rents of the conceded portion, and that he should account for his receipts annually to the Indians. By two ordinances, passed the one on

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the 20th September, 1764, and the other on the 12th November, 1764, a certain delay was given for the purpose of appealing from decrees or judgments which had been rendered prior to the 10th day of August, 1764, on which day, civil government was established in the Province; but no appeal was ever brought against the decree rendered on the 22nd March, 1762, by the Governor of Montreal and his Council on the complaint made by the Iroquois Indians against the Jesuit Fathers.

Since the date of that decree the Iroquois Indians have always been in possession of the Seignior; and the Seigniorial cadastre which came into force on the 1st December, 1860, declares that it was then possessed by them.

For a considerable time after the Cession of Canada to the Crown of England, all Indian matters were managed and all Indian lands were administered by the Imperial Government, through officers appointed by it. During this period, the owners of the lands now in the possession of the defendant executed renewal deeds, one on the 30th July, 1828, and the other on the 3rd August, 1828, acknowledging that they were charged with Seigniorial rents payable to His Majesty the King of England, as the Seignior of the Seignior of Sault St. Louis. The Iroquois Indians only had the usufruct and enjoyment of the Seignior, and the land and Seigniorial dues were consequently vested in the King, subject to such usufruct and enjoyment; and the King as the guardian of the Indians had the administration of their property. Then the control and administration of these matters were transferred to the Provincial Government, but while the Provincial Government had the management of Indian affairs, the title of lands appropriated for the Indians and of Seigniorial rents accruing therefrom remained vested in the Sovereign. Immediately prior to Confederation, all lands and property in Lower Canada appropriated for the use of any tribe or body of Indians were, under Sec. 14 of Ch. 14 of the Consolidated Statutes for Lower Canada,

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an Act respecting Indians and Indian lands, vested in trust for such tribes and bodies of Indians in a Commissioner of Indian lands for Lower Canada, who was appointed from time to time by the Governor; and this Commissioner was authorized to recover and receive the rents, issues and profits of all such lands and property.

By the Union Act, or the British North America Act, 1867, a division is made of the powers and functions of governance and administration between the Government of the Dominion, on the one hand, and the Governments of the Provinces, on the other hand, and also of the respective legislative powers of the Parliament of the Dominion, and of the Legislatures of the Provinces. The distribution of legislative powers is made by sections 91 and 92; but the powers of Provincial Legislatures are restricted to the subjects mentioned in sec. 92, while in addition to the subjects mentioned in sec. 91, the Parliament of Canada has the power to legislate on all matters not contained in the classes of subjects attributed to the Provincial Legislatures. Among the matters attributed to the Parliament of the Dominion, paragraph 24 mentions "Indians and lands reserved for the Indians."

It has been contended that the enumeration contained in these clauses merely confers on Parliament and on the Legislatures the power to legislate on the subjects which are mentioned, but that it does not confer on the Dominion and on the Provinces respectively any administrative powers and functions, and that, in short, the power to legislate is one thing while the power to administer is another, and that the power to legislate on a subject does not necessarily infer a right of administration respecting such subject.

Until quite recently, the Court of last resort had not given any pronouncement on this question. The case of the Ste-Catherine Milling and Lumber Co. and the Queen has been referred to, but nothing decisive on this point is to be found in the report of the case.

In the case, however, of the Attorney-General for the

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Dominion of Canada and the Attorney-General for the Province of Ontario, in which Lord Watson delivered the judgment of their Lordships on the 9th December last, we find an *obiter dictum* which decides that the enumeration of subjects contained in the two sections of the Union Act which I have mentioned, not only confers legislative power, but also defines the administerial powers and functions of the various Governments. Here is what Lord Watson said: "Even at the present time, and in view of the change of circumstances introduced by the Act of 1867, their Lordships thought it must still be a matter of absolute indifference to the Indians whether they had to look for payment to the Dominion, *to which the administration and control of their affairs was entrusted by sec. 91, par. 24, of the Act of 1867*, or to the Province of Ontario."

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So in the opinion of their Lordships the distribution of powers contained in sections 91 and 92 of the Union Act applies to the administerial powers and functions of the different Governments as well as to the legislative authority of the Parliament of Canada and of the Provincial legislatures. It would seem to us that wherever the subjects mentioned in these sections are not only susceptible of legislative powers but also are such as to be capable of being administered by a Government, that the rule thus laid down should apply. Let us take for instance some of the subjects attributed to the Provincial Legislatures. The power to legislate on direct taxation involves the executive and administerial power of collecting and recovering the taxes imposed by Provincial legislation; the power of legislating on the borrowing of money involves the executive and administerial right of the Provincial Government to receive and expend monies of which the borrowing is authorized by the Legislature; the right to legislate on the management and sale of public lands infers the executive or administerial right to manage and dispose of such lands; the right to legislate on the establishment, maintenance and management of prisons,

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hospitals and asylums involves the executive or administrative power to establish, maintain and manage such institutions; the right to legislate on the administration of justice throws on the Provincial Governments the obligation of administering justice in their respective Provinces. And so with respect to the Dominion: the right to legislate on the postal service involves the maintenance and administration of such service; the power to legislate on the census involves the obligation of making it; the right to legislate on the militia and the military and naval services confers on the Government of the Dominion the administration of the militia and of such services; the right to legislate on beacons, buoys and lighthouses and also on quarantine and on marine hospitals puts on the Dominion Government the obligation of establishing and maintaining them. And, in like manner, the power and right of legislating respecting Indians and land reserved for the Indians entrusts the Government of the Dominion with the administration and control of the affairs and of the lands and property of the Indians.

After Confederation, the Parliament of the Dominion repealed Ch. 14 of the Consolidated Statutes for Lower Canada, respecting Indians and Indian lands, and enacted that there should be a department of Indian affairs which should have the management, charge and direction of Indian affairs, and that the Minister of the Interior, or the head of any other department appointed for that purpose by the Governor in Council, should be the Superintendent of Indian affairs and should, as such, have the control and management of the lands and property of the Indians in Canada. These provisions were afterwards consolidated in "The Indian Act" and are contained in sections 4, 5 and 6 of Ch. 43 of the Revised Statutes of Canada. As a matter of fact, I may say that from the formation of the Union on the 1st July, 1867, the control, direction and management of all matters relating to Indians and of their lands and property were assumed and have ever since been exercised by the Government of the Dominion.

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But it is contended that, inasmuch as at the time of Confederation, all lands or property appropriated for the use of Indians in Canada were vested in the Crown although in trust for their benefit and use, they fell and belonged under the provisions of section 109 of the Union Act, to the Province in which they were situated, subject however to the trust or interest of the Indians existing in respect of the same. The Attorney-General for the Province of Quebec maintains therefore that the constituted rents of which the arrears are claimed by the suit in this cause, and which represent the lands upon which they are charged, belong to the Province of Quebec, subject however to any trust or interest existing in respect thereof, and that it is the Crown represented by the Government of the Province of Quebec, and not the Crown represented by the Government of the Dominion, which has the right to sue for and recover the arrears claimed in this cause.

The special condition contained in the grants from the Crown of France of the two tracts of land forming the Seignior of Sault St. Louis, which provides that such land would revert to the Crown should the Iroquois Indians ever abandon their settlement, does not affect the present enjoyment or usufruct of the Seignior by them, and it must be borne in mind that we are now dealing with such enjoyment or usufruct, and not with the ownership of the Seignior.

While section 109 assigns all lands to the Government of the several provinces in which they are situated, it, however, does so "subject to any trusts existing in respect thereof and to any interest other than that of the Province in the same."

Under this section, it would seem that the contention of the Attorney-General for the Province of Quebec is well founded in so far as the naked right of ownership is concerned, and that the naked property of the constituted rents in question is vested in the Crown represented by the Province of Quebec. The Province of Quebec, how-

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ever, holds these constituted rents subject to the usufruct or enjoyment of the Iroquois Indians, such usufruct or enjoyment being in the words of the proviso contained in section 109 "an interest other than that of the Province in the same."

On the one hand, the Province of Quebec holds the naked ownership of the constituted rents and on the other hand, the Indians have a right to the enjoyment or usufruct thereof so long as they remain in their settlement on the Seigniorship of Sault St. Louis.

