



DESCRIPTION

The Kahnawake Reserve is made up of a portion of lot 1, cadastre of the seigniory of Sault Saint Louis.

It covers 4 805 hectares.

LOCATION

The reserve is located 8 kilometres southwest of Montreal, on the south shore of lake Saint Louis.

LAND TITLE HISTORY

May 29, 1680 - REGISTRATION NUMBER 5481-169

Concession by letters patent made by Louis XIV, King of France, to the priests of the Society of Jesus, of a land called The Sault starting by a point vis-à-vis the Saint Louis Rapids going up along the lake and covering two leagues on its front line by two leagues in depth, with two islands, islets, and sand banks located in front of the said land. This land is ceded for the benefit of the Iroquois, and in case of abandonment by the latter, the concession would return to the King.

October 31, 1680 - REGISTRATION NUMBER 5482-169

Concession, by the Count of Frontenac, Governor of New France, and by Jacques Duchesneau, District Administrator, to the Fathers of the Society of Jesus of a land measuring one league and a half on its front line, starting from a land called The Sault going towards the seigniory of Châteauguay, by two leagues in depth, subject to the conditions stated in act of surrender dated the 29th of May 1680. The Fathers of the Society of Jesus had one year commencing the date of the act of surrender to obtain the Letters Patent from the King.

January 3, 1762 - VISUALIZATION OF THE ORIGINAL DOCUMENT POSSIBLE ON ILRS

General Gage judgement

Consolidation of the two lands granted in 1680. According to the judgement, the lands owned by the Indians would return to the British Crown in case of abandonment by the Indians. See *Treaty and Surrender*, vol. 2, p. 304.

1680-1762

Acts of surrender to censitaires by the Priests of the Society of Jesus in the southern part of the seigniory of Sault Saint Louis.

March 22, 1762 - VISUALIZATION OF THE ORIGINAL DOCUMENT POSSIBLE ON ILRS

Judgement by the Governor of Montreal and his Military Council - Recognition of usufruct rights for the benefit of Indians, and ratification of the titles granted to the censitaires in the southern part of the seigniory of Sault Saint Louis.

July 31 and September 24, 1762 - REGISTRATION NUMBER 1435

Boundary determination minutes, wherein General Gage ordered surveyor Jean Péladeau to define the line between the seigniory of Sault Saint Louis and the seigniory of La Prairie de la Madeleine. The report presented by Péladeau suggests that his monuments were laid at the same places as the old ones.

September 15, 1769 - REGISTRATION NUMBER 5486-169

Survey report by John Collins

Collins surveys the line between the seigniories of Sault Saint Louis, La Prairie de la Madeleine and La Salle.

December 6 to December 12, 1815 - REGISTRATION NUMBER 5485-169

Resurvey minutes

Surveyor Jean-Baptiste Larue was mandated to draw the line between the seigniories of Châteauguay and Sault Saint Louis. In his report, he states that he has seen two stone boundary monuments, one of them near lake Saint Louis bearing the Arms of the British Crown and marked "1773". These stone monuments had been laid on June 26, 1773 by John Collins, Surveyor General's assistant.

May 16, 1850 - REGISTRATION NUMBER 5484-169

Band council resolution

By this resolution, the Grand Chiefs of the Sault Saint Louis Iroquois Tribe agree that the *Lake Saint Louis Railway Company* acquire the lands necessary for the purpose of railroad construction. In case of abandonment of activities by the company, they would return to the Indians.

December 18, 1854

Proclamation of the *Act for the Abolition of Feudal Rights and Duties in Lower Canada* (18 Victoria, chapter 3). The new legislation gives the censitaires the right of ownership.

December 1, 1860

Production of the "cadastre abrégé" of the seigniory of Sault Saint Louis. Compilation of censitaires who were granted the right of ownership in the southern part of the seigniory.

