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Report on the Algonquins of Golden Lake Claim

Summary volumes 1 – 4

Claims and Historical Research Centre: D.125

EQ A349 R47 1993

SUMM/v.1-4

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D.125)

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 1

PART A - EXECUTIVE SUMMARY

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FOREWORD

Research into the claim of the Golden Lake First Nation to the Ontario side of the Ottawa Valley has produced several inter-related reports and many volumes of primary and secondary documents. The material is organized as follows:

- Vol. 1 Part A. Executive Summary. A brief summary of the findings of all phases of the research.
Part B. Information Maps and Illustrations with Explanatory List.
A collection of 24 maps that show place names, geo-political boundaries, aboriginal communities, and non-aboriginal settlement patterns. The maps are provided to help the reader understand the written material.
- Vol. 2 Aboriginal Use and Occupation of the Ottawa River Watershed during the historic period. This report is a chronological presentation of historic documents that describe aboriginal use of the Ottawa valley from early contact with Europeans to the mid-twentieth century. The tribal affiliation of aboriginal inhabitants, the location, and extent of their use of the area is highlighted whenever possible. Some secondary sources are included to provide context to primary documents.
- Vol. 3 Purchases and Treaties in the Ottawa River Watershed: 1783, 1784, 1819, and 1923. This report examines the Crawford Purchase of 1783, the St. Regis and Oswegatchie Purchases of 1784, the 1819/1822 Rideau Purchase, and the 1923 Williams Treaties. Each chapter outlines the historic documents that indicate the location of the purchased/ceded lands, the identity of the signatories and participants, and the intent of the transactions.
- Vol. 4 Part A. The Establishment of Reserves in the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming. This section outlines information on the manner in which each of these reserves was established, for whom they were set aside, and the purpose of each reserve.
Part B. Contemporary Aboriginal Communities in the vicinity of the Ottawa River Watershed. Primary documents and secondary sources are used to describe the contemporary location of Indian reserves and settlements within the Ottawa valley and surrounding area.
- Vol. 5 Part A. Chronology: Settlement of the Ottawa River Watershed. This list illustrates the spread of non-aboriginal settlement throughout the Ottawa valley. Lists showing the date of survey of townships within the watershed are appended to the chronology.
Part B. Chronology: Crown Assertions of Extinguishment of Aboriginal Title or Aboriginal Rights. This chronology isolates all the historic documents in which Crown authorities made statements claiming to have extinguished aboriginal title to all or part of the Ottawa River watershed.
Part C. Chronology: Compensation for Extinguishment of Aboriginal Title. This chronology lists all the historic documents which indicate compensation was paid for extinguishment of aboriginal title to particular aboriginal people for lands within or bordering on the Ottawa River watershed.
Part D. Chronology: Exercise of Crown Legislative, Administrative, and Regulatory Authority in the Ottawa River Watershed. This chronology gives brief summaries of correspondence, statutes, and reports indicating exercise of jurisdiction by the Crown.
- Vol. 6 Chronology: Demands for Recognition of Aboriginal Title to the Ottawa River Watershed. This chronology isolates the historic documents in which aboriginal peoples claim unextinguished rights to the Ottawa River watershed.
- Vol. 7 Index to Primary Documents: Documents Nos. 1 to 1261. This index is organized in chronological order and includes brief information on the content of each document. The numbers assigned to each document are used as references in the reports and chronological listings.

Vol. 8

Part A. Index to Secondary Sources: Documents Nos. SS-1 to SS-70.

This index lists the secondary sources cited in the reports. Each document is numbered and listed in alphabetical order by the author's last name. All secondary source document numbers are prefixed by "SS".

Part B. Index to Maps and Plans. This is an index to maps and plans collected during the course of the research. Many of the more informative maps are reproduced in Vol. 1, Part B - Information Maps and Illustrations with Explanatory List.

Part C. Bibliography of Sources Consulted. This is a listing of primary and secondary sources and document collections consulted in the course of the research. In general, primary sources are organized by repository, while secondary sources are listed alphabetically by author's last name.

Vols. D1 to D40 Primary Documents. The documents are organized by number and correspond to the primary document index which is contained in Vol. 7.

Vols. S1 to S8 Secondary Source Documents. The documents are organized by number and correspond to the secondary source index which is contained in Vol. 8, Part A.

Maps and Plans Maps and Plans Collection. The maps are organized by number and correspond to Vol. 8, Part B - Index to Maps and Plans. A number of these maps have been reproduced in Vol. 1, Part B - Information Maps and Illustrations with Explanatory List and are more easily consulted in that volume.

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 1

PART A - EXECUTIVE SUMMARY

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October 30, 1993

ALGONQUINS OF GOLDEN LAKE CLAIM EXECUTIVE SUMMARY

Subject Area

The Ottawa River watershed, as traditionally claimed by the Algonquins at Golden Lake, was historically described as encompassing all of the land drained by the Ottawa River and the tributaries which flow into it, from Long Sault Rapids or Point d'Original on the Ottawa River (located below and above present day Hawkesbury) up as far as Lake Nipissing. This demarcation of the area does not include the Sulpician mission at Lake of Two Mountains (Oka). It is unclear whether or not Lake Timiskaming was considered to be part of the lands traditionally claimed by the Algonquins and Nipissings.

An examination of the hydrology of Ontario and Quebec indicates that the Ottawa River watershed includes the following tributaries on the Ontario side starting in the east: South Nation River, Rideau River, Mississippi River, Madawaska River, Bonnechere River, Indian River, Barron River, Petawawa River, Mattawa River and all of the small rivers, creeks, and lakes flowing into them.

On the Quebec side of the Ottawa, the following major rivers are within the watershed, again starting in the east: Rivière Rouge, Rivière de la Petite Nation, Rivière Blanche, Rivière Lièvre, Rivière Gatineau, Rivière Coulonge, Rivière Noire, Lac Témiscamingue, Rivière des Outaouais, and the many small rivers, creeks, and lakes which flow into them. The map produced by the Ottawa River Planning and Regulation Board is the best source for identifying bodies of water within the Ottawa River system. [Map No. 32.]

Precontact

- archaeological evidence identifies occupation of the Ottawa Valley since the end of the last glacial period. In other words, the valley has been occupied for at least the last 10,000 years.
- since about 500 A.D. (about 1,500 years ago) the valley was occupied by a cultural complex identified by archaeologists as Algonquian. This generalized Algonquian cultural group stretched from Quebec to northern Saskatchewan; their material culture, and likely their socio-political culture, was distinct from the Iroquoian, Athabaskan, Plains, and Micmac/Maliseet cultures that surrounded them. Peoples identified in the historic period as Chippewa, Mississauga, Cree, Ojibway, Algonquin, and Montagnais are typically thought to have descended from the generalized Algonquian culture.
- these people lived by hunting, fishing, and gathering. Their socio-economic organization was characterized by seasonal migration within a defined geographic area. They were organized into small family based groups that exploited resources co-operatively. Typically, interrelated groups congregated annually, usually in summer, at resource-rich locations for social, religious, political, and economic activities.

Initial Contact

- the reader should be aware that the early historical records from which we gather our information about the aboriginal population were written by missionaries, explorers, and traders. While these records contain a wealth of useful information, they also reflect the ethnocentric bias, perception, and self-interest of Europeans and are not necessarily accurate depictions of the self-identity or actual relations between aboriginal groups.
- earliest contact within the subject area was made by Champlain in 1613. The Algonquins encountered along the river were already engaged as middlemen in the fur trade. The Ottawa River was an important trade route giving access to the upper Great Lakes and interior via Lake Nipissing and Georgian Bay. In addition, the Ottawa led to an interior eastern waterway via Lake Timiskaming and the Rivière des Outaouais to the St. Maurice and Saguenay. Both eastern and western routes were important for avoiding the Iroquois and their allies along the St. Lawrence and lower great lakes.
- several different groups identified collectively as speaking the Algonquin language and/or being Algonquins were named as occupying the subject area. They were the Kitchisipirini (Allumette/Morrison's Island), Weskarini (Petite Nation, Lièvre, Rouge), Kinouchepirini (or Keinouche on the Ottawa below Allumette), Matouweskarini (Madawaska River), Ottagoutowuemin (Ottawa above Allumette), and Onontchataronon (or Iroquet on South Nation). Nipissings were located on the north shore of Lake Nipissing; some authors have indicated that they also occupied lands south of the lake.

- the Algonquins and Nipissings were allied with the Hurons and the French for carrying out fur trade and military operations to protect trade interests. Hurons used the Ottawa River for transporting trade goods. The Algonquins exacted tolls from all that used the waterway.

Iroquoian or Beaver Wars

- hostilities between Algonquins and Iroquoian peoples were recorded since at least 1570. They were rivals in the lucrative fur trade, the Algonquins being allied with the French, while the Iroquois were allied generally with the British. The St. Lawrence trade route had been effectively closed by the Iroquois until it was re-opened in 1609-1610 with French assistance. Access to this route fluctuated with the state of warfare.
- the period from about 1640 to the end of the 17th century was a period of extensive warfare between Iroquois and Hurons, Algonquins and their allies. It was also a period of widespread epidemics during which large numbers of people died.
- the Ottawa River watershed was raided repeatedly and extensively by Iroquois, and Huronia was destroyed (1648-1650). During this period Algonquins, Nipissings and Hurons fled from the Iroquois and found refuge in various locations including French settlements at Trois Rivières, Quebec City, Sillery, and Montreal; others went to the Lake St. John region to the east. Some Nipissings reportedly travelled west to Lake Nipigon. There is some evidence that Algonquins did not completely abandon the Ottawa valley, but withdrew from the Ottawa River to the headwaters of its tributaries and remained in those interior locations until the end of the century. The period of dispersal is generally cited as 1650 to 1675. Ottawas used the Ottawa River for trade purposes from about 1654. During the last quarter of the 17th century, Algonquins were reported at numerous locations within the French sphere of influence.
- by the end of the 17th century, the Iroquois had been driven from southern Ontario by Ojibway speakers usually referred to as Mississaugas or Chippewas. Iroquois continued to occupy the eastern extremity of Ontario on a seasonal basis; the rest of the Ottawa River watershed on the Ontario side was occupied by unspecified Algonquians.

The 18th Century, the French period

- Algonquins and Nipissings were among those present when the French made peace with the Iroquois in 1701 in Montreal. The Algonquins and Nipissings, along with the other aboriginal nations, were considered independent allies by the French; they did not consider themselves subjects of the French King.
- in the period of 1712-1716 Algonquins were known to be living along the Gatineau River. Iroquoian occupation was limited to the area south of the St. Lawrence. Mississauga and Chippewa settlement was outside the Ottawa River watershed in southern and central Ontario.

- a 1740 map of Native people in Canada shows Nipissings north of Lake Nipissing, Algonquins on Rivière Lièvre, and Algonquins, Nipissings, and Mohawks at Lake of Two Mountains. There are no other aboriginal groups identified in the Ottawa River watershed. The closest Ojibway occupations in southern Ontario were at the Bay of Quinte and Georgian Bay. Algonquins were also shown outside the watershed at Trois-Rivières and there were Nipissings at Lake Nipigon.
- a 1752 report stated that Algonquins and Nipissings at Lake of Two Mountains came for a short time every year for trade purposes and left in the late summer for their hunting grounds far up the Ottawa River.
- evidence of non-Algonquin use of the watershed in this period was limited to suggestions that Algonquins and Nipissings congregating at Lake of Two Mountains allowed Iroquois from the mission to use their hunting grounds.
- prior to the conquest the area north of the Ottawa River was considered to be under French domination; while that south of the Ottawa was disputed territory. European settlement was limited to the shores of the St. Lawrence. Aside from a few fur trade posts, there was no European settlement up the Ottawa River or in the interior. As efforts to control the liquor trade in subsequent years indicated, the European powers had little effective control beyond the settlements.

Conquest and Royal Proclamation (1759-1763)

- the French were conquered by the British in 1759. Articles of Capitulation signed by the British guaranteed that the Indian allies of the French would be maintained in the lands they inhabited, be free from molestation, and have freedom of religion.
- one of the first traders to travel up the Ottawa River after the British conquest (1761) noted that the Algonquins at Lake of Two Mountains claimed all the land on the Ottawa as far as Lake Nipissing.
- in 1763 Sir William Johnson described the Algonquins and Nipissings (Arundacs) as being allied with the Six Nations and living at Lake of Two Mountains. He listed the Ottawas and Chippewas as residing in the territory from the Great Lakes to the Ottawa River. He also listed the Algonquins and Nipissings as being allied with both the Six Nations Confederacy and the Western Confederacy which included Chippewas, Ottawas, Hurons, etc. Johnson noted that he had very little contact with some of the aboriginal people. His previous experience was with Mohawks and other Iroquois allied with the British.
- the Royal Proclamation of 1763 specified that Indians should not be molested on their hunting grounds and that they could only sell their lands to the Crown after conferring in a public council specifically called for that purpose. Until their lands were ceded they could not be sold and patented. The terms of the Royal Proclamation form the basis of treaty and surrender policy and regulations in force to this day. The

Algonquins had a copy of the Royal Proclamation that was endorsed by Sir John Johnson, who held the highest office in the Indian Department from 1782-1828.

Pre-confederation British Period

- in 1764 Carillon on the Ottawa, the eastern edge of the lands claimed by the Algonquins and Nipissings, was established as the post beyond which traders could not pass without a special license to trade in Indian country. Despite requests by the Algonquins, efforts on the part of the British to control the liquor trade past this post were ineffective.
- the earliest detailed petitions from the Algonquins and Nipissings date from 1772. They clearly and consistently described the Algonquin and Nipissing territory as encompassing both sides of the Ottawa River from Long Sault (above Carillon) to Lake Nipissing. They were actively using the area for hunting and trapping. These petitions were repeated in 1791, the year that Upper and Lower Canada were separated.
- the Quebec Act of 1774 extended the Boundaries of Quebec, which included the area under claim, and made provisions for the protection of all rights, titles, and possessions previous to the passing of the Act.
- the British were still administering their colony as Quebec in 1783 when the Crawford purchase and 1784 St. Regis and Oswegatchie purchases were made with Mississaugas (likely), Onondagas, and Mohawks. The Crawford purchase overlapped with the eastern extremity of the Algonquin claim area. The location of the Oswegatchie and St. Regis purchases is difficult to ascertain; there is no clear evidence that the purchases in fact encompassed any significant area within the Ottawa River watershed.
- all three purchases were taken in order that the British could settle Loyalists fleeing the United States, discharged soldiers, new settlers, and a group of Mohawks under Brant on the Indian lands. The Crown was keenly aware of the requirement to take a cession before opening up the lands for settlement.
- although all three of these purchases were problematic in their execution and recording, they indicated that the crown believed the Indians treated with had a legitimate interest in the area. Around 1794 and 1795 there were protests from French mission Indians (likely including Mohawks from St. Regis and possibly Iroquois, Algonquins, and Nipissings from Lake of Two Mountains) because of settlers taking lands along the north shore of the St. Lawrence above Longueuil Seigneurie. The settlements complained of would have included lands supposedly sold in 1783 and 1784.
- the Constitution Act of 1791 divided Quebec into the Provinces of Upper and Lower Canada. The Ottawa River was the division line, thus the lands claimed by the Algonquins and Nipissings fell under two separate administrations. The mission at Lake of Two Mountains was located in Lower Canada. The Indian Department officials acting on behalf of the Algonquins and Nipissings were stationed in Lower

Canada. Thus, for the period 1791 to 1840, these people had no representative in Upper Canada.

- Nipissings and Algonquins issued leases and collected rents from islands in the Ottawa from 1802. Indian Department officials assisted them in collecting rents, enumerating squatters, valuing improvements, and regularizing leases. Ownership of the islands became the subject of petitions from about 1820. In 1839, the Crown declared that they had no right to lease the islands or collect rents. While the Crown considered the islands to be Crown land, the question of ownership of the islands continued into the twentieth century as some lessees continued to believe that the Department of Indian Affairs held the islands in trust for "Indians".
- by 1798 the Algonquins and Nipissings were complaining about lands along the Ottawa River being taken over by squatters without their consent or payment of compensation. These encroachments were interfering with their ability to support themselves. Complaints about squatters persisted throughout the pre-confederation period. In general, Crown authorities were unable or unwilling to prevent encroachments by settlers, lumbermen, white trappers, and traders.
- the Rideau Purchase of 1819/1822 took land from the Mississaugas up to the Ottawa River, indicating the Crown in Upper Canada recognized the Mississaugas as having a legitimate claim. Again the lands were taken in order to facilitate settlement. Algonquins and Nipissings protested the Rideau Purchase in 1836 as soon as they learned it included lands north of the height of land. Although repeated petitions were met with promises to investigate the purchase and consider payment of annuities to the Algonquins and Nipissings for this land, no action was taken. The Mississaugas of Alnwick, who were the descendants of the Rideau purchase signatories, continued to receive annuities until around the time of confederation. At that time, the annuities were capitalized and deposited in their trust account as assets of the band.
- during the period of about 1822 to 1830 there were numerous petitions and councils regarding the use of hunting grounds by various nations. Iroquois were reportedly encroaching on Algonquin/Nipissing territory, as were Abenakis. These disputes were occurring throughout the British colony. Similar complaints were heard further east in the St. Maurice and Saguenay watershed. The Algonquins continued to assert their ownership of the Ottawa Valley. Têtes de Boule were reported to hunt and use trading posts within the Ottawa Valley on the Quebec side in this period. There are no known petitions citing them as trespassers. Mississaugas of Rice and Mud Lakes and the Crow River complained that Indians from Caughnawaga and Lake of Two Mountains were using their hunting grounds, however, they did not identify the area that they claimed was being encroached upon.
- at a council of Abenakis, Algonquins, and Iroquois, the Abenakis denied that Algonquins had any exclusive right to hunt on the north side of the St. Lawrence. The Crown ruled in 1822 that it could not appoint exclusive hunting territories for the various tribes, but favoured keeping the existing hunting grounds open to the Huron, Iroquois, Nipissing, and Algonquin. The conflict between aboriginal groups over hunting grounds was symptomatic of the pressures exerted on these groups by

encroaching settlement, competition for resources, and disruption of aboriginal systems of policing boundaries. Several writers attested to the earlier systems under which tribal boundaries were strictly observed.

- The contact between Algonquins and Nipissings and European officials (church and state) was primarily through the mission at Lake of Two Mountains in Lower Canada. This location caused problems regarding their land claims in Upper Canada. It may also account for the seemingly inconsistent behaviour of the Crown, which was receiving a steady stream of petitions from Algonquins and Nipissings claiming lands which the Crown was obtaining from Mississaugas. Note, however, that the Algonquins and Nipissings did petition Upper Canada's highest authority, Sir J. Colborne, in 1835.
- Algonquins and Nipissings petitioning from Lake of Two Mountains acted together in economic and political matters. They wrote joint petitions, described their territory as a single undivided territory, and acted jointly to lease islands in the Ottawa. Dr. Black's detailed study of social relations at Lake of Two Mountains indicated that there was considerable intermarriage between the two groups and that individuals and families were often recorded as being Algonquin in one instance and Nipissing in another.
- Algonquin and Nipissing residency at Lake of Two Mountains was typically described as two months of the year (July and August), while most of the year was spent on their hunting grounds. Only the very old and infirm stayed at the mission throughout the year. They came to the mission for various reasons including trading winter furs, collecting annual presents distributed by the British Crown, receiving religious instruction and education, and dealing with crown officials. Most correspondence, petitions, and councils involving representative chiefs took place during summer months.
- it is clear from petitions and government correspondence that unlike most groups in Upper Canada and many Lower Canada tribes, the Algonquins and Nipissings had no secured lands or revenues (with the exception of island rentals for a short period) and were dependent on traditional pursuits of hunting, trapping, fishing, and gathering. They received annual presents until the mid-nineteenth century when the practice was ceased by the Crown. Part of the reason they had no secure lands or annuities was that the Algonquins and Nipissings had not entered into any treaties or taken part in any surrenders. This was acknowledged by the Crown.
- Indian Department officials familiar with the Algonquins and Nipissings at Lake of Two Mountains generally supported their claims to territory as described in their petitions. The officers most familiar with them were Resident Superintendent James Hughes, the interpreter Captain Ducharme, and Superintendent General of Indian Affairs Sir John Johnson.
- claims to specific parcels of the hunting grounds claimed by the Algonquins and Nipissings began in the 1830s. For example, Mackwa was located on the Bonnechere River, while Constant Pennecy was located on the Rideau.

- pre-confederation evidence of Mississauga use of the watershed include the following: the Crawford purchase in 1783, Rideau purchase in 1819/1822, and reports by Superintendent Anderson in 1837 that described the Mississaugas in Newcastle district as hunting up to the Ottawa River. More Mississauga claims were presented around the time of confederation.
- around 1836 officials begin indicating a willingness to assist the Algonquins and Nipissings in settling on unoccupied lands on the Ottawa River in the vicinity of Grand Calumet Portage and Isle aux Allumettes. Then, in June 1837, the Executive Council passed an order recommending that a tract of land be set aside for them in the rear of the surveyed townships along the Ottawa and that they be supported in their efforts to establish themselves. There was some indication that the lands intended for settlement were already occupied by squatters. No action was taken.
- Upper and Lower Canada were reunited by the Act of Union in 1840.
- beginning in the 1840s there was a proliferation of petitions and reports that indicated Algonquins and Nipissings were either moving away from Lake of Two Mountains or failing to visit the post on a yearly basis. Several factors were cited as accounting for the changes. The annual distribution of presents by the British was gradually withdrawn, at first children were cut off and then the presents ceased altogether. There was growing conflict between the seminarians and the Indian converts over the use of lands and resources at the mission. Increasingly, missionaries were establishing themselves in the interior, encouraging the people to focus activities at the new missions. At the same time, some groups came to Lake of Two Mountains for the first time in hope of receiving much needed material assistance from the seminarians or government officials.
- detailed information on Algonquin occupation of the watershed north of the Ottawa (Quebec side) begins in the late 1840s, when missionaries moved into the area. Previous to that time the information is scant. Missionary records indicate there were numerous summer gathering places and family hunting areas in the large interior area of the watershed.
- requests for land for Algonquins in Bedford, Oso, and South Sherbrooke began in 1842. Numerous affidavits and declarations indicated that these people had used the land since at least 1817. A license of occupation was granted to the Bedford Algonquins in 1844 and was known to be in place throughout the remainder of that decade. During that period, Superintendent Anderson indicated that there were Mississaugas of Alnwick living with the Bedford Algonquins at this location. It is unknown when their relationship began or how long it endured. One family of Algonquins from that area was known to have moved to Dalhousie Township in the early 1850s. The location at Bedford was surrounded by timber activity and the Algonquins were constantly bothered by encroaching lumbermen.
- the Algonquins residing near Maniwaki (River Desert and Gatineau Rivers) had their reserve set aside under the 1851 statute, as did the people at Lake Timiskaming. The reserve at River Desert was set aside for the Algonquins, Nipissings, and Têtes de

Boule hunting on the territory between the St. Maurice and Gatineau, who were described as principally residing at Lake of Two Mountains. Algonquins had been petitioning for lands they were using in this area for several years before the reserve was established.

- There were clearly other Algonquins in the area who were not living at the reserves or connected to the reserves. There were also frequent references to Têtes de Boule (Cree). Other settlements/areas included Grand Lac Victoria, Lac Barrière, Lac à la Truite, and Rivière Lièvre.
- in an 1858 report, Superintendent General of Indian Affairs Pennefather stated that the reserve at Maniwaki was given in compensation for the loss of their hunting grounds. It should be noted here that there was no cession of title or discussion with the Algonquins related to giving up any rights in exchange for the reserve.
- when the survey of the Ontario side of the watershed began there were scattered references to "Indians" throughout the watershed. The survey of the lands prompted people living around present day Golden Lake (Algona and Sebastopol Townships) and people on the Madawaska (Lawrence, Nightingale and Sabine Townships) to petition for the lands they used. Correspondence around these petitions indicate that the families were using the land since at least the early 1800s. A letter from the Crown Lands agent stated that their occupation was known to extend from at least 1778.
- in 1860 a petition from the Chippewas of Saugeen and the Chippewas of Lakes Simcoe and Huron stated that they supported the claim of their "brethren at Lake of Two Mountains" to a tract on the Ottawa which they had not ceded.

Confederation and the Late Nineteenth Century

- Mississaugas and Chippewas began petitioning for uncaded land north of the 45th parallel in 1869. The crown studied their claim and noted that there was a large uncaded tract north of that latitude. The lands that they described as being uncaded included most of the tract claimed by the Algonquins and Nipissings. The discussion of the Chippewa and Mississauga claim in conjunction with the existence of a large uncaded tract in Ontario became an on-going source of discussion between the province and the federal government.
- The Golden Lake reserve was purchased in 1873 for the use of local Algonquins. Families settled in the area of the reserve had been petitioning for more secure title to their lands since surveyors began moving through the area in the 1850s. The surrounding lands were being disposed of by free grant to white settlers; however, Indians were debarred by law from obtaining free grants. Just prior to confederation, the Crown agreed to sell the lands to the Algonquin families to be set aside as a reserve. No action was taken on the purchase until 1873 when the land was purchased from Ontario and vested in the Department of Indian Affairs in trust for the Algonquin Indians resident at or near Golden Lake.

- a license of occupation was allowed to people in Lawrence Township in 1866 (the year prior to confederation). Earlier correspondence had indicated use and occupation of this area near the headwaters of the York branch of the Madawaska. The license lapsed and continuous efforts by the Algonquin families to get secure tenure to another location in Lawrence, Nightingale, or Sabine Townships were finally abandoned when Ontario refused to allow lands to be set aside in 1897. Ontario's reluctance to permit an Algonquin settlement in the area was due to its proximity to Algonquin Park.
- Algonquin Park had been established in 1893. No consideration of the Indian interest in or use of the park had taken place before it was established and traditional activities within its boundaries were outlawed.

The Twentieth Century

- in 1898 the province prepared a brief which dismissed outstanding aboriginal claims against Ontario. This brief advanced the opinion that the reserve at Maniwaki "was meant to be in settlement and extinguishment of the claims of the Algonquins in respect of the lands of the Ottawa Valley." The authors of the brief supported this contention by referring to Pennefather's statements in 1858 (cited above) and added the concept of extinguishment of title to the notion of compensation. Again it should be noted that none of the prerequisites for extinguishment of title in fact took place. In addition, it should be noted that the reserve at Maniwaki was set aside specifically for those hunting between the St. Maurice and Gatineau Rivers, which clearly left the Algonquins on the Ontario side without a reserve.
- in general, off-reserve Algonquins and Nipissings were told to move to the three established reserves whenever they petitioned the government for assistance or land. A reserve had been established at Gibson, on Georgian Bay, to re-settle Indians from Lake of Two Mountains. Some Algonquins and Mohawks had moved there. Off-reserve Algonquins were also encouraged to remove to Gibson from time to time. In 1903 many of the Gibson people returned to re-settle at Oka, St. Regis, and Caughnawaga; some may also have gone to Maniwaki. Of the 454 returning people, 185 (40%) were identified as Algonquins.
- the claims of the Mississaugas and Chippewas were reiterated early in the twentieth century. In general, it was the Mississaugas of Alnwick who claimed lands to the Ottawa River; Chippewas and other Mississauga bands generally only claimed to the height of land. An 1898 provincial brief concluded that the Algonquins' claim to the Ottawa Valley was superior to the claim of the Mississauga and Chippewas. The authors argued, however, that Ontario had no liability as title had been extinguished by setting aside of reserves in Quebec. The provincial and federal crowns considered these claims at several points, finally taking the Williams Treaties in 1923. The failure to consider the claims of the Algonquins is difficult to comprehend. Some evidence indicates that the 1916 Sinclair report and the investigations carried out by the commissioners in 1923 were based on incomplete evidence. On the other hand, some of the declarations from the early 1900s and some of the 1923 witnesses did indicate that their land extended only to the height of land separating the Ottawa River from Georgian Bay and Lake Ontario and that Algonquins claimed the other side. For a

more complete discussion of this complex issue, refer to Vol. 3 - Purchases and Treaties in the Ottawa River Watershed: 1783, 1784, 1819, and 1923.

- information collected on aboriginal use and occupancy of the Ottawa River watershed during the twentieth century shows some changes in patterns of use. St. Regis Mohawks are known to have trapped and hunted in the area between their reserve near Cornwall and Smiths Falls or Rideau Ferry on the Rideau River between 1924 and 1948. Most of the correspondence refers to trapping near Rideau Ferry.
- there is a great deal of correspondence regarding hunting and trapping by Golden Lake Algonquins and Algonquins living at other locations around the valley. This material is spread throughout the period and usually relates to hunting and trapping infractions and discussion of securing rights to hunt and trap. Most of the incidents occurred between the Mattawa and Rideau River. No occurrences or discussions of use in the eastern area of the watershed were located.
- the history of game infractions and protests is instructive in following the trends in enforcing hunting, fishing and trapping legislation. There were periods of leniency, in which regulations were not strictly enforced. The rationale for leniency was generally based on social welfare needs rather than on issues of aboriginal right. In fact, the concept of aboriginal right was not discussed. There was some discussion of treaty rights and a recognition that the Golden Lake Band was not under treaty. The federal crown was insistent that the Williams Treaties, although covering their traditional area, did not affect the Golden Lake Algonquins. They stated that it was only intended to impact on the rights of the Mississauga and Chippewa Bands, who actually signed the treaty.
- it is clear from the documentation that Golden Lake Algonquins were trapping and hunting in the Province of Quebec, particularly within the Grand Lac Victoria game reserve. Most of the correspondence regarding this practice dates from 1927 to 1938. The agent at Golden Lake issued letters of identification to band members stating that they were Algonquin Indians of Ontario. Pressures of settlement and provincial game regulation were often cited as impeding the ability of the Golden Lake people to support themselves.
- in the 1940s the Ottawa River system came under the joint regulation of Ontario and Quebec. A regulatory board now controls the flow of water through the system including the many dams and reservoirs on the upper Ottawa. Flooding has been a modern concern of the Quebec Algonquins who claim damages to lands and resources due to dams, storage reservoirs, and water diversion projects.
- the registered trapline system was established in the 1940s in Ontario. The Indian Affairs fur supervisor protested the distribution of traplines which, in his opinion, discriminated against the Golden Lake trappers. Due to his intervention some traplines were assigned to Algonquins.
- on the Quebec side of the Ottawa there were numerous reports, studies, and a great deal of correspondence regarding hunting and trapping areas and the dependence of the

many off-reserve Algonquin communities on a traditional hunting and trapping economy. There is detailed discussion regarding the impact of settlement and resource development on the native economy. The changes in the size and purpose of the Grand Lac Victoria game reserve had a particular impact on the location of Algonquin settlements and the area of land they could use.

- additional Algonquin reserves and settlements were established in Quebec from the middle of the twentieth century. Lac Rapide was set aside for the Lac Barrière people and Lac Simon for the Lac Simon Band in 1941. Land at Winneway has been held for the Long Point Band under a leasing agreement since 1960. A reserve was set aside for the Kipawa Band in 1975.

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 1

**PART B - INFORMATION MAPS AND
ILLUSTRATIONS WITH EXPLANATORY LIST**

ALGONQUINS OF GOLDEN LAKE CLAIM

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Prepared by
Joan Holmes &
Associates, Inc.
for
Ontario Native Affairs
Secretariat
October 30, 1993

VOLUME 1, PART B

LIST OF INFORMATION MAPS & ILLUSTRATIONS

1. Cosmology, pre-contact to early historic period. This map shows known locations of cultural phenomena, such as rock painting and puckasaw pits, which occur across Ontario and Eastern Quebec. Rock paintings and puckasaw pits have been found in the areas traditionally occupied by Algonquians such as Mississaugas, Chippewas, Ojibways and Algonquins.
2. Iroquoian Agricultural Settlement, 500 AD to European contact. Shows areas of Iroquoian agricultural settlements for three periods: 500AD-1300, 1300-1400, and 1400 to contact. There are no Iroquoian settlements within the Ottawa River Valley. Iroquoian influence is depicted moving down the Ottawa River from Lake Nipissing and up through Lake Temiskaming during the last period.
3. Les Nations Algonquine, Attikamègue, Cri, Népissingue et Outaouaise, vers 1600. Shows Ottawa River watershed occupied by upper and lower Algonquins and Timiskamings. Nipissings are located both south and north of Lake Nipissing. See also Les Nations Amérindiennes sur le Territoire Actuel du Québec, vers 1600. In addition to information presented in above map, shows lands to west and south of Ottawa valley as "zone tampon" (buffer zone) with Hurons, Neutrals, and Ottawas farther west. These maps were produced in connection with Raymand Parent's extensive study.
4. Bands of the Ottawa valley in the early 17th century and Algonquin Reserves in 1970. Map produced for Day and Trigger's study of Algonquins. Shaded areas show known locations of Algonquins in the early 17th century. The locations were based on writings of early European explorers and missionaries prior to the disruptions caused by the Iroquoian or Beaver Wars.
5. Canada - Native Peoples, 1630. This map shows aboriginal communities, indicating location and approximate size. All of the communities shown inside the Ottawa River watershed are Algonquin, with the possible exception of Crees at Témiskaming who are identified as possibly being Algonquin.
6. Trade and Empire, 1697-1739. Depicts fluctuations in fur trade activity following the Iroquoian or Beaver Wars in four periods: 1697-1711, 1712-1716, 1717-1725, 1726-1739. Aboriginal communities are located on the maps. Only Algonquian and Nipissing communities are shown within the Ottawa River watershed.
7. Canada - Native Peoples, 1740. This map shows aboriginal communities, indicating location and approximate size. The only community shown inside the Ottawa River watershed is an Algonquin on Rivière Lièvre. Nipissings are shown north of Lake Nipissing. A Cree community is shown at Témiskaming who are identified as possibly being Algonquin. Algonquins and Nipissings are shown at Lake of Two Mountains. There are no Mississauga or Chippewa communities shown inside the watershed.
8. France Secures the Interior, 1740-1755. This series of maps shows aboriginal communities, the flow of fur trade goods, and the sphere of influence of the colonial powers just prior to the conquest. Note that only Algonquin and Nipissing communities are shown within the Ottawa River watershed. Around 1755 the area north and east of the Ottawa River (Quebec side) is within the recognized French territory while the area south and west of the river (Ontario side) is considered disputed territory. Britain dominates the American colonies, most of Nova Scotia and Newfoundland, and the Hudson Bay lowlands.
9. Sketch of the Western Countries of Canada 1791. This map produced by the Indian Interpreter and Trader, John Long. Shows Algonquins north of the Ottawa River and Nipissings south of the Ottawa River and Lake Nipissing. He shows Northern Iroquois north of Lake Ontario although it is known that the Mississaugas were well established there by this time.
10. Map of the Province of Upper Canada showing the Original Districts of 1788 and Districts in 1802. Also in this package showing evolution of territorial divisions: Original Counties 1793, Districts 1836, and Districts 1849.
11. Rideau Purchase, 1819/1822. Sketch produced by researchers to show location of Rideau Purchase. Townships in eastern Ontario and key locations cited in the Crawford purchase of 1783, and St. Regis and Oswegatchie purchases of 1784 are found on this map.
12. Trading Posts. Sketch maps of trading posts on the lower Ottawa River as compiled by C.C.J. Bond. Shows many posts and place names referred to in early documents and literature.

13. Canada - Native Peoples, 1823. This map shows aboriginal communities, indicating location and approximate size. Two aboriginal communities are shown inside the Ottawa River -- the Algonquins at Lake Timiskaming and at Grand Lac/Coulange. In addition, Algonquins and Nipissings are shown at Lake of Two Mountains. There are no Mississauga or Chippewa communities shown inside the watershed.
14. Survey Fabric and Development in the Province of Ontario. Indicates that Ontario side of the Ottawa Valley was surveyed in stages from the late 18th century to the end of the 19th century. Comparison with the settlement map below shows that settlement was closely tied to the initial survey.
15. Upper Canada about 1841. A map showing the approximate limit of settlement in 1831 and 1841. Also shows location of Rideau Canal, Grenville and Carillon Canals, Bytown (Ottawa), Perth, Prescott, Ogdensburg (Oswegatchie), Brockville, Gananoque, and Kingston.
16. Land Disposition by Statute Authority. Shows system of land grants in Ontario. The northern and western portion of the Ottawa Valley was disposed of predominantly by free grant schemes in place from 1868-1878, 1878-1888, 1898-1908, and post 1908. Several townships south of Algonquin Park were disposed of through the Canada Land and Emigration Co. The area disposed of through free grants corresponds roughly to the area not already settled by 1841.
17. The First Railways in Canada and Railways in Canada West (now Ontario) ca 1860. Two sketch maps: a) showing Grenville Carillon Railway constructed in 1840 and b) two lines: Prescott to Ottawa and Brockville to Amprior in operation circa 1860.
Canals and Pioneer Roads 18th and 19th centuries. Shows Perth-Ottawa Road, 1816; Grenville Canal, 1834 and Rideau Canal, 1826-32.
Road in Eastern Upper Canada circa 1850. Network depicted, not named. Reflects in general the extent of settlement.
Colonization Roads Canada West between Lake Simcoe and the Ottawa River, 1863. Shows Ottawa and Opeongo Road, Peterson Road, Hastings Road, Mississippi Road, Lavant Road, Pembroke and Mattawan Road, all of which are at least partially within the watershed.
18. Canada Native Treaties. Shows location of 1923 Williams Treaties and 1850 Robinson-Huron Treaty in relation to the Ottawa Valley.
19. Map of Part of the Province of Ontario showing Indian Treaties and Purchases. Produced by J. L. Morris for his study of Indian surrenders in Ontario. See this map for location of the Rideau Purchase (his number 22) and an 1818 purchase from Chippewas referred to in the preparation of the Williams Treaties (his number 20). Morris' plotting of the Crawford purchase and St. Regis and Oswegatchie purchases should be viewed with caution as the documentary evidence does not support his conclusions.
20. Map of Part of the Province of Ontario showing Provincial Parks. Shows provincial parks within watershed area and the year in which they were established. Most of the parks were established in the late 1950s and early 1960s. No parks established after 1966 are shown on this map. The parks shown are Algonquin Park, 1893; Carson Lake 1956; Lake St. Peter, 1957; Antoine, 1958; South Nation, 1960; Bon Echo and Samuel de Champlain, 1961; Fitzroy Harbour, Rideau River, Black Lake, and Silver Lake, 1963. Murphy's Point on the Big Rideau was opened in 1978.
21. Map showing original area of the Algonquin Provincial Park and Subsequent Additions made since 1893. Shows additions, townships, lakes and rivers, towns, route of Canadian Pacific following Ottawa River from Pembroke past Deux Rivières, Canadian National line from Pembroke to Golden Lake and then to Whitney and vicinity and south, also Canadian National line from Pembroke through park and northward.
22. Canada Indian and Inuit Communities - Quebec. (Based on 1980 and 1983 data) Shows Algonquin reserves, settlements and communities in Quebec as well as major lakes and rivers, towns and some highways and parks.
23. Canada Indian and Inuit Communities - Ontario. (Based on 1980 and 1983 data) Shows Golden Lake as the only reserve within the watershed. There are no other reserves, settlements and communities in the area. The Mississauga and Chippewa reserves belonging to the signatories of the 1923 Williams treaty are also shown. Major lakes, rivers, towns, and some highways and parks also appear.
24. Canada Indian and Inuit Population. (Based on 1976 census data and Department of Indian Affairs estimates) Shows location of status and non-status native peoples in Canada, including several groups of varying size within the Ottawa River watershed.

