

Materials on the History of the
Land Dispute at Kanesatake (Oka)

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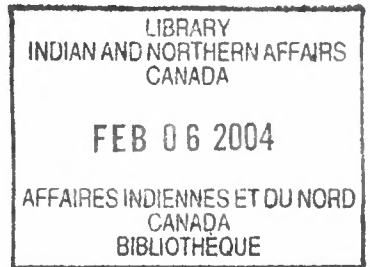
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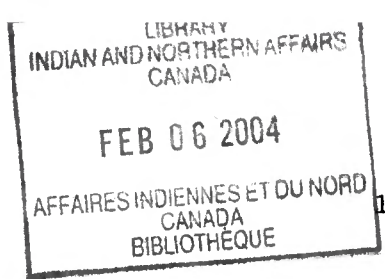
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**A BRIEF HISTORY OF THE LAND DISPUTE AT KANESATAKE [OKA]
FROM CONTACT TO 1961**

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BACKGROUND: THE IROQUOIS PRESENCE IN THE MONTREAL AREA, 1534 - 1671

"Their heads are shaved all around in circles except for a tuft on the top...long like a horse's tail, tied in a knot with a leather thong."¹

This was Jacques Cartier's clerk's description of the people who arrived to fish at the bay where Cartier's ships were anchored on 22 July 1534. Historians call these people the "St. Lawrence Iroquoians."

Two days later the Captain had his men put up a cross at the entrance of present-day Gaspé Bay, the place known to the natives as Honguedo.

No sooner had Cartier returned to his ship than the chief of the band set out from shore in his canoe with four other men. They paddled out to within shouting distance, then the chief stood up.

"He pointed to the land all around about," Cartier's clerk noted, "as if he wished to say this region belonged to him and we ought not to have set up this cross without his permission"².

Thus was recorded the first native land claim.

"We explained to them by signs that the cross had been set up to serve as a landmark and guide post..." the clerk continued, "and that we would come back and would bring them iron wares and other goods"³.

The Captain returned to France with two of the chief's sons, Taïnoagny and Domagaya, who later in the year met King François I

of France and sufficiently impressed him with their description of their country that he ordered Cartier to bring them back home the following year.

Next August the two boys, sailing on board Cartier's ship, finally returned to familiar waters, recognizing present-day Anticosti Island as they passed it.

"Taignoagny and Domagaya tell us we are now on a long river"⁴, Cartier's clerk noted.

They guided Cartier up the great river, pointing out places where seals and white whales lived. Passing present-day Grosse Isle they told him that this was where their homeland "Canada"⁵ began. In early September they arrived at Stadacona [present-day Quebec], the first Canadians to visit the new world to the east and return to talk about it. They had many stories to tell their people.

Cartier continued upriver that month without his guides, sailing past several Iroquoian villages until he reached the chief town on the river, Hochelaga, a walled village of some 50 longhouses situated in the middle of corn fields at the foot of the hill Cartier called "le mont Royal"⁶. He was welcomed into the village and met the Agouhanna, or chief.

Later several men and women of the village guided Cartier and his men to the lookout atop the mountain. "We saw the river [St. Lawrence] extending beyond the place where we had left our longboats. At that point there is the most violent rapid [Lachine

Rapids] it is possible to see," noted Cartier's clerk.

Cartier and his men were also the first Europeans to see the river we call the Ottawa:

"And they showed us as well that along the mountains to the north there is a big river that comes from the west....and that up it there were "Agojuda," which means bad people, who were armed to the teeth, showing us the style of their armour, which is made with cords and wood, laced and plaited together. They also seemed to say that these "Agojuda" waged war continually..."⁷.

Sixty-eight years later in 1603 when Champlain made his first visit to the foot of the rapids there was no walled village or corn fields at the foot of the mountain. It was now a no-man's land in the war between the Algonkian-speaking peoples of the north and west and the Iroquoian-speaking people of the south.

During those years Basque whalers and French fishermen continued coming to North America, but few are known to have sailed any farther upriver than present-day Tadoussac. There the Innu [Montagnais] traded furs for metal knives, axes and arrow points. These they traded in turn to their inland neighbours to the west, the Algonquins, for more furs. These metal weapons were superior to the stone weapons of the Iroquoians who Cartier had met, and with them, the "Agojuda" had forced the people of Hochelaga to abandon their island stronghold⁸.

In 1609 Champlain travelled with the Innu, Algonquin and Wendat [Huron] warriors up the River of the Iroquois [the

Richelieu]. "This region," he noted, "although pleasant is not inhabited by Indians, on account of their wars; for they withdraw from the rivers as far as they can into the interior, in order not to be surprised"⁹.

"On the following day," he continued, "we entered the lake [Lake Champlain]...in which I saw four beautiful islands...which, like the Iroquois river, were formerly inhabited by Indians: but have been abandoned, since they have been at war with one another"¹⁰.

The "Keepers of the Eastern Gate," as the Mohawks called themselves, were then living in their walled villages across the height-of-land near present-day Albany, New York. To the west were the villages of the Oneida, Onondaga, Cayuga and the Seneca ("Keepers of the Western Gate"). About twenty-five years earlier these five nations had joined in a Confederacy they called "Haudenosaunee." These were the "Iroquois;" the Innu word for enemy¹¹.

Champlain committed the French to fight against the Mohawks and the four other nations of the Haudenosaunee. For the next 57 years the north-south war continued with few summers of peace. In the 1650s after the Haudenosaunee had obtained guns, powder and lead from the Dutch, they almost forced the French to abandon their posts in the war zone. In mid-October 1666, hundreds of well armed French soldiers and their Algonquin and Wendat allies approached the Mohawk villages from Lake Champlain to the north. The people

abandoned their homes and fled for their lives. The French burned four deserted Mohawk villages and devastated their corn fields. For the next 20 years there was peace between the Haudenosaunee and the French and their allies.

THE MOHAWKS AT MONTREAL, 1671 - 1700

In 1671, five years after the truce began, eight Mohawk families came to Montreal Island and built their longhouses at the foot of "le Mont Royal" near the present-day corner of Fort and Sherbrooke streets.

Five years later, a priest from the French settlement of Ville Marie (population 1,500) began visiting the village. The missionary was a member of the Gentlemen of the Seminary of St. Sulpice in Paris whose Superior was seigneur of the Island of Montreal. "La Montagne" as the French called the Indian village, stood on land that the Order had been given in 1663 by another religious company¹². There was no question of deeding the land to the natives occupying it. Indians, like minors, were not eligible under French law to be granted land¹³.

In 1677, the Seminary received Royal Approval of its status as Seigneur of Montreal Island and, three years later, an energetic Sulpician missionary arrived in the village and supervised the construction of several European-style buildings. There was a chapel, a presbytery, a school for boys and another for girls. By 1683 there were over 200 people in the village, including members of other nations such as the Algonquin, Wendat and Dakota. Some were prisoners of war¹⁴. In 1684 the truce between the French and the Haudenosaunee began to break down, with hostilities beginning

in the west. The Mohawks of La Montagne chose not to return to help their nation. That year they were denounced as traitors by the Chiefs of the Five Haudensaunee. From this time on, the French relied on them to fight on their side.

Five years later the Haudenosaunee attacked the outpost of Lachine killing 25 settlers or more and taking many prisoners. The French called upon their allies from Sault-St-Louis (Kahnawake) and La Montagne to help them counterattack. Thirty warriors joined the expedition; almost all of them were killed. The war continued during the summers of the 1690s and the natives of La Montagne remained allied to the French¹⁵.

In 1696 things changed for the people of the village. "We resided in peace and tranquility a considerable time," related Chief Aghneetha about a century later. "Then the Priest settled among us and the other clergy of this Island [of Montreal] represented in council the inconvenience arising to the White People from our living so near a Town, particularly the disorders committed by some of our young men when they got Rum, and they strenuously exhorted us to remove further off from the Town where we would be more quiet and Happy, and pointed out to us Sault au Recollet as the spot..."¹⁶.

That year the people of the village moved to the north side of Montreal Island and rebuilt their longhouses on the shore of the Riviere des Prairies. The land at La Montagne reverted to the

Seigneur of Montreal and the Superior of the Seminary decided to use the mission buildings there as a summer retreat.

In 1701 the French and the nations allied to them signed a peace treaty with the Five Nations of the Haudenosaunee. In the years that followed, the Mohawks of Sault-au-Recollet and Kahnawake used their Nation's right to trade with anyone to carry furs from New France to Albany. The Mohawks gave many French traders the chance to sell their furs at a better price than they could get in New France. Returning home, the Mohawks carried back English goods such as blankets that they considered better than those made in France. So great was this traffic that in the spring of 1718, the Governor of New France met the people of the two villages to obtain their agreement that they carry to Albany only their own furs and only after first getting a permit from him. There is evidence to suggest that the north-south traffic did not diminish, despite such government attention throughout the years that followed¹⁷.

THE ESTABLISHMENT OF KANESATAKE

Around this time, the Mohawks of Sault-au-Recollet were again asked to move; this time near the point they called Orite, part of their hunting grounds at the mouth of the Ottawa River.

"Again our Priest, in conjunction with the clergy of the Seminary of Montreal, told us we should remove once more with our families, for it was no longer proper that any Indians should live on this Island [of Montreal]," noted Chief Aghneetha. "If we would consent to go and settle at the Lake of Two Mountains we should have a large tract of land for which we should have a Deed from the King of France as our property, to be vested in us and our heirs forever, and that we should not be molested again in our habitations.

Although it was very inconvenient to us to be quitting our homes and small clearing, yet the desire of having a fixed property of our own induced us to comply"¹⁸.

In February 1721 the first Mohawk families moved to their new home which they called "Kanesatake."

"As was the custom of our forefathers we immediately set about making a [wampum] Belt...by which our children would see that the lands were to be theirs forever, and as was customary with our ancestors we placed the figure of a dog at each end of the Belt to guard our Property and to give notice when an enemy approached"¹⁹.

Unknown to the Mohawks, their former missionary at La Montagne, now the Superior of the Seminary, had been planning the move for five years. In 1716 he had arranged with the Governor to be granted a seigneurie on the Lake of Two Mountains in return for which the Seminary would build a priest's house, church and a stone fort on the strategic point known today as Oka. The Governor agreed on condition that if these lands should be abandoned by the Indians, they would revert to the Crown. The Superior replied that if the Seminary was obliged to construct a fort, they should be indemnified by being given proprietorship of the land. The Governor referred the matter to France, noting that the change of location of the mission would be very advantageous to the colony as the Mohawks would protect the west end of Montreal Island against the incursions of other Indians.

Philippe d'Orleans, regent of the 7-year-old King of France, Louis XV, decided that the concession be granted forever to the Seminary on condition they build the church and fort according to plans furnished them, and that they do it within two years. On 4 February 1717 the Governor of New France granted to the Seminary of St. Sulpice a seigneurie on Lake of Two Mountains 3 1/2 leagues in front by 3 leagues (league= roughly 2 1/2 miles). Later that year the Superior of the Seminary asked for a 7-year deadline to build the fort. The longer time limit was granted when the concession was finally approved by the regent in April 1718.

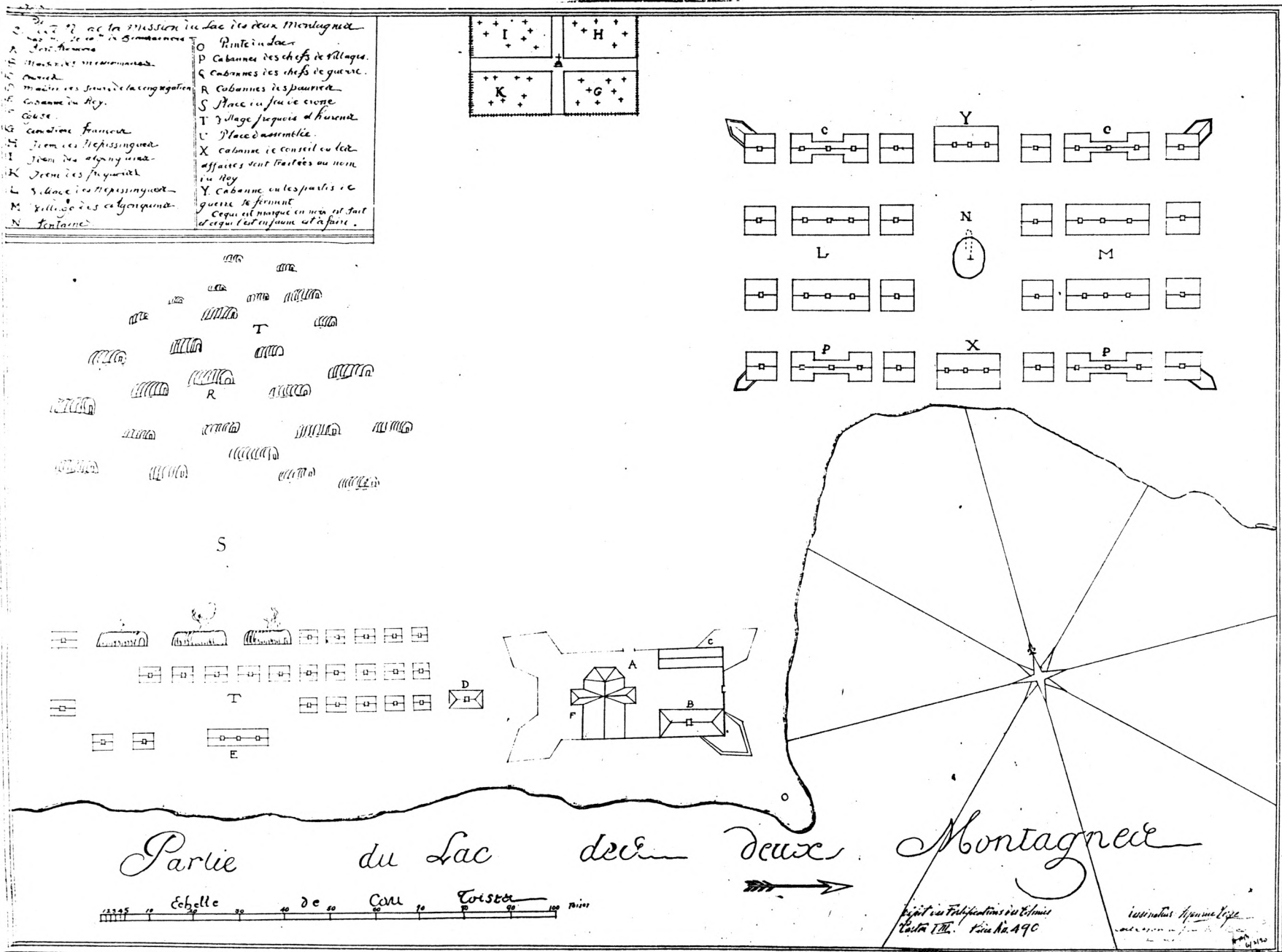
Five years later the Superior of the Seminary negotiated another time extension for the completion of the fortifications. Years passed without any progress, the Superior complaining that the fort as planned by the military engineer was too costly for the Seminary to build.

