The James Bay Treaty (Treaty No. 9)

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Exhibit Home

The James Bay Treaty - (Treaty No. 9) is an agreement between Ojibway (Anishinaabe), Cree (including the Omushkegowuk) and other Indigenous communities (Algonquin), and the Crown (represented by two commissioners appointed by Canada and one commissioner appointed by Ontario). The treaty, first entered into in 1905-1906, covers the James Bay and Hudson Bay watersheds in Ontario, about two thirds of the province's total landmass. The treaty embodies the nation-to-nation relationship between First Nations and the Crown.

This exhibit explores different interpretations of the James Bay Treaty, the background behind the treaty's creation and its impact on Indigenous communities, and the role that archival records and other forms of memory have come to play in the story of Treaty No. 9.

A treaty is a formal agreement between two or more nations about sharing the land and resources, and living together in peace and in friendship. Treaties between Indigenous peoples and the Crown are solemn agreements that set out promises, obligations, and benefits for both parties. Treaty and Indigenous rights that flow from such agreements are constitutionally recognized in Canada.

Ontario is covered by more than 40 treaties and agreements with Indigenous communities.

What treaty land do you live on? Click here to find out!

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Archives of Ontario THE THRILL OF DISCOVERY

Map of the Province of Ontario: Dominion of Canada, including notes on treaties by J.L Morris, 1930-1931
J.L. Morris family fonds
F 1060-1-0-51
Archives of Ontario, I0030958

The Archives of Ontario holds one of two original copies of the James Bay Treaty document from 1905-1906, and the signed document for adhesions made to the treaty in 1929-1930. Along with the written agreement, treaty commissioners made oral promises to the Anishinaabe and Omushkegowuk.

This exhibit replaces an older exhibit created for the centennial of the treaty in 2005 by incorporating Omushkegowuk perspectives on the treaty, integrating recent archival developments, and showcasing how the Archives of Ontario has made the written treaty document accessible to signatory communities. It is part of a larger mission of

reconciliation and de-colonization of Euro-Canadian institutions within the archival profession and the heritage sector across Ontario and Canadian society in response to the 2015 Calls to Action of the Truth and Reconciliation Commission (TRC).

The Archives of Ontario has also created education resources that complement the exhibit.

The Archives of Ontario is grateful to Mushkegowuk Council and Queen's University Archives for their collaboration on this exhibit.

Banner image courtesy of Stan Wesley.

This exhibit has been prepared for the general public for informational and educational purposes only, and does not necessarily represent the views of the Government of Ontario. It is not intended to reflect the Government of Ontario's legal interpretation of the treaty, nor constitute a limitation on Ontario's rights.

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Before the Treaty

> Omushkego Education: "We had treaty relationships with our neighbours. We had treaties with the land and the creatures we share the land with. Our word for treaty is *naskumituwin* (an oral agreement). A person's word, or promise, was considered sacred."

Indigenous peoples have called the lands of the James Bay Treaty home since time immemorial. The Omushkegowuk live mainly in the James Bay and Hudson Bay lowlands, while the Anishinaabe traditionally live mainly in the interior, closer to the height of land that divides the James Bay and Hudson Bay watershed with those to the south.

Ways of Life

The Omushkegowuk have traditionally viewed themselves as guardians of their homelands, and continue to see themselves as such. At the root of their society is the land - something they believe is given by the Creator and can neither be bought nor sold.

> Mushkegowuk Council: "So we were the first people to inhabit these lands and waters, the vast region that we call our homeland. … We don't own the land, and we never did. We were placed here to look after it. It is ours to look after and use. It is ours to bequeath to future generations. We were always willing to share, as long as our survival and wellbeing were not threatened."

Animals are vital to the Omushkegowuk worldview. They provide resources, including food, housing, clothing, and tools.

Generations passed down traditional knowledge about hunting and fishing, and other skills through practical training.

[Anishinaabe Elder] Henry Kechebra calling a moose, Mattagami Reserve, 1959
John Macfie fonds
C 330-14-0-0-22
Archives of Ontario, I0012427

> Omushkego Education: "We showed respect to the animals who provided for us. We drummed and sang to them. We danced and celebrated, as we still do today. We had, and still have, spiritual relationships with all living things."

The Omushkegowuk relied on their knowledge of the cycles of the seasons and the land. Oral histories attest that they were a strong and healthy people with a rich history, language, and culture since time immemorial.

> On the Path of the Elders: "Our specialized hunting skills helped us to observe, adapt, understand and predict the timeless cycles of wildlife in relation to the recurring seasons [spring (sikwan), blooming of the earth (miloskamin), summer (nipin), autumn (takwakin), freezing-up (mikiskaw), and winter (pipon)], climates, and temperatures that affected all life forms and our lives as well. It took us many thousands of years to develop and accumulate all our knowledge, to respect and use it in living well [(milo pimatisiwin)]."

The territory of the James Bay Treaty is home to the Abitibi, Moose, Albany and other powerful rivers, streams, and lakes north of the height of land that all eventually flow into Hudson Bay or James Bay. Traditionally, these waterways provided clean drinking water, sources of food, transportation, and cultural and spiritual value.

Joe Carpenter and family, [ca. 1905]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7685)
Archives of Ontario, I0010713

Slideshow: James Bay waterways

Fort Hope, 1930
Department of Lands and Forests publicity book aerial photography
RG 1-650-0-26
Archives of Ontario, I0055850

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Whitefish Falls into Missinaibi Lake, [192?]
Department of Lands and Forests publicity book aerial photography
RG 1-650-0-48
Archives of Ontario, I0055851

Ogoki-Albany showing floating muskeg, [193?]
Department of Lands and Forests publicity book aerial photography
RG 1-650-0-77
Archives of Ontario, I0055852

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Lake St. Joseph, 1936
Archibald Robertson fonds
C 307-3-0-4
Archives of Ontario, I0055854

Severn River Post, climate change, July 1946
Ministry of Natural Resources Photo Library collection photographic files
RG 1-448-1, slide 36
Archives of Ontario, I0055855

Muskeg, north of Albany showing lakes, climate change, 1946
Ministry of Natural Resources Photo Library collection photographic files
RG 1-448-1, slide 67
Archives of Ontario, I0055862

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Attawapiskat River, climate change, 1946
Ministry of Natural Resources Photo Library collection photographic files
RG 1-448-1, slide 79
Archives of Ontario, I0055861

Shore James Bay opposite Akimiski Island, land cover, climate change, 1946
Ministry of Natural Resources Photo Library collection photographic files
RG 1-448-1, slide 70
Archives of Ontario, I0055864

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Tides of Change

Starting in the late 1600s, contact took place between Indigenous peoples in the James Bay watershed and European newcomers (explorers and traders). Indigenous peoples, managing their own resources, traded berries, plants, medicines and other renewable natural goods with the Europeans and provided hunting expertise for the fur trade in exchange for goods new to their societies. They helped the European traders survive, but much of their way of life carried on. They hunted and fished in their family territories, spoke their languages, raised their families, and practiced their traditions.

In 1670, King Charles II of England signed a royal charter that established the Hudson's Bay Company (HBC) and gave it exclusive rights to colonize and trade in "all the lands draining into the Hudson's Bay and Straight." Charles named this territory "Rupert's Land" after his cousin. It comprised of much of what is today northern Canada and even small parts of the northern United States.

The charter created no political or legal rights over Omushkegowuk and other Indigenous peoples living in the vast territory. And the Omushkegowuk continued to call the land what they always had: *nitaskiinan.*

John Cary, "A new map of Upper & Lower Canada, from the latest authorities", 1807
Library and Archives Canada, R11981-667-7-E, MIKAN no. 4145477

In the late 1600s, the French and English vied for control of the trading posts around Hudson and James Bay. The HBC established posts at Moose Factory in 1673 and Fort Albany in 1679, and posts further inland starting in the late 1700s. By 1870, the HBC had 97 posts in Rupert's Land. These posts became the centre of trade relationships and social gatherings during summertime. Pacts between Indigenous peoples living in the territory and the HBC—using protocols that involved entering kin relationships—made commerce possible.

The HBC merged with another trading company, the North West Company, in 1821. With this, the HBC's fur trade monopoly extended to the Pacific Ocean.

On the Path of the Elders: “At first life was good for our peoples as trappers saw the rewards of their labours and the new technology offered by the Europeans. Instead of bow and arrows, we now traded for steel guns. Instead of wooden deadfall traps, we now acquired steel traps. We also traded our furs for steel pots, pans, knives, axes and other utensils. We even watched the Europeans dance to fiddle tunes and we liked it so much that we learned their dances and songs on fiddles of our own. We even incorporated foods of the Europeans like bannock, tea, sugar and lard into our traditional diets.”

View of the old Factory House in Moose Factory, [ca. 1867]
Captain Traill Smith photograph collection
F 2179-2-0-0-22
Archives of Ontario, I0005078

View of the port and fort in Moose Factory during the summer, [ca. 1869]
Captain Traill Smith photograph collection
F 2179-2-0-0-16
Archives of Ontario, I0005072

Following Confederation of Canada in 1867, Prime Minister John A. Macdonald and other politicians sought to acquire Rupert’s Land for westward expansion. The HBC, for

its part, no longer wanted responsibility for the high financial costs of administering the territory. Britain, wary of plans of the United States to annex the territory, convinced the HBC to transfer the deed for Rupert's Land to the Crown in 1869 for $1.5 million, after Canada had agreed to a "Protection Pledge" that ensured it would protect the interests of Indigenous peoples living in the territory. The Crown then ceded the area—along with the North-Western Territory—to Canada the following year. The transfer took place without the consultation of the Omushkegowuk, who had never believed the Crown or the HBC had sovereignty over the land in the first place.

Canada's annexation of Rupert's Land foreshadowed further changes. By the late 1800s, many Indigenous peoples of the James Bay watershed—particularly those living near the height of land—faced declining animal resources, hunger, and sickness brought by Europeans, as well as unwelcome poachers and mining prospectors arriving via the new railroad on their traditional territories. As problems worsened, Indigenous peoples began to press Canada to make treaty.

When outside pressures bring change to your community, how do you respond?

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Making the Treaty

The Omushkegowuk and the Anishinaabe peoples living in the James Bay watershed faced a time of immense change at the turn of the 20th century. After years of petitions from Indigenous communities requesting a treaty, the federal government and Ontario began negotiating between themselves details of a treaty. So in the summers of 1905 and 1906, three commissioners and their delegation embarked on two remarkable voyages by train and canoe throughout northern Ontario to present the treaty, forever changing the territory.

Requests of Protection and Assistance Through Treaty

In 1870, Canada acquired Rupert's Land, a territory that had previously been claimed by the Hudson's Bay Company (HBC) since the late 1600s, along with the North-Western Territory. The government sought to extinguish title to large swaths of Indigenous land in order to enable settlement and resource development in western and northern Canada. From 1871 to 1921, eleven "numbered treaties" were created. Although not all Indigenous leaders wanted a treaty, the impact of diseases like measles, tuberculosis, and smallpox and starvation caused by declining traditional food resources forced others to see a treaty as a way to protect their peoples. The James Bay Treaty, the ninth of the numbered treaties, was made during this era.
The completion of the Canadian Pacific Railway in 1885 near the height of land defining the Hudson and James Bay watershed (and the southern boundary of what became the James Bay Treaty) signaled a new era of change for the Omushkegowuk and the Anishinaabe peoples, and a growing desire for resource development by Euro-Canadians.

