

## **Annexe 4**

### **Report on the late Settlement of Saguenay, 27 juillet 1843**

## Réquisition de documents

Centre d'archives Centre d'archives de Québec de BAnQ  
Cote E9,S101,SS6  
Localisation 3 C 012 01- 05- 004A- 01  
Contenant 1984-11-011 \ 61  
Numéro de la demande 901986

Contenu de la réquisition

IDENTIFICATION DU DOCUMENT (OU DOSSIER) DEMANDÉ .

DESCRIPTION DU CONTENU DE L'UNITÉ DE RANGEMENT Branches Est-Ouest - dossiers nos 819-3584, 1817, 1824 et 1842 à 1848

*ordres en conseil  
chemise 1842-1845*

<u>Demandé par</u>	<b>Claude</b>	<b>Boudreau</b>
<u>Date</u>	09/06/2009	Heure2 19 27PM

À remettre avec le document

Copy of a Report of a Committee  
of the Executive Council dated 27<sup>th</sup>  
July 1843, and approved by His  
Excellency the Governor General in  
Council on the day following, on a  
Report from the Commissioner of  
Crown Lands relative to the Settlements  
of the Saguenay Territory;

The Committee of the Executive  
Council, have in obedience to your  
Excellency's Commands, taken into  
consideration, a Report from the  
Commissioner of Crown Lands  
setting forth;

1<sup>st</sup> That the intended  
Settlements in the District of Saguenay  
are proceeding in a satisfactory  
manner, and that a great number  
of applications are daily received  
for permission to cut timber, and to  
form lumbering establishments; that  
the remoteness of these Districts men  
from the present Settlements of the

To  
The Commissioner of Crown Lands

Secretary

County of Saguenay, and the  
operation of the former and present  
leases of that Territory to the  
Hudson's Bay Company; have  
debarred that Office, as well as the  
local Agents lately appointed, from  
being possessed of such information  
Topographical, and statistical, as is  
necessary to manage that part  
of the public property, and to meet  
the public wants, and expectations  
principally as regards lumberers of  
whom, large numbers have been  
cutting timber at different places  
for some years past; - and of  
whom others in large numbers  
are asking for licenses for the same  
object, and pouring into places  
hitherto unknown, or supposed  
of little value; - that it is  
impossible to wait until the  
surveys in progress are reported

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the in organizing a regular system of  
a present licences, and collection over that  
the Territory; - that Messrs William  
have Price, and Company, of Quebec, who  
as the manufacture timber largely, and  
2, from have built several saw mills in the  
mation interior, are the only persons who  
; as is have put themselves in correspondence  
want with the department, and paid  
a to meet the dues; they being in fact trusted  
itions money thing relating to the public  
'sors of Interest, as Government had neither  
- been agents nor informants; - and that  
places the population of over one thousand  
do of souls who have settled there as squatters  
where in anticipation have principally  
the same subsisted by cutting timber which  
places has been exported by the said firm,  
'posed and partly also by the produce  
is of their incipient clearings.

the That upon the urgency of the  
reported case, the Commissioner has taken the

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Means

means to have preliminary exploration, and inspections, made during the present summer, under the direct order of the respective Agents, and as far as economically as can be expected, and that he now prays authority to complete these arrangements, and to pay the necessary expense.

The Commissioner then sets forth his instructions to the Agents and exploring parties, and then at a proposed operations, regarding the Timber Trade of the Saguenay Districts.

For the purpose of inquiring how far the Government retains legal control over the territory in question, the committee have procured a certified copy of the existing lease to the Hudson's Bay Company of the lands comprising the King's Parts, which lease they find was granted under an order

exploration order in Council of Lower Canada  
ring the 26<sup>th</sup> June 1839. and a further  
direct order of 11<sup>th</sup> June 1840. that the lease  
and as bears date the 27<sup>th</sup> June 1842, that it  
anted, grants a term of twenty one years  
authority from the 3<sup>rd</sup> October 1842, and that  
acts, it contains amongst other things the  
expense following stipulations and restrictions  
to acts "for the purposes of carrying on an  
to Agriculture trade with the Indians  
d then at and upon the said domain lands  
ording hereby demised and leased, and an  
agency seal fishery and seal  
of Fisheries thereat

That nothing herein contained shall  
of extend, or be construed to extend to  
Government prevent the right from time to time,  
territory and at all times during the said  
and term hereby demised of us, our heirs  
and successors to enter into, and upon  
of the said lands hereby demised, and to grant  
us Bay and take possession of, and to grant  
and convey any part or portion of the  
in premises lands hereby demised, as we our heirs  
and successors may deem expedient,  
an  
order and

and the benefit of our said Province  
and of our loving subjects therein  
may require for the purposes of  
actual settlement, and cultivation  
thereof, but for no other purpose,  
or on any other account whatsoever

The committee of Council in  
order to understand the object  
which the Hudson Bay Company  
and the Government had in the  
above restrictions, have referred to  
the original proposal of the Governor  
of the Company dated 20<sup>th</sup> March  
1839 which they find to contain  
the following passages.