In 1731 an agreement was reached. The Seminary would not be required to construct a stone fort and would be compensated for the costs already incurred in moving the mission and building 30 small dwellings for the natives. In 1733 the Seminary was granted additional land, with a river frontage of 2 1/2 leagues, to the east of their existing seigneurie. That year they built a stone church on the point, with wooden walls surrounding it (They were replaced with stone walls 9 years later.) A house for the priest, another for the French farmers employed by the Seminary and another house outside the walls for the Soeurs de la Congregation, as well as a watchtower, completed the "fort" at Lac des Deux Montagnes, as the Sulpicians called the mission²⁰.

Two years later when King Louis gave his approval to the concession, to further indemnify the Gentlemen of the Seminary of St. Sulpice for their expenses, he gave them an additional 3 league extension in the rear of the seigneurie, completing the boundaries as known today. Should the mission fail, the property would revert "exclusively to the Seminary"²¹.

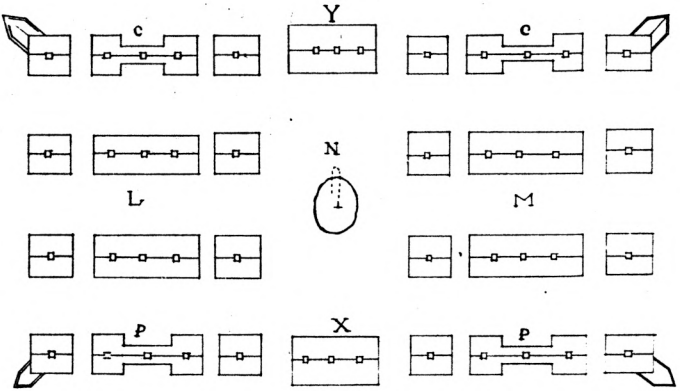
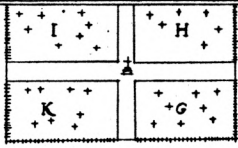
This was not the understanding of the people of the village, but for the next 30 years the question of title did not arise. The

Map: PAC National Map Collection, H3\350 Deux Montagnes, NMC 4915, 1743



1. Point de la mission du Lac des Deux Montagnes
2. Point de la mission de Saint-Joseph
3. Point de la mission de Saint-Jean
4. Point de la mission de Saint-Louis
5. Point de la mission de Saint-Charles
6. Point de la mission de Saint-Thomas
7. Point de la mission de Saint-Jacques
8. Point de la mission de Saint-André
9. Point de la mission de Saint-Nicolas
10. Point de la mission de Saint-Pierre
11. Point de la mission de Saint-Georges
12. Point de la mission de Saint-Martin
13. Point de la mission de Saint-Étienne
14. Point de la mission de Saint-Léonard
15. Point de la mission de Saint-François
16. Point de la mission de Saint-Basile
17. Point de la mission de Saint-Roch
18. Point de la mission de Saint-Jacques
19. Point de la mission de Saint-André
20. Point de la mission de Saint-Nicolas

O Pointe du Lac
P Cabannes des chefs de village
C Cabannes des chefs de guerre
R Cabannes des pauvres
S Place en feu de croix
T Village français d'heureux
U Place d'assemblée
X Cabanne de conseil ou les affaires sont traitées au nom du Roy
Y Cabanne ou les parties de guerre se font
Ce qui est marqué en noir est fait et ce qui est en blanc est à faire.



Échelle de Carr Toises

100 Toises

1743

Mohawks of Lac des Deux Montagnes remained loyal to the Roman Catholic church and to the King of France, fighting on the French side in the wars with the English in the 1740s and 1750s.

About 10 years after the church was built, a large number of Algonquin and Nipissing people moved to the mission. For 10 months of the year they lived on their traditional hunting grounds along the Ottawa River and its tributaries. Only in the summer did they come to Lac des Deux Montagnes, where, by the time of the Conquest, there were, in the words of one visitor, "two villages, Algonquin and Iroquois, in each of which was reckoned a hundred souls"²². The Algonquins lived to the east of the church; the Mohawks to the west. In the mid-1800s the Algonquins moved away to Riviere Desert [present-day Maniwaki].

FROM THE FALL OF QUEBEC TO 1837

In September 1760 the British took control of New France. Article 49 of the Articles of Capitulation proposed by the Governor of New France and approved by the British Commander stated that "the Indian allies of His Most Christian Majesty, Louis XV, shall be maintained in possession of the lands which they occupy, if they wish to remain thereon; they shall not be molested under any pretext whatsoever for having taken up arms and served His Most Christian Majesty, they will have, like the French, liberty of religion, and will keep their missionaries"²³.

Notice of this was sent to the Mohawks at Kanesatake with a warning that unless they pledged allegiance to the King of England their village would be destroyed. They were also ordered to return any English prisoners-of-war.

"We immediately called a Council," recounted Chief Aghneetha, "and determined to accept the protection held out to us"²⁴.

"The Caghnawageys and Caneghsadageys have lately been with me." reported a British Indian agent in Montreal on 19 March 1761, "and renewed their Engagements entered into last fall.... They therefore had firmly and unanimously resolved in a public council that let time and Events be as they would, they never again would take up the Hatchet against the English but would steadily mind their hunting"²⁵.

"Accordingly," Chief Agneetha continued, "the chief men of our village, as well as those from other villages, attended Sir William at Oswagatchie where he received the submission of all the Deputies from Canada and there in full Council granted us protection in the King's Name and confirmed to us our Lands and the free exercise of our Religion...in confirmation of which he delivered [back] to us the [two-dog wampum] Belt"²⁶.

British records indicate that deputies from the villages of "Caughnawaga and Canassedages" arrived at Albany in late June 1761 and sought an interview with Sir William Johnson, Superintendent of Indian Affairs. He was absent, but General Amherst arranged for a translator from the Indian Department to meet them, since they spoke no English. He made notes of the exchange of 14 belts and one string of wampum. No mention was made of land ownership; there were more pressing concerns.

"We are in need of every necessity of life," the chiefs concluded "and beg you will order us a few Guns, Powder, Lead, Kettles and Cloaks to enable to hunt for our provisions going home"²⁷.

"I shall send them back in good humour," the General wrote the next day²⁸.

Two years later, news came that New France was to remain under English control. Aman, a Mohawk of Kanesatake, believing he owned his land, sold his house to an English-speaking merchant. The

Superior of the Seminary in Montreal protested to the British military governor, pointing to the deed of 1717.

The British military governor examined the deed and upheld the Seminary; "it having appeared to us," he wrote, "the houses and fields of the village belong to them [the Sulpicians] as soon as the said Indians who hold the usufruct of them abandon them"²⁹.

The cession of New France created a more serious problem for the Seminary at this time. In the future, only British subjects would be able to hold land in the Province. Those subjects of the King of France unwilling or unable (Canadian military officers) to switch allegiance were allowed 18 months to sell their property and leave. The Gentlemen of the Seminary in Paris could not sell the property at Lac des Deux Montagnes as long as the Mohawks were still living there. A solution was found. Four months before the deadline, the Seminary in Paris ceded its land and titles to the Seminary in Montreal, and the Superior of the Order in Canada swore allegiance to King George III.

Eleven years later the legality of this transfer was questioned by the Attorney General of Quebec (an Englishman). He pointed out that the Seminary in Montreal had not been a legally incorporated body entitled to accept the donation of property in its own right. One cannot give to oneself. The estates of the Sulpicians, in his opinion, should revert to the Crown.

This threat to the Seminary was partly withdrawn two years later after the Americans had invaded Canada when a Royal

Instruction was sent to the Governor stating: "The Societies of Romish priests called Seminaires in Quebec and Montreal should continue to possess and occupy their houses of residence and all other lands and houses to which they were lawfully entitled on the 13th September 1759"³⁰. But the legality of the title had been questioned and this uncertainty would continue to concern the Seminary.

Around 1780 the Mohawks had their first difficulties with the few white settlers at Kanesatake. To prevent Mohawk cattle from getting into their gardens, the newcomers erected fences on the Common at the back of their lots. The Mohawks objected but an arrangement was worked out whereby the fences stayed and the whites were allowed to pasture their cattle on the Common in return for which the Mohawks were paid a small sum for each head of cattle³¹. Soon after, surveyors were seen on their lands and the Chiefs protested. Warriors from Kanesatake had served the British in the war with the Americans; their protest was forwarded to authorities in England.

"The Seigneury of the Lake is contested..." wrote the Superior of the Seminary in Paris to his Montreal counterpart. "Let matters rest and do not speak of anything except with mildness and a certain indifference" [translation]³².

The following year, 1781, the chiefs met the Superintendent of Indian Affairs and presented to him the Two-Dog Wampum Belt.

"The two dogs placed at the ends guard the limits of our land," the chiefs told him, "and if anyone wishes to trouble us in our possession, these dogs must warn us by barking, and that is what they have done for the last three years" [translation]³³.

Authorities in Quebec did not act. Seven years later, in 1788, the chiefs appeared before another Superintendent, Sir John Johnson. Their spokesman, Chief Aghneetha, told him the belt had been made at the time of their move from Sault au Recollet to the Lake of Two Mountains. Once they had been told by the Priest that their land did not belong to them-- "no, not even the smallest bush!" he had said. The Chief explained how they had met Johnson's father at the time of the Conquest and believed that he had confirmed their title to the land.

"Had we any doubts respecting the tenure by which we held our Lands, we would have then petitioned to have a new Deed lodged with Sir William in trust for us," Chief Aghneetha told Johnson. "It is our earnest prayer that you will use your interest with the Governor-in-Chief, Lord Dorchester, that a new Deed for the Lands we live on be made out for us, and that we may hold them on the same tenure that the Mohawks at Grand River [present-day Brantford] and Bay de Quinte hold theirs"³⁴.

The Governor referred the dispute to the law officers of the Crown. They do not seem to have questioned the Mohawk chiefs regarding the meaning and significance of the wampum belts among their nation, but instead, relied on the word of the Superior of

the Seminary. He assured them there was nothing in their archives concerning this belt. He also reminded them that if one accepted such a title, it would be easy for the Indians to take any land they wished by pretending to be owners on the strength of a wampum belt.

The law officers reported to the Governor on 21 March 1789. "With respect to the claim of Title by the Indians....," they wrote, "whatever Ideas they might have entertained of a title we cannot perceive any such right in them."

They questioned, however, whether the Seminary of Montreal had been "a legally constituted Body of Ecclesiastics vested with power to take and hold estates in Mortmain under the Government of the French King." In their opinion that "these estates fell to His Majesty at the conquest of Canada and by the laws of England the Possessors, since the lapse to the Crown, have held these estates and the Revenues as Trustees for His Majesty's use"³⁵.

The people of Kanesatake continued to maintain that they are the true owners of the land of their forefathers. Six years after Chief Agneetha's claim, they made the claim again [1794]. Then again eight years later [1802]. Ten years later the Mohawks of Kanesetake served the British in war as they had the French, and in 1813 a number of warriors from the village helped repel American invaders at the Battle of Chateauguay³⁶.

Also during those years, the Mohawks of Kanesatake prospered in the fur trade. Using steel traps and bait instead of the old

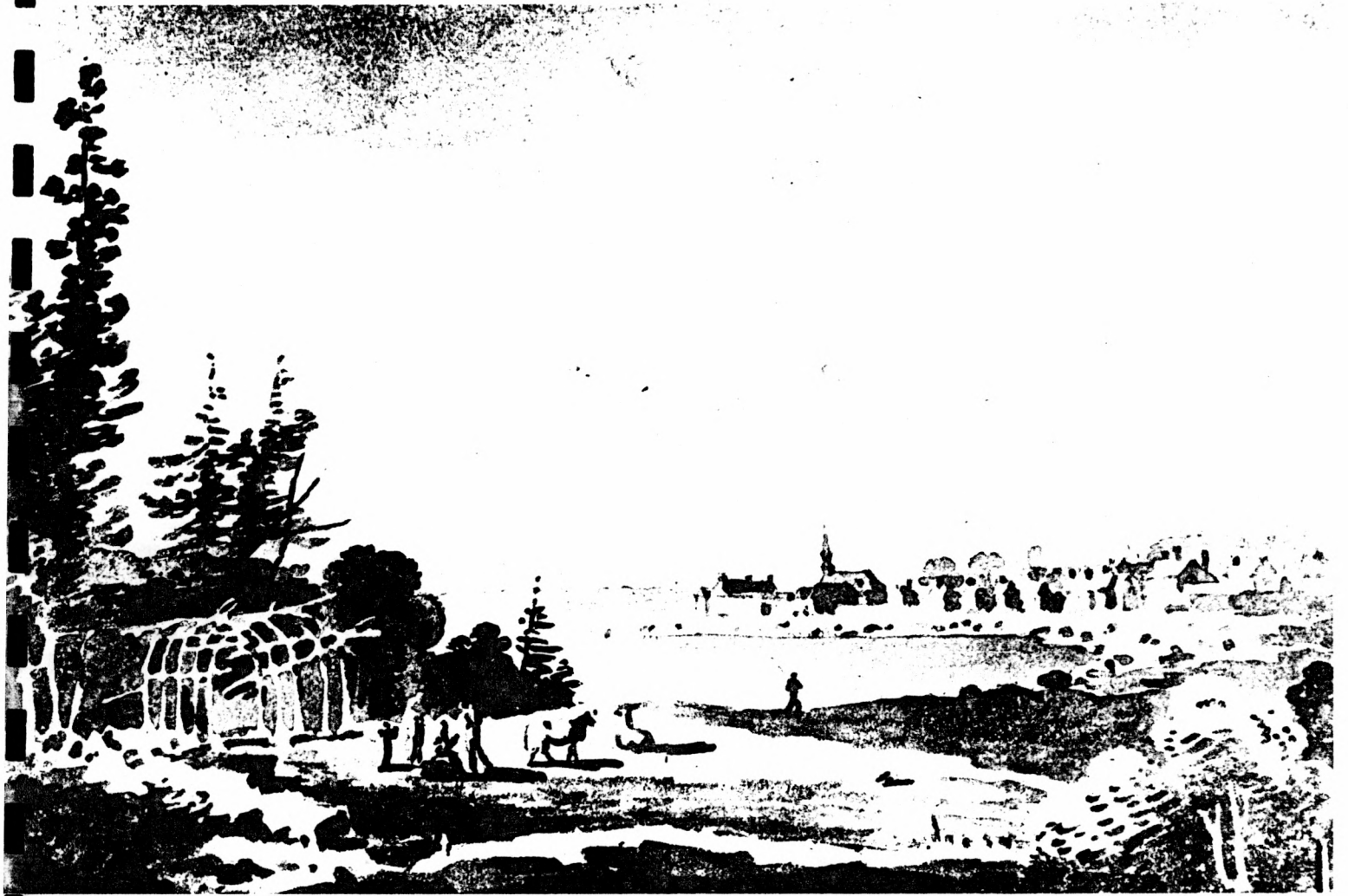


Illustration: Royal Ontario Museum, "Indian village and Catholic Mission ['Canasedago']," by George Heriot, 1 Oct 1807

wooden traps, they caught more beaver than ever before. Eventually they exhausted their own hunting territories and paddled far to the north and the west to hunt. Some worked as voyageurs for the North West Company. A few moved to the foothills of the Rockies. Two Mohawks (likely from Kahnawake) were the first to travel from Montreal to the Pacific Ocean by canoe when they arrived at the mouth of the Columbia River with David Thompson in the summer of 1811³⁷. A fur trade post was opened at Lac des Deux Montagnes during this time. In 1821 it was called a "productive" post; over 5,000 beaver pelts had been brought to the store during the previous year³⁸.

