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**Ancient hunting grounds of the Algonquin and
Nipissing Indians comprising the watersheds of the
Ottawa and Madawaska Rivers
(background papers)**

A. E. St. Louis

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MEMORANDUM:

ANCIENT HUNTING GROUNDS OF THE
ALGONQUIN AND NIPISSING INDIANS

COMPRISING THE WATERSHEDS OF THE OTTAWA AND MADAWASKA RIVERS

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Ottawa (from adawe, 'to trade; to buy and sell') was a term common to the Cree, Algonquin, Nipissing, Montagnais, Ottawa and Chippewa tribes. In the Jesuit Relation for 1667, Father Allouez states that the Ottawa (Outaouacs) claimed that the great river (Ottawa) belonged to them and that no other nation might navigate it without their consent. It was, for this reason, he continues, that, although very different in nationality, all those who went to the French to trade, bore the name Ottawa, under whose auspices the journey was undertaken.

The Ottawas, whose ancestral home was on Manitoulin Island and along the north and south shores of Georgian Bay, were the first Lake Indians to meet the French and so according to custom "the French trade belonged to them." Champlain describes meeting them on the French River in 1615.

The fur-trading explorers, Radisson and Grosseilliers, brought down the Ottawa in their trading expeditions all the powerful Western tribes such as the Sioux, the Assiniboines and the Crees. Brebeuf, in his Relation, tells us of an Algonquin stronghold on Allumette Island, the Nations of the Isle, and of their wars with the Iroquois especially between 1658 and 1661, when they swarmed the Ottawa Valley and commanded all the strategic portages.

In the Relation of 1640, Father Vimont enumerates some of the nations adjacent to the banks of "La Riviere des Algonquins" or "Riviere des Prairies" as was then called the Ottawa:

"When we reach the first rapid found in the great river St. Lawrence, which we call the Sault Saint Louis" wrote the Jesuit Missionary, "we come to another stream called the River des Prairies. Going up this river, then, we find the Ouasuechkarini, which we call the 'petite nation' of the Algonquins. Going still farther up the river we find the Kichsipirini, the Savages of the Island, who have adjacent to them, in the territory to the North, the Kotakoumieni. To the South of the Island are the Kinouchepirini, the Mataouchkarini and the

Ountchatarounounga. These nations are between the river saint Lawrence and the River des Prairies."

In any attempt to identify the names of Indian Tribes, as recorded at so remote a time there are many difficulties which beset the modern reader, however, the following notes regarding the above enumerated tribes, may prove helpful in arriving at a reasonable understanding of the original owners of the lands in the Ottawa and Madawaska Valleys.

Ouaouechkairini: "Petite Nations" were the Algonquins proper and their original location was on the Petite Nation River in Ottawa county, Que., and the Little Nation River in Prescott county, Ont., - tributaries of the Ottawa from opposite sides. Champlain mentions this tribe (1613) as the Quescharini, their Algonquin appellation.

Kichesipiirini: Algonquin name for the tribe called by the French Nation de l'Isle, because their principal habitat was on the Allumettes Island, in the Ottawa River.

Kotakoutouemi: identified by Laverdiere as a tribe "whose language is a medley of Algonquin and Montagnais".

Kinouchepiri: the situation of these was probably in Renfrew county, Ont., according to A.F. Hunter.

Mataouchkarini: the early habitat of this tribe, as indicated by their name, was the Madawaska River of Ontario.

Ountchatarounounga: called Iroquet from the name of their Captain who took part in two of Champlain's expeditions against the Iroquois (1609 and 1615). Ferland says the tribe (occupied, southwest of the Ottawa, the interior of a triangular territory of which Vaudreuil, Kingston, and Ottawa form the angles". In other words all that territory said to have been purchased from the Mississaugas by Captain Crawford in 1783 and 1784 by order of Sir John Johnson.

Benjamin Sulte, the historian "par excellence" of the Ottawa Valley, thus epitomizes the successive changes in tribal locations on the Ottawa River:

"The Algonquins dwelt along the Ottawa; the Iroquois on the St. Lawrence. About the year 1500, the Algonquins drove the Iroquois from the shores of their river, and there established themselves. Between 1500 and 1530, the Hurons (or some other Iroquois tribe) retook Montreal from the Iroquets, an Algonquin tribe: and most of the Iroquets passed into the ranks of the Iroquois by the conquest. Towards 1560, the Algonquins massacred nearly all the Iroquet warriors at Riviere Puante (Becancour River), and the rest of this tribe returned to the Algonquins. About 1600, the Five Nations swept the shores of the St. Lawrence. The Algonquins, crushed by the Iroquois, felled back upon the Ottawa."

The name Algonquins "Algoméguis" (also spelled Algoméguins, Algonmequins and Algomquins), used by some authors to designate the Petite Nation, the Nation of the Isle, and the Nipissiriniens as comprising the Algonquin groupe. Champlain, however, limits this appellation to the tribes that dwell upon the Ottawa. The meaning of Algonquin, (agom, to float, and uke, land or earth) seems clearly to convey the idea that these Indians on the Ottawa "came by water from their country" up the Ottawa to the St. Lawrence. Champlain first records the word Algonquin and first gives them a place on the map of 1632 when he placed them in the Pembroke area.

Among the Algonquins of the Ottawa River (or Grande Riviere), no permanent missions were attempted by any orders. Long the chief highway to the West, the river was familiar to travelling missionaries, who frequently ministered to the tribesmen along its banks, either at the native villages or during the annual trading councils at the French posts of Montreal, Three Rivers, and Quebec.

Nicolas Gatineau du Plessis, a direct ancestor to Quebec's Premier Maurice Duplessis, who is also known as Maurice Le Noblet Duplessis, used the Ottawa to do his trading. In his expeditions, this well-known coureur de bois, son of a trader of Three Rivers, ascended the St. Maurice in the fall of the year and came down the Ottawa in the following spring, loaded with furs purchased from the Attigamegs and Tete de Boules of the Upper St. Maurice River and from the Algonquins of the Ottawa Valley.

In 1641, the missionary settlement of Montreal was founded by Maisonneuve. The Jesuits were the first resident clergy,

and soon began mission work among the neighboring Indians and those who resorted thither from the valleys of the Lower St. Lawrence and the Ottawa. In 1676, the Sulpicians, established in Paris by the Abbe Olier, one of the Society of Montreal, founded the Catholic Iroquois mission town of La Montagne on the Island of Montreal. La Montagne was abandoned in 1704, and the mission transferred to a new site at the Sault-an-Recollet, north of Montreal. In 1720 this was removed to the Lake of Two Mountains together with the remnant of Christian Iroquois of the mission established in the neighbourhood of the Quinte Bay in 1668. The Iroquois, who numbered 900 at the time of the removal, were soon joined by some Nipissings and Algonquins, of the former Sulpician mission town of Ile-aux-Tourtes. Thus was established the first permanent mission village in the territory of the Algonquins and Nipissings whose hunting grounds, from time immemorial, had been the lands comprised within the watersheds of the Ottawa and Madawaska rivers.

At the end of the seventeenth and at the beginning of the eighteenth century, a sub-tribe of the Chippewas, whose original habitat was at the mouth of the Mississagua river, on the north shore of Lake Huron and on Manitoulin Island, began to drift toward the south east into the region, from which the Hurons and the Neutrals had been driven by the Iroquois in 1648-49. Unlike the Hurons who were largely hunters, fishermen and tillers of the soil, the Mississaugas were fighting men and the Iroquois now met a foe worthy of the name.

According to Johnson Paudash, tradition has it that after the Mohawks had exterminated the Hurons, came down from the Mississauga River 1500 warriors of the Mississauga Nation under the leadership of his great Grandfather's grandfather, O-ge-mah-be-nak-ke or Bald Eagle. Warfare between these two nations is said to have continued many years with the Province of Ontario as the chief battle ground.

The Iroquois were finally driven down the Rice Lake chain along the Trent River and after a desperate battle which took place in the neighbourhood of Kingston in 1705, the invaders were forced back into

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their own country south of Lake Ontario. The Mississaugas carried this war into the Iroquois Cantons and, to prevent the extermination of one or the other of the two nations, a peace treaty was drawn up and signed by the chief men of the belligerent nations under which the Mississaugas were granted sole possession of the territory to the north of Lake Ontario and Lake Erie.

The Mississaugas on the conclusion of peace returned to Canada and settled permanently in the lower part of the Province which had come into their possession by right of conquest.

In 1720, the French established a station at the west end of Lake Ontario for the purpose of stimulating trade with the Mississaugas. The exchanges of the Indians' peltries for such articles as they needed, took place every spring and fall and, as it is still the practice, credit was given, or taken, if for one reason or another any of the Indians had not sufficient in furs to pay in full for the supplies of blankets etc., which they required. Thus, in the course of time the place where these undertakings were made became known as the "Credit River" - the place where credit was obtained.

By 1686, another trading centre came to be frequented at the focal point of the trade routes. The meeting place was called "Toronto" - an Indian word meaning "where many people meet." The first building - a fort erected by the French in 1759 consisted of a log house surrounded by a palisaded fence also of logs.