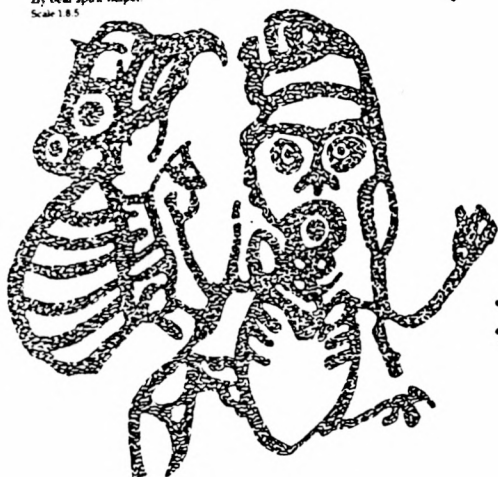
COSMOLOGY

Author: J. V. Wright

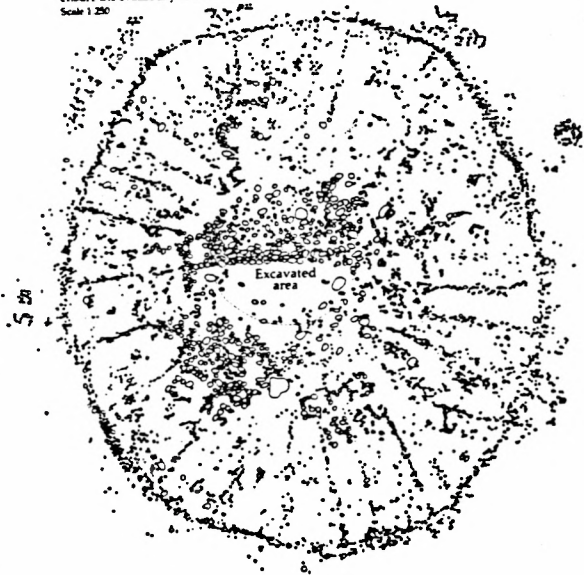
PALAEO-ESKIMO SHAMAN ART (1)
Northwest Territories
The late Palaeo-Eskimo Dorset people created some of the most dramatic shaman art in North America. This wooden mask probably was used in rituals of healing or food acquisition.
Scale 1:2

**ROCK ETCHING (10)**

British Columbia
This petroglyph from the Skeena River may represent a shaman and his grizzly bear spirit-helper.
Scale 1:8.5

**STONE MEDICINE WHEEL (8)**

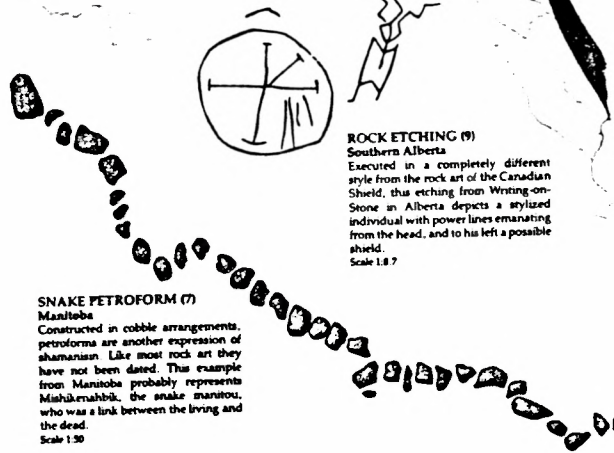
Southern Alberta
On the Canadian plains medicine wheels ring the northern summer range of the bison. This example, constructed in stages from 3200 BC to the historic period, suggests the continuity over 5,000 years of rites intended to ensure the availability of the bison.
Scale 1:250

**ROCK ETCHING (9)**

Southern Alberta
Executed in a completely different style from the rock art of the Canadian Shield, this etching from Writing-on-Stone in Alberta depicts a stylized individual with power lines emanating from the head, and to his left a possible shield.
Scale 1:8.7

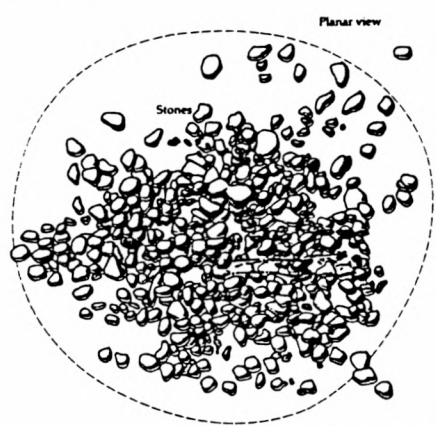
SNAKE PETROFORM (7)

Manitoba
Constructed in cobble arrangements, petroforms are another expression of shamanism. Like most rock art they have not been dated. This example from Manitoba probably represents Mishkénahbik, the snake manitou, who was a link between the living and the dead.
Scale 1:30



HISTORICAL ATLAS OF CANADA

PALAEO-ESKIMO SHAMAN ART (2)
Northwest Territories
This ivory polar bear probably represents a shaman spirit-helper.
Scale 1:1.5



BURIAL MOUNDS (3) Labrador
Burial mounds of the Labrador coast and the Gulf of St. Lawrence, dating from as early as 5500 BC, are the oldest burial mounds in the New World. Mound and non-mound burials were often associated with cults of the dead.
Scale 1:94

The objects mapped and illustrated on this plate are all associated with prehistoric native beliefs. While different regional styles and distributions are apparent - rock art in the Canadian Shield, for example, was very different from that in the Cordillera - the beliefs that underlay these dramatic archaeological objects are not apparent and can only be inferred.

Historical and ethnographic records suggest that the native people of Canada interpreted nature spiritually and assumed that all phenomena, including the dead, had spirit power. Such power was graded. Some of it could be ignored, but the spirits controlling food supply, warfare, health, and fertility required special attention as people sought to live in harmony with the mysterious surrounding world of dangerous and helpful spirits.

There were three major ways of placating and acquiring spirit power: by offering gifts and sacrifices to the appropriate spirit or spirits; by adhering to taboos in order to avoid giving offence to supernatural powers; and by prayer, often involving fasting and purification, which could lead to power-giving visions usually associated with a guardian spirit. Shamans, people with special abilities to communicate with the supernatural world, were the seers and healers of their societies or, if they used their powers for evil purposes, the sorcerers.

- Rock painting ?-European contact
- Rock etching ?-European contact
- Pukasaw pit ?-European contact
- ▲ Petroform ?
- ⊙ Medicine wheel and cairn 3200 BC-European contact
- Archaic burial mound
- Initial Woodland burial mound
- Terminal Woodland burial mound
- Location of numbered illustration

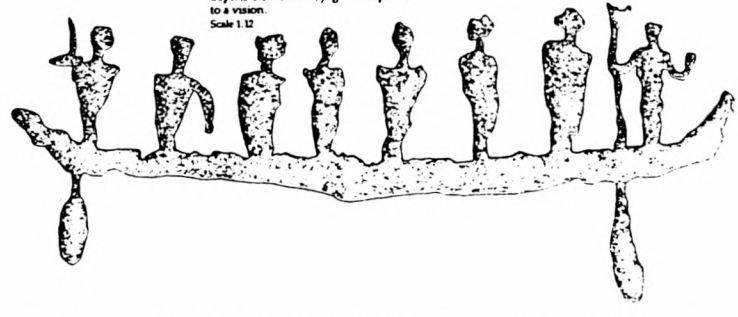
ROCK ETCHING (4)
Southern Ontario
This sun-figure petroglyph from eastern Ontario probably represents the Kitchi Manitou (Great Spirit) or a shaman who acquired his power from the sun.
Scale 1:13



TURTLE AMULET (5)
Southern Ontario
Found on the Ottawa River, this stone amulet may be related to the Iroquoian belief that the world rested on the back of a giant snapping turtle, or to the Algonquian Great Turtle Manitou of the Shaking Tent.
Scale 1:2



ROCK PAINTING (6)
Northern Ontario
This unusually detailed painting, located near Thunder Bay, probably depicts a shaman voyage in response to a vision.
Scale 1:12

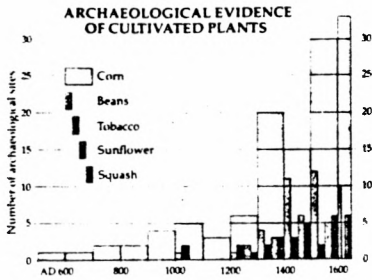


BURIAL MOUND CEREMONIALISM
Between 700 and 100 BC the marking of burial mounds spread to southern Canada from the Ohio valley.

by different Canadian writing-on-stones, stylized emanating is a possible

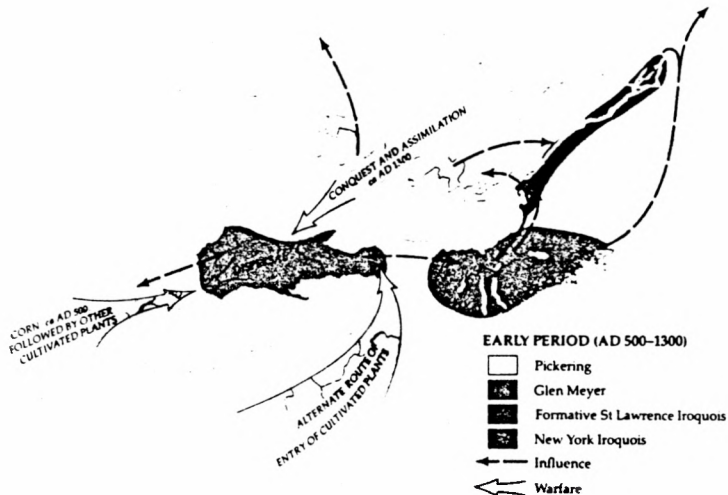
IROQUOIAN AGRICULTURAL SETTLEMENT

Authors: J.V. Wright, R. Fecteau (Graph)



Around AD 500 the people of southern Ontario adopted corn agriculture from their southern neighbours. The addition of cultivated crops to an earlier hunting and gathering economy resulted in a major population increase, changed settlement patterns, and probably modified social organization and beliefs. This plate emphasizes the changing pattern of settlement in southern Ontario after the introduction of agriculture.

The graph (above) suggests when each new agricultural species was introduced and indicates the growing importance of cultivated plants on Iroquoian sites in southern Ontario. Generally only plant materials that have been charred survive in archaeological sites. Because burning was accidental, and because some species carbonize better than others, there is little doubt that our quantitative and qualitative view of the relative importance and even of the presence of certain species is very imperfect.



MIDDLE PERIOD (AD 1300-1400)

The conquest (ca AD 1300) of the Glen Meyer people by the Pickering created a relatively homogeneous culture in Ontario, known as Uren-Middleport, that expanded into New York and influenced the St Lawrence Iroquois. Villages increased in number and size as the reliance on farming deepened and the population grew. In the largest 14th-century villages, more than two ha in size, there were more than 1 000 people.

The simplified plan (right) shows a 0.8 ha village of the mid-14th century. Double palisades were pinched together at a southern entrance which lined up with a house outside the defences. The western entrance led to a unique enclosure that probably was intended to prevent visitors from observing the village's internal defences. Inside the village, walls connected houses and interior palisades to create a series of defensible cul-de-sacs. Near the centre of the village, a temporary house, perhaps for builders of the village, was torn down to make room for two permanent longhouses.

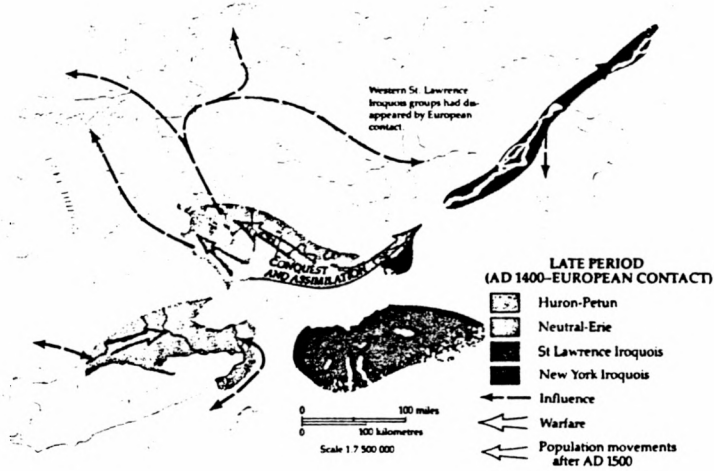
The longhouse floor plan (far right) is from this same village. Lines of posts from the north end of the house connect with the interior stockade to create a cul-de-sac between the stockade and the house wall. The other end of the house was torn down and extended. End cubicles in the enlarged house were used for the storage of wood and other items. The living area of the house comprised approximately 184 m² (1 980 ft²). Each of the five hearths was shared by two families.

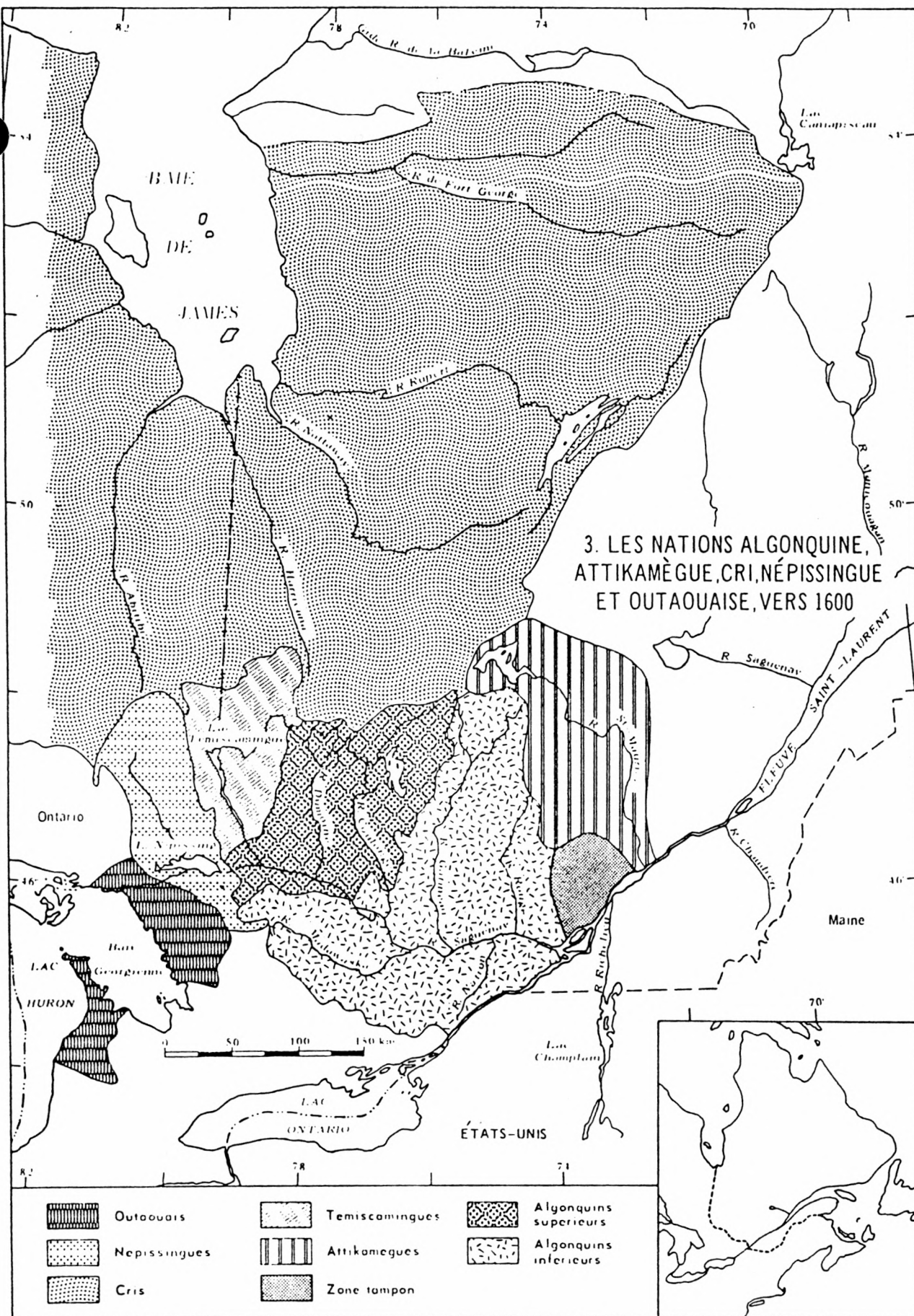


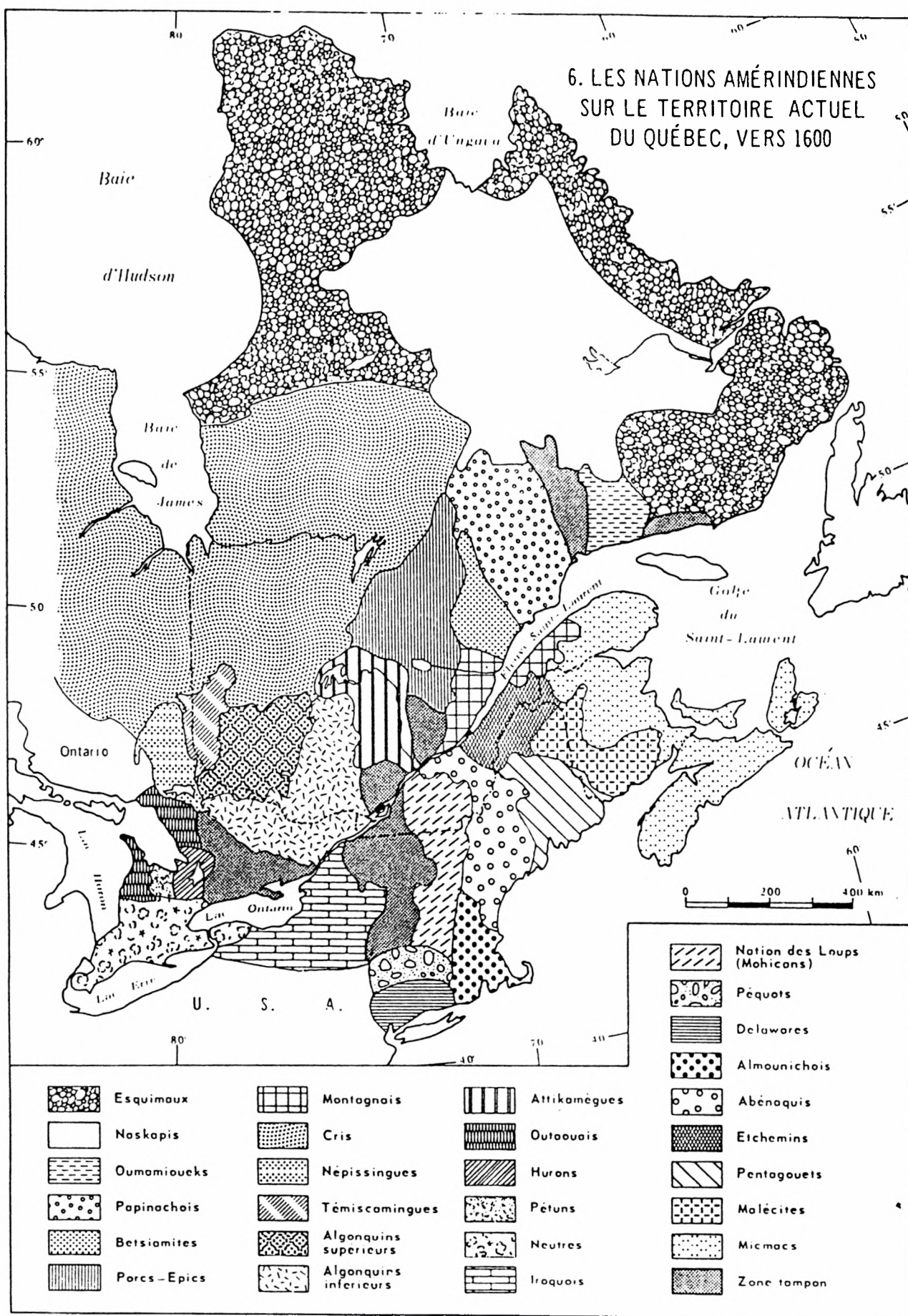
LATE PERIOD (AD 1400-EUROPEAN CONTACT)

Around the beginning of the 15th century the St Lawrence Iroquois expanded downriver as far as the vicinity of Québec City where Jacques Cartier encountered them in 1535 (pl 33). By this time the St Lawrence Iroquois between Lake Ontario and Montréal had disappeared; archaeological evidence suggests that they had been conquered and partially absorbed by the Huron north of Lake Ontario. Before the end of the 16th century Huron villages became increasingly concentrated around the southern end of Georgian Bay. The Neutral shifted eastward to settle around the western end of Lake Ontario. Both movements were probably intended to create defensive buffer zones, one between the Huron and the League of Five Nations in New York State, and the other between the Neutral and the Fire Nation in the Michigan peninsula.

Villages continued to increase in size and complexity until the largest were more than 4 ha in size. Some houses were more than 90 m long. Calculations based on totally excavated villages suggest that some 600 people occupied each village hectare. When Champlain reached Huronia in 1615, there may have been as many as 25 Huron villages averaging some 2 ha in size; his estimate that there were 30 000 Hurons is archaeologically feasible.







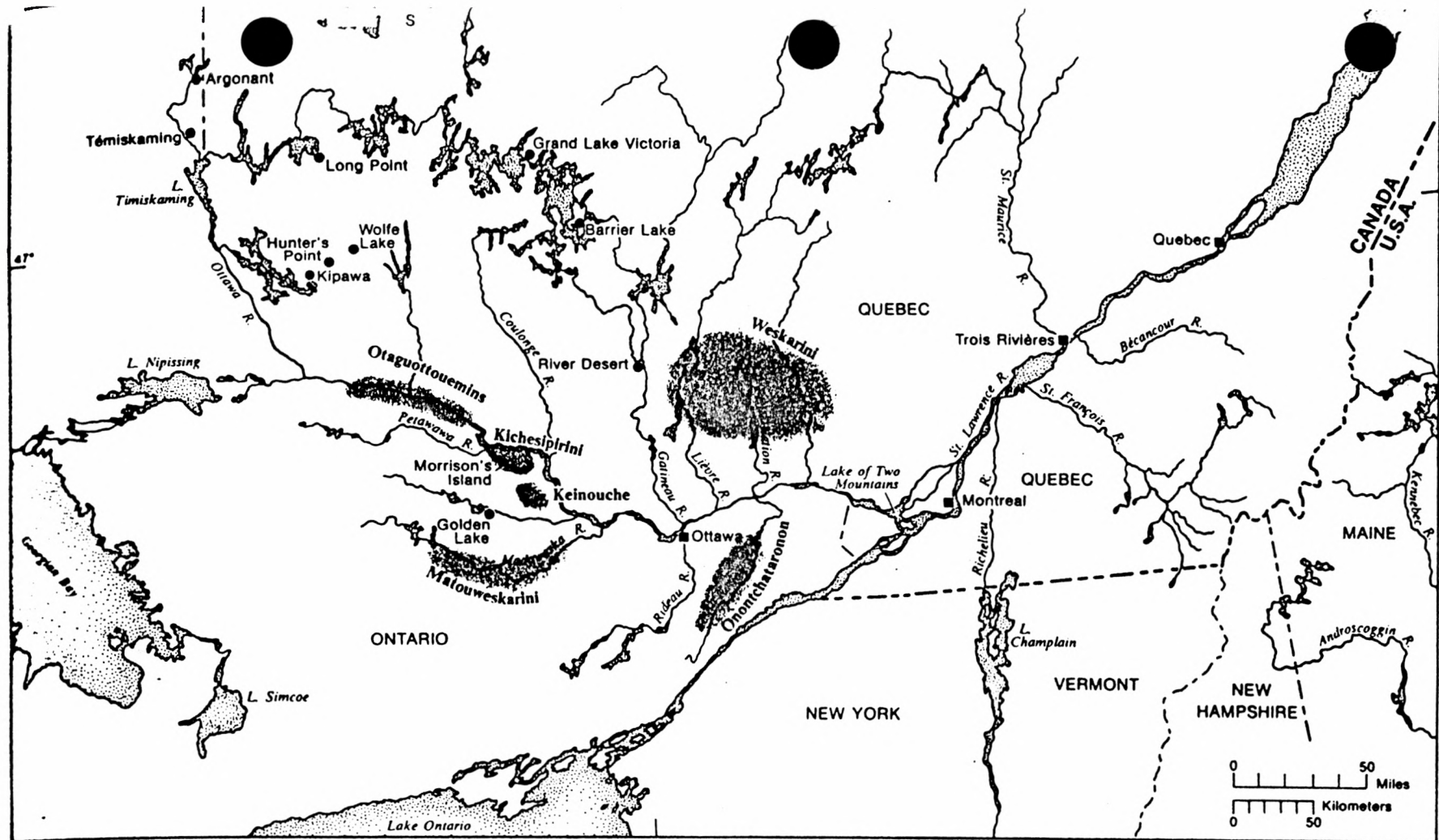


Fig. 1. Bands of the Ottawa valley in the early 17th century and Algonquin reserves in 1970.

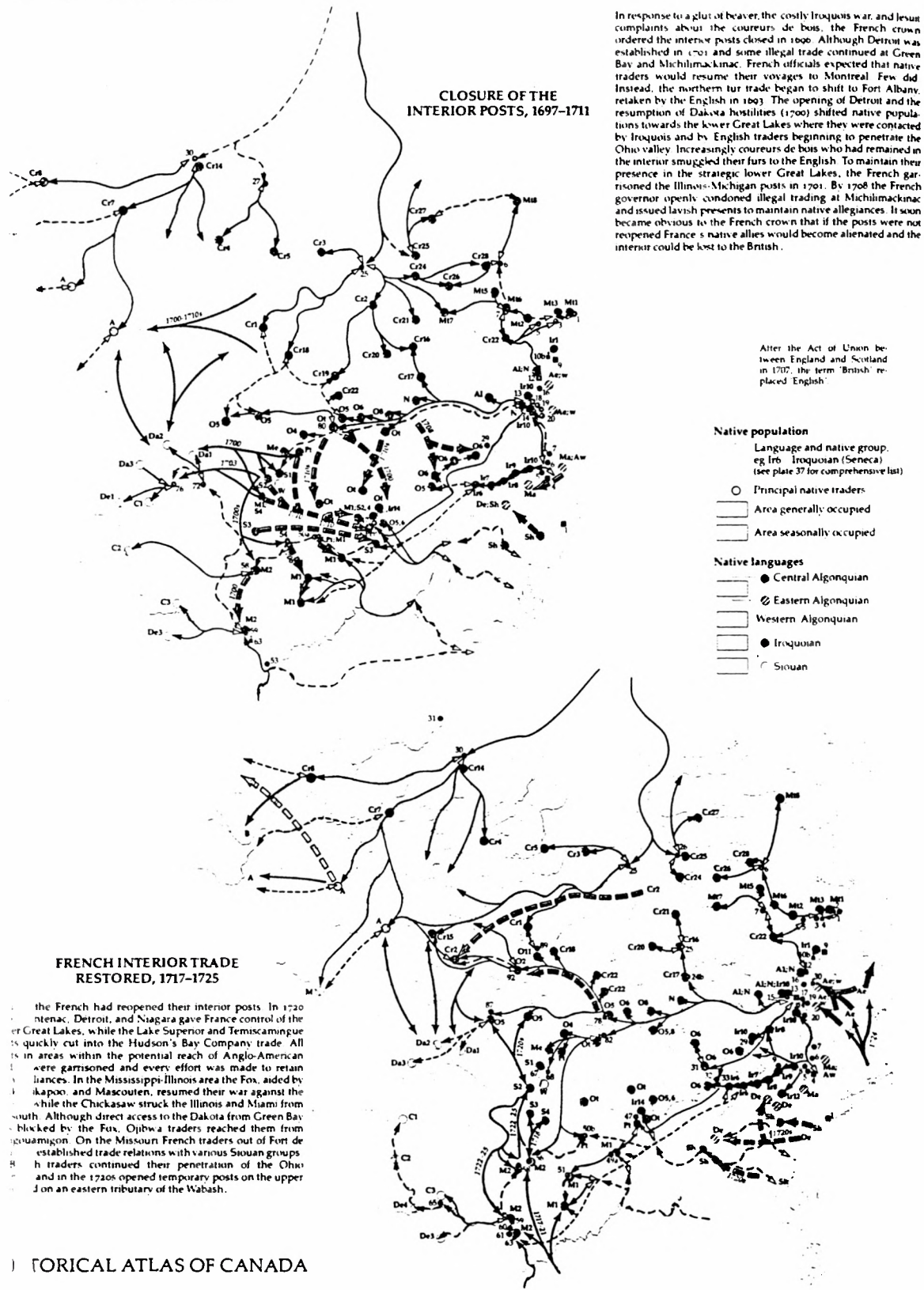
Trigger, Bruce Vol ed. Handbook of North American Indians, Vol 15.
 Washington, Smithsonian Institution. 1978. pp. 792-797.

Canada Native peoples 1630.
National atlas of Canada fifth ed

Canada Native peoples 1630.
National atlas of Canada fifth ed.

REDE AND EMPIRE, 1697-1739

Authors: Conrad F. Heidenreich, Françoise Noël



THE
AND EXPANSION

In 1720 the French controlled trade with the Dakota, their enemies and resumed the Lignery (1728) and the allies of the French, the Bay-Dakota area reappeared. Verendrye penetrated hinterland, initiating Albany and York Factor the Saulteaux and Cro the Saulteaux to their migration of some west of Lake Superior. French expedition Chicasaw in 1730 at English influence, in Pennsylvania and Miami, native groups Ohio valley, and attractive trading place.

...the war, and Jesuit
...the French crown
...though Detroit was
...continued at Green
...pected that native
...ntreal. Few did
...ort to Fort Albany,
...ing of Detroit and the
...nted native popula-
...they were contacted
...ing to penetrate the
...had remained in
...n. To maintain their
...es, the French gar-
...By 1708 the French
...at Michilimackinac
...allegiances. It soon
...the posts were not
...alienated and the

main be-
Swedish
British' re-

ve group,
-neca)
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- Goods and traders**
- ← European goods
 - ← Native goods
 - Natives trading with Europeans
 - Natives trading with natives
 - Annual French traders
 - Occasional French traders
 - Annual British traders
 - Occasional British traders
- Settlements and trading places**
(see pl. 37 for numbered list)
- French village or town
 - ▲ French mission
 - French fort or post
 - British village
 - British fort or post
- Warfare**
- ← Native warfare
 - ← French warfare
 - ← British warfare
 - Forced native migration
 - Peaceful native migration

THE INTERIOR REOPENED, 1712-1716

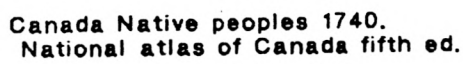
In 1713 when the Treaty of Utrecht assigned the lands adjacent to Hudson Bay to the British and made the Ohio River and the Great Lakes a free trade area, the French reacted quickly to restore their earlier position. Michilimackinac was reopened in 1712-13 and trade was restored to the Illinois-Michigan peninsula in 1715. Aided by a recovery in the price of beaver in 1714, trade again departed for the interior.

Convinced that the Fox were hatching a plot with the British and Iroquois to drive the French out of the Great Lakes, Detroit commandant Dubuisson, aided by native allies, launched a pre-emptive raid in 1712. The Fox and their allies fled to Green Bay where they retaliated against the British. In 1710 a second French campaign, under Louvigny, imposed an uneasy peace on the Fox. Incited by British merchants, the Chickasaw, living in the northern part of the present state of Mississippi, raided French and Illinois settlements.

THE FOX DEFEATED AND EXPANSION NORTHWEST, 1726-1739

In 1720 the French concluded a peace with the Fox and reopened trade with the Dakota. The Fox objected to French trade with their enemies and resumed hostilities. After expeditions by de Lagnery (1728) and de Noyelles (1730, 1734), aided by native allies of the French, Fox resistance was broken and the Green Bay-Dakota area reopened to trade. At the same time La Verendrye penetrated the Hudson's Bay Company trading hinterland, initiating a marked decline in the fur returns at Fort Albany and York Factory. In 1730 he achieved a peace between the Saulteaux and Cree. The Dakota, angered by the defection of the Saulteaux to their enemies, turned on them, thus instigating the migration of some of the Ojibwa groups into Cree territory west of Lake Superior.

French expeditions against the increasingly troublesome Chickasaw in 1730 and 1730 led to a negotiated peace in 1740. English influence, however, continued to expand. Traders from Pennsylvania and Virginia increased their overtures to the Miami; native groups allied to the British continued to settle the Ohio valley, and after 1720 Fort Oswego became an increasingly attractive trading place for the Mississauga of southern Ontario.



Major linguistic families are coded by colour, e.g., Algonquian, and subdivided into recognized groups of historically related peoples, e.g., Ojibwa. Within each of the groups the major bands and tribes are given by their modern name, e.g., Noquet. At least one common contemporary name when known, is given in square brackets, e.g., [Cheveux-Relevés]. These may not necessarily be the names by which these groups referred to themselves. Known subdivisions of groups which have not been mapped or the locations of which are not known, are given in round brackets, e.g., (Sinago). A letter symbol in round brackets with an asterisk after a name denotes an alternative classification into a neighbouring group of people.

IROQUOIAN LINGUISTIC FAMILY

- H Huron [Ouendat]
- P Petun [Tionontate]
- Sn Seneca [Sonontoerrhonon]
- Cy Cayuga [Ouoienrhonon]
- Oo Onondaga [Onontaerhonon]
- On Oneida [Oneiochrhonon]
- Mh Mohawk [Annienerhonon]
- Tu Tuscarora
- Mg Mingo [Seneca/Cayuga]

II. BEOTHUK LINGUISTIC FAMILY

- Be Beothuk

III. SIOUAN LINGUISTIC FAMILY

- Da Dakota [Nadouessi]
 - 1 Santee [Sioux de l'Est, Issati, Ouatebaskou, Oua de Battons, Mendepsinou]
 - 2 Yankton [Sioux de l'Est, Hancton]
 - 3 Teton [Tinton, Gens de Prairies, Sioux de l'Ouest]
- W Winnebago [Puant]
- A Assiniboin [Assinibooul, Assinipoualac, Assinipoet]
 - 1 Assiniboine des prairies [Assiniboin of the meadows, Assiniboin of the south]
 - 2 Assiniboine de canot
 - 3 Wood Assiniboin
- Ma Mandan [Ouachipouenne, Casernier, Kouathéatte]
- Hc Hidatsa-Crow [Beaux Hommes]
- De Dhegiha
 - 1 Omaha [Maha]
 - 2 Ponca
- C Chiwere
 - 1 Oto [Otontana, Otocata]
 - 2 Iowa [Aiaouéz, Paouté]

IV. CADDON LINGUISTIC FAMILY

- A Arikara [Ree, Petite Cerise]
- P Pawnee [Pani, Panimaha, Panaux, Panani]

V. ALGONQUIAN LINGUISTIC FAMILY

- a) Western Algonquian Language Group
 - Ar Arapaho [Fall Indians]
 - 1 Arapaho [Gens de Vache]
 - 2 Atsina [Gros-Ventre, Ashkee]
 - B Blackfoot [Yhatché illini, Hiaticiriritiny, Archithinue]
 - 1 Siksika
 - 2 Blood [Muscotay, Mithcoo Ethenue]
 - 3 Piegan
 - Cn Cheyenne [Garigaraho]
- b) Central Algonquian Language Group
 - Oj Ojibwa
 - 1 Outchibou
 - 2 Marameg [Gens de la Barbué, Malamech, Petit Pêcheur]
 - 3 Noquet [Roquai]
 - 4 Saulteaux [Paouitigouirinouak, Eskiaeronnon]
 - 5 Mississauga [Oumisagi]
 - 6 Amikwa [Gens de la Castor, Naiz Percez]
 - 7 Ouasouarini [Ouacé, Houassées]
 - 8 Gralisse Ours [Makoua]
 - 9 Nameouillini [Gens de la Esturgeon] (Cr)*
 - Ot Ottawa [Cheveux-Relevés, Outaouan, Outaouak] (Oskakon, Sabie, Sinago, Nasseaukeuton)
 - Me Menominee [Folle-Avoine, Oumelouminek]

- Mt Montagnais - Naskapi
- Montagnais
 - 1 Tadoussacien [Sadisegou]
 - 2 Kakouchaki [Porc-Epic, Piekouagamien]
 - 3 Chekoutimien
 - 4 Nekoubaniste
 - 5 Chomonchouaniste
 - 6 Oumatachirini (Cr)*

- Naskapi
 - 7 Oupapinachioek [Papinachois]
 - 8 Oukeseestigouek
 - 9 Chisedech
 - 10 Bersiamites
 - 11 Ouneskapi
 - 12 Oumamioek
 - 13 Outakouamioek
 - 14 Attikiriniouetch [Gens du Caribou] (Cr)*
 - 15 Mouchaouaouastiiriniouek
 - 16 Outabitibec

c) Eastern Algonquian Language Group

- Mc Micmac
 - 1 Gaspegeog [Gaspésien, Canadians]
 - 2 Sigentigteog
 - 3 Epigoitnag
 - 4 Pigtogeog
 - 5 Onamag
 - 6 Esgigeog
 - 7 Segepenegatig
 - 8 Gespogoitnag [Souriquois]
- Ma Maliseet - Passamaquoddy
 - 1 Maliseet [Etchemin]
 - 2 Passamaquoddy

- Abe Eastern Abenaki
 - 1 Penobscot
 - 2 Kennebec

- Abw Western Abenaki
 - 1 Cowasuk
 - 2 Winnepesaukee
 - 3 Missequois

- M Mahican
- DI Delaware

VI. ATHAPASCAN LINGUISTIC FAMILY

- Ch Chipewyan [Northern Indians, Wechepowuck, Uchepowuck]
- Dogrib [Plascotes de Chien, Attimospiquais, Asteem Uspekij]
- Yellowknife [Copper Indians, Mithcocoman]
- Han
- Kutchin
- Tutchone
- Hare
- Mountain
- Kaska
- Taltan
- Slavey
- Tsetsaut
- Sekani
- Beaver
- Carrier
- Sarcee
- Chilootin

- Pt Potawatomí [Pou, Nootonouatendi]
 Ni Nipissing [Outiskouagami, Nebicerini, Sorcier]
 Sh Shawnee [Shaganna, Chaouanon]
 S Sauk-Fox-Kikapoo-Mascouten
 1 Sauk [Saki, Ousakiouek]
 2 Fox [Outagami, Skenchironon]
 3 Mascouten [Atsistaehronon, Gens du Feu]
 4 Kikapoo [Ontarahronon]
 Mi Miami [Oumami]
 Il Illinois [Iliniouek]
 1 Kaskaskia [Kakachkiouek]
 2 Peoria [Peoualen]
 Al Algonquin
 Cr Cree - Gens de Terres
 West Main Cree
 1 Alimibegouek
 2 Monsoni [Mounsounik, Moose wa sepe]
 3 Ataouabouskatouek [Attawapiskat]
 4 Washahoe [Ouashe'o, New Severn Indians]
 5 Weenusk [Winisk, Wunnusku]
 6 Penneswagewan
 7 Maskegon [Savannah, Christinau Franes]
 8 Ouenebigonhelini
 9 Wappus [Rabbit Indians]
 Woods Cree
 10 La Barriere Christinaux
 11 Christinau Puan
 12 Christinau du Bois Fort
 13 Christinau des Prairies
 14 Christinau l'eau Trouble
 15 Christinau des Lacs
 16 Kinougeouilini [Brochet]
 17 Michinipi [Michinipicpoet]
 18 Cree unspecified
 Gens de Terres [Tête-de-Boule]
 19 Abitibi [Tabittee]
 20 Timiscimi [Témiscamingue] (A)*
 21 Outoulibi [Outourbi]
 22 Piscoutagami [Piskatang]
 23 Outchichagamiouetch [Shaggamies]
 24 Gens des Terres unspecified
 East Main Cree
 25 Nisibourounik
 26 Pitchibourounik [Pichhapocanoes]
 27 Gesseiriniouetch
 28 Opinaguiriniouetch
 29 Grand Mistassirini
 30 Petit Mistassirini
 31 Winipeskkowuck
 32 Ouakouingouechiouek (Mt)*
 33 Nipishiriniouetch (Mt)*
 34 Apitchigamiouetch (Mt)*
 35 Nitchikiriniouetch [Gens de la Loutre] (Mt)*

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Chilcotin
 Nicola

VII. CHIMAKUAN LINGUISTIC FAMILY

Quileute

VIII. HAIDAN LINGUISTIC FAMILY

IX. KUTENAIAN LINGUISTIC FAMILY

X. SALISHAN LINGUISTIC FAMILY

Bella Coola
 Comox
 Pentlatch
 Sechelt
 Squamish
 Lillooet
 Shuswap
 Haikomelem
 Thompson
 Nooksak
 Straits
 Clallam
 Twana
 Lushooten
 Columbian
 Kalispel
 Okanagan

XI. TLINGIT LINGUISTIC FAMILY

XII. TSMISHIAN LINGUISTIC FAMILY

XIII. WAKASHAN LINGUISTIC FAMILY

XIV. ESKIMO-ALEUT LINGUISTIC FAMILY

Inuktitut Language Group
 Mackenzie Delta
 Copper
 Polar
 Netsilik
 Iglulik
 Baffin
 Caribou
 Sallirmiut
 Hudson Bay
 Ungava
 Labrador

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FRANCE SECURES THE INTERIOR, 1740-1755

by Conrad E. Heidenreich, Françoise Noël

FRENCH STRATEGIC PROBLEMS, 1740-1751

In 1744 war between France and Britain (War of the Austrian Succession) cut short supplies to New France. After Louisbourg fell in 1745, the British blockaded the St Lawrence. Making the best of this opportunity, British traders moved into the Ohio country where they offered goods at one-third to one-quarter the French price. Attempts by the French post commanders to forbid their native allies to trade with the British led to sullen resentment, then to open conflict. In 1744 the Miami sacked Fort Miami. The Huron burned the mission at Detroit and began attacks on French traders. The entire Wabash-Lake Erie area became unsafe for travel.

When the war ended in 1748, the French cut the price of trade goods by half and in 1749 ordered troops under Céloron de Blainville to tour the Ohio and eject British traders. The effect of this tour was slight. In 1751 the Miami destroyed Fort Vincennes and declared open support for the British.

In the northwest French trade also suffered. Although La Vérendrye and his sons had pushed trade and exploration to the Saskatchewan River, wartime scarcity and high prices induced many native groups to trade with the Hudson's Bay Company.