The question to be decided does not relate to the ownership of these constituted Seigniorial rents but is as to whom it appertains to sue for, recover, and collect the arrears? By the Union Act, the Government of the Dominion is entrusted with the administration of the affairs and property of the Indians in Canada, and under the Indian Act the control and management of their lands and property is confided to the department of Indian affairs, under the charge and direction of the Superintendent General of Indian affairs, who is authorized, as was the Commissioner of Indian lands before Confederation, to collect and receive the rents, issues and profits of the lands and property appropriated for Indians and to apply the same to their use. The Government to which such control and management is entrusted must necessarily have as a corollary the right to sue whenever the affairs of the trust require such action.

We are therefore of opinion that while the naked ownership of the rents in question is vested in the Province of Quebec, the right to collect the arrears and to apply the same to the use of the Iroquois Indians belongs to the Government of the Dominion. Unless special provision is made with respect to the person who should sue in the name of Her Majesty, this is always done by the Attorney-General. We are of opinion therefore that the suit for the recovery of the arrears was properly brought by the Attorney-General of the Dominion and that the intervention of the Attorney-General of the Pro-

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vince of Quebec is unfounded, and that there is error in the judgment appealed from which maintains the intervention.

We therefore maintain the appeal with costs; we set aside and annul the judgment appealed from and rendered by the Superior Court on the 30th June, 1896, and proceeding to pronounce the judgment which should have been rendered, we dismiss the intervention, with costs.

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The text of the formal judgment of the Court of Appeal is as follows:—

"Whereas the Attorney-General for the Dominion of Canada, on behalf of Her Majesty the Queen, has instituted an action in the Superior Court against Noel Pinsonneault, for the recovery of arrears of the constituted rents representing the *cens et rentes* with which certain lands belonging to him and situated in the Seignior of Sault St. Louis, which is composed of land appropriated for the use and habitation of the Iroquois Indians, were charged;

"Whereas the Attorney-General for the Province of Quebec has intervened in the suit, and alleges that the Seignior of Sault St. Louis is not vested in the Crown represented by the Government of the Dominion, but in the Crown represented by the Government of the Province of Quebec, subject nevertheless to the enjoyment or usufruct thereof by the Iroquois Indians, and prays that it be declared that the arrears in question belong to and are under the control of the Government of the Province of Quebec, subject to the trust in favor of the Iroquois Indians, and that the defendant be condemned to pay such arrears to the Provincial Government;

"Whereas the defendant Noel Pinsonneault has declared that he would abide by the judgment of the Court and has reserved the right to plead after the decision of the question raised by the intervention;

"Whereas the Superior Court, sitting at Montreal, in the district of Montreal, by its judgment rendered on

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the 30th day of June, 1896, maintained the intervention, and declared that the constituted Seigniorial rents in question, and any sum of money due by reason thereof, belonged to the Province of Quebec, subject to any trust existing thereon, and the Attorney-General for the Dominion of Canada, on behalf of the Government thereof, has appealed from such judgment;

"Considering that the land forming the Seignior of Sault St. Louis was appropriated by the grants thereof, bearing date the 29th day of May, 1680, and the 31st day of October, 1680, for the use and habitation of the Iroquois Indians, and that their right to the possession and enjoyment thereof was recognized by a decree of His Excellency General Thomas Gage, the Governor of Montreal, assisted by his Military Council, rendered on the 20th day of September, 1764, which decree ordered that they should be put and maintained in the peaceful possession of such Seignior, and that they have ever since been in the possession and enjoyment thereof, subject to the guardianship and control and management of the Crown;

"Considering that prior to the establishment of the Dominion of Canada, the legal title of all land and immovable property appropriated for the use and benefit of Indians and situated in Lower Canada, now constituting the Province of Quebec, was in the King or Queen as the Suzerain of the country, but that the right of enjoyment of such land and immovable property was, under the authority of section 7 of Chapter 14 of the Consolidated Statutes for Lower Canada, being an Act respecting Indians and Indian lands, vested in trust for the Indians having an interest therein in a Commissioner of Indian lands, who had the control and management of all such lands and property and was authorized to recover and receive the rents, issues and profits thereof;

"Considering that the soil of the Seignior of Sault St. Louis was vested by right of the Crown in the Queen, but that the usufruct of the Seignior and the Iroquois Indians fell under the purview of the above mentioned statute;

" Considering that the 24th paragraph of section 91 of the British North America Act, 1867, confers on the Parliament of Canada the right to legislate on the subject of Indians and of lands reserved for the Indians, and also confers on the Government of the Dominion the control and administration of their affairs and of the lands appropriated for them, but that the legal title of such lands remained and remains in the Crown ;

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" Considering that the Parliament of Canada repealed the above mentioned Act respecting Indians and Indian lands, and enacted that there should be a department of Indian affairs which should have the management, charge and direction of Indian affairs, and that the Minister of the Interior, or the head of any other department appointed for that purpose by the Governor-in-Council, should be the Superintendent of Indian affairs and should, as such, have the control and management of the lands and property of the Indians in Canada, which provisions were afterwards consolidated in "The Indian Act," and are contained in sections 4, 5 and 6 of chapter 43 of the Consolidated Statutes of Canada ;

" Considering that section 109 of the British North America Act, 1867, enacts that all lands belonging to the several Provinces included in the Dominion, and all sums due for such lands, should belong to the Province in which such lands were situate, subject however to any trusts existing in respect thereof, and to any interest other than that of the Province in the same, and that this rule is not affected by the fact that the legal title to such lands and sums may reside in the Sovereign ;

" Considering that under the above recited provisions, the ownership of the constituted Seigniorial rents in question in this cause is vested in the Province of Quebec, but subject nevertheless to the enjoyment or usufruct thereof by the Iroquois Indians, such enjoyment, or usufruct, being an interest therein other than that of the Province ;

" Considering that under the above mentioned pro-

1897.
Mowat,
Atty.-Gen.
&
Casgrain,
Atty.-Gen.

visions the management of such enjoyment or usufruct of the Iroquois Indians in the constituted Seigniorial rents in question is conferred upon the department of Indian affairs, under the control and direction of the Superintendent of Indian affairs, and that the suit for the recovery of the arrears claimed has consequently been properly brought by the Attorney-General for the Dominion of Canada, on behalf of Her Majesty for the Government of the Dominion ;

" Considering that the suit in this cause relates to the enjoyment, or usufruct, of the constituted Seigniorial rents in question, or to the accrued arrears, and not to the ownership of the capital thereof, and that there is error in the judgment appealed from which maintains the intervention and declares that such arrears are not under the control of the Government of the Dominion, but belong to the Province of Quebec, subject to any trust which may attach to the Seigniory ;

" Doth maintain the appeal, with costs ; doth set aside and annul the judgment appealed from, to wit ; the judgment rendered in the cause by the Superior Court, sitting at Montreal, in the district of Montreal, on the 30th day of June, 1896 ; and proceeding to pronounce the judgment which should have been rendered, doth dismiss the intervention of the Attorney-General for the Province of Quebec, with costs."

Judgment reversed.

J. S. Hall, Q.C., and S. Cross, Q.C., for appellant.

Bisailon, Brosseau & Lajoie, for respondent.

G. Lamothe, Q.C., for defendant.

(J. K.)

MEMORANDUM.

Ottawa, 1st February 1897.

With reference to the judgment rendered by the Court of Queen's Bench in the Pinsonneault Case, the undersigned would state that proceedings were instituted some time ago against Mr. Pinsonneault at the instance of Mr. Inspector Dingman who was sent to Caughnawaga for the purpose of looking into the question of arrears due by the Censitaires of the Seignior of Sault St. Louis. The Attorney General for the Province of Quebec intervened in the suit, alleging that the Seignior was not vested in the Crown represented by the Government of the Dominion, but in the Crown represented by the Province of Quebec. The Superior Court sitting at Montreal, by its judgment rendered on the 30th June 1896 maintained the intervention, and declared that the constituted Seigniorial rents of this Seignior and any sum of money due by reason thereof belonged to the Province of Quebec subject to any trust existing thereon. The Attorney General for the Dominion of Canada appealed from this judgment, which appeal has been sustained by the Court of Queen's Bench.

In letter of the 22nd instant, from the Deputy Minister of Justice, it is stated that a formal motion was made on behalf of the Attorney General of Quebec for leave to appeal to the Privy Council, but that it is not yet known whether an appeal will actually be taken.

The effect of the last judgment rendered is to vest the naked ownership of the rents in the Province of Quebec, with the right only in the Dominion of collecting

and administering the same for the benefit of the Indians. This Judgment, therefore, virtually sustains the contention that the fee of Indian Reserves is in the Crown as represented by the Provinces, and if acted upon would prevent this Department from alienating any portion of a Reserve.