April 15, 1867 - REGISTRATION NUMBER 5487-170

Official plan and reference book of the portion of the seigniory of Sault Saint Louis belonging to the Indians. This piece of land becomes lot 1 of the seigniory of Sault Saint Louis. The area mentioned is 10 979.37 acres.

The right-of-way of the *Montreal & Champlain Railroad Company* becomes lot 2. The area indicated is 33.11 acres. Was it expropriated pursuant to section 134 of the *Railway Act*? We found no document supporting this, nor supporting an application of the reversionary right pursuant to section 96.1 of the *Canada Transportation Act*.

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.

November 9, 1887 - REGISTRATION NUMBER 5490-170

Land parcel ceded by Jacques Philips and his wife to the Government of Canada for the purpose of building a church. See *Treaty and Surrender*, vol. 1, p. 206.

February 17, 1888 - REGISTRATION NUMBER 5491-170

Government of Canada Order in Council authorizing the sale of the land occupied by the railroad of the *Atlantic & North-West Railway Company*. Area indicated: 50.9 acres.

February 23, 1888 - REGISTRATION NUMBER 5491-170

Letters Patent 8843 - Sale by the Government of Canada to the *Atlantic & North-West Railway Company* pursuant to 50-51 Victoria, chapter 33, section 5.

March 5, 1889 - REGISTRATION NUMBER 5492-170

Government of Canada Order in Council 466 confirming the Indian reserve status for the domain of Sault Saint Louis.

December 7, 1895 - REGISTRATION NUMBER 5494-170

Order in Council 3454 authorizing the sale of the lands required for the construction of the *South Western Company* railroad on the Indian reserve.

June 12, 1896 - REGISTRATION NUMBER 5493-170

Order in Council 2055 authorizing the sale of 3.41 acres to the *South Western Railway Company*.

April 23, 1897

Letters Patent 11 698 - Sale by the Government of Canada to the *St. Lawrence & Adirondack Railway Company*.

September 17, 1898 - REGISTRATION NUMBER 16649

Order in Council 2203 authorizing the *Canadian Pacific Railway Company* to make the acquisition of 3 arpents and 52.74 rods, more or less, for the construction of a road pursuant to section 35 of the *Indian Act*.

March 25, 1903 - REGISTRATION NUMBER 5500-170

Government of Canada Order in Council 459 authorizing the *St. Lawrence & Adirondack Railway Company* to buy a 0.74 acre parcel of land for the construction of a bypass track.

April 29, 1903 - REGISTRATION NUMBER 5500-170

Issuance of Letters Patent 13 489 to the *St. Lawrence & Adirondack Railway Company* for a 0.74 acre parcel of land designated as lot 4 (part) of the seigniory of Sault Saint Louis.

June 7, 1910 - REGISTRATION NUMBER 5504-170

Government of Canada Order in Council 1193 authorizing the sale of a 0.22 acre parcel of land to the *Canadian Pacific Railway Company* for the purpose of expanding the Adirondack Junction station.

January 24, 1911 - REGISTRATION NUMBER 5505-170

Government of Canada Order in Council 137 authorizing the *Canadian Pacific Railway Company* to acquire a parcel of land covering 2.73 acres (3.22 arpents) for the construction of a double track.

June 8, 1911 - REGISTRATION NUMBER 5507-170

Government of Canada Order in Council 1362 authorizing the *Canadian Light & Power Company* to acquire a 55.19 acre right-of-way of the reserve.

August 1, 1911 - REGISTRATION NUMBER 5508-170

The band cedes to the Government of Canada, for sale for industrial purposes, an island located east of Caughnawaga village, excluding the right-of-way of the *Canadian Light & Power Company* and the right-of-way of the *Canadian Pacific Railway Company*, and including the extra width to be granted to the latter company.

The area indicated is 61.4 acres.

August 12, 1911 - REGISTRATION NUMBER 5508-170

Government of Canada Order in Council 1892 approving the surrender of an island located east of the Caughnawaga village for sale for industrial purposes.