Goods and trade

- ← European
- ← Native
- ← Native
- ← Native
- Annual
- Occasional
- Annual
- Occasional

Settlements and

- French
- French
- French
- British
- British

Warfare

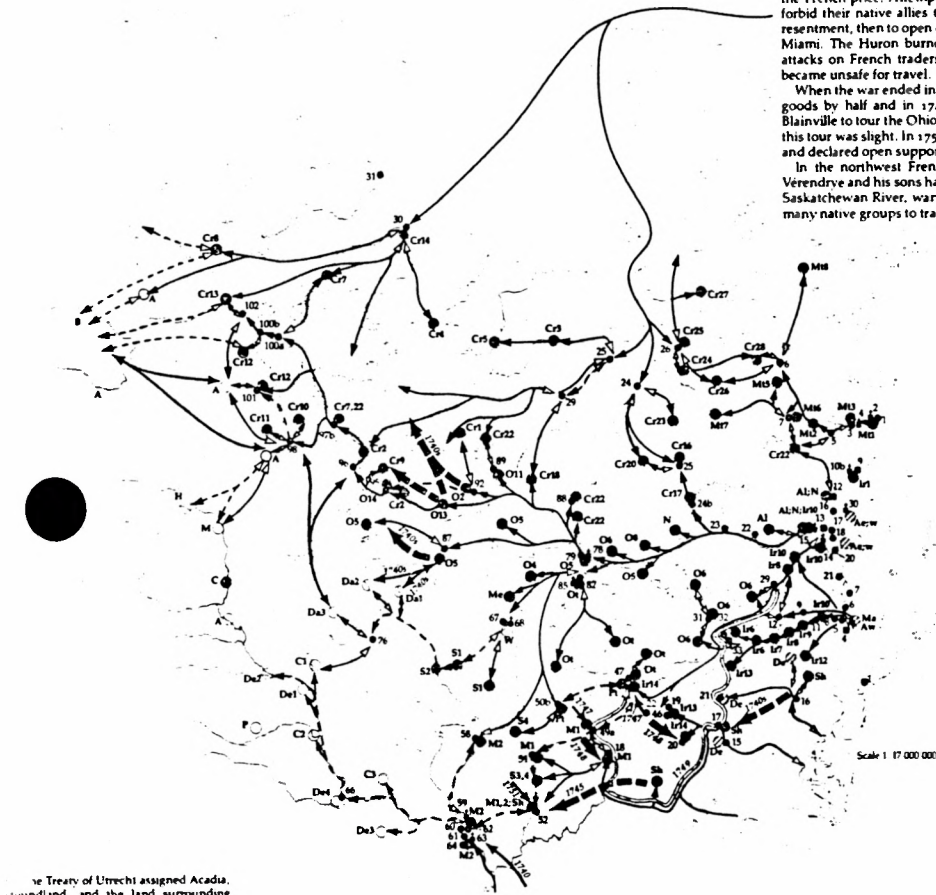
- ← Native
- ← French
- ← British
- ← Forced
- ← Peace

Native popula

- Princip
- Area
- Area

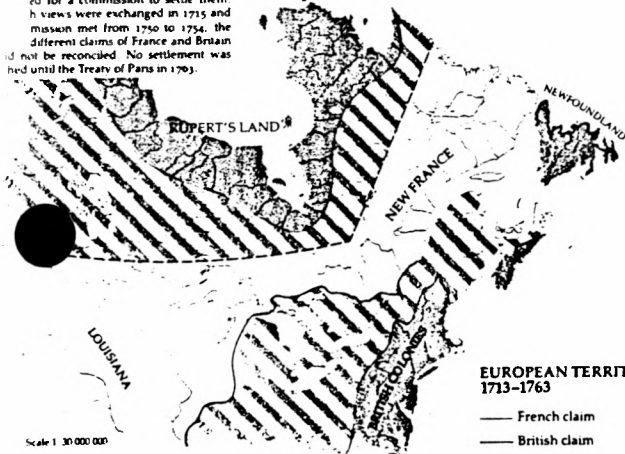
Native langu

- C
- E
- W
- I
- C
- C



Scale 1:17,000,000

The Treaty of Utrecht assigned Acadia, Newfoundland, and the land surrounding Hudson Bay to Britain. The lower Great Lakes area was to be a free trade zone. The treaty did not specify definite boundaries. In 1713, a commission to settle them met. In 1715, the French and British met. In 1715, the French and British met. In 1715, the French and British met.



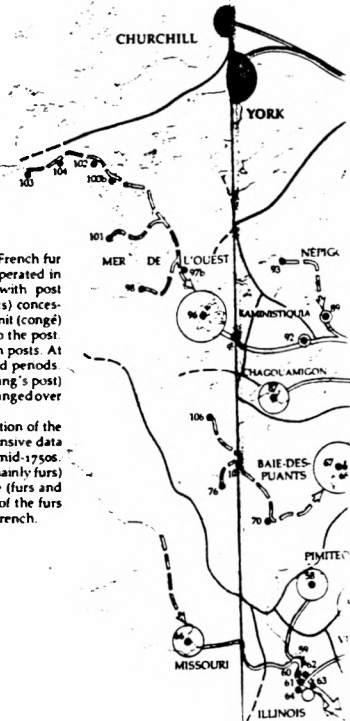
EUROPEAN TERRITORIAL CLAIMS, 1713-1763

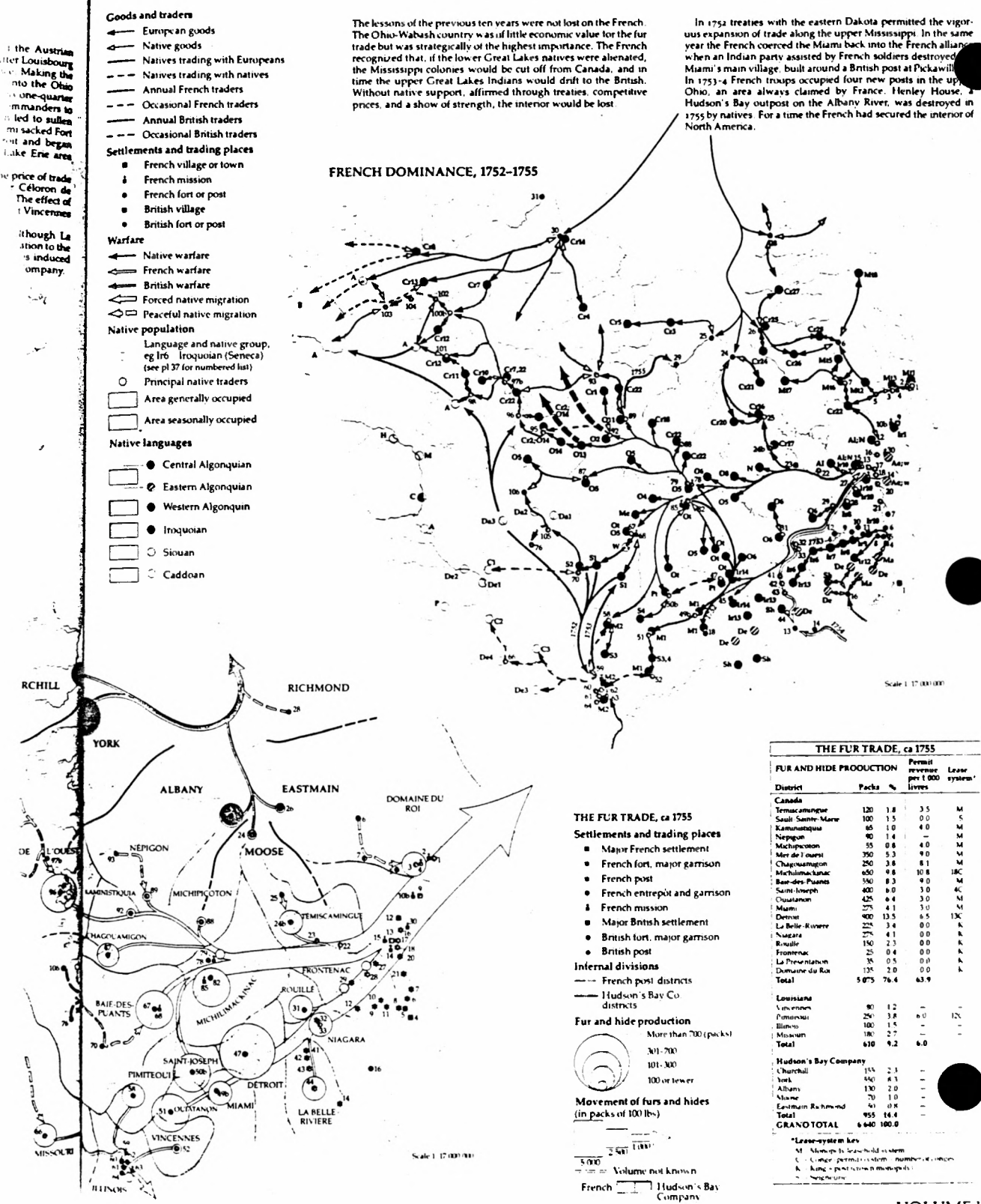
- French claim
- British claim
- ... Hudson's Bay Company claim
- Recognized French territory
- ▨ Recognized British territory
- ▤ Disputed territory
- British territory, French fishing and landing rights

THE FUR TRADE, ca 1755

Although licensed and regulated by the crown, the French fur trade was conducted by Montréal merchants who operated in small companies (sociétés), often in partnership with post commanders. At some posts (especially the entrepôts) concessions to trade were obtained by the purchase of a permit (congé) to take a load of trade goods (by 1755 about 2 tons) to the post. The number of congés was limited and varied between posts. At other posts trade was by monopoly lease for specified periods. Finally, at some posts trade was a crown monopoly (king's post) operated by agents. The mix of these three systems changed over time.

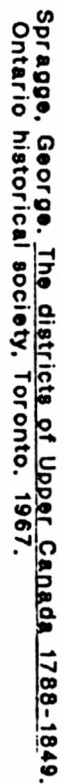
Fur imports at La Rochelle (pl 48) are some indication of the changing volume of the French fur trade. Comprehensive data on the sources of these furs are available only for the mid-1750s. Permit revenue for 1755 indicates that the products (mainly furs) of the northern posts were more valuable than those (furs and hides) of the southern ones. In the 1750s about 80% of the furs exported from North America were garnered by the French.

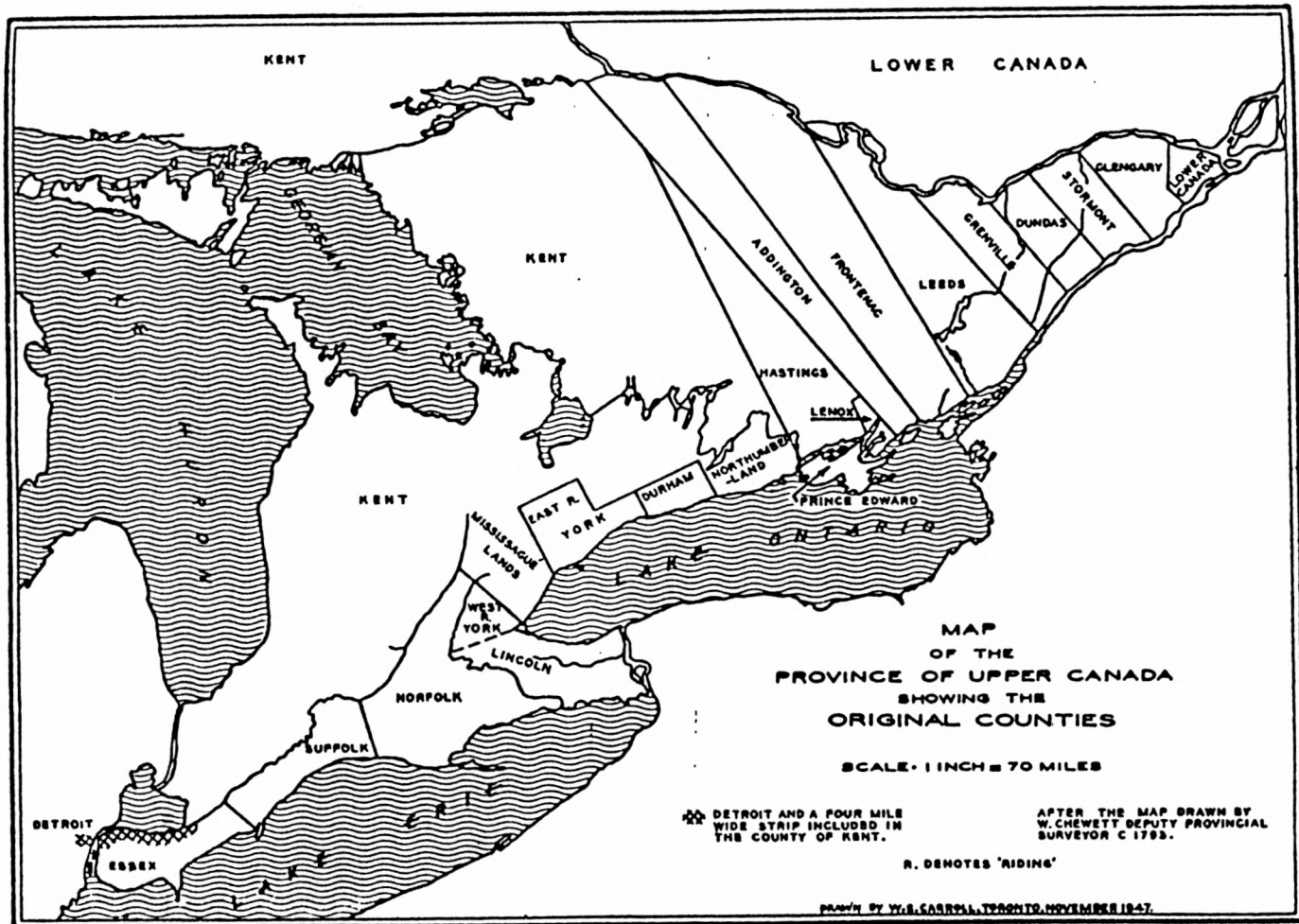




Harris, R. Cole, ed. *Historical atlas of Canada, Vol. 1*. Toronto. University of Toronto press, 1987. Plate 40.

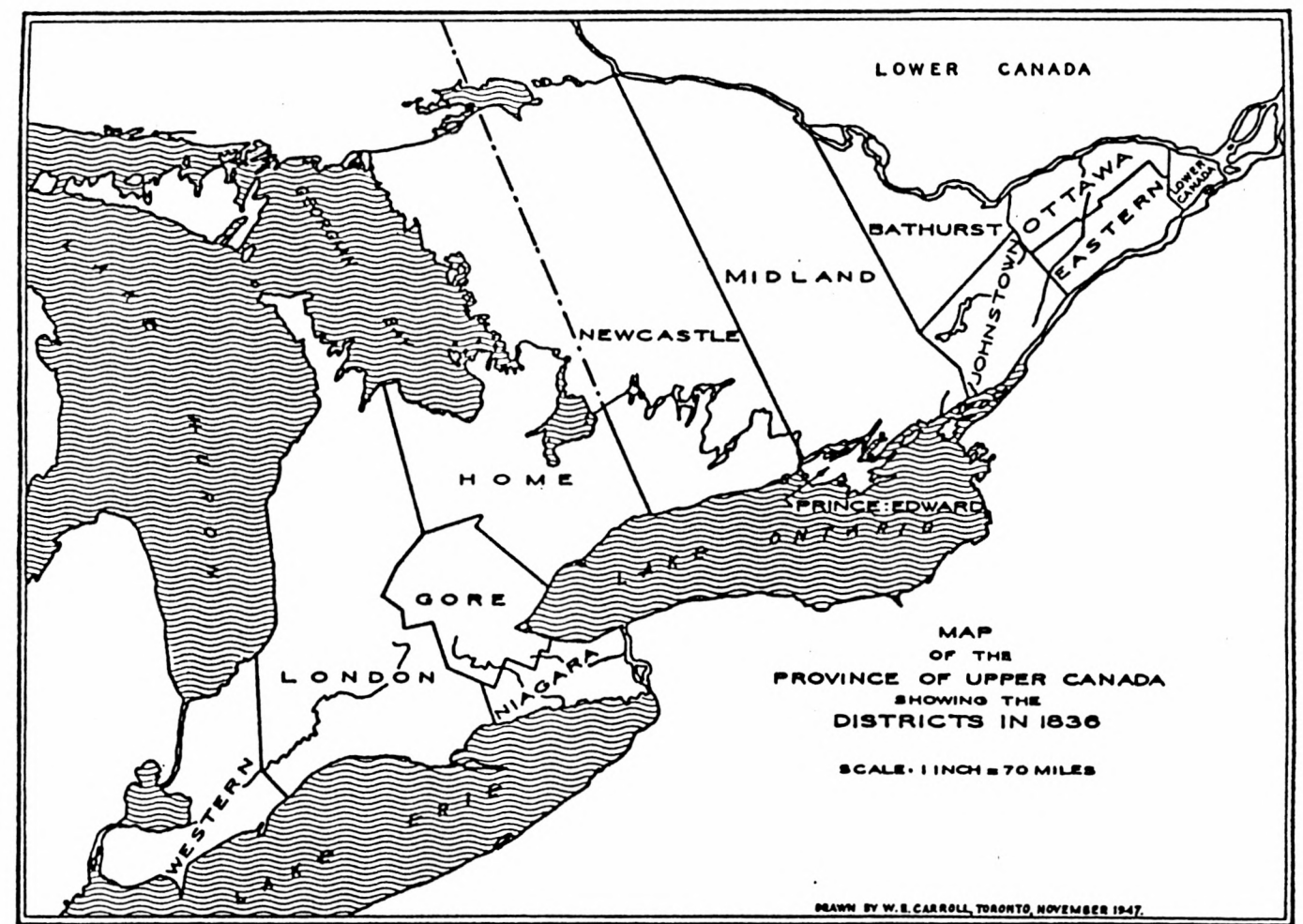
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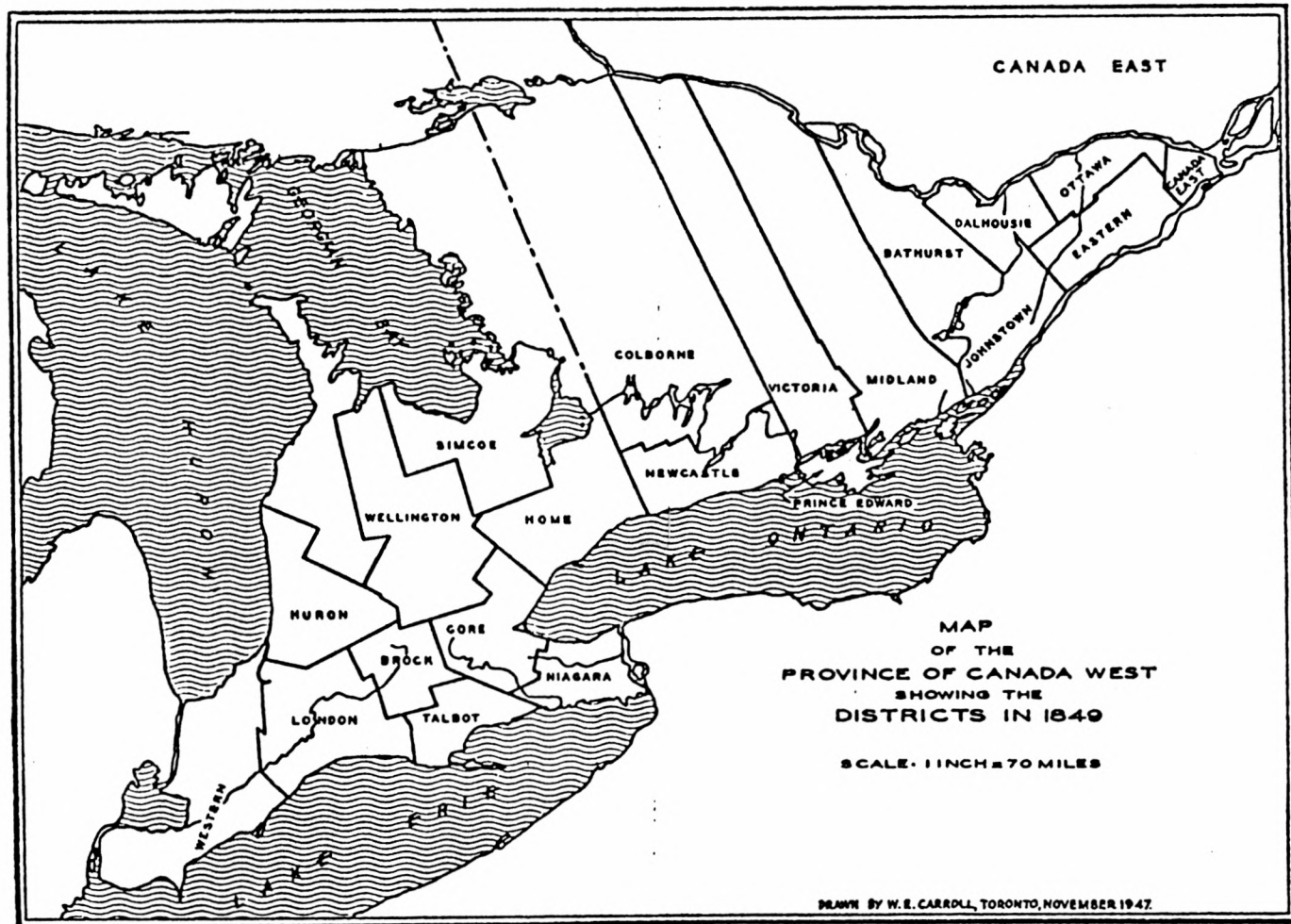




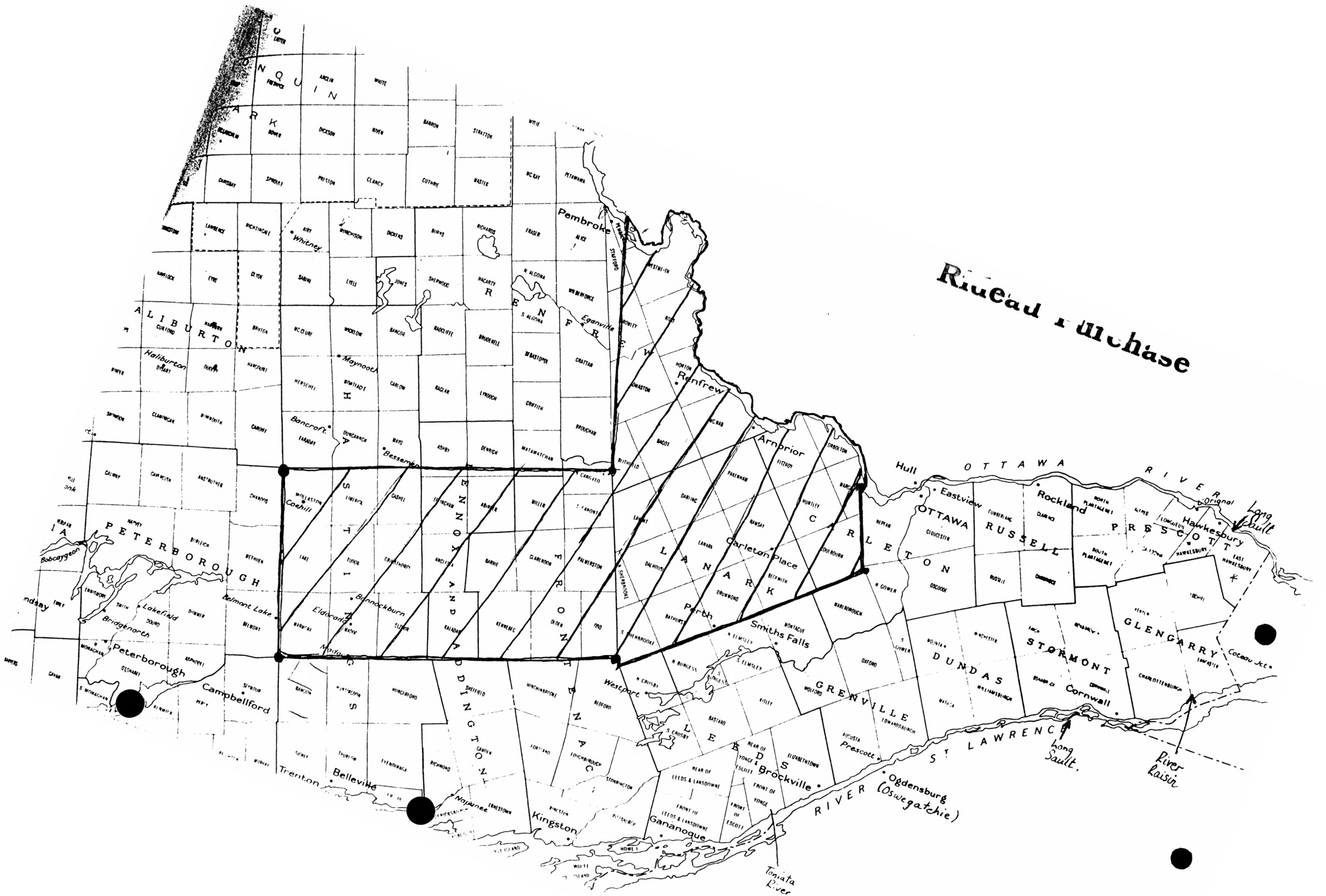
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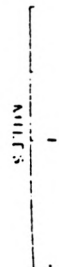
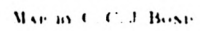


Sprague, George. The districts of Upper Canada, 1788-1849.
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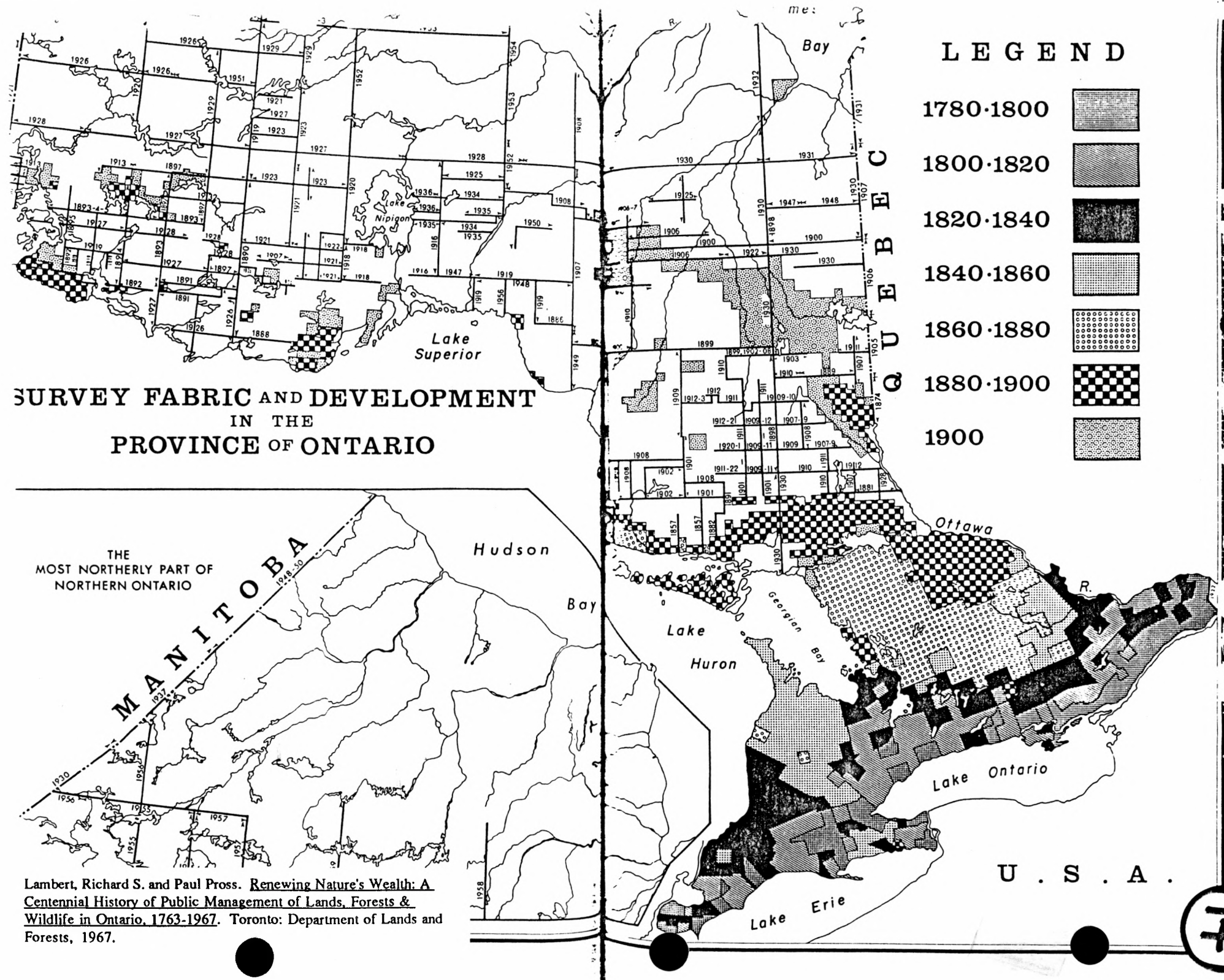
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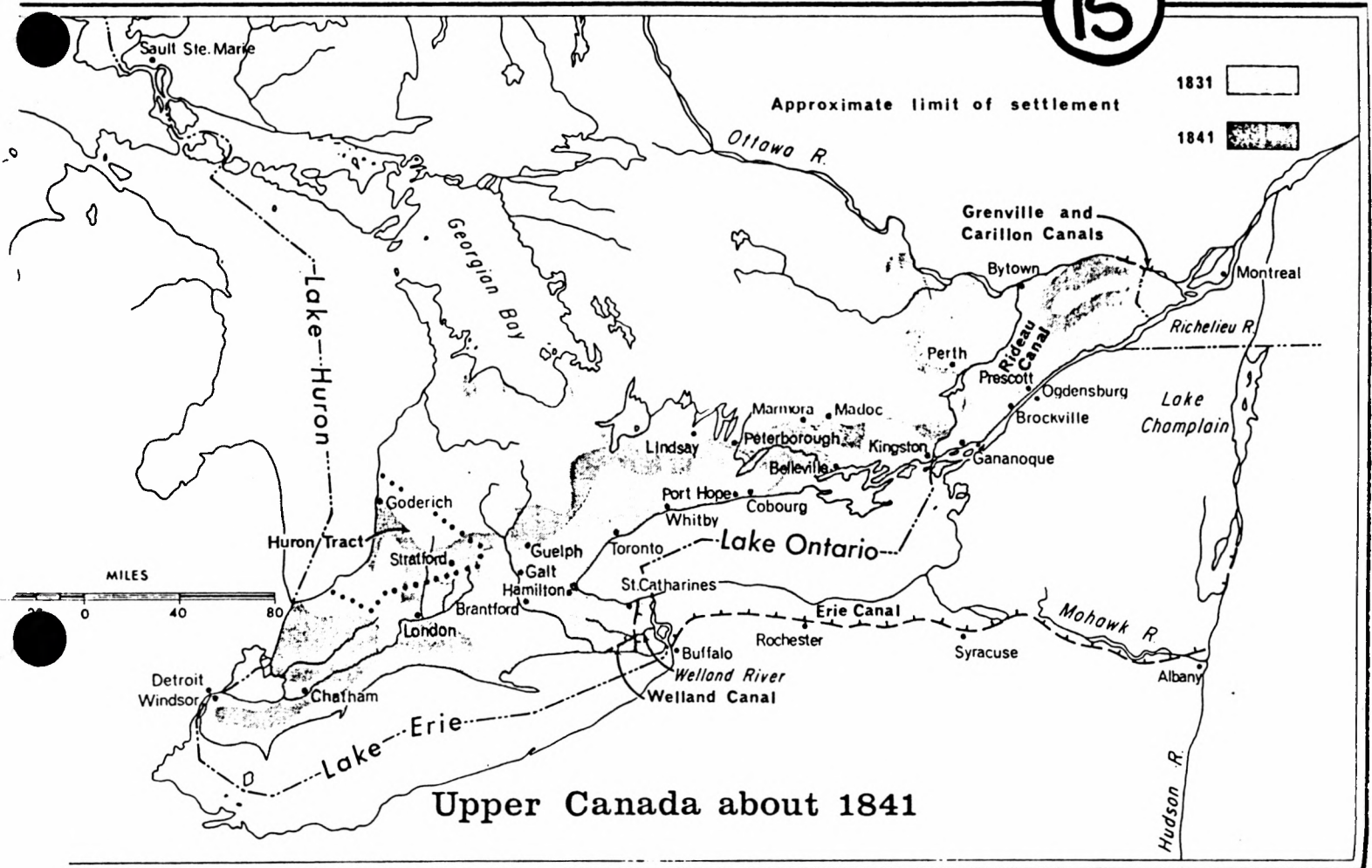




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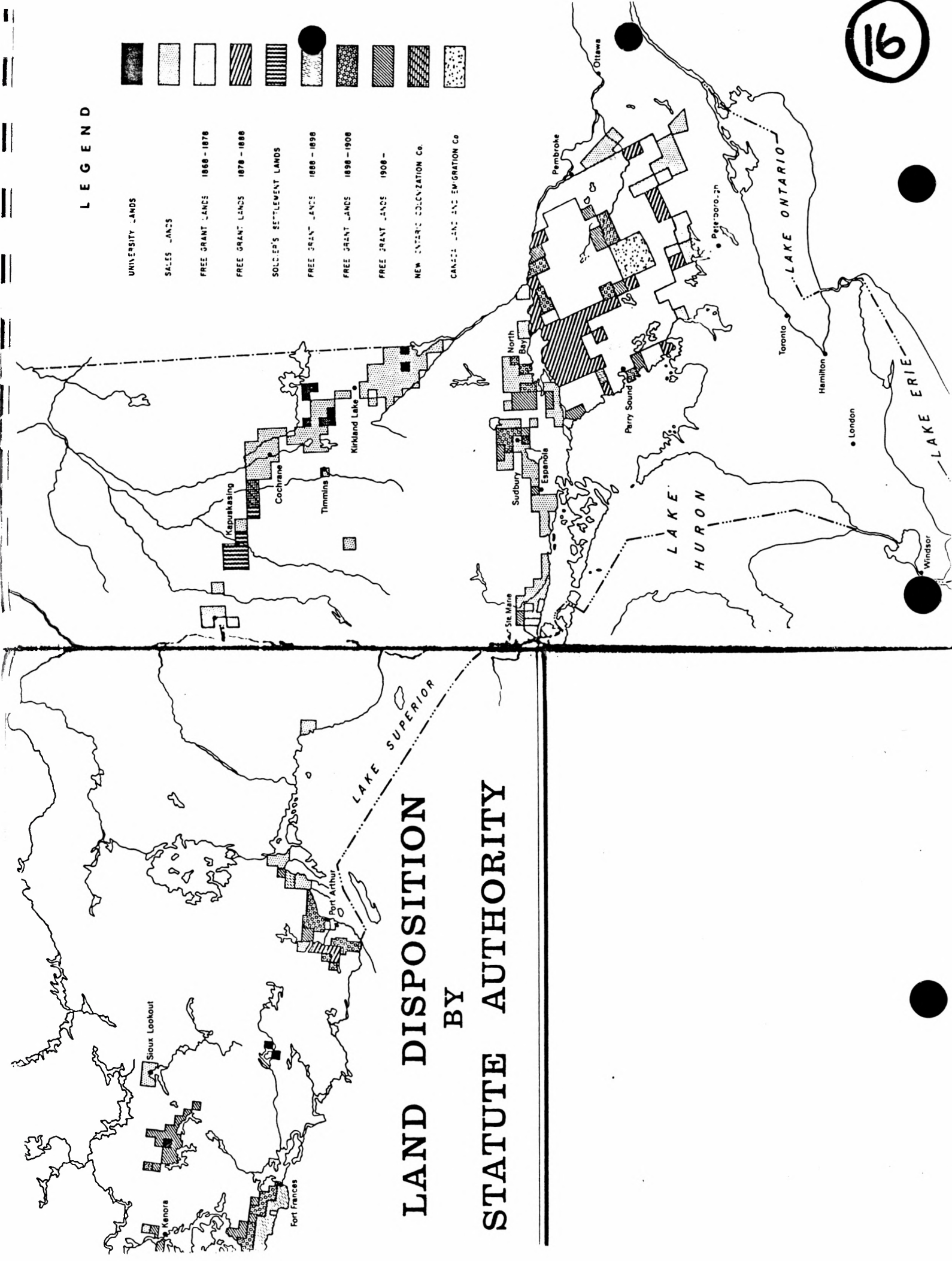


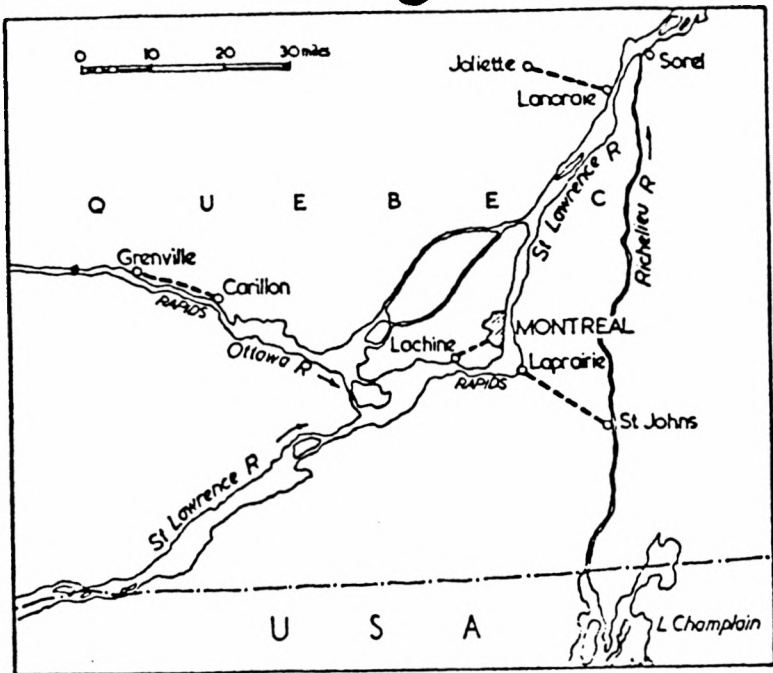




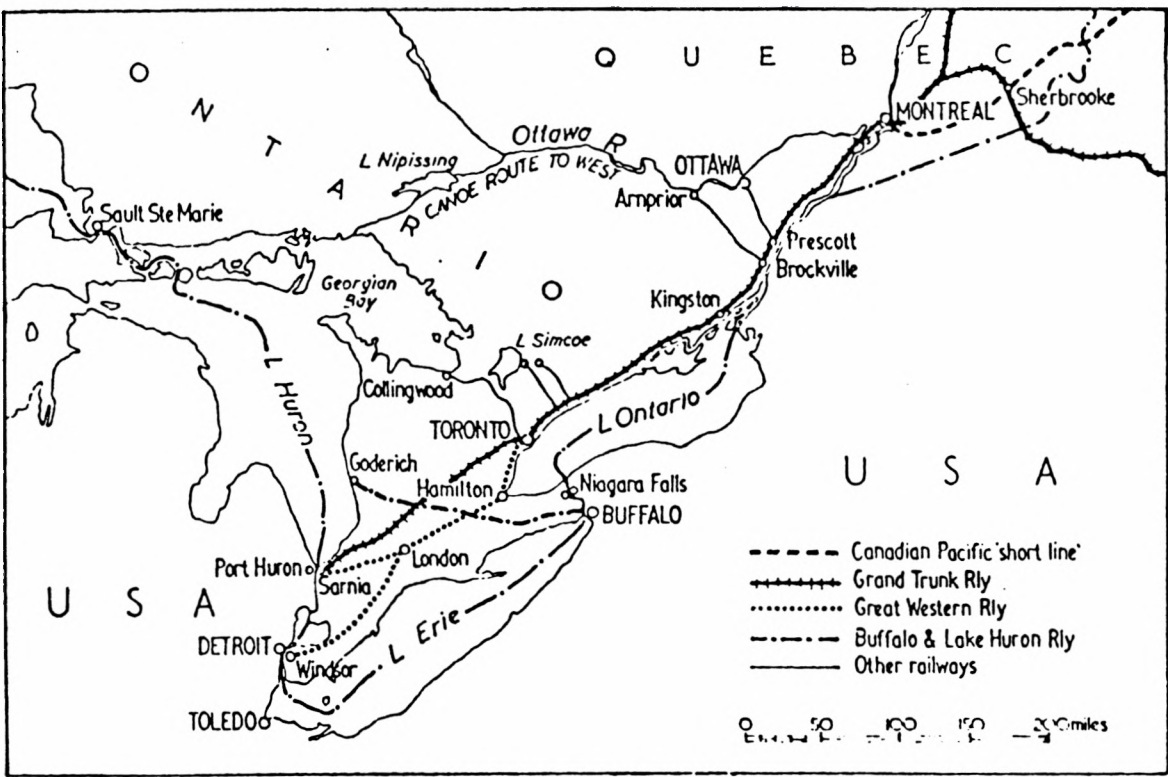
LEGEND

	UNIVERSITY LANDS
	SALES LANDS
	FREE GRANT LANDS 1868-1878
	FREE GRANT LANDS 1878-1888
	SOLDIER'S SETTLEMENT LANDS
	FREE GRANT LANDS 1888-1898
	FREE GRANT LANDS 1898-1908
	FREE GRANT LANDS 1908-
	NEW ONTARIO COLONIZATION CO.
	CANADIAN LAND AND EMIGRATION CO.