It is most important, therefore, that steps should be taken to obtain a final judgment on the interpretation of Section 109 of the British North America Act, which it seems clearly to the undersigned does not apply to "Lands reserved for the Indians" referred to in paragraph 24 of section 51 of that Act.

Herewith is File 120/431/2 containing a letter of the 15th January last addressed to the Deputy Minister of Justice, for an opinion as to whether this Department has not the right under the British North America Act to control the minerals in or upon any Indian Reserve handed over by the Provinces at Confederation. No opinion has as yet been given on this question by the Department of Justice.

John L. ...

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1897/07/15

1897/07/21

585

30,896-3

BBB

1897/07/21

sent

Ottawa, 21st July, 1897.

Sir,-

I am directed by the Minister to acknowledge the receipt of your letter of the 16th instant, and to say that he is ready to acquiesce in the condition upon which Quebec has offered to withdraw the appeal in the Piquet-nault case, provided it be clearly stipulated that while the Indians ^{continue} to occupy the reserve this Government shall have the right to patent lands to individual Indians for the purpose of enfranchisement; and that all previous dealings of the Department of Indian Affairs in connection with the lands in this reserve shall stand unquestioned.

Your obedient servant,

J. J. [Signature]
Acting Secretary.

The Deputy Minister
of Justice.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1897/07/21

1897/08/09

Transmittal

6446
Coughlin's 7th August 1897



Col. Bracken
asked me to march
to collect alleged
line of "not pd. Dept will
take into consideration
quantity of refusing
of 200

586

acknowledging receipt of your

letter of 5th inst. No 30896/3 - requesting
immediate collection of ^{seigniorial} ~~seigniorial~~ rents

In reply I consider it my duty to
inform you that I have several times
notified the ^{seigniorial} ~~seigniorial~~ that if they did
not pay their ~~seigniorial~~ ^{seigniorial} rents proceedings
would be taken against them, and the
most of those in arrears have replied
that they would pay their arrears, where the case
of the Government or Prisoners should
be decided. I do notice any possibility
of making any collection by recourse to the
sheriff ^{if the Dept. desired}
me to give fresh notice to that effect.
I am ready to do so.

[Signature] (s/s) R. Bracken

Indian Affairs. (RG 19, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

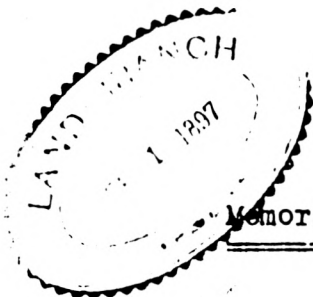
1897/08/09

190255

587



Immediate



Ottawa, 1st Sept., 1897.

Memorandum: Lands Branch,-

The Indians of Caughnawaga claim Devil Island, in the rapids opposite the reserve. There is no one in occupation of the island; but it appears that the Province of Quebec has taken possession of the same.

Please look into this, and let me know whether it belongs to the reserve or not.

Secretary.

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES

1897/09/01

MEMORANDUM

Ottawa 2nd September, 1897.

To the Secretary

In answer to your Memorandum of the 1st Instant, I beg to report that Devil Island is situated opposite the Eastern end of the Caughnawaga Reserve, and may properly be considered to be one of the Islands or Islets, forming a group at the Lachine or Sault St. Louis Rapids, which Islands and Islets are undoubtedly those referred to in the following extract from a grant made the 24th October, 1680, under which grant the Caughnawaga Reserve is now held:-

"The said piece of land called the Sault containing two leagues of frontage commencing at a point opposite the St. Louis Rapids, ascending along the Lake in similar depth, with two Islands and Islets and the beach lying opposite and adjoining the lands of the said Prairie de la "Magdalaine".

It would therefore appear that the Department may safely assert the claim of the Indians to the Island in question.

S. Pray

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1897/09/02

Part 14 -
Indian Grant
and Summons.
Vol. 1 -

WAD

589

EX-100
 12/9/97
 Ottawa 3rd Sept mber 1897.

Sir,

Information has been received by this Department that the Province of Quebec has taken possession of the Island known as Devil Island lying in the Lake St. Louis, opposite the eastern end of the Caughnawaga Reserve.

This Island has long been considered to be a part of the Caughnawaga Indian Reserve. It may properly be considered to be one of the Islands or Islets at the Lachine or Sault St. Louis Rapids, which Islands and Islets are undoubtedly those referred to in the following extract from a grant made the 31st October 1680 under which the Caughnawaga Reserve is now held.

(Page 14. *Feuilles de la Carte*) The said piece of land called the Sault contains:
 " in two leagues of frontage, commencing at a point opposite
 " St. Louis Rapids ascending along the Lake in similar depth
 " with two Islands and Islets and the beach lying opposite
 " and adjoining the lands of the said Prairie de la Magdalaine"

Will you kindly inform me whether it is a fact that the Province has taken possession of the said Island and if so, on what authority does it base its claim.

The Hon.,

The Commr. of *Indian Affairs*

Quebec,

Your obedient servant,

J. D. MOLEAU

Secretary.

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
 ARCHIVES PUBLIQUES
 CANADA

1897/09/03

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L.14,580-96



Québec, 21 Septembre, 1897.

M. J. W. McLean,

Secrétaire,

Département des Sauvages,

Ottawa.

Monsieur,

En réponse à votre lettre du 3 septembre, j'ai l'honneur de vous dire que d'après l'opinion de l'Honorable Procureur-Général, de la Province de Québec, que nous avons consulté à ce sujet, l'Ile au Diable, dont il est question dans votre lettre, ne forme pas partie de la réserve de Caughnawaga, mais appartient à la province en vertu de l'art. 109 de l'acte de l'Amérique Britannique du Nord, (1867), & a toujours été considérée ainsi depuis cette date.

J'ai l'honneur d'être,

Monsieur,

Votre Obéissant Serviteur,

Assistant - Commissaire.

1897/09/21

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

Ottawa 24th September 1897

Sir-

In relation to the claim of the Indians of Caughnawaga, to Devil Island in the Rapids beside their Reserve, which was brought to ^{the Hon. Sec.} ~~my~~ attention when recently at Caughnawaga, I beg to inform you that the Honourable the Commissioner of Crown Lands, Quebec, was communicated with in this matter, by whom the Department is now informed that the Attorney General of Quebec considers that this Island does not form part of the Caughnawaga Reserve, but belongs to the Province by virtue of Sec 109 of the British North America Act of 1867 and has always been thus considered since that date.

*Don't
want*

Your obedient servant

A. N. McNEILL

Asst. Secretary-

A. Brosseau, Esq.-

Indian Agent,

Caughnawaga-

P.Q.-

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1897/09/24

1897/12/11

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Ottawa, Dec 11

Sault St Louis, Quebec

P. P. P. P. P.

In reply to your letter of 10 inst.
 896/3 I have the honour to state
 that no action was taken in connection
 with your letter, nor does it appear
 that any arrangement was made between
 this department and the Province of
 Quebec in connection with the abandonment
 of the proposed appeal to the Judicial
 Committee of the Privy Council. I understand
 that it is now too late to take an
 appeal.

Secretary
 Department of
 Indian Affairs

Yours very truly
 J. M. P.
 J. M. P.

Indian Affairs. (RG-10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1897/12/11

Ottawa 8th March 1898-

Sir,

Referring to your letter of the 21st September last, in relation to Devil Island which you consider belongs to the Province, by virtue of Section 109 of the British North America Act, I beg to call your attention to the fact that as this Island is a portion of the Oaughnawaga Indian Reserve, the Section above quoted does not apply.

Your obedient servant,

J. D. MCLEAN

Secretary.

E. E. Tache, Esq-

Asst. Commr.,

Crown Lands Department-

Quebec-

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1898/03/05

Indd

A. Branson Reg.

Indian Agent,

Caughnawaga, P.Q.

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DRAFT

1898/04/11

CIVIL

SECY'S BRANCH

APR 11 1898

WRITTEN

Sir:-

Referring to my letter to you of the 20th December last, instructing you to bring the question of effecting a compromise with the gentilaires of the St. Louis Seigniorie by agreeing to remit 25% of the arrears due ~~them~~ by them before the male members of the Band of twenty-one years and ~~more~~ upwards, I am directed by the Superintendent General of Indian Affairs to inform you that the consent required of the Band to the above compromise may be given in the manner set forth by Section 128 of the Indian Act.

Yr. Obt. Svt.

Indian Affairs. (RG 10, Volume 2148, File 30,896-3)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1898/04/11

can 3.

Acts.

Amendments to the Indian Act.

595



61 VICTORIA

CHAP. 34.