Detail of Matthews, Northrup & Co., “Map of the Canadian Pacific Railway and its connections”, [1892] Library and Archives Canada, Local class no.: H2/1100/[1892], NMC no. 24978, MIKAN no. 4141588

In 1902, Ontario incorporated the Temiskaming and Northern Ontario Railway, which added further pressures of mining, forestry, and hydroelectricity development and commercial activities in the Moose River basin.

Railroads had led to non-Indigenous poachers, prospectors and threatened hunting resources, along with growing hunger and sickness. Indigenous communities were concerned that they would lose their traditional way of life, as encroachment led to the loss of livelihood from traditional harvesting, a lack of food resources, and disease.

The Omushkegowuk and the Anishinaabe living north of the height of land believed a treaty might ensure protection and economic security in the wake of impending Euro-Canadian settlement and development, and so they began to petition the Government of Canada. Some of these communities, like that of which Sahquakegick (also known as Louis Espagnol) was chief, had contacts in other communities which had been signatories to the Robinson Treaties of 1850, which guaranteed hunting and fishing rights to Indigenous communities to lands north of Lake Superior and Huron (south of the height of land), along with reserves and annual payments. Leaders petitioned the Crown for a treaty to receive the same assistance and protection Robinson Treaties signatories had received. Indian Agents, HBC Factors, and church missionaries also sent petitions.

[Sahquakegick] Louis Espagnol (Espaniel), last HBC post manager at Pogamising Lake, just east of Biscotasing, ca. 1880s
Donald B. Smith fonds
C 273-1-0-17-1
Archives of Ontario, I0051946

> Sahquakegick (Louis Espagnol), Eshkemanetigon chief, to James Phipps, visiting superintendent of Indian Affairs for Manitoulin Island and Lake Huron, December 1884: "All of my old people who used to hunt near here are in great need. The trappers have stolen our beaver, so there is nothing left for them to hunt … there are also about twenty old sick women, invalids and orphans who are very badly off and they all join me in asking you to help us."

Initially, Canada ignored requests for a treaty. The federal government was in conflict with Ontario about the location of provincial boundaries, jurisdiction over natural resources, and the degree to which provinces were responsible for the costs of treaty annuities. Adding to this, an 1894 federal/provincial agreement outlined that any future treaty over lands in Ontario must "require the concurrence" of the province.

By April 1904, the discovery of minerals in northwestern Ontario added urgency to Canada's desire to extinguish Indigenous title and develop the territory's mining potential. Further expansion of the rail network, timber development, and hydro-electric production were also on the horizon.

After nearly a year of delay from Ontario, in May 1905 both governments began negotiating in the terms of the treaty's written document. Ontario had a series of

demands, including that one of the three commissioners would represent the province and that no Indigenous reserves in the treaty territory would be located in areas with hydro-electricity development potential greater than 500 horsepower.

Canada and Ontario agreed to the terms by early July. Although ratification of the treaty required the agreement of Indigenous peoples living in the territory, neither the Omushkegowuk nor the Anishinaabe were involved in creating the terms of the written document, nor were the government representatives permitted to change the terms during the treaty expedition.

The James Bay Treaty

Treaty No. 9.

Articles of a Treaty made and concluded at the several dates mentioned therein, in the year of Our Lord one thousand 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 Strang, alias Matthew Seth, 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 track of country bounded and described as hereinafter mentioned, and to obtain the consent thereto of His Indian subjects inhabiting the said track, 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 founded 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 forever, 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 North West Angle Treaty No. 3, the said land containing an area of ninety thousand square miles, more or less.

And

Written document of James Bay Treaty (Treaty No. 9), 1905-1906, Page 1
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-1
Archives of Ontario, I0031638

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And also the said Indian rights, titles and privileges whatsoever to all other lands wherever situate 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 forever.

And His Majesty the King hereby agrees with the said Indians that they shall have right to pursue their usual vocations of hunting, trapping and fishing throughout the tract surrendered as hereinbefore 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 or 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 Majesty and His said 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 any 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 forever, 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 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

Written document of James Bay Treaty (Treaty No. 9), 1905-1906, Page 2
Articles of James Bay Treaty (Treaty No. 9)
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Archives of Ontario, I0031637

Archives of Ontario THE THRILL OF DISCOVERY

And the undersigned Ojibaway 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 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 Osnaburgh on the twelfth day of July 1905 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted & explained.

Witnesses

Thomas Chester Rae
Alex. George Meindl M.D.
Jeremiah Williams

Duncan Campbell Scott
Samuel Stevenson
Daniel George MacMartin

Missabay his mark
Thomas + Mercaty
George + Sochewanakung
Nerioch + Naroseesie

Combauch his mark
David + Seenx
John + Spunk
Thomas + Sanacheese

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 & explained.

Witnesses

Geo. E. Tufford C.E.S.
Thomas Chester Rae
Alex. George Meindl M.D.
Chas. H. McGordon

Duncan Campbell Scott
Samuel Stevenson
Daniel George MacMartin

Yesno + his mark
George + his mark Namay
Menansenip + his mark Mare
George + his mark Genisees

Moonias + his mark
Joe + his mark Goodwin
Abraham + his mark Akookom
Henry + his mark Oakinoogish
Noah + his mark Neshinapais

John A. + his mark Alepanagueshkum
Jacob + his mark Rabbit
Katchang + his mark

Written document of James Bay Treaty (Treaty No. 9), 1905-1906, Page 3
Articles of James Bay Treaty (Treaty No. 9)
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Archives of Ontario, I0031636

Archives of Ontario THE THRILL OF DISCOVERY

Signed at Martens Falls on the twenty fifth day of July 1905 by His Majesty's Commissioners and the Chiefs & headmen in the presence of the undersigned witnesses after having been first interpreted & explained.

Witnesses

Thomas Chester Rae C.T. H.B.C.
Alex. George Meindl M.D.
Samuel Serhoff

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
William his mark + Whitehead
William his mark + Coster
David his mark + Knapaywet
Oskamot his mark + Long Tom
William his mark + Weenjiewe

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

Witnesses

Thomas Chester Rae, C.T. H.B.C.
R.H. Patterson
A.W. Cockram.
George George Meindl M.D.
Joseph Patterson
Thomas Corkery

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
Charlie his mark + Stephen
Andrew his mark + Wesley
Daniel his mark + Bird
William his mark + Goodman
Patrick his mark + Stephen
David his mark + Wesley
Jacob his mark + Sakhail
John his mark + Wesley
Peter his mark + Sackaney
Saul his 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 & explained.

Witnesses

George Moosonee
Thomas Chester Rae, C.T. H.B.C.
John George Moore H.B.C.
Thomas Ford Holland B.A.
James Parkinson

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
Simon Snowball his mark +
Geo. Pappice his mark +
Jerry Sailor his mark +
John Nakogee his mark +
John Dick his mark +
Simon Featherson his mark +
John Jeffries his mark +
Bob Mark his mark +
Jonas Mappe his mark +
Simon Cocena his mark +

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

Witnesses.

Thomas Chester Rae, C.T. H.B.C.
Jerry Sailor H.B.C.
Joseph Louis Cameron

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
August his mark + Wesquak
William his mark + Sail
John his mark + Kuse

Written document of James Bay Treaty (Treaty No. 9), 1905-1906, Page 4
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-1
Archives of Ontario, I0031569

Archives of Ontario THE THRILL OF DISCOVERY

Signed at Mitchi on the Seventh day of June 1905 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

Witnesses

George Drever
Alex. George Meindl Mdr
Pelham Rogers

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
Louis his + mark McDougall Sr
Andrew his + mark McDougall
Michel his + mark Penatuche
Old his + mark Cheese

Louis MacDougall
Interpreter

Signed at Matachewan on the twentieth day of June 1906 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

Witnesses

Pelham Rogers
George Montreuil
Alex. George Meindl Mdr

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
Michel his + mark Batise
Round his + mark Eyes
Thomas his + mark Fox
Jimmy his + mark Pierce

Signed at Metagami on the seventh day of July 1906 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

Witnesses

Jno Miller
Pelham Rogers
A. M. C. Bartlett
Kenneth Ross

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
Andrew his + mark Luke
Joseph Shumiker
Thomas Chicken
James Venne

Signed at Flying Post on the sixteenth day of July 1906 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted & explained.

Witnesses

A. J. McLean
Pelham Rogers
Alex George Meindl Mdr
John Tom Venne

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
Albert Black Bear
Isaac
John Isaac
William Frog
Thomas Frog

Written document of James Bay Treaty (Treaty No. 9), 1905-1906, Page 5
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-1
Archives of Ontario, I0031635

Archives of Ontario THE THRILL OF DISCOVERY

Signed at New Brunswick House on the twenty fifth day of July 1906 by His Majesty's Commissioners & the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted & Explained:

Witnesses

George Morrone
James G. Whindie
Grace Mc. Tavish
Claude D. Owens.
Pellan Roger
Edmund Morris

Duncan Campbell Scott
Samuel Stewart
Daniel George MacMartin
Alex Pecketeay his
Pootoosh his + mark
Peter Mitigonabie his + mark
Tom Nesheyabun his
Jacob Windabie his

Signed at Long Lake on the ninth day of August 1906 by His Majesty's Commissioners & the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted & Explained

Witnesses

A. A. Tremayne
Isabella Tremayne.
P. Sodchee
Pellan Roger

Duncan Campbell Scott.
Samuel Stewart
Daniel George MacMartin
Kwesigiquewang
Keneswabo
Matawagan
Odagamea

Archives of Ontario THE THRILL OF DISCOVERY

Agreement

between Counsel on behalf of the Dominion and Ontario intervening parties upon the appeal to the Judicial Committee of the Privy Council in Ontario Mining Company vs. Seybold et al.

As to all Treaty Indian Reserves in Ontario (including those in the territory covered by the North West Angle Treaty which are or shall be duly established pursuant to the statutory Agreement of One Thousand Eight Hundred and Ninety Four) and which have been or shall be duly surrendered by the Indians to sell or lease for their benefit, Ontario agrees to confirm the titles heretofore made by the Dominion and that the Dominion shall have full power and authority to sell or lease and convey title in fee simple or for any less estate.

The Dominion agrees to hold the proceeds of such lands when or so far as they have been converted into money upon the extinction of the Indian interest therein subject to such rights of Ontario thereto as may exist by law.

As to the Reserves in the territory covered by the North West Angle Treaty which may be duly established as aforesaid Ontario agrees that the precious metals shall be considered to form part of the Reserves and may be disposed of by the Dominion for the benefit of the Indians to the same extent and subject to the same undertaking as to the proceeds as heretofore agreed with regard to the lands in such reserves.

The question as to whether other Reserves in Ontario include precious metals to depend upon the instruments and circumstances and law affecting each case respectively.

Nothing is hereby conceded by either party with regard to the constitutional or legal rights of the Dominion or Ontario as to the sale or title to Indian Reserves or precious metals or as to any of the contentions submitted by the cases of either Government herein but it is intended that as a matter of policy and convenience the Reserves may be administered as hereinbefore agreed.

Nothing herein contained shall be considered as binding Ontario to confirm the titles heretofore made by the Dominion to portions of Reserves 38 B. already granted by Ontario as appearing in the proceedings.

(Sgd) C. P. Newcombe.
For the Dominion.

(Sgd) Clement Blake.
For Ontario.

Dated 7th July, 1902.

Written document of James Bay Treaty (Treaty No. 9), 1905-1906, Page 7
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-1
Archives of Ontario, I0031633

Archives of Ontario THE THRILL OF DISCOVERY

Click to download a high-resolution copy
of the James Bay Treaty (Treaty No. 9) (PDF).

A text version of the James Bay Treaty (Treaty No. 9) is available on the Crown-Indigenous Relations and Northern Affairs Canada website.