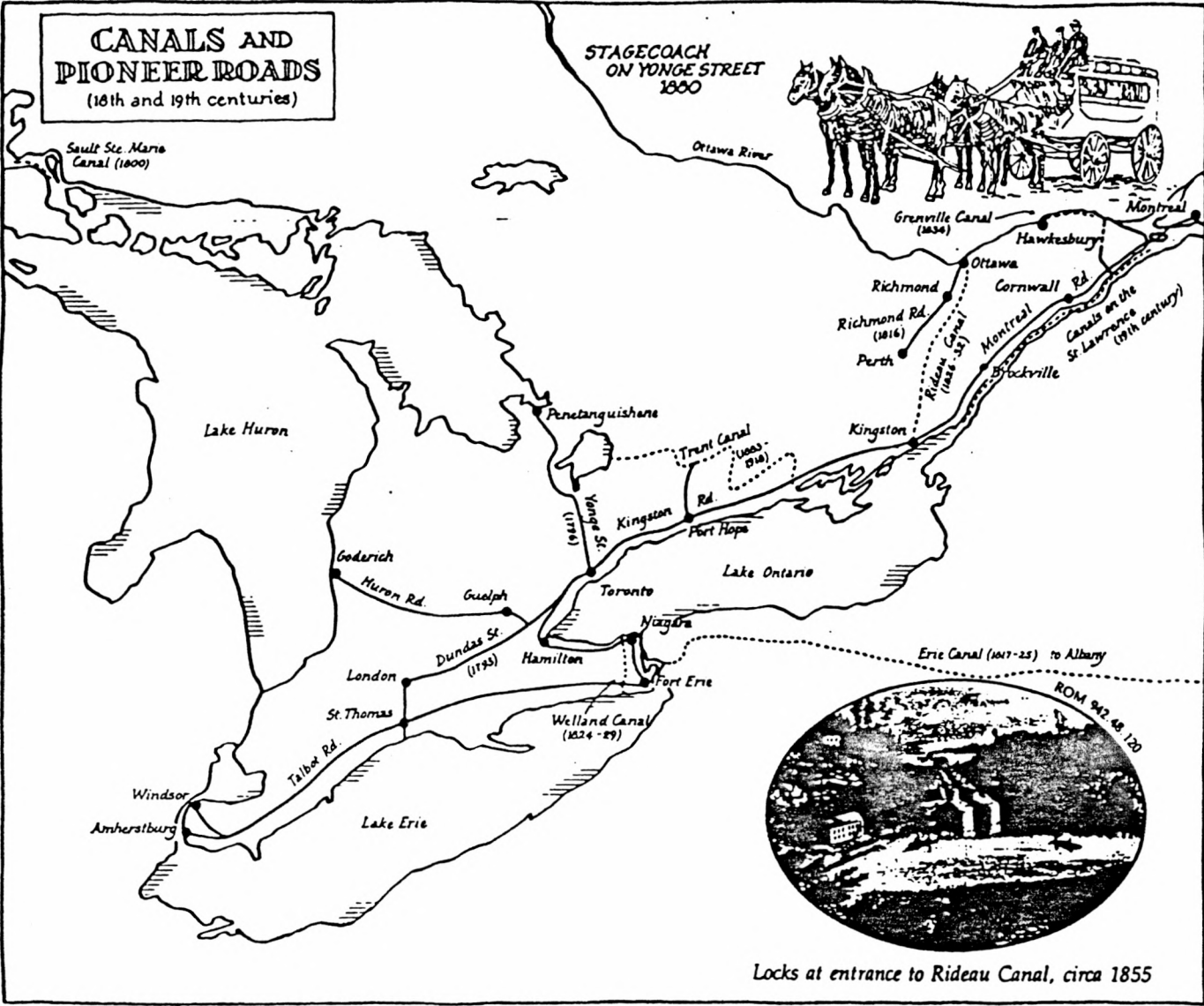




Map A: The first railways in Canada



Map C: Railways in Canada West (now Ontario) ca 1860



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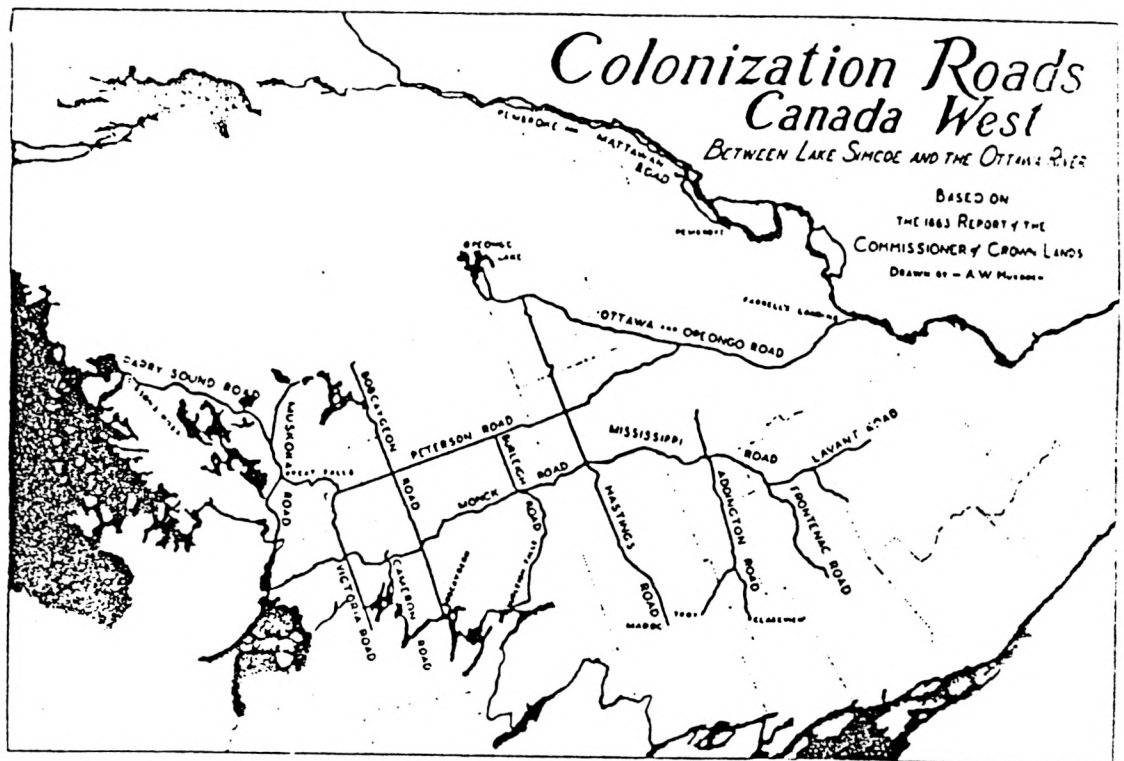
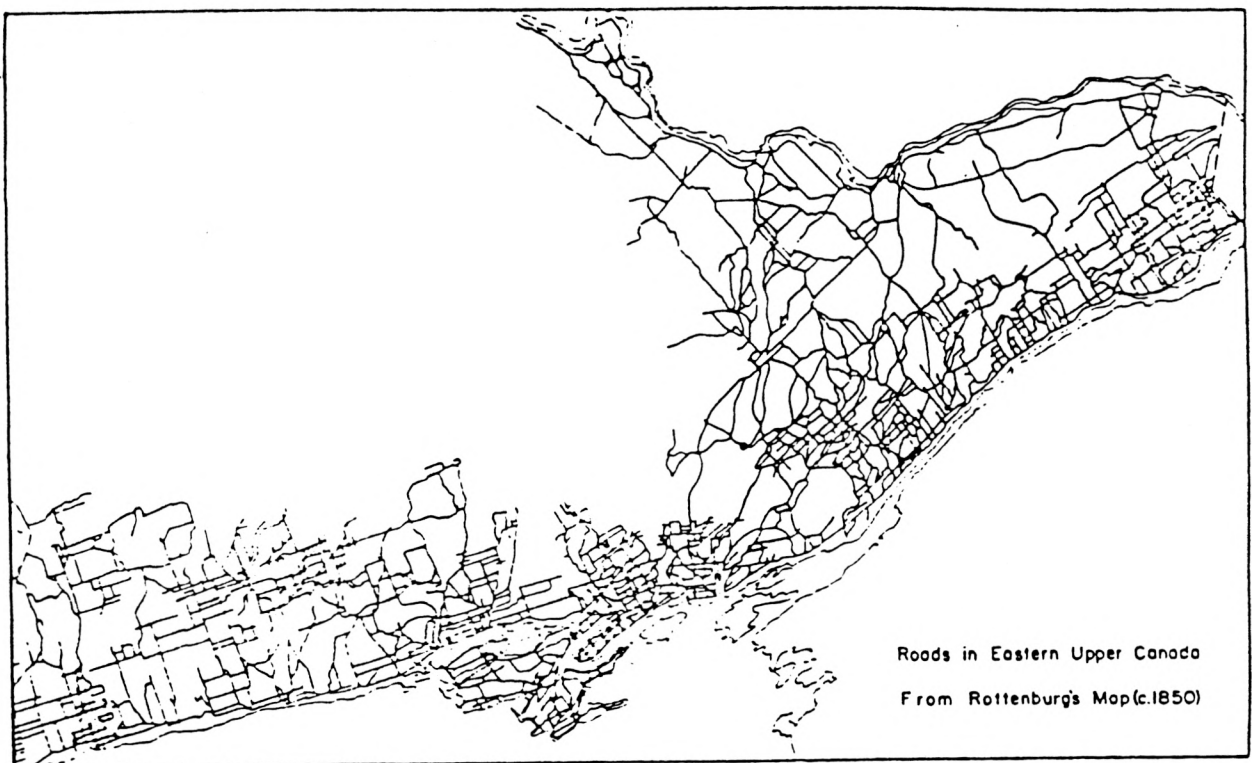


FIGURE 31. Colonization Roads, Canada West, based on the 1863 Report of the Commissioner of Crown Lands.

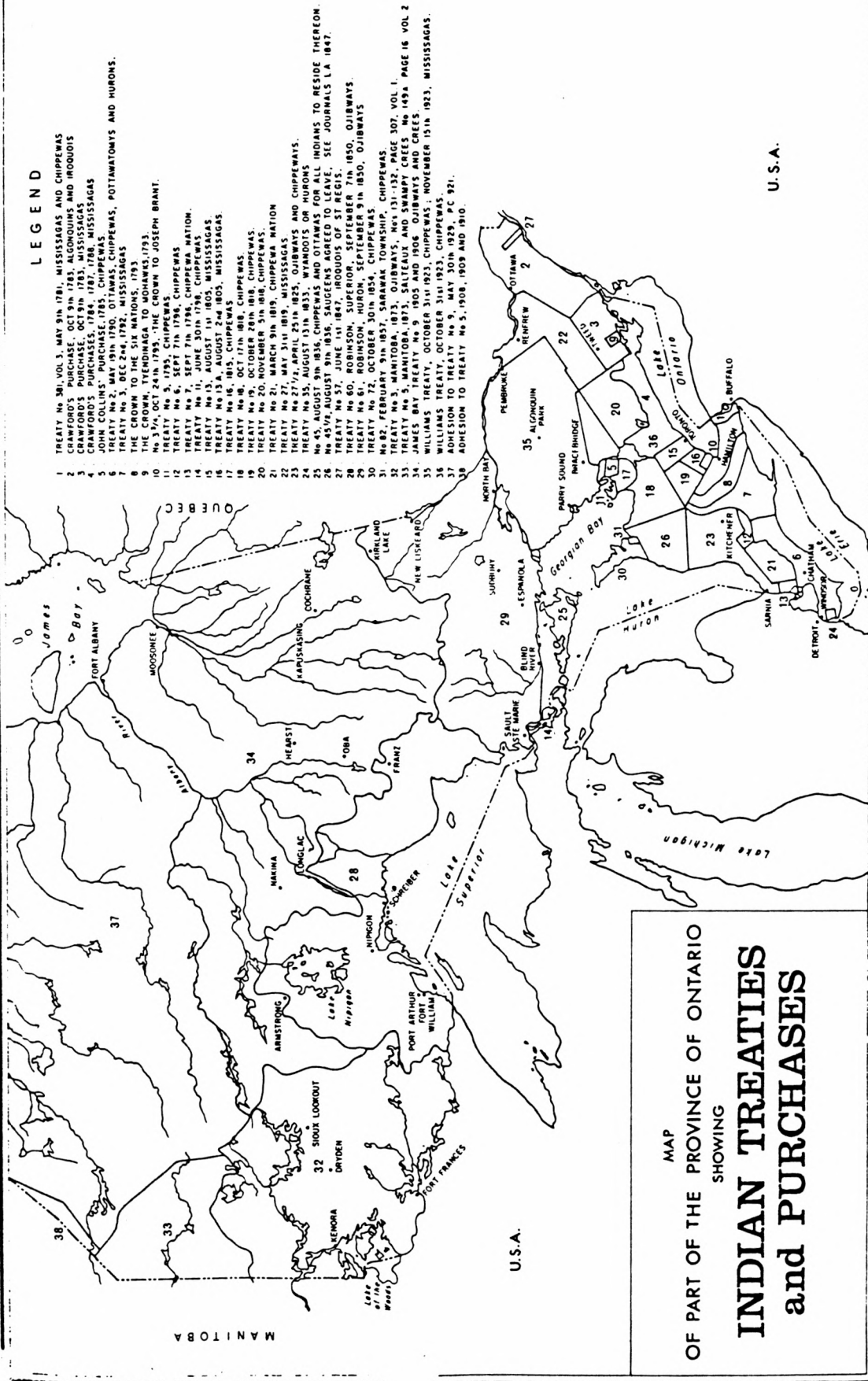


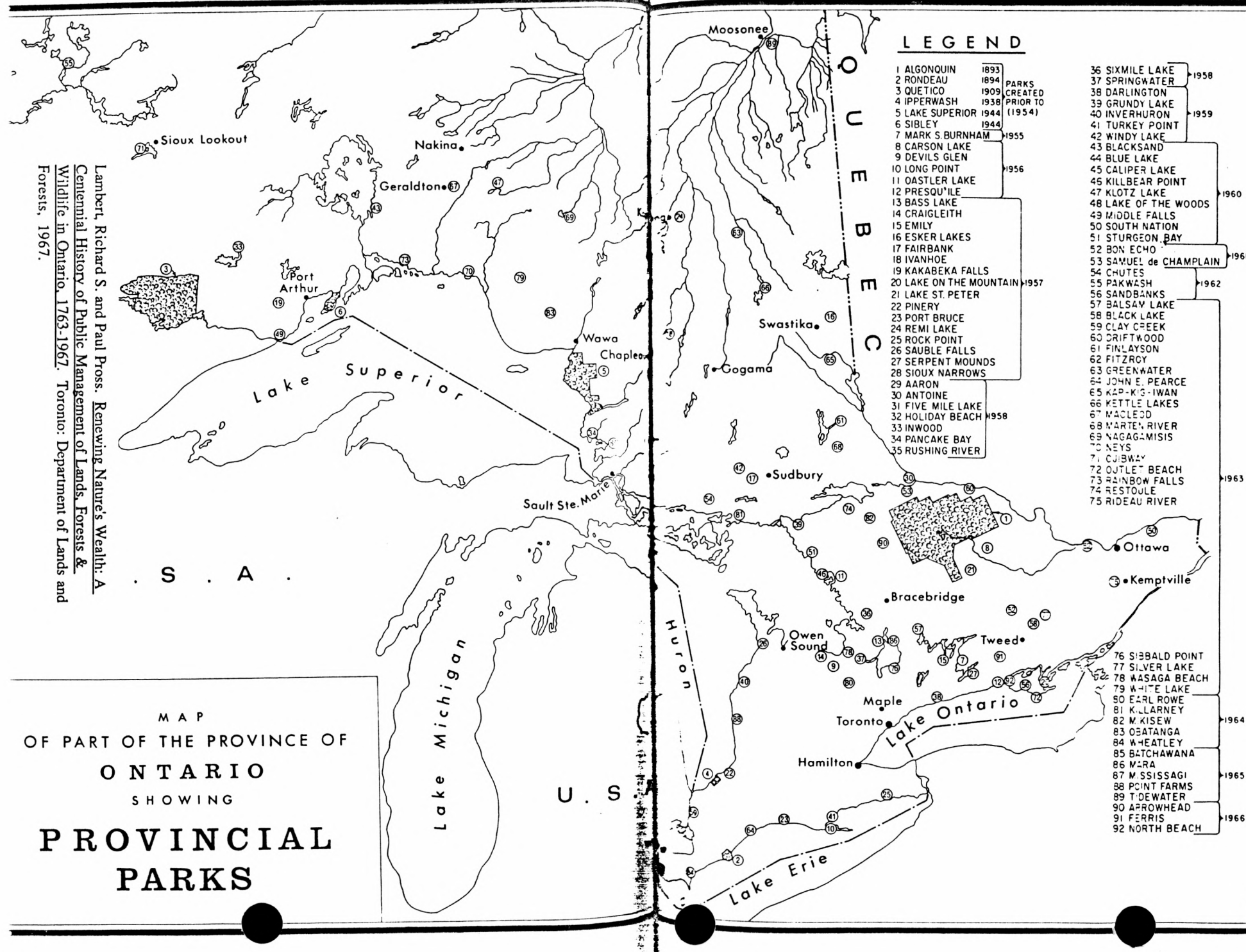
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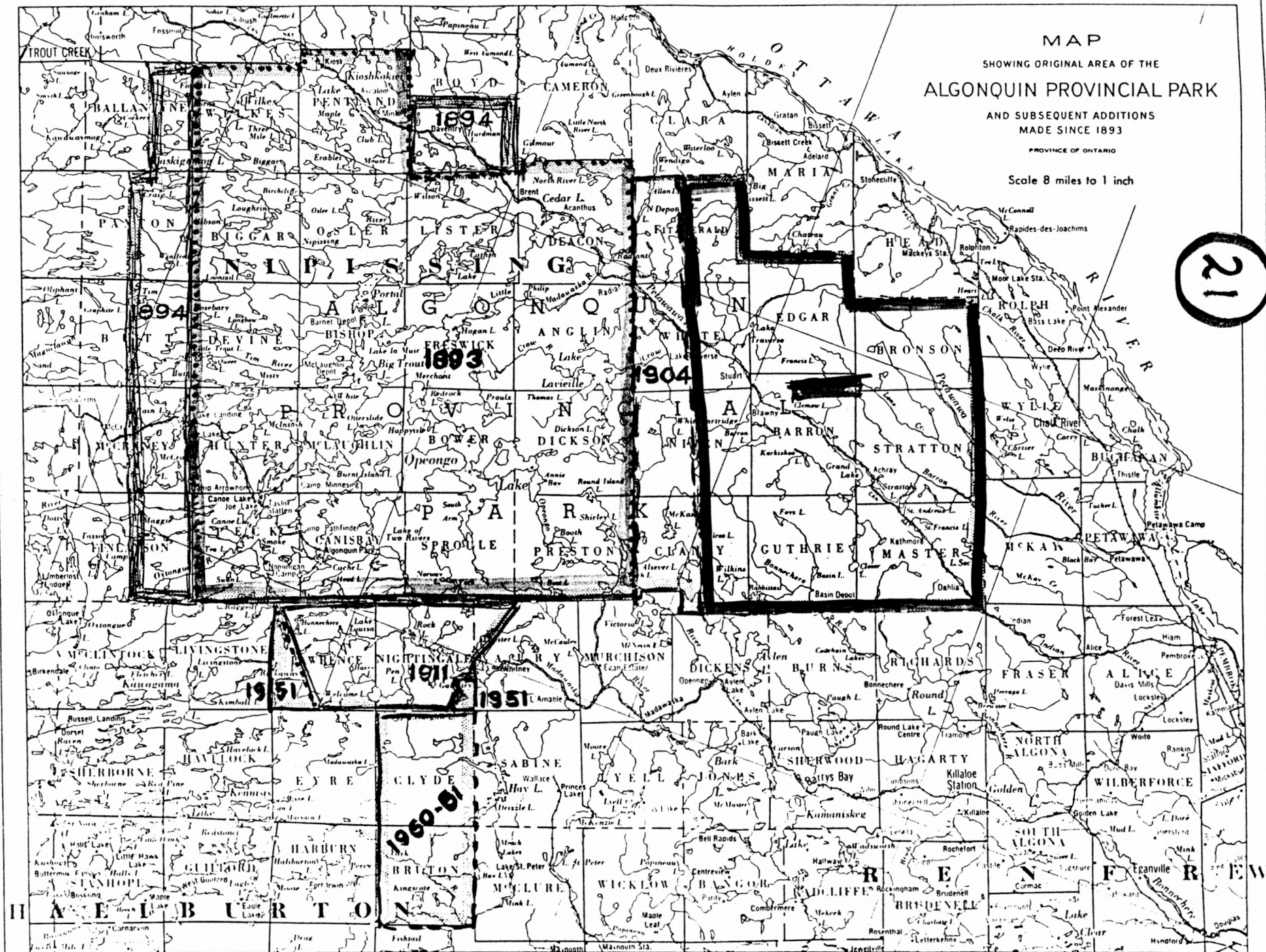


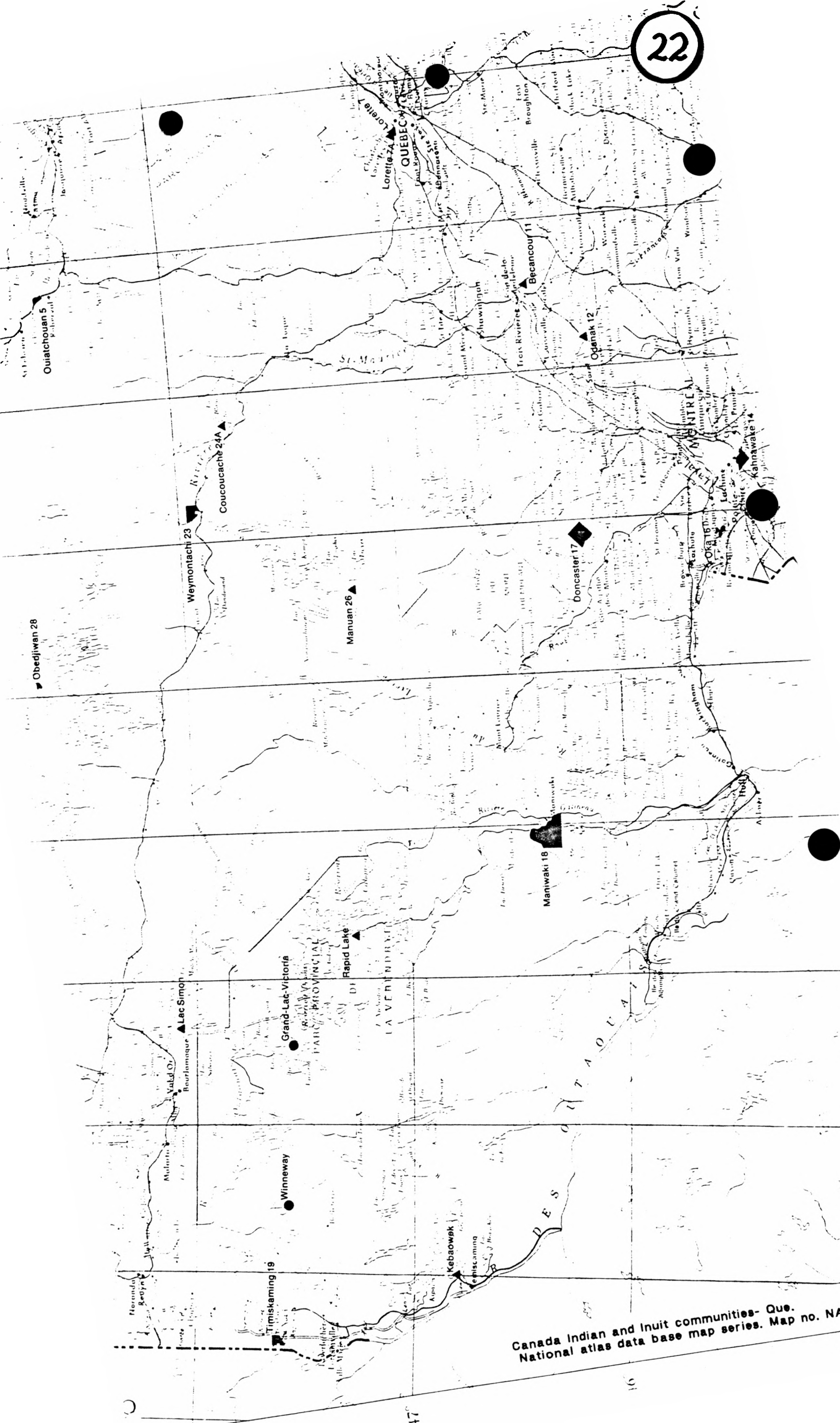
90 85° 80° 75

Canada Native treaties.
National atlas of Canada fifth ed.














Canada Indian and Inuit communities- Que.
National atlas data base map series. Map no. NADM-3.

INDIAN AND INUIT COMMUNITIES

	Inhabited Indian Reserves: .....less than 809 hectares (2 000 acres) .....809 hectares (2 000 acres) and over.
	Uninhabited Indian Reserves: .....less than 809 hectares (2 000 acres) .....809 hectares (2 000 acres) and over
	Other Indian Lands.....Category 1A.....Category 1AN
	Settlements.....Indian.....Inuit
	Other Communities.....Indian.....Inuit*

* There are no Other Inuit Communities in Quebec.

NOTE:

No definite statement on the precise legal status of Indian Reserve or Settlement land can be made without extensive enumeration of particular cases. In general terms, an *Indian Reserve* is a tract of land the legal title to which is vested in Her Majesty, and which has been set apart for the use and benefit of an Indian Band. The Indian Reserves are administered under the terms of the Indian Act, R.S.C. 1970.

As a result of comprehensive claim agreements based on traditional use and occupancy of land, the administration and control of certain areas in Québec were transferred under Federal jurisdiction. Eight communities situated on tracts of *Category 1A Lands* as defined by the James Bay and Northern Québec Agreement (1975) and one community situated on a tract of *Category 1AN Land* as defined by the North Eastern Québec Agreement (1978) have been shown. Boundaries shown for these should be regarded however as provisional for the purposes of this map, since the related Federal legislation has yet to be enacted. Furthermore, no attempt to show other categories of land defined as well by these comprehensive claim agreements has been made here.

Indian or Inuit Settlements, although situated on Crown land, are not subject to the terms of the Indian Act.

Other Indian or Inuit Communities represent distinct centres of native population.

No information is shown for Reserves, Settlements or Other Communities outside the Province of Quebec.

Land boundary information for Indian and Inuit Communities is based on data available as of January, 1983. The Indian Reserve designations as inhabited or uninhabited, are based on estimates of registered Indian population as of December 31, 1980.

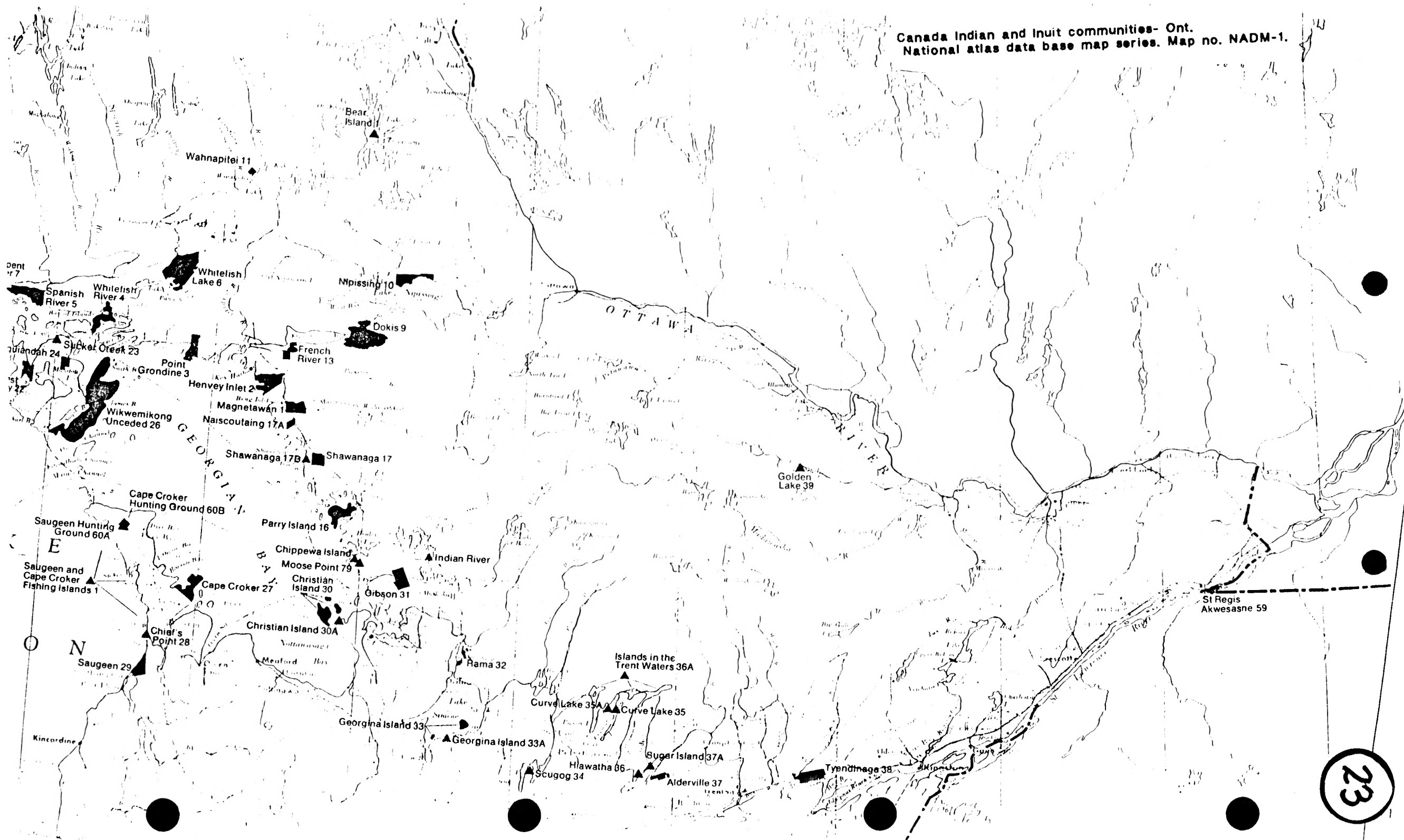
This map was prepared in consultation with officials of Indian and Northern Affairs Canada and Legal Surveys Division, Surveys and Mapping Branch, Energy, Mines and Resources Canada. Research by I. Jost and B. H. Berghout, Geographical Research, Geographical Services Division, Surveys and Mapping Branch, Energy, Mines and Resources Canada.

Cartography by Cartography and Toponymy, Geographical Services Division, Surveys and Mapping Branch, Energy, Mines and Resources Canada.

Sources:

Canada, Department of Energy, Mines and Resources, Surveys and Mapping Branch, National Topographic System maps. Ottawa.
.....Legal Surveys Division. Index maps, 1977-80. Unpublished. Ottawa.
.....Plans of Indian Reserves as of 1983. Unpublished. Ottawa.
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.....1972. *Schedule of Indian Reserves and Settlements*. Ottawa.
.....Indian and Inuit Affairs Program. 1983. *Schedule of Indian Bands and Reserves*. Unpublished. Ottawa.
.....Reserves and Trusts. November 29, 1982. *Estimated Registered Indian Population by Reserve as of December 31, 1980/Population estimée des indiens inscrits selon la réserve au 31 décembre 1980*. Unpublished. Ottawa.
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Base map reproduced from the map, *QUEBEC*, MCR 42F, produced by Energy, Mines and Resources Canada at the scale 1:2 000 000. Printed 1973. All elevations in feet.



Scale 1:2 000 000 or one centimetre equals 20 kilometres
 20 0 20 40 60 80 100 120 kilometres
 Lambert Conformal Conic Projection. Standard Parallels 49°N and 77°N

INDIAN AND INUIT COMMUNITIES

	Inhabited Indian Reserves:
	.....less than 809 hectares (2 000 acres)
	.....809 hectares (2 000 acres) and over
	Uninhabited Indian Reserves:
	.....less than 809 hectares (2 000 acres)
	.....809 hectares (2 000 acres) and over
	Settlements
	.....Indian
	.....Inuit*
	Other Communities
	.....Indian
	.....Inuit*

*Does not occur on this map.

NOTE:

No definite statement on the precise legal status of Indian Reserve or Settlement land can be made without extensive enumeration of particular cases. In general terms, an *Indian Reserve* is a tract of land the legal title to which is vested in Her Majesty, and which has been set apart for the use and benefit of an Indian Band. The Indian Reserves are administered under the terms of the Indian Act, R.S.C. 1970.

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This map was prepared in consultation with officials of Indian and Northern Affairs Canada; and Legal Surveys Division, Surveys and Mapping Branch, Energy, Mines and Resources Canada. Research by I. Jost and B.H. Berghout, Geographical Research Division, Surveys and Mapping Branch, Energy, Mines and Resources Canada.

Cartography by the Cartography and Toponymy Division, Surveys and Mapping Branch, Energy, Mines and Resources Canada.

Sources:

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 Legal Surveys Division, Index maps, 1977-80, Unpublished, Ottawa.
 Plans of Indian Reserves as of 1983, Unpublished, Ottawa.

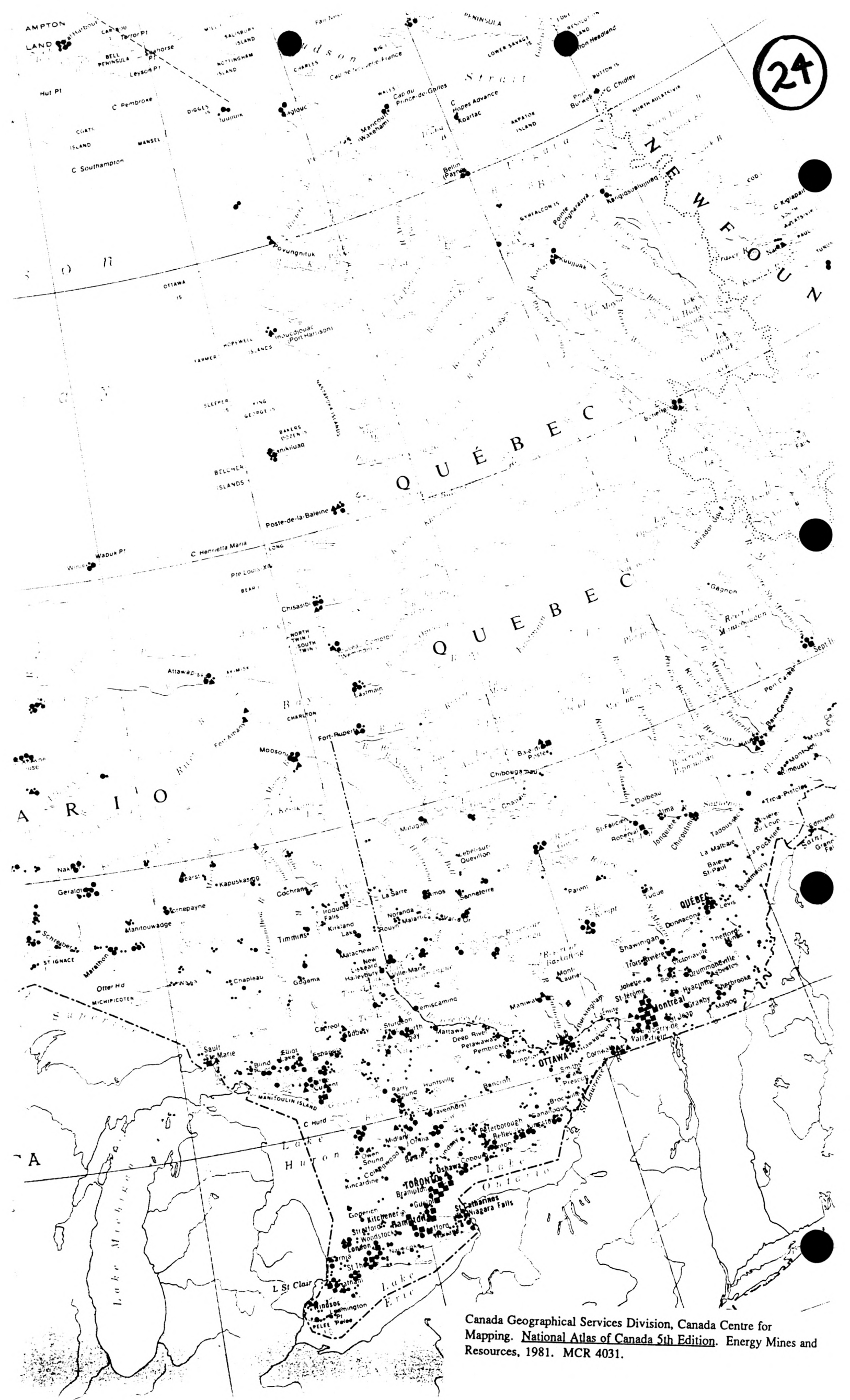
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..... Reserves and Trusts, November 29, 1982, *Estimated Registered Indian Population by Reserve as of December 31, 1980*, Population estimée des indiens inscrits selon la réserve au 31 décembre 1980, Unpublished, Ottawa.

Base map reproduced from the map, DNTAR/D, MCR 39, produced by Energy, Mines and Resources Canada at the scale 1:2 000 000. Printed 1973. All elevations in feet.



Canada Geographical Services Division, Canada Centre for Mapping. National Atlas of Canada 5th Edition. Energy Mines and Resources, 1981. MCR 4031.

INDIAN AND INUIT POPULATION, 1976

INDIAN	INUIT	NUMBER OF PERSONS
•	•	10
•	•	50
•	•	100
▲	▲	500
■	■	1000

The total native population represented on the map is approximately 351 010, of which 81% are registered Indian, 13% are non-status Indian and 6% are Inuit. Since non-status Indians are not recognized under the terms of the Indian Act, estimates for this category were derived from Census information relating to ethnic groups. Population estimates for Inuit were prepared by the Department of Indian and Northern Affairs.

Research by I. Jost, Geographical Research Division.

Sources:

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ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 2

**ABORIGINAL USE AND OCCUPATION OF THE OTTAWA
RIVER WATERSHED DURING THE HISTORIC PERIOD**

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 2

**ABORIGINAL USE AND OCCUPATION
OF THE OTTAWA RIVER WATERSHED**

**Prepared by
Joan Holmes &
Associates, Inc.
for
Ontario Native Affairs
Secretariat
October 30, 1993**

VOLUME 2

ABORIGINAL USE AND OCCUPATION OF THE OTTAWA RIVER WATERSHED DURING THE HISTORIC PERIOD

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VOLUME 2

ABORIGINAL USE AND OCCUPATION OF THE OTTAWA RIVER WATERSHED DURING THE HISTORIC PERIOD

SUMMARY

Content

This report presents evidence from primary source documents, secondary sources, and maps and plans that provide information on the aboriginal occupation of the Ottawa Valley watershed from contact to the 1980s.

As well as indicating the identity of aboriginal peoples using and occupying the subject area, the quoted material gives information on the nature and intensity of use, movement of people in and out of the area and the economic and political trends that affected occupation and settlement. While the settlement and use of the watershed by European immigrants is not the focus of this report, many of the documents refer to the impact on the aboriginal occupants of non-aboriginal activity in the subject area.

Much of the information must be gleaned from lengthy petitions and correspondence which often are concerned with outside matters. Most sources have been quoted in their entirety to provide maximum context to the reader. Further context and information on particular incidents and issues can be obtained by referring to the chronological index of documents, other reports and lists produced by this project.

Subject Area

The Ottawa River watershed, as traditionally claimed by the Algonquins and Nipissings, was described as encompassing all of the land drained by the Ottawa River and the tributaries which flow into it, from Long Sault Rapids or Point d'Orignal on the Ottawa River (located below and above present day Hawkesbury) up as far as Lake Nipissing. This demarcation of the area does not include the Sulpician mission at Lake of Two Mountains (Oka). It is unclear whether or not Lake Timiskaming was considered to be part of the lands traditionally claimed by the Algonquins and Nipissings.

An examination of the hydrology of Ontario and Quebec indicates that the Ottawa River watershed includes the following tributaries on the Ontario side starting in the east: South Nation River, Rideau River, Mississippi River, Madawaska River, Bonnechere River, Indian River, Barron River, Petawawa River, Mattawa River and all of the small rivers and creeks flowing into them.

On the Quebec side of the Ottawa, the following major rivers are within the Ottawa system, again starting in the east: Rivière Rouge, Rivière de la Petite Nation, Rivière Blanche, Rivière Lièvre, Rivière Gatineau, Rivière Coulonge, Rivière Noire, Lac Témiscamingue, Rivière des Outaouais and the many small rivers, creeks, and lakes which flow into them. The map produced by the Ottawa River Planning and Regulation Board is the best source for identifying bodies of water within the Ottawa River system. [Map No. 32.]

Some references to aboriginal use of these peripheral areas has been included to give further context to the use of the watershed as described by the claimants. It should be noted however, that the research concentrated on the geographical region in question and that the documentation of use of peripheral areas is not intended to be a thorough history. It is merely provided to give a fuller picture of the use of the subject area.

Format of Report

All quotations are single spaced and indented. They are reproduced as they appear in the original documents, complete with archaic spellings, usages and errors. Introductory and explanatory remarks are double spaced. Words enclosed in squared brackets [thus] have been added by the researchers for information purposes. Readers are advised to consult Vol. 1, Part B, Information Maps and Illustrations With Explanatory List to assist in their understanding of the written material.

Precontact

- archaeological evidence identifies occupation of the Ottawa Valley since the end of the last glacial period. In other words, the valley has been occupied for at least the last 10,000 years.
- since about 500 A.D. (about 1,500 years ago) the valley was occupied by a cultural complex identified by archaeologists as Algonquian. This generalized Algonquian cultural group stretched from Quebec to northern Saskatchewan; their material culture, and likely their socio-political culture, was distinct from the Iroquoian, Athabaskan, Plains and Micmac/Maliseet cultures that surrounded them. Peoples identified in the historic period as Chippewa, Mississauga, Cree, Ojibway, Algonquin and Montagnais are generally thought to have descended from the generalized Algonquian culture.
- these people lived by hunting, fishing, and gathering. Their socio-economic organization was characterized by seasonal migration within a defined geographic area. They were organized into small family based groups that exploited resources co-operatively. Typically, interrelated groups congregated annually, usually in summer, at resource-rich locations for social, religious, political, and economic activities.