June 6, 1912 - REGISTRATION NUMBER 5509-170

Government of Canada Order in Council 1530 authorizing the *Canadian Pacific Railway Company* to acquire a 18.03 acre land to be used as borrow pit.

September 30, 1912 - REGISTRATION NUMBER 5510-170

Government of Canada Order in Council 2629 authorizing the *Canadian Pacific Railway Company* to acquire a 4.79 arpent area in addition to the area authorized pursuant to the Order in Council dated January 24, 1911.

March 14, 1913

Issuance of Letters Patent 16 847 of Government of Canada to the *Canadian Pacific Railway*. The area mentioned is 12.42 acres.

March 18, 1913

Issuance of Government of Canada Letters Patent 16 848 to the *Canadian Pacific Railway Company*. Area indicated: 6.77 acres.

June 5, 1914 - REGISTRATION NUMBER 5512-170

Government of Canada Order in Council 1405 authorizing the exchange of a land covering approximately 2,100 square feet with the *Canadian Pacific Railway Company*. Apparently, the company owned that land since 1912.

October 31, 1914 - REGISTRATION NUMBER 5513-170

The *Canadian Pacific Railway Company* sells to the Government of Canada a land covering approximately 0.04 acre.

January 20, 1915

Issuance of Government of Canada Letters Patent 17 410 to the *Canadian Pacific Railway Company* for a land covering 0.04 acre.

May 3, 1917 - REGISTRATION NUMBER 5515-171

Judgement by Exchequer Court of Canada stating that Saint Nicolas island, situated in front of the reserve, has never been part of the two concessions of 1680 and that, as a result, the title of ownership for this island apparently belongs to the Province of Québec.

September 23, 1932

Caughnawaga Band Council Resolution 583 offering to the *Lake Saint Louis Bridge Corporation*, without charge, the piece of land necessary for the construction, maintenance, and operation of a bridge to be eventually built over the Saint Lawrence River, subject to certain conditions.

December 7, 1932 - REGISTRATION NUMBER 5521-171

Government of Canada Order in Council 2675 authorizing the transfer to *Lake Saint Louis Bridge Corporation* of reserve lands without compensation, subject to conditions mentioned in the Band Council Resolution. R.S.C. 1927, chapter 98, section 48.

May 4, 1933

Issuance of Government of Canada Letters Patent 22 523 *Canadian Light & Power Company* for a 55.2 acre area.

March 9, 1936 - REGISTRATION NUMBER 5522-171

Government of Canada Order in Council 534 authorizing the surrender of a land parcel to the Québec Government for the purpose of widening the road at the approaches to the Mercier bridge. The area indicated is 2.11 acres.

December 21, 1940 - REGISTRATION NUMBER 5524-171

Government of Canada Order in Council 7522 giving the Québec Government permission to enter the reserve to perform widening works on the road to Malone, New York, and on the road to Châteauguay.

July 18, 1945

Band Council resolution requesting the retrocession as reserve land of an island ceded to Government of Canada on August 1, 1911. The Government of Canada had accepted the surrender through Order in Council 1892, but had never sold the island.

August 16, 1945 - REGISTRATION NUMBER 5526-171

Order in Council 5591 by which the Government of Canada retrocedes the island ceded in 1911 by the band. The island, which covers approximately 61.4 acres, becomes a reserve land again.

September 16, 1955 - REGISTRATION NUMBER 5532-171

Government of Canada Order in Council 1955-1416 authorizing the *St. Lawrence Seaway Authority* to take an area of about 1 262 acres in the Caughnawaga Indian Reserve for sea-way purposes. Some of the lands included in that 1 262 acre area will be used only for a period of five years.

February 9, 1956 - REGISTRATION NUMBER 5533-171

Government of Canada Order in Council 1956-231 authorizing the *St. Lawrence Seaway Authority* to take possession of lands in the Caughnawaga Indian Reserve, according to the plan by surveyor Jules Leblanc dated January 14, 1956.