An Act further to amend the Indian Act.

[Assented to 13th June, 1898.]

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

1. Section 33 of *The Indian Act*, chapter 43 of the Revised Statutes, is hereby repealed and the following is substituted therefor:—

R.S.C., c. 43,
new section
33.

33. Indians residing upon any reserve shall be liable, if so directed by the Superintendent General, or any officer or person by him thereunto authorized, to perform labour upon the public roads laid out or used in or through, or abutting upon such reserve, which labour shall be performed under the sole control of the Superintendent General, or officer or person aforesaid, who may direct when, where and how and in what manner such labour shall be applied, and to what extent the same shall be imposed upon Indians who are resident upon any of the said lands; and the Superintendent General, or officer or person aforesaid, shall have the like power to enforce the performance of such labour by imprisonment or otherwise, as may be done by any power or authority under any law, rule or regulation in force in the province or territory in which such reserve is situate, for the non-performance of statute labour; but the labour to be required of any such Indian shall not exceed in amount or extent what may be required of other inhabitants of the same province, territory, county or other local division, under the laws requiring and regulating such labour and the performance thereof.

Indians liable
to labour on
public roads
in reserves.

Enforcing
labour.

Amount of
labour
limited.

The section substituted for section 38 of the said Act and section 1 of chapter 85 of the statutes of 1895, is hereby repealed and the following is substituted therefor:—

New section
38.

38. No reserve or portion of a reserve shall be sold, alienated or leased until it has been released or surrendered to the Crown for the purposes of this Act: provided that the Superintendent General may lease, for the benefit of any Indian,

Sale or lease
of reserves.

1898/06/13

upon his application for that purpose, the land to which he is entitled without such land being released or surrendered, he may, without surrender, dispose to the best advantage, in the interests of the Indians, of wild grass and dead or fall timber."

Section 39
amended.

Proof of
assent.

3. Subsection (b) of section 89 of the said Act, as amended by section 2 of chapter 30 of the statutes of 1891, is hereby repealed and the following is substituted therefor:—

"(b.) The fact that such release or surrender has been assented to by the band at such council or meeting shall be certified on oath by the Superintendent General, or by an officer authorized by him to attend such council or meeting, and by some one of the chiefs or principal men present there, and entitled to vote, before some judge of a superior, county or district court, stipendiary magistrate or justice of the peace, or, in the case of reserves in Manitoba or the North-west Territories, before the Indian Commissioner for Manitoba or the North-west Territories, and in the case of reserves in British Columbia, before the visiting Indian Superintendent for British Columbia, or, in either case, before some other person or officer specially thereunto authorized by the Governor in Council; and when such assent has been so certified, as aforesaid, such release or surrender shall be submitted to the Governor in Council for acceptance or refusal."

New section
56.

License must
describe land
and kind of
trees to be
cut.

Rights of
licensees as to
trespassers.

Continuing
proceedings.

New section
66.

Sale of trees,
etc., seized, in
default of
notice of
claim.

4. Section 56 of the said Act, is hereby repealed and the following is substituted therefor:—

"56. Every license shall describe the lands upon which trees may be cut, and the kind of trees which may be cut, and shall confer, for the time being, on the licensee the right to take and keep possession of the land so described, subject to such regulations as are made; and every license shall vest in the holder thereof all rights of property in all trees of the kind specified, cut within the limits of the license during the term thereof, whether such trees are cut by the authority of the holder of such license or by any other person, with or without his consent; and every license shall entitle the holder thereof to seize, in revendication or otherwise, such trees and the logs, timber or other product thereof, if found in the possession of any unauthorized person, and also to institute any action or suit against any wrongful possessor or trespasser, and to prosecute all trespassers and other offenders to punishment, and to recover damages, if any; and all proceedings pending at the expiration of any license may be continued to final termination, as if the license had not expired."

5. Section 66 of the said Act is hereby repealed and the following is substituted therefor:—

"66. All trees, logs, timber or other product thereof seized under this Act, shall be deemed to be condemned, unless the person from whom they are seized, or the owner thereof, within

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VOL. I—10



61 VICTORIA.

CHAP. 34.

Acte modifiant de nouveau l'Acte des Sauvages.

[Sanctionné le 13 juin 1898.]

SA Majesté, par et avec l'avis et le consentement du Sénat et de la Chambre des Communes du Canada, décrète ce qui suit :—

1. L'article 33 de l'Acte des Sauvages, chapitre 43 des Statuts révisés, est par le présent abrogé et remplacé par le suivant :—

S.R.C., c. 43, art. 33 remplacé.

"33. Les sauvages habitant une réserve seront tenus, s'ils en reçoivent l'ordre du surintendant général, ou de tout officier ou personne qu'il autorisera à cet effet, de travailler aux chemins publics tracés ou ouverts sur cette réserve ou y aboutissant, —lesquels travaux seront exécutés sous le contrôle exclusif du surintendant général, ou du susdit officier ou personne, qui pourront déterminer quand, où et comment ces travaux seront exécutés; ainsi que la quantité de travail à exiger des sauvages résidant sur ces terres; et le surintendant général ou le susdit officier ou personne auront le même pouvoir de les contraindre à l'exécution de ces travaux, par l'emprisonnement ou de toute autre manière, que celui que peut avoir tout fonctionnaire ou individu à ce autorisé en vertu d'une loi, règle ou règlement en vigueur dans la province ou le territoire où sera située cette réserve, en cas d'inaccomplissement des corvées; mais le travail ainsi exigé d'un sauvage ne devra jamais excéder en valeur ou quantité celui imposé aux autres habitants des mêmes province, territoire, comté ou autre division locale, sous l'autorité des lois prescrivant ou réglementant les travaux de ce genre et leur exécution."

Sauvages tenus à la corvée dans les réserves, et jusqu'à quel point.

Pouvoirs du surintendant.

Proviso: quantité de travail exigible.

2. L'article substitué à l'article 33 du dit acte, par le 1er article du chapitre 35 des statuts de 1895, est par le présent abrogé et remplacé par le suivant :—

Art. 33 remplacé.

"33. Nulle réserve ou portion de réserve ne pourra être vendue, aliénée ou affermée, avant d'avoir été cédée ou abandonnée à la Couronne pour les objets prévus au présent acte; mais

Dispositions relatives à la vente ou location de réserves.

mais le surintendant général pourra donner à bail, au profit de tout sauvage, sur sa demande, le terrain auquel celui-ci a droit, sans formalité préalable de cession ou d'abandon, et il pourra, sans qu'il y ait eu abandon, disposer de la manière la plus avantageuse possible pour les sauvages, des graminées sauvages et du bois mort ou abattu par le vent."

Art. 39 rem-
placé.

3. L'alinéa (b) de l'article 39 du dit acte, tel que modifié par l'article 2 du chapitre 30 des statuts de 1891, est par le présent abrogé et remplacé par le suivant :—

Preuve du
consentement.

"(b.) Le fait que la cession ou l'abandon a été consenti par la bande à ce conseil ou assemblée devra être attesté sous serment, par le surintendant général ou par l'officier autorisé par lui à assister à ce conseil ou assemblée, et par l'un des chefs ou des anciens qui y aura assisté et aura droit de vote, devant un juge d'une cour supérieure, cour de comté ou de district, ou devant un magistrat stipendiaire ou un juge de paix, ou, dans le cas de réserves dans le Manitoba ou les territoires du Nord-Ouest, devant le commissaire des sauvages pour le Manitoba et les territoires du Nord-Ouest, et dans le cas de réserves dans la Colombie-Britannique, devant le surintendant visiteur des sauvages de la Colombie-Britannique, ou, dans l'un ou l'autre cas, devant quelque autre personne ou employé à ce spécialement autorisé par le Gouverneur en conseil; et après que ce consentement aura été ainsi attesté, la cession ou l'abandon sera soumis au Gouverneur en conseil, pour qu'il l'accepte ou le refuse."

Art. 56 rem-
placé.

4. L'article 56 du dit acte est par le présent abrogé et remplacé par le suivant :—

Le permis doit
décrire le ter-
rain et les
espèces d'ar-
bres à couper;
son effet.