Initial Contact

- the reader should be aware that the early historical record from which we gather our information about the aboriginal population was written by missionaries, explorers and traders. While these records contain a wealth of useful information, they also reflect the ethnocentric bias, perception, and self-interest of Europeans and are not necessarily accurate depictions of the self-identity or actual relations between aboriginal groups.
- earliest contact within the subject area was made by Champlain in 1613. The Algonquins encountered along the river were already engaged as middlemen in the fur trade. The Ottawa River was an important trade route giving access to the upper great lakes and interior via Lake Nipissing and Georgian Bay. In addition the Ottawa led to an interior eastern waterway via Lake Timiskaming and the Rivière des Outaouais to the St. Maurice and Saguenay. Both eastern and western routes were important for avoiding the Iroquois and their allies along the St. Lawrence and lower great lakes.
- several different groups identified collectively as speaking the Algonquin language and/or being Algonquins were named as occupying the subject area. They were the Kitchesipirini (Allumette/Morrison's Island), Weskarini (Petite Nation, Lièvre, Rouge), Kinouchepirini (or Keinouche on the Ottawa below Allumette), Matouweskarini (Madawaska River), Ottagoutowuemin (Ottawa above Allumette), and Onontchataronon (or Iroquet on South Nation). Nipissings were located on the north shore of Lake Nipissing; some authors have indicated that they also occupied lands south of the lake.
- the Algonquins and Nipissings were allied with the Hurons and the French for carrying out fur trade and military operations to protect trade interests. Hurons used the Ottawa River for transporting trade goods. The Algonquins exacted tolls from all who used the waterway.

Iroquoian or Beaver Wars

- hostilities between Algonquins and Iroquoian peoples were recorded since at least 1570. They were rivals in the lucrative fur trade, the Algonquins being allied with the French, while the Iroquois were allied generally with the British. The St. Lawrence trade route had been effectively closed by the Iroquois until it was re-opened in 1609-1610 with French assistance. Access to this route fluctuated with the state of warfare.
- the period from about 1640 to the end of the 17th century was a period of extensive warfare between Iroquois and Hurons, Algonquins and their allies. It was also a period of widespread epidemics during which large numbers of people died.
- the Ottawa River watershed was raided repeatedly and extensively by Iroquois and Huronia was destroyed (1648-1650). During this period Algonquins, Nipissings, and Hurons fled from the Iroquois and found refuge in various locations including French settlements at Trois-Rivières, Quebec City, Sillery, and Montreal; others went to the Lake St. John region to the east. Some Nipissings reportedly travelled west to Lake Nipigon. There is some evidence that Algonquins did not completely abandon the

Ottawa valley, but withdrew from the Ottawa River to the headwaters of its tributaries and remained in those interior locations until the end of the century. The period of dispersal is generally cited as 1650 to 1675. Ottawas used the Ottawa River for trade purposes from about 1654. During the last quarter of the 17th century, Algonquins were reported at numerous locations within the French sphere of influence.

- by the end of the 17th century, the Iroquois had been driven from southern Ontario by Ojibway speakers usually referred to as Mississaugas or Chippewas. Iroquois continued to occupy the eastern extremity of Ontario on a seasonal basis; the rest of the Ottawa River watershed on the Ontario side was occupied by unspecified Algonquians.

The 18th Century, the French period

- Algonquins and Nipissings were among those present when French made peace with Iroquois in 1701 in Montreal. In the period 1712-1716 Algonquins were known to be living along the Gatineau River. Iroquoian occupation was limited to the area south of the St. Lawrence. Mississauga and Chippewa settlement was outside the Ottawa River watershed in southern and central Ontario.
- A 1740 map of Native people in Canada shows Nipissings north of Lake Nipissing, Algonquins on Rivière Lièvre, and Algonquins, Nipissings, and Mohawks at Lake of Two Mountains. There were no other aboriginal groups identified in the Ottawa River watershed. The closest Ojibway occupations in southern Ontario were at the Bay of Quinte and Georgian Bay. Algonquins were also shown outside the watershed at Trois-Rivières and Nipissings were shown at Lake Nipigon.
- A 1752 report stated that Algonquins and Nipissings at Lake of Two Mountains came for a short time every year for trade purposes and left in the late summer for their hunting grounds far up the Ottawa River.
- evidence of non-Algonquin use of the watershed in this period was limited to suggestions that Algonquins and Nipissings congregating at Lake of Two Mountains allowed Iroquois from the mission to use their hunting grounds.
- prior to the conquest the area north of the Ottawa River was considered to be under French domination, while that south of the Ottawa was disputed territory.

Conquest and Royal Proclamation (1759-1763)

- one of the first traders to travel up the Ottawa River after the British conquest (1761) noted that the Algonquins at Lake of Two Mountains claimed all the land on the Ottawa as far as Lake Nipissing.
- in 1763 Sir William Johnson described the Algonquins and Nipissings (Arundacs) as being allied with the Six Nations and living at Lake of Two Mountains. He listed the Ottawas and Chippewas as residing in the territory from the Great Lakes to the Ottawa River. He also listed the Algonquins and Nipissings as being allied with both the Six Nations Confederacy and the Western Confederacy which included Chippewas, Ottawas, Hurons etc. Johnson noted that he had very little contact with some of the aboriginal people. His previous experience was with Mohawks and other Iroquois allied with the British.

Pre-confederation British Period

- the earliest detailed petitions from Algonquins and Nipissings date from 1772. They clearly and consistently describe the Algonquin and Nipissing territory as encompassing both sides of the Ottawa river from Long Sault (above Carillon) to Lake Nipissing. They were actively using the area for hunting and trapping. These petitions were repeated in 1791, the year that Upper and Lower Canada were separated.
- Algonquins and Nipissings fought for the British during the revolutionary wars (1776) and again during the war of 1812.
- the British were still administering their colony as Quebec in 1783 when the Crawford purchase and 1784 St. Regis and Oswegatchie purchases were made with Mississaugas (likely), Onondagas and Mohawks. The Crawford purchase overlapped with the eastern extremity of the Algonquin claim area. The location of the Oswegatchie and St. Regis purchases is difficult to ascertain; there is no clear evidence that the purchases in fact encompass any significant area within the Ottawa River watershed. While all of these purchases were problematic in their execution and

recording, they indicated that the crown believed the Indians treated with had a legitimate interest in the area. Around 1794 and 1795 there were protests from French mission Indians (likely including Mohawks from St. Regis and possibly Iroquois, Algonquins and Nipissings from Lake of Two Mountains) because of settlers taking lands along the north shore of the St. Lawrence above Longueuil Seigneurie. The settlements complained of would have included lands supposedly sold in 1783 and 1784.

- Nipissings and Algonquins issued leases and collected rents from islands in the Ottawa from 1802. Indian Department officials assisted them in collecting rents, enumerating squatters, valuing improvements, and regularizing leases. Ownership of the islands became the subject of petitions from about 1820. In 1839, the Crown declared that they had no right to lease the islands or collect rents. While the Crown considered the islands to be Crown land, the question of ownership of the islands continued into the twentieth century as some lessees believed that the Department of Indian Affairs held the islands in trust for "Indians".
- the Rideau Purchase of 1819/1822 took land from the Mississaugas up to the Ottawa River, indicating the Crown in Upper Canada recognized the Mississaugas as having a legitimate claim. Algonquins and Nipissings protested the Rideau Purchase in 1836 as soon as they learned it included some lands north of the height of land. Although repeated petitions were met with promises to investigate the purchase and consider payment of annuities to the Algonquins and Nipissings for this land, no action was taken. The Mississauga of Alnwick, who were the descendants of the Rideau purchase signatories continued to receive annuities until around the time of confederation. At that time, the annuities were capitalized and deposited in their trust account as assets of the band.
- during the period from about 1822 to 1830 there were numerous petitions and councils regarding the use of hunting grounds by various nations. Iroquois were reportedly encroaching on Algonquin/Nipissing territory as were Abenakis. These disputes were occurring throughout the British colony. Similar complaints were heard further east in the St. Maurice and Saguenay watershed. The Algonquins continued to assert their ownership of the Ottawa Valley. Têtes de Boule were reported to hunt and use trading posts within the Ottawa Valley on the Quebec side in this period. There are no known petitions citing them as trespassers. Mississaugas of Rice and Mud Lakes and Crow River complained that Indians from Caughnawaga and Lake of Two Mountains were using their hunting grounds, however, they did not identify the area that they claimed was being encroached upon.
- at a council of Abenakis, Algonquins, and Iroquois, the Abenakis denied that Algonquins had any exclusive right to hunt on the north side of the St. Lawrence. The Crown ruled that it could not appoint exclusive hunting territories for the various tribes, but favoured keeping the existing hunting grounds open to all Indians.
- the contact between Algonquins and Nipissings and European officials (church and state) was primarily through the mission at Lake of Two Mountains in Lower Canada. This location caused problems regarding their land claims in Upper Canada. It may also account for the seemingly inconsistent behaviour of the Crown, which was receiving a steady stream of petitions from Algonquins and Nipissings claiming lands which they (the Crown) were obtaining from Mississaugas. Note, however, that the Algonquins and Nipissings did petition Upper Canada's highest authority, Sir J. Colborne, in 1835.
- Algonquins and Nipissings petitioning from Lake of Two Mountains acted together in economic and political matters. They wrote joint petitions, described their territory as a single undivided territory and acted jointly to lease islands in the Ottawa. Dr. Black's detailed study of social relations at Lake of Two Mountains indicated that there was considerable intermarriage between the two groups; and that individuals and families were often recorded as being Algonquin in one instance and Nipissing in another.
- Algonquin and Nipissing residency at Lake of Two Mountains was typically described as two months of the year (July and August), most of the year was spent on their hunting grounds. Only the very old and infirm stayed at the mission throughout the year. They came to the mission for various reasons including trading winter furs, collecting annual presents distributed by the British Crown, receiving religious instruction and education, and dealing with crown officials. Note that most correspondence, petitions, and councils involving representative chiefs took place during summer months.
- it is clear from petitions and government correspondence that, unlike most groups in Upper Canada and many Lower Canada tribes, the Algonquins and Nipissings had no

secured lands or revenues (with the exception of island rentals for a short period) and were dependent on traditional pursuits of hunting, trapping, fishing, and gathering. They received annual presents until the mid-nineteenth century when the practice was ceased by the Crown.

- Indian Department officials familiar with the Algonquins and Nipissings at Lake of Two Mountains generally supported their claims to territory as they described it in their petitions. The two officers most familiar with them were Resident Superintendent James Hughes, the interpreter Captain Ducharme and Superintendent General John Johnson.
- claims to specific parcels of the hunting grounds claimed by the Algonquins and Nipissings began in the 1830s. For example, Mackwa was located on the Bonnechere River, while Constant Pennecy was located on the Rideau.
- evidence of Mississauga use of the watershed include the following: the Crawford purchase in 1783, Rideau purchase in 1819/1822, and reports by Superintendent Anderson in 1837 that described the Mississaugas in Newcastle district as hunting up to the Ottawa River. More Mississauga claims were presented around the time of confederation.
- beginning in the 1840s there was a proliferation of petitions and reports that indicated Algonquins and Nipissings were either moving away from Lake of Two Mountains or failing to visit the post on a yearly basis. Several factors were cited as accounting for the changes. The annual distribution of presents by the British was gradually withdrawn; at first children were cut off and then the presents ceased altogether. There was growing conflict between the seminarians and the Indian converts over the use of lands and resources at the mission. Increasingly, missionaries were establishing themselves in the interior, encouraging the people to focus activities at the new missions. At the same time, some groups came to Lake of Two Mountains for the first time in hope of receiving much needed material assistance from the seminarians or government officials.
- detailed information on Algonquin occupation of the watershed north of the Ottawa (Quebec side) begins in the late 1840s, when missionaries moved into the area. Previous to that time the information is scant. Missionary records indicate there were numerous summer gathering places and family hunting areas in the large interior area of the watershed.
- requests for land for Algonquins in Bedford, Oso, and South Sherbrooke began in 1842. Numerous affidavits and declarations indicated that these people used the land since at least 1817. A license of occupation was granted to the Bedford Algonquins in 1844 and was known to be in place throughout the remainder of that decade. During that period, Superintendent Anderson indicated that there were Mississaugas of Alnwick living with the Bedford Algonquins at this location. It is unknown when their relationship began or how long it endured. One family of Algonquins from that area was known to have moved to Dalhousie Township in the early 1850s.
- the Algonquins residing near Maniwaki (River Desert and Gatineau River) had their reserve set aside under the 1851 statute, as did the people at Lake Temiskaming. There were clearly other Algonquins in the area who were not living at the reserves or connected to the reserves. There were also frequent references to Têtes de Boule (Cree). Other settlements/areas included Grand Lac Victoria, Lac Barrière, Lac à la Truite, and Rivière Lièvres.
- when the survey of the Ontario side of the watershed began there were scattered references to "Indians" throughout the watershed. The survey of the lands prompted people living around present day Golden Lake (Algona and Sebastopol Townships) and people on the Madawaska (Lawrence, Nightingale, and Sabine Townships) to petition for the lands they used. Correspondence around these petitions indicate that the families were using the land since at least the early 1800s. A letter from the Crown Land agent stated that their occupation was known to extend from at least 1778.
- in 1860 petitions from the Chippewas of Saugeen and the Chippewas of Lake Simcoe and Huron stated that they supported the claim of their "brethren at Lake of Two Mountains" to a tract on the Ottawa which they had not ceded.

Confederation

- Mississaugas and Chippewas began petitioning for unceded land north of the 45th parallel in 1869. The crown studied their claim and noted that there was a large unceded tract north of that latitude. The lands that they described by the Crown as being unceded including most of the tract claimed by the Algonquins and Nipissings.
- The Golden Lake reserve was purchased in 1873 for the use of local Algonquins. Algonquin families living in area had been petitioning for more secure tenure of their lands for several decades prior to the purchase.
- a license of occupation was allowed to people in Lawrence Township in 1866 (the year prior to confederation). Earlier correspondence had indicated use and occupation of this area near the headwaters of the York branch of the Madawaska. The license lapsed and continuous efforts by the Algonquin families to get secure tenure to another location in Lawrence, Nightingale or Sabine Townships were finally abandoned when Ontario refused to allow lands to be set aside in 1897.
- in general, off-reserve Algonquins and Nipissings were told to move to the three established reserves whenever they petitioned the government for assistance or land. A reserve had been established at Gibson, on Georgian Bay, to re-settle Indians from Lake of Two Mountains. Some Algonquins and Mohawks moved there. Off-reserve Algonquins were also encouraged to remove to Gibson from time to time. In 1903 many of the Gibson people returned to re-settle at Oka, St. Regis, and Caughnawaga; some may also have gone to Maniwaki. Of the 454 returning people, 185 (40%) were identified as Algonquins.
- the claims of the Mississaugas and Chippewas were reiterated early in the twentieth century. In general, it was the Mississaugas of Alnwick who claimed lands to the Ottawa River; Chippewas and other Mississauga bands generally only claimed to the height of land. A 1898 provincial brief concluded the Algonquins claim to the Ottawa Valley was superior to the Mississauga and Chippewas' claim. The authors argued, however, that Ontario had no liability as title had been extinguished by the setting aside of the Maniwaki reserve. The provincial and federal governments considered these claims at several points, finally taking the Williams Treaties in 1923.
- information collected on aboriginal use and occupancy of the Ottawa River watershed during the twentieth century shows some changes in patterns of use. St. Regis Mohawks are known to have trapped and hunted in the area between their reserve near Cornwall and Smiths Falls or Rideau Ferry on the Rideau River from at least 1924 to 1948. Most of the correspondence refers to trapping near Rideau Ferry.
- a great deal of correspondence has been located regarding hunting and trapping by Golden Lake Algonquins and Algonquins living at other locations around the valley. This material is spread throughout the twentieth century and usually relates to hunting and trapping infractions and discussion of securing rights to hunt and trap. Most of the incidents occurred between the Mattawa and Rideau River. No occurrences or discussions of use in the eastern area of the watershed were located.
- it is clear from the documentation that Golden Lake Algonquins were trapping and hunting in the Province of Quebec, particularly within the Grand Lac Victoria game reserve. Most of the correspondence regarding this practice dates from 1927 to 1938. The agent at Golden Lake issued letters of identification to band members stating that they were Algonquin Indians of Ontario. Pressures of settlement and provincial regulation of hunting and trapping were often cited as impeding the ability of the Golden Lake people to support themselves.
- on the Quebec side of the Ottawa there were numerous reports, studies, and a great deal of correspondence regarding hunting and trapping areas and the dependence of the many off-reserve Algonquin communities on a traditional hunting and trapping economy. There was detailed discussion regarding the impact of settlement and resource development on the native economy. The changes in the size and purpose of the Grand Lac Victoria game reserve had a particular impact on the location of Algonquin settlements and the area of land they could use.

VOLUME 2

ABORIGINAL USE AND OCCUPATION OF THE OTTAWA RIVER WATERSHED DURING THE HISTORIC PERIOD

Pre-Contact

1. A series of maps produced by leading authorities on Canadian aboriginal history and archaeology depicts the occupation and use of eastern Canada from 500 A.D. to contact. The Ottawa Valley watershed was occupied by a generalized Algonquian cultural complex designated as a Cree/Ojibway/Algonquin/Montagnais. St. Lawrence Iroquoian occupation was outside of the watershed along the north shore of the St. Lawrence, east of the height of land at the Rideau Lakes. [See Map No. 2.]¹ While the authors Wright and Fecteau noted that the Ottawa Valley may have experienced influence from Iroquoian agricultural settlements to the south and east, the area was clearly not settled by Iroquois peoples at contact. [See Map No. 3.]²
2. A map depicting spiritual sites across Canada, such as petroforms, petroglyphs, pictographs and related phenomena, shows the distribution of pictographs including sites within the Ottawa Valley watershed on both sides of the Ottawa River. The eastern distribution of known pictograph sites extends into the north (Quebec) side of the Ottawa River; the most easterly sites are located on the St. Maurice River. [See Map No. 1.]³
3. Diane Delorme described the various native groups occupying the territory of Northeastern Ontario before contact:

...
[p. 1]

Proof of human presence in Northeastern Ontario dates from approximately 10,000 years. On the other hand, the spin-offs from these cultures are rare. The texts demonstrate that the evolution of these tribes had been slow until the arrival of Whites. Certain descriptions of the Iroquois and of the Algonquians, the two large cultures, even though they date often from the 17th century, could still apply to the 19th century. Our region only contains traces of the Algonquian culture, which includes the Ojibway, Algonquin and Cree nations. Each of these nations subdivide themselves into a certain number of tribes, but the dominant nation is that of the Ojibway.

The tribes and their habitat

Northeastern Ontario is not an area favourable to primitive agriculture, which would explain that the inhabitants were all nomads, except for the Ottawas who were semi-nomadic. Their life is one of hunting and fishing, centered around the seasons and customs of a millennium. The land of the Canadian Shield being extremely rough, the waterway imposed itself as a means of travel and access, which made the locations of homes on the outskirts of the large streams. During the winter, on the other hand, a displacement toward the interior took place to the ends of protecting themselves from the elements, all the while pursuing game.

¹ Wright, J. V. "Cultural Sequences, AD 500-European Contact." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 9.

² Wright, J. V. & R. Fecteau. "Iroquoian Agricultural Settlement." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 12.

³ Wright, J. V. "Cosmology." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 15.

The nation which is the strongest and the most spread out in Canada is the Ojibway, who takes its name from the gathers on their moccasins. The nation subdivides itself into four large tribes: the Saulteux of the Sault-Ste-Marie region, the Mississaguas of Manitoulin Island, the Ottawas of the Georgian Bay region and the Potawatomis of the west of Lake Huron.

Of a trading nature, this nation would control the traffic from north of the Great Lakes, well before the time of the arrival of the Whites. They demanded a right of taking a toll on its territory and exchanged much with the Hurons to obtain agricultural products. The Ottawas are the tribe which are the most gifted in this trade: they are also called Cheveux-Relevés [tied-up hair]. This tribe is moreover the only one of the region to be semi-sedentary, again that it not be in a rigorous way due to conflicts with their Iroquois neighbours. The morals, customs and religion of the Ojibway nation are essentially the same as those of the other large nations, the Crees and the Algonquins.

...

The Algonquin nation is equally composed of a gathering of tribes but this nation is much less numerous than the preceding one [i.e. the Ojibway], dispersed on an immense territory. Champlain had named this nation but it is unknown what the significance of the word is. On the other hand, we know that the Iroquois named them hatirontaks, which signifies bark eaters, because of their habit of eating the interior of the bark of trees in times of famine.

...

[pp. 6-7]

The trade

The Indians of the Northeast practiced trading long before the arrival of Whites. The summer is the season for meeting and for exchange, this primitive community did not have money, except for the wampums, small shells prized especially by the southern Iroquois. The Algonquins and Ojibways found themselves to be favoured in the trade of birch bark. The birch, of prime necessity for the diverse tribes, was abundant and of good quality in the region. The game offered itself up as well as a product of exchange of the farmers from the south. The Indians of Northeastern Ontario are the possessors of other products much sought after: medicinal herbs. The Algonquins' reputation as healers increased the value of the herbs. Finally, fur served as an exchange product with the farming Indians.

This economy based on the needs of one another would never be unbalanced until after the arrival of the Whites. Since the beginning of the 1600's, the Indians began the business of the fur trade in an intensive way. The fact that they were accustomed to a trading system facilitated this evolution. At the beginning, this commerce was made by an intermediary of the Hurons but soon the 'coureurs de bois' made direct contact with the Indians of the region. The Algonquians in turn became intermediaries for the tribes further to the west. Maybe because they had always been excellent businessmen, the Algonquians came to maintain a place in the trade even after having been pushed back by the Iroquois after 1648. Toward the end of the 19th century, it was the Whites themselves who imposed themselves in the trade and, against them, the aboriginals had little to do with it.

Travels and transportation

As nomads, these tribes had developed excellent means of transportation. The Algonquians are recognized for their canoes and their snowshoes, these products often serving as products of exchange. The fishing and hunting boats varied somewhat in shape. In the summer all the travels were made by boat and the whole family participated in the task of the portage. In the winter, the movements were made by foot with the aid of snowshoes and of the toboggan, which permitted the movement of heavier loads than one could carry on the back. The snowshoe varies according to the sex of the person for whom it is designed, the height of the person and the use that would be made of it. That of the spring was composed of a plank of wood permitting an easier travel in the melting snow.

Wars

The connection with and dependence on nature caused inevitable conflicts between the tribes. The Algonquian tribes are essentially peaceable but they often travelled several weeks to settle accounts. Intertribal wars were often linked to a demographic imbalance. The taking of prisoners allowed for the re-

establishment of the equilibrium. The biggest cause of war remained a question of territory, the feasibility of this region entering into the cause as a commercial value. A region cannot support two groups at the same time, and once drained one must push farther. This pressure has been exerted by all nations. The coming of the Whites and the search for a lucrative trade only aggravated conflicts which were already present. The Iroquois had pushed the other tribes toward the north to gain hunting territory. The Algonquians would only take back their areas once the Iroquois left after having supported the English in the Seven Years War in 1756.

...

[Translation from French]

[Document No. SS-28]

4. Mario Filion described the culture, subsistence, and adaptation to land and water of the Algonquin society:

[pp. 20-22]

"... The Algonquin of the region lived as nomads, moving incessantly in the search for food and housing. Traveling at the mercy of the seasons or on the availability of game, he must assure his own survival. The Indian "marches" in bark canoes on the lakes and the rivers, and settles temporarily at the site of portages or at any areas favourable to the setting up of his tent and of his fire. From there, he leaves in a quest for food. His main activity consists of gathering sustenance scattered in nature, thanks to hunting, fishing or picking [as in vegetables, fruits, etc.]. Thus, the Indian finds the calories which would permit him to maintain his activities and to assure his subsistence. Remember that the struggle for survival exerted important energy quantities due to the movements and constant effort which life in the woods necessitated. The mastery of fire permitted the Algonquin to warm himself during cold times and to cook his food. He who retained the secret of fire retained the secret of life ...

The water

The Indian, as nomadic as he was, did not however live alone in the forest. The Algonquin did live in bands made up of members of one or of several families. The chief is usually he who is endowed with greater knowing, that is of greater know-how in the art of living in the forest.

The bark canoe, due to the skill and the endurance of the oarsman, permits the following of the game from the spring until the autumn. In winter, on the frozen waters, the snowshoe permits some shortcuts between the different hunting sectors.

Water is also mother to the fish to which she gives life. She procures thus for the Indian an essential complement to his diet.

The snow, it is frozen and crystallized water that whips the face of those who dare to venture out of the wigwam on the days of "powdering"... Water, it is at last death, where an Indian would be found amid the whirlpool of some dangerous rapid ...

The land

The modes of adaptation, of organization and of workings of the Algonquin society gives evidence of its adaptation to the surroundings as well as to its cultural stability.

Hunters, predators and nomads, the Algonquin groups nonetheless preserved harmony which would almost confuse them with nature. Their nourishment is based on the [roe] deer, the beaver, the bear, the hare, the fish and aquatic birds. In perpetual movement, stopping more or less long enough at the more favourable sites, the Algonquin followed the streams, at the same time reservoirs of food resources and communication routes. While the men hunted, often far from the main camp, the women and children wandered about the surroundings in a quest for fish and small game while devoting themselves to domestic tasks. At fixed times of the year, several groups would gather in certain places, and their meetings probably took on a social and religious character. It would seem as well that one would profit from this to restructure the groups and to divide up the territories used for subsistence activities for the new cycle of activities.

Children of the forest, sons and daughters of nature, inheritors of the earth, the first occupants of the Pays-d'en-Haut, have bequeathed to us a new country, virgin and balanced, their country. Of this country, there remain some place-names, Manitou Lake and more northward La Macaza to evoke the present of the first conquerers. But above all there remains the Montagne Tremblante [Shaking Mountain]: the Algonquins had baptized the place "the mountain of the formidable Manitou" because a legend told that the Manitou made the mountain shake when man disturbed the natural order. The legend related to the Indian the secret of survival that his ancestors had passed on for centuries already. And Mont-Tremblant, the highest summit of the Laurentians with its 960 meters in altitude, recalls the first occupants of the region.

...

[Translation from French]

[Document No. SS-30]

5. In his history of Quebec, Jean Hamelin makes reference to the province's Native inhabitants:

[Pp. 37-38]

...

The Attikameks reigned on the Saint-Maurice basin. They were baptized with the name of a fish which was abundant in their territory. They maintained commercial relations with the Crees, the Porcs-Epics [Porcupines (of Lac Saint-Jean)] and the Algonquins. They took their strength from the fact that they controlled one of the access routes to James Bay, one of the richest reservoirs of fur in the northeast of America. They were the principal artisans of the great fairs of Trois-Rivières during the 1630's, and thereafter became indispensable intermediaries between the Hurons of the Ottawa and the Porcupines of Lac Saint-Jean. Their geographic position gave them an influence out of proportion with their numeral strength which did not exceed 1000 residents.

To the west of the Attikameks, the Algonquins lived in the country watered by the Ottawa. Well over 1500 souls, the Algonquin nation was a mosaic of tribes. The lower Algonquins lived along the Ottawa, between Montreal and Allumettes Island. It was in this territory that Champlain sojourned in 1609. And, along came the upper Algonquins who occupied the territory between Allumettes Island and Lac Nipissing.

The Nipissings [Nipissiniens], grouped around Lake Nipissing, and the Temiscamings dominated the territory between the Mattawa and north of Lake Temiscamingue. Finally, the Outabitiécs, wedged between the Temiscamings and the Crees, lived on the periphery of Lake Abitibi.

The Algonquins controlled one of the most well stocked routes, that which led to Huron country. This path left from Montreal, ascended the Ottawa up to Mattawa, crossed Lake Nipissing, and then descended the French River to Lake Huron. It was shorter and less dangerous than that which was derived from Lakes Ontario and Erie to Lake Huron. Its commercial importance was evident: the nation which controlled the Ottawa was master of trade between the Hurons and the Algonquian nations. The Iroquois realized this and did not delay in evicting the Algonquins from there.

The Crees - also called Kilistinons or Kristineaux - formed the most populous Algonquian nation, approximately 10000 members. They hunted on the periphery of James Bay and along the rivers which flowed into it. They frequented the whole territory which extended from east to west of Grand River to the Albany River. They subdivided themselves into numerous tribes which derived their subsistence from the exploitation of the most beautiful reservoir of furs in America.

...

[Pp. 43-46]

With some close variants, one could apply the annual life cycle of a Montagnais clan to all the clans composing the Algonquian family. The months from May to November merit closer examination, as they constituted a period of intense relations during which it is possible to analyze how the clans, tribes and nations maintained links between each other.

During the spring, the families left their hunting territories and gathered on the banks of a river or an important waterway. But not all left their territories at the same time: the dates varied depending on temperatures. If the Abenakis, confined to the south, furrowed the river from mid-April, the Montagnais would not reach it until the end of April and the Oumamioueks of the North, not until June.

Once the different families of the same clan gathered together during the spring, they exchanged products and discussed common problems, like the signature of a peace treaty, a declaration of war, the adoption of strangers into the clan to balance the demographic resources. But it was mostly the choice of those who went on the trade to other gathering areas that mattered. While doing business, the ambassadors had to inform the other clans, tribes and nations of decisions taken, and likewise present any requests. When a clan received emissaries, all its members assembled. The clan chiefs, after having listened to them, gave answers to their demands. Most of the time, the emissaries discussed questions of commerce.

After exchanges between families of the same clan, the ambassadors of this group would leave to contact other clans and other tribes. As such, the Bersiamites, who appeared on the shores of the river at the end of May, delegated some emissaries toward other clans living at the sources of the river, toward the Montagnais of Tadoussac and toward the Papinachois. These meetings did not take place every year, but more according to need. They were less numerous during times of peace and more frequent in times of crisis and war. These contacts were possible because the clans, tribes and nations, depending on the case, descended in turn on the shores of the river or on those of another important waterway. The climatic differences therefore permitted a group of emissaries to rejoin in three or four weeks almost any sought after tribe or nation. Whenever no one appeared at the rendez-vous, often fixed the year before, it was that the Indians were worried about an enemy or that they were afraid of being decimated by an epidemic.

The various migrations of birds, fish and mammals facilitated these meetings. During the spring, after the thaw, all the clans could easily make a living on the shores of the river and elsewhere. Visitors profited from these migrations to reunite with other clans. Thus, when the sea otter passed by Mingan at the beginning of August, the other peoples would profit by this to visit the Oumamioueks. The same phenomenon would apply to the Montagnais, with the migrations of eel in front of Québec in the month of September. All of these migrations were such occasions for meeting and the visitors were assured of finding food there in abundance.

The Saint Lawrence River - which the Indians had baptized the "walking path" - constituted the backbone of the native commercial network. Well before the arrival of the Whites, Montreal, Trois-Rivières, Québec, Tadoussac were the renowned meeting and transit places. Like our modern ports, these upper areas of trade dominated a hinterland watered by an affluent and marked out by trading posts.

... The shores of the lakes forming the present Gouin reservoir, to the north of the Saint-Maurice, received Crees from the Nottaway River, Montagnais of Lac Saint-Jean, Algonquins from the Ottawa. Finally, the Indians from Lake Abitibi drained the furs of neighbouring tribes toward the Mattawa River and Lake Nipissing, and especially those of the Crees of the Harricana River. The Hurons bought furs at the different assemblies of the Mattawa River and Lake Nipissing. In fact, except for the latter case, all these relays permitted the dispatch of furs from the North to the Saint Lawrence. On the other hand, products from the South, principally tobacco, followed the same steps to climb up to Hudson's Bay, and even to Ungava Bay.

...

[Translation from French]

[Document No. SS-32]

Initial Contact

6. Heidenreich's overview article on Hurons, published in the Handbook of North American Indians, included the following comment on the relationship between the Huron and Ottawa River Algonquins at the time of contact:

... Although the Huron had close relations with the Ottawa Valley Algonquins, notably the Kichesipirini and Weskarini who sometimes wintered in eastern Huronia, it is doubtful whether the Huron did much traveling on the Ottawa River prior to the development of the fur trade. In their first meeting with Champlain the Huron were guided to the St. Lawrence by the Weskarini and complained that in previous years the Kichesipirini would not let them pass (Champlain 1922-1936, 2: 71).

[Document No. SS-33, p. 385]

7. In her work on the fur trading posts of the Ottawa valley and north coast of Quebec, Caron discussed the distribution of natives at the beginning of the 16th C. and the later influence of the fur trade:

...
[p. 26]

The distribution of native tribes

The native population, at the beginning of the 16th century, was distributed into nations, all over the American continent. Migrations as well as the extinction of certain groups brought frequent modifications to the demographic order in the interior of these regions.

The Montagnais lived on the North Coast of the Saguenay. The Hurons and the Algonquins frequented the Upper Country while the Ottawas occupied Huronia after the destruction of this nation.

Enemies of the Hurons and consequently of the French, the Iroquois lived in the territory situated between Lake Champlain and Lake Erie, in the west of New England.

Alliances and misunderstandings between Indian nations had direct repercussions on the fur trade. In fact, certain quarrels even went as far as to cause irreparable damages. It was thus that, allied to the Hurons, the French had to enter into war against the Iroquois. Battles involved important human and material strengths. During this time, the fur trade was in a latent state. Even the waterways were blocked by the enemy. The activities of the trade were then reduced and the profits were less high. Moreover, a war would sometimes bring about the disappearance of a race: this is the case of the Hurons who were exterminated by the Iroquois in 1650.

On the territory of each nation, the hunt was the object of a fierce competition.

...

[p. 28]

Reserved lands

The territory occupied by an ethnic group or sub-group seemed to bring about several misunderstandings. Each wanted to have its own portion of land to exploit. Since the resources of one region were passed on to the inhabitants of another by trade, the exclusivity of the land had to be protected so that these exchanges could continue.

Moreover, the fur trade consolidated for the Indian this notion of ownership of land. Indeed, this commerce was based on a system of middlemen even in the heart of the forest. The bundles of fur brought to the merchant, often originated from far away and were passed among several hands who all took their own profit from it.

When in 1615, Champlain traveled back up the Ottawa River, he found the route blocked; the Indians did not allow him to go any further. Now, this barrier was

mounted in the goal of keeping him from meeting the Nipissings and from gaining access to territories which served as a fur reservoir to the Algonquins.

Little by little, the explorer created breaches along these barriers. He thus opened the door to travelers and 'coureurs de bois' who would cross these frontiers at the same time that they were revolutionizing several ways of life.

...

[pp. 33-34]

Occupation of Land

The development of commerce in the new country would not be possible without the introduction of a population. In New France, it was necessary to clear, build, cultivate and occupy some space. It is indispensable to settle the country, to stir up immigration in order to firmly take root. The fur trade was a vital activity for the colony and this is why its efforts and a part of its hopes had to be axed. The appellation of "comptoir" [bank] used by Marcel Trudel to refer to New France from 1604 to 1627, shows well that the entire colony was nothing "other than a settlement with only one reason for being: the fur trade with the natives".

...

[Translation from French]

[Document No. SS-14]

8. The following translation of a discussion of the territory around the Ottawa River refers to Champlain's encounter with the Algonquins:

...

Chapter II - The region of the Ottawa: the stages of occupancy

The human past of the valley of the Ottawa [River] commends itself by a respectable antiquity. But it was not until the aurora of the 19th century that White settlements began to establish themselves. On the other hand, the delay in the rest of the province is quickly made up and in good time a population which one may qualify as dense occupied the large valley as well as the interior.

The prehistoric age. We can speak of prehistory, since we are dealing with peoples from the Neolithic civilizations. Let us examine what type of occupation the aboriginal tribes had carried out on the outskirts of the large valley, and how the Whites had infiltrated along this passage.

The route of the Ottawa - As soon as brightness began to pierce the darkness, one observes that the lower Ottawa is one of the great routes of the Savages, as it had become for the Europeans: the direct route from the Saint Lawrence to the Great Lakes. The end of the 16th century saw the shores of the great river frequented assiduously by Algonquin tribes who controlled the traffic of furs brought from the West and from the North, a very active traffic during the warm season. From his voyage of 1603, Champlain learned that the Hurons of the shores of the Lakes and the Algonquins came by the Ottawa to trade furs on the lower river. When for the first time he entered onto the Ottawa River waters in 1613, he met an Algonquin tribe toward Portage du Fort, who cultivate corn near Muskrat Lake, and conferred with Tessouat, the sly chief of Allumette Island; the tribe which he governed had chosen this rest because the island "is difficult to access and is defended by rapids.... The harshness of the locality, as they say, they used as a boulevard." Other tribes, the Iroquet, the Petite Nation, haunted the shores; Sagard, in 1623, returning from among the Hurons, visited the Petite Nation and noted that the Algonquins of the Allumettes, from a high observation post, discovered strangers who had entered into their country. It is that the route had a great need to be supervised, as it was infested with marauders. The Iroquois, emerging from the [Lake] Ontario by the Rideau River which lead to Ottawa, came to intercept the convoys, made prisoners of the oarsmen and seized the furs. From his end, the Algonquin chief of the Allumettes, picturesquely called the [One-eyed man?] of the Island, "coveted the role of intermediary and of carrier", wanted to impose a sort of toll on the transactions between the Hurons and the French. Hence, during the length of the century, the route of the Ottawa knew a climate of intrigue, of ambush, of pillages and massacres; there is in the colony a sigh of relief when we learn that the Huron flotilla had been able to get by without damage. All of this attested to the powerful commercial role which the great river held: it is the pivot of the

Canadian traffic because it is, at least since the end of the 16th century, the great route of furs and of the Savages.

The infiltration of the Whites. - It was therefore only natural that the French, pushing their outposts to Quebec, and to Trois-Rivières, and to Montreal, had had the desire to control this route to pacify it and to give themselves advantages. It was at first some recognizances and some entering into contact; Champlain had gone back up the valley twice, and he had predecessors. There were as well numerous successors, seeing as one had to pass by Ottawa in order to get to the country of the Hurons and from there to Michilimakinac, the banks upstream from the Great Lakes: every year missionaries and "voyageurs" moved upon the lower Ottawa to reach from there Mattawa, Lake Nipissing and Georgian Bay. The passage was never effortless; we do not wish to speak about rapids and portages, which quickly become routine, but of Iroquois raids which dangerously stopped circulation; the most dramatic episode among these scuffles of which the river is the theatre is the death of the valiant Dollard and of his companions, massacred in 1660 along the Grenville rapids.

...

[Translation from French]

[Document No. SS-6]

9. The first recorded account of European activity in the Ottawa River watershed was Champlain's exploration of the lower Ottawa River in **1613**. He encountered members of several bands of Algonquins. His first encounter was with 15 canoes of Quenongebin (Kinouchepirini) [or Keinouche] not far from Lake of Two Mountains. [Document No. SS-5, p. 15.]
10. Later Champlain met the Ouescaharini [Weskarini] who reportedly lived four days journey from the Ottawa River along one of its tributaries. Biggar identified these people as the Petite Nation Algonquins. [Document No. SS-5, p. 15.]
11. The third group that Champlain met in **1613** were identified by Biggar as living up the Gatineau River. [Document No. SS-5, p. 15.]
12. Champlain noted that the Rideau River was difficult to access, "when the Indians wish to enter this river, they go up the mountain, bearing their canoes, and carry half a league." The physiography of this river was useful for avoiding enemy attack: "Sometimes these tribes go by way of this river to avoid meeting with their enemies, knowing that these will not seek for them in places so difficult of access." [Document No. SS-5, p. 17.]
13. Champlain also noted a band living along the Madawaska River which he called the Matouwescarini. He also noted that the Algonquins had burned the trees around Lac des Chats where the Madawaska enters the Ottawa River. It is possible that the land had been cleared for planting. [Document No. SS-5, p. 17.]
14. Another band was met in **1613** by Champlain at Muskrat Lake. (Muskrat Lake is on a portage route which bypasses the Ottawa River on the south between Bonnechere River and Allumette Island.) At that time the band, lead by Chief Nibachis⁴, was raising maize but relied mostly on hunting for their livelihood. [Document No. SS-5, p. 17.]

⁴ Champlain must have heard of Nibachis previous to meeting him on his 1613 trip as his name appears on a 1612 map. [Doc. No. SS-38. Kennedy, 1970: 79]

15. In 1613, Chief Nibachis' guides helped Champlain travel to Morrison's Island to meet Chief Tessouat. (Morrison's Island is adjacent to Allumette Island and was reported by Champlain to be easier to defend). Pumpkins, beans, and peas were grown by Tessouat's Band on Morrison Island. [Document No. SS-5, p. 17.] Champlain was informed that the Algonquins had withdrawn up the Ottawa to this island to defend themselves from Iroquois raiding parties. [Document No. SS-25, p. 793; Document No. SS-38, p. 79.]
16. In 1615 Champlain also mentioned the Otaguottouemin who lived upriver from Allumette Lake. [Document No. SS-5, p. 17.]
17. In an article entitled "The Valley of the Ottawa in 1613", Benjamin Sulte made the following comments on the Algonquins of the Grand (Ottawa) River:

The whole valley of the Grand River belonged to the Algonquins, but they were not disseminated equally on its shore. In fact, they formed three distinct groups, or nations, as the French styled them.