The Treaty Expedition

Over two summers in 1905-1906, a treaty delegation journeyed throughout the James Bay watershed to meet with Indigenous communities. Three commissioners represented the Crown: civil servants Duncan Campbell Scott and Samuel Stewart for the federal government, and miner Daniel G. MacMartin for Ontario. The commission team also included two police constables and a doctor; professor Pelham Edgar and artist Edmund Morris joined the 1906 expedition.

The Commissioners – Fort Albany, August 3, 1905
[The James Bay Treaty commissioner team at Fort Albany Post. Standing: Joseph L. Vanasse (L), James Parkinson (R), both of the North-West Mounted Police. Seated: Commissioners Samuel Stewart (L), Daniel G. MacMartin (C), Duncan Campbell Scott (R). Foreground: HBC Chief Trader Thomas Clouston (T.C.) Rae, who organized logistics for the tour on behalf of the HBC (R), Dr. A.G. Meindl, Medical Attendant (L)]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7546)
Archives of Ontario, I0010627

Accompanying the expedition team in 1905 was river guide James Swain and his canoe crew, who carried up to 300 pounds of equipment and supplies over the journey's numerous portages. The commissioners' party brought with them a glass-plate camera, which they used to take hundreds of photographs of the treaty-making voyage. Supplies also included Union Jack flags, a strongbox filled with thousands of dollars, and parchment. During the 1906 expedition, Michel Batise of Matachewan Post worked as head guide.

This exhibit includes photographs from the Duncan Campbell Scott fonds taken during the Commissioners' trips in 1905-1906. Someone at the time—likely Scott—took the photos and titled them. These original titles are provided in this exhibit, along with further details and/or more culturally-sensitive information in parentheses.

If you know any information that should be included with these photos, please contact us.

Jimmie Swain – Guide, [ca. 1905]
[James Swain, head canoe guide for the 1905 expedition]
Duncan Campbell Scott fonds
C 275-2-0-2 (S 7522)
Archives of Ontario, I0010643

Chief Michel and wife, Fort Metachewan, July 20, 1906
[Chief Michel Batise and wife, at the Matachewan Post signing ceremony]
Duncan Campbell Scott fonds
C 275-1-0-5 (S 7658)
Archives of Ontario, I0010708

The James Bay Treaty was the first major treaty in Ontario in which the treaty signing took place in many locations, rather than at a single event.

In early July 1905, the commissioners arrived via rail at the Dinorwic CPR station. From there, they journeyed northeast on the Albany River in 30-foot HBC canoes to Osnaburgh Post (Mishkeegogamang First Nation), Fort Hope Post (Eabemetoong First Nation), and Marten Falls Post (Ogoki First Nation) to the river's delta at Fort Albany Post (Kashechewan First Nation). They arrived at Moose Factory Post (Moose Cree First Nation) following a trip along the coast in York boats, before a stop at New Post (Taykwa Tagamou First Nation). By late August, they continued south to the railhead at Haileybury, where they took the train back to Ottawa.

The 1906 expedition made the following treaty-signing stops: Abitibi Post (Abitiwinni First Nation, Wahgoshig First Nation), Matachewan Post (Matachewan First Nation), Mattagami Post (Mattagami First Nation), Flying Post (Flying Post First Nation), New Brunswick House Post (New Brunswick House First Nation), and Long Lake Post (Ginoogaming First Nation).

1905-1906 James Bay Treaty Signing Locations
[Basemap:] Map of the Government Commissioners' Travels to Various Treaty 9 Signing Locations
Map of the Province of Ontario: Dominion of Canada, including notes on treaties by J.L Morris, 1930-1931
J.L. Morris family fonds
F 1060-1-0-51
Archives of Ontario, I0030958

Slideshow: 1905-1906 Treaty Expedition Journeys

Starting from Dinorwic, June 2, 1905
[The Commissioners and Chief Trader T.C. Rae departing from the Dinorwic CPR station]
Duncan Campbell Scott fonds
C 275-1-0-3 (S 7501)
Archives of Ontario, I0010725

Commissioners Stewart, McMartin and party, [ca. 1905]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7680)
Archives of Ontario, I0010638

Archives of Ontario THE THRILL OF DISCOVERY

Portaging, [ca. 1905]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7636)
Archives of Ontario, I0010634

Martin Falls, Albany River, July 15, 1905
[HBC post at Marten Falls]
Duncan Campbell Scott fonds
C 275-3-0-2 (S 7534)
Archives of Ontario, I0010586

Archives of Ontario THE THRILL OF DISCOVERY

York Boats - Lake Eabamet, Albany River, [ca. 1905]
Duncan Campbell Scott fonds
C 275-2-0-2 (S 7530)
Archives of Ontario, I0010645

Patching Canoes – Big Sandy Lake, [ca. 1905]
Duncan Campbell Scott fonds
C 275-1-0-1 (S 7503)
Archives of Ontario, I0010711

Archives of Ontario THE THRILL OF DISCOVERY

En-Route - Abitibi River, [ca. 1905]
Duncan Campbell Scott fonds
C 275-2-0-2 (S 7569)
Archives of Ontario, I0010557

Haileyburg, September 6, 1905
[The Village of Haileybury]
Duncan Campbell Scott fonds
C 275-1-0-3 (S 7587)
Archives of Ontario, I0010739

Archives of Ontario THE THRILL OF DISCOVERY

Commissioners Tent, Chapleau, [ca. 1905]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7647)
Archives of Ontario, I0010636

Archives of Ontario THE THRILL OF DISCOVERY

Treaty Ceremonies

The treaty commissioners spent only a few days each at the HBC posts in 1905-1906. At each stop, a similar routine took place. The commissioners requested the community to select representatives who heard the treaty explained to them by interpreters and asked questions. The treaty document, written in English only, was presented to Indigenous leaders as a completed document for signature, and no negotiation of terms took place. Commissioners neither provided a full version of the treaty translated into languages of the local Indigenous peoples (Anishinaabemowin, Ininiimowin/Ililiimowin/Mushkegowiimowin, and Anishininiimowin) nor did they leave the document or a copy for review.

Historica Canada Heritage Minutes: Naskumituwin (Treaty)

Watch a dramatization of the making of Treaty No. 9 from the perspective of historical witness George Spence, an 18-year-old Omushkegowuk hunter from Fort Albany, James Bay.

[Transcript:]

VO: Treaty, in Cree, is Naskumituwin, an oral agreement. And our agreements were always spoken. For George Spence, the core of treaty was wijihawin, to help one another.

Commissioners: And so we, the commissioners…

VO: He was there for the making of treaty nine, where the cree were told

Commissioner: We will honour this agreement together, for as long as the sun shines, and the waters flow

VO: The Cree made their mark, because they were assured that the land would be shared and they would always be able to harvest what they needed

VO: George Spence was my great grandfather. In his life he saw many promises of the treaty go unfulfilled.

END VO: Treaties were essential to the creation of Canada. First nations still fight for the agreements to be honoured.

[End of transcript]

Once the representatives agreed to the oral treaty as presented by the commissioners, they signed both copies of the written document with their name or with a “+”.

Detail from page 4 of the James Bay Treaty’s written document, showing signatures and marks made at Matachewan, 1905-1906
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653
Archives of Ontario, I0031635

Archives of Ontario THE THRILL OF DISCOVERY

Signed at Abitibi on the Seventh day of June 1905 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

Witnesses
George Drever
Alex. George Meindl M.D.
Pelham Rogers

Duncan Campbell Scott
Samuel Stewart
David Sayers MacMartin
Louis + McDougall Sr (his mark)
Michel + Penatuche (his mark)
Andrew + McDougall (his mark)
Old + Cheese (his mark)

Louis McDougall
Attorney ne to

Signed at Matachewan on the twentieth day of June 1906 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

Witnesses
Pelham Rogers
George Boulette
Alex. George Meindl M.D.

Duncan Campbell Scott
Samuel Stewart
David Sayers MacMartin
Michel + Batise (his mark)
Thomas + Fox (his mark)
Round + Eyes (his mark)
Jimmy + Pierce (his mark)

Signed at Mattagami on the seventh day of July 1906 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted and explained.

Witnesses
Jno Miller
Pelham Rogers
A. M. C. Bartlett
Kenneth Ross

Duncan Campbell Scott
Samuel Stewart
David Sayers MacMartin
Andrew Luke + (his mark)
Joseph Shumacher
Thomas Chicken
James Neave

Signed at Flying Post on the sixteenth day of July 1906 by His Majesty's Commissioners and the Chiefs & Headmen in the presence of the undersigned witnesses after having been first interpreted & explained.

Witnesses
R. J. M. Lewis
Pelham Rogers
Alex. George Meindl M.D.
John Tom Cameron

Duncan Campbell Scott
Samuel Stewart
David Sayers MacMartin
Albert Black Sea
Isaac
John Isaac
William Frog
Thomas Frog

Page 5 of the James Bay Treaty's written document, including signatures at Matachewan, Mattagami, and Flying Post, 1905-1906

Articles of James Bay Treaty (Treaty No. 9)

RG 1-653

Archives of Ontario, I0031635

Archives of Ontario THE THRILL OF DISCOVERY

Speeches were made, most community members received an $8 gift and the promise of a $4 annuity in perpetuity, and a Union Jack flag was presented to signatory communities before a celebration feast took place.

Barney Batise standing with flag presented to his grandfather Michel Batise during James Bay Treaty ceremonies at Matachewan Post in 1906. Photo taken at National Treaties 1-11 Gathering and CreeFest, Taykwa Tagamou Nation, August 28-31, 2017. Image courtesy of Heather Home.

A fascinating set of records at the Archives of Ontario are two paylist booklets from 1905. These documents list recipients of the $8 gift, and other information related to their families.

The 1905 paylist distinguishes between “Dominion Indians” and “Ontario Indians”. The federal government had given discretion to Commissioners Scott and Stewart to admit into the treaty Indigenous communities whose hunting territories lay outside of Ontario’s 1905 boundaries (“Dominion Indians”). Based on the pre-negotiated agreement between the federal government and Ontario, the province was responsible only for treaty annuities for Indigenous peoples living inside provincial boundaries (“Ontario Indians”).

PAY-LIST of Osnaberg

Band No.	NAMES.	NUMBER IN FAMILY. Men.	Women.	Boys.	Girls.	Total.	Amount Paid.		Amount returned to Dept. for Absentees.		No. on previous Pay-List.
	Brought forward	35	47	52	49	183	1344	00	120	00	
51	Tughway Kee	1	1			2			16	00	
52	Josiah Sugarhead	1				1	8	00			
53	Tatootay	1	1	1		3			24	00	
54	Teepayook	1	1		1	3	24	00			
55	John Treboye	1	1		2	4	32	00			
56	Wavy		1	1	1	3			24	00	
57	Whiskey Jack	1	1		2	4	32	00			
58	Shaubaichay	1	1	2	1	5	40	00			
59	Missabay	1				1	8	00			
60	Do Thomas	1				1	8	00			
61	Peter Moquans	1				1	8	00			
62	Aromugay	1				1	8	00			
63	Ogemaossinoenene		1	1	1	3	24	00			
64	Do Maggie		1	2		3	24	00			
65	Yaypat	1	1	3	1	6	48	00			
66	Manitou		1		2	3	24	00			
67	Thomas Billet	1				1	8	00			
68	Joe Carpenter	1	1	3	2	7	56	00			
69	Alex Lawson's Wife		1			1	8	00			
70	Jacob Ash	1	1	1	1	4			32	00	
71	Minetickwap	1	1	1	2	5			40	00	
72	Peetwaykeeiconse		1			1			8	00	
73	Shoomin	1	1	1		3			24	00	
74	Tooshenaw	1	1	1	1	4			32	00	
75	Mary Do		1			1			8	00	
76	Omeway Keesics		1	1	2	4			32	00	
		52	68	70	68	258	1704	00	360	00	

List of payment recipients at Osnaburg Post, Paylist Booklet for James Bay Treaty Payments, 1905
Crown land survey correspondence and reports relating to Indian reserves and land claims
RG 1-273-5-2-1
Archives of Ontario, RG 1-273-5-2-1_006

Archives of Ontario THE THRILL OF DISCOVERY

for Treaty Payment 1905

BAND.