Near the close of the first half of the century (1746-50), having joined the Iroquois in the war against the French, the Mississaugas were compelled by the latter, who were aided by the Ottawas, to abandon their country. However, they soon after returned to Canada and occupied their former hunting grounds, their ancient possessions to which after the conquest the British Government recognized their claims.

The Mississaugas were never at any time the allies of the French and at the time of the Conquest were most friendly to the Six Nations, as indicated by an address delivered by their Chief to the Six Nations Chiefs, on the 22nd May, 1784. Said Chief Pakquam:

"We are Indians, and consider ourselves and the Six Nations to be one and the same people, agreeable to a former and mutual agreement. We are bound to help each other, Brother, - Captain Brant, we are happy to hear that you intend to settle at the River Oswego with your people, we hope you will keep your young men in good order, as we shall be in one neighbourhood and to live in friendship with each other as Brethren ought to do".

Having retraced the historical background of the Mississaugas of Rice and Mud Lakes, and the Algonquins and Nipissings of the Ottawa Valley from their first contact with the Europeans up till the first treaty of Paris (1763), the administration of these Indians' hunting grounds and the management of their affairs under British rule, as revealed by original authentic documents and MSS. preserved in the Canadian Public Archives and in our own, the writer shall endeavour to relate in the pages which follow.

After the ratification of the Treaty of Peace in 1763, by which Canada was ceded to Great Britain, it was decided that a proper survey should be made of the North American possessions, and with that object in view the boundary between the Provinces of Quebec and New York was surveyed in 1765 and 1766. However, when Lt.-Carleton surveyed the Upper St. Lawrence from Montreal to Oswegatchie (Ogdensburg), he was forbidden to proceed by a band of Mississauga Indians, who imagined that this survey was a preliminary to the taking of their lands.

As hereinbefore stated the British Government played fair with the Indians and from the first recognized the claims of the Mississaugas to ownership; and, therefore, nothing more natural than for the then Government to purchase on the 9th October, 1783, for settlement purposes then claim to that extensive tract of land described by Captain John Ferguson, Resident Indian Agent at Kingston, as being from the "Head of Bay Quinte, as far down as the extent of the Mississauga Claim" - from the river St. Lawrence as far back as the Ottawa River (from Water to Water), and which deeds were confirmed by Sir John Johnson.

In regard to the above purchase made by Captain Crawford, it is interesting to note what Daniel Claus says in his report to the Hon. H. Theo. Gamahe Lt.-Governor of Lower Canada on the 25th July, 1772, about the claims to ownership of this same tract of land by other Indian tribes.

"They (the Algonquins and Nipissings of Oka) said that they were now determined themselves to protect their hunting grounds by virtue of Carleton's Proclamation of 1766 and that therefore, if any Traders intended to deal with them in their District which they claimed from the Long Sault above Carillon to Lake Nipissing.

In order to prevent the sale of liquor, they intended first to clear their hunting grounds all the way to Lake Nipissing of any Traders that may reside thereupon, and so follow their hunting peaceably and quietly, to the better interest of themselves and the Indian Trade in general and so they finished."

In a petition addressed by the Algonquin and Nipissing Indians of the Oka Mission to the Earl of Dalhousie on the 29th July, 1827, they represent that they have been in possession of certain lands bordering on both sides of the Ottawa River and have always had the exclusive privilege of hunting on the same. The document bears the following endorsement:

"These complaints have been frequently made by the Algonquins and Nipissings of the Lake particularly in a Council held before Sir J. Johnson on 19th July, 1799. The latter document sets forth in strong but remissable language their claim to the lands in question as their hunting grounds and the consequences to be expected from an injudicious destruction of the Beaver by Settlers and intruders. They request that settlements be not granted further back than 40 arpents on each side of the River Ottawa. An extract of the Proclamation of 1763, annexed to this, seem to confirm the claim of these Indians to the land in questions "which have not been ceded to or purchased."

H.E.D.

The extract of the Proclamation^{of} 1763, referred to by the Governor in his comments was made from a printed copy in the Office of the Indian Department, Montreal, with the following words written "At the earnest
(at the bottom:) Request of the Nipissings and Algonquins Indians I put my name to this "
(Signed) John Johnson.

The description of the Nipissings' and Algonquins' hunting grounds is clearly set out by James Hughes, Superintendent at Montreal in a letter to Col. D.C. Napier, Secretary of Indian Affairs for Lower Canada, dated 10th April, 1839. Supt. Hughes wrote for the information of Sir John Colborne:

"I have to represent for the consideration of His Excellency the Governor General, that for these several years past the

"Chiefs and warriors of the Nipissing and Algonquin Tribes (who are in wandering state and depend entirely upon the chase for a livelihood), I have frequently lodged complaints against Individuals trespassing and making depredation on their hunting grounds which they represent to be the Islands situated in the river Ottawa as well as that vast tract of land lying on either side of that river and Little River from Pointe D'Original to Lake Nipissingue that is to say comprehending both banks of the River Ottawa and of the River Matawangué (called by the Voyageurs the Little River) to the height of land separating the waters of the Lake Nipissingue from those of the Little River, together with the Counties watered by the several tributaries streams of the River Ottawa and Little River running north and south from their sources and flowing into the said river Ottawa".

No better representation could have been made in support of the claim of the Algonquins and Nipissings to their hunting grounds than that made by Sir John Johnson, in a memorandum dated the 5th November, 1824, to His Excellency Sir Peregrine Maitland, Commander of the Forces. Sir John Johnson, son of Sir William Johnson and Superintendent of Indian Affairs from 1782 to 1828, although he had accepted the "two Deeds" signed by the Mississaugas on the 9th October, 1783, purporting to surrender to the Crown all the lands from Kingston to the Ottawa River, wrote as follows to the Lieutenant-Governor of Upper Canada:

"By His Majesty's Proclamation dated the 7th October, 1763, you will find that it is expressly provided that the Indians shall not, under any pretence whatever, be deprived of the Lands claimed to dispose of them, in which case they are to be purchased for the Crown only, at some public meeting to be held for that purpose. Notwithstanding which extensive grants have been made of the Territory claimed by the Algonquins and Nipissings Indians, without any compensation whatever being made to them, although in all cases, where lands claimed by other tribes are required by Government, they have been purchased at a stipulated price, or some other compensation made to the Indians in obedience to His Majesty's Commands.

The Algonquins and Nipissings Indians, unlike the other Tribes in Lower Canada do not possess any lands from which a revenue is derived, and have heretofore depended upon their Hunting for support, and although they have not failed to view the progressive settlements of their hunting grounds as a breach of His Majesty's Proclamation, they, for several years abstained from making any representation on the subject, but finding of late that the settlement of the Country, and the indiscriminate and injurious destruction by the settlers, of the Beaver and other animals from which the most valuable furs are obtained, is likely soon to deprive them of the means by which they have hitherto supported their families, they, very naturally, solicited the interference of the Government.

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"The Hunting Grounds of the various Tribes of Indians inhabiting these Provinces, were originally defined among themselves, and, the boundaries of each Tract perfectly understood by them. Any encroachment by one Tribe upon the lands allotted for the use of another is viewed by them, in precisely the same light as is the invasion of one civilized State by another, and would occasion hostility between them; and, have reason to apprehend that should any of the other Tribes encroach upon the Hunting Grounds of these Indians they will avail themselves of that Power which Providence has given them to resist such an attempt. And, I further deem it my duty to state to you, that, if something is not done on the part of the Government to prevent the Settlers on the Ottawa River from Hunting upon the unoccupied Lands claimed by these Indians, some lives will ere long be sacrificed.

The territory claimed by the Algonquins and Nipissings includes a considerable portion of cultivated settled country. These Indians do not, however, expect that what is already granted will be restored to them, all they desire is, that Government would secure to them, by a written Instrument, the exclusive privilege of hunting upon such parts of the Tracts claimed by them as are at present unoccupied. That a Proclamation may be issued forbidding persons from encroaching thereon, and that in the event of the further settlement of their lands, they may be compensated for the same in such manner as will enable them to support their families."

From the foregoing, it would appear that soon after the Conquest the Algonquin and Nipissing Indians claimed the Madawaska and Ottawa Valleys as their hunting grounds by virtue of the Proclamation of 1763 and that of Sir Guy Carlton of 1766. It should be observed that the title to these lands was first confirmed to them by the 40th Article of the Capitulation, which stipulated that "the Savages or Indian allies of His Most Christian Majesty shall be maintained in the lands they inhabit if they choose to remain there."

By virtue of this French title, assumed by the British at the Conquest, the St. Lawrence Indians (the Caughnawagas and the Lake of Two Mountains), who styled themselves also the Seven Nations, at a Grand Council held at Lachine the 26th July, 1795, laid claim "to the lands from the Seignory of Longueuil to Kingston". Alex McKee, who presided the Council Meeting reported to the Lt.-Governor on the 28th July, that "the consideration of the claim of the Seven Nations of Canada to the Lands from the Seignory of Longueuil to Kingston is of an extensive and important nature and will require infinitely more time and attention that my duties in Upper Canada will allow me at this time to give it.