"56. Chaque permis contiendra une désignation des terrains sur lesquels la coupe pourra se faire, ainsi que des espèces d'arbres qui pourront être abattus, et conférera pendant sa durée au titulaire le droit de prendre et garder possession des terrains y mentionnés, sauf l'observation des règlements établis; et tout permis aura l'effet de donner au titulaire tous droits de propriété sur les arbres des espèces désignées qui seront abattus dans les limites énoncées au permis, pendant la durée qui y sera exprimée, soit que ces arbres soient abattus par l'autorisation du titulaire ou par quelque autre personne, avec ou sans son consentement; et le permis sera un titre suffisant pour donner droit au titulaire de saisir, par voie de saisie-revendication ou autrement, les dits arbres ou les billots, bois de service ou autres produits de ces arbres, s'ils sont trouvés en la possession d'une personne non autorisée, et aussi d'intenter toute action ou poursuite contre tout injuste possesseur ou tout violateur de ses droits de propriété, ainsi que de faire punir tout violateur de ses droits de propriété et autre délinquant, et de recouvrer des dommages-intérêts, s'il a souffert des dommages; et toute procédure qui sera pendante à l'expiration d'un permis pourra être suivie et menée à terme comme si l'époque de la durée du permis n'était pas expirée."

Droits des por-
teurs de per-
mis contre les
déprédateurs.

Suite des pro-
cédures.

Ottawa, 11th February, 1899

Minister

The seignior of Saulx St. Louis was granted for the use of the Iroquois Indians a seigniorage with the condition that the land contained therein should revert to the Crown if the Indians should ever abandon it. The seigniorial rents were, therefore, to accrue for the benefit of the Indians. They were, however, allowed to get into arrears. In recent years efforts have been made to collect them. Action was taken in 1889 against Pinesmeule who was some thirty years in arrears. The Attorney General of Quebec intervened and alleged that the seignior was invested in the Crown and that the right to sue for arrears of rent appertained to the Province. A judgment was given in 1896 favourable to the Province and appeal was taken to the Court of Queen's Bench. It was successful, the Court deciding that the ownership of the rents was vested in the Province, and that the right to collect and apply the same for the benefit of the Indians belonged to the Dominion. A formal report was made by the Attorney General of Quebec for the consideration of the Privy Council, the Province having been a reverser. The Privy Council decided in favour of the Dominion and the Dominion is now in possession of the rents. In your

Believe me,

Indian Affairs (RG 10, Volume 2147, File 30,896 P1,2A)

PUBLIC ARCHIVES
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CANADA

1899/02/11

being informed that the Justice Department
had decided to take the case to the courts
and that the Province had decided to
take the case to the courts. The Justice
Department has in the meantime
been collecting from Pinsonneault.

But it appears that the Justice Department
of the (11th) was taken on the
letter which was sent and the Province has
not given any answer. The Department has in the
meantime been collecting from Pinsonneault.

In the meantime, the case was pending in the
Pinsonneault case. The case was taken to the
courts and the Province has not given any
answer. The Department has in the meantime
been collecting from Pinsonneault. The case
was taken to the courts and the Province has
not given any answer. The Department has in
the meantime been collecting from Pinsonneault.

The Department has from time to time directed the
Agent to collect. His answer is that the Censitaires
take the position that as the Department after all its
litigation has failed to collect any money from Pinsonneault,
it could not collect any money from them, and
they will not pay.

It appears to me that the position taken by
the Censitaires is one that they might be expected to take
in the circumstances, and that it is useless to ask
them to collect until Pinsonneault has been made to pay.
It is unfair to the Indians that they should be
of the Province's property according to them. The
very fact of the case is that the
Court of Queen's Bench which has not

In the first half the proceedings were not taken against
Pineau. It was for the purpose of securing a decision
to the effect that the Government had with the
disposition of consular property. Pineau is the
only one who has taken the
arbitrary steps for the purpose of securing to
the State of time. However, it is well to first
formally notify Pineau of the expiration of time
to so proceed. If he fails to do so within a fixed time
I think, too, that the Government should offer, without
delay, to accept of him a sum of seventy-five
per cent of the value of the property. The value of the
property is full of his interest. The value of the
property on the other hand is the value of the other Consulaires
enforce the action of the Government. The other Consulaires
will be liable to the Government. The Government has
received the action from Pineau.

Sh. J. V. Xeroma

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1899/02/23

Copy

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Deputy Minister of Justice

Ottawa

Montreal
23rd Feb 1899.

Sir,

I am in receipt of your favour of the 21st inst and in reply beg to say that there has been no judgment rendered in this case. The only judgment which has been rendered in connection with this matter is that dismissing the intervention of the Attorney General of Quebec who claimed that this Province had the right to receive the seigniorial rents sued for.

I have had several interviews with the lawyer for the defendant and he has informed me that the lots referred to in our declaration are not the lots occupied by the defendant, but that he would facilitate the alterations of the pleadings to correctly describe the lots which are occupied by his client. This promise however he has not fulfilled in spite of repeated urgings.

I have written him again today on the subject and if he does not take some steps to fulfil his promise it will be necessary for me to be furnished with such information and evidence as will enable me to establish what lots are really occupied by the defendant.

Yours truly

(sgd) John S. Hall

1900/01/18

598

File 30,896.

215418
Ottawa, 18th January, 1900.

Memorandum:

Commutation of Seigniorial Rents Sault St.

Louis.

The question referred to me is whether the rents payable by Noel Pinsonneault and the Grand Trunk Railway Company as representing the Montreal & Champlain Junction Railway can be commuted.

In the case of the Railway Company the Superintendent General has been asked to commute for a capital sum on the basis of 6% yearly interest.

I am inclined to the opinion that the Seigniorial rents can be commuted by one or other of the methods hereafter stated; but the Superintendent General as representing the Iroquois Indian of Caughnawaga is not bound to consent to the commutation on the basis proposed by the Railway Company.

The title of the Indians depends upon the grants on behalf of the King of France, dated 29th May, 1680, and 31st October, 1680, and the judgment of General Gage, dated 22nd March, 1762, set out at pages 288, 290 and 298 of Volume 2 of the Indian Treaties and Surrenders. General Gage's judgment might leave it open to doubt whether the land granted at Sault St. Louis constituted a Seignior; but it is also open to question whether the judgment did not intend that

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

PUBLIC ARCHIVES
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1900/01/18

that the lands confirmed to the Censitaires should be held as subject to Seigniorial rights vested in the Crown in trust for the Iroquois Indians, and the Commission issued by Lord Dalhousie, 19th December, 1827, at page ³¹⁷ 317 of the same volume of Treaties and Surrenders speaks of the Censitaires as the Seignior of Sault St. Louis and the judgment in the appeal of the Attorney General of Canada v. Pinsonneault, dated 20th January, 1897, treats the lands of the Censitaires as part of the Crown Seignior. Prior to Confederation the Act respecting commutation as regards Crown Seigniories was Cap. 43 of the Consolidated Statutes of Lower Canada and under Cap. 14 of the Consolidated Statutes of Lower Canada ^{the} all property of Indian in the Sault St. Louis Reserve became vested in the Commissioner of Indian lands for Lower Canada. I think that up to Confederation it would have been quite practicable to commute under Cap. 43 of the Consolidated Statutes, cited, provided that Statute extended to the Seignior vested in the Crown in trust for the Iroquois. As a result of the B. N. A. Act, as held in the case of the Attorney General of Canada v. Pinsonneault, the right to recover rents from the Censitaires became vested in the Crown as represented by the Government of the Dominion although the naked ownership was vested in the Province of Quebec. In view of this naked ownership and also in view of the form of the Statute Cap. 43, cited, (now embodied in the Revised Statutes of Quebec) I do not think that the Government of Canada could commute without the co-operation of the Government of the Province; but I think that the difficulty might be overcome if the Province would appoint, upon the recommendation of the Dominion Government, an Agent for the Seignior

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Seigniorly to carry out the commutation and pay the moneys received to the Dominion Government in trust for the Indians.

An alternative procedure to that set out in the last proceeding paragraph would, I think, be surrender by the Indian under Section 38 of the Indian Act, as now enacted by 61 Vic., Cap. 34, Section 2, of all interest in the rents or the lands out of which they issue, for I think that the same may be considered a portion of the reserve within the Section cited. After Surrender the rents could be disposed of in accordance with the direction of the Governor in Council under Section 41 of the Indian Act and a patent releasing the Indian interest in the rents might issue. The price of commutation would be a matter of agreement. I consider this alternative to be preferable to the mode previously suggested. As the power of the Dominion Government to commute by either of the means above mentioned is not entirely free from doubt because of the naked right of the Province above referred to and as the matter is one touching on the rights of the Province I think it would be well if this memorandum were submitted to the Deputy Minister of Justice for his advice as to the legality of commutation and as to the procedure to be adopted.