Throughout those years more and more strangers were settling the land around Kanesatake. French-speaking farmers to the north; English-speaking people across the lake. After 1825 a steamboat from Lachine began calling in at the village on its regular run to Carillon and back. The pace of life was changing. The Population of Kanesatake in 1837 was reported to be "300 Iroquis, 298 Algonquin, 264 Nipisin," occupying 260 acres of land, with 50 acres under cultivation³⁹.

THE REBELLION IN LOWER CANADA AND THE ORDINANCE OF 1840

In 1837 the Mohawks were involved the attempted revolution led by Louis-Joseph Papineau. At daybreak on Thursday 30 November, 180 Patriotes surrounded the village. Led by Amury Girod and Dr. Jean-Olivier Chenier, they wanted the cannon they knew the Indians owned.

They forced their way into the Hudson's Bay Company post but only found a few guns and a little ammunition. The Indians, they were told, had hidden the cannon.

Soon the Chiefs of the Mohawk assembled in their Council House. They invited Girod to explain why they had come. He asked them to sell him their cannon.

"I will not sell them," the Chief told Girod. "Will you take them by force from me?"

"Your Brother will not take your Property from you," Girod replied, "but if you like to sell us your cannon?"

"Speak no more about it," the Chief replied, "it pains me to hear it"⁴⁰. The Patriotes left the village without the cannon.

Two weeks later, Sir John Colborne, Commander-in-Chief of British forces in North America, led the troops in the attack on the Patriotes at St. Eustache and the rebel stronghold of nearby St. Benoit. Around this time, Chief Jose Ononksakosa, known as "Ocite," met Colborne and took the opportunity to complain that the

priests of the Seminary were refusing the Mohawks their right to cut firewood on their own lands. Colborne told him "to cut as much wood as they liked..." When Chief Ocite remarked that he would like that order in writing, Colborne replied "he did not require it and to make use of his name"⁴¹.

From this time on the dispute between the Mohawks and the Seminary revolved around the issue of wood cutting on the unconceded woodlands of the Seigneury.

In March 1838, the Superior of the Seminary wrote Colborne protesting the "depredations" committed by the Indians who had cut and sold "a great quantity of wood, while claiming his personal permission." He asked Colborne to put a stop to it⁴².

On 4 April 1838 the two men met. "I told His Excellency and repeated several times that we had reserved the domain of our own free will, that we could have sold the same in part or in whole; that if we had not done so, it was for the good of the Indians; that the Indians would have nothing to say in the matter were we to sell it to whomsoever we chose; this is the root of the whole affair. When we do anything for the Indians, we do it because we so wish it"⁴³.

Following the meeting, Colborne ordered the Indian agent at the Lake of Two Mountains to go to the lake and stop the wood cutting in the name of the Governor. When the people were informed of this, they did not believe it, and they asked the Agent to prove

the authenticity of the letter. Was this their reward for their loyalty?

Unknown to the Mohawks, the Commander-in-Chief was indebted to the Superior for his help during the rebellion. "He was most useful during the late troubles in giving information," noted one British officer. "He also produced a map for Sir John Colborne, and pointed out the road by which he could march to St. Eustache without impediment"⁴⁴.

In the fall of 1838 a second attempt was made by the Patriotes to gain independence. "The services of the priesthood were invaluable to the British Government," noted a British magistrate. "They collected and transmitted to the Government valuable and important information and were rewarded by an act confirming their title to their Seigneuries"⁴⁵.

In 1839 Colborne himself introduced this measure in the Special Council of Lower Canada that had been appointed to rule the Province. Entitled "an Ordinance to incorporate the Ecclesiastics of the Seminary of St. Sulpice at Montreal," it confirmed the Seminary's status as seigneur of Montreal and Lac des Deux Montagnes. It was approved.

In June, 1839, the Superior himself visited the mission and met with the Mohawks. According to the Indian agent who was present, the people were told "they might cut firewood on the land they occupied or might subsequently wish to cultivate and sell the same, but they should give the preference of said sale to their

missionary should he deem fit to purchase the same. No price was mentioned at the time"⁴⁶. To this the Mohawks agreed; however, the written agreement read quite differently: "Wood must be cut only where the Missionary may point out"⁴⁷. The Mohawks, however, could not read the words on paper.

Legal complications forced the measure incorporating the Sulpicians' title to be reintroduced into the Special Council in its session the following year. This time it was brought in by the President of the Council, the Chief Justice of the Province. After explaining that he had helped draft the legislation for the Seminary before his appointment to the Bench two years earlier, he absented himself from the deliberations. The measure was passed with little debate and no mention of the Mohawk interests. Soon after, this non-elected council was disbanded, never to meet again.

In 1841 the Ordinance was introduced into the House of Lords in England. Objections were raised but the Government approved of the measure ("A bargain already agreed upon," as one Lord put it⁴⁸) and it was made law. The Seminary had finally secured clear title to the land at Lake of Two Mountains "for the instruction and spiritual care of the Algonquin and Iroquois Indians"⁴⁹.

The Seminary imposed its claim through written deeds, as the local Superintendent of Indian Affairs explained two years later: "The Iroquois at the Lake of Two Mountains receive as much land as they can cultivate...for which they pay no rent. They receive title deeds to said property, and have the power, if no heirs, to

leave or sell to whom they please, provided it be to a member of the tribe, and of the mission, but to no strangers or whites"⁵⁰.

The people of Kanesatake still claimed the land as theirs, but remained members of the Roman Catholic church. "Such of the Indians who live in the villages [Mohawk and Algonquin] regularly attend church twice a day the whole year round, morning and evening. The Indians are a superstitious set and much in dread of their Priest; it is therefore hard to say whether they act from choice or fear. No Indian is allowed by the missionaries to go into church during service without their blankets"⁵¹.

On their land the Mohawks remained true to their traditions as growers. "Indian corn is what they cultivate most, being the principle article of their food," noted the Superintendent, "they also raise pease, beans, potatoes, pumpkins, oats and hay....Each family cultivates its own patches which are little in extent and scattered here and there at certain distances from each other"⁵².

In the next few years two factors combined to cause open conflict between the Mohawks and the Seminary. In the age of steamboats firewood increased in price and brought money into the village after the fur trade diminished (The Hudson's Bay Company post at Oka closed in 1848.) The Mohawks kept cutting down trees; the Sulpicians complained of "depredations" committed by the woodcutters.

After the Sulpician missionary tried to set boundaries where the Mohawks could cut wood, the people sent a petition to the

government in 1848 reclaiming their traditional rights. A few days later the Superintendent of Indian Affairs arrived at the village and through an interpreter he explained the old title deeds of the 1700s held by the Sulpicians and informed them that these had been approved by Her Majesty in 1841. The timber was not theirs, he told the people, and they had "no right to cut down and sell any of it without the consent of the missionary"⁵³. The chiefs responded by cutting more wood. They sent another petition in June complaining of the Seminary's attempts to stop them. In early July the Superintendent again arrived in the village. This time he threatened the woodcutters with the loss of their annual bounty from the Government and warned of legal proceedings should they continue.

Around this time, the itinerant missionary who served the Methodists across the lake began visiting the Indian village attempting to convert the people to Protestantism. In 1851 the people of Kanesatake petitioned the Government again. Around this time, the Rev. Peter Jones, an Ojibway Protestant missionary from Canada West, visited the village. He gave the people a choice of religions. Those most opposed to the Sulpicians' interference in their affairs decided to convert to Protestantism. In 1852 Bishop Bourget of Montreal excommunicated four Mohawk leaders. No longer was Kanesatake an entirely Roman Catholic village.

JOSEPH ONASANKENRAT AND MOHAWK RESISTANCE TO THE PROVISIONS OF THE 1840 ORDINANCE

For the next 25 years, strife smouldered without cease as the Seminary asserted its dominion. In 1859 it gained ownership of all ungranted land when a bill abolishing seigneurial tenure on its lands was shepherded through the legislature by Attorney-General [East], George-Etienne Cartier, himself a former legal counsel to the Sulpicians. This bill, the Superior insured, would allow the sale of the Common Lands at Lac des Deux Montagnes⁵⁴.

During this time a leader of the Mohawk resistance emerged, Joseph Onasankenrat, also known as Joseph Swan. A bright boy, he had been raised as a Roman Catholic, and given a good education at the College de Montreal. In 1868 Onasakenrat was working for the Sulpicians as secretary of the mission when, at 23, he was chosen one of the three chiefs of Kanesatake. Soon after, the Seminary released him from his position. For the first time, the Mohawks had a chief who could read and write. From this time on Chief Joseph led the Mohawks in their struggle.

Chief Joseph began by revealing the substantial revenues the Seminary was receiving as landlord. He convinced many of his people to leave the Roman Catholic Church. He then composed a petition to the Governor General of the one-year-old Dominion of Canada. It accused the Seminary of refusing to grant land to the Mohawks, of depriving them of the right to cut wood, as well as

several other abuses of their position. "The Indians of the Lake are naked children, and will soon tremble with cold, for nothing is left to them" the Petition read. It asked the Government "to order away the priests, missionaries and seigneurs of St. Sulpice who are the main cause of their [the Mohawks] poverty and misery"⁵⁵.

Onasakenrat read the petition to his people at a meeting held in late July. A total of 122 Mohawks signed the document which was forwarded to the Governor General.

In Ottawa, this petition, as well as one from disgruntled Algonquins of Lake of Two Mountains, was referred to the Hon. Hector-Louis Langevin, Secretary of State, who was then responsible for Indian Affairs in the new Dominion of Canada. The Minister, whose eldest brother was the Bishop of Rimouski, wrote to the Superior of the Seminary for his comments. The Superior refuted the arguments, sending copies of the deeds, and claiming that since the abolition of seigneurial tenure nine years earlier, the non-ceded lands had become the unconditional property of the Seminary and it was quite able to sell any of those lands. The lands under cultivation and occupied by the Indians, he maintained, also belonged to the Seminary.

At Kanasetake that fall old Chief Ocite led a large number of Mohawks to the ungranted woodlands of the seignery where he proceeded to grant a piece of land to each of the men there, telling them this land did not belong to the priests but to the

Indians - "properties they had been deprived of for too long a period"⁵⁶.

Within days, a magistrate arrived with six policemen. He spoke to Chief Joseph who promised to go to Ottawa to talk to the Minister. No arrests were made but the police stayed in the village.

Following the meeting in Ottawa, the Minister again wrote to the Superior of the Seminary. In his reply the Superior defended the position of the institution with financial statistics, showing the expenses incurred on the Indians' behalf. "We only ask," he concluded "to continue to do the good we always have done, to see the delusion of the Indians dissipated by solemnly declaiming to them that they are upon our lands and that they cannot be allowed to remain on them unless they submit to the wise regulations which we have made for their welfare and that of their children"⁵⁷.

On 9 December 1868 the Minister wrote a stern letter to the Chiefs and people of Kanesatake in which he supported the claims of the Seminary and told them that they had no right of property in the seigneury.

The following day, Chief Joseph sent another petition signed by himself and 12 others to Sir John A. Macdonald, Minister of Justice, reviewing the various laws on which the Mohawks based their claims, beginning with the Royal Proclamation of 1763 which first recognized their rights. They enclosed the letter from the Secretary of State - "written evidently under the sainted

invocation of the priests of the Seminary at Lake of Two Mountains," - and stated their belief that "justice will not be fairly dealt to them"⁵⁸.

In late February 1869 Chief Joseph received a reply from the Governor General stating it would not be possible to take any steps without the reports and recommendations of the responsible ministers. The chiefs then wrote the Secretary of State that "in default of having justice rendered to us, the chiefs on behalf of the nation will adopt such means as will ensure the removal of these priests"⁵⁹.

The three Chiefs then visited the Sulpician missionaries and told them that the Mohawks no longer needed their services. The priests must leave and not come back. The two missionaries replied that they would not leave until their Superior told them to go.

Soon after, the missionaries pressed charges of assault and the chiefs were arrested and held in prison in Terrebonne, but were released on bail raised by Protestant supporters in Montreal. Charges were later dismissed when the missionaries did not appear at the trial.

Several weeks later, the Chiefs received a reply from the Under Secretary of State which stated that their actions were illegal. They were advised to respect the law and the rights of property of the gentlemen of St. Sulpice. "The government," they were told, "has your welfare at heart"⁶⁰.

In late May, the Secretary of State referred his findings to the Governor in Council recommending acceptance of the Seminary's claim to ownership. When this Privy Council Minute was approved, the new Government of Canada officially recognized the Sulpicians' claim. Soon after, the Superior of the Seminary thanked the Minister for his help, and for the first time suggested the idea of "removing the malcontents to some other locality"⁶¹.

Chief Joseph responded by requesting the Methodist Church send the people of Kanesatake a resident minister. The Protestant missionary arrived that year. The Chief arranged for the purchase of a lot from an elderly Mohawk and plans were drawn up for the construction of a chapel. The Mohawks began cutting down trees in the forest for timber. The Roman Catholic missionary pressed charges of trespassing against the woodcutters and again several Mohawks went to jail.

In February 1870 Chief Joseph prepared another petition to the Governor General. "Your petitioners," he wrote, "instead of obtaining support, maintenance, education and 'cure of souls,' have been made the abject and loathsome slaves and martyrs of the priests." The Mohawks called for the seigneurie "to be returned to them by right"⁶².

That summer Chief Joseph told his people: "We know how to use diplomacy, and, if it is necessary, we will have recourse to arms"[translation]⁶³.

In Montreal the Superior of the Seminary began legal proceedings to remove the Protestant chapel. There ensued a long legal battle, marked by bitter religious antagonism. Finally, four years later, the Seminary was given legal authority to remove the building. On the morning of 8 December 1875, 25 men arrived in the village and proceeded to tear down the chapel.

Now it was war. Over the next two years the Mohawks asserted their claim by cutting trees at will and by burning the fences of the non-native farmers. Matters came to a head in May 1877 when the Seminary put up a fence around the sand dunes behind the village (now the pine forest), part of the Common Lands on which the Mohawks pastured their cattle. The Mohawks responded by immediately pulling out some of the fence posts and burning them. The missionary posted guards at the site. In the early evening of 19 May 1877, the two sides met, both armed. A fight erupted. Stones flew, fists flew, then, when the guards tried to grab him, Chief Joseph fired his rifle. Suddenly gunfire broke out all around. The guards were forced to flee. No one was killed in the fight. One guard was injured in the hand.

