

## James Bay Treaty - Treaty No. 9 - Articles

ARTICLES OF A TREATY made and concluded at the several dates mentioned therein, in the year of Our Lord one thousand and nine hundred and five, between His Most Gracious Majesty the King of Great Britain and Ireland, by His Commissioners, Duncan Campbell Scott, of Ottawa, Ontario, Esquire, and Samuel Stewart, of Ottawa, Ontario, Esquire; and Daniel George MacMartin, of Perth, Ontario, Esquire, representing the province of Ontario, of the one part; and the Ojibeway, Cree and other Indians, inhabitants of the territory within the limits hereinafter defined and described, by their chiefs, and headmen hereunto subscribed, of the other part: --

Whereas, the Indians inhabiting the territory hereinafter defined have been convened to meet a commission representing His Majesty's government of the Dominion of Canada at certain places in the said territory in this present year of 1905, to deliberate upon certain matters of interest to His Most Gracious Majesty, of the one part, and the said Indians of the other.

And, whereas, the said Indians have been notified and informed by His Majesty's said commission that it is His desire to open for settlement, immigration, trade, travel, mining, lumbering, and such other purposes as to His Majesty may seem meet, a tract of country, bounded and described as hereinafter mentioned, and to obtain the consent thereto of His Indian subjects inhabiting the said tract, and to make a treaty and arrange with them, so that there may be peace and good-will between them and His Majesty's other subjects, and that His Indian people may know and be assured of what allowances they are to count upon and receive from His Majesty's bounty and benevolence.

And whereas, the Indians of the said tract, duly convened in council at the respective points named hereunder, and being requested by His Majesty's commissioners to name certain chiefs and headmen who should be authorized on their behalf to conduct such negotiations and sign any treaty to be found thereon, and to become responsible to His Majesty for the faithful performance by their respective bands of such obligations as shall be assumed by them, the said Indians have therefore acknowledged for that purpose the several chiefs and headmen who have subscribed hereto.

And whereas, the said commissioners have proceeded to negotiate a treaty with the Ojibeway, Cree and other Indians, inhabiting the district hereinafter defined and described, and the same has been agreed upon, and concluded by the respective bands at the dates mentioned hereunder, the said Indians do hereby cede, release, surrender and yield up to the government of the Dominion of Canada, for His Majesty the King and His successors for ever, all their rights titles and privileges whatsoever, to the lands included within the following limits, that is to say: That portion or tract of land lying and being in the province of Ontario, bounded on the south by the height of land and the northern boundaries of the territory ceded by the Robinson-Superior Treaty of 1850, and the Robinson-Huron Treaty of 1850, and bounded on the east and north by the boundaries of the said province of Ontario as defined by law, and on the west by a part of the eastern boundary of the territory ceded by the Northwest Angle Treaty No. 3; the said land containing an area of ninety thousand square miles, more or less.

And also, the said Indian rights, titles and privileges whatsoever to all other lands wherever situated in Ontario, Quebec, Manitoba, the District of Keewatin, or in any other portion of the Dominion of Canada.

To have and to hold the same to His Majesty the King and His successors for ever.

And His Majesty the King hereby agrees with the said Indians that they shall have the right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered as heretofore described, subject to such regulations as may from time to time be made by the

government of the country, acting under the authority of His Majesty, and saving and excepting such tracts as may be required or taken up from time to time for settlement, mining, lumbering, trading or other purposes.

And His Majesty the King hereby agrees and undertakes to lay aside reserves for each band, the same not to exceed in all one square mile for each family of five, or in that proportion for larger and smaller families; and the location of the said reserves having been arranged between His Majesty's commissioners and the chiefs and headmen, as described in the schedule of reserves hereto attached, the boundaries thereof to be hereafter surveyed and defined, the said reserves when confirmed shall be held and administered by His Majesty for the benefit of the Indians free of all claims, liens, or trusts by Ontario.