First, the Iroquets, between Vaudreuil, the Rideau and Kingston, roving in that triangular territory, hunting and fishing, having no particular home, only according to season when they moved from one place to another, and lived miserably all the time, because they never settled down for good. Yearly some small parties of their young men went to the north of the State of New York to harass the Mohawks, and these Iroquois used to come every now and then to take a revenge of such aggressions. It was a bloody life on both sides, and we must say that the Iroquois showed themselves in every respect far superior to the Algonquins. They would have conquered the country of their enemies without much trouble, only that they had enough space at home and a more advantageous climate. It must be said also that in 1613 the fur trade question had not yet tempted the cupidity of the Iroquois, therefore the valley of the Ottawa, so rich in the various kinds of fur, could not attract them, as it did afterwards. The war kept the form of a kind of noble sport, repeating constantly what took place during centuries in America previous to its discovery by the Europeans. Our Algonquins were satisfied with that kind of uncertain existence. By the month of May they usually selected a spot on the river shore and encamped there until the fall, when they returned to the forest for the winter. The building of a wigwam was done in part of a day by planting a few sticks of wood in a particular manner and covering the structure with large skins such as that of the moose or wild cow. This wandering life suited their primitive nature, although they knew very well that some of their neighbors had more comfortable lodgings and were steady "citizens" in their villages.

The people of Petite Nation, in the rear of Papineauville now, were quite different and lived in the centre of a marvellous country for hunting and fishing. That tribe was not given to warlike spirit, but to trade and commerce rather. None of the Indians occupying the upper part of the rivers which run to the Ottawa and the St. Maurice carried arms other than the ordinary weapons used against the animals of the forest; meantime they were in want of many useful articles, on account of the poor nature of their country. The industrious Petite-Nation supplied them with a certain number of these articles, such as birch bark to make canoes with, and in return received some of their natural products in the way of curious stones for ornamental purposes and other things highly appreciated amongst the Small Nation. This latter people had a somewhat comfortable village, and cultivated pumpkins, corn, etc., for their own consumption, so that they needed nothing more and cared very little for the white men when they heard of their arrival in the vicinity of Montreal. Champlain never visited their village, but he speaks of what was told him in that respect. Here and there a few canoes of the Petite Nation would go to Montreal in June or July to barter some skins for knives and other articles of European manufacture, without ever joining the other Algonquins in the wars above mentioned. This peaceful community, nevertheless, was finally destroyed by the Iroquois about the year 1650 because they were friendly with the French.

Between the Lièvre and Chat Lake (some 90 miles) many bands of hunters could be seen during the year, but no village, except an occasional encampment. This remark applies also to the Ontario shore of the Grand River in such travels.

The main body of the Algonquins lived on Allumet Island. They were called the great Algonquins because of their number. Their chief was a sort of a king, a master of the whole, the "fountain of favours," an absolute sovereign. As early as 1603 he had gone to Tadoussac with a retinue indicative of his importance, to see Champlain, and they spent the time in festivities like gallant crowned heads. Allumet Island had a town and all the advantages of Indian civilization [sic] within the means of the district and the aptitudes of an Algonquin organization. Besides hunting, fishing, which was plenty all around, and some tilling of the soil, they understood the benefit of trade at long distance, and, again, no one could pass the river opposite their island with paying a tax arranged after a fixed tariff. ...

Altogether, the Algonquins were but a few hundred families in the valley of the Ottawa, forming three groups, as above described. Those of the counties of Vaudreuil, Prescott and Russell fought the Iroquois without the assistance of Petite Nation, but sometimes the Allumet warriors came down to take a share in the fun.

...

On the 3rd of June [1613], above Long Saut, they [Champlain and his party] met some Algonquins and an exchange was made with an Indian who was willing to accompany Champlain whilst one of the two Frenchmen returned to Montreal with the party.

On the 4th Champlain noticed the mouth of the Gatineau and was told that river led to the St. Maurice, also that the Algonquins passed that way to reach Three Rivers in order to avoid the encounter of the Mohawks sometimes roving in the lower part of the Ottawa River.

...

[Document No. SS-63]

18. In their article entitled "Algonquin" published in the Handbook of North American Indians, Day and Trigger discussed the known Algonquin groups inhabiting the Ottawa River valley in the early historic period as follows:

From south to north, the bands that are clearly attested as having inhabited the Ottawa valley are the following (with the spellings of the early sources): the Weskarini (Wescarini) or Petite Nation, who lived in the vicinity of the Rouge, Petite-Nation, and Lièvre rivers (fig. 1); the Matouweskari in the Madawaska River valley; the Keinouche (Pike), who may be the same as the Quenon-gebin, or Champlain's People of the Nibachis in the Muskrat Lake region; the Kichesipirini (Big River People), whose main encampment was on Morrison's Island; and the Otaguottouemins (Kotakoutouemi), who lived in the upper part of the valley (Champlain 1922 - 1936, 2:264-277, 3:38; JR 18:299, 29:145). Another Algonquin group was the Onontchataronon, or People of Iroquet, who seem to have lived in the valley of the South Nation River in eastern Ontario, and who may or may not have been part of the Weskarini. This band, who are known only by their Iroquoian name, were reported to have incorporated some of the people of Hochelaga when the latter were dispersed from the Saint Lawrence valley (Trigger 1972:77-80). The names of other Algonquin groups have been recorded, some of whom may have lived in the Ottawa valley and along the Saint Maurice River.

The Algonquins had a special interest in Trois Rivières: and as early as the 1620's after peace had been restored in this area, a mixed group of Algonquins and Montagnais settled there and planted crops (Sagard-Theodat 1866:846). Pierre Charlevoix recorded a tradition that the Petite Nation were so called because they were the remnant of a larger group, whose power had been broken when many of their warriors were slain in an encounter on the Becancour River near Trois Rivières. This too suggests that the Algonquins may have had a more easterly distribution in the Saint Lawrence valley prior to European contact, as does the tradition of living by tidal waters remembered by the Algonquins of Maniwaki (Speck 1929:107-108).

History

The Algonquins first appear in history at Tadoussac in 1603 participating, with the Montagnais and Etchemins, in a celebration of victory over the Iroquois (Champlain 1922-1936, 1:96ff.). It appears that they had been at war with the Iroquois since about 1570 (ibid. 5:78), had begun to trade with the French some time before this at Tadoussac (Bigger 1965:47), and had entered into an alliance with the Montagnais to oppose the Iroquois (Champlain 1922-1936, 1:107-109). It is possible that even earlier they occupied parts of the Saint Lawrence valley and were living in a peaceful relationship with the Saint Lawrence Iroquoians. The tradition recorded by Perrot (1864:9-12) suggests such a coexistence of Algonquins and an Iroquoian group at some period in prehistory.

The hostilities between the Algonquins and the Iroquois may have arisen from the Iroquois desire to obtain trade goods directly from the French. In 1603 the Hurons and Algonquins were coming to Quebec by the northern route rather than along the Saint Lawrence, but subsequent French assistance helped them to inflict major defeats on the Iroquois in 1609 and 1610 and to reopen the Saint Lawrence trade route. In 1613 Samuel de Champlain pushed up the Ottawa River and left an account of his visit to Tessouat's village on Morrison's Island. These Algonquins, Champlain was given to understand, had withdrawn up the Ottawa to this strong point on account of the Iroquois menace. Iroquois raiding parties, traveling north along the Rideau to attack Indians living in, or using, the lower part of the Ottawa River valley, may account for the tendency of the people living in this area to locate their summer camps along tributaries flowing into the Ottawa River rather than to have them along the Ottawa itself.

Until 1615 the Algonquins played a major role in supplying their Huron allies with European trade goods. This relationship was especially close with the Arendaronon tribe, in whose territory considerable numbers of Algonquins spent the winter, exchanging French trade goods for Huron corn. So long as the Iroquois continued to block the Saint Lawrence River, the Algonquins were living astride what was by far the easiest trade route into the interior and thus were anxious to protect their role as middlemen between the French and the tribes who lived around the shores of Lake Huron. The Kichesipirini, who were the most powerful and commercially oriented of the Algonquin bands, were particularly anxious to prevent Champlain from traveling to the Huron country and encouraging the Huron to trade directly with the French. Although unable, in the long run, to prevent the development of this relationship or to restrain the Huron, who were more numerous and powerful than they were, the Algonquins bitterly resented what the French had done to them. They therefore took advantage of every opportunity to harass Huron traders and to stir up trouble between them and the French. This, more than anything else, made it necessary for the French to have their agents living with the Huron, to encourage them to trade and to travel with them through Algonquin territory.

In the 1620s Iroquois attacks against the Algonquins were inhibited by the armed Frenchmen traveling to and from the Huron country, and the Algonquins even enjoyed a certain amount of peace with the Iroquois until 1627. In order to bolster their own position, the Algonquins attempted repeatedly to put the French at a disadvantage by playing them off against the Dutch traders at Fort Orange, but on each occasion Mohawk jealousy prevented the Algonquins from achieving their goal. In 1634 the Algonquins concluded another peace treaty with the Mohawk that Oumasasikweie, one of the headmen of the Kichesipirini, and Tessouat, the principal headmen of this band, hoped would permit their people to travel through the Mohawk country to trade with the Dutch. When Oumasasikweie and some of his companions attempted to do this, however, they were promptly slain by the Mohawks, who had no desire to permit the Dutch to establish trading relations with these fur-rich northern tribes. This incident led to a new outbreak of war between the Algonquins and Mohawks that, because of the growing Mohawk need for furs, turned into a life-and-death struggle, in which the greater number of firearms available to the Iroquois gradually gave them the upper hand. By the early 1640s the Weskarinis were being compelled to seek refuge among the Kichesipirinis, whose territory had hitherto escaped attack by the Iroquois. Soon, the Kichesipirinis themselves were seeking refuge, in times of crisis, at the French settlements along the Saint Lawrence. In spite of this, the Algonquin retained their reputation for being proud and independent.

In 1645 the French initiated peace proposals to the Iroquois and convened a council that included the Hurons, Montagnais, Attikamegues, and Algonquins and confirmed a peace that included a private deal between the French and the Iroquois abandoning the non-Christian Algonquins (JR 27:247-305, 28:149-51).

Some Algonquins moved to the Jesuit mission at Sillery after its establishment in 1637, but Trois Rivières seems to have remained the focus of the more easterly Algonquin bands. The peace of 1645 allowed the Iroquois to hunt on the edges of Algonquin territory, a concession they took full advantage of, killing more than 2,000 deer the first winter (JR 28:287). But in 1646 the Mohawks broke the peace and, by treachery, succeeded in killing Simon Piskaret, the most renowned Algonquin warrior, and killing or capturing two unsuspecting hunting parties from Trois Rivières (Perrot 1864:106-109). Thus reduced in numbers, the eastern Algonquins sought assistance from the Attikamegues, the Montagnais, the Micmacs, and the Nipissings. Nothing came of this combination; Perrot blamed the failure on lack of coordination, since he regarded the Algonquins as much better warriors than the Iroquois (Perrot 1864:109-110).

Unfortunately, very little is known about the Algonquins between 1650 and 1675, which was the period of their temporary dispersal from the Ottawa valley. Some Algonquins retired to the Lake Saint John region and were still there in 1710 (Rochemonteix 1904:98,108). The Kichesipirinis were still at Morrison's Island in 1650 and inspiring respect with their 400 warriors. When the French retreated from the Huron country that year, Tessouat is reported to have had the superior of the Jesuit mission suspended by his arm-pits because he refused to offer him the customary presents for being allowed to travel through Algonquin territory (Perrot 1864:95). Others joined the mission at Sillery and were mostly destroyed by an epidemic by 1676. Still others, encouraged by the French, remained at Trois Rivières (Rigaud de Vaudreuil and Begon 1722; Lahontan 1905:50; JR 63:71); and their settlement at nearby Point-du-Lac remained until about 1830, when the last 14 families, numbering about 50 (Tuckerman 1821:42), moved to Oka. The Sulpician Mission of the Mountain was founded at Montreal in 1677, and some Algonquins settled there together with Iroquois converts. In 1704 a separate Algonquin mission was founded at Sainte-Anne-du-bout-de-l'île under François-Saturnin Lascaris d'Urfé; and in 1721 a new mission was formed at Lake of Two Mountains, where the Algonquins were brought together with Iroquois and Nipissings (Cuoq 1894:170). Additional Algonquins joined this mission in 1742 (O. Maurault 1930:18).

The Algonquins who were apparently frequenting Trois Rivières in 1684 accompanied Joseph-Antoine Le Febvre de LaBarre to his council with the Iroquois at Fort Frontenac (Lahontan 1905:50-51, 733; JR 63:67). In the last quarter of the seventeenth century, whatever hunting territory the Algonquins may have had south of the Saint Lawrence River began to be taken over by Abenakis. Before 1670 Sokokis had settled on the Saint François River, and in 1704 Father Sébastien Rale brought eastern Abenakis from the Androscoggin River to Bécancour (Charland 1964:18, 37-38). These Abenakis asked permission of the Algonquins to settle (Speck 1928b:173). Algonquin and Abenaki relations were thenceforth good, and at some point they made a treaty agreeing to regard the Saint Lawrence River as the dividing line and asserting that the land north of the river had always been Algonquin country (Duchesnay 1829:531). Their territories extended to the Sainte-Anne-de-la-Bérade River on the east and north to the vicinity of Coucoucache.

After the great peace between the Iroquois and the French and their allies in 1701, trade, often clandestine, was carried on between the northern Indians and Albany. It had begun for the Algonquins at Montreal at least as early as 1715 (Faillon 1850-1865, fol. E:173). During the frequent conflicts with the English, the Algonquins were constant allies of the French. Their warriors were at Fort Necessity, Lake George, Monongahela, Fort Edward, Schenectady, Fort Orange, and the Plains of Abraham among other battles (O. Maurault 1930:27). In 1752 the Algonquins of Lake of Two Mountains were living with, yet distinct from, the Nipissings and Iroquois in houses of squared timbers. Together with the Nipissings they numbered 113 warriors. They were not cultivating the land, but they were making a good living from their furs, which they obtained in the winter 250 to 300 leagues from the village. Much of their trade was with Albany at this time (Franquet 1889:42-49, 121). Sometime in the mid-eighteenth century, the Algonquins of Two Mountains became members of the so-called Seven Nations of Canada, a confederacy of French mission Indians.

...

Culture

Evidence concerning the nature of Algonquin culture is extremely limited. Considerable information about Algonquin tribes is contained in Perrot (1864), Raudot (1904), and the Jesuit Relations (JR), but it is seldom possible to assign

details to the Algonquins specifically. Moreover, data obtained by anthropologists in the twentieth century cannot be attributed with certainty to the Algonquins of the contact period. It is likely that the various seventeenth-century bands were made up of patrilineal extended families, although it is less certain whether each band constituted a single exogamous clan of the type that Hickerson (1970:42-50) has reconstructed for the precontact Ojibwa and Ottawa. The members of these bands appear to have lived in a single community during the warmer months of the year, when fishing was good, and to have either dispersed or sent out hunting parties to obtain food during the winter. Henry (1969:23) found the classic family hunting system in strict operation among the Lake of Two Mountains Algonquins in 1761, much as it was remembered by Speck's informants in 1913 at Temiskaming, Kipawa, and Lac Dumoine (1915:6-7). Historical references to group hunting by Algonquins can perhaps be explained as reactions of temporarily displaced groups exploiting a new and perhaps controversial territory (Lahontan 1905:46; Marie de l'Incarnation 1967:315).

Although the growing season was too short for corn to provide a reliable source of food in most parts of the Ottawa valley, the seventeenth-century Algonquins practiced a simple type of swidden agriculture wherever suitable soil was available. Fields were cleared by burning tracts of pine forest and were then planted with corn, beans and squash. Shortly after A.D. 1600, peas, which had been obtained from European traders, were also being grown. In general, the subsistence economy of the Algonquins resembled that of the Nipissings and Ottawas, and together these three groups represented the northernmost penetration of a marginally agricultural economy in eastern North America.

The seventeenth-century Algonquins shared other traits with the Algonquian and Iroquoian peoples of the less rigorous environment of the Eastern Woodlands to the south and west of them, and probably more specifically with the Huron, with whom they traded. Like the Hurons, but unlike the Montagnais, the Algonquins fished through the ice by means of nets in the winter (JR 8:39). This method may have been possible because the Algonquins were able to obtain Indian hemp nets from the Hurons, who are known to have supplied them to the Nipissings and their other Algonquian speaking neighbors who lived around the shores of Georgian Bay. Like the Hurons, the Algonquins also ate dogs, which the Montagnais regarded as a shameful practice (JR 9:111). The Algonquins entertained their guests in the same manner as the Hurons, with the host tending his guests but not eating any food himself. Councils were also conducted in the Huron manner with tobacco being smoked in silence before any important issue was discussed. Algonquin use of turtle-shell rattles in a curing ceremony also suggests itself as a borrowing from the Hurons (Sagard-Théodat 1939:65). The Algonquins constructed longhouses, but this was not an exclusively Iroquoian trait and even the Montagnais erected such structures in some of their summer camps along the Saint Lawrence. The graves of prominent individuals were covered with painted wooden structures shaped like a ridged roof. These were about seven feet long and four feet wide, and at one end they had a wooden upright bearing a figure that represented the deceased. Franquet (1889:48-49) has left a detailed account of a dance he witnessed at Two Mountains in 1752. In the nineteenth century, splint basketry was probably borrowed from the Iroquois or the Abenaki.

Whatever the character of the contact-period Algonquin culture, twentieth-century fieldwork among Algonquin bands shows them sharing much of the inventory of traits characteristic of the other boreal forest peoples as outlined by Flannery (1946). Among these are: a supreme being who is owner of everything; a trickster-transformer culture hero; the Windigo; the *pa kahk*, a disembodied starveling; the *pakwacininiwak*, a race of powerful little men; shamanism and the shaking tent; the dream vision quest; scrying and scapulimancy. Their world view is purely that of a hunting-fishing people. Material culture items included the birchbark canoe; snowshoes; toboggan; rectangular bark hunting camps; birchbark containers sewed with spruce roots; porcupine quillwork in the south; moosehide tumplines; basswood bags, mats, and temporary tumplines; deer and moosehide clothing; cradleboards and blanket hammocks; moccasins of beavertail and deernose types (Hatt 1916:171-178, 167-169); bows, preferably of hop hornbeam. Knowledge of plants and their properties was extensive. Maple sugar was made by some bands.

[Document No. SS-25, p. 792]

19. Heidenreich's article on Hurons in the Handbook of North American Indians discussed protection of territories during the aboriginal and early contact period. The Recollet, Gabriel Sagard, who travelled down the Ottawa River with Huron converts in 1624, recorded the Algonquin practice of asserting control over the Ottawa River:

...
 The Huron traders ran into these problems [crossing the territory of other nations] themselves when they proceeded down the Ottawa, particularly from the Kichisipirini (Allumette) and Weskarini (Petite Nation). Due to French intervention, the Kichisipirini could not stop the Huron, but they made them pay heavy transit fees (Sagard-Théodat 1939: 87-99; JR 10:77) The Huron complained continuously but never attempted to force their way in spite of their numerical superiority. To do so would have meant warfare with the Kichisipirini and others and would have given other groups the excuse to do the same thing to the Huron (JR 9: 275).
 ...

[Document No. SS-33, p. 384]

20. The Nipissings⁵ were known to have used the Ottawa River periodically. The extent of their territory at contact is not well understood. They likely were surrounded by Algonquins and Ojibway to the north (Témiskaming and Temagami), Algonquins to the east (Ottawa, Kipawa and Bonnechere bands), and Hurons to the south.

[Document No. SS-26, pp. 788-789.]

21. Two maps produced to show the location of native people at 1630 give comparable data on the occupation of the Ottawa Valley at that date. The population estimates were derived from ethnographic information primarily collected by the French in the early 17th century. The following table summarizes the information contained in the two sources. Note that the Timiscami Crees (who may have been Cree or Algonquin) are the only non-Algonquin group inside the watershed.

Group Name/Names	location	estimated population
Weskarini / Petite Nation	on Petite Nation & Rouge R.	500-1,000* 1,000-1,999†
Matouweskarini	on Madawaska	200-300* <250†
Keinouche/Quenongebin	on west side of Ottawa below Morrison's Island	100-200* <250†
Kichisipirini/Allumette	on Morrisons/Allumettes Islands	200-300* 250-499†
Ottagoutouemin/Otaguottoueminis	on Upper Ottawa	100-200* < 250†
Onotchataronon/Iroquet Onotchataronon	on Lower Rideau (outside watershed) on South Nation	200-300* 250-499†
Timiscami Crees (may be Algonquin)	Lac des Quinze, east of Timiskaming	100-200*
Timiscami Crees	probably at Lac des Quinze	<250†
Nipissings	north shore of Lake Nipissing	500-1,000*†

* source: "Canada Native People 1630" National Atlas of Canada, 1988.

† source: "Population and Subsistence" Historical Atlas of Canada, 1987, plate 18

The differences in population estimates are likely the result of the population ranges chosen for the two maps.

⁵ The Nipissings: eventually some became associated with the Sulpician mission at Lake of Two Mountains. From whence they petitioned jointly with the Algonquins for their traditional lands.

In addition, both maps show the following groups as those located closest to the boundary of the Ottawa Valley watershed:

- Nipissings, on the north shore of Lake Nipissing (pop. est. from 500 to 1,999);
- Outimagami, possibly Nipissing or Ojibway, north northwest of Nipissing near Timagami (pop. est. from 100 to 250);
- Sagniaouigama, possibly Ojibway, north of Curve Lake on the Trent-Severn system (pop. est. from 100 to 250).

The closest Iroquoian group were the Huron located in Huronia. There were no Iroquoian settlements along the St. Lawrence near the mouth of the Ottawa at that time.

22. In 1636, Nipissings travelled down the Ottawa with a group of Hurons but were refused passage by the Algonquins. [Document No. SS-26, p. 789.] In the same year, Father Antoine Daniel, who was travelling to Quebec from Huronia with a Huron party, reported that the Kichesippirini were collecting higher tolls than usual because their chief Tessouat had recently died. [Document No. SS-34, p. 29.]

Epidemics and Iroquoian or Beaver Wars

23. In his memoirs, Ragueneau recalled the evidence of Algonquin occupation he had witnessed when he travelled up the Ottawa in 1637 in comparison with the devastation since wrought by the Iroquois wars:

...
When I had gone up the great river only thirteen years ago [1637], I saw on its banks large numbers of the Algonquin Nation. At that time they did not know God and in their paganism considered themselves the gods of the earth. They lacked nothing. Fish were plentiful, so was the game, and they carried on a successful trade with their enemies. Since they have received the faith into their hearts and have adored the Cross of Jesus Christ, He has given them a part of that Cross to bear and a very heavy one. He has allowed them to fall prey to misery, torture and cruel death. In a word, they are a people blotted out from the face of the earth. Our only consolation is that, having died Christians, they went to share the heritage of the true Children of God. God chastises all whom He receives as his children.
...

[Document No. SS-34, p. 53]

24. A series of epidemics ravaged Algonquins along the Ottawa Valley and as far east as Trois-Rivières (as well as Hurons, Petuns, Neutrals, Montagnais, and tribes of the New England area) between 1634 and 1640. They died in large numbers from some unidentified European diseases, which possibly included smallpox, measles, rubella, chicken pox, or influenza. [Document No. SS-67, pp. 229-31.]
25. Hessel says many Algonquins, mostly Kichesippirini and Weskarini, took refuge among French near Three Rivers between 1630 and 1640. The main bands, however, probably stayed in the Ottawa Valley until shortly after 1650. [Document No. SS-34, p. 46.]
26. The Petite Nation Algonquins were reported to have suffered considerable loss at the hands of Iroquois war parties and in 1638 took refuge among the Algonquins of Allumette Island. [Document No. SS-5, p. 18.]
27. In 1639 there was an epidemic of small-pox among the Algonquins. Further epidemics and Iroquoian raids also scattered the Algonquins in the next decade, as described by Delâge:

...
[p. 98 - extract]
... In 1639, a new [pandemonium? - "pandémie"] of small-pox. The Algonquins "were dying in such numbers (...) that dogs were eating the dead bodies which we could not bury." ... In 1641, smallpox recurred for the third time. ...

...
[p. 153]
... The English and the Dutch reciprocally accused one another of using their Indian allies against one another. Each of the European powers attempted to take over what the other had, in the way of territories as well as boats. ...

From 1640, the intensification of the war completely upset the demographic map in North East America. The Iroquoian raids and the epidemics disorganized the Algonquins to the point where, from this date, they took refuge either among the French, or in greater numbers among the Hurons. (Naturally, those who asked for protection by the French are forced to convert themselves.) The Hurons therefore replaced the Algonquins and intensified their trade toward the north. It

is possible that the difficulties in supplying furs in this way had forced the Hurons to increase the war pressure toward the south.

...

[Translation from French]

[Document No. SS-27]

28. Indians living at Abitibi, who were identified as Algonquins, were mentioned in the Jesuit Relations for 1640. Chavignerie estimated the band's population at 140. [Document No. SS-12, p. 7.]
29. "After 1641 the Mohawks were routinely blockading the St Lawrence and robbing Huron and Algonkin traders as they moved to and from Trois-Rivières. In 1643 they separated into smaller bands that stationed themselves at various points along the St. Lawrence and Ottawa Rivers. When one band was ready to return home, another one replaced it (Thwaites 1896-1901, 24: 273). This system netted a rich harvest of booty." [Document No. SS-67, p. 263.]
30. When Mohawks appeared at Trois-Rivières⁶ in 1642 some Algonquins fled upriver to Morrison Island -- the fortress of the Kichisipirini. Mohawks attacked them there in 1642. [Document No. SS-34, p. 46.]
31. In the spring of 1642 Mohawks attacked the Weskarini and later a group of Huron traders at Chaudière Falls. [Document No. SS-34, p. 47.]
32. Hessel contends that the Kichesipirini were removing to the French missions at Sillery (near Quebec City), Trois-Rivières and Ville Marie (Montreal) because of Iroquois attacks and by 1642 the number of Algonquins there had increased to the point that the majority of Algonquins were encamped near these places. [Document No. SS-34, pp. 32-3.]
33. In 1643 and 1644 small war parties of Mohawks stationed themselves along the Ottawa River to attack trading parties attempting to take their furs to the St. Lawrence. In 1644 there were parties lying in wait to ambush traders at Chaudière Falls and Long Sault above Montreal. [Document No. SS-34, p. 47.]
34. After a brief truce in 1645 and "[c]ontrary to their former practice, the Mohawks, Oneidas, and some Onondagas began to attack Algonkin and Montagnais family groups after they had dispersed for the winter. Picking them off one by one, the Iroquois were able to seize their furs with little danger to themselves. In addition, they could hunt and trap in these areas. The resulting danger caused many Algonkins to seek refuge on the outskirts of the French settlements." At the same time, their trading allies, the Hurons, were suffering similar attacks and attendant loss of population and upheaval. [Document No. SS-67, p. 263.]

⁶ There was an inland northern route between Mattawa on the Ottawa River and Trois-Rivières. By travelling through the northern headwaters of the Ottawa River and crossing to the St. Maurice or Saguenay rivers then following them downstream to Trois-Rivières, canoe parties could avoid attack by Iroquois along the lower Ottawa River.

35. The Nipissings joined with the Algonquins and Montagnais in 1647 to resist Iroquois who had been laying waste to Algonquins along the lower Ottawa. Their efforts were not successful however. It is known that the Nipissings fled west to avoid the Iroquois. In 1664 a trading party of 40 Nipissings travelled down the Ottawa River and succeeded in surviving two Iroquois ambushes to reach Montreal with their furs. [Document No. SS-26, p. 789.]
36. There was a brief period of peace around 1645-6, at which time a record number of furs were brought down the Ottawa River to the St. Lawrence by Hurons and Algonquins.
37. Hessel contends that most of the Kichesippirini were murdered at Three Rivers in March 1647 by Iroquois. [Document No. SS-34, p. 34.] When a group of Weskarini travelled to Trois Rivières and learned of the fate of their fellow Algonquins, the Kichisippirini, a warrior went immediately to Morrison Island to warn the remainder of the band. The island fortress had also been attacked but the Weskarini managed to pursue the Mohawks and free their prisoners. [Document No. SS-34, pp. 50-1.]
38. During the winter of 1649-50 Nipissings were attacked by Iroquois raiders. [Document No. SS-67, p. 271.]
39. Huronia was destroyed by Iroquois between 1648 and 1650. A group of surviving Hurons and Jesuits fled to Quebec by way of the Ottawa River in 1650. They met Kitchisippirini at Morrison Island, where Perrot tells the tale that Chief Tessouat (Le Borgne) had the Jesuit priest Ragueneau hung by his armpits for refusing to pay the usual toll. [Document No. SS-34, p. 51.]
40. Algonquins were reported on Allumette Island in 1650 by Perrot.⁷ [Document No. SS-5, p. 18; Document No. SS-25, p. 794.]
41. In 1654, 120 Ottawa traders led by a few Hurons travelled down the Ottawa River to trade directly with the French. This was the first time they had made this trade journey. Two years later 250 traders made the trip. [Document No. SS-67, p. 280.]
42. There seems to have been a dispersal of Algonquins between 1650 and 1675, due to Iroquois raiding. Trigger summarizes locations outside of the Ottawa Valley where they were reported to have withdrawn including Trois-Rivières, Sillery, the Sulpician mission at Montreal. [Document No. SS-25, p. 794.]
43. The Jesuit Relations of 1660 record Iroquoian attacks on Abitibi Algonquins, located north of the Ottawa watershed, usually reached by that route. [Document No. SS-12, p. 7.]

⁷ Perrot was an engagé working for the Jesuits and later a coureur de bois (private trader). He came to New France as late as 1665. His memoirs, written between 1680 and 1718, included information which he had learned second hand.

44. The following is a translation of an extract from Raoul Blanchard's text discussing the development of Montreal and the surrounding region. Blanchard made reference to fur trading with Indians in the area:

...
The fur trade. - ... The first evidence that we have of the trade goes back to July 1660; on this date a bold and a slightly disturbing adventurer, des Groseilliers, brought a large convoy of 60 canoes of furs to Montreal: there were enough for 200,000 pounds. Soon, his arrivals became regular and the trade became organized, taking two forms. It would seem that that which had long presented itself as the largest yield would be the descent of the Savages themselves coming to exchange their furs against the European products, and if possible against brandy/alcohol; the exchanges took place in a real spree held each summer on Common Street, that is to say the bank of the river at the bottom of the Saint-Louis hill, where the tradesmen of the city set up portable shops. The highly animated fairs, which could last three months in re-igniting several times; the universal Dictionary of France and of its colonies, published during the first third of the 18th century, notes that Montreal is important for the fur trade with the Savages who came twice a year from great distances; they assembled there by the thousands. But at the same time, every year some hardy companions left the city to run the woods, to meet up with hunting Indians and to negotiate with them. La Hontan, who wrote in 1684, gave clear evidence as to the existence of two runners leaving Montreal and arriving there. "The Savages of the Grands Lacs [Great Lakes] came down here almost every year with a prodigious quantity of beavers." But he adds: "the 'coureurs des bois' brought from here each year canoes of merchandise to all the savage nations, from where they returned with some good beavers". Thus the excitement and the profits were double.

Montreal became in this way the city where all the relations with the West were sealed: in a few years of truce, she mastered all the advantages of her situation, asphyxiated Trois-Rivières, born before her. The great explorers prepared their expeditions from there; it was from there that they left to found an empire. Cavelier de la Salle, honoured in Chicago, had his general headquarters in Montreal; Greysolon du Luth lived there, before steering toward Lake Superior; from there came the Durantaye, the Mothe-Cadillac, founder of Detroit, and the heroic members of the Le Moyne family of Longueuil, of which Iberville and Beinville had created Louisiana. It is a magnificent blossoming, born of warrior qualities acquired through the course of years of suffering.

...

[Translation from French]

[Document No. SS-7, pp. 219-220]

45. Frederick Johnson's 1928 study of the Lake Barrière Band mentions that "marauding bands of Iroquois made frequent incursion into this area" during historic times. Johnson did not indicate whether this remark was based on local oral tradition or his own reading of written sources. [Document No. SS-36, p. 33.]
46. The Sulpicians (Société des prêtres de Saint-Sulpice) established a mission on Montreal Island. Algonquins living along the St. Lawrence collected there beginning in 1676. [Document No. SS- 34, p. 61.]
47. Fort Cataraqui was built by the French at the east end of Lake Ontario in 1673, partly to protect the Ottawa Valley from Iroquois incursions. [Document No. SS-67, p. 286.]
48. Ottawas ceased to travel regularly to the St. Lawrence River by way of Ottawa River by the end of 1680. By this time the French had moved their own traders and permanent trading posts to the interior bypassing the Ottawa as middlemen. [Document No. SS-67, p. 285.]

49. Between 1681 and 1686 the Ottawas controlled the fur trade. [Document No. SS-34, p. 56.]
50. The French trading companies established fur trade posts along the Ottawa River watershed. In 1682 the Compagnie du Nord established a post on Lake Timiskaming. Other posts were built at Fort Coulonge (1680s or early 1690s), and at the mouth of the Du Moine or Dumoine River. [Document No. SS-38, pp. 90-1.]
51. By 1696 Ojibways, with help from Hurons and Petun, drove the Iroquois from southern Ontario, from hence forth occupied by Mississaugas. [Document No. SS-67, p. 288.]

The 18th Century, French Period

52. A series of maps produced for the Historical Atlas of Canada depict the activity in eastern Canada after the Iroquoian or Beaver Wars. The first of four maps on Plate 39 entitled "Closure of the Interior Posts, 1697-1711" shows that Iroquoian speakers had been driven from the watershed south of the Ottawa River. The area south of the Ottawa was dominated by general Algonquian occupation, except for the eastern extremity, which was seasonally occupied by these people. The Ottawa River was used as a trade route by native traders with occasional use by French traders. Trade on the Gatineau River and on the Upper reaches of the Ottawa to Lake Timiskaming was limited to Native traders. Nipissings were located at Montreal; Algonquins on the Gatineau River. All Mississauga and Ojibway settlements are shown outside of the watershed. The fur trade posts on the Ottawa were inactive. [See Map No. 11.]⁸
53. The following is an English translation of a speech by the Governor and Lieutenant General in New France, made at Montreal on August 4, 1701:

At Montreal the fourth August 1701:

As last year here were only the envoys of the Hurons and the Ottawas when I made peace with the Iroquois for myself and all my allies, I judged that it was necessary to send Mr. de Courtemanche and the reverend Father Annatran to all the other nations my allies who were absent to tell them what had happened and to invite them to send down some Chiefs of each of them with the Iroquois prisoners which they might have, to all hear my words together.

I have an extreme joy to see here now all my children gathered, you Hurons, Ottawas of the Sable, Kiskakons, Ottawas of Sinago, Nation of the Fork, Saulteurs, Potowatomis, Sauks, Puans, Menominees, Foxes, Maskoutens, Miamis, Illinois, Amikoues, Nipissings, Algonquins, Temiskamings, Crees, Gens des Terres, Kickapoos, people of the Sault, of the Mountain, abenakis, and you Iroquois nations, and who, having all placed your interests in my hands so that I might be able to cause you all to live in tranquility; I ratify thus today the peace which we made in the month of August last year, wishing that there be no more talk of all the strokes made during the war, and I grasp again all your hatchets, and all your other implements of war, and I place them with mine in a pit so deep that no one will be able to take them up again to trouble the tranquility which is re-established among my children, counselling you that when you meet one another you should treat one another as brothers, and to accommodate one another as to hunting, in such manner that there will be no...

... peace ... in the treaty which we have made, so that if it happened that one of my children strike another, he who will have been struck will not avenge himself, neither by himself nor by others on his behalf, but he will come to find me so that I can bring him to reason, declaring to you that if the offender refused to make a reasonable satisfaction, I will join with my other allies to the offended party to force him, that which I do not think could happen, because of the obedience which my children owe me, which they will remember after we stop soon; and so that they will not forget, I attach my words to these belts which I will give to each of your nations so that the elders will cause their young people to agree, and I invite you all to smoke of this calumet of peace where I will start first, and to eat of the meat and soup which I have prepared for you so that, as a good father, I will have the satisfaction of seeing all my children gathered together.

I will keep this calumet which the Miamis gave me so that I can have you smoke it when you come to see me.

After which all the nations above mentioned had heard what Monsieur the Chevalier de Callieres told them, they answered as follows:

⁸ Heidenreich, Conrad & Françoise Noël. "Trade and Empire, 1697-1739." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 39.

The Chief of the Kiskakons:

I did not want to miss my father, having know that you would ask me for Iroquois prisoners, to you our friends, here are four of them that I give you to do with as you wish; it is with this wampum that I have delivered them and here is a calumet which I give to the Iroquois that we may smoke together when we will meet, I rejoice at as you have seen the earth is overturned, and I subscribe gladly to what you have done.

The Iroquois:

Here we are gathered our father as you have asked; you planted last year a tree of peace and you placed there roots and leaves so that we could take shelter under it, we hope soon that all will hear what you have said, and that no one will touch that tree; for ourselves we assure you through the four belts which we will follow, all that which you have arranged; we give you two prisoners here and we will give up the others which we have; we hope also soon that the doors will be open to peace, and that the rest of our people will be returned to us.

The Hurons:

Here we are as you have asked, we give you twelve prisoners, of whom five want to return with us; as for the seven others you can do with them as you wish; we thank you for the peace which you have gained and we ratify it with joy.

Jean le Blanc, Ottawas of the Sable:

I have obeyed you my father as soon as you asked, in bringing you two prisoners of which you are the master; when you ordered me to go to war I did so, and now that you tell me not to do so, I obey, I ask you my father by this belt that the Iroquois render up my body which is among them and send it back (that is, the people of his nation).

Sanguessy, Ottawa Sinago:

I did not want to miss your orders my father although I have no prisoners, however there is a woman and a child which I have gathered up and which you will do with as you please; and here is a pipe which I give to the Iroquois to smoke as brother when we will meet.

Chichicatalo, Chief of the Miamis:

I have obeyed you my father in bringing eight Iroquois prisoners to do with as you please, if I had had canoes I would have brought more of them, though I do not see here any of my people who are among the Iroquois, I will bring you the others, if you wish, or I will open my gates so that they can return.

Onanguisset for the Sauks:

I am of one body with you, my father, here is one Iroquois prisoner which I took during the war, accept that as I deliver him to you I give him a pipe to take as to the Iroquois and smoke when we will meet; I thank you for ...

Onanguisset Chief of the Potawatomis:

I will not make a long speech to you my father, I have no more than two prisoners which I place on both sides of you to do what you wish with; here is a pipe which I give to you to keep or you can give it to those two prisoners so that they smoke it in their country, I am always ready to obey you unto my death.

Misouensa Chief of the Outagamis:

I have no prisoners to give you my father, but I thank you for the fine day which you have given all the earth by this peace, for myself I will never lose this charity.

The Maskoutens:

I bring you no Iroquois slave because I have none, not having gone against them for some time, having amused myself at making war with other nations, but I came here to hear you and to thank you for the peace which you secure for us.

The Menominees:

I have only come my father to obey you and embrace the peace which you have made between the Iroquois and ourselves.

The Sauteurs and the Puants:

I would have brought you my father some Iroquois slaves if I had had any, wanting to obey you in the things you order me, I thank you for the clarity which you have given us and hope that it will endure.

The Nipissings:

I did not want to miss coming here like the others to hear your voice; I had one Iroquois prisoner last year which I gave to you, here is a calumet which I give you to give it to the Iroquois if you wish so that we may smoke together when we meet.

The Algonquins:

I have no prisoners to give to you my father, the Algonquin is one of your children that has always been yours, and feeling that he will see, I pray the Master of Life that what you are doing today will endure.

The Mikois:

Having no will but yours, I obey what you have just done.

The Abenakis:

Though I speak last I am not least, my father, you will know that I have always been attached to you; I have no more hatchets you have placed them in a pit last year and I will not take it up again until you order me to.

The people of the Sault:

You are not unaware, you Iroquois, that we are attached to our father, we live with him, and we are in his breast; you sent us a belt three years ago to invite us to secure peace for you; we sent you one in answer, we give you again this one to tell you that we have worked on it, and we ask nothing more than that it will endure; do also on your side so that it will be so.

The people of the Mountain:

You have gathered here father all the Nations to make a pile of hatchets and to bury them in the ground, with yours, for myself there was no other, I rejoice at what you have done here today, and I invite the Iroquois to regard us as their brothers.

[Document No. 1]

54. The following speech was made by the Chiefs of the Algonquins and Nipissings at the mission of St. Louis to the Governor de Vaudreuil in 1703:

We are the eldest of his children who are beyond the great lake, we know ourselves to be the most faithful and we have always been so, but we have fallen into misery for having become distant from our Father, wandering in the woods; and at last we have been reduced to the last extremity many among us having died for having forgotten the great Spirit who made everything, who governs everything, who disposes of everything, but that great spirit had pity on us he gave us back the soul, we thought [sic] it is necessary to embrace prayer; we can see that those who pray do not perish, let us go to our Father he will have pity on us, we addressed ourselves first to Monsieur de Vaudreuil [sic], he who governs for our Father beyond the great lake, he gave us a land that we started to seed and also gave us some other things on behalf of our great Father for which we wish to thank him as well as for the black robe that he sent us to teach us; we taste of, we love prayer and we want fully and constantly to establish ourselves by the lands of the French our brothers so that we can be more in a state of defending our great Father against his enemies and ours; the Governor placed the hatchet in our hands, we carried it last summer to the English, Hence we brought back to him many persons and many scalps, we will carry that hatchet anywhere that it will please him, and will give it back to him whenever he orders, he will find always in us very submitted children, but whatever good will and firm disposition we have, to establish ourselves we cannot do so solidly unless our great Father helps us we are so weak that we cannot sustain ourselves if he doesn't give us his hand-- that is the favour we have come to ask of him, we have no more to say except that we desire nothing so much in our hearts as the conservation of our great father for the happiness of all his children, we will not cease to pray for the master of life for him so that he may prolong more and more that to present life that should never finish if that great spirit had regard to the wishes and needs of his children.