Warrants of arrest were issued against 46 Mohawks. In mid-June 1877 ten Provincial policemen arrived at the village and arrested eight people. Word spread that others were going to be arrested, including Chief Joseph. That night he called together a secret Council. The meeting continued throughout the night. Finally the

old cannon was brought from its hiding place. Before first light on 15 June 1877 the Mohawks moved toward the Mission.

First they shot out the gate with their cannon. Then they entered the yard and set fire to the outbuildings. Quickly they moved toward the church and set it alight. All the buildings were now on fire. They burned all that long summer day. At five in the evening when the Prince of Wales steamboat stopped on its way downriver to Montreal, the bell crashed to the ground.

Years of resentment.

"Wholesale arrests followed." recalled Charles Cooke, one of the Mohawks who was a boy of six at the time. "Those who escaped arrest fled, leaving only boys and old people to look after their planting. Times were hard. Our homes were constantly searched by the police from Montreal and Quebec. No able bodied man was seen in the whole Indian community"⁶⁴.

Following the fire, Chief Joseph and most of the men of Kanesatake moved across the lake to live. He was visited in late June 1877 by an agent from the Indian Department seeking information. The chief told him the Protestant Mohawks would, under certain conditions, and after consultation, be willing to leave Kanesetake if a sufficient quantity of good land outside the Province of Quebec was reserved for them.

In July fifteen Mohawks were committed to stand trial. In the next four years, five well publicized trials were held; each time

the jury divided on religious lines and no verdict could be reached. Eventually in 1881 all charges were dropped.

The Federal Government attempted to solve the problem by moving the Mohawks to a new location. The Seminary had long desired it. Many of the Mohawks wished an end to the troubles, especially after an important legal judgement made in 1878 by a retired Judge of the Court of Queens Bench determined that the Protestants of Kanesatake had no claim to spiritual care or instruction from the mission or its missionaries. This crushed their hopes of forcing out the Sulpicians because they were not fulfilling obligations imposed on them in the Act of 1841.

In 1881 the Indian Affairs Department arranged for the purchase by the Seminary of over 25,000 acres of Crown land from the Government of Ontario in the township of Gibson in the Muskoka region. That April three Mohawk delegates visited the place and gave their approval. Back home there was division. "Hard feelings bubbled up between those who decided to move...and those who would not leave," remembered Cooke⁶⁵.

The Seminary agreed to pay the Mohawks for any improvements they had made on their houses at Kanesatake, to build them new houses at Gibson, and to pay for their moving expenses and provide their food for one winter.

Finally on 22 October 1881 about 175 people from Kanesatake set off with all their belongings, on the steamer **Dagmar**, bound for a new life on their own lands in Ontario. Over 300 others

stayed behind on shore. "The singers...gathered on the foredeck of the steamer and started to sing their farewell song in Indian," remembered the boy. "Some of the choir could not sing, the sadness of their words choked their voices"⁶⁶.

After the exodus, resistance subsided at "Oka," as the village was now popularly known. (The name given to the post office around Confederation by the Government, allegedly on the urging of the owner of the steamboat company who wanted a shorter name than "Lac des Deux Montagnes" in his passenger schedule.) Several Roman Catholic Mohawk families remained in the village, but there were three times as many Protestant Mohawks.

The Methodists remained strong. In 1894, the Reverend John Oke, a native of Kanesatake and a graduate of McGill University and Wesleyan College, took charge of the Methodist mission at Oka. He gained renown for his struggle for native rights not only in his local village, but also before the Congress of the United States of America when appeared before it in 1923 on behalf of the native people of North America, arguing against taking away aboriginal rights in return for the vote. Wrote one observer at the time: "He was firm in the belief that the Indians were not inferior to other races"⁶⁷.

The lands and houses of the departed Mohawks, like those of the Algonquins and Nipissings who had left earlier, reverted to the Seminary which sold the properties to white Roman Catholics. The Trappist Monks and the Christian Brothers received generous grants

of land at this time. During the 1890s more and more white families moved in.

THE CASE OF CORINTHE ET AL V. THE ECCLESIASTICS OF THE SEMINARY OF ST. SULPICE, 1912

In 1903 Angus Corinthe was chosen as chief, and he began to publicly protest the Seminary's sale of land the Mohawks believed was theirs. "I went to different places and I was trying to start this matter. I said I am trying to do what Chief Joseph was trying to do before me"⁶⁸. Eventually Chief Corinthe met the Prime Minister, Sir Wilfred Laurier, who took a personal interest in the problem, deciding at length that it would be best to bring the question of land title to court to have it resolved once and for all, with the Government of Canada paying all legal costs. He informed the Superior of the Seminary of this in 1905.

Matters came to a head in 1907. For years the Mohawks had maintained the long fence around the large tract of unconceded land approximately 2 miles by 1 mile in dimension. known as the Common Lands, on which they pastured their cattle and cut firewood (although often being arrested for doing so). In the spring of that year, the municipal government of Oka began putting up fences along roads that ran through the Common. These road fences, the Mohawks saw, would have the effect of cutting the Common into three separate parts.

Chief Corinthe led the fight. He visited the Superior of the Seminary who denied any responsibility in the matter, but offered to mediate. The Chief then met the Secretary-Treasurer of the Municipality and was told that there would be jobs for his people

if they stopped complaining. Chief Corinthe immediately went to Ottawa and visited the Superintendent of Indian Affairs.

"What I told the Government when I went up there was, 'They are going to put up a fence on our common, and first man who comes to stick up a post there I will smash his head'"⁶⁹. The Chief was cautioned not to break the law, but to allow the question to go to court. The Government would pay the legal costs of the Mohawks.

The Chief returned to Oka and spoke to his people: "I told them to be quiet and not do anything for the law would fix it up"⁷⁰.

Protected by Provincial Police, that summer the municipal workers put up the fences. There was no violence. There was also no legal action either that year or most of the next.

In early 1909, former Chief Joseph Gabriel went to London in the belief that the Mohawks had the right to bring their grievances before the Monarch in person. With him he carried a petition. "Now we Iroquois Indians have no land left at all, neither fuel for our own use," it read. "We now lay to the Government of the throne our complaints to have justice be done, to place us in the employment and full possession of our land..."⁷¹.

The King did not read the petition but the Prime Minister of Canada did. By then, however, the matter was before the courts, for in February 1909 the suit of Corinthe vs the Ecclesiastics of the Seminary of Sulpice was heard in the Superior Court in Montreal.

Chief Corinthe testified that the Chiefs of the Mohawks had always been in charge of the "big fence" as they called the Common. They were responsible for repairing and maintaining it. The land it enclosed was for the common use of all natives. The Mohawks had never asked the priests for permission to use it. The Municipality did not have the right to erect fences on Mohawks lands without first getting their permission. The new road fence prevented his people's cattle from getting to the lake to drink in hot weather.

"We have always lived there, as long as I can remember," he testified, "and we have always claimed the land as our own"⁷².

Aime Geoffrion, K.C., counsel for the defendants, maintained that the Indians had no right in the Seigneury at all. The Act of 1841 was submitted as conclusive evidence. The Judge's decision in March 1910 pleased neither side. He thought the Mohawks had not occupied the land as proprietors, but that the Seminary had been placed by statute under the obligation of promoting continuing the mission for the instruction and spiritual care of the Indians, which must involve the right of residence in that district and of cutting wood and pasturing cattle.

An appeal against the decision was taken by the Mohawks to the Court of Appeal. The Seminary cross-appealed against that part of the judgement which recognized the right of the Mohawks to cut wood and pasture their cattle. In late 1911, the appeal was dismissed; the judge expressed his opinion that the Indians had the right of residence in the Seigneury and were entitled to receive instruction

and spiritual care if they wished. These were the only rights the Mohawks had under the Statute of 1841.

The following year a final appeal was heard by the Judicial Committee of the Privy Council in London with the Federal Government paying the costs of both sides. In July 1912 Their Lordships upheld the decisions of Quebec Courts, holding that the Statute of 1841 put beyond doubt the title of the Seminary of St. Sulpice to the disputed lands. However, their Lordships added as *obiter dictum*, a strong hint that a suit to enforce a charitable trust against the Seminary might be an appropriate course and one that would be entertained by their Lordships⁷³.

THE AFTERMATH OF THE CORINTHE DECISION

In August, the Indian Affairs Branch received the judgement. The Department of Justice was then asked to advise as to any action that might be taken in the interest of the Mohawks upon the paragraph of the judgement relating to the trust. Counsel for the Mohawks later suggested to the Department of Justice that the matter should be disposed of by some settlement which would be acceptable to the natives, rather than by litigation.

Three years later another of the Mohawk's legal advisers reported that 46 of the people of Kanesatake held no land or insufficient land upon which to farm. If each of them was given 100 acres of agricultural land, or if the land was given to the Government in such a way as to insure the lands would be preserved for the Indians, this would be accepted by the people in settlement of their longstanding dispute with the Seminary.

The Department of Justice secured a further opinion on the matter from a respected constitutional lawyer from Montreal. He reported there was no provision in Quebec law for the Attorney General to enforce a charitable trust, and concluded that the question raised might best be solved by negotiation and remedial legislation.

In 1917, the Superintendent of Indian Affairs brought the matter of providing land in the Seigneury to the Mohawks to the attention of the Superior of the Seminary. Negotiations began but

no settlement was ever made with the people of Kanasetake. The matter seems to have been dropped.

"My recollection," wrote the Secretary of Indian Affairs much later, "is that Mr. Geoffrion, counsel for the Seminary, had a number of interviews with Dr. Scott (Superintendent of Indian Affairs) on the subject and it was agreed between them that no action seemed necessary as the Order would do nothing to interfere with the land tenure or living conditions of the Indians"⁷⁴.

The next 20 years were dark ones for the Mohawks of Kanasetake. During this time, the Seminary acted as if the judgement of 1912 settled, once and for all, the question of ownership of the lands. In the 1930s, it sold much of the land of the Seigneury to a Belgian syndicate, Groupe Belgo Canadien. Included in the sale was a portion of the Common Lands. Guarding its property rights rigorously, the foreign company laid charges in 1937 against several Mohawks accused of cutting firewood on its property. Provincial police made arrests. In 1938, counsel for the Mohawks wrote to the Government protesting the intrusion of the police on the Mohawks' land. "The people now found themselves in the position of committing crimes when they do what their forefathers have done for the last two hundred and fifty years," he wrote. "The people," he added, were "in a worse condition than they ever had been"⁷⁵.

THE ACQUISITION OF SOME DISPUTED LANDS BY THE GOVERNMENT OF CANADA,
1945

The Superintendent of Indian Affairs in March 1938 wrote to the Superior of the Seminary suggesting that the Government of Canada acquire the lands occupied by the Mohawks. Lengthy interviews and much correspondence led to one of the "Trustees to the Commercial Property of St. Sulpice" writing to the Minister of Mines and Resources, then responsible for Indian Affairs. The trustees offered to sell 1,830 acres of Indian-occupied land for \$30 per acre or \$54,900.00 "The Indians," the letter noted, "occupy the land under agreement in writing whereby their possession is on sufferance"⁷⁶. In a further letter sent in November, another trustee explained that increased municipal and school taxes on these lands exceeded \$1200 for which in compensation the Sulpicians received nothing. The trustee wrote that they were anxious to be liberated from such charges.

On 10 December the Minister, the Hon. T.A. Crerar, replied. He criticized the Seminary for selling "a good portion" of the Common Lands, despite the long use of them by the Mohawks. The Government expected the Seminary to carry out the obligations placed on it by the Statute of 1841 and the Minister threatened to take the Seminary to Exchequer Court to enforce these obligations. He refused to entertain the proposal to purchase Indian lands, the legal title to which the Seminary held subject to these obligations

to the natives. However, the Minister left open the possibility of future negotiations to arrive at a settlement⁷⁷.

Negotiations continued throughout World War II. Eventually the Government did agree to purchase all the lots occupied by the natives at Kanesatake for \$1.00, plus the payment of tax arrears on these lots and farms. The Government assumed all the obligations to the Mohawks imposed on the Sulpicians, except for providing spiritual care to the remaining Roman Catholic Mohawks. All claims the Government or the Indians had against the Seminary were abandoned. The Federal Government bought 51 or 52 of the lots in the village and 1,556 acres of "outside the town" land. This remains Crown Land to this day (1991). The date of the purchase was 31 May 1945⁷⁸.

For the next 15 years the Chiefs attempted in vain to obtain an explanation from the Canadian government regarding the status of the lands of their forefathers. Legal complexities were blamed by the Indian Affairs Branch for the delay in providing a satisfactory answer. Oka was never given Reserve status.

THE GOLF COURSE

The Priests of the Seminary of St. Sulpice (as the Order was renamed) provided the Mohawks with one more problem when they transferred lot 69 in the Parish of l'Annunciation (Oka) to the Municipality of Oka in 1959. This lot was part of the Common Lands which had not been acquired by the Crown, as no one was living on the land in 1945. The Mohawks were not consulted about this transaction. In September of that year, Paul Sauve, the Member of the Legislative Assembly for Deux Montagnes, became the Premier of Quebec after the death of the Hon. Maurice Duplessis. The Municipality of Oka prevailed upon the new Premier to introduce a private member's bill into the Quebec Assembly which authorized the Corporation of Oka to acquire the lot and to lease it for "sporting or commercial purposes"⁷⁹. The bill passed into law on 18 December 1959. The new Premier died on New Year's Day.

In 1960, the Mohawks learned that the Town intended to lease this part of the Common to a private golf course. They were told that this was quite legal and were shown a copy of the Statutes of Quebec [S.C. 1959, c. 181] that gave the Town the authority to act. Chief James Montour immediately wrote to the Indian Affairs Branch demanding the Federal Government disallow the Quebec statute.

Indian Affairs received the Chief's demand, but referred him to the Department of Justice. After months of delay, officials there informed the Chief that "We do not believe that actually it

is the role of the Justice Department to disallow this particular bill"⁸⁰. Soon after, the one-year time limit for disallowance ran out and work on the golf course could proceed.

In March 1961 Chief Montour led a delegation of Mohawks from Kanasatake to Ottawa to appear before the Joint Committee on Indian Affairs. Assisted by Frank C. Scott, Dean of the Faculty of Law at McGill University, the Mohawks had prepared for the meeting. Their legal counsel at the hearing, Emile Colas, began by referring to the 1912 judgement:

"Obviously in their Lordships opinion some tangible rights existed which by appropriate action the Indians might enforce. Such action has never yet been taken." He also noted that the 1945 land purchase included only Indian-occupied land. "It seems to have been imagined by the vendor and purchaser that all claim to access and use of the unsold lands was extinguished and that henceforth they and their children were to be confined to a part only of the whole tract over which they previously roamed at will." He then explained that part of the Common Lands were being bulldozed into a golf course as they spoke. "Now the axe is being laid to the roots of the splendid trees in the area....What was once reserved for Indian use and profit is now reserved for golf....What is the purpose of the Indian Affairs Branch?" counsel asked⁸¹.

Chief James Montour then spoke to the Committee in Mohawk: He asked that the original boundary lines of 3 leagues by 3 1/2 leagues be restored and the land be made into a reserve.