Provided, however, that His Majesty reserves the right to deal with any settlers within the bounds of any lands reserved for any band as He may see fit; and also that the aforesaid reserves of land, or any interest therein, may be sold or otherwise disposed of by His Majesty's government for the use and benefit of the said Indians entitled thereto, with their consent first had and obtained; but in no wise shall the said Indians, or any of them, be entitled to sell or otherwise alienate any of the lands allotted to them as reserves.

It is further agreed between His said Majesty and His Indian subjects that such portions of the reserves and lands above indicated as may at any time be required for public works, buildings, railways, or roads of whatsoever nature may be appropriated for that purpose by His Majesty's government of the Dominion of Canada, due compensation being made to the Indians for the value of improvements thereon, and an equivalent in land, money or other consideration for the area of the reserve so appropriated.

And with a view to show the satisfaction of His Majesty with the behaviour and good conduct of His Indians, and in extinguishment of all their past claims, He hereby, through His commissioners, agrees to make each Indian a present of eight dollars in cash.

His Majesty also agrees that next year, and annually afterwards for ever, He will cause to be paid to the said Indians in cash, at suitable places and dates, of which the said Indians shall be duly notified, four dollars, the same, unless there be some exceptional reason, to be paid only to the heads of families for those belonging thereto.

Further, His Majesty agrees that each chief, after signing the treaty, shall receive a suitable flag and a copy of this treaty to be for the use of his band.

Further, His Majesty agrees to pay such salaries of teachers to instruct the children of said Indians, and also to provide such school buildings and educational equipment as may seem advisable to His Majesty's government of Canada.

And the undersigned Ojibeway, Cree and other chiefs and headmen, on their own behalf and on behalf of all the Indians whom they represent, do hereby solemnly promise and engage to strictly observe this treaty, and also to conduct and behave themselves as good and loyal subjects of His Majesty the King.

They promise and engage that they will, in all respects, obey and abide by the law; that they will maintain peace between each other and between themselves and other tribes of Indians, and between themselves and others of His Majesty's subjects, whether Indians, half-breeds or whites, this year inhabiting and hereafter to inhabit any part of the said ceded territory; and that they will not molest the person or property of any inhabitant of such ceded tract, or of any other district or country, or interfere with or trouble any person passing or travelling through the said tract, or any part thereof, and that they will assist the officers of His Majesty in bringing to

justice and punishment any Indian offending against the stipulations of this treaty, or infringing the law in force in the country so ceded.

And it is further understood that this treaty is made and entered into subject to an agreement dated the third day of July, nineteen hundred and five, between the Dominion of Canada and Province of Ontario, which is hereto attached.

In witness whereof, His Majesty's said commissioners and the said chiefs and headmen have hereunto set their hands at the places and times set forth in the year herein first above written.

Signed at Osnaburg on the twelfth day of July, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

THOMAS CLOUSTON RAE, C.T., Hudsons Bay Co.	DUNCAN CAMPBELL SCOTT. SAMUEL STEWART.
ALEX. GEORGE MEINDL, M.D.	DANIEL GEORGE MACMARTIN.
JABEZ WILLIAMS, Commis, H. B. Co.	MISSABAY, his x mark THOMAS his x mark MISSABAY. GEORGE his x mark WAHWAASHKUNG. KWIASH, his x mark. NAHOKEESIC, his x mark OOMBASH, his x mark DAVID his x mark SKUNK. JOHN his x mark SKUNK THOMAS his x mark PANACHEESE.

Signed at Fort Hope on the nineteenth day of July, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

F.X. FARARD, O.M.I.	YESNO, his x mark
THOMAS CLOUSTON RAE.	DANIEL GEORGE MACMARTIN
ALEX. GEORGE MEINDL. M.D.	SAMUEL STEWART.
CHAS. H.M. GORDON,H. B. Co.	DUNCAN CAMPBELL SCOTT. GEORGE his x mark NAMAY. WENANGASIE his x mark DRAKE. GEORGE his x mark QUISEES. KATCHANG, his x mark MOONIAS, his x mark JOE his x mark GOODWIN. ABRAHAM his x mark ATLOOKAN. HARRY his x mark OOSKINEEGISH.

NOAH his x mark NESHINAPAIS  
JOHN A. his x mark ASHPANAQUESHKUN.  
JACOB his x mark RABBIT.