[Document No. 2]

55. In the second map on plate 39 in the Historical Atlas of Canada, entitled "The Interior Reopened, 1712-1716", Algonquins and Nipissings are shown in the Montreal area. Also, Algonquins are shown on the Gatineau River. All of Ontario south of the Ottawa River is inhabited by Algonquians; Iroquoian speakers have retreated south of the St. Lawrence and Great Lakes. All Mississauga and Ojibway settlements are shown outside of the watershed. The annual movement of French traders along the Ottawa River has resumed; French military expeditions are also moving up the Ottawa towards the upper Great Lakes. [See Map No. 11.]⁹
56. In the third map on Plate 39 of the Historical Atlas of Canada entitled "French Interior Trade Restored, 1717-1725", Algonquins, Nipissings, and Mohawks are shown at Lake of Two Mountains from 1721. Algonquins and Nipissings are on the Gatineau River. A new fur trade post opened on Lake Timiskaming in 1720. There are Timiscimi Crees, who may be Algonquins, located at this post. Mohawks are located at Fort Frontenac (Kingston). All Mississauga and Ojibway settlements are shown outside of the watershed. [See Map No. 11.]¹⁰
57. The sulpician mission was moved to Sault-au-Récollet, north of Montreal and then to Lake of Two Mountains (Oka) in 1720. This was the closest mission to the Ottawa River watershed at which Algonquins and Nipissings are known to have gathered. [Document No. SS-34, p. 61.]
58. The following is a translation of a Petition of the Council of the St. Sulpician Seminary, held in March of 1721, signed by L. A. de Bourbon and De la Chapelle:

Deliberations of a council on the subject of an advertisement of the clergy of the St. Sulpice Seminary, relative to the tax on fortifications - decrease in their revenues - missions of Sault-aux-Recollets, transferred onto the lands of Lake of Two Mountains.

March 24, 1721

The clergy of the St. Sulpice Seminary established in Montreal, make representations that having been taxed at 2000#[livres] per year for their part of the sum of 6000#[livres] imposed in 1716 on the inhabitants of the island of Montreal and its surroundings for the fence of the said city, they were forced to pay this tax, albeit exorbitant, during the first three years in representing nonetheless to the Governor General and to the commissary that it was absolutely impossible for them to continue the payments and to afford at the same time the other indispensable expenses that they are obliged to bear for the maintenance of a considerable number of missionary priests of whom they are in charge in Canada, and it would be easy for them to justify that without this tax, they could not, far from it, cover all the expenses that they make for the good of religion and of the colony without the assistance that they draw from the belongings of several of those among them and especially of the pension of 6000#[livres] that they have on the State of charges to be paid by the Western Domain for contributing to the costs of the missions and to the subsistence of Indian children, which can be done even less at present due to the extraordinary decrease in revenues such as had the said Seminary in France as the private individuals who work there. This is what obliged them, last year, to ask to be discharged of the said tax of 2000#[livres] which they had thought they received because they had learned that the King had considerable funds for this fence, they had however been advised that not only would they be required to levy the same tax but that they would be held to a payment for the arrears of the last two years, although no work had been done on

⁹ Heidenreich, Conrad & Françoise Noël. "Trade and Empire, 1697-1739." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 39.

¹⁰ Heidenreich, Conrad & Françoise Noël. "Trade and Empire, 1697-1739." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 39.

the said fortifications during this time and that even a part of the materials which were destined for that place had been used for other works.

They implore that in case that the King not think fit to end the imposition of 6000#[livres] per year on the inhabitants, that H.M. have the goodness to reduce and moderate the tax and to assess the Seminary's portion to a sum which is reasonable and proportionate to the taxes of the other taxpayers for the future as well as for the two other years' payment that remains to be paid.

That they could not be constrained to the payment of one year of their tax until the imposition of the year that had preceded had been paid by all the other taxpayers and only when effective work was made on the fortifications, otherwise the inhabitants would no longer pay their assessed portion, the works would become almost the sole money of the Seminary from which the tax would somehow become perpetual by the great number of years that would have to be spent on this work with so little assistance.

N^a. The tax of 6000#[livres] per year for the enclosure around the city of Montreal was made by a decree of May 7 1716, the same judgement ruled that the St. Sulpice Seminary would pay for the assessed amount of 2000#[livres] all of this was agreed upon as such with the [illegible word] of the Seminary, Messrs. de Vaudreuil and Begon having written on October 26, 1720 that they owed 2000#[livres] for 1719 and the same amount for 1720, they had asked if the Council would approve that the deduction be made on the 6000#[livres] gratuity that they have on the public property, on which the Council decided last February 17 that a deduction on the annual gratuity of 6000#[livres] be made without difficulty.

The effort that they made to pay the first three years of the 2000#[livres] tax, in addition to the want and rarity of money in Canada, made them no longer able to undertake the expense of transportation from the mission of the Indians of the Sault au Recollet onto the land of Lake of Two Mountains and to have the church and the fort built there on which the Seminary is commissioned to do at its own expense in the space of 7 years, although the use and advantage of this transportation for the good of religion, and for the increase and security of the colony is recognized more and more.

They pray that they receive communication of the plans and estimates for this Church and fort as sent by Messrs. de Vaudreuil and Begon.

N^a. Concerning the demand made by the Seminary, the transfer of this mission having been resolved in 1716, Messrs. de Vaudreuil and Begon were ordered to settle the Indians, on condition that the expense for this transfer would be made by the Seminary, which would be compensated for it by the land that these Indians occupied and of which they could dispose.

They were ordered to concede to the Seminary to locate this mission on three leagues of land in a square joining the land granted to Mr. Du Guay and ascending into Lake of Two Mountains of half a league of land by three leagues in depth for the missionaries, on the condition that when these lands be abandoned by these Indians, they would return to His Majesty.

Mr. de Vaudreuil noted in response that the superior of the Montreal Seminary had represented to him that the transfer of this mission would cost him more than 20 thousand livres, because, other than the clergy's house, a church and a stone fort would have to be built and that he could never be compensated for these expenses other than by title to this land and seigneurie in perpetuity and that it appeared to him to be just to give them this, the transfer of this mission being very advantageous to the colony because it safeguarded from the wandering of other Indians to the North side where it is not defended, this affair having been taken up with the Regent, on February 4, 1717, S.A.R. decided that it was necessary to accord this concession of a seigneurie in perpetuity to this Seminary, on the condition that it build the church and the fort of stone following the plans given to him and approved by Messrs. de Vaudreuil and Begon and that the said buildings be completed in the space of two years.

Accordingly, the indenture for the concession was expedited by Messrs. de Vaudreuil and Begon on 17 [illegible word] 1717 and confirmed by the King on April 27 1718, on the condition that the Church and the fort be completed in seven years.

They learned that, with the intention of annoying them, they were asked to justify the title in virtue of which they received the pension of 6000#[livres] spent annually on the expense records, such that it cannot be ignored that the only title is the King's Estates, on which this pension was paid during a great number of years.

Asking that it be ordered that they be discharged from justifying the title as is asked of them on this subject.

N^a. These clergy have to explain who is asking this title from them, it is perhaps a threat from Messrs. de Vaudreuil and Begon because they pay no tax for the enclosure of Montreal.

This amount is taken from the public State in this way.

To the Superior of the St. Sulpician Seminary established at Montreal for the subsistence of the Indian children, six thousand livres.

It is known that they give many alms to the Indians and even to the French of the island of Montreal, that it costs them for the missionaries that they maintain, this is to what this amount is applied, Mr. de Bellemont who is the superior of the Seminary, and who has at least 7 to 8 thousand livres in income in France, also adds all his revenue to the charity given out.

It is believed that they can easily pay the amount of 2000#[livres].
Done and settled on March 24, 1721.

(Signed) L. A. de Bourbon
By the Council Signed: De la Chapelle.

[Translation from French]

[Document No. 3]

59. Nipissings were associated with the Sulpician Mission at Lake of Two Mountains (Oka). Some came to this mission from other Sulpician missions between its establishment in 1721 and 1735. [Document No. SS-26, p. 790.]
60. The fourth map on Plate 39 of the Historical Atlas of Canada entitled "The Fox Defeated and Expansion Northwest, 1726-1739" shows Algonquins on the Gatineau. A fur trade post had been established at Fort Dumoine (circa 1730) and the post at Fort Coulonge (established circa 1695) had been reopened. The French military continued to use the Ottawa River route to reach the upper Great Lakes; French traders were active on the Ottawa as well. All Mississauga and Ojibway settlements are shown outside of the watershed. [See Map No. 11.]¹¹
61. Jean Laflamme described the Native peoples of the Abitibi-Temiskaming region, particularly the Têtes-de-Boule.

...
The enormity of the forest space covered by the Temiskaming post and those dependant upon it would lead one to suppose a considerable Indian population. This was, however, not the case. There was little variety in the species of game, and the total quantity available would put an unrelenting limit on the number of individuals dependent on the area. A French memoir from 1737 counted, at the most, 400 hunters among the "Gens des terres" (Têtes-de-Boule), in the stretch between Trois-Rivières and the Upper Ottawa River, which would give a population of about 1,600 souls for a region of 4,000 square miles. The Abitibis and the Monsonis, for their part, numbered 470 hunters (approximately 1,900 souls), scattered in the 160,000 square miles which extended from Lake Abitibi to Lake Nipigon.

¹¹ Heidenreich, Conrad & Françoise Noël. "Trade and Empire, 1697-1739." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 39.

Some confusion exists as to the classification of the savage tribes of these vast lands during the French regime. The designation of each band was often made according to the body of water around which the members had evolved. Thus, the Abitibis and the Temiskamings¹² lived close to the lakes of the same names, apparently on their western shores, and treated with the French established there. An inventory of the trading posts, drawn up by Bougainville in 1757, replaced these two trading tribes by those of "Têtes-de-boule or gens de terre"¹³ and of the Namkosakis who came from the area of Hudson's Bay". Were these the same bands, or were they two successor groups of the last of those to take part in the fur trade? The attempt at a definite assessment of the tribes by the Father de Charlevoix, in 1744, represented that the Temiskamings were beside the Têtes-de-Boule, proof of their different identities:

...

The obscurity would continue to persist if the works of the Father A.-G. Morice, o.m.i. and those of the professor Jacques Rousseau had not come along, bringing some enlightenment on the subject. Their method of regrouping the aboriginal people by linguistic families managed to establish a certain order to our retrospective knowledge. In this way, for these two scientists, all the Indian groups of the territory concerned were related with its eastern section, that of the Algonkins of the Woods. A subdivision later regrouped the Nipissings, the Temiskamings and the Abitibis into one tribe called the Algonquins, while the Têtes-de-Boule were aligned with that of the Montagnais. With regard to the bands with their origins in the surroundings of James Bay (Monsonis, Sagamis, Namkosakis and others), they all belonged to a third nation: the Sauteux or Ojibways.¹⁴

...

[Translated from french]

[Document No. SS-39]

62. Additional Nipissings came to the Sulpician Mission at Lake of Two Mountains in 1742. [Document No. SS-26, p. 790.]
63. Four maps on Plate 40 of the Historical Atlas of Canada cover the period of French entrenchment from 1740 to 1755. The first map entitled "French Strategic Problems 1740-1751" indicates that Iroquoian peoples had moved temporarily into the south side of the Ottawa River east of the South Nation River. Trade between the Gatineau and Montreal consisted exclusively of Native movement. The posts remained the same as those shown on "The Fox Defeated and Expansion Northwest, 1726-1739"

¹² In a footnote given in the text, the author writes that the Abitibis and the Temiskamings "appeared relatively early in the history of Canada. Thus, from 1640, the Father Vimont mentions the Timiscimi and the Outurbi, among the peoples living to the north of the Nipissiriniens. (J[esuit] R[elations], t. 18, p. 228). In 1673, Médard Chouart des Groseilliers made an alliance with the chief of the Abitibis, on the account of the English company of the Hudson's Bay; and the following year the journal of Nicolas Gorst mentioned that "the chief of the Tabitee Indians informed (the English) that the French Jesuits had incited the Indians not to stop trading with the English, but to live in harmony with the Indian Nations allied with the French" (JR, t. 61, p. 269). In 1690, a group of Temiskamings obtained an advantageous assistance for the French, during the battle of la Prairie de la Madeleine; their chief, La Routine, even greatly distinguishes himself. (F.-X. de Charlevoix, Histoire et description générale de la Nouvelle-France, t. 2, Paris, Nyon, 1744, p. 103). Finally, an anonymous memoir on Canada, dated 1697, recalls that at "150 leagues from Mount Royal (east) the Grand River leading to the Ottawa; to the north are the Temiskamings, Abitiby, Outanloubys who speak algonquin" (quoted by Agnes C. Laut, Pathfinders of the West, Toronto: William Briggs, 1904, p. 364).

¹³ In a footnote within the text, the author describes some historical sources referring to the origins of the Têtes-de-Boule, one of which was cited as stating that these people may be more closely related to the "Moskégons" than to the Montagnais (Jacques Rousseau, "Le Canada aborigène dans le contexte historique", in RHAE, vol. 18, N. 1, June 1964, p. 46).

¹⁴ The author footnoted the following: "In their 'Mémoire sur le poste de Temiskamings', in 1708, the Raudot mentioned that one could 'trade at this post with roaming savages who are the Tabitibis, the Monsonis, Tetes de boules, and some Crees [cristinaux]" (PAC, MG-1, C"A, vol. 101, p. 188). Professor Rousseau clarified that these 'cristinaux' are called today Cris des Marais (Swampy Crees) or Moskégons and had to be ranked among the Sauteux rather than among the Crees per sé. (Jacques Rousseau, Op. cit., pp. 47-48)."

discussed above. All Mississauga and Ojibway settlements are shown outside of the watershed. [See Map No. 13.]¹⁵

64. A map produced for the National Atlas of Canada, fifth edition, entitled "Canada Native Peoples 1740", shows Algonquins located on the west side of the Lièvre River. There are Crees (perhaps Algonquins) at Lake Témiskaming and Algonquins and Nipissings shown at Lake of Two Mountains. There are no other aboriginal communities shown within the Ottawa River watershed. [See Map No. 12.]¹⁶
65. In 1752 it was reported by Franquet that the Nipissings lived next to the Algonquins at the Sulpician mission but that they were separate. Like the Algonquins, they stayed at the mission for trade purposes only and left "in the late summer for hunting grounds far up the Ottawa River." [Document No. SS-26, p. 790.]
66. Anthropologists William Fenton and Elisabeth Tooker included the following remark regarding the Algonquin impact on the Mohawks in their overview article "Mohawk", published in the Handbook of North American Indians:

... Oka contained an Algonquin community, from which the Oka Iroquois learned Algonquin hunting techniques, sharing with them the hunting grounds north of the Ottawa between the Matawin [sic Mattawa?] and Black River on the east. Nevertheless, they continued to practice agriculture in the traditional Iroquois fashion (Speck 1923a).

...

[Document No. SS-29, p. 473]

67. Another map on Plate 40 of the Historical Atlas of Canada entitled "French Dominance, 1752-1755" indicates that Iroquoian peoples had been pushed back to the southern side of the St. Lawrence River. Other information remains the same as on the previous map. [See Map No. 13.]¹⁷
68. The map entitled "The Fur Trade, ca 1755" on Plate 40 of the Historical Atlas of Canada shows the influence of colonial powers. The area north of the Ottawa River lies within what was the French territorial claim. The area south of the Ottawa and around Lake Nipissing is shown as disputed territory. The French posts at Fort Dumoine, Fort Coulonge, and Lake Timiskaming remain open. The French fur trade dominated the entire subject area, with no British posts within the Ottawa River watershed. There was possibly some trade from the headwaters of the Ottawa around Lac Simon to James Bay, in the British trade area. [See Map No. 13.]¹⁸

¹⁵ Heidenreich, Conrad & Françoise Noël. "France Secures the Interior, 1740-1755." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 40.

¹⁶ Canada Native Peoples 1740. Canada Geographical Services Division, Canada Centre for Mapping. National Atlas of Canada 5th Edition. Energy Mines and Resources, 1988 MCR 4094

¹⁷ Heidenreich, Conrad & Françoise Noël. "France Secures the Interior, 1740-1755." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 40.

¹⁸ Heidenreich, Conrad & Françoise Noël. "France Secures the Interior, 1740-1755." In Historical Atlas of Canada Vol. 1 from the Beginning to 1800. Harris, R. Cole (ed.) Toronto: University of Toronto Press, 1987. Plate 40.

Conquest and Royal Proclamation

69. In 1761, Alexander Henry was one of the first English fur traders to go up the Ottawa River after the defeat of the French. He stated that the Algonquins at Lake of Two Mountains claimed all the lands on the Ottawa as far as Lake Nipissing and made the following comment on their method of holding land:

...
These lands are subdivided, between their several families, upon whom they have devolved by inheritance. I was also informed, that they [the Indians] are exceedingly strict, as to the rights of property, in this regard, accounting an invasion of them an offence, sufficiently great to warrant the death of the invader.
...

[Document No. SS-19, p. 73]

70. In October of 1761, Sir William Johnson received a report that Abenaki, who usually visited the Indian mission at St. Francis,¹⁹ were hunting up the Ottawa reportedly in order "to be readier at hand in the Spring" to meet in council with Iroquois to consider messages they were receiving from distant Ottawas and Cherokees who were encouraging a reunion of tribes. Johnson was advised that such diplomatic overtures were to be discouraged and that loyalty of the Abenakis could be ensured by encouraging them to remove to their "native Country, some to Acadia & others to Albany where they came from."

This letter gives insight into important aspects of the socio-political conditions prevailing at this period. Like many Indian Nations, the Abenakis became associated with a mission located near a French colonial center although their traditional lands were some distance from the mission. There was considerable diplomatic maneuvering among the Indian Nations, which the British Crown was trying to influence and control for their own security. The use of hunting grounds tended to be unusually fluid with complaints of encroachments common. [See Document No. 6.]

71. On November 13, 1763, Sir William Johnson wrote to the British Lords of Trade, sending information they had requested regarding Indians inhabiting the newly acquired British territories.²⁰ He described the territories claimed by the various tribes of Indians in his jurisdiction, indicating that members of the Ottawa Confederacy inhabited lands north of Lake Ontario:

... as the Western Indians or Ottawas Confederacy²¹, were but newly received into our alliance, I have only taken upon me to ascertain the numbers of them residing in the neighbourhood of the several outposts lately taken, as reported by my deputies, who performed tours amongst them, and given the best General Computation I have met with of the rest of their Confederacy, who live so scattered about the North of Lakes Ontario, Erie and Huron, and even about the Lakes, Superior and Michigan, that no particular account can as yet be procured of them.
...

¹⁹ See Document No. 4, dated 1750/08/30, which proclaims the protection of Abenakis hunting grounds at Rivière St. François on the south side of the St. Lawrence from French encroachment. An Abenaki Indian Mission had been located there since 1698.

²⁰ The request for information is contained in Document No. 7, dated 1763/08/05. The statement by the Lords of Trade indicates the British awareness of their lack of knowledge about the Indian tribes "now under His Majesty's immediate protection" and expresses their intention to issue a proclamation protecting hunting grounds from settlement for the benefit of trade and security.

²¹ The Three Fires Confederacy included Ottawas, Pottawatomies, and Chippewas.

Johnson then described the land that the Five Nations Confederacy²² claimed as original proprietors; then the land which they claimed by "right of conquest". These lands include part of the area involved in this claim.

...
The Five Nations having in the last Century subdued the Shawanese, Delawares, Twighties, & western Indians so far, as lakes, Michigan & Superior, received them into an alliance, allowed them the possession of the Lands they occupied, and have ever since been at peace with the greatest part of them, and such was the prowess of the Five Nations Confederacy, that had they been properly supported by us, they would have long since put a period to the Colony of Canada, which alone, they were near effecting in the year 1688. Since that time, they have admitted the Tuscaroras from the Southward amongst them, giving them a Tract of Land beyond Onejda, they have ever since formed a part of that confederacy.

As Original proprietors, this Confederacy claim the country of their residence, South of Lake Ontario to the great Ridge of the Blew Mountains, with all the Western part of the province of New York towards Hudsons River, west of the Caats Kill, thence to Lake Champlain, and from Regioghne a Rock at the East side of said lake to Osswegatche or La Gattell on the River St Lawrence (having long since ceded their claim North of said line in favour of the Canada Indians as Hunting ground) thence up the River St Lawrence and along the South side of Lake Ontario to Niagara. [emphasis added]

In right of conquest, they claim all the Country (comprehending the Ohio) along the great Ridge of Blew Mountains at the back of Virginia, thence to the head of Kentucke River, and down the same to the Ohio above the Rifts, thence Northerly to the South end of Lake Michigan, then along the eastern shore of said lake to Missillimackinac, thence easterly across the North end of Lake Huron to the great Ottawa River, (including the Chippawae or Mississagey Country) and down the said River to the Island of Montreal. - However, these more distant claims being possessed by many powerful Nations, the Inhabitants have long began to render themselves independent by the assistance of the French, and the great decrease of the Six Nations; but their claim to the Ohio, and thence to the Lakes is not in the least disputed by the Shawanese Delawares etc, who never transacted any Sales of Land or other matters without their consent, and who sent Deputys to the grand Council at Onondaga on all important occasions. [emphasis added]

[Document No. 9]

72. Johnson also enclosed an "Enumeration of Indians within the Northern Department" with his report to the Lords of Trade. He lists the Algonkins among the "Indians allied with the Six Nations" (Mohawks, Oneidas, Tuscaroras, Onondagas, Cayugas, and Senecas), and refers to their residence at the Lac des deux Montagnes.

Names	Number of Men	Situation	Remarks
Canasadagas Arundacs Algonkins	150	These three Nations reside together, at the Lac de Montagnes at the mouth of the Ottawa River near Montreal.	All these Nations [Caghnawagas, Canasadagas, Arundacs, Algonquins] are in alliance with the Six Nations and warmly attached to the British Interest, as are all the other Indians in Canada - Caughnawaga is the seat of a Mission, as is the village of Lac du (sic) des deux Montagnes.

²² Mohawks, Onandagas, Senecas, Oneidas, and Cayugas -- later known as the Six Nations when the Tuscaroras were admitted.

(There are several other Nations to the Northward, who avoid any connection with the white people; and as they have no fixed residence, their numbers, though considerable, can not be ascertained).

Two groups of Mississaugas are listed as members of the "Ottawa Confederacy, comprehending the Twightwees etc."

Name	Number of Men	Situation	Remarks
Chipeweighs, or Missisagais: in the neighborhood of Detroit	820	Resided above the Detroit, now probably in arms with the rest.	These are the most numerous of all the Ottawa Confederacy and have many villages about Lakes: Superior, Huron, Erie etc. whose numbers cannot at present be ascertained with exactness.
In the neighborhood of Michilimackinac	400	Had several different villages in that country, and the environs of the Lake Huron.	

Johnson's lists also include references to Ottawas and Chippewas that were thought to reside near the Ottawa River. These people were listed among the "Miamis or Twighttees"

Names	Number of Men	Situation	Remarks
Ottawas Chipeweighs, etc.	4,000	Residing thro'all the extent of Country, from the Lakes, to the great Ottawa River and abt lake Superior, etc.	This is the most exact computation which can be made of these numerous people, who are scattered throughout the Northern Parts, and who having few places affixed residence, subsisting entirely by Hunting, cannot be ascertained as those of their confederacy residing near the out Forts.

[Document No. 9]

73. On November 18, 1763, Sir William Johnson sent a "Memorandum on Six Nations And Other Confederacies" to the Lords of Trade. This memorandum states where various members of the Indian Confederacies lived, and includes the following mention of the Indians at Lake of Two Mountain under the Six Nations Confederacy: "[Canasad]agas Near the mouth of the Ott[awa] at Lac de du Montagnes 3 Villages Arundacks, Algonkins, Iroquois, or 6 Nations called Canasadagas". [See Document No. 10.]

74. Apparently, however, Johnson wished corroboration from the Indians themselves about the lands they claimed. At a meeting held on December 19, 1763, at Johnson Hall, he asked the Six Nations for that information. Their description included the territory encompassed by this claim:

Sir William desired to know from the Sachims of the Six Nat. then present at his House how far their Claims, or Bounds extended, as well what was Originally theirs, as what they claimed by Conquest. To which they said they would take some time to Consider amongst themselves, and would then give him an Answer

P:M: - The Sachims, and Headmen of Parties came in, and Conoquieson Speaker of Oneida after telling Sir William, and all present, the many Nations they had conquered, and the Cause of Quarrel, which they had handed down from Father to Son, said that from Albany down to the Sea side was conquered by their Ancestors, except what was sold by the Original Proprietors to the English, before their Quarrel with them. Thence away to the Catabaw Country, from thence to the Mississippi, and along that River to the Country of Adonissaiy, thence to the North end of Lake Michigan, Lake Huron, the Ottawa River down to Montreal from the Mouth of the River Sorrel to Lake Champlain, from thence to Lake George, Fort Edward and to Albany. -

[Document No. 13]

75. The question of reopening the river trade arose soon afterwards, however, at the "Conference with Foreign Nations" held between July 9 and 14, 1764, at Niagara. The main purpose of this conference was to achieve peace among the warring Nations and strengthen alliances. At this council Johnson received various submissions from the participants requesting ammunition, clothing, liquor, and the re-opening of trade. The Algonkins and Nipissings are listed among the Nations of the Six Nations Confederacy and also among the Western Confederacy present at the Conference:

NATIONS AT THE GENERAL MEETING

A.D.

The Several Nations who attended this General Meeting July 1764.

Mohawks
Oneidaes
Tuscaroras
Onondagaes
Cayugaes
Senecas
Coghnawageys
Ganughsadageys

Nanticokes
Canoyes
Mohicanders
Algonkins
Nipissengs

The
Six Nation
Confederacy

Chippawaes
Ottawaes
Menomineys
Sakis
Outaamies
Puans
Christineaux
Hurons
Toughkamawimons
[Algonkins]
[Nipissangs]

The Western
Confederacy

[Document No. 17]

The British Pre-Confederation Period to 1799

76. A letter sent by Frederick Christopher Spiesmacher, probably to Sir William Johnson, dated May 6, 1768, relates to information he received from the Ottawa Nation from the Grande Rivière (Ottawa River). The reference is to fears of Indians joining in rebellion against the British; the chiefs of the Ottawa River assured the British of their continued friendship:

... About the 18th inst. the Ottawa Nation from the Grand Riviere [the Ottawa River] and Abrecros [Arbre Croche, immediately north of Little Traverse Bay, on the northwest corner of the peninsula of Michigan] headed by La Force [an Ottawa Chief], and a Chief of the Grand Riviere arrived here without Arms. The Chiefs in Council acquainted me that several nations had got giddy headed, but that they were determined to hold a fast Friendship for us, begged of us to be continually on our Guard for fear of a Surprise from others.

[Document No. 23]

77. A sketch of the Western Countries of Canada 1791, which was published in John Long's Voyages and Travels of an Indian Interpreter and Trader shows the "Ottawahs River". Algonquins are shown on the Lower Canada side of the river, while Nipissings are shown on the Upper Canada side. Long travelled extensively through Canada between 1768 and 1787. As he remarks on his trip up the Ottawa, he does not make any reference to Indian inhabitants. It may be inferred that he obtained information about the aboriginal use and occupancy of the area from other people he met; Long spent some time at Lake of Two Mountains. [Document No. SS-44.]

78. On July 8, 1772, Daniel Claus reported on trouble between the Indians at Lake of Two Mountains and traders who brought liquor to their Hunting Grounds. He notes that the Indians claimed and occupied hunting grounds which extended from the Long Sault to Lake Nipissing. Note that words in square brackets are crossed out in the original:

... there being [a] great Doings here between some Traders of this Place (Mr. Chin being at the head) and the Indians of the Lake or Caneghsadagey. The latter after several Years Application to prevent Traders from coming amongst Indians (them) to their hunting Grounds²³ wch. they have always occupied and claimed from the Long Sault or fall in Outawa or grand River, to Lake Nipisin where no Traders ever resorted to in the time of the french and seeing their Ruin drawing near and no Prospect of Redress the 3 Nats. agreed in Council to send 3 Canoes manned to the Number of 25 Men and bring down 2 or 3 of those Traders with their Merchandise and wch. was executed & the Frontiers safely & quickly conducted to the End of the Montreal. The Reasons the Indians give of their disliking Traders on their hunting Grounds are, Their bringing Liquor with them by which they prevent them to follow their hunting and their [young] people knowing [where] Liquor [is to be had] being so near to be had whenever they a have a Beaver Skin &ca. they go and drink it & thereby their families are left destitute of Necessaries throughout the whole Year, the Love of Liquor also tempts them to rob their Neighbours hunting Ground & [getting] has occasioned several Murders among themselves [hunt]ing game out of season to the prejudice [of trade] of their hunt ...

... These and many more are their Reasons of Complaint all which I have laid before Govr. Carleton²⁴ and last Year Lt. Govr. Cramahes²⁵ seemingly to no purpose so that the Indns. at last were compelled to the above Expedient in their own Defence, but the Traders abuse them and defy them to hinder them & that

²³ On the margin at this point is written: "for me as well as for the gov'n. of the Province himself."

²⁴ Governor Guy Carleton.

²⁵ Hector Theophilus Cramahé, appointed in 1771; Lieutenant Governor of the Province of Quebec.

they would go there armed & repel love by force, wch. are silly expressions and have been told the Indns who are very warm about & dare them in their Turn, so that if Government. dont interfere [those] such perhaps may [get] draw and Indn. war upon them wch. these Rumsellers dont care for so their Interest is served [suffers] [and] was it even all the Trade in the upper Countries knocked up and the Crown put to a great expense wch. soon would be the Case if any [thing should happen] Insult should be offered the Arundan & Skaghgaere Nations at Caneghsady who are connected with all the upper Nations.²⁶ I plainly foresee that the Trade must soon be confined to the Posts after all the Lies of the Canada Traders to the contrary tho they brag away that they will cut out all the other Colonies in Indn. Trade & if the Ottawa River should be stopped up it would be all over with them; ...

[Document No. 24]

79. It appears that the above-noted ordinance and proclamations still did not resolve the problem. On July 25, 1772, Daniel Claus, Deputy Superintendent General of Indian Affairs, again advised Lieutenant Governor Hector Theophilus Cramahe of friction between Indians and traders along the Ottawa River. Within this report, Claus described the hunting grounds claims of the Indians at Lake of Two Mountains:

...
Last Thursday I had a Conference with the Indians of the Lake of 2 Mount when I acquainted them with the Paragraph of your letter relative to their late Behaviour to some Traders in the Grand River [Ottawa River], dwelling a good while upon the Subject when next Morning, they in a full Council and in the presence of Lt. Col. Templer gave the following Answer. "That they had repeatedly laid their Complaints before the respective Governors of this Province, but seemingly to no purpose, and likewise some years ago represented their case to Lord Adam Gordon, who then visited them on his Way to England and promised to lay their complaints & Belts of Wampum in person before His Majesty. And having but th'other day seen a paper, by which they found His Majesty the great King of England did enjoin all his Subjects in this Province not to interrupt or molest the Indians in their hunting Grounds on any Account whatsoever for which paper I found to be General Carleton's Proclamation of Oct. 1766 and for which they could not be sufficiently thankfull to His Majesty, But seeing little or no Regard was paid to said paper by his Subjects here, they were now determined themselves to protect their said hunting grounds, by virtue of that Paper, 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 Nipissin, they had no objection to their assembling at Carillon or anywhere below it, on the South side of the Grand River, but not above that [emphasis added], and then with dry goods only & no Spirituous Liquors, and the Traders going into the upper Country not to bring bulk or sell or dispose of Liquors to Indians within their District; For it being full time for them to look about themselves and guard against their utter Ruin & Destruction, their Village being already thinned by the many losses they these several years past sustained by the enormous Sale of Liquor to them and that at a time when they should follow their Hunting, upon which depended the Subsistence of themselves & Families throughout the year, and which, if neglected must make them miserable at least for that Time.

In order therefore to prevent which Nuisance, as they were soon going upon their Winters hunt, they intended first to clear their hunting grounds all the way to Lake Nipissin, of any Traders that may reside thereupon, and so follow their hunting peaceably & quietly, to the better interest of themselves & the Ind'n Trade in general, and so they finished [emphasis added].

On my seeing they were unalterably bent & determined upon what they said, I desired them to wait at least untill I had your Answer upon their Speech; to which they reluctantly and with murmuring consented.

Now to tell my Mind candidly & impartially about the Matter, I won't pretend Sir but there may be great reason to suspect those Indians being influenced & talked to by the Traders of their Village, and I believe in particular by one Mr. Beaubien de Riviere, there being none of them would stick at any thing when

²⁶ "I have cautioned them and they have promised me not to be the Agressors." Footnote at bottom of the letter.

guided by Self Interest; But it is likewise to be considered, that in Reality the Indians have lost many of their People by the Sale of Liquor in those places, and no later than 3 weeks ago the wife of a Nipisin Chief, heretofore a sober Woman, perished by Liquor at Coulonge [emphasis added].²⁷

Also their proposing certain Marts or places of Trade above their Village, whereby the Traders among them may be undersold & loose their Custom, again removes that Suspicion in great Measure, and reduces their Complaints to real Motives of Grievance. Besides I well remember that about 10 years ago the same Mr. DeRiviere & others, upon the same Complaints & trading at the same places were By Order of General Gage brought down with all their Effects to Carillon and the Indians then were easy until the Garrison at Carillon was removed & the civil Government took place when they had Reason again to renew their Complaints again & have continued to this day, so that it cannot be said to be a thing lately put in their heads. For no Liquor being allowed to be sold them heretofore by the Traders under the french Government and consequently no accidents happened on that Acct. this sudden change of Rum Trade under our Government could not but sensibly strike & surprize them, and I sincerely believe that most Indians, knowing the bad Effect Liquor has upon them in particular, do wish it out of their Way often, but when they know it to be near them have not the power to refrain from it or be easy untill they have it.

"And therefore in my opinion if the few Traders who cause this Disturbance, and by all acc'ts are people of indifferent Characters, were desired to come to Carillon until His Majestys pleasure was known it would settle the Affair at once. Were there such urgent Complaints about the vending of Rum by the Traders in York Province, I conceive Sir Wm. Johnson would not hesitate to lay them before the Governor for Redress, and at the same time report it to the Secretary of State, which is as far as I think he would choose or well could meddle in Trade, But the Indian Nations about Cataracqui, Niagara, Detroit & etc. having allways carried on a Trade in that and other Commodities with the York Traders at Oswego, when under the french Government, and therefore expect it now from them of Course, when on the other hand the Traders of Canada were always restricted in the Sale of Liquors to the Indians living on the Communication of the Grand River and therefore it became a Surprize upon them to have it at once so plentiful among them whereby they are enticed to Extravagancies which occasion so many Accidents and of course bring on their Complaints.

Moreover I believe the charge of the Albany and Schenectady Peoples/:who are the only ones to carry on the Indn. Trade in York Prov:/sending such great Quantities of Rum to the Indn. Country if fairly examined into, would prove greatly exaggerated, and I think they trade as much in dry Goods/:except Ammunition/than the Traders in this Province, witness the large Cargoes imported by only 2 or 3 of them by the Way of Quebec at the Time of Non-Importation in the Colonies.

You will think my Story long & tedious, but how can it well be otherwise where Indian Speeches are in the case, I therefore conclude with one more talk from S. Atanas & Francois Vincent of Lorette, who conscious of there Coups last Summer at Quebec beg to be forgiven & they allowed to go home from Town unmolested.

[Document No. 25]

80. The following day, July 26, 1772, Claus again wrote to the Lieutenant Governor regarding the complaints. In this communication, he specified that it was Algonquins and Nipissings that were petitioning against the liquor traffic on their hunting grounds:

After closing my Letter a Deputation from the Nipisins & Alkonkins of the Lake of the 2 Mountains arrived here, and in behalf of their reserve [emphasis added]. Nations told me by a string of Wampum, that having after my Departure reconsidered my Discourse and Observations upon your Letter touching their Affairs; It was thought necessary to send said Deputies after me/being two of their heads/before I dispatched my Letter to you, and to assure me that they

²⁷ Fort Coulonge or Coulonge had been a fur trade post on the Ottawa River near the mouth of the Coulonge River.

would patiently wait for your Answer & Sentiments upon their Speech of Fryday last.

For were it not for the unhappy Consequences resulting to them from the Sale of Liquor in their Places destined for hunting, they would not care how many Traders did come there with dry Goods, but the Misfortune was that the people in general resorting there had as little command over themselves in selling Liquor, as the Ind'ns had in drinking it.

[Document No. 26]

81. Several days later, on August 20, 1772, Claus sent the following letter on the matter to Frederick Haldimand. He noted that a principal chief had informed him that they would soon all be gone to their hunting grounds and would expect an answer in the spring, presumably upon their return to Lake of Two Mountains:

Upon the Receipt of your favour of the 6th Inst. I intended sending immediately the Interpreter, Fr. Jean Rousseau to the Lake of the 2 Mounts. with a Message containing the substance of that part of your Letter which which regarded those Indians, but unexpectedly he was seized with the Meazels which laid him up for some Days, and Last Monday finding himself able to go with said Message I despatched him accordingly and he returned yesterday with an answer to me from the Indians put in writing by the Priest of which the enclosed is a true copy.

I should be very happy if that Duty w'ch is pointed out from home for the Northern Depart. of Indn. Affs. were to detain me so long as to have the Pleasure of seeing you or Mr. Hay at Montreal but having chiefly gone thro it already and having accomplished it in a few days when I will agreeable to my Orders be obliged to return in order to avoid unnecessary Expense. With Regard to the Traders frequenting the Grand River I cannot think of any other Method of settling that affair than by having a Post for Trade established at Carillon for those that trade between that & Lake Nipisin, of which I spoke to Gen. Carleton some years ago.

Indian Trade as you well know having been detached from the Superintend'ts Department by a Report of the Board of Trade to His Majesty, it would have been an Act of Imprudence on me to enter ex officio into a Discussion of its present state in the respect'Ve Provinces. What I mentioned therefore in my last was merely my private Sentiments ab't it which if agreeable to you I shall always take the Liberty of giving as far as I know I am capable & that with Candor & Impartiality tho they be points of Indn Matters that come sometimes not immediately under the Province of the Superintendants. Could therefore the respective Provinces, coincide in the Regulation of Indian Trade and stop Rum from the Indians entirely, there would I fear be as much Dissatisfaction among the upper Nations about it as it seems there is, now they have it; for Instance in the years 1761 & 2 Sir Jeffery Amherst restricted it so far as not to let any pass by Oswego which occasioned such a clamour among the Nations beyond it that I am not sure whether it did not make them enter the heartier into that Indn War. All I believe the Indians in general mean by their Noise is to have it sold to them at the Garrisons or trading posts & not to be carried after them to their hunting grounds which evidently must be destructive to themselves as well as the Interest of the Furr Trade.

While writing this an Indn chief from the Lake delivered me an other letter from those Indns a Copy of wch I have likewise annexed. I have had a Conversation with the Bearer of it who is a principal Man & stirs most in the affair. he promised me to quiet Matters for this fall & winter and told me the Indns would be all gone in a few - [i.e. all gone from their village to their hunting grounds; emphasis added]

A marginal note at the bottom of the first page reads:

I however I am almost persuaded sure that they Inds be quiet for the present untill they have a satisfactory Answer Upon their complaint which they expect early in the Spring.

[Document No. 29]

82. In 1783 Captain William Redford Crawford reportedly took a surrender of lands fronting on Lake Ontario and the St. Lawrence River from the Bay of Quinte to the vicinity of present day Brockville. The evidence for the exact extend of the surrender and the tribal affiliation of the chiefs involved is uncertain. The eastern portion of the surrendered land was taken from Chief Menas who was probably a Mississauga. The land surrendered by him may have included land within the Ottawa Valley watershed around the Big Rideau Lakes and northward. The significance of this surrender is that it indicates that the Crown and Chief Menas believed the lands ceded were legitimately claimed by Chief Menas and his followers. If the tract surrendered included lands within the Ottawa River watershed and if Menas was a Mississauga, then this would indicate that the Crown officials believed Mississaugas had a claim in the area.²⁸ It is interesting to note that at the time of this surrender Algonquins and Nipissings had already presented petitions describing their traditional lands as including all of the Ottawa Valley above Long Sault.
83. In 1784 treaties were made between the Crown and the St. Regis Mohawks, and between the Crown and the Oswegatchie Onondagas for surrenders of land fronting on the St. Lawrence from present day Brockville to the Ontario/Quebec boundary.²⁹ The western portion of this surrender would have overlapped with lands claimed by the Algonquins.
84. A 1791 speech by Chiefs of the Algonquin and Nipissing Tribes described their traditional lands as beginning at Long Sault. They also raised a complaint against Iroquois, who were "invading" their hunting grounds:

Our Father

We salute you and ask you to please listen well to what we say; for some time the Iroquois pillage our lands, we have never dared bring our complaints to you for fear of importuning you, but today the said Iroquois seem to want to invade our hunting grounds by wintering there despite us ... we feel obliged to lay before you our complaints [emphasis added].