"We hold this piece of land as our own home. When our great grandfathers came to that piece of land they said they would never move from it and that it was going to be their permanent home. We are still in occupation of it and we ask that the Indian Affairs Branch produce whatever documents they have dealing with this land so that everything may be settled, once and for all. We are not asking for more than we actually own or possess. We are living on a small piece of land and it is being subdivided amongst the children as they grow up, so that none have enough to live on. We believe the land should come back to the ownership of the Oka band. If this is done we shall all be happy and our children's children can look forward"⁸².

The Committee listened and questioned but the Department of Indian Affairs afterward did not act. Work on the golf course continued. A month after the meeting Chief Montour sent to the Committee a plea from the people of Kanesatake that remains to be answered to this day:

"For over a century," he wrote, "the controversy has been waged over this land to our detriment. We have opposed an organization far wealthier, far more influential. Our appeals have been strangled and thwarted in every instance and our rights have

been ignored. Let us this time reverse the usual order and let Justice have its sway"⁸³.

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9. H.P. Biggar, ed., The Works of Samuel de Champlain (Toronto, 1971, vol.ii, p.90
10. Ibid., pp.90-91
11. Diamond Jenness, The Indians of Canada (Ottawa, 1977), p.301. "Real adders," according to Jenness is the meaning of the word Iroquois. In this paper the word Mohawk is used in lieu of Iroquois.
12. Ibid., p.2. In the 1630s Jean Lauson, Intendent of the Company of One Hundred Associates that had been granted the monopoly of trade in New France, obtained Montreal Island for himself "through the use of straw men." In 1640 the Island was acquired from him by the religious Society of Notre Dame de Montreal, one of whose members founded the Seminary of St. Sulpice one year later. In 1650 the Superior of the Seminary became director of the Society in Paris. Seven years later he arranged to establish a Seminary in Montreal to replace the Jesuits as parish priests at Ville Marie. In 1663 the Society disbanded and the Seignury of the Island of Montreal was donated to the Gentlemen of the Seminary of St. Sulpice in appreciation of the Superior's efforts on behalf of the mission. By 1665 the Superior of the Seminary in Montreal was acting as Seigneur; however, the King did not give his

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28. Ibid., p.43 Governor General Sir Jeffery Amherst to Sir William Johnson 29 June 1761

29. PAC, RG 10 vol. 10024 G.M. Mathieson's Blue Book relating to Indian Affairs, pp.71-2 Judgment of Brig.-Gen. Ralph Burton, Governor of Montreal in the case of the Ecclesiastics of the Seminary of Montreal vs Master Vanderheyden, merchant, 4 Nov. 1763.
A clear definition of the legal concept of usufruct is found in Jaenen, "The French Relationship with the Native Peoples of New France and Acadia," (Research Branch, DIAND, 1984), p.21, when he cites Samuel Pufendorf's 1688 definition, "dominion lies with the one, and the right to enjoy the fruits with the other."
30. Seminary, pp. xxii-xxiii citing Mirror of Parliament, Vol XXI p.545 (Royal Instruction to Governor General Sir Guy Carleton, 1775)
31. Maurault, p.10
32. PAC, CO 42\66, p.52 Watchdogs were being used to protect Ville Marie when the natives arrived at La Montagne in 1671.
33. Ibid.
34. Ibid.
35. PAC, RG 10, vol. 10024 pp.75-6 Report of J.Monk, Attorney General, and J. Williams, Solicitor General; 21 March 1789
36. Maurault, p.11 No study of Mohawk petitions of this period has been made.
37. The Life of Rev. Amand Parent...Eight Years Among the Oka Indians (Toronto, 1887), pp.188-90
38. David Thompson, Travels in Western North America 1784-1812, [Victor G. Hoggood, ed.], (Toronto, 1971), pp.160-1, 223-4, 298-9
39. "The Diary of Nicholas Garry," Royal Society of Canada, Transactions, 1900, vol. vi, p.181
40. Canada PAC, Report for the Year 1923, "The Secret Journal of Amury Girod as translated from the German and Italian," (Ottawa 1924), pp.177-8
41. Seminary, p.16
42. Ibid., p.79 M. Joseph-Vincent Quiblier, Superior, to Sir John Colborne, Commander-in-chief of Her Majesty's forces in British North America, 13 Mar. 1838

43. Ibid., p.80 M. Joseph-Vincent Quiblier to M. Dufresne, Missionary, Lac des Deux Montagnes, 4 Apr. 1838
44. William Ormsby, ed., Crisis in the Canadas: 1839 The Grey Journals and Letters (Toronto, 1964), p.20. Lieut-Col.the Hon. Charles Grey, personal journal, entry of 20 May 1838
45. PAC, MG 24 B25, Sydney Bellingham Papers, p.150
46. Seminary, pp.17-18, Declaration of James Hughes, Late Superintendent, Indian Dept., 16 July 1848
47. PAC, RG 10, vol. 10024, pp.11-12, Propositions made by M. Quiblier, 11 June 1839
48. Seminary, p. xlviii, Speech of the Marquis of Normanby, House of Lords, 15 Mar. 1841
49. PAC, RG 10, vol. 10024, pp.82-8, (3 & 4 Vic. c30)
50. Canada. Legislative Assembly, Appendix to Journals, Appendix T, Sub-appendix No. 7, 16 Jan. 1843
51. Ibid.
52. Ibid.
53. PAC, RG 10, vol. 10024, p.89, F.E. Campbell, Superintendent General of Indian Affairs, to Lt.-Col. D.C. Napier, Superintendent of Indian Affairs, 1 May 1848
54. See Brian J. Young, George-Etienne Cartier: Montreal Bourgeois, (Kingston, 1981), pp.103-6
55. Seminary, p.11, citing petition signed by Chiefs Jose Onasakenrat, Louis Kanenrakenhiate and Jean Osennkenrat and 119 others, 26 July 1868
56. Ibid., p.39, Report of C.J. Coursol, Magistrate, to the Hon. Gedeon Ouimet, Attorney-General, Province of Quebec, 15 Oct. 1868
57. Ibid., p.51, T.A. Baile, Superintendent of the Seminary of St. Sulpice, to the Hon. H.-L. Langevin, Secretary of State, 9 Nov. 1868
58. Ibid., p.2, Joseph Onasakenrat and 12 others to the Hon. Sir John Macdonald, Minister of Justice, 10 Dec. 1868.

59. Ibid., p.59, Joseph Onasakenrat and 2 other Chiefs, to His Excellency Sir John Young, Governor General of Canada, 8 Feb. 1869
60. Ibid., p.60, Etienne Parent, Under Secretary of State, to Joseph Onasakenrat and other Chiefs, 15 Mar. 1869
61. Ibid., p.61, T.A. Baile to the Hon. H.-L Langevin, 2 June 1869
62. Ibid., pp.73, 75 Joseph Onasakenrat, Chief Louis Kanenrakenhiate and 64 others (including Algonquins), 7 Feb. 1870
63. Maurault, p.12
64. Charles Angus Cooke, "Dear Friends of Gibson Reserve: Recalling Troubled Times in Oka 113 Years Ago," Ottawa Citizen, 26 July 1990, p.A15
65. Ibid.
66. Ibid. See also Donald J. Bourgeois, "Research Report on the Mohawks of Gibson Land Claim," DIAND, 1982.

The Seminary paid \$12,791.00 for the Township of Gibson. In 1898, the Canadian Government refunded to the Seminary \$10,604.50 for over 21,000 acres of land not occupied by the Mohawks, plus \$4091.50 interest, for a total of \$14, 696.00. See also PAC, RG 10, vol. 2035
67. "Oka's Iroquois Church has a Strange Story," The Toronto Star Weekly, 31 Oct. 1925 (reprinted by Oka United Church 1983), n.p.
68. Superior Court, Montreal, Record of Proceedings, 2601, Deposition of Angus Corinthe, 10 Feb. 1909, p.46
69. Ibid., p.35
70. Ibid., p.36
71. Canada. Order in Council, P.C. 293 N, 28 May 1909, Chief Joseph Gabriel to His Majesty, Edward VII, n.d. (attached)
72. Ibid., p.42
73. Dominion Law Reports, 1912, A.C. 872; 5 D.L.R., pp.267-8

74. DIAND, file 373/30-2-16, "Surveys & Reserves, Oka Res.#16. vol.1, Memorandum re Oka Land Question. Recollection of T.R.L. MacInnes, Secretary to the Indian Affairs Branch, n.d. (likely 1941)
75. DIAND, file 373\1-1, vol.1, Royal C. Werry, K.C., to W.J.F. Pratt, Private Secretary, Dept. of Mines and Resources, 16 Mar. 1938
76. Ibid., Bernard Bourdon to The Superintendent of Indian Affairs, 5 June 1941
77. Canada. Joint Committee of the Senate and the House of Commons on Indian Affairs, Minutes and Proceedings, 14 Mar. 1961, p.31 citing the Hon. T.A. Crerar, Minister of Mines and Resources, to the Trustees of the Commercial Property of St. Sulpice, 10 Dec. 1941
78. Ibid., p.29, Testimony of L.L. Brown, Special Assistant, Indian Affairs Branch; Canada. Order in Council, P.C. 2124, 2 April 1945; DIAND, R7687, Deed of Purchase...Oka Lands, 31 May 1945
79. Quebec. Statutes, S.C. 1959, c.181
80. Joint Committee, 14 Mar. 1961, p.18
81. Ibid., p.14
82. Ibid., pp.36-7
83. Ibid., Appendix Q1, Chief James, Sakokate (his mark) and Montour, and Samuel Sohenrese Nicholas

Bibliographical Note

In 1990, the Department of Indian and Northern Affairs undertook to prepare a complete inventory of primary and secondary sources of the history of Oka.

This bibliography and copies of all the documents collected were made available to the author in the preparation of this study.

See: Mary Jane Jones, "Research Report on the History of Disputes at Oka\Kanesatake;" part ii, sources, DIAND, Treaties and Historical Research Centre, 1990.

Research Report on the History
of Disputes at Oka/Kanesatake

Submitted to
Indian and Northern Affairs Canada
by Mary Jane Jones
September 17, 1990

Part I. Documents and Sources

In the time allotted for the preparation of this report, it has been possible only to identify the more obvious of the records which contain material bearing upon various aspects of the matters at issue, and to skim, read, and copy a few of these.

It is hoped that this description of the research done so far will be useful as a starting point and guide for research in the detail necessary for a complete understanding of what has transpired at Oka.

The following records have been surveyed:

A. National Archives of Canada

1.) Government Records

a.) Indian Affairs (RG 10)

Through the use of the standard finding aids, including the Red Series shelf list, the contemporary Red Series Index, and the KWOC Index, together with a file list provided by the Department of Indian Affairs, I am reasonably confident that the major archival files relating to the Oka/Kanesatake Indians (and to land questions in particular) have been identified. See the appended list of sources.

No attempt has been made to identify records relating to the Doncaster and Maniwaki/River Desert Indian reserves in Quebec or the Gibson and Golden Lake Indian reserves in Ontario. Because of the apparent tribal and historical links between these reserves and

Kanesatake, such records may prove to be an important source of information.

b.) Justice (RG 13)

Major post-Confederation files from 1867 to 1934 were identified through the use of a subject index to the Justice Department's correspondence registers. This exercise was supplemented by a list of archival and current files provided by the Department of Justice. See the appended list of sources.

While I am reasonably satisfied that the major files have been identified, it may be that further research will reveal the existence of other Justice records.¹

c.) Privy Council (RG 2)

No systematic attempt was made to identify all relevant Orders in Council. Most of those discovered so far were referred to in Indian Affairs files or other documents.

A few Orders in Council were identified by checking the Privy Council's Despatch Registers for years which appeared to be particularly active or significant.²

¹ Note that those files which once existed, but are now missing, can be wholly or partially reconstructed. This somewhat laborious exercise can be done by using the "Action" entries in the Correspondence Registers as a guide to finding the related letters and opinions in Indian Affairs files and in Indian Affairs and Justice Department letterbooks.

² These Orders in Council are distinctive in that they have P.C. numbers followed by an alphabetical designation, e.g. P.C. 215D of 8 October 1875.

d.) Governor General (RG 7)

There appear to be no files related to the Oka controversy among the Governor General's Central Registry files. This is somewhat surprising because it is evident that a number of petitions relating to Oka were addressed to succeeding Governors General in the nineteenth and early twentieth centuries. Although such petitions were invariably transmitted to the Privy Council or to the Department of Indian Affairs, central registry files were often constituted at Government House in cases of recurring or continuing Indian controversies.

No attempt has made to find the official despatches which were transmitted from to time between the Governor General and the Colonial Office in the United Kingdom³. Colonial Office records (NAC, MG 11 - class C.O. 42 and perhaps others) are likely to be richer in this respect than those of the Governor General.

2.) Manuscript Records

a.) Prime Ministers

Subject and author finding aids for the papers of Sir John A. Macdonald (MG 26A) and Sir Wilfrid Laurier (MG 26G) were consulted.

The few relevant documents among Macdonald's papers appear to be duplicated elsewhere.⁴

³ See, for example, the following Orders in Council which relate to such Despatches: P.C. 215D of 8 Oct. 1875 [Folder No. 22] and P.C. 293N of 28 May 1909 [Folder No. 32].

⁴ See, in particular, Sessional Paper No. 55 of 1870. Folder No. 20.

Laurier's papers contain a number of related documents, including correspondence with Robert C. Smith, Q.C., who acted for the Indians throughout the trial and subsequent appeals of Corinthe et al. v. The Ecclesiastics of the Seminary of St. Sulpice. Some of these may be quite illuminating, not only because Laurier's government encouraged the litigation (in part by agreeing to pay the costs of both parties), but also because there are suggestions in a contemporaneous Justice department file (no. A-500) that the Prime Minister took a personal interest in the lawsuit, and that it may have been instituted at least partly to alleviate antagonisms (sectarian or linguistic?) between the Provinces of Ontario and Quebec as a result of the continuing controversy.⁵

b.) Church Records

i.) Seminary of St. Sulpice (MG 17A, 7-1 and 7-2)

The National Archives has some originals, and microfilm copies of a large number (more than 70 reels), of the Seminary's records.

At least eight reels appear to have material relevant to Oka: four contain records from 1783 to 1882 relating to lands in the Seigneurie du Lac-des-Deux-Montagnes⁶, and there are four reels of the notebooks of M. Urgel Lafontaine, an Oka missionary (1877-1930)⁷.

⁵ Included in the list of sources for Oka/Kanesatake history appended to this report is a list of volume and page numbers in Laurier's papers which should be checked.

⁶ Reels M-3707 to M-3710

⁷ Reels M-1647 to M-1650

Among Lafontaine's notebooks are four entitled "Histoire de la mission du lac des Deux-Montagnes" (nos. 15 to 18), and two entitled "Genealogie des familles indiennes de la mission du lac des Deux-Montagnes" (nos. 24 and 25).

