

Kahnawake Mohawk Territory: From Seigneury to Indian Reserve

Kahnawake Mohawk Territory (known historically as Caughnawaga or Kahnawake Indian Reserve #14) is the remnant of the Seigneury of Sault St. Louis, which was granted for the use and occupation of the “Iroquois” in 1680. The Order of the Society of Jesus (Jesuits) managed the seigneury as an Iroquois mission until the early years of the British regime. During their tenure, the Jesuits conceded much of the land to French settlers (*censitaires*) leaving less than half of the original seigneury for the “Iroquois of the Sault”. The story of Kahnawake and the Seigneury of Sault St. Louis started with the creation of the neighbouring Seigneury of La Prairie de la Madeleine.

The Jesuits had been granted the Seigneury of La Prairie de la Madeleine on the south shore of the St. Lawrence across from Montreal in 1647. La Prairie was granted to the Jesuits to enable them to found a mission for First Nations and establish a retreat for missionaries working with First Nations. The terms of the grant also gave the Jesuits the right to settle whomever they pleased on the land.¹

The 1667 treaty between the French and Iroquois quelled open hostilities, which allowed the Jesuits to establish a mission and attract French settlers to La Prairie. By 1670, the Jesuits claimed to have brought 18 to 20 christianized families to the mission, which they named St. Xavier des Praiz (de Près); the Iroquois called the mission village Kentake. There were reportedly about sixty French settlers on the seigneury by that time. Over the next few years, the mission attracted many Iroquois.²

During this era, the French were particularly anxious to draw the Five Nations Iroquois, including the Mohawks, away from the British and bind them in alliance. The Jesuits, and other religious orders, played a role by establishing missions to attract First Nations to settle, convert to Catholicism, and remain in political, military and economic alliance with the French. Establishing and maintaining a friendly Iroquois presence around Montreal was perceived as being necessary for French colonial security; the missions were integral to that purpose. The Jesuits used the Crown’s anxiety about security of the colony to justify another seigneurial grant that would give the Iroquois more land on which to support themselves.³

As early as 1674, the Jesuits petitioned Governor Frontenac for an additional tract of land on which the Indians of the mission could cultivate corn. Thus, the first steps were taken

¹ Prairie de la Madeleine: Titre du fief de La Prairie de la Magdeleine les Reverends Pères Jesuites dated April 1, 1647. ANQ, Cahier d'Intendance, Concessions en Fiefs, No. 2, Vol. 125. Also published in: *Pieces et documents relatifs a la tenure seigneuriale* (Quebec: E. R. Frechette, 1852), pp. 75-76; and *Titles and Documents Relating to Seigniorial Tenure* (Quebec: E. R. Frechette, 1852), pp. 349-350.

² Reuben G. Thwaites, ed., *The Jesuit Relations and Allied Documents*, Vol. LXIII, pp. 145-221; Vol. LI, pp. 144-151; Vol. LV, pp. 32-37; Vol. LVIII, pp. 171-177 and 246-253; and NAC MG 1 Série C11A Vol. 4 fos. 144-205, Memoire of Count Frontenac, November 12, 1674.

³ See, for example, NQ E21 Localisation IB12-4505A "Sault Saint Louis, Documents concernant les terres, 1676-1762," "Request to Monseigneur Colbert for the lands of the sault in Canada which has been partly cleared by a colony of Christian Iroquois".

to establish the Seigneurie of Sault St. Louis. While Frontenac was suspicious of the Jesuits' motives, the newly-installed Intendant, Jacques Duchesneau, gave permission in January 1676 for the Iroquois to work on a tract measuring two leagues by two leagues adjacent to La Prairie on its upstream or western boundary.⁴ That summer, Iroquois families from the La Prairie mission moved upriver, established the village of Kanawake, and began cultivating the land. The Jesuits called this new mission St. François Xavier du Sault.⁵ Within a few years, the Iroquois had cultivated 200 arpents (about 170 acres) at the new location.⁶

