Copy of the Treaty Made November 15, 1923 between his Majesty the King and the Mississauga Indians of Rice Lake, Mud Lake, Scugog Lake and Alderville

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INDIAN TREATY

ARTICLES OF A TREATY made and concluded on the fifteenth day of November in the year of Our Lord One thousand nine hundred and twenty-three, between His Most Gracious Majesty, George the Fifth, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, Emperor of India, by His Commissioners, Angus Seymour Williams, of the City of Ottawa, in the Province of Ontario, Esquire, Barrister-at-law, and Departmental Solicitor of the Department of Indian Affairs: Robert Victor Sinclair, of the said City of Ottawa, Esquire, one of His Majesty’s Counsel, learned in the law, and Uriah McFadden, of the City of Sault Sainte Marie, in the said Province, Esquire, one of His Majesty’s Counsel learned in the law, the said Angus Seymour Williams, Chairman of the said Commission, representing the Dominion of Canada, and the said Robert Victor Sinclair and Uriah McFadden, representing the Province of Ontario, of the One Part, and the members of the Mississauga Tribe, inhabiting, as members of bands thereof, reserves at Rice Lake, Mud Lake, Scugog Lake and Alderville, all in the Province of Ontario, by their chiefs and headmen, of the Other Part.

WHEREAS, the Mississauga Tribe above described, having claimed to be entitled to certain interests in the lands in the Province of Ontario, hereinafter described, such interests being the Indian title of the said tribe to fishing, hunting and trapping rights over the said lands, of which said rights, His Majesty, through His said Commissioners, is desirous of obtaining a surrender, and for such purpose has appointed the said Commissioners, with power on behalf of His said Majesty, to enquire into the validity of the claims of the said tribe, and, in the event of the said Commissioners determining in favour of the validity thereof, to negotiate a treaty with the said tribe for the surrender of the said rights upon the payment of such compensation therefor as may seem to the said Commissioners to be just and proper:

AND WHEREAS the said Commissioners, having duly made the said enquiry, have determined in favour of the validity of the said rights.

AND WHEREAS the Indians belonging to the said tribe, having been duly convened in Council, at the respective places named hereunder, and having been requested by the said Commissioners to name certain chiefs and headmen to be authorized on their behalf to conduct negotiations with the said Commissioners for a surrender of the said rights and to sign a treaty in respect thereof and to become responsible to His Majesty for the faithful performance by the said tribe and by the respective bands thereof inhabiting the said reserves, of such obligations as shall be assumed by them under such treaty, the said Indians have therefore appointed for the purposes aforesaid the several chiefs and headmen who have subscribed to this treaty:

AND WHEREAS the said Commissioners, acting under the powers in them reposed as aforesaid, have negotiated the present treaty with the said tribe:

NOW THEREFORE THIS TREATY WITNESSETH that the said tribe and the Indians composing the same, occupying as members of bands the said reserves, by their chiefs and headmen, duly authorized thereunto as aforesaid, do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada for His Majesty the King and His Successors forever, all their right, title, interest, claim, demand and privileges whatsoever, in, to, upon, or in respect of the lands and premises described as follows, that is to say:

FIRSTLY: All that parcel of land situate in the Province of Ontario and described as commencing on the north-easterly shore of Georgian Bay at that mouth of the French River which forms the boundary between the District of Parry Sound and the District of Sudbury; thence southerly and easterly along the shores of
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IN WITNESS WHEREOF, His Majesty's said Commissioners and the said chiefs and headmen have hereunto attached.

1923, made between the Dominion of Canada and the Province of Ontario, a copy of which is hereto appended.

AND THE UNDERSIGNED chiefs and headmen, on their own behalf and on behalf of all the Indians whom they represent, do hereby solemnly covenant, promise and agree to strictly observe this treaty in all respects and that they will not, nor will any of them, nor will any of the Indians whom they represent, molest or interfere with the person or property of anyone who now inhabits or shall hereafter inhabit any portion of the lands covered by this treaty, or interfere with, trouble, or molest any person passing or travelling through the said lands or any part thereof, that they will assist the officers of His Majesty in bringing to justice and punishment any Indian, party to this treaty, who may hereafter offend against the stipulations hereof or infringe the laws in force in the lands covered hereby.