.....

A full examination of the records of Office and all other evidence which can be procured, seem absolutely necessary to the final arrangement of this business. You will observe that their claim is from the Seignory of Longueuil North and South of the River St. Lawrence to Kingston.

It is worthy remark that these people should have solicited and received Lands from the French Government, when, according to their present assertion, they considered themselves the proprietors of all the Country"

Thus, the Deputy Superintendent of Indian Affairs disposed of the claims of the Indians of Lower Canada to lands in the upper part of the Country.

The aboriginal rights of the Upper Canada Indians, even of those living on the American side of the St. Lawrence, claimed by them by virtue of the Proclamation of 1763, were not so peremptorily dismissed. At a Council of the Oswegatchie Indians held the 2nd February, 1795, a memorial addressed to Lt.-Governor Simcoe was approved and which reads in part:

"About ten years past we were called by Col. Campbell to hold a Council on the Carrying place at the Cedars where he professed to us to give lands to the Troops of Sir John Johnson's Corps; and after a long debate we consented to give the Front of the River, and promised to recompense us, but we never received one copper. The rest of our land is taking up and the surveyors are all over the woods, we beg you to pay us for our lands, and if you cannot stop the surveyors until such time that you get an answer from Our Father, Lord Dorchester."

The influx of the United Empire Loyalists into that part of Quebec Province lying west of the Ottawa River began about 1783.

The Land Boards were established in each district in Upper Canada in 1789. It was during this growing pioneer period that the townships along the Upper St. Lawrence, the lower Ottawa, the Bay of Quinte and the North shore of Lake Ontario were outlined and the front portions surveyed into farm lots and in most instances settled upon.

In 1874 Governor Haldimand, in consideration of the loss of their settlement and of recompensing the losses which they had sustained during the American Revolutionary War, reserved for the St. Regis Indians a

hunting ground between Cornwall and Charlottenburg and lying between the Counties of Stormont and Glengarry. When this had become useless they leased the land and eventually surrendered the whole tract on June 1st, 1847, to be sold for their benefit.

The Lt.-Governor, alarmed by the rapid settlement of the west side of the Ottawa River, had written to Lord Dorchester on March 14th, 1794:

"In answer to Mr. Coffin's letter by Your Lordship's directions of the 17th of February, I beg to leave to say that due attention shall be paid that no lands be given away on the Ottawa River till Your Lordship shall communicate with me further on this Subject. It appears to me to be necessary that this arrangement in respect to what belongs to the Indian Nations and what to His Majesty, be terminated as soon as possible, not only as it respects the general political interests of His Majesty, but that Individuals from sinister purposes may not sport with the passions of the Indians, and by their particular Influence become injurious to the general progress of the Settlements."

The Lt.-Governor had therefore every reason to feel uneasy and disquieted at the threat made by the Oswegatchie Indians to stop the surveys at their Council meeting on February, 1795, and on the same day wrote from Johnstown to Lord Dorchester:

"I do myself the honour of enclosing to Your Lordship a speech made to me by the Oswegatchie Indians in the presence of the principal Gentlemen of this part of the country.

The Claims of these Indians, tho' politically considered, they do not invoke those momentous and most extensive consequences which may be apprehended from the discontent or disaffection of the Caughnawaga tribes, yet the suspension of surveys which, in compliance with their desires, I have thought it proper to direct, occasion much expense to Government, and materially impede the Settlement.

I had intended to have a road run to the forks of the Rideau for the benefit of the Province, and the regular establishment of those settlements upon it which were surveyed by your Lordship's Orders in the years 1790 and 1791, and of which under the order of the Lieutenant Governor and Council of Lower Canada, a plan has become matter of record in this Province; and my purpose was personally to have investigated that communication with the Ottawa, which on every reason military or civil, may hereafter become of great consequence, but at present I have thought it prudent to desist.

I understand that Mr. Lorimier had said the Indians would probably be satisfied by some trifling Presents. Upon making enquiry he was told Major of Brigade Littlehales, that he conceived two batteaux loads of goods; and one hundred pounds currency, principally appropriated to building their Church, would satisfy them.

"Mr. Lorimier offered the Petition on his own behalf which I enclose to your Lordship. I cannot, therefore, but recommend that as Col. McKee cannot possibly reach this place until May, that you will be pleased to order some of the other persons of the Indian Department to extinguish this vexatious claim."

It may be concluded from Simcoe's letter that the claim of the Oswegatchie Indians to lands on the Canadian side of the St. Lawrence extended much further inland than "the Front of the River" from Kingston to the County of Soulanges, formerly the seignory of Longueuil.

In regard to the surveys west of the Ottawa River E.B. Littlehales, Governor Simcoe's Secretary, gave the following instructions to D.Wm. Smith, Acting Surveyor General on the 19th March, 1796:

"His Excellency directs me to signify to you that he has written to His Excellency Lord Dorchester relative to the final adjustment of the claims of the Indians on the St. Lawrence, but in the interim the Lieutenant Governor sees no objection to your instructing the Deputy Surveyor of the District to survey the Townships of Russell and Montague granted to Wm. Stafford in the accustomed manner, provided the same shall not give offence to the Indians of which he, the Deputy Surveyor will be particularly guarded and report to you accordingly."

By proclamation bearing date the 25th day of May, 1796, the Lt.-Governor J.G. Simcoe declared open for settlement the ungranted lands of the Crown in the townships of Osgood, Wolford, Montague, Russell, Kitley, Loughborough, Huntingdon, Rawdon, Murray, Clarke, Whitby and Windham.

It should be borne in mind that the land on the west bank of the Ottawa River, now comprising the present Counties of Vaudreuil and Soulanges, up until the proclamation of Nov. 18th, 1791, dividing the old Province of Quebec into two distinct Provinces to be called the Province of Upper Canada and the Province of Lower Canada, included the following seignories: Seignory of Rigaud, Seignory of Vaudreuil, Seignory of Longueuil and the Seignory of Soulanges. The Seigneurs enjoyed, with their censitaires, full exclusive fishing and hunting privileges on the seignories and, therefore, the Indians never claimed aboriginal rights to that land lying on the west bank of the Ottawa River and which Simcoe added to Quebec in 1791.

As to the remaining vast tract of land in that portion of Ontario lying along Lake Ontario and the St. Lawrence River from the western part of the Bay of Quinte, that is, Sydney Township, and easterly to the Province of Quebec including Ottawa, we have seen from extracts of numerous official documents given

hereinbefore that the claims thereto-not the rights - of the following Indian tribes have been purchased by the Government:

In 1783, Captain Crawford was ordered by Sir John Johnson to purchase this tract from the Mississaugas who were well known to the British Commander and Supt. General of Indian Affairs, having fought with the Iroquois, their allies, in the late wars. The consideration demanded by their Chiefs for the lands granted being:

"that all the families belonging to them shall be clothed and that those that have no guns shall be clothed, and that those that have no guns shall receive new ones, some powder and ball for their winter hunting, as much coarse red cloth as will make about a dozen coats and as many laced hats."

Soon after 1758, a considerable portion of the Iroquois community of Oswegathie residing at the place of Ogdensburg, New York, joined the St. Regis Indians who subsequently divided into two bands according to which side of the International Line the Indians lived on. In 1874. Governor Haldimand, in consideration of the loss of their settlement during the American Revolutionary War, granted these Indians "Twenty-one Concessions of land situated in Eastern District of Upper Canada and lying between the Counties of Stormont and Glengarry".

The remnant of the Iroquois who had remained at Oswegathie (the Oswegatchies), and who had also sided with the British in the Seven Years War, and the American Revolutionary War, found themselves after the signing of the second treaty of Paris (1783) on the American side of the Boundary Line. Having threatened Governor Simcoe, in 1795, to stop the surveys and consequently the settlement in that part of Ontario west of the Ottawa and along the St. Lawrence, unless their claim to this territory be compensated, they were given "trifling Presents" and "two batteaux loads of goods and one hundred pounds currency" for the extinguishment of their "vexious claims".

Although the British Government recognized from the first the rights of the Indians to the ownership of the land, strangely enough, the most important matter of finding its real owners did not appear, from contemporary documents, to have been taken very seriously.

Since the Mississaugas "signed the two deeds covering the purchase of lands from the Head of Bay of Quinte, as far down as the extent of the Mississauga Claim - from the river St. Lawrence as far back as the Ottawa River, and which deeds were confirmed by Sir John Johnson" as reported by Captain John Ferguson, Resident Indian Agent at Kingston, old records indicate that their claim to this surrendered territory as their ancient huntinggrounds is referred to only sporadically up until 1923. In that year a Commission was appointed to negotiate a Treaty with the Chippewa and Mississauga Tribes with respect to their ancient hunting grounds.