After considerable lobbying by Intendant Duchesneau and the Jesuit Father Frémin, Louis XIV granted a concession deed for the new settlement in May 1680. The grant for the Seigneurie of Sault St. Louis was described as a *don* or gift to the Jesuits for the settlement of the Iroquois and other Christian Indians. The new seigneurie was two leagues by two leagues adjoining the Seigneurie of La Prairie and included two unnamed islands, islets, and shoals. The grant was unique in that it contained special conditions, including a prohibition on any French "who might live with or go amongst the Iroquois" from keeping cattle on the seigneurie or operating a public house, which effectively barred French settlement on the land. In addition, the grant specified that the land would revert to the Crown if abandoned by the Iroquois. No provisions were made for conceding lands, nor were any of the other usual rights and obligations of a seigneur, such as the administration of justice, included in the grant.⁷

Some months later, in October of 1680, a second grant of one and a half leagues by two leagues was issued jointly by the Governor and Intendant. The second grant was intended to include all of the vacant land between the first grant and Chateauguay, a seigneurie that had been established further upstream in 1673. The second grant contained the same conditions as the first grant.⁸ Together the two grants created a seigneurie three and a half leagues by two leagues situated on the south shore of the St. Lawrence River between the Seigneurie of La Prairie de la Madeleine and the Seigneurie of Chateauguay.

The Iroquois had been living and cultivating land at Kanawake on the most easterly portion of the new grant for four years by the time the seigneurial grant was made in 1680. As was the practice with Iroquois horticulturists, they shifted their village several times over the ensuing years always moving upstream towards Chateauguay. In 1690,

⁴ NAC MG1 Série C11A Vol. 4 fos. 206-9, Memoire of Count Frontenac, November 14, 1674. ANQ Localisation IB12-4505A Dossier "Documents concernant les concessions de terre 1676-1762," "Concession des terres du sault, au dessus de la prairie de la Magd. 1676" signed Intendant Duchesneau, dated January 30, 1676. According to the Jesuit Relations, there were 22 Huron and Iroquois cabins at the new site which was governed by two Huron and two Iroquois captains, Vol. LX, pp. 274-293.

⁵ E. J. Devine, *Historic Caughnawaga* (Montreal: Messenger Press, 1922). The location of the first village on what became the Sault St. Louis Seigneurie is shown on several historic maps.

⁶ NQ E21 Localisation IB12-4505A "Sault Saint Louis, Documents concernant les terres, 1676-1762," "Request to Monseigneur Colbert for the lands of the sault in Canada which has been partly cleared by a colony of Christian Iroquois".

⁷ Canada, *Indian Treaties and Surrenders*, Volume 1 - Treaties 1-138 (Saskatoon: Fifth House Publishers, 1992), pp. 13-14, Grant of Sault St. Louis, dated May 29, 1680. NAC MG 1 Série C11A Vol. 5 Reel F-5 [originals]; Reel C-2375 [transcripts], King Louis XIV to Intendant Duchesneau, dated June 2, 1680.

⁸ Canada, *Indian Treaties and Surrenders*, Volume 1 - Treaties 1-138 (Saskatoon: Fifth House Publishers, 1992), p. 14, Additional land granted at Sault St. Louis, dated October 31, 1680.

they established a village called Kahnawakon. Six years later, in 1696, they moved to Kanatakwenke, and finally, in 1716, they founded the village of Caughnawaga, now known as Kahnawake. Each time they moved they left cleared land behind.

The Jesuits began conceding land to French settlers near the first village of Kanawake when the Iroquois were living at Kanatakwenke. When they were about to issue concessions, the Jesuits hired Surveyor de Catalogne to survey part of the line between La Prairie and Sault St. Louis, mark out the concessions around the old village, and note the buildings being included in the concessions.⁹ The buildings and cleared fields that de Catalogne noted were those left by the Iroquois when they moved upstream in 1690.