Signed at Marten Falls on the twenty-fifth day of July, 1905, by His Majesty's commissioners and the chief and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

THOMAS CLOUSTON RAE, C.T., H. B. Co.	DUNCAN CAMPBELL SCOTT. SAMUEL STEWART.
ALEX GEORGE MEINDL, M.D. SAMUEL ISERHOFF.	DANIEL GEORGE MACMARTIN. WILLIAM his x mark WHITEHEAD. WILLIAM his x mark COASTER. DAVID his x mark KNAPAYSWET. OSTAMAS his x mark LONG TOM. WILLIAM his x mark WEENJACK

Signed at Fort Albany on the third day of August, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

THOMAS CLOUSTON RAE, C.T. H. B. Co.	DUNCAN CAMPBELL SCOTT. SAMUEL STEWART.
G.W. COCKRAM. A.W. PATTERSON.	DANIEL GEORGE MACMARTIN. CHARLIE his x mark STEPHEN.
ALEX. GEORGE MEINDL, M.D. JOSEPH PATTERSON.	PATRICK his x mark STEPHEN. DAVID GEO. his x mark WYNNE.
MINNIE COCKRAM.	ANDREW his x mark WESLEY. JACOB his x mark TAHTAIL. JOHN his x mark WESLEY. XAVIER his x mark BIRD. PETER his x mark SACKANEY WM. his x mark GOODWIN. SAML. his x mark SCOTT.

Signed at Moose Factory on the ninth day of August, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

GEORGE MOOSONEE. THOMAS CLOUSTON RAE, C.T. JOHN GEORGE MOWAT, H. B. Co.	DUNCAN CAMPBELL SCOTT. SAMUEL STEWART. DANIEL GEORGE MACMARTIN. SIMON his x mark SMALLBOY. GEORGE his x mark TAPPAISE. HENRY SAILOR, Signed in Cree syllabic JOHN NAKOGEE, Signed in Cree syllabic
THOMAS BIRD HOLLAND, B.A. JAMES PARKINSON.	

JOHN DICK, Signed in Cree syllabic  
SIMON QUATCHEWAN, Signed in Cree syllabic  
JOHN JEFFRIES, Signed in Cree syllabic  
FRED MARK, Signed in Cree syllabic  
HENRY UTAPPE,  
his x mark  
SIMON CHEENA,  
his x mark

Signed at New Post on the twenty-first day of August, 1905, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

THOMAS CLOUSTON RAE, C.T., H. B. Co.	DUNCAN CAMPBELL SCOTT.
SYDNEY BLENKARNE BARRETT,	SAMUEL STEWART.
H. B. Co.	DANIEL GEORGE MACMARTIN.
JOSEPH LOUIS VANASSE.	ANGUS his x mark WEENUSK.
	JOHN his x mark LUKE.
	WILLIAM his x mark GULL.

Signed at Abitibi on the seventh day of June, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

GEORGE DREVER.	DUNCAN CAMPBELL SCOTT.
ALEX. GEORGE MEINDL, M.D.	SAMUEL STEWART.
PELHAM EDGAR.	LOUIS his x mark MCDOUGALL.
	ANDREW his x mark MCDOUGALL.
	OLD his x mark CHEESE.
	MICHEL his x mark PENATOUCHE.
	LOUI MACDOUGALL.
	ANTOINE PENATOUCHE.

Signed at Matachewan on the twentieth day of June, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

PELHAM EDGAR.	DUNCAN CAMPBELL SCOTT.
GEORGE NOMTEITH.	SAMUEL STEWART.
ALEX. GEORGE MEINDL, M.D.	DANIEL GEORGE MACMARTIN.
	MICHEL his x mark. BATISE.
	ROUND his x mark EYES
	THOMAS his x mark FOX.
	JIMMY his x mark PIERCE.

Signed at Mattagami on the seventh day of July, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

JOS. MILLER.  
PELHAM EDGAR.  
A.M.C. BANTING  
KENNETH ROSS.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
ANDREW his x markLUKE.  
JOSEPH SHEMEKET Signed in syllabic characters.  
THOMAS CHICKEN Signed in syllabic characters.  
JAMES NEVUE Signed in syllabic characters.