Although access to this microfilmed material is restricted, the archivist responsible will fairly readily give researchers access to it. However, copies can be made only with the written permission of the Seminary's archivist:

J. Bruno Havel, archiviste
 Seminaire de Saint-Sulpice de Montreal
 116 ouest, rue Notre-Dame
 Montreal, Quebec
 H2Y 1T2
 514-849-6927

In addition to the Seminary's own archives and the National Archives, there is original material relating to the Seminary of St. Sulpice in the Archives nationales du Quebec, the McGill University Library, the Bibliotheque municipale de Montreal, and the Archives de l'Universite de Montreal.⁸

ii.) Methodist Missionary Society (MG 17C).

The potential relevance of this collection relates to the fact that the establishment of a Methodist mission at Oka shortly after Confederation introduced a religious element to the already existing land dispute there. No systematic attempt has been made to determine the extent of pertinent records in this collection, but it does contain documents connected with William Scott and John

⁸ See Union List of Manuscripts, vol. 2, p. 1131, and 1979-80 Supplement, p. 165.

Borland, both of whom played prominent roles in the 1870s and 1880s.⁹

c.) Aborigines' Protection Society (MG 40, Q 31).

As the Society concerned itself frequently, and often vocally, with issues relating to Indians in Canada, including the Oka question¹⁰, its records and publications will likely be a fruitful source of material relating to Oka. Four microfilm reels of the Society's records relating to Canada have been acquired recently by the Archives, but the finding aid is not yet available for consultation.

3.) National Archives Library

This collection holds fourteen items related to Oka disputes, ranging from an 1839 draft of the ordinance confirming the Seminary's title to an 1878 printed petition to the Governor General. See appended list of sources under the heading "Pamphlets and other printed materials".

B. National Library of Canada

a.) Main Collection.

Relevant items, including an item acquired on August 29, 1990, are identified in the appended list of sources.

b.) Canadian Indian Rights Collection

⁹ See appended list of sources for Borland's 1872 pamphlet, Scott's 1882 report, and files relating to both Scott and Borland.

¹⁰ See, for example, P.C. 215D of 8 October 1875 in Folder No. 22.

There are three boxes of material relating to Oka in this collection.¹¹ For the most part, the contents duplicate material in RG 10 files, the National Archives Library and the National Library.

C Current Departmental files: Justice and Indian Affairs

This category includes files which, although no longer current, are retained in or controlled by these Departments. The files so far identified are interlisted together with the archival files of each Department in the appended list of sources.

Few of these files have been looked at, and fewer still have been skimmed or read. The following general comments about those in the latter category may be helpful.

Department of Justice file no. A-500¹² appears to be the main Justice department file from 1907 to the 1945 purchase by the Crown in right of Canada of lands owned by the Seminary. It contains correspondence and opinions relating to Corinthe et al. v. The Seminary of St. Sulpice and copies of court documents, including the two volume Record of Proceedings and Appeal Factums filed with the Quebec Court of King's Bench.¹³

An important related file is no. 1157/16, which contains opinions and correspondence (mostly between the Deputy Minister of

¹¹ Boxes 83, 83(1) and 83(2).

¹² Examined on microfiche (20 cards) at the Department of Justice. The original has been transferred to the National Archives (RG 13). Presumably, the provisions of the Access to Information Act will ensure that any opinions or other documents exempted from disclosure will not be released to researchers at large.

¹³ See cards 11 to 19 of the microfiche.

Copies of some of the same documents (made from an RG 10 file) are in Folders 4 to 7 which accompany this Report.

Justice and the Deputy Superintendent General of Indian Affairs) concerning courses of action considered following the Judicial Committee's 1912 decision in Corinthe.

Department of Indian Affairs file no. 373/1-1, cryptically entitled "Caughnawaga-Oka-Maniwaki Indian Agency - Originals taken from files disposed of as copies of correspondence held on Branch Records" (1937-1967), contains many letters of interest, including several relating to the 1945 sale of Seminary lands to Canada.¹⁴

It appears that the trustees of the Seminary's commercial property proposed to sell lands occupied by Indians at Oka to Canada to escape the burden of paying taxes on lands from which no revenue was derived. The initial asking price of \$54,900.00 was reduced to \$1.00 plus other consideration after the Department of Indian Affairs threatened to institute an action to compel the Seminary to fulfil obligations imposed by the 1841 Lower Canada statute.¹⁵

Many other documents on this file help to illuminate the course of events; some are flagged with yellow "stickies".

¹⁴ See Folder No. 44.

¹⁵ See letters dated 5 June 1941, 4 Nov. 1941, and 2 January 1942, flagged with blue "stickies", and others. Copy of Deed (31 May 1945) is in the black binder behind Folder 53.

See also letter dated December 10, 1941, read in part to the 1961 Joint Committee of the Senate and House of Commons on Indian Affairs: Folder No. 40, pp. 31-32.

Documents copied from the "Delegations and Deputations" file¹⁶ reveal a variety of complaints from Oka, including factional and band government disputes.

The many-volumed "Complaints and Petitions" file¹⁷ which promised to be quite fruitful, proved somewhat disappointing. It contains a very large number of letters from Frank T. Horn of the Kahnawake Reserve. The relatively few letters from Oka were copied.¹⁸ It appears that many Oka-related documents which might have been placed on a "Complaints and Petitions" file were put on other Oka files - including the "Surveys and Reserves" file.¹⁹

A file entitled "Special Land Investigation - Oka #16"²⁰ relates largely to the work of a notary retained by the Department of Indian Affairs in 1953 to investigate titles to individual Indian holdings at Oka. His work, which entailed researching each claim (and conflicting claims, if any) and preparing a sort of title abstract for each holding, was not completed in April 1956, by which time a staff member of the Department was conducting a similar investigation.²¹

¹⁶ No. 373/3-7. Folder No. 46.

¹⁷ No. 373/3-8. Note that there was not time to review all of the volumes of this file. See the list of sources for those which were skimmed and from which copies were taken.

¹⁸ Folder No. 47.

¹⁹ Departmental files relating to Surveys and Reserves:
 no. 373/30-2-16, 6 vols. 1939-1975
 no. 373/30-069-16, 1 vol., 1965-1979
 no. 373/30-2-16-1, 2 vols., 1947-1969
 no. E5673-06095, 6 vols., 1979-1982

Of these only 3 volumes of no. 373/30-2-16 have been skimmed. Extracts are in Folder No. 48.

²⁰ No. 373/36-1-1. Folder No. 49.

²¹ See 27 April 1956 memorandum taken from Vol. 3 of this file.

A complete list of the Departmental files so far identified is in the appended list of sources.

D. Quebec Ministry of Justice (Pre-Archives)

Through telephone conversations with Jean Poirier and Evelyn Kolish, archivists at the Archives nationales du Quebec, and the Registrars of the Quebec Superior Court and Court of Appeal, it was determined that court records relating to Corinthe et al. v. The Seminary of St. Sulpice for both trial and appellate levels are stored at the Pre-Archives division of the Quebec Ministry of Justice in Montreal, where I examined them on Thursday, September 6, 1990.²²

The five volumes of Superior Court Documents (court docket no. 2601 of 1910) contain the writ, pleadings, a list of Plaintiffs' exhibits, and copies of evidence tendered by both parties. These volumes, which had been housed at the Archives nationales de Quebec, were transferred to the Quebec Ministry of Justice in September, 1988.

The case had two docket numbers on appeal (No. 372 and No. 379 of 1910). In addition to the usual documents relating to the appeal (including the two-volume Record of Proceedings²³ and Factums²⁴), these records contain the unreported reasons for decision

These investigations were probably what was referred to by counsel for the Oka people and by a representative of the Department of Indian Affairs during the hearings of the 1961 Joint Committee of the Senate and House of Commons on Indian Affairs, at pp. 15 and 34. See Folder No. 40.

²² These records are located at 2050 Bleury Street (3rd floor) in Montreal. The person in charge is M. Charpentier. Telephone no. 514-873-6562. Hours: 9:00-12:00 and 13:00-16:00.

²³ See Folders 4 and 5.

²⁴ See Folder No. 6.

of each of the four judges who heard the appeal (Trenholme - 2 pages, Lavergne - 2 pages, Cross - 6 pages, and Carroll - 16 pages). Only the reasons of Carroll, J. are recorded in the official report: (1911) 21 Que. K.B. (Appeal Side) 316.²⁵

Because the charge for photocopies was high (\$1.50 per page), I did not order copies, but the existence of separate reasons may be of interest at some point.²⁶

From the foregoing notes, the list of sources, and the documents accompanying this report it is apparent that there is a great deal of extant material relating to Oka, that the research is incomplete and completely undigested, and that one obvious omission in the references and material so far accumulated is of sources which would illuminate questions relating to the ancestors of the people who claim an interest in lands and other matters at Oka - what were their origins, their practices, their interrelationships, and how have these changed since the arrival of Europeans.

This omission is due in part to the shortness of time, and in part to my lack of familiarity with the anthropological and historical literature relating to the Algonquin, Iroquois and Nipissing people whose interests are, or were once, at issue.

There is a small amount of this sort of information among the documents collected. The first few chapters of the extract from The Life of Amand Parent contain what purports to be information about

²⁵ See Folder No. 2.

²⁶ I made a detailed inventory of these records, which can be typed up should it be of interest.

the early post-contact history of the Oka ancestors.²⁷ Unfortunately, this narrative is not documented, but it does contain a number of references - to the explorations of Cartier and Champlain, for example - which may yield useful information.

In Folder No. 51 is a paper entitled "Ancient Hunting Grounds of the Algonquin and Nipissing Indians Comprising the Watersheds of the Ottawa and Madawaska Rivers", which was prepared in 1951 by A.E. St. Louis. Although it occasionally ranges fairly far afield, and is not documented in the usual sense, this paper contains references that are more precise than Parent's, and at least some of them should be fairly readily identifiable.

One obvious source of information (which I have not looked at) is the Handbook of North American Indians, volume 15 of which relates to Indians of the Northeast.²⁸

Another source, perhaps superceded by or incorporated in the Handbook of North American Indians, is the Handbook of Indians of Canada published in Canada as a Sessional Paper in 1913.²⁹ It is a compilation and reprinting of those portions of the two-volume Handbook of American Indians North of Mexico (compiled and published in 1907 and 1910 by the Smithsonian's Bureau of American Ethnology) which relate to Canada, plus some new Canadian material. Organized as a sort of dictionary of tribal names, language groups, place names, and so forth, this Handbook contains

²⁷ See Folder No. 30.

²⁸ Bruce Trigger, ed., published by the Smithsonian Institution in 1978.

²⁹ Handbook of Indians of Canada. Appendix to the Tenth Report of the Geographic Board of Canada. Canada. Parliament. Sessional Paper No. 21a, 1913. 632 pp., plus maps.

descriptions of tribal groups including accounts of their history, population, and relations with other native people, etc. With each tribal entry is a list of synonyms with references to the source in which they were found.

Copies of the entries for "Algonkin", "Iroquois", "Mohawk", "Nipissing" and "Oka" are attached. Some very early uses of "Kanesatake" are noted in the "Oka" entry. The abbreviations following each notation refer to entries in the Handbook's bibliography. As the bibliography is extensive, and the DIAND Library has a copy of the Handbook, I have not attached a copy of it.

Native Canadian Anthropology and History: a selected bibliography, Shepard Krech, ed., published by the Rupert's Land Research Centre (University of Winnipeg) in 1986 is another useful reference work.

Sources for Oka/Kanesetake History

- * Copied all
** Copied part

I. Department of Indian Affairs files - archival and current

Location File No. Subject and outside dates

RG 10
v. 725

Rev. Wm. Scott's report concerning
controversy between Oka Indians and
Seminary of the Lake of Two Mountains
(1882)

[Note: If this is Scott's original report, it may have important
marginal notations; the copy in Folder No. 29 was made from the
published version in the DIAND Library]

RG 10
v.1867

525

*Oka reserve - Rev. A. Sickles asks whether
Indians can cut timber for church building
(1872)

[Folder No. 21]

RG 10
v. 1925

3114

*Oka - Wm. Spragge suggests legislation for
settlement of dispute between Indians &
Seminary (1874)

[Folder No. 21]

RG 10
v. 1961

4937

*Oka - Petition from residents of municipality
complaining that Indians causing trouble
(1875)

[Folder No. 21]

RG 10
v. 1963

5041

*Oka - Correspondence re lawsuit of Seminary
of St. Sulpice v. Indians (1875)

[Folder No. 21]

RG 10 v. 1965	5054	*Oka Reserve - collection of rent for islands in Ottawa R. opposite Hawkesbury (1875-1930) [Folder No. 21]
RG 10 v.1966	5124	*Oka reserve - Rev. Lacan transmits documents re land ownership (1875) [Folder No. 21]
RG 10 v. 1973	5616	*Oka agency - Rev. J. Borland asks assistance for Protestant Indians in disposing of their holdings at fair price (1875) [Folder No. 21]
RG 10 v. 1988	6492	*Oka - Fr. Lacan describes alleged violence between people guarding a fenced area & Indians (1876) [Folder No. 24]
RG 10 v. 1990	6625	*Oka - Petition from Mayor of Oka re acts of violence by Indians (1876) [Folder No. 24]
RG 10 v.1993	6822	Oka - Claim of Indians to Seigniorship of Lake of Two Mountains (1876-1878)
RG 10 v. 2019	8291	*Oka - Arrest of 46 Indians charged with cutting down trees on property of Oka Seminary (1877) [Folder No. 24]
RG 10 v. 2020	8364	*Oka - A.N. McNeil Report re dispute between Indians & Oka Seminary (1877) [Folder No. 24]

- RG 10
v. 2024 8585 Oka - Lake of Two Mountains agent John McGirr re investigation into timber cutting on Seigniorship of St. Sulpice (1877)
- RG 10
v. 2026 8721 Oka - Lawyer J.J. McLaren reports that certain Indians have been charged with cutting trees on the common belonging to the Seigniorship (1877)
- RG 10
v. 2027 8792 Oka - Civil Rights Alliance inquires whether SGIA will receive deputation to present a memorial re Oka Indians (1877)
- RG 10
v. 2030 8946 Lake of Two Mountains - dispute between the Band & the Seminary of St. Sulpice re title to land in the Seigniorship
*Pt. 1 - 1680-1910 [Folder No. 33]
*Pt. 2 - 1877-1911 [Folder No. 34]
*Pt. 3 - 1911 [Folder No. 34]
*Pt. 4 - 1902-1911 [Folder No. 34]
- RG 10
v. 2031-32 8946X Oka land dispute - litigation
Pt. 1 - 1903-08
Pt. 2 - 1908-12
**Pt. 3 - 1907-41 [Folder No. 35]
- RG 10
v. 2032 8946-X-A Oka land dispute between Band & Seminary (1912-1916)
- RG 10
v. 2033 8946-1 Oka land dispute between Band & Seminary (1878-1887)
- RG 10
v. 2034 8946-2 Oka Agency - removal of several band members to new reserve in Gibson Township, Ontario (1882-1888)