February 13, 1956

Expropriation of reserve lands by the *St. Lawrence Seaway Authority*. The area concerned is "7 arpents et 30 perches carrés" (6.15 acres), according to Leblanc's plan dated January 14, 1956.

October 11, 1956 - REGISTRATION NUMBER 5538-171

Government of Canada Order in Council 1956-1538 authorizing the *St. Lawrence Seaway Authority* to expropriate reserve lands representing an area of 106.1 square arpents (89.63 acres), according to Leblanc's plan dated September 18, 1956.

October 12, 1956

Expropriation of reserve lands by the *St. Lawrence Seaway Authority*. The area mentioned is 106.1 square arpents (89.63 acres).

August 31, 1959 - REGISTRATION NUMBER 5543-172

Retrocession of lot 2, ceded on May 16, 1850 to the *Lake Saint Louis Railway Company*.

September 22, 1966 - REGISTRATION NUMBER 5548-172

Order in Council 1966-1824 - The *St. Lawrence Seaway Authority* transfers to the Department of Citizenship and Immigration, Division of Indian Affairs, the control and administration of three parcels of land covering a total of 10 968 901 square feet (251.81 acres) which are no longer required for the purposes of the Seaway.

October 29, 1969 - REGISTRATION NUMBER 16566

The Department of Indian Affairs purchases a 10 000 square foot piece of land belonging to Martial Plante and located inside the reserve boundaries. This piece of land had been bought in 1967 from the *Canadian Pacific Railway Company*.

October 28, 1976 - REGISTRATION NUMBER 51077

Government of Canada Order in Council 1976-2662 - The *St. Lawrence Seaway Authority* transfers to the Department of Indian Affairs and Northern Development the control and administration, for the use and benefit of the Indians, of lands covering 553.19 acres. The Seaway maintains its right to use a line for the transmission of electricity.

October 12, 1978 - REGISTRATION NUMBER 61619

Government of Canada Order in Council 1978-3105 concerning the addition to the Caughnawaga Indian Reserve of lots acquired in 1966 and 1976 from the *St. Lawrence Seaway Authority*. Area indicated: 805 acres.

June 18, 1998 - REGISTRATION NUMBER 271031

Order in Council 1998-1136 conferring reserve status to a land covering 35.41 acres (12.33 hectares).

CHRONOLOGY OF BOUNDARY SURVEYS

- 1) **1762:** the British Government, under the authority of Governor Guy Carleton, did survey the seigniory of Sault Saint Louis in relation to the boundaries of neighbouring seigniories. In 1894 William Auguste Austin, in his field notes, made a sketch of two stone monuments, one of which was engraved with the Crown, the inscription *Honni soit qui mal y pense*, and the year 1762. The stone monument was apparently placed at the mouth of the Châteauguay river. Unfortunately, it disappeared a number of years ago. There seems to be some uncertainty about the year this monument was laid. John Collins, on plan 1166, states he surveyed the seigniory of Sault Saint Louis in 1769;
- 2) **1880:** establishment of the reserve boundaries by W. McLea Walbank;
- 3) **1894:** restoration of the reserve boundaries by William-Auguste Austin;
- 4) **1937:** partial resurvey of the reserve's south boundary by Ernest Gohier;
- 5) **1957:** survey monument restoration by Gaston Bolduc over a portion of the reserve's south boundary surveyed by Gohier in 1937;
- 6) **1958:** partial resurvey of the reserve's west boundary by Gaston Bolduc;
- 7) **1966:** resurvey of the west and south boundaries by Gérard Raymond;
- 8) **1983:** resurvey of the west boundary by Gilles Drolet;
- 9) **2000:** resurvey of the southwest boundary by Roger Reid.

NOTE - The plans made under the French Regime are not filed with the Legal Surveys Division, and thus were not examined. They would probably have a purely historic interest.