AND IT IS FURTHER UNDERSTOOD that this treaty is subject to an agreement dated the day of April, A.D. 1923, made between the Dominion of Canada and the Province of Ontario, a copy of which is hereto attached.

IN WITNESS WHEREOF, His Majesty's said Commissioners and the said chiefs and headmen have hereunto affixed their signatures.
set their hands and seals at the places and times hereinafter set forth, in the year herein first above written.

SIGNED AND SEALED at Alderville on the nineteenth day of November, A.D. 1923, by His Majesty's Commissioners and the undersigned chiefs and headmen in the presence of the undersigned witnesses, after first having been interpreted and explained.

Witnesses:
Kathleen Moodie.
W. R. Coyle.
A. S. Williams, Chairman.
R. V. Sinclair.
Uriah McFadden.
Robert Franklin.
Frank Smoke.
Ernest Crowe.
John Lake.
Wm. Louise.

SIGNED AND SEALED at Mud Lake on the fifteenth day of November, A.D. 1923, by His Majesty's Commissioners and the undersigned chiefs and headmen in the presence of the undersigned witnesses, after first having been interpreted and explained.

Witnesses:
Kathleen Moodie.
R. J. McCamus.
A. S. Williams, Chairman.
R. V. Sinclair.
Uriah McFadden.
Chief D. E. Whetung.
Alfred McCue.
Joseph Whetung.
George Taylor.
Samson Fawn.
Bertram McCue.
George Coppaway.
Albert Whetung.
L. D. Taylor.

SIGNED AND SEALED at Rice Lake on the sixteenth day of November, A.D. 1923, by His Majesty's Commissioners and the undersigned chiefs and headmen in the presence of the undersigned witnesses, after first having been interpreted and explained.

Witnesses:
Kathleen Moodie.
R. J. McCamus.
A. S. Williams, Chairman.
R. V. Sinclair.
Uriah McFadden.
Gilp. Paudash.
Hanlon Howard.
J. Paudash.
Henry Cowie.
Wm. Anderson.
Alfred Crowe.
Madden Howard.

SIGNED AND SEALED at Scugog Lake on the twenty-first day of November, A.D. 1923, by His Majesty's Commissioners and the undersigned chiefs and headmen in the presence of the undersigned witnesses, after first having been interpreted and explained.
MEMORANDUM OF AGREEMENT made this of April, 1923,

BETWEEN:

The Government of the Dominion of Canada, acting herein by the Honourable Charles Stewart, Superintendent General of Indian Affairs,

of the first part,

AND

The Government of the Province of Ontario, acting herein by the Honourable Beniah Bowman, Minister of Lands and Forests for the said Province,

of the other part

WHEREAS certain Indians of the Chippewa and Mississauga tribes claim that the said tribes were and are entitled to a certain interest in lands in the Province of Ontario to which the Indian title has never been extinguished by surrender or otherwise, the said lands being described as parts of the counties of Renfrew, Hastings, Haliburton, Muskoka, Parry Sound and Nipissing, and being bounded on the south and east by the lands included in the surrenders of the Indian title made on the 18th of November, 1815, 5th of November, 1818, and November, 1822; on the north by the Ottawa and Mattawa Rivers and Lake Nipissing, and on the west by the lands included in the surrender of the Indian title made in 1850, known as the Robinson-Huron surrender, and by the Georgian Bay, the area in question including about 10,719 square miles.

AND WHEREAS a departmental enquiry made by the Department of Indian Affairs indicates that the said claim has such probable validity as to justify and require further investigation, and if found valid to be satisfied on such just and fair terms as may be settled by a treaty of surrender.

NOW THEREFORE THIS AGREEMENT made in pursuance of certain statutes of Canada and of the Province of Ontario, both intituled "an Act for the settlement of certain questions between the Governments of Canada and Ontario respecting Indian Lands," the Statute of Canada having been passed in the 54th and 55th years of Her Majesty Queen Victoria and chaptered 5, and the statute of Ontario in the 54th year of Her Majesty's said reign and chaptered 3.