SIGNATURES OF RECIPIENTS.	INCREASE.		DECREASE.		REMARKS.
	Births.	Other Causes.	Deaths.	Other Causes.	
Chief					

List of payment recipients at Osnaburg Post, Paylist Booklet for James Bay Treaty Payments, 1905
Crown land survey correspondence and reports relating to Indian reserves and land claims
RG 1-273-5-2-1
Archives of Ontario, RG 1-273-5-2-1_007

Archives of Ontario THE THRILL OF DISCOVERY

RECAPITULATION of Pay-List of

NAME OF BAND.	NUMBER ON PAY-LIST. Men.	Women.	Boys.	Girls.	Total.	Amount Payable.		Amount Paid.		Amount returned to Dept. for Absentees.	
Osnaberg Band	79	101	96	99	375	3000	00	2608	00	392	00
Fort Hope D°	80	94	112	104	390	3120	00	3120	00		
Martens Falls D°	28	29	21	26	104	832	00	832	00		
English River D°	13	10	10	14	47	376	00	376	00		
Fort Albany D°	90	85	91	109	375	3000	00	3000	00		
Moose Factory D°	73	73	104	87	337	2696	00	2696	00		
New Post D°	11	13	8	6	38	304	00	304	00		
	374	405	442	445	1666	13328	00	12936	00	392	00
Absentees Osnaberg Bd	13	17	9	10	49					392	00
Total	361	388	433	435	1617	13328	00				

List of payment recipients at Osnaburg Post, Paylist Booklet for James Bay Treaty Payments, 1905
Crown land survey correspondence and reports relating to Indian reserves and land claims
RG 1-273-5-2-1
Archives of Ontario, RG 1-273-5-2-1_32

Archives of Ontario THE THRILL OF DISCOVERY

Indigenous peoples viewed the signing as a ceremony witnessed by the Creator. Medicine was offered to acknowledge the Spirit. The community elected a chief and councillors and reserve lands were selected (as Ontario had insisted during earlier negotiations with Canada, no reserves were located areas with a known hydro-electricity development potential greater than 500 horsepower).

Once the ceremonies ended, the commissioners got in their canoe and left for the next post.

Slideshow: Treaty Ceremonies

Conners Fleet – Long Lake Post, [1906]
[Commissioners landing at Long Lake]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7640)
Archives of Ontario, I0010635

Indians preparing for feast – Osnaburgh House, July 12, 1905
[Preparing the feast to be held after the James Bay Treaty signing ceremony, Osnaburgh Post]
Duncan Campbell Scott fonds
C 275-1-0-2 (S 7518)
Archives of Ontario, I0010715

Archives of Ontario THE THRILL OF DISCOVERY

Commissioners Tent, Moose Factory, August 10, 1905
[Issuing the first annuities under the James Bay Treaty at Moose Factory Post. From the left, is Constables J. Vanasse and J. Parkinson, Commissioner D.C. Scott, Chief Trader T.C. Rae(?), and Commissioner S. Stewart]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7549)
Archives of Ontario, I0010628

Archives of Ontario THE THRILL OF DISCOVERY

Indian Feast – Metagami, [ca. 1905]
Duncan Campbell Scott fonds
C 275-1-0-2 (S 7673)
Archives of Ontario, I0010722

Indian Feast – Metagami, [ca. 1905]
Duncan Campbell Scott fonds
C 275-1-0-2 (S 7665)
Archives of Ontario, I0010720

Archives of Ontario THE THRILL OF DISCOVERY

At Fort Metagami, [ca. 1905]
Duncan Campbell Scott fonds
C 275-1-0-5 (S 7666)
Archives of Ontario, I0010709

Distributing Tobacco, [ca. 1905]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7609)
Archives of Ontario, I0010632

Archives of Ontario THE THRILL OF DISCOVERY

Moose Factory, August 10, 1905
[HBC post at Moose Factory. Note the Commissioner's annuities tent in the background]
Duncan Campbell Scott fonds
C 275-1-0-3 (S 7551)
Archives of Ontario, I0010731

Chief Espagniel – Biscotasing, 1906
[(Sahquakegick (Chief Louis Espagnol) in front of the HBC store, Biscotasing]
Duncan Campbell Scott fonds
C 275-1-0-6 (S 7630)
Archives of Ontario, I0010663

Archives of Ontario THE THRILL OF DISCOVERY

The treaty commission's official report, along with **diaries** and other records created by the commissioners and their delegation that document the ceremonies, show Indigenous peoples concerned with maintaining their way of life. Leaders often asked questions about their hunting, trapping and fishing rights and the continuity of their traditional livelihood. These were complex issues, and they were initially skeptical about conditions of the treaty. Nonetheless, commissioner Duncan Campbell Scott's misleading promises convinced Indigenous leaders that their concerns were unfounded. They understood through the oral promises that the treaty would help them achieve *pimatisiwin*—happiness, prosperity, and protection of their traditional ways of life.

Explore this exhibit's section on the **diary of treaty commissioner Daniel G. MacMartin** to learn more about this important archival record and how it documents oral promises the commissioners made to Indigenous signatories during the treaty ceremonies.

> Description of proceedings at Osnaburg Post James Bay Treaty Official Report by Treaty Commissioners to the Superintendent General of Indian Affairs, November 6, 1905: "Missabay, the recognized chief of the band, then spoke, expressing the fears of the Indians that, if they signed the treaty, they would be compelled to reside upon the reserve to be set apart for them, and would be deprived of the fishing and hunting privileges which they now enjoy.
>
> On being informed that their fears in regard to both these matters were groundless, as their present manner of making their livelihood would in no way be interfered with, the Indians talked the matter over among themselves, and then asked to be given till the following day to prepare their reply."

Blind Chief Missalog making a speech, Osnaburg, July 12, 1905
[Blind Chief Missabay addressing the assembly before the feast held after the James Bay Treaty signing ceremony, Osnaburgh Post]
Duncan Campbell Scott fonds
C 275-1-0-2 (S 7600)
Archives of Ontario, I0010717

Archives of Ontario THE THRILL OF DISCOVERY

Description of proceedings at Fort Hope Post James Bay Treaty Official Report by Treaty Commissioners to the Superintendent General of Indian Affairs, November 6, 1905: “A more general conversation in explanation of the terms of the treaty followed than had occurred at Osnaburg. Moonias, one of the most influential chiefs, asked a number of questions. He said that ever since he was able to earn anything, and that was from the time he was very young, he had never been given something for nothing; that he always had to pay for everything that he got, even if it was only a paper of pins. ‘Now,’ he said, ‘you gentlemen come to us from the King offering to give us benefits for which we can make no return. How is this?’”

Chief Monius – Fort Hope: …. , July 19, 1905
[Chief Moonias waiting for the treaty signing ceremony, Fort Hope Post]
Duncan Campbell Scott fonds
C 275-1-0-6 (S 7528)
Archives of Ontario, I0010653

Archives of Ontario THE THRILL OF DISCOVERY

Edmund Montague Morris, “Moonias”, 1905,
Pastel on paper,
Collection of the Glenbow Museum, Calgary, Canada, 60.14

Translation of William Goodwin’s syllabic address by William Louttit Sr.: “From our hearts we thank you, *kitchi okimaw* [great chief (the Crown)], for how you’ve pitied us and how you’ve helped us, as our spirits are poor, and for how you came to our land and helped us in our weakness.”

[Portion of syllabic] address by William Goodwin contained in letter read during treaty ceremonies at Fort Albany Post, documented in Duncan Campbell Scott, “The Last of the Indian Treaties”, *Scribner’s Magazine* (November 1906), Page 582
Miscellaneous collection
F 775
Archives of Ontario, F 775_MU2128_010

Treaty Records

In addition to the treaty document written by government officials and signed by Indigenous leaders, a number of other records document the 1905-1906 trips. The

Archives of Ontario THE THRILL OF DISCOVERY

expedition delegation (likely Duncan Campbell Scott) took around two hundred photographs, now held at the Archives of Ontario and Library and Archives Canada.

Three Generations – Abitibi, [ca. 1905]
Duncan Campbell Scott fonds
C 275-1-0-5 (S 7598)
Archives of Ontario, I0010692

Indians and pets - Flying Post, [ca. 1905]
[Two women with child]
Duncan Campbell Scott fonds
C 275-1-0-2 (S 7613)
Archives of Ontario, I0010719

The commissioners submitted official reports in 1905-1906 and wrote diaries that recorded their thoughts, experiences, and the oral promises made during the treaty ceremonies. Scott and Pelham Edgar, secretary for the 1906 expedition, published articles in contemporary magazines.

Many of these documents, along with oral history, indicate that the commissioners told the Elders two key things: the treaty would last as long as the sun shines, the grass

grows, and the rivers flow; and traditional activities of Anishinaabe and Omushkegowuk signatory communities would be protected.

Edmund Morris, a painter and family friend of MacMartin, was commissioned by the province to create art to document the 1906 expedition. He also left behind a diary of his travels.

Edmund Montague Morris, A.R.C.A., [before 1914]
M.O. Hammond fonds
F 1075-12-0-0-95
Archives of Ontario, I0007862

At Chapleau, [ca. 1906]
[Edmund Morris painting Anishinaabe Chief Cheesequimime/Chessequime at Chapleau Post]
Duncan Campbell Scott fonds
C 275-1-0-6 (S 7650)
Archives of Ontario, I0010669

Archives of Ontario THE THRILL OF DISCOVERY

Chief Cheese (Quinini) [Chief Cheesequimime/Chessequime], 1906
Edmund Montague Morris
Pastel on paper
Courtesy of the Royal Ontario Museum, 913.13.4 HD16291

Edmund Morris Diary of 1906 Treaty expedition, Queen's University Archives QUA, Edmund Montague Morris fonds, CA ON00239 F00876: "1 Aug. our train [?] to / train. we got little sleep & / we walk to the Pic where / there is an admirable composition / for a landscape"

Archives of Ontario THE THRILL OF DISCOVERY

Indians Descending the Pic River
Edmund Montague Morris
[ca. 1906]
oil on canvas
Government of Ontario Art Collection, 619860

Ways of Knowing

There are many ways of knowing the meaning of the James Bay Treaty, both then and now. The treaty commissioners could neither speak Anishinaabemowin, Ininiimowin (also known as Ililiimowin or Mushkegowiimowin), or Anishininiimowin, nor read syllabics. Many Indigenous signatories didn't speak, read, or write in English, so interpreters were required at various stops and chosen by the commissioners. The main principles and beliefs (worldviews), language, culture, history and ways of knowing land ownership of both the Indigenous signatories and the commissioners were not the same.

For Canada and Ontario, the treaty was a major land cession, a contract with details outlined in the written document. One significant part is known today as the "Taken Up Clause:"

> James Bay Treaty, Page 2 (emphasis added): "… 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."