Signed at Flying Post on the sixteenth day of July, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

A.J. MCLEOD.  
PELHAM EDGAR.  
ALEX. GEORGE MEINDL, M.D.  
JOSEPH LOUIS VANASSE.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
ALBERT BLACK ICE Signed in syllabic characters.  
JOHN ISSAC Signed in syllabic characters.  
WILLIAM FROG Signed in syllabic characters.  
THOMAS FROG Signed in syllabic characters.

Signed at New Brunswick House on the twenty-fifth day of July, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

GEORGE MONSONEE.  
JAMES G. CHRISTIE.  
GRACE MCTAVISH.  
CLAUDE D. OWENS  
PELHAM EDGAR.  
EDMUND MORRIS.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.  
ALEX. PEEKETAY Signed in syllabic characters.  
POOTOOSH,  
his x mark.  
PETER MITIGONABIE, his x mark  
TOM NESHWABUN Signed in syllabic characters.  
JACOB WINDABAIE Signed in syllabic characters.

Signed at Long Lake on the ninth day of August, 1906, by His Majesty's commissioners and the chiefs and headmen in the presence of the undersigned witnesses, after having been first interpreted and explained.

Witnesses:

H.A. TREMAYNE.  
ISABELLA TREMAYNE.  
P. GODCHERE.

DUNCAN CAMPBELL SCOTT.  
SAMUEL STEWART.  
DANIEL GEORGE MACMARTIN.

PELHAM EDGAR.

KWAKIGIGICKWEANG Signed in syllabic characters.  
KENESWABE Signed in syllabic characters.  
MATAWAGAN Signed in syllabic characters.  
ODAGAMEA Signed in syllabic characters.

## **Schedule of Reserves - Treaty No. 9 - 1906**

### **ABITIBI**

In the province of Ontario, beginning at a point on the south shore of Abitibi lake, at the eastern boundary of the township of Milligan projected, thence east following the lake shore to the outlet of Kaquaquakechewaig (Current-running-both-ways) creek, and of sufficient depth between the said creek and the eastern boundaries of the townships of Milligan and McCool to give an area of thirty square miles.

### **MATACHEWAN**

In the province of Ontario, inland and north from Fort Matachewan, beginning at the creek connecting a small lagoon with the northwest shore of Turtle lake, thence south on the west shore of said lake a sufficient distance to give an area of sixteen square miles.

### **MATTAGAMI**

In the province of Ontario, on the west side of Mattagami lake, three-quarters of a mile north of a point opposite the Hudson's Bay Company's post, thence north following the lake front a distance of four miles, and of sufficient depth to give an area of twenty square miles.

### **FLYING POST**

In the province of Ontario, commencing at a point half a mile south of Six-mile rapids, on the east side of Ground Hog river, thence south a distance of four miles, and of sufficient depth to give an area of twenty-three square miles.

### **OJIBEWAYS -- CHAPLEAU**

In the province of Ontario, one hundred and sixty acres abutting and south of the reserve sold to the Robinson Treaty Indians, one mile below the town of Chapleau.

### **MOOSE FACTORY CREES -- CHAPLEAU**

In the province of Ontario, one hundred and sixty acres fronting Kerebesquashesing river.

### **NEW BRUNSWICK HOUSE**

In the province of Ontario, beginning at the entrance to an unnamed creek on the west shore of Missinaibi river, about half a mile southwest of the Hudson's Bay Company's post, thence north four miles, and of sufficient depth to give an area of twenty-seven square miles.

### **LONG LAKE**

In the province of Ontario, beginning at a point where the "Suicide" or Little Albany river enters Long lake, thence in a southerly direction four miles, following the lake frontage, of a sufficient depth to give an area of twenty-seven square miles.

The reserves are granted with the understanding that connections may be made for settlers' roads wherever required.

DUNCAN C. SCOTT,  
SAMUEL STEWART,  
D. GEO. MACMARTIN,

*Treaty Commissioners.*