The village of Caughnawaga lay well inside the second grant. Soon after the village was established, the Jesuit fathers approached the French Crown seeking to unite the two grants of the Seigneurie of Sault St. Louis and have it granted to themselves in perpetuity. The Jesuits were ostensibly concerned that the first grant would revert to the Crown because the Iroquois had "abandoned" it. The Conseil de Marine and Conseil de Régence ordered that the grants be united and letters patent issued to the Jesuits jointly with the Iroquois. The authorities refused the Jesuit's request for a perpetual grant and specified that they had decided "to accord no more lands of the mission in property". The King issued new letters patent to the Jesuits for the purpose of settling the Iroquois in 1718. The united concession contained all of the lands described in the original two grants and carried the same terms and conditions.¹⁰

Despite the 1718 decision that no more land should be conceded to settlers, the Jesuits continued to concede lands on the eastern portion of Sault St. Louis and many of the areas or *côtes* were first conceded to settlers during the period from 1719 to 1726. The Jesuits continued making concessions to French settlers until just after the capitulation of Montreal.

The settlement of Sault St. Louis by French settlers did not go unchallenged. In 1750, the Chiefs complained to the Governor that the Jesuits were continually trying to obtain their lands. They asserted that Sault St. Louis was supposed to stretch from the Rivière la Tortue to the Rivière du Loup.¹¹ The Iroquois had a legitimate complaint. The eastern portion of the Seigneurie of Sault St. Louis around Rivière la Tortue, Rivière du Portage (St-Pierre), and what became known as Côte Ste. Catherine had been widely conceded by

⁹ Archives Nationales de Québec Fonds: Biens des Jésuites - Laprairie - chemise: Procès-verbaux d'arpentage 1673-1807, Procès-verbal de quelques concessions pour Ste-Catherine, par Monsr Cattalogne-arpenteur, le 14 avril 1703.

¹⁰ NAC MG 1 Série C11A Vol. 106 pp. 380-384, Conseil de Marine -- "Changement de la Mission du Saut St. Louis", dated December 7 to 14, 1717; Minute of Conseil de Marine dated February 8, 1718; and "Brevet de Concession et de don de la terre du Sault aux Religieux de la Compagnie de Jésus en Canada pour y placer les Sauvages Iroquois, à condition que la de terre reviendra toute défrichée à sa Maté lorsque les dits Iroquois l'abandoneront", dated June 15, 1718. Inventaire des Concessions en Fief et Seigneurie, Foies et Hommages, et Aveux et Dénombrements conservés aux Archives de la Province de Québec, par Pierre-Georges Roy, Vol. 5, Beauceville: L'"Eclaireur", 1929, pp. 268-269.

¹¹ NAC MG 1 ser. C11A Vol. 95, fos. 140-141, Marquis de la Jonquière, Governor of New France, to the Minister dated July 25, 1750. Rivière la Tortue is near the original boundary between the Seigneurie of La Prairie and the Seigneurie of Sault St. Louis. Rivière du Loup, now known as the Chateauguay River, is near the boundary between the Seigneurie of Chateauguay and the Seigneurie of Sault St. Louis.

the Jesuits who managed it as if it belonged to them. The Jesuits succeeded in taking over land in Sault St. Louis by canceling concessions and uniting them to the domain of La Prairie, by manipulating boundaries between lots, and by describing conceded areas as being shared between the seigneuries of La Prairie and Sault St. Louis.¹² The Chiefs' complaint was considered by the Conseil de Marine, which instructed the Governor in 1754 to inform the Jesuits that the seigneurie was granted for the purpose of educating and instructing the Iroquois in religion, that Sault St. Louis should be used jointly by the Iroquois and Jesuits, and that the Jesuits did not have the right to concede land to any other parties.¹³ As noted above, the Jesuits continued to concede land until after the end of the Seven Years' War.

Towards the close of the Seven Years' War, the British negotiated the assistance or neutrality of the Seven Nations of Canada,¹⁴ including the Iroquois of Kahnawake. This shift in allegiance was accomplished at Oswegatchie in August 1760 and confirmed at a council in Caughnawaga and Montreal in September 1760, a week after the signing of the Articles of Capitulation. British officials involved in these councils repeatedly referred to the proceedings and agreement as a treaty. The British promised to protect lands inhabited by the Seven Nations at the August and September treaty conferences. In addition, a promise of protection was included in the Articles of Capitulation.