When the members of the Joint Commission met the Indians of the Rice Lake Band in their Council House on the Hiawatha Reserve, on September 26, 1923, for the purpose of investigating their claims for compensation for the unsundered hunting grounds south of Lake Simcoe and the Northern Hunting Grounds lying North of line 45 to the height of land near Lake Nipissing, including the Madawaska Valley, Johnson Paudash, during the course of his evidence given before the Commissioners, stated that his grandfather had said that the hunting ground of the Mississaugas extended on the east to the great river - the Ottawa.

In a return of correspondence respecting the Indians in the British North American Colonies between Sir T.B. Head and Lord Glenelg published in the British Parliamentary Papers, 1839, at page 147, Captain Charles Anderson under date of May 15, 1837, replying to a question submitted to him by Col. J. Givens as to the situation of the locations of the settled parties or of the Hunting Grounds occupied by the Indians, says:-

"The Alnwick Indian Settlement is on the south side of the Rice, about one and a half-miles back from the Lake. The Rice Lake Indian Settlement is on the north side of the Lake. The Mud Lake Indian Settlement is situated on a point of land in that Lake.

The Huntinggrounds is the tract of country through to the Ottawa River. The extent of the Alnwick Indian Settlement is about 3,000 acres, that of the Rice Lake about 1200 acres and that of the Mud Lake about 1600 acres; the hunting ranges consist principally of deer with which the country abounds".

Captain Charles Anderson was Indian Superintendent of Rice Lake from 1800- to 1843. Having married a Mississauga Indian woman of the Paudash family, it is permissible to believe that he was most sympathetic towards the Indians and would accept, in the absence of any evidence to the contrary, the claim made by the Indians under his charge to lands lying east as far as the Ottawa river, as forming part of their hunting grounds.

Notwithstanding the above statement of Supt. Anderson and the historical information revealed by the traditional history of the Mississaugas, it would appear from a number of contemporary official documents that the territory of the Upper Canada side of the Ottawa was never properly defined as belonging to the Mississaugas, but on the contrary, there is abundant proof that the Algonquins and the Nipissings, from time immemorial, have considered this part of the country as their exclusive hunting grounds.

In the year 1822, the Lake of Two Mountains Indians complained that their lands were being intruded upon and asked the intervention of the Department on their behalf. To this request, Col. Darling, Military Secretary to the Governor General, the Earl of Dalhousie, in his reply of 5th August, 1822, refused to interfere to prevent the settlement of the lands in question and stated that these lands were not the exclusive property of the Lake of Two Mountains Indians, but that the other tribes had an equal right to hunt upon them.

On the 5th November, 1824, Sir John Johnson Superintendent General of Indian Affairs, in a most comprehensive memorandum hereinbefore quoted, wrote to Col. Darling for submission to the Governor General, taking exception to his decision and maintaining that the hunting grounds of the various Indian Tribes were originally defined among themselves, with the boundaries of each tract perfectly understood, and urged that a proclamation be issued forbidding all persons from intruding upon the lands claimed by the Lake of Two Mountains Indians.

A good deal of correspondence took place between the years 1827 and 1836, on the subject of the hunting rights of the Indians, and

of which copies and extracts are attached hereto.

In 1819, Neil Ferguson and his family were murdered by the Indians presumable for having trespassed upon Indian lands; and, several years later, John Arnie and Alexander Sacrastin of the Nipissing Tribe were tried at Quebec for murdering two Americans near Black Lake in a quarrel about killing a deer. The Executive Council of Lower Canada, alarmed by the Indians' "attempts to maintain by arms and bloodshed" their exclusive hunting rights over certain territories, gave the matter serious consideration in a Committee of the whole Council on the 21st March, 1827, their deliberations forming the subject of a Report to His Excellency the Earl of Dalhousie, see copy marked A-1.

At a council meeting held the 11th June, 1827, the Mississaugas of Rice and Mud Lakes complained to Col. Givens of the invasion of their hunting grounds by the Caughnawagas and the Lake of Two Mountains Indians. The Chief Superintendent of Indian Affairs of Upper Canada transmitted the proceedings of council to H.C. Darling D.S.G.I.A., who acknowledged the letter on July 14th, 1827, and on the 19th of that month advised Col. Napier, Secretary of Indian Affairs for Lower Canada, of the action taken. See copies of letters and extract of the proceedings of the Indian council, marked A-2.

On the 5th October, 1827, Major General Darling convened a Council at Caughnawaga of the Algonquins and Nipissings of Lake of Two Mountains, the Iroquois of Sault St. Louis and St. Regis, and the Abenakis of St. Francis at which his views regarding their hunting grounds were set forth. An extract, marked A-3 is attached hereto from the speech delivered at the Council, which shows that the Government at that time only conceded the right to hunt over the lands claimed by the Lake of Two Mountains Indians, but promised a grant of land to such of the Indians as would decide to settle down and till the soil.

Proceeding chronologically we find that on the 17th January, 1828, Col. Napier transmitted to Col. Couper, Military Secretary of the Governor a report of Mr. Hughes on the subject of a complaint made by the Chiefs of the Lake of Two Mountains of the depredations committed by white

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persons on their hunting grounds, with the following comments:

"The conduct of these Indians in the transaction detailed in the Report appears to me so highly praiseworthy that I cannot but recommend their earnest request, that steps be immediately adopted to prevent a recurrence of the injuries they have lately sustained."

Major C.H. Darling, in his general report upon the Indian tribes to the Earl of Dalhousie, dated the 24th July, 1828, had this to say of the Algonquins and Nipissings of the Oka Mission:

"Their situation is however becoming alarming by the rapid settlement and improvement of the lands on the Banks of the Ottawa, on which they were placed by Government in the year 1763, and which tract they have considered their own."

On September 8, 1828, Sir James Kempt succeeded the Earl of Dalhousie as Governor General. The Principal Chiefs memorialized His Excellency on the 28th April, 1829, praying that their Petition of the 29th July, 1827, to his predecessor relative to the intrusion on their Hunting Grounds may be taken into consideration, representing that the whites "leur Portaient prejudice et les troublaient dans leur chasse sur les terres qu'arrose la Riviere des Outawas".

Col. Napier wrote to Lt. Col. Couper Military Secretary, Quebec, 30th March, 1829:

"The Algonquin and Nipissing Tribes are exclusively devoted to Hunting in the Indian Country, and are seldom to be seen in any number at their Village, except for a few weeks previous to the distributions of His Majesty's Annual Bounty".

On May 5, 1829, Col. Napier wrote again to Lt. Col. Couper, enclosing the original Petition to Earl Dalhousie dated 29th July, 1827, and the proceedings of the Caughnawaga Council held 5th October, 1827, recommending a Public Notice may be issued forbidding all persons from trespassing in any manner upon the lands claimed by the Algonquin and Nipissing Tribes, and "secured to them by His Late Majesty's Proclamation dated 7th October, 1763," a copy of which was transmitted for His Excellency's information.

The Governor's Military Secretary replied as follows, the 9th May, 1829:

"I am directed by His Excellency the Commander of the Forces to

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"Acquaint you in reply to your letter of the 5th instant, that His Excellency entirely concurs in the view of Earl of Dalhousie with respect to the intrusion of Indians, and other persons upon the Hunting Grounds of the Algonquin and Nipissing Tribes on the Ottawa, as declared by Major General Darling at the Council of Caughnawaga, held on the 5th October, 1827.

I have it, moreover, in command, to request you will cause it to be generally promulgated throughout the Tribes which trespasses upon their Hunting Grounds that, if they do not immediately desist from infringing the Compact they have promised to obey upon this subject, it will become His Excellency's painful duty to order that the issue of Presents to the intruders shall be immediately suspended.

His Excellency entertains any dispositions to prohibit trespasses, of all other intruders, upon those grounds, but, to enable His Excellency to Judge of the most efficient mode of accomplishing this end, it is necessary that you should offer some specific and detailed cases of such intrusion and I am to request you will likewise report the measures which your experience may induce you to believe most conclusive, to the general notice, and prohibition you recommend."

Whereupon Col. Napier replied to Lt.-Col. Napier the 5th June, 1829, enclosing an affidavit from Frank Odjick, a Nipissing Indian of Oka, reporting a trespass on the part of a white trader, Robert McGregor hunting at a spot described as Lac de la Pêche and situated about 25 miles from the mouth of La Rivière Blanche, and transmitting also an extract from Sir Johnson memorandum upon the subject of the injuries sustained by these Indians and the consequences likely to result therefrom. The Indian Superintendent at Montreal concluded his letter by stating that "the measure proposed by the Superintendent General in 1824, and recommended for the favourable consideration of His Excellency in his letter of the 5th appears to be calculated to relieve the Tribes from the trespasses of which they complain and to secure to them the undisturbed possession of their lands."

The sole right of the Nipissings and the Algonquins to the undisturbed enjoyment of their Hunting Grounds, comprising the watersheds of the Ottawa and Madawaska rivers, was "recognized" not "established" by Sir James Kempt, Governor of Canada, in 1829, and by the Lieutenant - Governor of Upper Canada, Sir John Colborne in 1835. In this connection the following extracts are of interest:

No. 1- Extract of a letter from Col. Couper, Military Secretary

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to His Excellency Lieut. General Sir James Kempt, dated Quebec 2nd July, 1829, and addressed to Lieut. Col. Napier Secretary, Indian Affairs, in answer to the complaints of the Algonquin and Nipissingue Tribes of the trespasses and depredations committed on their hunting grounds.