WITNESSETH THAT the Governments of Canada and of the Province of Ontario have agreed as follows: ---

1. The Government of Canada will, pursuant to Part I of the Enquiries Act, R.S.C., 1906, c. 104, and amendments, appoint three persons as commissioners to enquire into the validity of the claim of the Chippewa and Mississauga Indians aforesaid, and will empower the said commissioners, in the event of their determining in favour of the validity of the said claim, to negotiate a treaty with the said Indians for the surrender of the said lands upon payment of such compensation as may be fixed by such treaty.

2. Of the three commissioners so named, one shall be selected by the Government of Canada, who shall be Chairman of the Commission, and the remaining two shall be selected by the Minister of Lands and Forests for the Province of Ontario and notified to the Superintendent General of Indian Affairs.

3. The question of the validity of said claim may be determined by any two of the said Commissioners and it shall be necessary that at least two of them of whom the chairman shall be one shall concur in any treaty which may be negotiated.

Witnesses:

KATHLEEN MOODY
WILSON GERRROW

A. S. WILLIAMS, Chairman.
R. V. SINCLAIR.
URAH MCPADDEN.
THOS. MARSDEN.
AUSTIN GOOSE.
ISAAC JOHNSON.
DAVID ELLIOTT.
CHAS. X McCUE.
MURPHY.
JOHN W. MARSDEN.
JOHN H. MARSDEN.
NORMAN MARSDEN.
CHAS. F. MARSDEN.
ELIJAH MARSDEN.
4. The expenses of the said commission, including the remuneration and expenses of the commissioners and any expenses incurred for securing the attendance of witnesses or otherwise, shall be payable by the Government of Canada, but the rates of remuneration of each of the commissioners selected by the Minister of Lands and Forests for the Province of Ontario shall be agreed upon between him and the Superintendent General of Indian Affairs before the Constitution of the Commission.

5. In the event of the commissioners negotiating a treaty with the Indians the compensation to be paid to such Indians shall be payable to the Dominion of Canada by the Province of Ontario from time to time in accordance with the terms of the treaty of surrender, and shall be applied by the Dominion of Canada in accordance with the said terms.

6. In the event of provision being made by such treaty of surrender for the setting apart of reserves for the Indians, the Dominion of Canada will bear the expense to be incurred in the location and survey thereof, and the Province of Ontario will concur in the setting apart of such reserves.

7. All such reserves shall be administered by the Dominion of Canada for the benefit of the band or bands of Indians to which each may be allotted; portions thereof may, upon their surrender for the purpose by the said band or bands, be sold, leased or otherwise disposed of by letters patent under the Great Seal of Canada, and the proceeds of such sale, lease or other disposition applied for the benefit of such band or bands, provided, however, that in the event of the band or bands to which any such reserve has been allotted becoming extinct, or if for any other reason such reserve or such portion thereof as remains undisposed of is declared by the Superintendent General of Indian Affairs to be no longer required for the benefit of the said band or bands, the same shall thereafter be administered by and for the benefit of the Province of Ontario, and any balance of the proceeds of the sale or other disposition of any portion thereof then remaining under the control of the Dominion of Canada shall, so far as the same is not still required to be applied for the benefit of the said band or bands of Indians, be paid to the Province of Ontario, together with accrued unexpended simple interest thereon.

IN WITNESS WHEREOF these presents have been signed by the parties thereto.

Signed and Delivered on behalf of the Government of Canada by the Honourable
Charles Stewart, Superintendent General of Indian Affairs, in the presence of
(Sgd.) W. J. Pratt.

(Sgd.) CHAS STEWART

Signed and Delivered on behalf of the Government of the Province of Ontario by the Honourable Beniah Bowman, Minister of Lands and Forests for the said Province, in the presence of
(Sgd.) BENIAH BOWMAN

(Sgd.) W. C. CAIN.