General Thomas Gage, the military commander who governed in the Montreal area following the capitulation of Montreal, headed up the military tribunal that dispensed justice in the period between the capitulation and the 1763 Treaty of Paris. The Iroquois brought their suit against the Jesuits before General Gage. Gage heard arguments, examined documents, and in 1762 ordered that:¹⁵

- the two grants be united into one;
- the Jesuits had no seigneurial rights in Sault St. Louis and should have no temporal rights in the seigneurie;
- the Iroquois should be put in possession of and enjoy the whole land and revenue;
- a receiver of rents should be appointed by the Crown to collect and manage seigneurial revenues on behalf of the Iroquois;
- the boundaries of Sault St. Louis should be properly surveyed;
- titles for concessions made to third parties were to be examined by an appointed notary. All concessions on which the settlers has not held *feu et lieu* (occupied the land) would be cancelled; all concessions made after September 1760 would be cancelled; all other established concessions would be confirmed with new titles issued by the notary; and

¹² NAC MG 11 C.O. 42 Vol. 228 p. 69 Reel B-170, Ordinance of Gilles Hocquart, Intendant de Justice, Police, &c dated January 10, 1732. NAC MG 1 ser. C11A Vol. 66, fos. 22-38, "Réponse aux objections que les R.P. Jésuites font naître pour s'opposer la concession accordée au sieur de Boisclerc derrière le Sault St. Louis" par le grand voyer Lanouillier de Boisclerc, dated October 15, 1736. ANQ Fonds: Biens des Jésuites Cote QBC 20(27) 1738-1750 – Terriers. Terres Communes a la prairie et au Saut S. Louis S Fr Xavier [n.d.. 1738-1750].

¹³ NAC MG 1Série B Vol. 99 Folio 5, President of the Marine Council to Marquis Duquesne de Menneville, Governor, New France, dated May 30, 1754.

¹⁴ The Seven Nations of Canada was a name given to the mission communities in New France.

¹⁵ Canada, *Indian Treaties and Surrenders*, Volume 2 - Treaties 140-280 (Saskatoon: Fifth House Publishers, 1993), pp. 293-304, General Gage's Judgement, dated March 22, 1762.

- the church and mission buildings should belong to the Iroquois who were required to maintain them.

The notary, Pierre Panet, examined the titles held by the censitaires and issued 125 new titles and cancelled over fifty.¹⁶ Panet was appointed to collect the rents for the Iroquois and censitaires were ordered to pay their rents immediately.¹⁷

Gage had ordered that the seigneurie should be properly surveyed and thus Surveyor Péladeau laid out the boundary between Sault St. Louis and La Prairie in July of 1762. For reasons that are unclear, the boundary was moved in September of that year, giving more land to La Prairie and less land to Sault St. Louis. The circumstances surrounding the two surveys are somewhat irregular. Because Péladeau moved the line further west (upstream), the site of the village of Kanawake fell within the Seigneurie of La Prairie.¹⁸ The Iroquois protested the placement of the second boundary, without success. Similarly, they protested the placement of the western boundary between their seigneurie and the Seigneurie of Chateaugay, stating that the boundary line ran through some of their cultivated fields.¹⁹

The Iroquois brought suits against the Jesuit fathers for return of their lands. They lost this action by the decision of the Court of Common Pleas of 1798 and a failed appeal at the Court of the King's Bench in 1799.²⁰ The last of the Jesuits in Canada died in 1799, after which all Jesuit interests devolved to the Crown; consequently, the grievances the community at Caughnawaga had against the Jesuits were brought against the Crown. All of the subsequent petitions, protests, and appeals to recover lost lands and revenues also failed.

Under the Crown's administration, the seigneurial revenues were being collected and managed by an agent who was compensated by a 10% commission. In general, the fiscal affairs of the seigneurial lands were in a "confused and imperfect state." Some improvements to the haphazard system were recommended and the agent was ordered to

¹⁶ NAC MG 8 E5 Vol. 1, Ordinance, General Gage, Governor of Montreal, dated October 15, 1762. Panet had been a notary in Montreal since 1754 and held the position of clerk of the militia captain's court in Montreal since September 1760.