"I am however commanded to request, that you will Intimate to those Indians, that His Majesty's solicitor General, or the Senior Crown Law Officer at Montreal, will be directed to prosecute on the part of The King, any person, who shall illegally settle, or commit any cognisable trespass or depredation on those hunting grounds and when any such cases with competent proof, shall be duly Established by the Indians I request you will acquaint me therewith, that His Excellency's Instructions may be carried into effect accordingly."

True Extract

(Signed) D.C. Napier

Secretary Indian Affairs

No. 2- Extract of a letter from the Chief Superintendent of Indian Department of Upper Canada to the Secretary for Indian Affairs, dated Toronto, 11th August, 1835.

"I have the honor, by directions of His Excellency Sir John Colborne, to transmit to you, The accompanying Memorial from The Chief and Warriors of the Nipissingue and Algonquin Tribes.

"His Excellency requests, that you will have the goodness to cause it to be stated, to these Tribes, that he will endeavour to prevent the Lumber Men and squatters, from molesting them on their Hunting Grounds, to the N-West of the River Matawangué and between that river and Lake Nipissingue, and that as they have expressed a desire to settle on a Tract of Land near Les Allumettes, His Excellency will not fail to assist them in occupying it, should they decide on removing to that part of the Ottawa." -

Certified

(Signed) D.C. Napier,

Secretary Indian Affairs -

No. 3- Extract -- Indian Office, Quebec 17th August, 1838.

"In regard to the complaint of the Algonquins and Nipissingue Tribes, respecting the depredations committed by white persons, on their hunting grounds, transmitted with your letter of the 31st ultimo, I am enabled to forward for your Information and Guidance, The enclosed extract of Instructions on this point which were issued by Sir James Kempt in the year 1829 -" and

(Extract marked No. 1)
above mentioned)

which His Excellency The Governor General has ordered to be observed in future --

(signed D.C. Napier

Secretary Indian Affairs.

Certified to be true copies

James Hughes, I. In. Dept.

No. 4- Extract of a letter from Col. Givens, Chief Superintendent Indian Department at Toronto Upper Canada, dated 26th February, 1836- addressed to Lt. Col. Napier, Secretary Affairs at Quebec -

"With regard to the second object of the Petition, namely that the Possession of the hunting grounds of these Tribes(Nip & Alg.) on the south side of the River Ottawa, which have not yet been surrendered to the Crown may be secured to them, and protected against intruders, His Excellency desires me to express his readiness to assist as far as possible, The Petitioners in settling on such part of those grounds as they may select, and as far as it may be practicable to protect them against The Intrusion of strangers -

Certified Copy (Signed) J. Givins

C. Supt. Toronto -

(Signed) D.C. Napier

Secretary Indian Affairs -

The Governor General, having submitted to the Attorney General for Lower Canada for an opinion as to the desirability of issuing a Proclamation forbidding all persons trespassing on the Indians' hunting grounds, the latter ruled on the 1st July, 1830, that he was of opinion "that it would not be expedient to issue a Proclamation as suggested" Therefore, when the Algonquins and Nipissings asked on July 3, 1834, that such a proclamation may be issued and "posted at Hull and at the mouth of each river that flows from the Interior into the Ottawa," they were informed that in pursuance of the above mentioned ruling their request could not be acceded to. A report on the Indian Tribes of Lower Canada for the year 1836, from Col. D.C. Napier S.I.A., to the Earl of Gosford, reads in part as follows:

"The Algonquins and Nipissingues, at the Lake of the Two Mountains do not possess any Land from which a Revenue is derived, and have heretofore depended upon their hunting for the principal Part of their Support. Their situation as Hunters is however becoming truly alarming, by the rapid Settlement of their Hunting Grounds (which had been secured to them by His Majesty's Proclamation of 1763) on the banks of the Ottawa, and by the indiscriminate Destruction by the Settlers of the Beaver and other animals, from which the most valuable Furs are obtained."

That same year, the Chiefs and Warriors of the Algonquin and Nipissingue Indians, in the name of their respective Nations, addressed a Memorial to the Earl of Gosford, Governor in Chief of Upper and Lower Canada, an extract of which reads as follows:

"We most humbly beg to expose to your Excellency our Father, that we and our Ancestors have immemorially, or from the remotest Antiquity, held, used, occupied, possessed, and enjoyed as Hunting Grounds the Tract of Land lying on either Side of the River Ottawa and Little Rivers as far as Lake Nipissing, that is to say, comprehending both Banks of the River Ottawa and of the River Matawangué, called by the Voyageurs the Little River, to the Height of Land separating the Waters of the Lake Nipissing from those of the Little River Ottawa and Little Rivers running North and South from their Sources. The Distance from the Township of Grenville to Lake Nipissing by Canoe Navigation is computed at one hundred and seventeen Leagues, one hundred of which comprise the River Ottawa to the Junction of the Little River with the River Natawangué; the actual Settlement at present by the Whites extending from the said Township of Grenville to that of Onslow inclusive on the North Shore of the Ottawa River.

Now, may it please your Excellency our Father, extensive grants have been made, and converted or erected into Townships and Settlements for the Whites, by our Excellency's Predecessors of the Territory so immemorially held, used, occupied and enjoyed

"by us your Red Children as Hunting Grounds, without regard to and notwithstanding the Provision of the Royal Proclamation of 1763, no Purchase or Compensation for the Lands so taken and dismembered from our Hunting Grounds having ever been made of or to us or any of our Tribes, Nations, or Kindred, although in all similar Instances, when Lands claimed by contemporary Tribes in Upper Canada have been required by our Great Father, the same have been uniformly purchased at a stipulated Price, or for some certain Compensation, in obedience to the above Royal Proclamation of our Great Father."

The claim of these Indians to compensation for the loss of their hunting grounds, on the same basis as the land purchases made by the Government from the tribes of Upper Canada, was referred to by the Governor General to a Committee of the Executive Council for report on the 7th October, 1836. The representations made by the Algonquins and Nipissings Indians in their Memorial was enquired into by the Committee in the year 1837, and an extract, marked B, from their report is attached, hereto. It will be seen from the report of the Committee, to some extent, confirmed the right of the Indians to be compensated for the loss of their hunting grounds and expressed the view that the claim should be met by a grant of land, as well as by some assistance to supply the place of their former means of subsistence.

At a Council Meeting of the Algonquins and Nipissings, held at Oka the 4th September, 1841, their Chief Speaker addressed James Hughes, Indian Superintendent, as follows:

"Brother,

One circumstance Brother, that we have represented in our Petition to Governor General the 9th March, 1840, relative to the purchase of a portion of our hunting grounds by the Upper Canada Government and clandestinely sold to them by the Mississaugas, without our knowledge, and into which Our Father the Governor General promised to enquire.

We beg of you Brother, to represent to our Father, that the hunting grounds of the Mississaugas extended on all the waters, taking their sources on the south side of certain heights of land and flowing into the St. Lawrence, and the waters from the same heights of land flowing into the Ottawa pass through the hunting grounds of the Mississaugas and Algonquins. The Mississaugas never openly came and hunted on our waters nor we on theirs, this was according to an Indian treaty between the chiefs of the Mississaugas and us which the Iroquois Tribe are well acquainted. When our Father the Governor General is much acquainted with this he will certainly render us Justice and order that the remuneration annually paid to the Mississaugas be from henceforth retained from them and paid to us the Nipissings and Algonquins, the only Tribes entitled to receive the annuity above mentioned.

Now Brother we tell you that we have no choice to

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make, we must one and all become tillers of the ground otherwise we must starve. We pray that we be given assistance to settle on Isle aux Allumettes "which we had pitched upon to settle"

In the years 1783 and 1784, the Algonquin Hunting Grounds, south of the Ottawa, had been purchased from the Mississaugas by Captain Crawford and the Chiefs and Principal men who complained of this to their Superintendent could not foresee ^{that} in 1923, this same tribe would receive compensation for their Hunting Grounds "to the North West of the River Matawangué and between that River and Lake Nipissingue", confirmed to them by Sir James Kempt in 1829 and and by Sir John Colborne in 1835.

Finding themselves between the alternatives of "tilling the ground" or of "starving" the Algonquin and Nipissing Tribes, then numbering about 600 souls, appealed to Col. Napier for assistance to 140 families to enable them to settle on Allumettes Island. The latter transmitted their request to T.W.C. Murdoch, Secretary of Sir Charles Bagot, on the 14th January, 1842, with the following observations of James Hughes, Superintendent of the Indian Department for the information of the Governor General.