Archives of Ontario THE THRILL OF DISCOVERY

To Indigenous communities, the treaty was an agreement to share the land to share the land as long as the sun shines, the grass grows, the rivers flow, and the winds blow. They maintain that the words spoken by commissioners during the ceremonies are part of the treaty made on behalf of the King, including their promise of the Crown that people could hunt and fish as their ancestors had. Archival records suggest the commissioners did not explain the Taken Up Clause to Indigenous signatories during the treaty ceremonies. If they had, it is possible that the Indigenous leaders would not have signed the document.

> Dr. Stan Louttit, former Grand Chief of the Mushkegowuk Council: "What our people understood, that it was a peace and friendship agreement, that it was a treaty of sharing, that it was a treaty of peace and prosperity, which was something that we so desired at the time, because we were poor. We were poor people, and when we saw the opportunity of the government coming to us to make a treaty, we saw it as an opportunity that things would get better, things would improve, things would begin to prosper for the Cree."

Even Commissioner Duncan Campbell Scott admitted—while displaying his own prejudices—the cultural disconnect between both groups:

They were to make certain promises and we were to make certain promises, but our purpose and our reasons were alike unknowable. What could they grasp of the pronouncement on the Indian tenure which had been delivered by the law lords of the Crown, what of the elaborate negotiations between a dominion and a province which had made the treaty possible, what of the sense of traditional policy which brooded over the whole? Nothing. So there was no basis for argument. The simpler facts had to be stated, and the parental idea developed that the King is the great father of the Indians, watchful over their interests, and ever compassionate. After gifts of tobacco, as we were seated in a circle in a big room of the Hudson's Bay Company's House, the interpreter delivered this message to Missabay and the other chiefs, who listened unmoved to the recital of what the Government would give them for their lands.

Indian mother and children, Fort Hope.

Eight dollars to be paid at once to every man, woman and child; and forever afterward, each year, "so long as the grass grows and the water runs" four dollars each; and reserves of one square mile to every family of five or in like proportion; and schools for their children; and a flag for the chief.

"Well for all this," replied Missabay, "we will have to give up our hunting and live on the land you give us, and how can we live without hunting?" So they were assured that they were not expected to give up their hunting-grounds, that they might hunt and fish throughout all the country just as they had done in the past, but they were to be good subjects of the King, their great father, whose messengers we were. That was satisfying, and we always found that the idea of a reserve became pleasant to them when they learned that so far as that piece of land was concerned they were the masters of the white man, could say to him, "You have no right here; take your traps, pull down your shanty and begone."

At Fort Hope, Chief Moonias was perplexed by the fact that he seemed to be getting something for nothing; he had his suspicions maybe that there was something concealed in a bargain where all the benefit seemed to be on one side. "Ever since I was a little boy," he said, "I have had to pay well for everything, even if it was only a few pins or a bit of braid, and now you come with money and I have to give nothing in exchange." He was mightily pleased when he understood that he was giving something that his great father the King would value highly.

Missabay asked for time to consider, and in their tents there was great deliberation all night. But in the morning the chiefs appeared, headed by Missabay, led by Thomas, his son, who attended the blind old man with the greatest care and solicitude. (In the picture of Missabay speaking you may see Thomas behind his father's staff on his left side [page 575].) Their decision was favorable. "Yes," said Missabay, "we know now that you are good men sent by our great father the King to bring us help and strength in our weakness. All that we have comes from the white man and we are willing to join with you and make promises which will last as long as the air is above the water, as long as our children remain who come after us."

After the payment, which followed the signing of the treaty, the Hudson's Bay

Duncan Campbell Scott, "The Last of the Indian Treaties", *Scribner's Magazine* (November 1906), Page 578

Miscellaneous collection
F 775
Archives of Ontario, F-775_MU2128_006
[Article also available online]

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> Duncan Campbell Scott describing treaty-making process: "They were to make certain promises and we were to make certain promises, but our purpose and our reasons were alike unknowable. What could they grasp of the pronouncement on the Indian land tenure which had been delivered by the law lords of the Crown, what of the elaborate negotiations between a dominion and a province which had made the treaty possible, what of the sense of traditional policy which brooded over the whole? Nothing. So there was no basis for agreement."

In the decades after the 1905-1906 signings, disputes emerged about the true meaning of the treaty that have continued to the present.

Adhesions

Adhesions were made to the James Bay Treaty in 1908 and 1929-1930.

Ontario's northern boundary was extended from the Albany River to its present location in 1912. Soon after, Indigenous peoples living in the area began to petition the government for a treaty. As interest in resource development grew in the 1920s, the federal government and Ontario sought to extend the James Bay Treaty by formal adhesions in 1929-1930.

Meetings to obtain ratification from Indigenous signatories were again held at HBC posts. Instead of an arduous canoe trek, this time the treaty commissioners toured the region by airplane with signing ceremonies at Big Trout Lake in 1929, and Wendigo River at Nikip Lake, Trout Lake, Fort Severn, and Winisk in 1930.

Access the Commissioners Report for Adhesions to Treaty No. 9, held at Library and Archives Canada.

Map of Northern Ontario showing adhesions to Treaty No. 9 covered by the Report of Commissioners Cain and Awrey dated September 29th 1930

J.L. Morris family fonds

F 1060 Folder 3, map 30, AO 6907

Archives of Ontario, I0021544

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Adhesions
Treaty Number Nine

Whereas His Most Gracious Majesty George V, by the Grace of God of Great Britain, Ireland and the British Dominions Beyond the Seas King, Defender of the Faith, Emperor of India, has been pleased to extend the provisions of the Treaty known as The James Bay Treaty or Treaty Number Nine, of which a true copy is hereto annexed, to the Indian inhabiting the hereinafter described territory adjacent to the territory described in the said Treaty, in consideration of the said Indians agreeing to surrender and yield up to His Majesty all their rights, titles and privileges to the hereinafter described territory.

And Whereas we the Ojibenay, Cree and all other Indians inhabiting the hereinafter described Territory, having had communication of the foregoing Treaty and of the intention of His Most Gracious Majesty to extend its provisions to us, through His Majesty's Commissioners, Walter Charles Cain B.A., of the City of Toronto and Herbert Nathaniel Awrey of the City of Ottawa have agreed to surrender and yield up to His Majesty all our rights, titles and privileges to the said territory.

Now Therefore we the said Ojibenay, Cree and other Indian inhabitants, in consideration of the provisions of the said foregoing Treaty being extended to us, do hereby cede, release, surrender and

Adhesions to Treaty No. 9, 1929-1930
[Page 1]
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-2
Archives of Ontario, I0070033

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yield up to the Government of the Dominion of Canada for His Majesty the King and His Successors forever, all our rights, titles and privileges whatsoever in all that tract of land, and land covered by water in the Province of Ontario, comprising part of the District of Kenora (Patricia Portion) containing one hundred and twenty-eight thousand three hundred and twenty square miles, more or less, being bounded on the South by the Northerly limit of Treaty Number Nine; on the West by the Easterly limits of Treaties Numbers Three and Five, and the boundary between the Provinces of Ontario and Manitoba; on the North by the waters of Hudson Bay, and on the East by the waters of James Bay and including all islands, islets and rocks, waters and land covered by water within the said limits, and also all the said Indian rights, titles and privileges whatsoever to all other lands and lands covered by water, wherever situated in the Dominion of Canada.

To Have And To Hold the same to His Majesty the King and His Successors forever.

And we the said Ojibeway, Cree and other Indian inhabitants, represented herein by our Chiefs and Councillors presented as such by the Bands, do hereby agree to accept the several provisions, payments and other benefits, as stated in the said Treaty, and solemnly promise and engage to abide by, carry out and fulfil all the stipulations, obligations and conditions therein on the part of the said Chiefs and Indians therein named, to be observed and performed, and in all things to conform to the articles of the said Treaty as if we ourselves had been originally

Adhesions to Treaty No. 9, 1929-1930
[Page 2]
Articles of James Bay Treaty (Treaty No. 9)
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Archives of Ontario THE THRILL OF DISCOVERY

contracting parties thereto.

And His Majesty through His said Commissioners agrees and undertakes to set aside reserves for each Band as provided by the said aforementioned Treaty, at such places or locations as may be arranged between the said Commissioners and the Chiefs and headmen of each Band.

In Witness Whereof, his Majesty's said Commissioners and the said Chiefs and headmen have hereunto subscribed their names at the places and times hereinafter set forth.

Signed at Trout Lake on the Fifth day of July, 1929. 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:

Mary A. Garrett
Leslie Garrett
Gordon L. Bell M.D.
Noel Bayly

Walter Charles Cain
Commissioner.

Herbert Nathaniel Carney
Commissioner.

(Samson Beardy)

(George Winnapetonge)

(Jeremiah Sainsnap)

Isaac Backman

(Jack McKay)

(Jacob Frog)

Adhesions to Treaty No. 9, 1929-1930
[Page 3]
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-2
Archives of Ontario, I0070035

Archives of Ontario THE THRILL OF DISCOVERY

Signed at Windigo River on the Eighteenth day of July 1930, 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: Walter Charles Cain
Commissioner

Herbert Nathaniel Aimey
Commissioner

John T. Thomas

John Wesley

(Alpin Ka-ka-pe-nace)

(James Wa-na-ka-mish)

(Samuel Ka-wa-nis)

(John Sue-gue-ash)

(Patrick Ka-ka-ka-yash)

(Samia Sakaka-ka-gow)

Adhesions to Treaty No. 9, 1929-1930
[Page 4]
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-2
Archives of Ontario, I0070036

Archives of Ontario THE THRILL OF DISCOVERY

Signed at Fort Severn on the Twenty-fifth day of July 1930, 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:

Commissioner

Commissioner

Adhesions to Treaty No. 9, 1929-1930
[Page 5]
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-2
Archives of Ontario, I0070037

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Signed at Winisk
on the Twenty-eighth day of July 1930.
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: Wallis Charles Cain
L. R. Martin Rcmp Commissioner.
~~John Thomas Gurney~~ Herbert Nathaniel Lewey
John Hanel
Ray J. Wheeler Commissioner.
his x mark (Simon Patrick)
his x mark (John Bird)
his x mark (David Sutherland)

Adhesions to Treaty No. 9, 1929-1930
[Page 6]
Articles of James Bay Treaty (Treaty No. 9)
RG 1-653-2
Archives of Ontario, I0070038

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Signing of the treaty at Windigo, Ontario, on July 18, 1930 (Western Treaty No. 9). Standing: Samuel Sawanis, John Wesley, Dr. O'Gorman, Chief Ka-ke-pe-ness, Senia Sakche-Ka-pow
Department of Indian Affairs and Northern Development Collection, Library and Archives Canada, accession number 1971-205 NPC, MIKAN no. 3367610

When the Indigenous leaders signed the written document, what do you think they had agreed to?

ᐃᑦᐱ ᐊᓂᑭ ᐃᓂᓂᐧᐃ ᐅᓂᑲᓂᓯᐧᐊᐧ ᑲ ᒪᓯᓇᐅᑎᓱᒋᐧ ᐊᐟᑕ ᑲ ᒪᓯᓇᐡᓂᐧ ᑭᒋ ᒪᓯᓇᐃᑲᓂᓂᑊ ᑫᐧᑲᓂᑊ ᑲ ᑭ ᓇᑦᑯᒥᑐᑕᑭᐧ ᐁᐡᑕᒪᐟ

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After the Treaty Signing

The James Bay Treaty created lasting effects on Indigenous communities in the territory. Although the Crown and Indigenous peoples forged a treaty relationship starting in 1905, colonial policies of assimilation conflicted with the spirit of friendship the treaty promised.