¹⁷ Canada, *Report of the Public Archives for the year 1918*, Sessional Paper No. 29A, 9 Geo. V, 1919 (Ottawa: King's Printer, 1920), p. 65, Ordinance by General Gage, dated December 24, 1762.

¹⁸ NAC RG 1 L 3 L Vol. 18 pp. 8061-8063, Certified report on survey by Jean Péladeau, Surveyor, dated July 27, 1765.
James Sullivan, ed., *The Papers of Sir William Johnson*, Vol. III (Albany: University of State of New York), pp. 861-862, Daniel Claus, Deputy Superintendent of Indian Affairs, Montreal, to Sir William Johnson, dated August 17, 1762.
NAC RG 8 C Series Vol. 248 pp. 176-177 Reel C-2848, "Memorandum taken 16th June from Daibbou an Indian Chief of 67 Years of Age, in presence of Mr. Lorimier", John Lees, Storekeeper General of the Indian Department, dated June 16, 1796.
William L. Clements Library, University of Michigan, General Gage, New York, to Daniel Claus, Deputy of Sir Wm. Johnson at Montreal, dated February 2, 1765.

¹⁹ This paper does not deal with the details of the dispute over the boundaries. The loss of land resulting from inaccurate boundaries is part of the current claim advanced by the Mohawks of Kahnawake.

²⁰ NAC MG 11 C.O. 42, Vol. 228, pp. 61-63, Reel B-170, Cour du Banc du Roi--Nanasateken & autres sauvages du Sault St. Louis, propriétaires de la seigneurie du Sault St. Louis vs. Jean Cazot, seul prêtre survivant de l'ordre des R. R. P. P. Jesuites, seigneurs et propriétaires de la seigneurie de la prairie de la Magdeleine.

prepare a land roll of conceded lands at Sault St. Louis. Indian Department officials noted that the rents from the conceded lands at Sault St. Louis were poorly managed and yielded little revenue.²¹ Thus, the Iroquois suffered not only the loss of their land but also the benefit of revenue from it.

Statutes regarding the abolition of the seigneurial system (1854 to 1935) effectively eroded the Mohawk interest in the conceded land. In 1854, *The Seigniorial Act* abolished the feudal system.²² The Act allowed censitaires to hold their lands free of the obligation to pay many customary seigneurial dues such as *cens*, *lods et ventes*, *droit de banalité*, *droit de retrait*, etc. Furthermore, seigneurial rents (*rentes*) were converted into “constituted rents” which were calculated by a formula based on the customary *rentes*. A cadastre of Sault St. Louis was prepared between 1858 and 1860. The cadastre enumerated the conceded lands at Sault St. Louis, assigned values for the various seigneurial rights and properties, and established the amount of an indemnity intended to compensate the seigneurs for their loss of seigneurial rights in the conceded portion of the seignury.²³ The agent continued to be responsible for collecting constituted rents in the place of the customary rents and the indemnity of approximately \$10,000 was eventually paid to the “Iroquois of Caughnawaga” trust account in 1881.²⁴

In 1935 *The Seigniorial Rent Abolition Act* allowed for the commutation of constituted rents by the payment of a capital amount. Commutation could be made without the consent of the seigneur, in this case the Mohawks.²⁵ The commutation of seigneurial tenure effectively eroded the Mohawk interest in the conceded portion of the seignury.

Concurrent with the long process of ending seigneurial tenure, legislation regarding the administration and management of Indian lands brought Sault St. Louis under the control of the Crown and eventually imposed the status of Indian reserve on the unconceded lands. *An Act for the Better Protection of Lands and Property of the Indians in Lower Canada* was passed in 1850.²⁶ Under this statute, a Commissioner of Indian Lands was appointed and all lands or property appropriated or set apart for any body of Indians was to be vested in trust to the Commissioner. Amongst other duties, the Commissioner had

²¹ NAC RG 10 Vol. 663 Reel C-13401, "Minutes of a Communication made to 7 Principal Chiefs of the Iroquois of Sault St. Louis by order of the Superintendent General of Indian Affairs", dated March 25, 1826.