"These Tribes have from time immemorial depended entirely on the Chase to procure a livelihood, they know nothing of agriculture in any shape whatever, with the exception that some few families, from old age, sickness, or other casualties remain at the village of the Lake, these plant a little Indian corn, to support themselves but the great majority of these Tribes only resort to this village during the months of June and July chiefly for the purpose of receiving their presents and performing their religious duties, the rest of the year they wander about in search of beaver, peltries, deer etc. to support their families. The hunting grounds received and enjoyed from time immemorial by the Nipissings and Algonquins, were extensive. They extended from Pointe d'Original at the Head of the Long Sault on both banks of the River Ottawa to Lake Nipissing, a distance of 350 miles. - All the country and tributary streams, pouring from the heights of land north and south into the river Ottawa, formed also part of their hunting grounds.

These hunting grounds were rich, abounded in the most valuable furs and peltries and were stocked with sundry species of deer, from which they procured a livelihood and clothing for themselves and families. These Tribes were some years back the richest and most independent Indians in Lower Canada. They are now the poorest.

It appears that a great part of these hunting grounds have been assumed by the Government and laid out into townships - for which lands the Nipissings and Algonquins have not as yet received a remuneration for a single acre.

These hunting grounds are now entirely ruined. These Tribes can no longer procure a livelihood from the Chase and the Government should locate them on Isle aux Allumettes."

Before arriving at the "heroic decision" of abandoning their ancient hunting grounds and thus changing their mode of life to entirely different pursuits, the Algonquins and Nipissings again memorialized the Governor General on the 9th March, 1840, requesting an indemnification for that extensive tract of land extending as stated "from Pointe of l'Original on the Ottawa to Lake Nipissing". On July 19, 1841, T.W.C. Murdoch, Civil Secretary of the Governor General, wrote to Col. Napier, which letter reads in part as follows:

"I am commended by the Governor General to acknowledge the receipt of your letter of the 10th inst. requesting a decision of His Excellency on the Memorial from the Algonquins and the Nipissing Indians which was forwarded by Mr. Hughes on the 9th March, 1840.

His Excellency had purposely abstained from giving any conclusive answer to the Memorial of 9th March, 1840, because he felt it impossible to hold out to the Indians the expectation that their prayer would be granted. In regard to a money payment for the lands which they formerly possessed it does not appear that the Government is bound either by Treaty or in good faith to make such a payment and, in the absence of a decided obligation of this kind, it would be useless to recommend to the Legislature such a grant."

Thus, the first Governor of the Province of Canada, Baron Sydenham, denied to the Indians of Lower Canada the right to be compensated for the loss of their hunting grounds in the same manner as were their brethren of Upper Canada for every piece of land surrendered by them within that part of the Country.

The setting aside of reserves for these Indians who had been despoiled of their hunting grounds - the only means of earning their livelihood - was considered by the Commissioners, Messrs. Rawson, Davidson and Hepburn, in 1844. After stating the nature of the claim, the Commissioners refer to the Report of the Committee of the Executive Council in the year 1837. They state they are unable to recommend that part of the suggestion that relates to the settlement of the Indians in the rear of the Ottawa Townships. They therefore make the following suggestions: -

"That steps be taken to induce these Tribes to remove either to the Manitoulin Island or to some other settlement of Indians in the Upper Provinces, in which the proposed institution and arrangements for promoting the civilization of their brethren shall hereafter be established, and that in the meantime temporary assistance, not to exceed the amount granted to their brethren in Upper Canada under similar circumstances, viz: £ 2, 10 s. per head annually, be afforded to

them in order to remove the most pressing of their wants.

That considering the value of the lands sold on the banks of the Ottawa, and the revenue derived from the cutting of timber on the ancient hunting grounds of these Tribes, which has led to the destruction of their means of subsistence, this payment becomes an equitable charge upon the revenue of Crown Lands."

On the 23rd February, 1847, a petition was received from the Algonquin and Nipissingue Indians, asking for a grant of land on the West bank of the River Gatineau, and in forwarding the petition Lt. Col. Napier, Superintendent of Indian Affairs, reported as follows:-

"I beg leave to state that I entirely concur in the objections submitted by the Commissioners to the settlement of these Indians in the rear of the Ottawa Townships, and that with the present reduced establishment of the Indian Department it would be impossible to exercise a proper degree of superintendence over them, if so located. I therefore respectfully suggest, that the Petition be referred to the Commissioner of Crown Lands, with a view to ascertain whether a sufficient tract could be set apart for these Tribes in one of the new Townships fronting upon the Ottawa River, and, also, as to the prospect of obtaining pecuniary assistance for them, from the Revenue of Crown Lands, to the extent proposed in the Report of the Commissioners above mentioned.

I deem it proper to add, that the Tribes in question have rejected the offers made to them to remove to the Manitoulin Island, or to any other settlement of Indians in the Upper Province."

In reply to this letter, Col. Napier was informed that the Governor General having considered the petition did not perceive that the proposed removal would benefit the Indians, or that it would lead to their improvement either social or moral. That the Imperial Government had provided a refuge at Manitoulin Island for all the Indians who wished to avail themselves thereof and that if the Algonquins and Nipissingues desired to leave their present reserve at the Lake of Two Mountains assistance would be afforded to them to remove thither; but that the Governor General was not disposed to sanction the formation of new Indian settlements in any part of the Province. In other words these Indians were asked to settle where their brethren of the Upper Province had already refused to remove to.

Here, it should be explained that, early in the 19th century a number of Chippewa and Ottawa Indians came from the United States and settled on Manitoulin Island which they claimed as part of their hunting grounds.

On the 9th of August 1836, Sir Francis Bond Head, obtained a surrender of the Island from the Indians for the purpose of settling thereon all the

wandering tribes of Upper Canada as well as a number of other tribes whose reserves it was the intention of the Government to purchase. This scheme, however, was a failure as the only Indians who availed themselves of the offer made to them by the Government were some of the United States Indians and Indians from the shores of Lakes Huron and Simcoe.

By the Act 14-15 Vic. (1851) tracts of land amounting to 230,000 acres were authorized to be set apart in Lower Canada for the use of Indians in that Province; and by an Order in Council of 9th August, 1853, a distribution was made of the lands so set apart.

In connection with this distribution the claims of the Algonquins and Nipissings were to some extent, considered, as the following grants will show: -

"County of Ottawa, Lake Temiscamingue 38,400 acres. A tract extending along the River Ottawa or Des Quinze six miles in breadth on the divisional boundary line between Upper and Lower Canada at the head of Lake Temiscamingue by ten miles in depth for Nipissings and Outaouais, nomadic Tribes inhabiting the country watered by the Ottawa adjacent to the Hudson Bay Territory."

"Ottawa County, Maniwaki or River Desert, 45,750 acres. A tract on the West banks of the Gatineau, bounded on the North East by the River Desert, and on the North and North West by the Eagle Branch, averaging nine miles in front by eight in depth. For Tribes hunting in the Territory between the St. Maurice and Gatineau, principally at the Mission of Lake of Two Mountains."

"Leinster County, Doncaster, North River 16,000 acres. A quarter Township in rear of Wexford for Iroquois of Caughnawaga and Two Mountains."

On September 24th, 1857, a petition was received from a group of Algonquins asking for a grant of 200 acres to heads of families on the shores of Golden Lake, and in forwarding the petition, T.P. French, Crown Lands Agent, Opeongo Road Agency, reported as follows:

"They state that they are of the Algonquin Tribe and that about 50 years they came to Golden Lake from the Lake of Two Mountains and that they have resided there continuously, from that period to the present."

In 1870, a reserve comprising 1,560 acres situated at the southern end of Golden Lake, in the county of Renfrew, was purchased for these Indians by the Dominion Government from the Government of Ontario.

In April, 1864, Robert Bell, M.P. submitted an application from a large number of the Lake of Two Mountains Indians for a grant of land in the

Township of Lawrence on the Madawaska River, where their hunting grounds were situated, and in his letter transmitting the Petition to the Commissioner of Crown Lands, Quebec, Mr. Bell added:

"To these petitioners, - whose hunting grounds are in Upper Canada, the land grant in the township of Maniwaki is practically valueless. It is too far from their winter quarters and from their summer routes of travel to be even accessible to them, for the expense of reaching the place is not within their reach."

Wm. Spragge, Deputy Superintendent General of Indian Affairs, in a memorandum dated, 24th July, 1866, in which he recommended the purchase of the east half of the Township of Lawrence for "the Algonquins, Nipissings and Iroquois Indians" stated:

"These Indian people consist of Algonkins, Nippissingues and Iroquois; and as shown in the accompanying extract from a Report dated 22nd April, 1839, the Algonquins as set forth by the late Honorable James B. Macauley claimed as their hunting grounds, Territory on the Upper Canada side of the Ottawa River. It is quite certain that they have used it as hunting grounds, and do so still. But their claims have neither been extinguished by surrender to the Crown, nor does it appear that their claims have been positively admitted."

A formal application to the Commissioner of Crown Lands for the confirmation of the S.E. $\frac{1}{4}$ of the Township of Laurence as a reserve for the use of the Algonquin Indians was made by departmental letter of 9th October, 1894, in which it was stated:

"The present Chief Peter Charbot has called at this Department and is desirous of having this land confirmed as a Reserve for his Indians; he states that they have been in occupation of the same for about 45 years."