Files 30,896 and all sub-numbers thereof contain all information in the possession of the Department necessary to be communicated to the Deputy Minister of Justice with this reference including the report of Mr. Creighton in relation to the title in the reserve. In this connection I point out that Mr. Creighton did not find it necessary to consider Cap. 43 of the Consolidated Statutes of Lower Canada which appears to be applicable to the present question. I further mention for consideration in connection with this reference

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

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218448

reference the reservation to the Crown when the Iroquois shall give up the land conceded to them made by the grant of 1680. In view of General Gage's judgment confirming the Censitaires in their possession, I do not think this reservation has any bearing on the question of commutation of rents.

(Sgd) Reginald Rimmer,

Law Clerk.

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

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CANADA

237475

Extrait. (Original on File 237.250)

599

Meeting of Caughnawaga Council,
12th Aug. 1901.

X X X

Resolution 5. Mr. John Simpson moved,
seconded by Jon Sablowike, that this
council is of opinion that the two islands
in the Lachine rapids belong to the
tribe & prays the Honble Subl. General
of Indian Affairs to be kind enough
to enquire into the facts & inform this
council. Carried.

Francis ^{his} X Lhuys.
mark.

(2nd) A. Brosseau,
Agent.

190255

237475

Extrait (Original on file 237.250)

Coughnawaga, 12th Aug. 1907.



Resolution 5. I informed the committee
of the reply of the Department in regard
to the *de la Diablerie* that it does not
belong to them; but it was impossible
to prevent their passing this resolution.
They desire to have a reply from the
Department for themselves.

(2901) A. Brosseau,
Agent.

190 255-

EXD.

600

Ottawa 23rd August 1901-

Sir,

Referring to my letter of the 5th March 1896,
I beg to inform you that the Indians of Caughnawaga have
again preferred a request to this Department that the
question of their ownership of the two islands, one of
which is known as Isle au Diable, in the Lachine Rapids,
be decided. I shall feel obliged if you will kindly -
inform me whether your Department is still of the opinion
that these islands are the property of the Provincial
Government.

Your obedient servant,

C. STEWART

Asst. Secretary.

J.B.
E. P. Tache, Esq.-

Asst. Commissioner-

Department of *Lands, Forests & Fisheries*
~~Colonization & Mines~~

Quebec.

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
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CANADA

1901/08/23

601

4530/96

190255-
239703

Quebec 11th. October 1901.

S. Stuart Esqre.,
Asst. Secretary Dept. Indian Affairs,
O t t a w a.

Sir,

In reply to yours of the 23rd. August last, concerning the " Devil's Island", I beg to inform you that the Law Officers of the Crown are still of the opinion that this island is the property of the Crown in right of the Province and beg to refer you the the case of " Mowatt Plaintiff and Arpelant & Casgrain interveining & Noel Binsonneault, defendant, reported in R.J.Q. Q.B. pg. 12 and in which case the court of Appeals held that the indian lands belonged to the Crown in right of the Province, subject only to the personal usufructuary right in favor of the Indians, the control and administration of which appertains to the Government of Ottawa.

JB
I have the honor to be,

Sir,

Your obedient servant,

John D. Lacombe
acting Deputy-Minister.

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
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CANADA

1901/10/11

File 190,885.

Department of Indian Affairs,
Ottawa, 23rd November, 1901.

602

Devil's Island.

I do not think the case of Mowat vs. Casgrain recognizes a right of the Crown for the benefit of the Province to confiscate the Indian interest in a reserve or in part of a reserve. The real question appears to be whether the island really constitutes part of the Chughnawaga Reserve; and I must say that in my opinion the original grant from the Crown contains practically nothing upon which to found the claim. The words "two islands and islets" may be intended to specify any of the several islands opposite the reserve and which are closer to the reserve and have been treated as forming part of it.

I think that before effort is made to press this claim enquiry should be made to ascertain whether there is any evidence of plans or otherwise to show that the Crown has recognized Devil's Island as one of the islands included in the grant.

[Signature]
Law Clerk.

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
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CANADA

1901/11/23

Periphet. Mr. - Possibly some of all, early documents, or correspondence, regarding Chughnawaga Reserve. J. H. H. 274.

*Dep. of Indian Affairs
Nov 27 1901*

1902/06/19

G

6559

245701

1902. 19th June 1902.

603

Sir,

I have the honour to enclose herewith copy of a letter and enclosures received from Mr Mercier. You will see by the enclosures that Mr Mercier appears to have been successful in securing payment of \$1629.24 of arrears of rent, \$41.27 of which was paid to him and the rest to the Indian Agent, and of the amount paid to Mr Mercier he has still in his hands \$12.45. There is also a list of censitaires who are still in default. I would be glad if you would advise me if the amounts mentioned by Mr Mercier have been paid to the Indian Agent, in order that I may certify Mr Mercier's account. I should also be glad to receive your instructions as to what is to be done with the accounts that are still unpaid.



I am

Your obedient servant

A. J. J.

Acting D.L.J.

The Secretary

Indian Affairs Department.

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

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1902/06/19

Statement of Arrears of Rent due by the Censitaires of
The Seignior of Sault St. Louis.
.....

Folio	Name of Censitaire	Lot	Amount
2	David de Montigny	P.661 La Prairie P.172 St.Constant	\$10.52 X
9	Louis Beauvais	651 & 668 La Prairie	\$89.11 ✓
10	Hubert & Leandre Letourneau	648-650-P.669 La Prairie 176 St.Constant	\$30.56 ✓
11	Alphonse Bincette	651 La Prairie	\$0.12
13	Leocadie Desautels, épouse de Alfred Guerin	P.645 La Prairie	\$ 0.96 X
16	Joseph Barrette	P.642 La Prairie	\$ 1.35
17	Jean Bte. Barbeau	P.639-P.611-P.617 La Prairie P.169 St.Constant	\$ 2.72
18	Joseph Barbeau	637-638-La Prairie	\$ 3.51 /
19	Louis Leduc	P.636 La Prairie	\$ 0.30.
20	Honore Leduc	P.636-620-La Prairie	\$ 1.18
25	Raphael Beauvais	630 La Prairie	\$ 3.36
27	Aime Guerin Jr.,	P.622-623-624 La Prairie 162 St.Constant	\$ 3.54 ✓
29	Roumald Niding	P.618 La Prairie 156 St.Constant	\$ 1.71 ✓
30	Joel Niding	P.618 La Prairie P.156 St.Constant	\$ 0.38
31	Alphonse Brosseau	P.617 La Prairie	\$ 1.60 /
32	Napoleon Bruneau	P.613 La Prairie 154 St.Constant	25.33 ✓ 28.42
34	Delphis & Ernest Brossard	P.610 La Prairie	\$ 1.32 ✓
35	Adolphe Barbeau	P.609 La Prairie 167-169 St.Constant	\$47.89, 47.89
37	Aristide & Cleophas Beauvais	666 La Prairie	\$22.96 ✓
38	Hubert Letourneau fils	P.669 La Prairie P.230-226 St.Constant	\$131.24 ✓
41	Domina Patenante	175 St.Constant	\$14.11 ✓
42	Mde. P. de Montigny	173A & 170 St.Constant	\$35.13 ✓
44	Domina Patenante	171 St.Constant	\$28.82