Hunting, Trapping, and Fishing Conflicts

In the decades since the James Bay Treaty signing, Ontario placed restrictions on hunting, trapping, and fishing by Indigenous communities created conflict and diminished Indigenous peoples' quality of life. Indigenous communities maintain that the treaty commissioners made oral promises that guaranteed First Nations' right to hunt, trap, fish as they always had. Therefore, any government policies that restrict their traditional activities (both on and outside the reserve) conflict with their inherent rights. In contrast, Ontario's position echoes the words on the written document, which stipulated that these rights were "subject to such regulations as may from time to time be made by the government of the country … 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."

> On the Path of the Elders: "[Elder] John [Fletcher, present at James Bay Treaty signing] also said another person asked one of the Treaty Commissioners, 'Will our hunting be affected by the Treaty?' The Commissioner answered, 'This hunting right will never be taken away. Do you see this river that never stops flowing? This Treaty will be an example to it.'"
>
> Jacqueline Hookimaw-Witt, "Keenebonanoh Keemoshominook Kaeshe Peemishikhik Odaskiwakh – (We Stand on the Graves of our Ancestors): Native Interpretations of Treaty #9 with Attawapiskat Elders," Trent University M.A. thesis, 1997: "These

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bands of Osnaburg, Fort Hope and Marten Falls were … particularly anxious to get their hunting and fishing rights confirmed. The fact that they still signed the treaty, although in the text of the treaty hunting and fishing rights were only confirmed as long as the region was not opened for development, makes me suppose that the explanations of the commissioners were not entirely truthful and were given in a way that the Indians could believe their rights would be protected by the treaty."

The officer's name is William Campbell "Cam" Currie. Cam, formerly a fur trader with the Hudson's Bay Co., was hired by the Ontario Dept. of Lands & Forests in or about 1948 to implement a registered trapline system in a large sector of N. Ontario, 1953
John Macfie fonds
C 330-13-0-0-42
Archives of Ontario, I0000368

Cree hunting/fishing camp on James Bay near Fort Albany, August 1963
John Macfie fonds
C 330-8-0-0-14
Archives of Ontario, I0000193

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Bentley Cheechoo on treaties' impact on his family

Bentley Cheechoo was originally a member of Moose Cree First Nation. In 1977 he was elected Chief of Constance Lake and served four two-year terms. In 1989, he was elected Deputy Grand Chief of Nishnawbe Aski Nation. Three years later he was elected Grand Chief and served two three-year terms.

[Transcript:]

[Indigenous Voices on Treaties - Bentley Cheechoo]

[BENTLEY CHEECHOO:] My name is Bentley Cheechoo, I'm from the Constance Lake First Nation. I'm from the Treaty 9 or James Bay Treaty area.

Four young men in our community that got charged for hunting, and I thought of that and well that's a violation of the treaty. At that point I had not even read about the treaty or I have not even read the treaty at that point so I proceeded to do some research on the treaty and I found some documents and others provided documents for me and sure enough I discovered that it was a violation of a treaty right when you charge a Native person.

Then my father got charged; my own father. And when that happened, I really got into the treaty because my own father was charged setting a net in an area that he was not supposed to set it apparently. And then secondly my uncle got charged. We helped my uncle to go through that, and we won that case.

I got older and a little bit more cognizant of the fact that I should know some of the background, how did treaty got there, what were the circumstances for earning it. I did some research and I worked with individuals like Jim Morrison from, he's a professor now over at the Manitoba University and also the late John Long, talking to them,

countless hours to try to understand from their perspective all the research that they have and recently talking to an individual Janice Armstrong. She's also a very highly regarded researcher in the area of treaty.

Through all of that I learned a lot about the treaty and also like reading some of the material that I can get my hands on. It is not very enjoyable reading. It is not something you want to, but it is because I'm interested, it's not boring. But I think it the real impact on the community that I say about treaty is that in my age group if I want to put it that way, it is easy to talk about treaty. But when you get young people you know that were once my age too, there's no discussion about treaty, and I think it's important that the treaty become an awareness, not only in a non-Native community but also in our own community.

And from that you talk about treaty, what the rights are, but also you have to go beyond that, they have Aboriginal rights, they have the need to be respected, and if decisions need to be made about their, what do you call, how it's going to impact, they need to be part of that process.

I think that just a red herring when you say that treaty is historical, it's a red herring. Treaty's a living document. It will always be a living document, and it will evolve over a period of time. Well you know when they were talking about treaty in 2005, they looked at it from a perspective of economic condition to a date, that's why you have the provision in the treaty that are there, hunting, fishing and trapping, that's what they were doing.

Today they, there's, it's different, and so therefore you have to have that modern discussion. What designed in perpetuity, means if forever, that's fine as far as treaties concerned, but when it's interpreted, I mean all in all, all those things too, rights are terminated, you surrendered the land, these are all interpretations, of somebody's not wanting to address the real issues. The real issues are, well okay yeah, I should have, people says this, we should have some economic benefit.

I've had this discussion before with the provincial representatives and federal representatives, and even politicians I've had that discussion where former ministers of Ontario , oh my God no, we can't do this, can't reopen the treaty for NAN because this is going to cost us millions and billions of dollars, and I would say, no, no, no, it won't cost you a dime. They said why? Rip up the treaty and then start all over. And oh no, we can't do that because they see the treaty as their way of interpreting it to their benefit.

So if you want to have a good Truth and Reconciliation process, those things have to be resolved. Leading into the future, you have to resolve them, you can't say, this can't go on forever.

The government's going to come to our people and say, we want this resolved, but we want to resolve it final, final, well it will never be final. That's not what a treaty is. Treaty is forever. It cannot come strictly from as a monetary thing, it's got to come from what you are as a people, the land was given to us, so I believe it's a gift from the Creator,

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you have a responsibility to look after it. The needs are different than what they were back then, the needs are different so therefore you have to move along with time to be able to look after the needs that you have.

[TITLE: Treaties Recognition Week]

[TITLE: The Digital Living Library Treaties Recognition Week videos are intended to provide Indigenous people an opportunity to openly share their views on why treaties remain relevant today, their historical context and the treaty relationship in Ontario. They are not intended to provide the views of the Government of Ontario and do not necessarily reflect those views.]

[End of transcript]

Creation of the Chapleau Game Preserve by the provincial government in the 1920s is an example of conflicting treaty interpretations over hunting, trapping, and fishing rights. The preserve, encompassing traditional Indigenous harvesting territories since time immemorial, banned hunting, trapping, and fishing within its boundaries. It also engulfed the New Brunswick House First Nation reserve, dispossessed its people (a new reserve was not created until 1947), and impoverished families who could no longer support themselves. Indigenous hunters argued that the provincial ban in the preserve broke their treaty rights, since the oral agreement of the James Bay Treaty guaranteed them the right to hunt, trap and fish in their traditional lands.

Lake Missanabie from New Brunswick House, [ca. 1905]
Duncan Campbell Scott fonds
C 275-3-0-14 (S 7603)
Archives of Ontario, I0010605
Note: photo caption upside down on original record

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Department of Lands and Forests map including Chapleau Crown Game Preserve, June 1950
Crown Game Preserves files
RG 1-437-0-8
Archives of Ontario, I0074068

Power Struggles

Hydroelectric power infrastructure development also affected the traditional territories of Indigenous signatory communities. Power stations erected over the past century dammed numerous rivers in the James Bay watershed, flooding traditional hunting lands, altering ecosystems, and eliminating established transportation routes.

Legal scholar Patrick Macklem has written that Indigenous communities in living in Treaty No. 9 territories likely had no understanding of hydroelectric development at the time of the James Bay Treaty signing. He also notes that no record exists of the commissioners explaining why the treaty's written text prohibited reserves near sites with hydroelectric generation potential, or that future hydroelectricity development would be considered a legitimate reason to hinder Indigenous hunting, trapping and fishing rights and traditional practices.

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Smokey [Smoky] Falls, oblique, [193?]
Department of Lands and Forests publicity book aerial photography
RG 1-650-0-86
Archives of Ontario, I0055853

Smoky Falls Hydro Dam, 1957
Tourism promotion photographs
RG 65-35-1, 7-H-457-2
Archives of Ontario, I0055876

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View Looking North from the Otter Rapids Hydro Dam, M.L.A. Tour, September 6, 1962
Records of the Leslie M. Frost Natural Resources Centre
RG 1-654-12-235
Archives of Ontario, I0055881

New Hydro Dam, Otter Rapids, M.L.A. Tour, September 6, 1962
Records of the Leslie M. Frost Natural Resources Centre
RG 1-654-12-119
Archives of Ontario, I0055885

In 1921, the Northern Canada Power Company sought to build a storage dam at Kenogamissi Falls. It flooded the Mattagami Indian Reserve #71 in 1924 (including the old trading post) and forced most band members to relocate to Gogama. The Mattagami

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First Nation had received compensation from the company via the federal government in 1922 for this loss of reserve land ($272.25 or 25 cents per acre), but not for their loss of traditional hunting, trapline, and fishing locations.

Scenery - Fort Metagami, [ca. 1905]
Duncan Campbell Scott fonds
C 275-3-0-4 (S 7664)
Archives of Ontario, I0010589

Henry Kechebra, an elder of the Mattagami Reserve, at the site of the former Fort Mattagami trading post on Mattagami Lake. Site flooded by hydro dam early 20th century, 1958
John Macfie fonds
C 330-6-0-0-12
Archives of Ontario, I0000130

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Several First Nations currently have land claims submitted to Ontario, Canada, or both. Many claims are currently under negotiation. Ontario has a land claims process in place to resolve historic grievances. Click here to learn more.

Residential Schools

John Dick, an Indigenous representative present at treaty negotiations at Moose Factory in 1905, noted his people hoped a treaty would lead to the establishment of schools in which Indigenous children would receive an education. The treaty document outlines the government would provide education facilities, equipment, and funds to pay teachers “as may seem advisable to His Majesty’s government of Canada.”

In contrast to John Dick’s hopes, schooling had devastating effects on Indigenous communities in the decades after treaty making. Children living in the treaty territory attended residential schools at Moose Factory, Chapleau, Pelican Lake, and Fort Albany, along with others in Canada. Separated from their families, communities, and culture, many students faced poor living conditions and abuse, with lifelong consequences.

Indian Boarding School, Moose Factory, 1920
Donald B. Smith fonds
C 273-1-0-49-37
Archives of Ontario, I0055879

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[A group of children outside of Moose Factory residential school], [ca. 1910s]
Photographs of the Audio-Visual Education Branch of the Ontario Department of Education
RG 2-71, JY-40
Archives of Ontario, I0004230

This history is especially devastating because Indigenous signatories believed the treaty would provide positive educational opportunities for their communities. As historian John Long notes, “They likely wanted to augment their indigenous language and culture, not replace them.”

The First Nations of the James Bay Treaty continue to advocate for equitable access, funding, and control to quality education for their children. In 2008, 13-year-old Shannen Koostachin of Attawapiskat First Nation made headlines by speaking out on the steps of Parliament Hill about the lack of funding for Indigenous schools. Tragically, Shannen died in a car accident in 2010. Shannen’s Dream, a youth-driven movement, continues her mission of making sure Indigenous children and youth have the same education opportunities as others.

Indigenous Political Activism

In the early 1970s, Indigenous communities began to organize in order to advance their interpretation of the James Bay Treaty with Canada and Ontario. In 1973, the more than 45 First Nations of the James Bay Treaty created an umbrella organization called the Grand Council of Treaty No. 9. Now known as the Nishnawbe-Aski Nation (NAN), the body, along with its tribal councils representing Treaty No. 9 and Treaty No. 5 communities, advocates to ensure treaty promises are fulfilled.