The Department of Crown Lands Ontario, replied on November 16, 1895, to the effect that owing to the proximity of the proposed Indian reserve to the Algonquin National Park it was "impossible for the Department to sell or grant the Indians any lands in the township of Lawrence."

Thus was brought to an end the century old claim of the Algonquins for a tangible compensation for the loss of their last hunting grounds - the valley of the Madawaska.

Meanwhile, the Mississaugas were busily engaged in petitioning and memorializing the Government for the recognition of their claim to this same tract of land which, they rightfully stated, had not been ceded by them.

It would appear that the claim itself arose in the fertile mind of an Indian named Paul de la Ronde in 1866, when on the 24th September of that

year, he addressed a petition signed by a number of Chippewa Indians of Rama to Wm. Spragge D.S.G.I.A. representing among other things that a certain tract of land within Territory lying north of line "45 and south of Lake Nipissing belonged to "Wakaonah" his uncle and as his lawful heir he prayed that he be paid the value of these hunting grounds.

Accompanying this document was a certificate, dated December 22, 1869, signed by Chief George Paudash and certain other members of the Mississauga Band of Rice Lake (to which tribe Paul de la Ronde claimed to belong) to the effect that no land in Ontario north of line 45 had ever been ceded by the Indians; and claiming all such unceded Territory on behalf of the Mississaugas of Rice, Mud and Scugog Lakes. This certificate was signed in Council at Rice Lake; and it is stated therein that it was so done by the desire and wish of Paul de la Ronde. As the tract of land claimed by this Indian was comprised within the Territory claimed by the Mississaugas he was informed that whatever claim the latter might have, his undivided interest could not be considered apart from theirs.

On the 23rd May, 1870, Hon. Joseph Howe, Superintendent General, drew the attention of the Lt.-Governor of Ontario to this unsurrendered territory and, in view of the interest of the Mississaugas in the matter, Wm. Plummer, Superintendent of Indian Affairs, brought again once more on April 15, 1878, the Indians' case before the Lt.-Governor "so that their claims may be acknowledged"

In March, 1881, the Department was informed that although the Crown Lands Department "readily acknowledged that no Treaty can be found showing the Surrender of these lands, yet they do not admit their responsibility."

The Chippewas and Mississaugas continued their agitation for compensation for their unsurrendered lands and on the 6th May, 1895, their claims were placed before the Board of Arbitrators for the consideration of the Commissioners appointed to settle the matters in dispute between the Provinces. After consideration of the evidence, however, the counsel for the Dominion, Wm. W.D. Hogg, gave it as its opinion that this claim was not one that could properly be brought before the arbitrators; and it was therefore withdrawn.

Messrs. McKenna and Rimmer in their joint report to Hon. Clifford Sifton, Superintendent General of Indian Affairs, dated 20th March, 1899, on matters in dispute between the Dominion and Ontario recommended that the claim on behalf of the Mississaugas of Rice, Mud, Alnwick and Scugog, and the Chippewas of Lakes Huron and Simcoe to compensation for unsurrendered lands should be dropped as they did not consider it to be one which the department could successfully press.

It is interesting to know what Mr. Rimmer had to say on the 27th February, 1903, about this claim and as to what motivated such a conclusion in the report of Mr. McKenna and himself.

"This claim", wrote Mr. Reginald Rimmer, "received the most full and careful investigation by Mr. McKenna and myself for the purpose of our report to the Minister of 20th March, 1899. We had before us all the material in the Department searched for all the evidence available. There is no doubt that officers of the Department were for many years under the impression that these Indians had a good claim. This impression rose from the fact that there was no evidence of a surrender by the Indians of the land now claimed to have been their hunting grounds. The point upon which Mr. McKenna and I considered that the claim should be dismissed was that there was no evidence forthcoming which any tribunal of justice would consider established that the evidence pointed rather to the conclusion that no surrender was taken from them because the land was not their hunting grounds, but that of other Indians.

I refer to Case No. 5, page 27 of our joint report."

It is questionable whether Messrs. McKenna and Rimmer had access to original documents relative to the Indians' Claim preserved in our archives of prior date to 1863, when conducting their "full and careful investigation." But, even admitting this, it is permissible to believe that the Commissioners could not have arrived at a better conclusion, especially with respect to the Madawaska Valley unsurrendered territory, than the one expressed by Mr. Rimmer in his Memorandum, viz: "that no surrender was taken from them (the Mississaugas because the land was not their hunting grounds but that of other Indians."

The correspondence on file 83203 would indicate that the statement made in the report of Messrs Rimmer and McKenna, page 28, is based on a statement contained in a report made by Wm. Spragge in 1866 upon a petition presented in 1863 by the Indians of the Village of the Two Mountains described therein as hunting on the Head Waters of the Madawaska and, ^{for} this reason, the Petitioners asked that they be given a reserve in the Township of Lawrence in the County of Peterboro, near their hunting grounds.

Unfortunately, the Algonquins and Nipissings of Oka, in their petition, did not define their hunting grounds and, probably also through lack of knowledge of the earlier correspondence in the matter, did not mention any of the numerous original official documents extant in our archives in support of their claim to the title of these particular unceded lands, their own hunting grounds.

We have seen that Chief George Paudash, a direct descendant of Charles and T.G. Anderson, Indian Superintendents, had taken in 1863, from Paul de la Ronde, a Caughnawaga Indian, his claim to the above mentioned hunting grounds to make it as one coming from his own tribe, the Mississaugas of Rice and Mud Lakes.

At the beginning of the present century, his son, Mr. Johnson Paudash, also a leader amongst his people, continued to press the claim on behalf of the Mississaugas. His valuable and unique collection of Indian MSS. inherited from his forefathers, was found lacking of relevant original documents supporting such a claim - these criteria of historical truth so essential in the proof of all historical claims.

Deprived of this documentary evidence, the Mississaugas had recourse to their traditional history. From this inexhaustible fund of historical information, containing occasionally many myths and legends, George Blaker, Thos. Marsden, Peter Crowe and Allan Salt have largely taken the following evidence in support of the claims of the Mississaugas.

George Blaker of the Alnwick Band make a declaration on the 15th May, 1903, in the matter of the claim of the Mississaugas to the unceded Territory lying south of Lake Nipissing, which reads in part as follows:

"I can remember well when Elder Case was at work in our band in the Bay of Quinty District, and I often have heard the older members of the band in my boyhood days speak of our rights to the Territory above described and they always claimed that they had never ceded their rights to same to the Government. They stated that they had given two treaties stretching from the Carrying Place of Lake Ontario North, known among the Indians as Gunshot treaties, because it was intended each time to convey or to grant the rights of the land itself for as far as the report of a gun could be heard, and the older Indians always claimed that the Territory North of the ceded Territory to the Ottawa River still remained the hunting ground of the Mississauga Indians made up of the two bands known as the Bay of Quinte or Grape Island Indians and the Kingston Indians.

"That our people in my boyhood days always claimed that they did not cede any territory North of the height of land which separates the rivers and streams, which flow into Lake Ontario and the Bay of Quinte.

That the old people in our band claimed that our land went East to a line running North between Brockville and Prescott to the Ottawa River."

Thos. Marsden and Peter Crowe both members of the Alnwick band declared under oath the same day that, speaking from their own recollection, the declaration of George Blaker was correct. On the 26th January, 1904, Reverend Allen Salt of Parry Island, stated under oath that the statements contained in the declaration of George Blaker were true and correct.

The claim of the Chippewas of Lakes Huron and Simcoe, and of the Mississaugas of Rice, Mud and Scugog Lakes for compensation for unsurrendered lands was submitted to Mr. R.V. Sinclair for report to the Department of Justice with a view to obtain an agreement from the Province of Ontario to assume the monetary obligation which may be incurred in the quieting of the title. In his report dated 23rd November, 1916, Mr. Sinclair stated inter alia:

"With regard to the claim to the rest of the territory embracing about 9759 square miles (the area of the lands north of the 45th parallel and lying south of the Height of Land) it is to be observed that no claim to any defined position of these lands based upon an Indian user has ever been made by any Indians other than the present claimants and that the records of their claim as shown by the file go back to 1870.

Unfortunately the files of the Indian Department prior to 1870 have been sent to the Archives Branch where they have not yet been sorted so that access to them could not be had. Possibly these files would show that the claim was originally made prior to 1870."

Such is at times the irony of fate that, instead of proving that the Mississauga claim was made prior to that date (1870), the old Indian papers would have then indicated as they still abundantly prove to-day, that these lands had been "held, used, occupied, possessed, and enjoyed" by the Nipissings and Algonquins "from time immemorial, or from the remotest Antiquity." Here, it may be stated that there was a very good reason why the Mississaugas did not claim these unsurrendered lands before 1863, when they made theirs the individual claim of Paul de la Ronde to a portion of same and, which was again,

.....

as Mr. Rimmer so aptly stated, "because the land was not their hunting grounds but that of other Indians."

