



BETSIAMITES

DESCRIPTION

The Betsiamites Reserve forms part of Québec's undivided lands.

NOTE - The reserve boundaries originate from the official description made on April 13, 1861 by Philip Michael Vankoughnet, Commissioner of Crown Lands for Lower Canada, who would later become minister in the Canadian cabinet. His description is as follows:

All that certain tract or parcel of land bounded as follows: on the south by the River Saint Lawrence [sic], from the mouth of the River Betseamits [sic] on the north shore of the River Saint Lawrence, opposite Point Betseamits; thence along the coast of the said River Saint Lawrence, north easterly eight miles, more or less, to the mouth of the River Kawpatestutes-shepor or River Ile-aux-Rosiers; thence up the westerly bank of the said River eight miles in a straight line; thence along the rear limit of the said tract south seventy-one degrees west, astronomically, to the first waters of the river How-How-Nepe; thence southerly along the easterly banks of the said river as it winds and turns to its mouth into the River Betseamits aforesaid; thence southerly along the northerly bank of the said River Betseamits at high water mark, to the place of beginning. The said tract so circumscribed containing seventy thousand acres, more or less.

The current area of the reserve is 25 242 hectares.

LOCATION

The Betsiamites Reserve is located on the northern bank of the Saint Lawrence River, 54 kilometres southwest of Baie Comeau.

LAND TITLE HISTORY

August 30, 1851 - REGISTRATION NUMBER 3751-105

14-15 Victoria, chapter 106 (*Statutes of Canada*)

This act authorized the setting apart of lands in Lower Canada for the use and benefit of several Indian tribes residing on that territory. The overall area allotted to the different tribes would not be in excess of 230 000 acres.

June 8, 1853 - REGISTRATION NUMBER 15565

Distribution of the lands set apart according to the 1851 Act.

A distribution list for the lands set apart was proposed on June 8, 1853 by John Rolph, Commissioner of Crown Lands. According to that list, the Manicouagan community was allocated an area of 70 000 acres. This land allocation was intended for the benefit of the Montagnais, Tadoussacs, Papinachois, Nautscapis and other nomadic tribes.

John Rolph wrote a rather basic description of the territory in question:

On the River St Lawrence from the River of Vases to the River of Outardes at Manicouagan about 11 miles in breadth by 10 miles in depth.

August 9, 1853 - REGISTRATION NUMBER 15565

The Governor General in Council approves the distribution list submitted two months earlier by the Commissioner of Crown Lands.

April 20, 1861 - REGISTRATION NUMBER 6365-202

The Governor General in Council allows the Indians to move from Manicouagan to Bersimis Reserve (currently known as Betsiamites Reserve), based on the plan dated April 13, 1861 (see CLSR plan 533) and signed by Philip Michael Vankoughnet, Commissioner of Crown Lands. The area of Betsiamites Reserve was to be the same as the area of Manicouagan Reserve, i.e. 70 000 acres.

The document submitted to the Governor General stated:

[...] that the present application is for an exchange of the ground described on the schedule for one similar extent at the Betseamits [sic] extending down the coast of the St Lawrence to the river called Isle au Rosier. That after a careful inspection of the plan in the department exhibiting that part of the coast of the St Lawrence referred to in view of a relocation of the Indian Reserve as prayed for without however its extending to the inclusion of any tributary streams discharging into the River Betseamits and reserving any claims the Honorable Hudson's Bay Company may have to the purchase of ground upon which their buildings and improvements are situated, also reserving any mill sites or grounds already surveyed or occupied by the late firm of Price Co. [...]

January 30, 1864 - REGISTRATION NUMBER 6366-202

The Governor General in Council approves the surrender of the lands and buildings occupied by Price Co. near the Papinachois river for the amount of \$2 400.

July 1, 1867 - REGISTRATION NUMBER X14591

The *British North America Act, 1867* (currently known as the *Constitution Act, 1867*) confirms the jurisdiction of the Canadian government over the Indians and the lands reserved for them.

May 25, 1887

Plan of the Betsiamites Reserve by Jean-Célestin Desmeules. Report and field notes dated February 3, 1888.

The report and survey plan of Jean-Célestin Desmeules, the expert surveyor appointed in Case #591 of the Québec Superior Court, Saguenay District, follow upon an order of the Superior Court dated June 5, 1886 for the determination of the boundaries of the Papinachois or Betsiamites Reserve. The survey was ordered by the Superior Court to render its judgement in the case opposing the Crown in right of Canada to *Girouard & Beaudet Co.*, whose woodcutting activities would have encroached upon the reserve territory.

November 23, 1920 - REGISTRATION NUMBER 299989

Privy Council judgement ordering that the lands reserved for the Indians under the terms of 14-15 Victoria, chapter 106, and no longer used for that purpose, shall become the legal property of the Province of Québec.

August 11, 1924 - REGISTRATION NUMBER X15521

Betsiamites Band Council Resolution

This resolution allows the Department of Indians Affairs to do whatever is deemed necessary to enable the Québec government to open a provincial road across the reserve. The document grants a right-of-way, but is not a surrender.

27 July 1955 - REGISTRATION NUMBER 6375-202

Betsiamites Band Council Resolution

This resolution allows the Québec government to construct a feeder road between the Indian village of Betsiamites and the provincial road. The wording of the resolution makes reference to a "right-of-way".

CHRONOLOGY OF BOUNDARY SURVEYS

NORTHWEST BOUNDARY

- 1) **1887:** determination by Jean-Célestin Desmeules in 1887;
- 2) **1972:** restoration by Gilles Drolet;
- 3) **1984:** cleaning by an Aboriginal worker hired by Natural Resources Canada;
- 4) **1992:** replacement of the posts destroyed during the forest fire, and laying of marker posts. The contractor reported 15% of the monuments had disappeared.

SOUTHWEST BOUNDARY

1995: opinion formulated by Yvon Sanfaçon, QLS, CLS, about the reserve boundary along the Saint Lawrence River.

NOTE - The plan produced in 1887 by surveyor Desmeules gives the reserve an area of only 63 100 acres, compared to the 70 000 acres mentioned in the lands distribution list of 1853. This significant difference has motivated the Betsiamites band to submit a specific claim for the recovery of the missing 6 900 acres.