"In Canada it is considered  
that one part of the country  
(lay that situated on the upper  
banks of the Saguenay River) is  
well adapted for colonization, and  
that the Timber trade, and Salmon  
fisheries of the Kings Posts might  
with advantage be thrown open to  
the public."

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The Hudson's Bay Company are unwilling that the lease they hold should be the means of depriving the public of these branches of trade should Her Majesty's Government be disposed to throw them open and are therefore ready to surrender the lease, but in that case, or under any circumstances they are anxious to retain the exclusive right of hunting and trading in furs or peltries with the Indians in that District of Country, not only during the term of the unexpired lease they now hold but for a further term of twenty one years, as a means, and the only practicable means of maintaining the peace of the Country.

On transmission to England of the last above mentioned Minutes of Council, Mr. Stephen communicated to Sir George Simpson, Governor of the Hudson's.

Hudson's Bay Company on the  
24<sup>th</sup> June 1841 as follows - "Her  
Majesty's Government are now  
willing to extend the lease of the  
Hudson's Bay Company to an  
exclusive right of trading with  
the Indians at the Kings Posts  
including also the Seal Fishery, for  
twenty one years at an annual  
rent of Six hundred pounds, the  
Government abstaining from entering  
on the premises for the purposes  
of Settlement until after the expiration  
of the present lease in 1842."

This Proposal was accepted  
on the part of the Company on  
the 30<sup>th</sup> June 1841.

The Committee of Council  
observe that no mention is made  
of the Salmon fishery, or timber trade  
in the Minutes of Council, above  
mentioned, or in the objections of the  
Company to the terms therein  
proposed

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proposed, neither are these subjects  
referred to in the proposal of the  
part of state of the modified  
for the lease, or in the acceptance  
of the lease by the Company, or which  
the lease issued, nor does the lease  
itself contain any allusion to the  
opening these branches of trade,  
though the colonization or settlement  
of the territory is therein specially  
mentioned.

The Committee are however of  
opinion that the omission was merely  
accidental, and that the whole  
negotiation was founded on the  
offer of the Company to throw open  
the country not only for settlement,  
but for the purposes of the timber  
trade, and Salmon Fishery, and  
that the lease authorized by Her  
Majesty's Government, and by the  
said Orders in Council to be issued

was

was intended to limit the rights of the company to be required under it merely to an exclusive trade in furs with the Indians, and to an exclusive Seal Fishery.

The company have hitherto thrown no obstacle in the way of the Finner trade or of the Salmon Fishery, nor is it apprehended they will do so. If it should happen that they make any objection on these points, and that the terms of the lease as issued should be thought to deprive the Government of the power of granting Finner licenses, the committee are of opinion that measures should be taken to rescind the letters Patent as issued without authority, and in error, and for the issue of a new lease, in conformity with the first proposal of the company, and the subsequent negotiations.

The committee therefore see

no

no objection to the course of exploration  
proposed by the Commissioner  
of Crown Lands, and recommend  
that he be forthwith authorized  
to proceed therein, and in the  
granting of timber licenses, in the  
Saguenay Territory.

The Commissioner of Crown  
Lands sets forth, secondly, the  
necessity for exploration in that  
portion of Canada, lying west of  
the Temiscouata Portage Road, and  
the Lake and River Temiscouata  
towards the Rivers Saint Francis,  
and Saint John, and the respective  
limits of New Brunswick, and of the  
United States of America under the  
late Treaty.

The Committee are of opinion  
that the course of exploration  
recommended by the Commissioner  
should be adopted, and that he  
be authorized to issue Timber licenses  
on the said Territory taking care  
that

That until the respective boundaries  
of Canada, and New Brunswick  
be settled and surveyed, no  
unnecessary interference with the  
authorities of the latter province  
be allowed, and that in case of  
any unforeseen difficulty the  
matter be immediately reported to  
Your Excellency so that no  
misunderstanding may arise  
between the two provincial Governments.

Respectfully

Wm. A. Lee

O.C. 1346  
24th July 43

Report of the Ex. Council  
with reference  
1<sup>st</sup> To the Settlement of  
the Dist. of Saguenay; that  
the Exploration be proceed  
ed with, and Tuesday 6<sup>th</sup>  
August 1943.

2<sup>nd</sup> That the Exploration  
of the Territory between the  
Pointe au Loup Road, and  
the limits of St. Brunswick  
and the U.S. be made; and  
Tuesday 6<sup>th</sup> August 1943

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The file