- RG 10
v. 2034 8946-3 Oka Agency/Lake of Two Mountains -
negotiations for part of band to be moved to
new reserve in Gibson Township, Ontario
(1888-1890)
- RG 10
v. 2035 8946-4 Oka Agency/Lake of Two Mountains -
removal of part of Band to Gibson
(1891-1898)
- RG 10
v. 2036 8946-4A Oka Agency/Lake of Two Mountains -
removal of part of band to Gibson Township
(1900-1906)
- RG 10
v. 2036 8946-5 Oka Agency/Lake of Two Mountains - request
by Gibson Indians to exchange land for better
soil (1893-1903)
- RG 10
v. 2037-38 8946-7 Oka land dispute between Band & Seminary
[Pt. 1] - 1904-10
Pt. 3 - 1921-38
Pt. 4 - n.d.
[part 2 missing, or is it file 9846-7-A,
below?]
- RG 10
v. 2039 8946-7-A Oka land dispute between Band & Seminary
(1910-1921)
- RG 10
v. 2050 9436 **Oka - Petitions from residents of
Huntingdon, Elgin, Franklin and
Hinchinbrooke requesting government to help
Protestant Indians (1878)
[Folder 24]

RG 10 v. 2055	9515	Oka - Agent John McGirr reports that Seminary about to demolish fence surrounding the Common (1878)
RG 10 v. 2057	9751	Oka - Agent John McGirr reports complaint of Indian about Seminary's intention to tear down fence around his land (1878)
RG 10 v. 2060	9823	Oka - Indian request for permission to cut timber for fuel & lumber; Seminary's refusal (1878-1881)
RG 10 v. 2062	9970	Oka - Petitions by local inhabitants threatened by certain Indians; request expulsions (1878)
RG 10 v. 2071	10629	Oka - Agent McGirr reports complaint of Xavier Etienne re French Canadian (Fauteux) cutting wood on his land (1878)
RG 10 v. 2088	13496	Oka - Indian complaints re destruction of fences by Seminary (1879)
RG 10 v. 2092	15399	Oka - complaint by several Indians of being molested in their pursuits by employees of the Seminary (1879)
RG 10 v. 2100	17468	Oka - Indian complaint that Seminary has taken possession of his land & erected a house and barn (1879)

?	20462	[file number noted in RG 13 Register: No. 1046 of 1880 - re repudiation of debts to merchants and others by Oka Indians; not on Red Series shelf list]
RG 10 v. 2114	21553	Oka - statement from municipal council of L'Annonciation requesting that Indians be prevented from destroying property (1880)
RG 10 v. 2120	22983	Oka - Agent McGirr reports that Seminary has destroyed house of Xavier LaForce (1880)
RG 10 v. 2124	23676	Oka - election of chiefs (1880-1888)
?	32830	[from Treaties & Historical Research doc. K-59: Oka Indian Reserve correspondence; not on Red Series shelf list]
RG 10 v. 2162	33617	Oka - correspondence re will to Oka property taken possession of by Seminary (1881)
RG 10 v. 2163	34070	Caughnawaga & Oka - re attempts to buy Doncaster Reserve from squatters Pt. 1 - 1881-1896 Pt. 2 - 1897-1905
RG 10 v. 2164	34151	Re settlement of Oka Indians on new Gibson reserve on which there are white settlers (1881-1905) [includes f. 36188]
RG 10 v. 2201	40141	Oka - complaint re Indians cutting wood on Seminary lands (1882)

RG 10 v. 2203	40584	Rev. Wm. Scott's request for payment of services rendered in Oka area (1882-1884)
RG 10 v. 2241	46394	Oka - conditions of Indians recently moved to Gibson reserve (1883)
?	46767-2	[from RG 13 Register, No. 785 of 1899: Claim of Mrs. Angus Cooke for compensation for improvements on lands in Gibson reserve; not on Red Series shelf list]
RG 10 v. 2757	49498	Oka - Chiefs petition [date ?] [not on Red Series shelf list]
RG 10 v. 2294	58688	Rev. Wm. Scott - personnel file (1885-1890)
RG 10 v. 2299	59649	Oka - complaint from Marie Kateries that Seminary sold land she owned for 22 years (1885)
RG 10, v. 2353	71175	Oka - land dispute between Seminary & M. Simon Anaieta (1886-1887)
?	89850	[from RG 13 Register, No. 1226 of 1877: Oka Indians, Interior refers several questions as to title; not on Red Series shelf list]
?	89885	[From RG 13 Register, No. 1249 of 1877: Indians of Lake of Two Mountains petition that the Seminary be prevented from cutting their timber; not on Red Series shelf list]
?	95452	[from RG 13 Register, No. 196 of 1904: Claim of Province of Quebec re Indian Reserves set aside under 14-15 Vic., c. 106; not on Red

Series shelf list; corresponding Justice file:
196/1904 looked at]

RG 10 v. 2778	156074	Oka - Caughnawaga Agency - reports, petitions re election of chief by Oka Band, etc. (1894-1901)
RG 10 v. 2802	160768	Oka - claim of Mrs. Louis Laforce, Oka band, to land on Oka reserve (1895)
RG 10 v. 2810	163953	Oka - correspondence with Peter Simon of Oka re marine allowance on land sold to a Mr. Laform (1895)
?	167111	[from RG 13 Register: No. 970 of 1895: regulation passed by Council of Gibson Band; not on Red Series shelf list]
RG 10 v. 2836	170976	Oka - claim of Dr. Wilson of St. Placide against Pierre Ignace re title to land on Oka reserve (1896)
RG 10 v. 2874	176418	Oka - petition of Chief Timothy Arirhon, Oka, for help in re seizure of cattle & grain for debts (1896-1897)
RG 10 v. 2968	207842	Oka - resolution of Council to pay certain accounts, Oka reserve (1899-1902)
RG 10 v. 3019	221030	Oka - claim of Joseph Jackson to property of his father, Eustache Orite (deceased), Oka band (1900)

RG 10 v. 3027	230300	Oka - claim of Ellen Tekava-Token to land owned by her uncle, the late John Mohawk (1901-1909)
RG 10 v. 3048	237-770-3	Report of J.A. Macrae, Inspector of Indian Agencies, re visit to Algonquins & Iroquois of Oka (1901-1902)
RG 10 v. 3094	291964	Investigation re lawsuit of Ignace Corinthe v. Indian Agent Joseph Perillard, Oka, for defamation of character (1905-1907)
RG 10 v. 3173	297070	Dispute re erection of fences around the "Common" on Oka reserve (1906-1907)
RG 10 v. 7926	32-20	Oka - elections Pt. 1 - 1903-1929 Pt. 2 - 1929-1943
RG 10 v. 7566	4020-1	Correspondence re United or Methodist Mission on Oka reserve (1874-1935)
RG 10 v. 6607	4020-1PA	Oka - Pentecostal Assembly church - Indians request missionary be allowed to reside on reserve (1936-1946)
RG 10 v. 6607	4020-RC	Oka - Fire destroyed Roman Catholic Church & other buildings; arson suspected (1877)
RG 10 v. 7595	10020-1	Oka - correspondence re farming (1937-38)

- RG 10
v. 7619 15020-2 Oka - land dispute concerning Gabriel
Bonspille on Oka reserve (1913-1928)
- RG 10
v. 7619 15020-2A Oka - land dispute, Gabriel Bonspille
(1928-1933)
- RG 10
v. 7619 15020-3 Oka - land sale, Mrs. Agnes Moses to Joseph
Richard (1924-1936)
- RG 10
v. 7619 15020-4 Oka - sale of Hyacinthe Catarandier's land to
the Seminary (1933)
- RG 10
v. 7619 15020-5 Oka - sale of Mrs. Agnes Corinthe's property
to Martin Jacobs (1927)
- RG 10
v. 7619 15020-6 Oka - sale of Joseph Bonspille, Sr.'s property
to his nephew, J. Bonspille, Jr. (n.d.)
- RG 10
v. 7619 15020-7 Oka - sale of Joe Simon's property to Rev. J.J.
Oke (1927-1930)
- RG 10
v. 7619 15020-8 Oka - sale of Mrs. Marie Richer's property to
Joseph Richard and related agreement
(1927-28)
- RG 10
v. 7619 15020-9 Oka - location ticket for D. Hyacinthe's lot
(1934)
- RG 10
v. 7619 15020-10 Oka - location ticket for Lot 255, Parish of
L'Annonciation (1938-1945)

- RG 10
v. 7697 23020, pt. 1 Expropriation in village of Oka of land
occupied by Indians of Oka reserve; repair of
reserve roads (1893-1930)
- RG 10
v. 7697 23020, pt. 2 Oka reserve, road work (1930-46)
- RG 10
v. 7483 23020-X Oka - road - right of way over Peter Nelson's
property (1917-1924)
- RG 10
v. 7502 25020-2 Oka - soldier settlement - Adam Montour
(1919-1932)
- RG 10
v. 7752 27020-2 Oka - survey to determine boundaries of the
Mount St. Alexis woodlot (1941-1946)
- RG 10
v. 7816 30020 Complaints - Oka - trespass by Oka Indians,
cutting timber instead of firewood allowed by
Seminary; charges laid, arrests (1910-1937)
- RG 10
v. 6531 IA-1202 Proposed reforestation on Pierreville
and Doncaster reserves (1939-1940)
- RG 10
v. 6535 IA-1260-7 Road construction, Oka reserve
(1937-1947)
- RG 10
v. 6535 IA-1280-1 Oka - dispute over drainage from non-
Indian to Indian land (1937)
- RG 10
v. 6515 IND-15-1-166 Oka - drainage dispute on property of
Joseph Simon and improvements to
middle road (1942-47)

RG 10 v. 7105	373/3-3-2	Oka band - Membership (1922-1959)
RG 10 v. 7144	373/3-8	Oka - Complaints & Disputes pt. 1 - 1951-1963 pt. 2 - 1959-1965
RG 10 v. 7151	373/3-10	Oka - By-laws - Band Council
RG 10 v. 8243	373/6-1-005	Oka - Indian day school buildings pt. 1 - 1949-62 pt. 2 - 1956-61
RG 10 v. 8723	373/8-9-2-16	Oka reserve No. 16 - Roads pt. 1 - 1946-51 pt. 2 - 1951-58
RG 10 v. 6943	373/19-7	Caughnawaga & Oka agencies - revolving loan fund - general (1947- 1965)
RG 10 v. 7043	371/20-7-2-16, pt. 1	[? 373/20-7-2-16?] Timber on Oka reserve No. 16 (1938-1957)
RG 10 v. 8788	373/25-11, pt. 1	Oka - Indians attending non- Indian schools (1960-1963)
RG 10 v. 10259	373/31-2-2-16	Oka - CNR right of way expropriation; surrender (1911-1951)

- RG 10,
v. 10261 373/36-4-005 Oka - sale of land on reserve for
extension of Oka country day school
(1914-1964)
- RG 10
v. 10261 373-36-4-006 Oka - sale of land for new Oka village
day school; subdivision of land occupied
by old school for distribution to band
members (1913-1967)
- RG 10
v. 10262 373/36-7-2 (Meth.)
Fencing of Protestant cemetery on Oka
reserve (1907-1960)
- RG 10
v. 10024 G. M. Matheson's "Blue Book" relating to
Quebec, pp. 40-44 and 55-131
[Folder 42]
- RG 10
v. 11203 Collected documents (photocopies) relating to
Oka Land Question
File 1 1901-1904
File 2 1902-1910
File 3 1903-1908
File 4 1908-1912
File 5 1912-1916
File 6 1911-1921
File 7 1921-1938
File 8 1939-1944
File 9 1945-1953
File 10 1954-1955
File 11 1952-1960
File 12 1960
- PARC 373/1-1 Caughnawaga/Oka/Maniwaki - "Originals
taken from files disposed of as copies of
correspondence held on Branch Records"
*vol. 1 - 1937-1959
*vol. 2 - 1960-1967
[Folder 44]

PARC 373/3-6-1 *Band Council Resolutions, 1945-1965
[Folder 45]

PARC 373/3-7 Delegations & deputations - General -
Montreal District
*vol. 1 - 1936-1964
*vol. 2 - 1968
[Folder 46]

PARC 373/3-8 Conf. Complaints & Petitions - Montreal District
v. 1 - 1975-76 [n/a]

PARC 373/3-8 Complaints & Petitions - General - Montreal
District
v. 3 1963-66 [not reviewed]
v. 4 1966 [not reviewed]
v. 5 1967-68 [not reviewed]
*v. 6 1968-69 [Folder 47]
*v. 7 1968-70 [Folder 47]
*v. 8 1970-1972 [Folder 47]
*v. 9 1972-1973 [Folder 47]
*v. 10 1973 [Folder 47]
*v. 11 1973 [Folder 47]
v. 12 1973-74 [n/a]
v. 13 1974 [n/a]
v. 14 1973-74 [n/a]
v. 15 1974 [n/a]
v. 16 1974 [n/a]
v. 17 1975 [n/a]
v. 18 1975 [n/a]
v. 19 1975 [n/a]
v. 20 1975 [n/a]
v. 21 1975 [n/a]
v. 22 1975-76 [n/a]
*v. 23 1976 [Folder 47]
*v. 24 1976-77 [Folder 47]
v. 25 1977-78 [n/a]
v. 26 1978 [n/a]

DIAND 373/3-10 Montreal District - By-laws - Band Councils
v. 2 - 1964-69 [not reviewed]
v. 3 - 1969-74
v. 4 - 1974-76

v. 5 - 1976-77
v. 6 - 1977-79

PARC 373/7 Caughnawaga Indian Reserve - land file
v. 4 - 1967-70 [not reviewed]
v. 5 - 1971

PARC 373/30-2-16 Surveys & Reserves, Oka No. 16
*v. 1 - 1939-60 [Folder 48]
*v. 2 - 1956-1959 [Folder 48]
*v. 3 - 1960-66 [Folder 48]
v. 4 - 1965-70 [not reviewed]
v. 5 - 1972-73 [not reviewed]
v. 6 - 1973-75 [not reviewed]

PARC 373/30-069-16 Surveys & Reserves, Oka No. 16
v. 7 - 1975-1979 [not reviewed]

PARC 373/30-2-16-1 Surveys & Reserves, Wood lot - Mt. St. Alexis,
Oka Reserve No. 16
v. 1 - 1947 [not reviewed]
v. 2 - 1948-1969

PARC 373/32-2-16 Lease - General - Oka Reserve # 16
v. 1 - 1937-65 [not reviewed]
v. 2 - 1973-74

PARC 373/36-1-1 Special Land Investigation - Oka Reserve No.
16
*v. 1 - 1953-54 [Folder 49]
*v. 2 - 1955-56 [Folder 49]
*v. 3 - 1956-78 [Folder 49]

PARC 373-36-2 Maps and Plans - General - Caughnawaga
District
v. 1 - 1908-54 [not reviewed]
v. 2 - 1955-61
v. 3 - 1961-75

PARC 373/36-3 Agency Land, Montreal District
v. 1 - 1956-58 [not reviewed]

DIAND E4200-069 Band Management - Oka Band
v. 1 - 1975-1988 [not reviewed]
v. 1 - Enclosures
v. 2 - 1988-

DIAND E5673-06095 Surveys & Reserves - Oka No. 16
v. 1 - 1979-82 [not reviewed]
v. 2 - 1983-85
v. 3 - 1985-86
*v. 4 - 1986 [extracts in Folder 50]
v. 5 - 1986
v. 6 - 1986

? 5-13-1 [? old Deputy Minister's file re Oka? - referred
to on file 373/1-1]

? 495-1-11 [Claims & disputes file ?]