²² S.C. 1854 18 Victoria, Cap. III, *An Act for the Abolition of feudal rights and duties in Lower Canada*, also known as *The Seigniorial Act* of 1854. The legislation stipulated that wild lands held by the Crown in trust for Indians were not subject to the provisions of the Act. The unconceded portion of the seignury of Sault St. Louis, which later became Caughnawaga Indian Reserve #14, would have been considered wild lands of the Crown held for Indians.

²³ No. 116, Canada, B.C. Procédés sous l'Acte Seigneurial de 1854 et ses amendements, Cadastre Abrégé de la Seigneurie du Sault St. Louis, Possédée par la Tribu des Sauvages Iroquois, Fait le 1er Décembre, 1860, par Henry Judah, Ecuyer, Commissaire (Québec: Queen's Printer, 1861).

²⁴ NAC RG 10 Vol. 2146 File 30,612 Reel C-11,168, John Gorman, Auditor General's Office, to R. Sinclair, Accountant of the Indian Department, dated November 4, 1881.

²⁵ S.Q. *Seigniorial Rent Abolition Act*, Chapitre 322, 25-26 Geo. V., c. 82, s. 1. The Act provided for the commutation of constituted rents by the payment of a capital amount, 6% of which equaled the annual constituted rents. As customary seigneurial rents and consequently constituted rents were very low, the capital sum was also small.

²⁶ *An Act for the Better Protection of Lands and Property of the Indians in Lower Canada*, S.C. 1850 13 & 14 Vict. C. 42.

the responsibility to collect rents on lands held in trust for the benefit of Indians. A Crown agent had been responsible for collecting rents from the time of the Gage decision, however, the other measures of control, such as management over land use and disposition was newly imposed. The Caughnawaga Chiefs asserted that they had not been consulted as to the contents of the Act and protested its application to their community.²⁷ This 1850 Act and subsequent legislation in 1868²⁸ were the precursors to the 1876 *Indian Act* that imposed reserve status on Kahnawake.

The Dominion was satisfied that it held administrative authority over Seignury of Sault St. Louis lands and that the "Iroquois" held "licence to occupy and enjoy." Confident in its position, the Dominion commenced an action in January 1890 to recover years of unpaid rent.²⁹ The Province of Quebec intervened in the suit. In 1896, the Superior Court decided that the Province of Quebec had the right to collect rents due from the censitaires of Sault St. Louis. However, the Department of Indian Affairs successfully appealed the decision. Ultimately, the court found that the Province of Quebec held the naked ownership of Sault St. Louis rents, while the Dominion had the right to collect and administer rents for the benefit of the Iroquois of Caughnawaga.³⁰

The Mohawks' interests in the land were further threatened a few decades later. Canada lost a suit challenging the sale of an island in front of the reserve, claiming that the Iroquois of Caughnawaga should be put in possession. The Province of Quebec intervened, claiming the Province had held title to the island. The Exchequer Court found against the Indian title. The Supreme Court upheld the judgement in 1918.³¹

Developments in the mid to late 20th century caused additional loss of territory and again weakened the capacity of the Mohawks to be in possession of and fully enjoy the whole of the seignury. In the mid-1950s, a substantial amount of land was expropriated for the construction of the St. Lawrence Seaway. This expropriation affected about one-eleventh of the reserve land, as well as conceded seigneurial land. Attempts to get an injunction against the expropriations was denied based, in part, on the view that the Iroquois of Caughnawaga had a usufructuary right only and no right in property.³²

²⁷ NAC RG 10 Vol. 607 pp. 41855-51859 Reel C-13383, Petition of the Indians of Sault St. Louis, St. Regis, Lake of Two Mountains and St. Francis to Lord Elgin, Governor General of Canada, dated September 18, 1850.