Owing to pressure of work arising from war conditions, consideration of Mr. Sinclair's report was delayed by the Department of Justice. On the 9th February, 1920, Mr. W.S. Edwards, Asst. D.M.J. addressed to the Deputy Superintendent of Indian Affairs a letter which reads in part as follows:

"I have the honor to state that Mr. Newcombe had had under consideration Mr. Sinclair's report and sees no reason at present to dissent from his conclusions. He directs me to say that he thinks it is a question in the first place for your department to consider whether you are prepared to support the claim of the Chippewas and Mississaugas to unsundered rights in the areas in question. There is no evidence of any surrender and therefore if these bands of Indians were accustomed to use this territory for their hunting grounds they would be entitled to stipulate the terms of surrender seeing that there is no claim to this territory made by any other band. The question as to whether the Chippewas and Mississaugas had appropriated the territory admits of some doubt but according to Mr. Sinclair's report there is considerable evidence in their favour with regard at least to certain parts of the territory."

Mr. Sinclair, according to his own admission, did not have access to any files of prior date to 1870, and, therefore, it may be assumed that, as these earlier Indian manuscripts would have proved, beyond a shadow of a doubt, the ownership of the Algonquins and Nipissings to at least a certain part of this unsundered territory, "the question" as stated by Mr. Newcombe in his letter "as to whether the Chippewas and Mississaugas had appropriated this territory" would have found a ready and satisfactory answer from the authentic historical information revealed by these old official documents.

We have seen that the Mississaugas came into possession of their hunting grounds in Upper Canada by right of conquest while their brethren the Nipissings and Algonquins owned the watersheds of the Ottawa and Madawaska rivers by right of occupation which had been guaranteed to them by the 40th Article of the Capitulation and subsequently confirmed by the Proclamation of 1763. It is worthy of note that during the long occupation of the above mentioned territory by the Algonquins and Nipissings there is no record of even one case of trespassing upon their hunting grounds having been committed by the Mississaugas. The total absence of any encroachments upon their lands by their neighbours, the Mississaugas, indicates clearly that, as stated by Sir John Johnson on this 5th November, 1824, in reference

to their claim for the loss of this territory.

"The Hunting Grounds of the various Tribes of Indians inhabiting these Provinces (Lower and Upper Canada) were originally defined among themselves, and the boundaries of each Tract perfectly understood by them. Any encroachment by one Tribe upon the lands allotted for the use of another is viewed by them in precisely the same light, as the invasion of one civilized State by another, and would occasion hostility between them; and have reason to apprehend that should any of the other Tribes encroach upon the Hunting Grounds of these Indians they will avail themselves of that Power which Providence has given them to resist such an attempt."

The above statement of the then Superintendent General of Indian Affairs, already hereinbefore quoted, was particularly true as far as it concerned the Chippewas of Lakes Huron and Simcoe.

At a Council of the Chippewa Indians held at Gwilliamsburg, on the 20th July, 1827. Chief Yellow Head addressed Superintendent Givens as follows:

"Father - When we look around us, all appears dark. Evil Birds appear in the woods. Our Brethren from the Lower Province (Lake of Two Mts) are encroaching upon our hunting grounds, which renders us very unhappy, and we apprehend the Tomahawk which has been buried many years will again be raised and blood may be shed.
Father - We wish you will use your influence to send these people (4 persons) to their own country for if they remain, and continue trespassing on our grounds, we fear the consequences will be serious."

If the Indians of the Oka Mission went as far as Lac la Clie (Lake Simcoe) in their hunting expeditions, their young men also, occasionally, invaded the Mississaugas's lands.

On the 23rd February, 1829, at a Council Meeting held at Oka, a deputation of Mississauga Chiefs requested the Principal Chiefs of the Algonquins and Nipissings to stop the depredations of their young men upon their own hunting territory. Whereupon the Oka Chiefs replied (with a string of Wampum):

"Brethren:

We lose no time in answering your message to us. We fully agree with you that your request is just according to the orders we ourselves have received from our Superintendent respecting the hunting grounds. We therefore send orders to such of our young men as may have trespassed upon your lands to return immediately to their village in default of which they will be punished and deprived of their annual presents by the Government.

We beseech and beg of you brethren to make this known to our Father Givens (Your Superintendent). He will find means to

"further these orders to our young men, with threats of severe punishment, if they do not obey their Chief and the orders of Government.

This Brethren is an answer to your request. We wish to be in everlasting peace and friendship with you and conclude in giving you a hearty shake of the hand."

The Superintendent of the Lower Canada Indians, Col. Napier, and also the Superintendent of the Oka Indians, (James Hughes), were both well aware of the limits and boundaries of the Algonquin hunting grounds, as may be ascertained by the numerous extracts of their correspondence given in this memorandum; and, therefore, their "orders" as to the boundaries of the respective hunting territories were also well known to the Mississaugas for the good reason that same had been "defined between them by the tribes themselves".

The Department, anxious to do the right thing by the Indians, submitted to the Department of Justice on the 4th July, 1921, the whole question of the claim of the Chippewas and Mississaugas for unceded hunting grounds for the purpose of ascertaining whether the Province of Ontario would be disposed to join the Dominion Government in ascertaining the extent and validity of the claim and in making provision for its settlement if such claim existed. The Department of Justice instructed Mr. O.M. Biggar, K.C. to prepare an agreement to be entered into with the Provincial Government in connection with the investigation to be held in respect of the claim, which agreement was approved by the Lieutenant - Governor in Council the 22nd of May, 1923, and by Dominion Order in Council dated 23rd June of that year. By a subsequent Order in Council of the 31st August, 1923, Messrs. A.S. Williams, R.V. Sinclair, K.C. and Uriah McFadden, K.C. were appointed as commissioners to enquire into the validity of the claim of the Chippewa and Mississauga Indians, the only Indian tribes that had filed a claim to any of these unsurrendered territories in Ontario.

The Treaty Commissioners reported on December 3rd, 1923, recommending the payment of the sum of half a million dollars as compensation for Indian title to certain parts of Ontario claimed by the Chippewa and Mississauga Indians. Thus was brought to an end the Indians' claims to that

part of the Province comprising the Algonquin National Park and all that territory within the Madawaska Valley. It may be readily understood from the foregoing pages that if there were any "Forgotten Indians" in the past, they were certainly those of Quebec. Their extreme poverty was due to the fact that, unlike their brothers of Upper Canada, they were never in receipt of annuity or interest moneys as compensation for the loss of their hunting grounds. In the early days the set policy of the Indian administration was to expend Band Funds, and very little expenditures were charged to appropriation, the consequence of which was that these Indians were left to shift by themselves.

It did seem to the undersigned that it would be something of an atonement, particularly to the lineal descendants of the original owners of the Ottawa and Madawaska Valleys, to bring out from their distant past old written records - silent messages from the mists of ancestral time - bearing witness to the historical fact that they are no strangers in a strange land.

December 27th, 1951.

A. E. St. Louis,
Archivist.

MEMORANDUM:

ANCIENT HUNTING GROUNDS OF THE
ALGONQUIN AND NIPISSING INDIANS

COMPRISING THE WATERSHEDS OF THE OTTAWA AND MADAWASKA RIVERS

Ottawa (from adawe, 'to trade; to buy and sell') was a term common to the Cree, Algonquin, Nipissing, Montagnais, Ottawa and Chippewa tribes. In the Jesuit Relation for 1667, Father Allouez states that the Ottawa (Outaouacs) claimed that the great river (Ottawa) belonged to them and that no other nation might navigate it without their consent. It was, for this reason, he continues, that, although very different in nationality, all those who went to the French to trade, bore the name Ottawa, under whose auspices the journey was undertaken.

The Ottawas, whose ancestral home was on Manitoulin Island and along the north and south shores of Georgian Bay, were the first Lake Indians to meet the French and so according to custom "the French trade belonged to them." Champlain describes meeting them on the French River in 1615.

The fur-trading explorers, Radisson and Grosseilliers, brought down the Ottawa in their trading expeditions all the powerful Western tribes such as the Sioux, the Assiniboines and the Crees. Brebeuf, in his Relation, tells us of an Algonquin stronghold on Allumette Island, the Nations of the Isle, and of their wars with the Iroquois especially between 1658 and 1661, when they swarmed the Ottawa Valley and commanded all the strategic portages.

In the Relation of 1640, Father Vimont enumerates some of the nations adjacent to the banks of "La Riviere des Algonquins" or "Riviere des Prairies as was then called the Ottawa:

"When we reach the first rapid found in the great river St. Lawrence, which we call the Sault Saint Louis" wrote the Jesuit Missionary, "we come to another stream called the River des Prairies. Going up this river, then, we find the Ouacuechkairini, which we call the 'petite nation' of the Algonquins. Going still farther up the river we find the Kichesipirini, the Savages of the Island, who have adjacent to them, in the territory to the North, the Kotakouemi. To the South of the Island are the Kinouchepirini, the Mataouchkarini and the

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