This activism took place during the start of the modern treaty era in Canada. A significant moment took place in 1975 with The James Bay and Northern Quebec Agreement, which resulted from various Indigenous communities insisting on their right to a treaty in the context of the James Bay hydro-electricity project undertaken by the Quebec government. The agreement was part of a larger movement of Indigenous

rights activism across the country that continues today with comprehensive claims settlements and large treaty agreements, such as Nunavut and Nisga'a. Various Supreme Court of Canada rulings in recent decades have also further supported Indigenous understandings of treaties in terms of the importance of oral agreements in treaty interpretation.

The late Dr. Stan Louttit, former Grand Chief of the Mushkegowuk Council, dedicated much of his life learning and sharing knowledge about the meaning of the James Bay Treaty.

Dr. Stan Louttit,
Photo courtesy of Mushkegowuk Council

> Dr. Stan Louttit: "The Treaty is something historic, but I believe … that it's as relevant today as it was then. Because … my grandfather, Andrew Wesley, [and other Elders] that were involved in the Treaty, understood certain things. They understood that they didn't give up anything, that it's a sharing agreement, that it's something that we understand to be as important today in terms of our lands, our resources, our territories. Sharing in the wealth of the land, that's what it's all about, isn't it?"

This declaration of the Mushkegowuk Council shows the guiding principles of their communities about the treaty:

ᐅᒪᖕᑫᐧᐊᑊ ᐃᐧᐄᐧᐊᑊ ᓂᖕᑕ ᑕᐧᐯᒪᒃᑊ
OMUSKEGOWUK ITWEWAK NESTA TAPWEMAKAN
The Omushkegowuk Declare and Affirm that,

MUSHKEGOWUK COUNCIL ᐅᒪᖕᒐ ᐅᑭᒪᐧᐃᐧᐃᑊ

ᒧᓇ ᑭᑊ ᐅᑭ ᐸᑭᑎᓂᓇᓂᐟ ᑭᑊ ᐊᖕᑭᓇᐟ
MONA KIT OHCHI PAKITINENANAW KIT ASKINAW
We never surrendered our Homelands

ᐁᐧᑲᓂ ᐊᐧ ᐃᑦ ᐅᑎᑕᒪᑊ ᑭᑦ ᐸᑭᑎᓇᒪᐧᐊᑯᑊ ᐊᐧᐊᓯᒐ ᑲ ᒥᐧᓇᑦᓂᓂᑊ ᒥᐧᓇᑦᓂᓂᑊ ᐱᒪᑎᓯᐧᐃᓂᓂᐟ ᑭᒪᐧᐊᑦᒥᓂᓇᐧᐊᑊ
ᓂᖕᑕ ᒥᓯᐧᐁ ᓂᑲᑊ ᑫ ᐊᑎ ᐱᒪᑎᓯᒥᑊ.
EKWANI AW ISHI OTIHTAMAHK KICHI PAKITINAWAHIKOHK AWASITE KA MINWASHINENIK PIMATISIWINEW KICHAWASHIMISHINWAK NESTA MISIWE NIKAN KE ATI PIMATISICIK
Our goal is to provide a better life for our children and all future generations

ᑭᒥ ᐅᑭᒪᐟ ᑲ ᐃᐢᑕᑊ ᓂᖕᑕ ᑲ ᓄᒥᑕᐟ ᐊᖕᑭᓂᐟ ᑲ ᐃᑦ ᐧᐃᓇᑕᒍᒪᑲᓂᓂᑊ ᑭᑊ ᐊᖕᑭᓇᑊ ᐟᑕᐧᐁᓂᑕᐧᑲᐟ ᑭᒥ ᓇᖕᑯᒥᐢᑕᑭᑊ
ᐅᒪᖕᑫᑯ ᐅᓂᖕᑕᒪᖕᑲᓂᓯᐧᐊᑊ
KICHI OKIMAW KA IHTOTAHK NESTA KA NOCHIHTAK ASKINIW KA ISHI WINAHTAMOMAKANINIK KIT ASKINAW NTAWENIHTAKWAN KIHCHI NASKOMITOTAHKIHK OMUSKEGO OHTASKANES/WAK
Government action and resource development on our Homelands requires consent of the Mushkegowuk First Nations

ᐊᐸᐊᒪᑯᐧᐊᑊ ᑭᒥ ᐅᑭᒪᐧᐊᑊ ᑭᒥ ᒥᓇᑭᑊ ᑲ ᐃᐢ ᐧᐊᓂᐢᑕᑭᑊ
APAHAMAKOWAK KICHI OKIMAWAK KICHI MINONAHKIK KA ISHI WANITOTAHKIK
This is an opportunity for the governments to correct the wrong

ᑭ ᒥᓂᑯᓯᐧᐃᓂᓇᐧᐊ ᑲ ᑭ ᑭᑭᓂᑕᐧᐃᑭᒃᑊ ᐅᑕᓇᑊ ᐅᒥ ᐱᒍᒪᑲᐧᓇ ᐸᒪᐢ ᑭᒥ ᐃᐧᐄᐧᐃᑦ ᓂᖕᑕ ᑕᐢᓂ ᐸᑭᑎᓇᒪᑯᐧᐊᑊ ᐅ
ᒪᖕᑫᑯᐧᐊᑊ ᑲ ᐢᑭᓂᖕᑲᑯᒥᑊ ᐊᓂᐃ ᐊᖕᑭᐧᐃ ᐅᓇᓱᐧᐁᐧᐃᓇ ᒋᑭ ᑎᐯᓂᒥᑎᓯᒥᑊ ᐅᑦ ᐃᑕᖕᑲᓂᓯᐧᐃᓂᐧᐊᑊ.
KI MINIKOS/WINIWAWA KA KI KIKI NIHTAWIKIYAHK OTANAHK OHCI PIMOHTEMAKANWA PAWAMASHI KICHI ITWEWIN NEST TASHINE PAKITINAMAKOWAK OMUSKEGOWAK KA MOSHKINESKAKOCIK ANIHI ASKIWI ONASHOWEWINA ID KI TIPENIMITISOCIK OTITASKANES/WINIWAHK
Our inherent rights predate the Treaty and continue to provide the Omushkegowuk with empowering natural laws to be a self governing nation

ᑲ ᐃᐢ ᑭᖕᐡᑦᑕᑲᑊ ᓂᖕᑕ ᓂᓯᐢᑕᑲᐡᑊ ᐊᓂᒪ ᑕᐧᐯ ᑭᒥ ᐃᐧᐄᐧᐃᑦ ᑭᖕᑭᓇᑕᐃᑯᐧᐊᑊ ᐅᒪᖕᑫᑯᐧᐊᑊ ᑭᒥ ᑭᐧᐁ ᐸᓯᑯᓇᑭᑊ ᑲ
ᑎᐯᓂᒥᑎᓯᒪᑲᑊ ᑭ ᐅᑕᖕᑲᓂᓯᐧᐃᓂᓇᖕ ᐁ ᐅᑎᓇᒪᓯᑊ ᓂᖕᑕ ᑎᐯᑦᑕᒪᑊ ᑭᑦ ᐊᖕᑭᓇᖕ ᓂᖕᑕ ᕐᑲᓇ ᑲ ᐃᑕᐧᑲᑭ ᐊᖕᑭᑊ.
KA ISHI KISTENTAKWAHK NESTA NISITOCIKATEK ANIMA TAPWE KICHI ITWEWIN KISKINOHTAHIKOWAK OMUSKEGOWUK KICHI PASIKONAHKIK KA TIPENIMITISOMAKAHK KI OHTASKANES/WINIWAW E OTINAMASOYAHK NESTA TIPENTAMAHK KIT ASKINAW NESTA KEKWANA KA IHTAKWAHKI ASKIHK
For the survival of the Omushkego, the sacredness and understanding of the real Treaty directs the Omushkegowuk to re-build our self governing nation by regaining control and management of our Homelands and resources

Dr. Stan Louttit, Grand Chief of Mushkegowuk Council 2003-2014

More than a century after the James Bay Treaty was first signed, do you think the treaty has been upheld by all parties?

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Archives of Ontario THE THRILL OF DISCOVERY

A Diary Uncovered

Growing awareness of the importance of treaty commissioner Daniel G. MacMartin's diary at Queen's University Archives has led to a new chapter in the James Bay Treaty story. The diary records the thoughts and experiences of the provincial government's representative during the 1905 treaty expedition, including significant passages documenting the oral promises that the commissioners made to Indigenous signatories.

> James (Jeemis) Wesley, Omushkegowuk Elder, Treaty Promises Conference, Kashechewan, November 17, 1987:
> "Henry Reuben says he was sitting there and saw them [the treaty commission party] writing the important things. There was someone there that did the writing. So this is what is lost. Maybe one day it will show up. I believe in the Bible. It says in the Bible that the things that were told in darkness will also be told in light. That's how I understand it. … It will be told yet one day."

Like many archival records, the MacMartin diary has had a complicated journey. Following MacMartin's death in 1923, the diary came into the possession of his son, who gave it to poet Wallace H. Robb in the 1950s. Robb donated the diary to Queen's in 1968. For many years, the diary was mislabelled (possibly by the donor), which clouded the record's importance. Not until the 1990s did researchers begin to realize its full significance to the interpretation of Treaty No. 9.

[Daniel MacMartin, detail from photo of Commissioners Stewart, MacMartin and treaty party], [ca. 1905]
Duncan Campbell Scott fonds
C 275-2-0-1 (S 7680)
Archives of Ontario, I0010638

Photo of pages from the MacMartin diary
Image courtesy of Queen's University Archives

The MacMartin diary contains information, written in pencil, about different aspects of the 1905 trip, including the route, the weather, and opinions on the mineral potential of the territory. Yet it is his passages about the treaty ceremonies that may be of greatest importance: documentary evidence that the commissioners promised Indigenous signatories that their communities could hunt and fish as they always had. Of note, the diary is silent on any explanation of the so-called "Taken Up Clause."

Diary of Daniel G. MacMartin, 1905 [Page 30]
Daniel George W. MacMartin Collection
CA ON00239 F00149
Queen's University Archives

Marten Falls, July 25, 1905 (emphasis added): "When it was explained to them that they could hunt and fish as of old and they were not restricted as to territory, the Reserve merely being a home for them where in which no white man could interfere or trespass upon, that the land was theirs forever, they gladly accepted the situation, and said they would settle the reserve question later on …"

Archives of Ontario THE THRILL OF DISCOVERY

Diary of Daniel G. MacMartin, 1905 [Pages 44-45]
Daniel George W. MacMartin Collection
CA ON00239 F00149
Queen's University Archives

Moose Factory, August 9, 1905 (emphasis added): "…that a Reservation would be set aside for them, giving each family of 5 a square mile, that they were not obliged to live on it until they felt inclined, that they could follow their custom of hunting where they pleased; the area of land simply being set aside as their own on which no white man could trespass or enter upon, without their permission …"

Archives of Ontario THE THRILL OF DISCOVERY

Diary of Daniel G. MacMartin, 1905 [Pages 53-54]
Daniel George W. MacMartin Collection
CA ON00239 F00149
Queen's University Archives

> New Post, August 21, 1905 (emphasis added): "This morning three representative Indians of the band assembled in Council and had terms of Treaty explained to them …. a reserve or tract of land would be set aside and surveyed in the near future for their sole use and benefit that they were not obliged to live on same, <u>were also allowed as of yore to hunt and fish where they pleased</u> …"

Why did MacMartin write these passages in his diary? Since he records more details of the ceremonies as the 1905 trip progressed, some scholars believe MacMartin had grown skeptical of how the commissioners were explaining the treaty to Indigenous signatories compared to the words on the written document.