Files relating to the following reserves not yet identified (although some relating to Doncaster and Gibson have turned up in the search for Oka files):

Doncaster (Quebec)
River Desert/Maniwaki (Quebec)
Golden Lake (Ontario)
Gibson (Ontario)

II. Department of Justice - archival and current

<u>Location</u>	<u>File No.</u>	<u>Subject and date(s)</u>
missing	938/1868	Petition and papers re Indian grievances against Seminary of St. Sulpice (1868)
RG 13 v. 21	351/1869	Grievances of Indians of Lake of Two Mountains (1869)

missing	39/1873	Reference from Governor General; complaints by Indians of Two Mountains of interference from Seminary of St. Sulpice (1873)
missing	34/1875	Two Mountains Indians; continued from 39/1873 (1875)
missing	732/1876	Petition from Oka residents for aid to suppress disorders (1876)
RG 13	31/1877	[This file contains records relating to the Oka land question from 1877, 1880 and 1882: 1226/1877; 220/1880; 455/1882]
missing	1249/1877	Indians of Lake of Two Mountains - petition that Seminary be prevented from cutting their timber (1877)
Justice	8/1878	Complaint from inhabitants of Oka about Indian tribe (1878) [old no. 228/1878]
missing	876/1878	Taxation of accounts of J.J. Maclaren, Q.C. in re Oka troubles (1878)
missing	1046/1880	Repudiation of debts by Oka Indians (1880)
missing	1114/1881	Agreement with Seminary respecting removal of Oka Indians (1881)
RG 13	40/1882	Re squatters on lands in Gibson Township, Ontario, purchased for Oka Indians (1882)
missing	1133/1886	Grievances of Simon Anseba, Oka Indian (1886)

Justice	203/1890	Whether Dept. has any record of a communication from Hon. E. Blake re Oka Indians (1890) [old No. 1130/1890]
RG 13	970/1895	Regulation passed by Council of Gibson Band (1895)
RG 13	15/1897	Claim of Seminary of St. Sulpice in re transfer of Indians from Oka to Gibson (1897)
Justice	236/1898	Oka Island Lighthouse; land given by Seminary of St. Sulpice (1898)
RG 13	164/1899 785/1899	Claim of Mrs. Angus Cooke for compensation for improvements on lands in Gibson reserve (1897)
Justice	196/1904	Claim of Province of Quebec re Indian Reserves set aside under 14-15 Vic., c. 106 (1904)
RG 13	732/1907	Request for Dominion policeman to prevent trouble with Oka Indians (1907)
Justice	A500	Corinthe, Iroquois and Algonquin Indians v. Seminary of St. Sulpice (1907-1945)
Justice	1157/1916	Claim of Oka Band against Seminary of St. Sulpice (1915-16)
Justice	140469	Oka Reserve - liability for restaurant license fee (1939)
Justice	161922	Oka - compensation for road construction on land purchased from Seminary (1951)

Justice	166315	Oka - reference to Exchequer Court to determine compensation for expropriation of land and easement (1953)
Justice	186404	Oka - Lands transferred to Crown Canada by Seminary of St. Sulpice; whether Letters Patent may be issued to Indian occupiers (1959)
Justice	197950	Oka - ownership of houses constructed on Crown lands (1962)
Justice	206555	Oka "Reserve" - applicability of Excise Tax Act (1965)
Justice	209241	Oka - purchase of part Lot 15, parish of L'Annonciation (1966)
Justice	214712	Oka - purchase of parcel of land occupied by Lindsay Bonspille from Les Pretres de Saint-Sulpice de Montreal (1967)
Justice	218316	Oka Band - Josephine & George Johnson Estate - validity of clause in will under Quebec Civil Law (1969)
Justice	222547	Doncaster Indian Reserve No. 17 - division of revenues between Caughnawaga and Oka; whether "Iroquois of Caughnawaga and Two Mountains" falls within definition of "Band" (1970)
Justice	233621-16	Oka, St. Regis, Caughnawaga Indians - comprehensive claim; includes Oka claim to lands at Mirabel airport (1985)
Justice	264667	Title search of land & property at Oka Indian Reserve (1982)

Justice	272984	Oka Indian Reserve - acquisition of road land, Lot 17 (1983)
Justice	272984-2	Oka - title search of part of Lots 17 & 74, including the "Old Country School" on Oka lands (1984)
Justice	283222	Mohawks of Gibson - "Whether lands provided for Indian settlers in fulfilment of an agreement to relocate from Oka constitute a reserve re surrender provisions" (1985)
Justice	283885	Kanesatake Indian band - purchase of part of Lot 17 for treatment centre (1985)
Justice	285117	Oka - transfer of old highway 29, Oka parish (1986)

III. Privy Council

RG 1 E8	Order in Council, Province of Canada No. 482, 9 August 1853	[Folder 18]
RG 2 A1a	Orders in Council, Dominion of Canada	
v. 267	*P.C. 137, 24 May 1869	[Folder 19]
v. 337	*P.C. 215D, 8 Oct. 1875	[Folder 22]
v. 364	*P.C. 865D, 6 Feb. 1878	[Folder 25]
v. 406	*P.C. 1326, 27 Sept. 1881	[Folder 28]
v. 762	*P.C. 762, 1 July 1898	[Folder 28]
v. 934	*P.C.1569M, 1 Aug. 1907	[Folder 31]
v. 975	*P.C. 293N, 28 May 1909	[Folder 32]

- v. 1884 *P.C. 2124, 2 Apr. 1945 [Folder 37]
 v. 1885 *P.C. 2561, 13 Apr. 1945 [Folder 37]
 v. 2385 *P.C. 1967-2128, 10 Nov. 1967 [Folder 41]

IV. Official Publications

- 1850 Return to an Address of Legislative Assembly for correspondence between Joseph Bouchette and James Stevenson. Canada. Sessional Papers. 1850
 [Unable to locate the original; poor copy in Box 82, Canadian Indian Rights Collection, National Library of Canada]
- 1870 Return to an Address of the House of Commons, dated 24th February, 1870, for Copies of all Correspondence between the Government and the Iroquois Indians of Two Mountains, or other parties, relative to the sale or surrender of the Indian Lands, with Copies of Orders in Council or other documents relating to the difficulties existing with said Indians; and also a statement shewing what reserves are available for such Indians in other parts of the Country. 31 March 1870. Canada. Parliament. Sessional Papers 1870, No. 55. [Folder 20]
- 1904 Correspondence, etc. regarding Indian reserve establishment for Iroquois Indians of Sault St. Louis & Lake of Two Mountains. Canada. Parliament. Sessional Papers. No. 105. Not printed.
 [Virtually all unprinted sessional papers before 1916 were destroyed in the fire which burned Parliament in that year; a copy may have survived - either in an Indian Affairs file or among Senate records; not looked for]
- 1875... Department of Indian Affairs Annual Reports for 1875, 1878, 1880, 1883, 1893, 1897, and 1899 to 1911
 [Folder 36]

- 1947 Special Joint Committee of the Senate and the House of Commons appointed to continue and complete the examination and consideration of the Indian Act. Minutes of Proceedings and Evidence, No. 33, 12 June 1947, pp. 1735-1800. [Folder 38]
- 1961 Joint Committee of the Senate and the House of Commons on Indian Affairs. Minutes of Proceedings and Evidence, No. 1, 14 March 1961, pp. 7-37 and 318-319. [Folder 40]
- 1983 [Penner Committee on Indian Self-Government not checked]

V. Manuscript records

- MG 26G Papers of Sir Wilfrid Laurier
- | | |
|--------|---------------|
| v. 246 | pp. 68598-601 |
| v. 261 | pp. 72277-79 |
| v. 264 | pp. 73010-13 |
| v. 265 | p. 73382-83 |
| v. 297 | pp. 80575-78 |
| v. 304 | pp. 82165-70 |
| v. 315 | pp. 84954-58 |
| v. 321 | pp. 86307-15 |
| v. 332 | pp. 89034-37 |
| v. 367 | p. 97818 |
| v. 368 | pp. 98181-87 |
| v. 372 | pp. 99025-28 |
| v. 377 | pp. 102307-10 |
| v. 384 | pp. 102307-10 |
| v. 384 | pp. 102514 |
| v. 393 | pp. 104551-53 |
| v. 395 | p. 104884a |
| v. 408 | pp. 108800-02 |
| v. 412 | pp. 110089-92 |
| v. 418 | pp. 111686-91 |
| v. 418 | pp. 116893-95 |
| v. 430 | pp. 114859-62 |
| v. 438 | pp. 116893-95 |
| v. 491 | pp. 132521-23 |

v. 618 pp. 167872-73
 v. 631 p. 171325
 v. 791G p. 225747
 v. 791G pp. 225757-58

VI. Other primary sources

- 1826 *Dupin, Andre-Marie-Jean-Jacques
 Opinion of Mr. Dupin, Advocate, of the Royal Court of Paris, on the Rights of the Seminary of Montreal, in Canada, 18 Aug. 1819. Paris, 1826.
 Reprinted in 1840 by John Lovell, St. Nicholas Street, Montreal.
 [National Archives Library: 1-1193 and 1-1762]
 [Folder No. 12]
- 1837 *Fifth Report of the Commissioners of Inquiry into the grievances Complained of in Lower Canada. (Messrs. Gosford, Grey, and Gipps). Great Britain. Parliament. Sessional Papers. 1837, vol. xxiv, pp. 143-152.
 [Folder No. 13]
- 1839 Draught of an ordinance to incorporate the Ecclesiastics of the Seminary of St. Sulpice of Montreal, to confirm their title to the fief and seigniority of the Island of Montreal, the fief and seigniority of the Lake of Two Mountains, and the fief and seigniority of St. Sulpice, in this province; to provide for the gradual extinction of seigniorial rights and dues, within the seigniorial limits of the said fiefs and seigniories, and for other purposes. Montreal: A.H. Armour and H. Ramsay, 1839.
 [National Library of Canada: microform;
 National Archives Library: 1-1745]
- 1840 Seminaire de Saint-Sulpice.
 Refutation of the crown officers on the right of the Seminary of Montreal to the property in its possession. 80p.
 [National Archives Library: 1840(1)]

- 1840 *Opinion of Twelve of the Most Eminent Advocates of Paris, touching the Right of the Seminary of Montreal, in Canada, to Certain Property [dated 18 August 1819]. Montreal, John Lovell, 1840.
[National Archives Library: 1840(2)]
[Folder No. 11]
- 1840 Rights and Titles of the Seminary of St. Sulpice of Montreal.
C.P. Leprohon's Printing Office. Montreal, 1840.
[National Archives Library: 1-1761]
- [1845?] The Humble petition of the citizens of Montreal to the gentlemen and ecclesiastics of the Seminary of St. Sulpice in this city. (Broadside)
[National Library of Canada - microfiche]
- 1853 Statement of the affairs of the corporation of the Ecclesiastics of the Seminary of St. Sulpice, Montreal. 19pp.
[National Library of Canada - microfiche]
- 1872 Borland, Rev. John
The Assumptions of the Seminary of St. Sulpice to be the Owners of the Seigniorship of the Lake of Two Mountains and the one adjoining, examined and refuted, and their treatment of the Indians of the Lake of Two Mountains, exposed and denounced, in four letters addressed to the Honorable Joseph Howe, Secretary of State, for the Indian Department.
[National Archives Library: 1-3792]
- [1875] The Oka outrage...Montreal, Dec. 13, 1875
[Montreal?: s.n., 1875]
Broadside
[Location ?]
- [1875?] The Indians of the Lake of Two Mountains and the Seminary of St. Sulpice. Montreal: Witness Printing House.
[National Library of Canada]
- 1876 *Lacan, J.

An Historical Notice on the Difficulties arisen Between the Seminary of St. Sulpice of Montreal and Certain Indians, at Oka, Lake of Two Mountains: A Mere Case of Property Right.

[National Library of Canada, Canadian Indian Rights Collection]

[Folder 23]

- [1876?] Protestant Defence Alliance of Canada
The Indians of the Lake of Two Mountains and the Seminary of St. Sulpice
[National Archives Library: 1-4119]
- [1878?] Oka Indians, petitioners
The memorial of the undersigned Iroquois and Algonquin Indians residing in the village of Oka, in the Seigniorship of the Lake of Two Mountains, and others, citizens of the city of Montreal and elsewhere, in the Province of Quebec [to the Earl of Dufferin].
[National Archives Library: 2-21]
- [1878] Laflamme, R.
Report on Oka questions, dated Ottawa, 9th Jan. 1878
[Ottawa: s.n., 1878]
[Location ?]
[Printed in File Folder No. 27, pp. 102-128]
- 1879 *Beta (pseud.)
A Contribution to a Proper Understanding of the Oka Question; and a help to its equitable and speedy settlement.
[National Library of Canada, Canadian Indian Rights Collection; National Archives Library: 2-124]
[Folder No. 26]
- 1880 *The Seminary of Montreal: Their Rights and Titles.
[National Library of Canada, Canadian Indian Rights Collection; National Archives Library]
[Folder No. 27]

- [1883] *Scott, Rev. William
 Report relating to the Affairs of the Oka Indians made to
 the Superintendent General of Indian Affairs. Ottawa:
 MacLean, Roger, [1883]
 [DIAND Library; National Archives Library: 2-513]
 [Folder No. 29]
- 1883 Borland, John
 An appeal to the Montreal Conference and the Methodist
 Church generally from a charge by Rev. William Scott, in
 which is shown his charge to be invalid, and his defence
 of the Seminary of St. Sulpice against the Indians of Oka
 to be baseless: a fact in proof of which he has himself
 largely contributed.
 [National Library of Canada]
- 1885 Colin, L.
 Reply to two letters addressed by Mr. Vankoughnet to
 the Superior at the Seminary of St. Sulpice, dated,
 respectively, September 12th, 1884; and January 13th,
 1885, also to an extract from a letter of Mr. T. Walton,
 Indian Superintendent at Parry Sound dated September
 2nd, 1884.
 [Library of Parliament Pamphlet Collection;
 copy in National Library of Canada]
- [1886?] Murray, Norman
 The Oka question: containing the original title, and a brief
 account of the feudal system of seigniorial tenure in
 Canada, and its abolition in 1854, with a general review
 of the Oka question in particular and Roman aggression in
 general. [Montreal: s.n., 1886?]
 [National Archives Library: 2-949]
- [1887] Parent, Amand
The life of Rev. Amand Parent, the first French-
Canadian ordained by the Methodist Church: forty-seven
years' experience in the evangelical work in Canada:
thirty-one years in connection with the conference, and
eight years among the Oka Indians. Toronto: William
 Briggs, [1887]
 [National Archives Library]
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