\$ 466.72

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

PUBLIC ARCHIVES
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CANADA

File	Name of Consitaire	Lot	Amount
45	Gonzalve Leriger de la Plante	2166 St. Constant	\$20.54 ✓
46	Emilien Barbeau	2166 St. Constant	\$ 1.24 ✓
51	Pierre Pavreau	151-153 St. Constant	\$26.52 14.64P
52	Alfred Venard	450 St. Philippe	\$ 0.07 ✓
60	Moise Monette	P.262 St. Philippe P.26-29 St. Constant	\$31.54 x
61	Wm. & Henry Griffin	P.256 St. Philippe 16-17-P.18 St. Constant	\$16.95 ✓
62	Romond Lefebvre	P.13 St. Constant	\$40.36 ✓
65	George North	20-P.21 St. Constant	\$22.43 ✓
67	Odilon Lanctot	P.21 St. Constant	\$30.94 ✓
69	Samuel St. James Beauvais	113-114-P.22-23 St. Constant.	\$23.00 ✓
70	Richard Boyce	24-25-27-St. Constant	\$ 2.05 ✓
71	John Albert Griffin	P.26-118 St. Constant	\$51.15 ✓
75	Louis Perron	P.139 St. Constant	\$ 3.80 ✓
77	John T. Adam	132-136 St. Constant	\$10.28 ✓
78	Louis Racicot	P.135 St. Constant	\$ 7.11 ✓
80	Jean Bte. Porgues	P.134 St. Constant	\$ 2.52 ✓
84	Hormisdas Peladeau	P.120 St. Constant	\$17.08 ✓
88	Cajetan Boyer	P.107 St. Constant	\$ 7.87 1.15P
90	Octave Dumontel	28-104 St. Constant	\$ 7.87 ✓
91	Fotique Dupuis	P.103-P.105 St. Constant	\$25.86 ✓
92	Mme. P. Pare	P.103-P.105 St. Constant	\$28.62 ✓
94	Julien Longtin	101 St. Constant	\$ 6.00 ✓
98	Narcisse Miron	247-248 St. Constant	\$20.74 ✓
99	Edmond Gauthier	249 St. Constant	\$ 4.44 ✓
100	Catherine de Montigny		\$19.49 ✓
101	Veuve Narcisse Provost	250 St. Constant	
101	Joseph Porgues	251 St. Constant	\$ 3.09 ✓
111	Cajetan Boyer	109-285-286 St. Constant	\$15.30 12.15P
112	Odilon Lefebvre	287-294 St. Constant	\$28.00 ✓
118	Edmond Briseon	298 St. Constant	\$33.00 ✓
124	Antoine Dulude	373-P370-P.366 St. Constant	\$2.83 31.15P
129	Edouard Provost	P.363 St. Constant	\$ 4.31 ✓
130	Octave Charron	381-382-383-384-210-211- 212-213-214-215-387-P.206 207 St. Constant	\$133.26 ✓ 1131.78 ✓

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

PUBLIC ARCHIVES
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CANADA

Folio	Name of Consitaire	Lot	Amount
131	Leandre Guerin	385-P.389-362-220-	\$46.76 ✓
131	Pierre Bourdeau	St. Constant	
	Lot 20 for years 1897-98-99 & 1900-----		\$ 6.24 ✓
132	Victor Barbeau	P.208-386-St. Constant	\$ 6.42 ✓
133	Laurent Marcille	388 St. Constant	\$13.36 ✓
134	Jacques Beauvais	291 St. Constant P.274-275 St. Isidore	\$25.98 ✓
135	Jacques Beauvais	P.392-393-St. Constant	13.68 ✓
139	Roch Lanctot	P.239-181 St. Constant	61.05 ✗
140	Hermias Lanctot	P.239 St. Constant	\$ 8.86 ✓
141	Liguori Lusselin	236-37-182-183 St. Constant	\$31.20 ✓
142	Joseph Lusselin	235 St. Constant	\$ 3.91 ✓
143	Constant Cusson	233-187 St. Constant	\$103.65 ✓
143	Emery Robidoux	231-183-234 St. Constant	\$36.41 ✓
146	Pierre Bourdeau	218 St. Constant	\$32.81 ✓
147	Narcisse Longtin fils	P.217 St. Constant	\$ 4.90 ✓
148	Bernard Hebert	P.217-196 St. Constant	\$20.30 ✓
149	Domina Longtin	216 St. Constant	\$ 3.56 ✓
149	Joseph Longtin	197 St. Constant	\$27.36 ✓
150	Joseph Leduc	209-200 St. Constant	\$20.77 ✓
151	Theophile Trudeau	205 St. Constant P.276 St. Isidore	\$11.13 ✓
152	Frederic Baillargeon	P.206-207 St. Constant	\$ 5.75 ✓
153	Medard Poissant	277 St. Isidore	\$ 2.04 ✓
154	Arthur Gibeau	P.280 St. Isidore	\$ 1.87 ✓
155	Toussaint Porgues	P.273 St. Isidore	\$ 2.18 ✓
155	Raphael Lemieux	P.275 St. Isidore	\$ 5.40 ✓
156	Raphael Lemieux	P.291-272 St. Isidore	\$20.86 ✓
157	Louis Lemieux	P.274-P.270 St. Isidore	\$25.44 ✓
158	H. Yelle	P.268-69 St. Isidore	\$ 7.17 ✗
159	Francois X. Colpron fils	P.267 St. Isidore	\$ 0.78 ✓
160	Napoleon Bourdeau	184 St. Constant	\$28.48 ✓
161	Gilbert Hebert	185-186-P.233 St. Constant	\$12.45 ✗
164	Arthur Poupart	191 St. Constant	11.01 ✓
165	Alfred Lemire	224 St. Constant	\$ 0.12 ✓
166	Leon Lemire	192 St. Constant	\$ 3.18 ✓
167	Napoleon Cervaix	193 St. Constant	\$18.10 ✓
			\$ 1764.65 ✓

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt. 2A)

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Polio	Name of Censitaire	Lot	Amount
168	Arthur Poupert	194 St. Constant	\$22.75 ✓
169	Andre Hebert	175 St. Constant	\$31.35 ✓
170	A. N. Arnould	197 St. Constant	\$10.74.7 ¹⁶ ✓
171	Ormel Gervais	P.199 St. Constant	\$21.49 ✓
172	Emory Ledue	P.199 St. Constant	\$17.12 ✓
173	Ludger Dulude	201 St. Constant	\$ 5.49 ✓
174	Theophile Maher	202 St. Constant	\$ 7.32 ✓
175	O. Belair	203 St. Constant	\$ 3.36 ✓
176	Alfred Robidoux	204 St. Constant	19.09 ✓
177	P. X. Dugas	23-24-P.25 St. Isidore	\$24.70 ✓
178	Joan Ste. Laplante	P.25 St. Isidore	\$17.60 ✓
179	Marcie Yelle	26 St. Isidore	\$16.02 ✓
180	Aime Laplante	P.27-28-St. Isidore	\$ 2.18 ✓
181	Simeon Beaudin	P.28 St. Isidore	\$47.63 ⁴³ ✓
182	Louis Beaulieu	29-P.30-31-St. Isidore	\$21.40 ✓
183	Theophile Bourdeau	P.32-33 St. Isidore	\$33.70 ✓
184	Hermiasde Trudeau	P.34 St. Isidore	\$ 7.47 ✓
185	Julien Colpron	P.35-36 St. Isidore	\$ 3.48 ✓
186	Louis Ste. Marie St. Remi	P.37 St. Isidore	\$ 1.28 ✓
196	Amable Boldue	P.368 St. Constant	\$15.97 ✓

\$ 2171.19

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt. 2A)

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CANADA

248701

List of the Censitaires who have not paid their
arrears of Rent although notified several times to do so.

Folio	Name of Censitaire	Amount.
2	David De Montigny	\$19.52 ✓
31	Alphonse Brosseau	\$ 1.60 ✓
38	Hubert Letourneau fils	131.24 ✓
44	Domina Patenande	28.82 ✓
51	Pierre Favreau	28.52 ✓
60	Moise Monette	31.54 ✓
62	Edmond Lefebvre	16.36 ✓
69	Samuel St. James Beauvais	23.00 ✓
71	John Albert Griffin	51.15 16 th fd
139	Rein Lanctot	61.05 ✓
140	Hermidas Lanctot	8.86 ✓
142	Constant Cusson	103.65 ✓
160	Napoléon Pourdeau	28.48 ✓
186	Louis Ste. Mair St. Rémi	1.28 ✓

13 - 19
17. 2.72
18. 3.57

196.15.917

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

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CANADA

1906/07/11

32393/4.

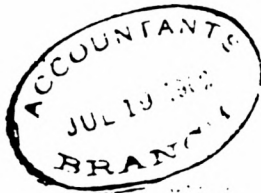
Translation.

He R
July 17/06

604

Caughnawaga, 11th July, 1906.

The Secretary,
Dept. of Indian Affairs,
Ottawa.



Sir,

Acknowledging the receipt of your letter of the 30th June last, 1906, relative to the state of the censitaires in arrears who are neglecting to pay their rents.

In Reply I have the honour to inform you that all the censitaires have received notice either by mail or by the orier at the church door, and most of them have paid.

Mr. Octave Perre, folio 2, was to pay to Mr. Mercier, advocate.

The estate of the late Hubert Letourneau, folio 38, owes the sum of \$127.87. The property was sold recently to Mr. Emery Robidoux of St. Constant; the amount due to be paid here in a few days.

Mr. Pierre Guerin, folio 31, is also to pay here in a few days; he owes the sum of \$1.92.

At folio 44, No. 171 belongs to Marie Alexis Menard, who resides at Montreal. I have not been able to find out her address. She owes \$36.16. I do not know what reason there is for her delaying to pay.

Mr. Noel Pinsonnault, folio 49. I have no news from this gentleman, although I wrote to him. The amount due is known by the Department.