Documents written by the others in the treaty delegation also record similar passages.

Archives of Ontario THE THRILL OF DISCOVERY

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20th August Sunday We spent
reading and resting. The day
was fine and warm and enjoyable
in every way.
21st We were favored with a
thunder storm in the morning.
The important duty as usual was to
meet with representative Indians.
and the following were chosen to confer
with us, viz., Angus Beaverbill. Wm Gull.
and John Luke, the latter acting as
interpreter. As usual, the point
on which the Indians desired full
information was as to the effect the
treaty would have on their hunting
and fishing rights. On being assured
that these would not be taken from
them, they expressed much pleasure
and their willingness to sign the treaty.
which was accordingly done, and
the signatures duly witnessed.

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With the assistance of the representative
Indians, tents were pitched at the New
Post Indians, so that the payments might
be made in the afternoon.
The Indians were asked to elect
a Chief to whom the flag would then
be presented. Their choice fell on
Isaac Omakeso, who had not been
present when the treaty had been signed,
but who arrived shortly afterwards.
We were very favorably impressed
with Omakeso, and on further knowledge
of him our respect ~~for him~~ increased.
We paid thirty-eight Indians in all
during a drenching rain, which was accompanied
by thunder and lightning.
The feast in the evening was
a very creditable affair, as the Indians
arranged matters especially well.
Everything in connection with the feast
looked clean and neat, and proved.

Diary of Samuel Stewart, 1905
Library and Archives Canada, RG 10, volume 11399, pages 126-127, microfilm reel T-6924, MIKAN no. 2099559

New Post, August 21, 1905 (emphasis added): “As usual, the point on which the Indians desired full information was as to <u>the effect the treaty would have on their hunting and fishing rights. On being assured that these would not be taken from them</u>, they expressed much pleasure and their willingness to sign the treaty, which was accordingly done, and the signatures duly witnessed.”

Archives of Ontario THE THRILL OF DISCOVERY

They were to make certain promises and we were to make certain promises, but our purpose and our reasons were alike unknowable. What could they grasp of the pronouncement on the Indian tenure which had been delivered by the law lords of the Crown, what of the elaborate negotiations between a dominion and a province which had made the treaty possible, what of the sense of traditional policy which brooded over the whole? Nothing. So there was no basis for argument. The simpler facts had to be stated, and the parental idea developed that the King is the great father of the Indians, watchful over their interests, and ever compassionate. After gifts of tobacco, as we were seated in a circle in a big room of the Hudson's Bay Company's House, the interpreter delivered this message to Missabay and the other chiefs, who listened unmoved to the recital of what the Government would give them for their lands.

Indian mother and children, Fort Hope.

Eight dollars to be paid at once to every man, woman and child; and forever afterward, each year, "so long as the grass grows and the water runs" four dollars each; and reserves of one square mile to every family of five or in like proportion; and schools for their children; and a flag for the chief.

"Well for all this," replied Missabay, "we will have to give up our hunting and live on the land you give us, and how can we live without hunting?" So they were assured that they were not expected to give up their hunting-grounds, that they might hunt and fish throughout all the country just as they had done in the past, but they were to be good subjects of the King, their great father, whose messengers we were. That was satisfying, and we always found that the idea of a reserve became pleasant to them when they learned that so far as that piece of land was concerned they were the masters of the white man, could say to him, "You have no right here; take your traps, pull down your shanty and begone."

At Fort Hope, Chief Moonias was perplexed by the fact that he seemed to be getting something for nothing; he had his suspicions maybe that there was something concealed in a bargain where all the benefit seemed to be on one side. "Ever since I was a little boy," he said, "I have had to pay well for everything, even if it was only a few pins or a bit of braid, and now you come with money and I have to give nothing in exchange." He was mightily pleased when he understood that he was giving something that his great father the King would value highly.

Missabay asked for time to consider, and in their tents there was great deliberation all night. But in the morning the chiefs appeared, headed by Missabay, led by Thomas, his son, who attended the blind old man with the greatest care and solicitude. (In the picture of Missabay speaking you may see Thomas behind his father's staff on his left side [page 575].) Their decision was favorable. "Yes," said Missabay, "we know now that you are good men sent by our great father the King to bring us help and strength in our weakness. All that we have comes from the white man and we are willing to join with you and make promises which will last as long as the air is above the water, as long as our children remain who come after us."

After the payment, which followed the signing of the treaty, the Hudson's Bay

Duncan Campbell Scott, "The Last of the Indian Treaties", *Scribner's Magazine* (November 1906), Page 578

Miscellaneous collection
F 775
Archives of Ontario, F-775_MU2128_006
[Article also available online]

Archives of Ontario THE THRILL OF DISCOVERY

> Duncan Campbell Scott describing treaty signing at Fort Hope (emphasis added): "… they were assured that they were not expected to give up their hunting-grounds, that they might hunt and fish throughout all the country just as they had done in the past, but they were to be good subjects of the King, their great father, whose messengers we were."
>
> Pelham Edgar, 1906 treaty commission expedition secretary, November 1906: "Ontario … has purchased almost all its lands with a price, and still conceded the Indians all the hunting and trading privileges which they have ever possessed."

Since the 1990s, the Supreme Court of Canada has ruled in *R v Marshall*, *R v Morris*, and other cases that oral promises made during negotiation are part of the treaty. Indigenous signatories of the James Bay Treaty have begun to include the MacMartin diary as foundational evidence in court proceedings related to treaty issues. As research continues, more information about the ceremonies, promises and other aspects of the treaty are bound to be uncovered.

How could the MacMartin diary change our understanding of the James Bay Treaty?

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Archives of Ontario THE THRILL OF DISCOVERY

A Living Document

The Omushkegowuk people and other Indigenous signatories see the James Bay Treaty's written document as one part of the agreement, and so it is sacred to their communities. With this significance, the Archives of Ontario has gladly fulfilled requests to display the original copy of the document in its collections at public events in the treaty territory.

> Dr. Stan Louttit, during the display of the Archives of Ontario's copy of the written document at the James Bay Treaty – Treaty No. 9 Conference, Moose Cree First Nation, August 2013:
> "These are very, very historic documents that we have here. And having the Treaty document with us, to be able to honour and respect what our forefathers did in terms of the Treaty, in regard to their vision and their dream, and their aspirations for the future, I think it's very, very special. … It's a special moment for me, as well, as a grandson of a signator to the Treaty. That my own grandfather, my own blood, Andrew Wesley … put his mark … signifying his agreement to what he had heard from the commissioners. They did all for this for us."

Displaying the written document requires the expertise of the Archives' Preservation Services. The document is made of parchment (animal skin, typically calf, sheep or goat), a reactive material that wants to draw in moisture from the air. Changes in humidity can cause expansion and contraction, rippling, loss of media (i.e. writing), and other problems. A stable surrounding environment is essential for document's longevity.

That's why the Archives of Ontario takes great care to prepare the treaty pages for shipping, handling, and display. The Archives uses a mounting method that monitors humidity changes inside the display frames. Thin Japanese paper strips are adhered to the parchment and conservation mat board, allowing for the parchment to naturally expand and contract and avoiding damage. In addition, silica controls the presence of

too much or too little moisture. The document travels in three custom-made moving crates, and humidity and temperature are constantly monitored with dataloggers.

Slideshow: Preservation Treatments

Our conservator trimming Japanese paper strips before adhering to mat board. Wheat starch glue is used to attach the strips to the treaty, and Jade R is used to adhere to the mat board.

Page One of the treaty document is shown here under raking light. This reveals the surface texture of the document, along with the stretching of previously-used Japanese paper strips with following three display trips. These paper strips are replaced as needed.

Japanese paper strips adhered and in place.

Our conservator perforating fluted archival board, part of the interwoven backing. The perforation is done so moisture can move between the silica and the treaty.

Layers of the interwoven backing. Seen here is mat board, silica, and fluted archival board.

Page Seven of the treaty document in frame. Note the datalogger (used to monitor temperature and humidity) on the bottom right corner.

Travel case open, with treaty pages inside.

Travel case closed, ready for shipment.

Our conservator constantly monitors the display environment (including light levels as seen here) and works with institutions to ensure suitable conditions for display. For example, often times a humidifier is in the display room.

This graph shows temperature and humidity recorded by the datalogger inside the frame of Page Seven of the treaty document. Note how temperature and humidity fluctuations correspond (low temperature and humidity, high temperature and humidity). The various fluctuations on the graph document segments of the trip, from the Archives vaults to the display location, and back to the Archives.

The Archives' copy of the written document has been on display at the following events:

- James Bay Treaty – Treaty No. 9 Conference, Moose Cree First Nation, August 2013
- National Treaties 1-11 Gathering and CreeFest, Taykwa Tagamou Nation, August 28-31, 2017
- Great Moon Gathering (Kishay Pisim Mamawihitowin), Timmins, February 2018
- Great Moon Gathering (Kishay Pisim Mamawihitowin), Timmins, February 2019

Miyopin Cheechoo, looking at the first page of the written treaty document at the Treaties 1 - 11 National Gathering at Taykwa Tagamou Nation, August 2017
Photo courtesy of Christina Nielsen

Written treaty pages on display at Kishay Pisim Mamawihitowin - Great Moon Gathering, Northern College, Timmins, February 2019

Is there a document or heirloom that is particularly special to you and your community? What measures do you take so it will last for future generations?

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Banner image courtesy of Christina Nielsen.

Archives of Ontario THE THRILL OF DISCOVERY

Sources Used and Further Resources

> Senator Murray Sinclair: "All students, Aboriginal and non-Aboriginal, need to learn that the history of this country did not begin in 1492, or even with the arrival of Vikings much earlier. They need to learn about the Aboriginal nations that the Europeans met, about their rich linguistic and cultural heritage, about what they felt and thought as they dealt with such historic figures as Champlain, LaVerendrye and the representatives of the Hudson's Bay Company. They need to learn why they negotiated treaties and that they negotiated them with purpose and integrity and in good faith. They need to learn why Aboriginal leaders and elders fight so hard to defend those poorly worded treaties and what they represent to them and why they have been ignored by Euro-Canadian settlers and governments."

Key Archives of Ontario Collections

- C 275 - Duncan Campbell Scott fonds
- RG 1-273-5 Crown land survey correspondence and reports relating to Indian reserves and land claims
- RG 1-653- Articles of James Bay Treaty (Treaty No. 9)

Key Queen's University Archives Collections

- F00149 - Daniel George W. MacMartin Collection
- F00876 - Edmund Montague Morris fonds

Key Library and Archives Canada Collections

- RG 10/R216 – Department of Indian Affairs and Northern Development fonds (includes diary of Samuel Stewart, journal of Duncan Campbell Scott, photographs of the signing trips, various Red Series files, including Treaty no. 9 – James Bay Agency survey of Treaty no. 9 [...] and Treaty no. 9 the James Bay Treaty – Reports, correspondence, drafts, memorandum, Order in Council, correspondence, reports, and clippings related to Adhesions to Treaty no. 9, and treaty paylists)

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  - Height of the Land lesson kit (gr. 9-12) (Word, PDF)

- Resources created by Omushkego Education
  - On the Path of the Elders, 2010.

- Lesson kits from Canada's History
  - Classroom Treaty
  - Understanding Spirit and Intent (gr. 7/8, 9/10, 11/12)
  - The Numbered Treaties (gr. 7/8, 9/10, 11/12)
  - We Are All Treaty People (gr. 9/10, 11/12)

- Resources created by Historica Canada
  - Treaties in Canada Education Guide