²⁸ In 1868, the *Act providing for the Organization of the Department of the Secretary of State of Canada and for the Management of Indian and Ordnance Lands* vested the control of Indian lands in the hands of the Secretary of State. S.C. 31 Vict., cap. XLII.

²⁹ NAC RG 10 Vol. 2147 File 30,896 Pt. 2 Reel C-11,169, J. G. A. Creighton, Advocate, Montreal, (Agent for the Department of Justice), to G. W. Burbridge, Deputy Minister of Justice, dated December 28, 1882.

³⁰ *Mowat c. Casgrain*, Rapports Judiciaires de Québec, 6 B.R. 12 21, dated January 20, 1897. See also: NAC RG 10 Vol. 2148 File 30,896-3, J. D. McLean, Secretary, Department of Indian Affairs, dated February 1, 1897.

³¹ NAC RG 10 Vol. 2925 File 190,255 Reel C-11,299 for documentation regarding *The King v. Bonhomme*. The suit challenged the ownership of the island, which had been purchased from the Province of Quebec; Canada claimed title, alleging that the island was part of the Seignury of Sault St. Louis.

³² Rapports Judiciaires [1937]: *Lazare et un autre v. The St. Lawrence Seaway Authority and Attorney General for the Province of Québec*; Judgement of André Demers of the Cours Supreme [Québec], Montréal. For an overview, see: Richard C. Daniel, *A History of Native Claims Processes in Canada, 1867-1979* (Ottawa: Research Branch, Department of Indian & Northern Affairs, Feb. 1980). pp. 139-142.

Despite protests from the Chief and Council, Kahnawake was paid \$3,000 to commute their interest in seigneurial lands along the seaway. The Department of Indian Affairs considered this amount to be reasonable based on the arrears of rents owing and the capital sum allowed for commuting constituted rents; the Band Council did not believe the compensation was adequate and did not want to relinquish their interest in the seigneurial land.³³ The St. Lawrence Seaway Authority commuted rents on virtually all the lots in the parish of La Prairie closest to the seaway, which included land that belonged to the Seigneurie of Sault St. Louis.

In subsequent years, some landholders were allowed to commute their constituted rents without the consent of the Mohawks.³⁴ These commutations effectively ended seigneurial tenure on much of the conceded lands. Efforts to determine which conceded land had been commuted and what land was still burdened with constituted rents, and to collect those rents, were impaired by lack of a complete land roll and up to date records. Apparently, no rents had been collected since records in the Agency office burned in the mid-1940s.³⁵

During the 1980s, the Mohawk Council of Kahnawake became involved in several projects to investigate and pursue their claim to seigneurial lands and revenues. Comprehensive research was undertaken in a joint process with Canada in the 1990s. The Mohawks' claim focused on title to the Seigneurie of Sault St. Louis, the mismanagement of revenues from the seigneurie, and the loss of land by inaccurate boundaries.

The Seigneurie of Sault St. Louis was created in 1680 as a tract of approximately 45,000 acres for the use and enjoyment of the Iroquois under the spiritual guidance of the Order of the Society of Jesus. Over the next three centuries, Mohawks witnessed over half of that land being conceded to settlers, from whom very little rent was collected. Ultimately, they were effectively dispossessed of the conceded land by changes to seigneurial tenure that allowed landholders to buy out their holdings for very little consideration. The Mohawks were left with a reserve that was further diminished by expropriation and over which they had little control because it had been brought under the control of the *Indian Act*. Kahnawake Mohawk Territory now consists of about 13,000 acres.

³³ Order in Council P.C. 1955-797.

³⁴ INAC Claims and Historical Research Centre DIA (K-84), M. E. Gilchrist, Indian Affairs, "Seigniory Rents – Caughnawaga."

³⁵ DIAND PARC File 373/34-3-2 Vol. 2, D. Bruce Amos, for Jean Chrétien, Minister of Indian & Northern Affairs, Ottawa, to Chief Ronald Kirby, Mohawks of Kahnawake, dated May 22, 1974.