*Copy
This information was
called for at request of
Law Dept. I have been
his answer of 28th June 1906.*

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

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CANADA

1902/07/11

Mr. Pierre Pavreau, (?) folio 51, owes the sum of \$80.74. I do not know why he does not pay his rent.

Mr. Gelibert Lavoie, the purchaser of the land of Moise Monette, folio 60, claims to have bought these lands free of seigniorial rents.

Samuel Beauvais, folio 69, owes the sum of ^{is} \$22.88. He says he ^{is} ready to pay during the course of the month.

John Griffin, folio 71, owes the sum of \$38.29. He says that he is ready to pay during the course of the month.

Napoleon Gervais, folio 103, part of lot 255, lots 240 and 241, annual rent \$1.88; he owes \$10.08. I do not know what reason prevents his paying.

Philisa Gussion, folio 143, owes the sum of \$103.65. He was going to pay. I do not know what reason prevents his doing so.

Reck Lanstot, folio 139, owes the sum of \$23.38. He claims that he has suffered damages by fire and by water from residents of the reserve.

N. Bourdieu, purchaser of the land of Gilbert Hebert, folio 181, asks for a delay in order to compel Mr. Hebert to pay arrears; or if not he will pay them.

L. Ste. Marie has sold his land, folio 186, to Mr. Philippe Hebert. He owes the sum of \$1.32. I do not know whether Mr. Hebert still owns the land.

I beg to add that, if these gentlemen are not compelled to pay their arrears, it will no longer be possible to make any collection of rents. As for myself, I have done all that was in my power.

I have, &c.,

A. Rousseau,

Agent.

W.

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

PUBLIC ARCHIVES
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CANADA

Ottawa, 26th July, 1902-

To the Secretary-

Referring to Mr. Rimmer's Memo. of the 23rd Nov. last, I beg to state that there appears to be no further documentary evidence regarding the ownership or title to Devil's Island opposite the Caughnawaga Reserve.

I would draw attention to the letter from the D.M. of Crown Lands, Que. of 11th Oct. last, from which it would appear that Dept. virtually acknowledges that Devil's Island pertains to the Res.

Sam Bray

I don't agree with interpretation of known - or Cassin given & letter of 11 Oct 1891; but I don't think that letter can be treated as evidence of title. If we have no better evidence the claim must drop.

26 July 1902.

Sam Bray

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
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CANADA

1902/07/26

1902/10/06

253362

252331

List of the remaining Censitaires who have not paid their arrears of Rent although notified several times to do so.

Folio	Name of Censitaire	Amount.
2	David De Montigny	\$ 19.52
31	Alphonse Bresseau	1.60
44	Demina Patenaude	23.82
60	Moise Menette	31.54
139	Rech Lanctot	61.05
186	Louis Ste.Marie St.Rémi	1.23

Montréal. 4th October, 1902.

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

PUBLIC ARCHIVES
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CANADA

1902/10/06

1902/10/06

253362
252331

607

Supplementary Statement of Arrears of
Rent paid by the Censitaires of
The Seignior of Sault St Louis.

1st. Paid to Mr. Alexandre Brousseau:

Folio	Name of Censitaire	Amount collected.
51	Pierre Favreau	\$ 28.52 - 1964 fd. Aug 18/02
62	Edmond Lefebvre	16.36 ✓
69	Samuel St. James Beauvais	23.00 22.16 fd. 22.16/02
71	John Albert Griffin	51.15 ✓
140	Hermias Lanctôt	8.86 ✓
143	Constant Gussen	103.65 ✓
160	Napoléon Bourdeau	28.43 ✓ \$260.02

2nd. - Paid to W. Mercier Esq. K.C.

38

Hubert Letourneau fils

\$181.24 ✓

\$391.26

Montreal, 6th October, 1902.

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt. 2A)

PUBLIC ARCHIVES
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CANADA

1902/10/06

Mr. Rimmer:

252666 -



NOV 1902

608

I promised the

tribe of Campmanawa that I would have their claim that Norris Island forms part of their Reserve investigated by you before a site for the proposed school is selected as they wish the school placed on the Island if found to be theirs. Would you kindly investigate the claim and advise me of your findings?

J. G. Rimmer

14 Oct 1902

1902/10/14

14 Oct 1902
Mr. Remond

I can find no
correspondence
in this matter.

18/10/2

Wm. H. Remond
Genl. Secy.



Wokema:-

I have your reference to me of the claim by the Iroquois of Caughnawaga that Nun's Island forms part of their reserve.

The question is one requiring careful investigation, consideration and report. I have a number of urgent matters requiring immediate attention; but I will take up the question of Nun's Island at the earliest possible moment. I trust to be able to report soon and in any event before the time arrives for the selection of a site for the proposed school of Iroquois children.

REGINALD RIMMER

Law Clerk.

Pub. G. 9
There is no evidence of title before me. So far as I can see nothing can be made of the claim.
R.H.

1908/12/01

30886/R A

610

Ottawa, 1st December, 1908.

With Cheque..

Sir,

Referring to recent correspondence regarding the services rendered by Mr Wilfred Mercier to this Department in connection with the collection of arrears of rent from tenants of the Seignior of Sault Ste Louis, and his account for the same, I beg to say that the Department has as yet only received the arrears of rent to the amount of \$388.05, \$131.24 of this amount was forwarded (per Bank Draft) with your letter of the 9th ultimo, and \$256.81 was received from the late Indian Agent, Mr A. Bronneau, Indian Agent, at Gauthierwaga. I now have the honour to enclose herewith cheque No 4857 for \$38.80 in Mr Mercier's favour, being ten per cent of the total amount received, viz: \$388.05. I shall be glad if you will kindly have the cheque forwarded to Mr Mercier.

Your obedient servant.

The Deputy Minister
of Justice,
Ottawa.

Being Deputy Sur
of Indian Aff

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

PUBLIC ARCHIVES
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CANADA

1902/12/01

1906/12/02

611

File 30896-3A



Deputy Superintendent General

Rents due by Censitaires of Sault St. Louis.

This file was referred to me on 11th July last to advise as to the proceedings to be taken against Censitaires who had failed to pay arrears in accordance with my report of 7th February, 1902 (file 105,674) approved by the Deputy Superintendent General on 26th March, 1902. It appeared from letter of the Agent of 11th July last and report of Mr. Orr 24th June that most of the Censitaires had paid. The amount due according to statement of 5th November, 1901, was \$2,172.19. From letter of 11th July, appears that most of the Censitaires who had failed to pay owed comparatively small amount. Since then there has been correspondence with the Agent and Mr. ^{in which it was stated that some of the} Mercier, from which it appears that some of those who owed the larger amounts had paid.

Before advising action to compel payment by those in default I shall be glad to have a statement of the names of those in default and the amount due by each. *as it would seem that the balance in some cases is small.*

John D. Hammond

Law Clerk.

Ottawa, 2nd December, 1902.

Indian Affairs. (RG 10, Volume 2147, File 30,896 Pt.2A)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1902/12/02

No. 190255.

612

Memo.

Ottawa, 24th Mar., 1903.

The Deputy Supt. General,-

Referring to Mr. Rimmer's memorandum here-
under and the previous correspondence on file, I beg to
submit for your consideration whether any further action
is to be taken in the matter of the resolution regarding
Devil's Island in the Lachine Rapids preferred by the
Ojibwawaga Indian council of the 12th August, 1901.

Sam Bray

Chief Surveyor.

*to Bray
There must be something
more than this in
the subject of Devil's Island
Mar 25/03*

Indian Affairs. (RG 10, Volume 2925, File 190,255)

PUBLIC ARCHIVES
ARCHIVES PUBLIQUES
CANADA

1903/03/24

190255
Department of Indian Affairs,

Ottawa, April 3, 1903

Records.

While at Camp Inawanga on the 30th ult. I thought it well to try to obtain any information that I could in regard to Ile au Diable or Devil's island.

The island can be seen easily from the village. It is about four miles down the river from the parish church or about three miles below the C.P.R. bridge. Looking at it from near Adirondack station, it appears to be pretty nearly in the middle of the river, and the Indians who pass it on the rapids say that it is, being about 'six acres' from each shore. They say that it contains an area of about forty acres.

The chief value of the island to the Indians appears to have been some timber

1903/04/03.

Department of Indian Affairs,

21

Ottawa, 1901

on it; but most of this has been removed.

The island is not actually in the rapids, but in the swift water above them. There is also an islet, quite visible from Adirondack Junction, close to Devil's island.

H. C. Ross.