MOHAWK NATION OF GRAND RIVER

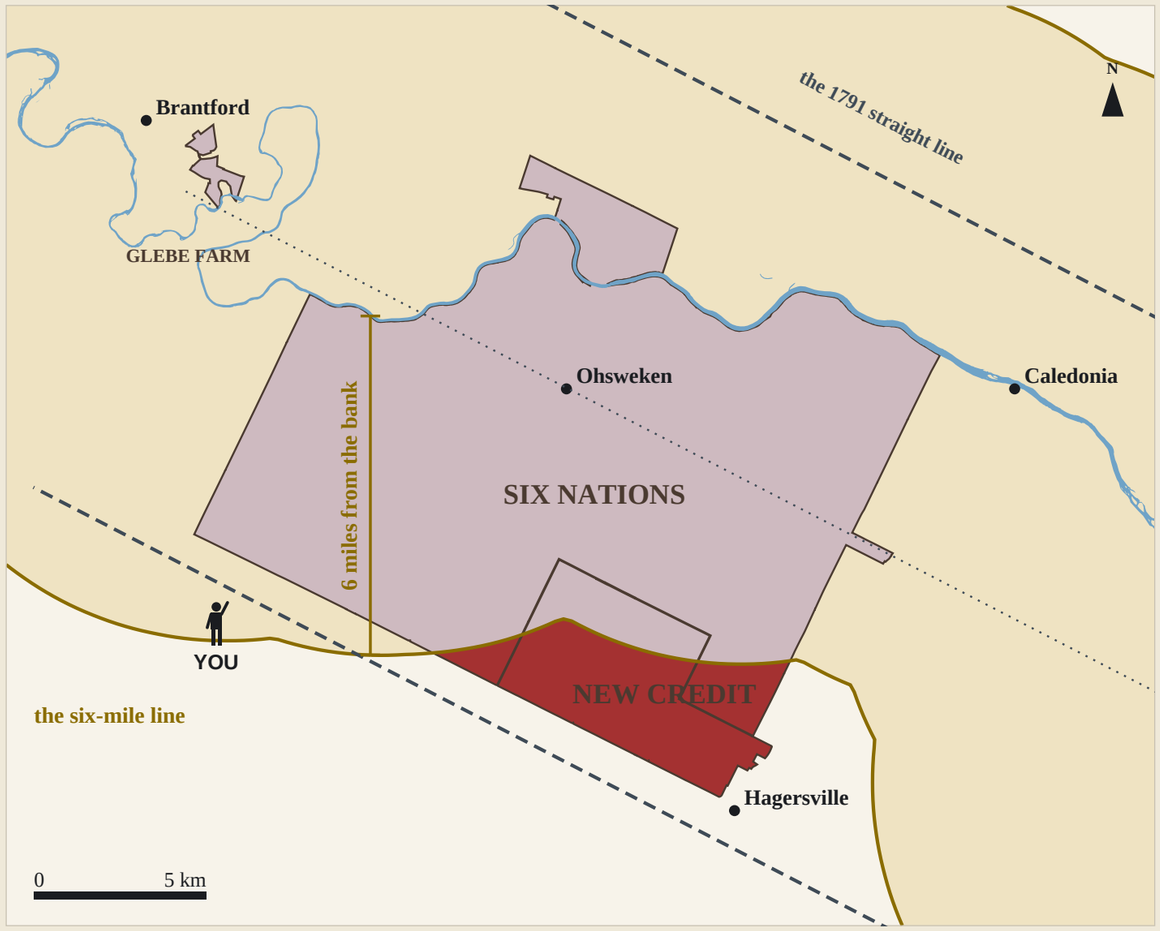
The So-Called Reserves

A reserve can be made only on land the Crown holds. The Crown does not hold the Tract: so a reserve can lie only outside it.

The companion to Book III: the Tract on the Nation's own map; why a reserve needs the Crown's title; the acres inside and outside the six-mile line

SIX MILES FROM THE BANK: THE RESERVES ON THE NATION'S MAP

How to read it: *tan is the Tract, six miles from each bank; plum is reserve inside it, red outside. Dashed: the 1791 straight lines.*



The Tract
Reserve inside the Tract
Reserve outside the Tract
The Grand River
1791 straight lines

WHY A RESERVE CAN LIE ONLY OUTSIDE THE TRACT

How to read it: *the Act asks for three things: a band, the Crown's title, no surrender.*

1 **The Indian Act** — THE INDIAN ACT, 1876, S. 3(6)

> *"The term 'reserve' means any tract … set apart … for the use or benefit of …* **a particular band of Indians, of which the legal title is in the Crown, but which is unsurrendered.***"*

2 **1784, the Proclamation**

The Crown gave the Tract by deed of gift, for ever, to persons and their posterity: no band.

3 **1793, the Simcoe Patent**

Listed by Ontario as Treaty No. 4: taken by the Six Nations, refused by the class.

4 **1867, section 109**

The Province took its lands subject to the class's interest.

5 **No surrender**

The class never surrendered: the Crown holds no title to set apart.

→ **So**

A reserve can lie only outside the six-mile line.

THE ACRES, INSIDE AND OUTSIDE

How to read it: *plum is inside the Tract; red is outside, the only part that could be a reserve.*

Six Nations — about 45,580 acres in all

inside: about 44,160 acres, 97%

outside: about 1,420 acres, 3%

New Credit — about 6,130 acres in all

outside: about 4,480 acres, 73%

inside: about 1,650 acres, 27%

From Book III, The Indian Act and the Loyalist Mohawk Posterity; companions: Acquired Territory, Exclusive Use and Enjoyment, The Grand.

This poster states the Nation's position, about the title, not the people on the land. Sources: the Haldimand Proclamation, 1784; the Constitution Act, 1867, s. 109; the Indian Act, 1876; reserve limits, Natural Resources Canada, v. 2.189; the Nation's map of the Tract.

MOHAWK NATION OF GRAND RIVER
SECRETARIAT

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