... we ask no more than that each nation hunt on the lands which Nature gave them, it is the only title which we have and it is according to us the most powerful. Do we not have the right to claim lands which we hold from our Ancestors?

Our father we also we beg you to tell those who possess lands above Long Sault³⁰ to live in peace with us as we will tell our young people not to trouble them: Capt. Fortune mistreats us often, he forbids us to fish, forbids us hunting partridge and prevents us from taking wood to warm ourselves, when we are chastised by the wind and the rain; we have decided in Council that we will ask you to observe to Lord Dorchester our Father, that we have not sold our lands above Long Sault [emphasis added], that nevertheless we would not be opposed that he grant those which are along the Grand river [Ottawa] since that is his wish, but we ask you in grace to not permit that the land which he proposes to grant extend more than forty arpents in depth; we ask more urgently still that he distribute none extending into our rivers since doing so would absolutely deprive us of all the resources on which our very lives depend. ... Although we can prove no title that those lands belong to us, would one have the cruelty to grab them from us? Have we not always been the peaceful possessors of these lands? Would one want to use force to take lands from us that our fathers handed down

²⁸ For a more thorough discussion of this problematic surrender, see Vol. 3 - Purchases and Treaties in the Ottawa River Watershed: 1783, 1784, 1819, and 1923.

²⁹ See Vol. 3 - Purchases and Treaties in the Ottawa River Watershed: 1783, 1784, 1819, and 1923 for more information on the St. Regis and Oswegatchie Purchases, both of 1784.

³⁰ Reference is to settlers or squatters along the Ottawa River above Long Sault.

to us and that we had hoped to pass on as our children's heritage? No, we cannot believe this (could happen); Until now we have had too much proof of the government's generosity to think this could be their intention.

Names of Nipissing Chiefs

Athienon
J. Bte. Kitakigonseke
Ignace Onaskigik
Jacques Sabitingseh
Pierre Kaksabitense
Paul Patoy
Paul Mangonce
Misoutaichcasatche
J. Bte. Pikiky
Manitoukigik
Kakiassasiche
Jacques Sabodgik

[Translated from original French]

Names of Algonquin Chiefs

Chimaganiche
Franc. Meloynini
Ilini
Abitanagicham
Olinasin
Osakaban
Simon Son of Maauchcasathe

[Document No. 62]

85. The following excerpt is from Surveyor Theodor de Pincier's diary of his survey of Marlborough Township on the Rideau River in the fall of 1791. Note that two Indians from Lake of Two Mountains protested about the logging activity in the area and informed the surveyor that they had not sold the land. The previous month one of the surveyor's crew had an altercation with an Indian at their depot. Unfortunately, the surveyor did not identify the tribal affiliation or language spoken by the people he met:

...

[pp. 196-199]

Monday September 5

Last day of our rations, the poor care of some [of the men] was such that they went without completely today, but to teach them to be more careful another time, and that this will not impede me from working on the last day of the job as well as on the first, I led them to work on the line that we could not finish yesterday, we drew it further after having fastened the instrument. Savanna to 31 ch: from the boundary there is a group of cedars.

to 35 ch: savanna, some alders, and some ash. to 45 ch: clear forest

to 50 ch: arrived at the River, and planted a landmark 8.9. I cast in intervals.

Then carried to the bound marked 9.10. but the toll was mounting, I had a fire made to wait for good weather until noon, seeing then that it was in vain, we had left for the depot after having occupied the forest during about twenty whole days.

I found the caretaker of the depot, François Dubois, crippled by an axe cut that he gave himself in the foot on the 23. The [seashore?] was still opening up a lot. (I had conceived of the following account from something that had happened to him on the 25 in the afternoon with an Indian. He, Dubois, had wandered a little from the depot for his business he heard a young dog barking that he had locked up there on purpose. (I will go and see that it was as fast as his crippled foot and his crutch would permit him, found the door forced open and a pouch full of [missing?] togs, perceived at the same time an Indian canoe at the shore where there was a man and a woman inside; he went over there and as the Indian was pushing away at the moment of his arrival he was obliged to throw himself into the water to stop the canoe, the Indian advanced toward him, threatening to kill him, and in the instant that Dubois had put his hand on the pouch that was in the canoe the Indian arrived to stop him.

(He threw him down with a big swing of his crutch, wet his adversary's gun, and paid him with a good volley, took his pouch and retreated toward the depot.

The canoe pushed away, the Indian calmly dried his gun, recharged and took aim while crying dead man. Dubois lost no more time and at the same moment that the other was taking aim at him, he let out a shot of his pistol such that the whizz of the bullet or something else scared the thief that he immediately

withdrew from there but threatened to return to exterminate him. Dubois is an old traveler full of courage, and understands many of their languages, but as this accident could attract some angry sequels, and maybe some danger for the depot during my future absence in the forest, I called him to [the Land Board?].

Received a letter from John Munro [illegible] commissioner, who ordered me to send a description of the quality of the lands of Marlborough.

...

[p. 248]

Saturday October 15

Forgot yesterday to remark that two Indians from Lac des Deux Montagnes [Lake of Two Mountains] came to tell me that it was important to them that we were logging so much in these woods, that this drove away the game and impeded their hunting and that the Government had not purchased these lands from them, I counselled them to make a petition in this regard.

...

[rough translation from original French]

[Document No. 63]

86. On March 14, 1794, Lieutenant Governor Simcoe of Upper Canada wrote the following letter to Lord Dorchester, the Governor of Lower Canada, regarding the need to deal cautiously with lands along the Ottawa River until the Indian interest was ascertained:

... I beg 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 ...

[Document No. 64]

87. Lord Dorchester subsequently met with the "Seven Villages of Lower Canada"³¹ at Montreal on August 28 and 29, 1794, in order to discuss various complaints which each group had regarding title to their respective lands. His address to the Indians included the following commitment:

My Children:

It is with much pleasure that I heard you declare yesterday your fidelity and attachment to the King your Father, and that you are ready to fight for him when he should be attacked, and consequently I will trust to those statements.

My Children;

The King your Father renders justice to all his Children and never takes anything from them without paying them its price; if General Haldimand has taken your lands without paying for them, it was by mistake. Rather than taking land from his Indian Children to give to the whites, the King your Father has not only bought lands to give to some of your Nation who suffered during the last War, but has furthermore built houses and other commodities on those lands, as one can see at the Bay of Quinte and the Grand River; some of you have been there and have seen them. Ask the Mississaugas if they have not been paid for all the lands they have abandoned, and if they are not happy.³²

³¹ The seven villages or seven nations were a group of French mission Indians. They included groups such as the Algonquins, Nipissings and Iroquois of Lake of Two Mountains as well as Mohawks of St. Regis. At this council they are discussing unspecified claims to lands along the St. Lawrence from the Seigneurie of m. Longueuil and up the St. Lawrence. This seigneurie was first granted in 1734.

³² Lands on the Grand River and the Bay of Quinte were purchased from the Mississaugas by the Crown for Six Nations settlement.

All that which belonged to the King of France belongs to your present Father the King, but no one can give to another that which does not belong justly to him, that is why if you formerly held the rights to these lands and if you have not been paid, the right belongs to you still.

My Children:

As soon as Sir John Johnson returns I will ask him to conduct an enquiry concerning the rights to those lands, if he doesn't return, I will take other measures to obtain the necessary information.

My Children:

I am delighted to hear that you are not impatient for an answer, because that mitigates against the report that you have been pressed to make the present request by people who are envious of the happiness and prosperity of this country and desire to trouble its peace.

On the principle that the King does not take the lands of one group of his children to give them to another, I cannot now give an answer to your question about the Jesuit's lands. I must first find out who has the right to them.

You have asked for [my] word that these things will not be forgotten. I will give this word in writing, and you can be assured that the King your Father takes more pleasure in rendering Justice to his Children, than they can feel in receiving payment for their lands, you can judge this by his conduct toward the Mississaugas.

My Children:

I cannot send you home without thanking you again for your declaration of fidelity and attachment to the King your Father, and that you are to fight for him as you did in the last war, and I trust that you will not forget it, and I must more particularly thank those who never failed to keep their oath of attachment to the King their Father that they gave last year, and I hope the others will follow so good an example.

[Translated from original French]

[Document No. 66]

88. The following year, on July 26, 1795, Alexander McKee, the Deputy Superintendent General of Indian Affairs, met with the Chiefs of Caughnawaga and Lake of Two Mountains to hear their renewed complaints. McKee's address to the Indians followed up on Dorchester's commitment.

...
Children:

The Superintendent General and Inspector General of Indian Affairs Sir John Johnson Bar't. not having yet arrived from England as was expected when your Father Lord Dorchester spoke to you on the 28th and 29th of August last, with regard to claims you stated to Lands now settled by Loyalists from Point au Bodet [Ontario/Quebec boundary on north shore of St. Lawrence] to Kingston, he has directed me to make every possible enquiry to guide his judgment in a decision of such consequence, and I shall most cheerfully and faithfully lay before him, all the information which I can obtain, that Justice may be done.

And in order that I may be fully acquainted with the business, I shall expect you, now, to inform me of the nature of your claims to these Lands, how you became originally possessed of them and at what time- When you have done that I shall make a faithful report of what you say to Lord Dorchester and also of all other information I can procure on the subject (during the short time which the important concerns of your Brethren to the westward will permit me to remain here) that His Lordship may be thereby enabled to direct, such further enquiry's as he may think proper before he finally decides on these claims of his Indian Children.

[Document No. 69]

89. On the same day, the Indians replied as follows:

My Father,

We the Chiefs of the Seven Villages, we beg you in the name of the warriors, the women and children here, and for their future, to permit us to claim the lands from the Seignory of Longeuil north and south up to Kingston following the division that was made of it by our ancestors;

When the King of France who was our Father came to establish himself on our lands, he came in a friendly manner and our ancestors received him with joy and gave him what the Master of Life had delivered to us; we ask you to observe that we have never been conquered by the French, that on the contrary we have always been the protectors of the white skins even against the Indian nations.

After a certain time of residence, Mr. De Frontenague, Governor, gathered the Indians in Council at Pointe-a-Calier, and told them:

My Children, my arm is not long enough to give you my hand, nor even [sic, to assist] your needs in your villages; But I believe you will accept with pleasure that I build three forts, one at Cadaracqui, one at Niagara, and the other one at the Detroit, where you will find the necessities you require without my discoursing further on your rights; then the forts were built with the consent of the nations, and then several Canadian explorers from the Detroit side made friends with the Indians, and obtained from them lands, and got titles from the said Indians.

We see with pleasure that the Government has paid the Mississaugas for the lands at the bottom [far end] of Lake Ontario, even though they are not originally from that area, since they are originally Tetes de Boules.

Did Sir William Johnson not buy lands from the Six Nations, which he paid for to the different villages in that area, (but) certainly without our having received our share of the proceeds of those sales?

The Hurons of Detroit did with their lands what they wished even though they are originally from the Bay of Quinte.

Will we be the only Indians who find ourselves without possessions; if that is so, why has General Haldimand offered payment to us for a part of those lands?

My Father,

You have asked us to prove how these lands belong to us; the best proof that we can give is that God created us on these lands.

When our Father the Red Coat conquered the King of France, we joined General Lamerse at La Galette, (and) he told us through the mouth of Sir William Johnson that he had the King's order to let us enjoy our lands peaceably, and our hunting grounds.

Our Father Lord Dorchester told us in 1775 to take arms against the Americans to conserve those same lands, which we did with distinction. Furthermore, our Father, will you be the only one who can be ignorant of our rights? Inquire of the other Indian nations if it is not the truth. Those same Americans against whom we made war consent to pay us for lands which belong to us on their side.

Finally, our Father, in the assurance that you will do us justice and that you do not intend to let us sink into the ultimate depths of misery, we will not cease to pray to the Supreme Being to conserve you.

[Translated from the original French]

[Document No. 70]

90. Shortly thereafter, on July 28, 1795, McKee sent a report on the conference to James Green, Military Secretary. He set out the complaints of the Caughnawagas and added the following comments regarding the other Indians in attendance:

...
Some of the Chiefs of the Lake of the two Mountains, were also present but said they were not prepared to state their claims until they returned to their Villages & held a Council with their people.
...

[Document No. 71]

91. In the following years, the Algonquins and Nipissings continued to assert their interest in the lands in the Ottawa Valley. For example, on July 19, 1798, five Algonquin and six Nipissing Chiefs held a Council with Sir John Johnson, the Superintendent General of Indian Affairs. In their representations to him, the Chiefs referred to the fact that Mississaugas had been paid for the ceded lands:

My Father

We thank the Master of Life to find you in perfect health as well as your Family. This is the first time that your children the Algonquins and Nipissings come to speak with you, we ask you to listen to what we have to say we come to speak to you for our lands that have been taken on both sides of the grand river [the Ottawa River] to the right and left; some years ago we came to find Governor Carleton to complain to him that our lands were being taken; we spoke to him with a belt of wampum, and the map of our lands, he seemed surprised to hear us complain, and he told us that he thought that our lands had been paid for and told us also that the King never took the land of his children without paying for them; My children I can do nothing alone, your Father Sir John Johnson has gone into Upper Canada to see his Indian children, I will write him and put down my way of thinking, my letter will be given to him on his return from Upper Canada, and your map and your belt, and if you have not been paid for your lands, he will pay you.

They then reiterated a former request:

My Father, you are always the master of taking our lands, but we beg you to not take more than forty arpents deep from the edge of the water; at least we will have the back lands for our hunting; since that time we have never received any reply and it is thought my Father, that our Belt and our Map are Lost, that you have never seen them, that is why today we come to find you and we see, in seeing you, the representative of the King Our Father, and we place the map of our lands in your hands and we hope you will consider it and that you will have pity of your Algonquin and Nipissing children, because my Father, since the world is the world, it is the master of Life who gave us these lands so that our families might live and survive.

My Father, we hope that you will do for us as you have done for your Indian children the Mississaugas, that you will pay us for our lands. We have found a good Father in finding you. You have a good heart; For you take good care of your Indian children; that is why we hope you will have pity on us, and that you will take into consideration our representations; our lands are infertile, we have almost no more game, the animals have fled; we find but little for our families to survive on.

Names of Algonquin Chiefs

Constant First Chief
Wabisi
Pikican
Sapique
Ilini

Names of Nipissing Chiefs

Naskyiquie First Chief
Paul Patois
Accainon
Gagorasoai
Waboygic

[Document No. 73]

The Nineteenth Century, 1800-29

92. In February of 1800, Philemon Wright and a party of hired men and their families left Massachusetts to work in the unsettled area of what later became Hull. After being assisted by a friendly 'savage', Wright and his men arrived at their destination in March and began clearing the land:

...
As we commenced cutting and clearing, the chiefs of two tribes of Indians that live at Lake of the Two Mountains, came to us, and viewed all our tools and materials with astonishment, and would often whoop and laugh, as they were quite unacquainted with tools or things of that nature. They also viewed with astonishment the manner in which we harnessed our horses, and oxen, &c., all being harnessed in pairs. They seemed to view all our things, cattle, &c., with great pleasure; some of them fetched their children to see the oxen and horses, they having never seen a tame animal before, being brought up near the great lakes upon the westward, they would also ask the liberty of using one or two of our axes to see how they could cut down a tree with them as their axes are very small, weighing only half a pound, our axes weighing from four to five pounds. When they had cut down a tree, they would jump, whoop and hurra [sic], being quite pleased with having cut down a tree so quick. They received a glass of rum each, and returned to their sugar-making in the greatest harmony. They continued very friendly to pass backward and forward for about ten days, often receiving small presents for which they made me returns in sugar, venison &c. Their chiefs assembled together, and procured an English interpreter of the name of George Brown, formerly a clerk in the Indian trade, who also had an Indian wife and family, and spoke both languages. They requested him to demand of me by what authority I was cutting down their wood, and taking possession of their land. Two which I answered -- by virtue of authority received at Quebec from their Great Father who lived on the other side of the water, and Sir John Johnson, who I knew was agent in the Indian department, for through him they received their yearly dues from the Government.

They could hardly suppose their Great Father, or other person at Quebec, would allow me to cut down their timber, and clear their land, and destroy their sugaries and hunting ground without consulting them, as they had been in the peaceable and quiet possession of these lands for generations past. I must consider that these falls and rivers were convenient for them to carry on their business, and that their families wanted support as well as mine.

I told them that I had got regular documents from their Great Father, which I had received at Quebec, and also orders from Sir John Johnson so to do; and I had been to my country, being five hundred miles distant and brought all these men and materials to carry the business into effect, and the documents I was ready to produce when regularly called for; and I had further to state to them, from the mouth of Sir John Johnson, that if they injured me, or any of my property, to go and make complaint to him, and I should have remuneration out of their yearly dues.

They believed that if I had stayed at home it would have been to their interest, as they had great dependence upon that situation, it being the chief hunting-ground, sugaries and fisheries, &c., which was the chief support of their families, and they were afraid of further difficulties that would arise between us, such as taking their beaver, destroying their deer, breaking up their sugaries, and causing a deal of trouble; that I must know that clearing off the forest was driving back their game, which would totally dislodge them of their former expectations.

I told them that they must be sensible that the tools and materials which I had brought were not for hunting or fishing, but for the clearing of land, and I should endeavour to protect their beavers and fishing-ground, but as to the sugaries, them I must make use of, as the land was already given to me. I would observe further to them, that this establishment would be a great convenience to them, and was intended so by their Great Father, to have a settlement and mills in order to supply them with all their provisions instead of going to Montreal, which they knew was a dangerous and difficult passage.

They answered, we know the passage is very difficult, and are surprised how you found the way here with all these men, baggage, and cattle. The white people always tell us fair stories to drive us back; you tell us that you come here for farming, and that you will protect our beaver hunts, fisheries, &c.; but we know that you have got guns, powder and shot -- what are you going to do with them? We observed that all our farmers where we come from keep guns, powder and shot to protect our farms, such as killing hawks when they come upon our poultry, the squirrels that eat our grain in the fields, bears when they kill our hogs and calves and wolves when they kill our sheep.

They then said, that is all very good, if used for that purpose; but if you do as other white people have done, you will make use of the guns for killing our beaver, deer, otter, musk-rats, and bears; we are afraid you will not be contented upon your own lands, but will go out at a distance to our ponds and take our beaver, and then, for retaliation, if we should come and take your sheep and cattle, that will bring on difficulties and disputes and that will not answer. You say that our Great Father is making this settlement for our good, but we are afraid it will be to our disadvantage, instead of doing us good. I told them I had received strict directions to use them well, and I intended to do so; and if they would go to their sugaries, and collected all the materials that they wished to part with, as they had finished making sugar, that I would pay cash for them at a fair price.

They agreed that this was very fair, and accordingly it was done, and the amount was paid, which was under five pounds; and they assured me, that as I appeared to be very honest and fair with them, they would always be so with me, and that they had one more offer to make me -- that if I would give them thirty dollars they would give up their claim to the lands, I told them that I had offered to shown them all my titles for their Great Father, and would wish to have them produce their titles, as that was the way we white people made our arrangements respecting lands, and I could not give them any money on account of the land business until they produced me papers that they had a right to them. They observed to me that they did not make the arrangements themselves with the Great Father, but it was made by their ancestors prior to their doing business, and they had no papers to show at this time, but that they always supposed they had an undoubted right to the lands from what their fathers had told them, together with the islands in the river; as they had in Montreal given leases of some for those islands before Peter Lukin, notary public, particularly an island called Studdier's Island, in the rapids of the Long Sault about seventy miles below, and they were willing that we should make further inquiry respecting the same. I said that, according to the information I had collected from their Father at Quebec, they had no positive right to any lands, nor could they hold any title in their own capacity, and if they had leased any lands, they had done wrong, for they knew that they received annual presents from the Government, which were on account of their relinquishing all claims to the lands. They observed that if that was the case it was hard on them, as their annual presents were but trifling, and they would revert to their superiors, to decide that I should go to Montreal to Sir John Johnson, Mr. Lee, the Commissary of the Indian Department, and to Mr. Lukin; I agree; I agree to go the next moon, and their answer was to be decisive. I accordingly went the next moon, and Sir John Johnson told me, the Indians had no right to the lands for they had their presents in lieu of the lands and that they could not hinder me from the lawful possession of it; I also went to Mr. Lee, and he told me the same, I then went to Mr. Lukin, and asked him if he had ever made out the said lease to Mr. Studders, and he told me he had done so. I asked him if he supposed he had any right or authority to do so; he observed, that that was more than he could answer -- he made it his rule, as a notary public, when the persons came to him, and asked him to do a piece of writing between them, that he did it according to their directions, and it was their business to understand the propriety or impropriety of the same.

I returned home to Hull, and made my report, in the following manner to the Indians: -- That Sir John Johnson, Mr. Lee, and Mr. Lukin had observed to me that they had no right to the lands, as they received presents as a compensation; and requested me to observed to them, that their Great Father expected them to treat me as the owner of the soil, and not to injure any of my property in any manner, and to treat me as their brother, and for me to use them in as friendly a manner as circumstances would allow, and to tell them that they must not lease any lands or islands; if they did, it would have a tendency to destroy their yearly presents. They answered, that they had never understood it in that nature, but they did not know that they had any reason to dispute the report made by me, although it appeared hard to them, and they found that they had not the

advantages they thought they had before, and, for the future, I should always find them friendly.

They then agreed that I should be a brother chief, and if any difficulties occurred, it should be settled by mutual agreement amongst the chiefs. Then they proceeded to crown me in their usual manner, as a brother chief; and we dined together, and kissed each other's cheeks, and a number of other ceremonies passed, too numerous to mention -- such as burying the hatchet, and a number of other usual Indian formalities. Since which, we have often assembled together in the greatest harmony in both villages, upon various occasions all of which has been with the greatest friendship and good understanding, without having to revert to one question for the law to decide. I must acknowledge, that I never was acquainted with any people that more strictly regarded justice and equity, than those people have for these past twenty years.

After having arranged with the Indians, we continued cutting down and clearing a spot for the erection of a house, and we continued cutting and clearing, and erecting of the buildings, for the accommodation of the families and men.

...

[Document No. SS-70, pp. 6-10]

93. On March 10, 1802, the Indians of Lake of Two Mountains leased two small islands in the Ottawa River to John Whitlock. An excerpt of the text of the lease follows:

... of payment to fall due on the said first day of the month of May, one thousand eight hundred and three, and as such continue annually during the said time, to have and to hold. Especially and by privilege on the said mill, which will remain loaded, appropriated, bound and mortgaged, that the said lessee his heirs and successors, to be held to build and maintain as such and in good state the said mill that the said rent can be not bothered with thereon and permitted for each year, to be [illegible word] the said lessee, his heirs [illegible words] to render the said mill at the end of the said nine hundred years in good state of large and small repair, subject to the opinion of experts and knowledgeable people, to whom the parties have agreed.

With the purposeful agreement for the first payment of the said rent which falls due on the said first day of May, one thousand eight hundred and three, the said Mr. lessee will not be held to furnish the said quantity of three hundred [?: "planches"], but an amount of five livres true currency of the province in penalty. Whereas &c. promising and obliging and renouncing and made and given to the said Vaudreuil in the house of Mr. John Marc de les dernier [illegible word]. The year one thousand eight hundred and two the said month of March after noon in the presence of the said Mr. John Marc de les dernier [illegible word] & François Mallet, father of the said Vaudreuil witnesses, one of whom has signed with the said Sarotharie & Thas Sagroathon and the said Mr. lessee, and the other with the said Laroniontye having declared to not know how to sign have made their marks, a reading having been made such as it is supported in the record of the presents. Signed with marks Saroniontye, Sarotharie, novennita[?], Peter Thassagrothon, John Whitlock, François Mallet ...

[Translation from French]

[Document No. 75]

94. Algonquins and Nipissings fought for the British in several campaigns during the War of 1812. They served with a contingent of 120 "Indians" from Lake of Two Mountains under Captain D. Ducharme at Beaver Dam in June 1813. They were also listed as fighting with interpreters John Baptiste de Loirmier and Chinic. [See Document Nos. 76 and 78.] One of the Algonquin Chiefs under whom they fought was Amable Chevalier or Pawquokoman. This Chief later petitioned the government to be reimbursed for goods he had distributed to Indians at Michilimackinac. [See Document No. 90.]

95. In 1816 and 1819 the Mississaugas consented to two further land surrenders; the latter cession covered another portion of the lands involved in this claim. In preparation for these surrenders the government consulted with the Mississaugas. The following letter from John Ferguson, Resident Agent for Indian Affairs at Kingston, to William Claus, the Superintendent General of Indian Affairs, dated March 8, 1816, outlined the questions he discussed with two principal men concerning the area which was to be included the surrender of 1819:

Upon receipt of your order of the 22nd ulto, the Indians were immediately sent for, the two Principals came. After making the communication as you directed, their answer was That there would be no interruption on their parts, either as to the surveying or immediately settling the Lands in question; that they cannot say to a certainty whether these lands were purchased formerly, or not, but they are of opinion they were not: And that no other Indians than themselves (the Missaugas) have any claim to them, that the claims of the Nipissings and Algonquins do not cross the Ottawa River [emphasis added]. They were informed that in the event of its proving that these lands have not already been purchased and paid for, they will be remunerated by the Government, with which they appear to be perfectly satisfied. There are but very few of them, so that the expense will not be very great.

Ferguson then described the lands included in the Crawford Purchase of "1783 or 4" and another purchase not related to this study, as he remembered them. He concluded that the lands it was proposed to surrender "appear" to have already been purchased:

... It therefore appears to me that the tract has actually been purchased, and it appears to be as laid down by the colour map of the late Deputy Surveyor General David William Smith Esquire. This is all the information my memory at present affords me on this subject.

[Document No. 82]

96. The Mississaugas made a provisional agreement with the Crown in 1819 for the purchase of a large tract of land, part of which overlaps with the Algonquin claim. The provisional agreement was finalized in 1822 and is known as the Rideau Purchase. By this purchase both the Crown in Upper Canada and the Mississaugas implicitly recognized the Mississaugas claim to the area.³³
97. In the same period that the Mississaugas were treating with the officers of the Crown in Upper Canada to surrender the lands they claimed in Southeastern Ontario, the Algonquins were voicing their land concerns to the Governor of Lower Canada. On September 2, 1820, several Algonquin and Nipissing Chiefs of the Lake of Two Mountains addressed the following petition to Lord Dalhousie:

That the number of settlements growing considerably for several years in the places where they were accustomed to hunt, and the game becoming distant as a result of these new habitations, the petitioners find themselves in great need, which can only increase from day to day by this use of their lands on which they do their hunting.

That in the last war with America, after having given several times unequivocal proof of their entire devotion and of their sincere attachment to His Majesty, His Excellency Governor Prevost promised them that in remuneration for their services, and to reward the valour and exploits of their young men in different engagements, he would accord them lands on which they might support their

³³ For a more thorough discussion of this purchase, Vol. 3 - Purchases and Treaties in the Ottawa River Watershed: 1783, 1784, 1819, and 1923.

families being the only ones of all the Indian villages deprived of that advantage.

That by a Proclamation of the seventh of October Seventeen Hundred and Sixty-Three, the Government accorded them exclusively their hunting grounds.

That formerly Governor Carleton gave them all the islands in the Ottawa River from the Isle aux Tourtes where their old village was situated, up to Lake Nipissing [emphasis added]; but until this day, though their ownership of these islands is not disputed, they have been unable to exploit them because they have not yet got the titles.

Filled with confidence then in the paternal goodness of His Majesty toward them, they dare to take the liberty to approach Your Lordship and to ask of him the titles and patents for the aforementioned islands which are unpatented, as well as such other lands which Your Lordship will be pleased to accord them for their hunting.

And for that favour they will not cease to wish for Your Lordship's preservation, and they will endeavour with new ardour on all occasions when His Majesty will be pleased to employ them, to bear witness to Him of their attachment.

Laurent Kisinsick	Pierre Louis Constant Pinincy
First Nipissing Chief	First Algonquin Chief

Jn. Bte. Schnagmichique
2nd Chief
Bernard Wabonad
3rd Chief
Amable Chevallier
4th Chief

Certified and witnessed in the presence of the undersigned witnesses at the Lake of Two Mountains this 2d September, 1820

D. Ducharme Barnet Lyons I. Dept.

[Translated from French]

[Document No. 86]

98. On February 9, 1821, Sir John Johnson forwarded this petition to Colonel Darling, the Military Secretary responsible for Indian Affairs in Lower Canada, together with the following comments:

While up at Argenteuil a Deputation of the Algonquin and Nipissing Nations waited on me with the Petition which I now have the honour to enclose, and to request you will lay before His Excellency Lord Dalhousie for his Consideration, and pleasure thereon. This to be Accompanied by a Map Drawn out by themselves of their Native Country, on which they have Described the Parts they wish to Obtain a Grant of, and I have no doubt they would be Satisfied with that part described near to Lake Nipissing -.

I beg leave to Observe that their conduct from my Arrival in this Province in The Month of June 1776, and during The Whole of the Revolutionary War, and that of the late American War,³⁴ Was such as to entitle them to every mark of favour and distinction, having never wanted to swerve in a single Instance from that strong and faithful Attachment to His Majesty's Person and Government, they so early, and so Unequivocally evinced at the Commencement of the American Revolution.

[Document No. 89]

The map which accompanied the petition has not been located.

³⁴ The War of 1812.

99. John McLean, a Hudson's Bay Company [hereafter referred to as HBC] employee stationed along the Ottawa River from 1821 to 1833, made the following observations on the village at Oka in 1821:

The village of the Lake of Two Mountains is inhabited by two distinct tribes of the aborigines--viz. the Iroquois and the Algonquins; the latter are a tribe of the Sauteaux nation or Ojibbeway,³⁵ and live principally by chase. The former cultivate the soil, and engage as voyageurs, or in any other capacity that may yield them the means of subsistence ...

The Catholic seminary and church, along with the gardens of the establishment, almost divide the village into two equal parts; yet this close proximity does not appear to encourage any friendly intercourse between the two tribes. They in fact seldom pass their respective limits, and, with few exceptions, cannot converse together, the language of the one being unintelligible to the other.

...

[Document No. SS-69, pp. 11-12]

100. John McLean wrote in the spring of 1822 that Iroquois trapped along the Ottawa River and on the outskirts of the Algonquin territory. [Document No. SS-69, pp. 24.]
101. In August of 1822, McLean was posted at Lac des Chats, "where the greater number of the Indians pass on their way going to or returning from their hunting grounds" and "After the beginning of September the natives began to pass for the interior". [Document No. SS-69, pp. 20, 29.]
102. On August 9, 1822, William McDolel presented the following petition to the Earl of Dalhousie, Governor General of Canada, in relation to a lease for islands in the Ottawa River, which had originally been granted the chiefs of the Lake of Two Mountains:

That your Petitioner is in possession of two certain Islands on the Ottawa River, in virtue of a Lease granted by the Chiefs of Lake of the two Mountains, - the original of which Lease and the transfer thereof to your petitioner are herewith.

That it is surmised, the said Lease cannot be Valid or secure the possession of the premises to your Petitioner, in as much as the said Indian Chiefs had no right or title to dispose of them by Lease or otherwise, the sole claim and interest in them being vested in the King's Government. Therefore your Petitioner in Order to remove all doubts, humbly begs leave to submit the question of Right to Your Excellency, praying that your Excellency would be pleased either to confirm his present Lease of those Islands, or grant him a Lease of them on such other terms agreeably to his Majesty's Instructions, as to your Excellency shall seem meet. Your Petitioner at the same time presume, to hope that your Excellency will consider his claim preferable to that of any other applicant, as he has for some time resided on the largest Island, known by the name of Bachelor Island on which he has made considerable improvements in erecting Buildings and clearing land of which he will produce proof if required, - all which your Petitioner humbly submits to your Excellency's Consideration

...

[Document No. 92]

³⁵ McLean is mistaken. The Algonquin and Ojibway languages are very similar yet separate Algonquian languages. The tribal groups are also separate. Saulteau is the name given to another Algonquian group very close to Ojibway linguistically and ethnographically. It was generally used to describe people living to the west of Lake of the Woods. At some periods, Saulteau was used interchangeably with Ojibway.

103. A map produced to show the location of native people in 1823 shows occupation of the Ottawa Valley at that date. The population figures were collected from documentary sources the dates of which are indicated. There are two Algonquin groups located within the Ottawa Valley watershed.³⁶ A comparison with the table produced from the 1630 map shows that the population declined over the first two hundred years of European contact.

Group Name/Names	location	estimated population
Algonquins	Grand Lac/Coulonge	300*
Algonquins	on east side of Lake Temiskaming	280 [∞]
Algonquins	Lake of Two Mountains	355
Nipissings	Lake of Two Mountains	250
Mohawks	Lake of Two Mountains	282

* based on incomplete population data
∞ 1823 population data
population based on 1827 data unless otherwise specified

Two other Algonquin groups are shown just outside of the watershed area. There were 82 Algonquins at Trois Rivières in 1827 and 330 Algonquins at Lake Abitibi in 1823.

Non-Algonquin groups closest to the watershed include 80 Mississaugas at Kingston/Gananoque (1827) and 59 Ojibways at Lake Nipissing (1840). [See Map No. 21.]³⁷

104. HBC trader John McLean was ordered to go to Fort Coulonge in June of 1823. With regard to the Indians at that post, McLean stated:

...
The Indians attached to this post speak the Sauteaux language, and are denominated 'Tetes des Boules' by the French, and 'Men of the Woods' by the other Indians. Although so near to priests and ministers, they are still Pagans, but are nevertheless a quiet harmless race, and excellent hunters. The greater part of them originally belonged to Temiscamingue, and were drawn to this quarter by Mr. Godin [belonged to North West Company]. A considerable number of Algonquins also trade here, where they pass the greater part of their lives without visiting the Lake. The people appear to me to differ in no respect from their heathen brethren, save in the very negligent observance of certain external forms of worship, and in being more enlightened in the arts of deceiving and lying.

...
The natives having been all supplied, had taken their departure for their hunting-grounds by the latter end of August ... [pp. 40-41]

Later, posted at Lac des Chats once again, McLean visited the Fort Coulonge District:

...
I arrived at Fort Coulonge about noon next day, where I passed the night, and started for the outpost. Here I remained two days, and would have remained

³⁶ Mohawks and Algonquins are counted at Lake of Two Mountains.

³⁷ Canada Native Peoples 1823. Canada Geographical Services Division, Canada Centre for Mapping. National Atlas of Canada 5th Edition. Energy Mines and Resources, 1988 MCR 4094.

still longer, had it not been discovered one morning that our opponents were off in the direction of my outpost on the Bonne Chere. As the Indians in that quarter were excellent hunters, and owed me much, I deemed it advisable to follow them ... [p. 79]

[Document No. SS-69]

105. On August 25, 1824, Sir John Johnson forwarded another petition to Colonel Darling. In this letter, he refers to the refusal of the Government to grant the Algonquins and Nipissings title as they had requested in their petition of September 2, 1820 [quoted above]. The Crown's policy was to keep the land open for all nations:

I have the honor of transmitting to you herewith a Petition addressed to me, sometime ago, by the Chiefs of the Algonquin, and Nipissingue Tribes of Indians, residing at the Lake of the Two Mountains.

As the substance of this Petition has been already submitted to the Commander of the Forces, and His Lordships decision thereon having been communicated to me, in your letter of the 5th of August 1822, I have been hitherto deterred from forwarding it, But, I am now induced, at the urgent request of the Chiefs to beg that you will be pleased to lay it before His Excellency the Major General Commanding - and I have only to add, that from the experience of many years, I can, with confidence, recommend these Indians, as deserving of every considerations.

[Document No. 95]

The actual petition could not be located. However, it appears from Johnson's letter that the Algonquins and Nipissings were reiterating their claim to islands on the Ottawa.

106. Subsequently, on October 29, 1824, Captain J. M. LaMothe of the Indian Department forwarded the following information to A. K. Johnson, Secretary of Indian Affairs, regarding the land claims of the Algonquins and Nipissings:

I have the Honour to transmit you for the Information of the Honble. Sir John Johnson, Superintendent General of Indian Affairs, a Map of the Tract of Country claimed by the Algonquin and Nepissingue Indians as their Hunting grounds with a Memorandum explaining the extent thereof I also transmit the copy of the Proclamation of Sir William Johnson in 1763---and Copies of the Proceedings of two Councils of Said Algonquin and Nepissingues dated 14 July 1791 & 19th July 1798, which have also reference to the Said Hunting Grounds, which is all the Information I have been Enabled to obtain regarding these lands.

[Document No. 96]

[The proceedings of the councils mentioned above were set out in this report in paragraphs 84 and 91 respectively. See Document Nos. 62 and 73.]

107. Attached to the letter was the following "Memorandum to accompany the Indian Chart of the Ottawa River". This memorandum is one of the most detailed descriptions of the lands claimed by the Algonquins and Nipissings:

The Algonquin and Nepissingue Tribes have from time immemorial occupied as hunting grounds the Lands on both sides of the Ottawa and little Rivers as far as Lake Nepissingue; that is to say both banks of the Ottawa and of the Matawangu River (called by the Voyageurs the little River) to the height of land dividing the waters of Lake Nepissingue from those of the said little River; as also the Countries Watered by all the streams falling into the said Ottawa and

little Rivers, North and south to their sources. This tract is bounded to the southward by a Ridge dividing the waters which fall into the lakes and into the St. Lawrence from those falling to the Northward and into the Ottawa River.

The computed distance from the Township of Hawkesbury (Pointe D'Orignal) to Lake Nepissingue by Canoe Navigation is 117 leagues, of which the Ottawa River forms 100 to Matawangué where it is joined by the Little River. The settlements extend at present to near one third of the distance.

These are the Hunting grounds which the two Tribes of Nepissingue & Algonquins conceive they have a right to occupy as such in consequence of their being so long in possession and having been as they conceive further confirmed to them by the act of their father Sir William Johnson in 1763: Settlements have been formed on a very considerable part of their lands, without their having received any compensation for the same, which they are informed is not the case in regard to other tribes whose lands are required by the Government for Settlement.

The Chart of the lands in question which this accompanies has been made by the Indians, and merely Copied and corrected as to relative distances by a Draftsman.

Note

Distance from Hawkesbury to Lake Nepissingue---	117
Extent of the settlement on the Ottawa River ---	27
from Hawkesbury	
Remain	90 leagues

(The length of the Ottawa River to the Temiscamingue River is 100 leagues³⁸ and the Temiscamingue River begins at the junction of the little River with the Ottawa at Matawangué [Mattawa].)

[Document No. 96]

The chart referred to in the memorandum has not been located.

108. On November 5, 1824, Sir John Johnson forwarded Captain LaMothe's memorandum to Colonel Darling, together with the following analysis of the situation, including Johnson's understanding of the aboriginal system of land tenure:

I would have replied to your Letter of the 28th of September at an earlier period, but I could not sooner obtain the necessary information, in consequence of the absence of the Algonquin and Nipissingue Indians, who had departed for Their Hunting Grounds before Your Letter was received [emphasis added].

I have now the honour to transmit to you a copy of a communication received from Captain LaMothe of the Indian Department, together with Copies of the Papers referred to by Him, and a Plan of the Grand River, Shewing the Extent of Country originally claimed by the Algonquin, and Nepissingue, Indians as Hunting Grounds.

By His Majesty's Proclamation dated the 7th October 1763, a copy of which is herewith enclosed³⁹, you will find that it is expressly Provided that the Indians shall not, under any Pretense whatever, be deprived of the Lands claimed by Them; unless they should be inclined to dispose of Them, in which case They are to be Purchased for the Crown only, and at some Public Meeting to be Held for that purpose.

Notwithstanding which, Extensive Grants have been made of the Territory claimed by the Algonquin, and Nepissingue Indians, without any compensation

³⁸ A league is about three miles.

³⁹ The copy of the Royal Proclamation printed in the Sir William Johnson Papers and included in the package of primary documents under date 1763/10/07 included a marginal note in Sir John Johnson's handwriting "At the earnest Request of the Algonkins I put my name to this. John Johnson" This may be the copy of the Royal Proclamation sent to Colonel Darling in 1824. Johnson's reference and endorsement of the Royal Proclamation with regard to the Algonquin and Nipissing claim indicates that in his opinion that their lands were under protection of the Royal Proclamation.

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 Algonquin, and Nipissingue, Indians, unlike the other Tribes in Lower Canada, do not Possess any Land 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 Settlement 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 injudicious 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.

Your letter of the 5th of August 1822, in answer to Their former Application, was to Them a source of much surprize, and dissatisfaction---In that Letter Their Request was not only refused, but They were informed that the other Tribes have an equal Right with Themselves to Hunt upon those lands which for ages have been reserved for Their use only -

Upon this subject, I deem it proper to observe to you, that 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 [emphasis added]. 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 I have reason to apprehend that should any of the other Tribes, upon the Authority of Your Letter, 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 it is very probable that if something is not done on the part of the Government to prevent the Settlers on the Grand River from Hunting upon the unoccupied Lands claimed by these Indians, some Lives will ere long be sacrificed.

By the accompanying Plan, you will perceive that the Territory claimed by the Algonquin and Nipissingue, Indians, includes a considerable Portion of Settled Country; these Indians do not however ask, or expect, that what is already Granted will be restored to Them; All that They at present desire, is, that Government will secure to Them, by a written Instrument, the Exclusive Privilege of Hunting upon such Parts of the Tract claimed by Them, as are now unoccupied. That a Proclamation may be Issued Forbidding all Persons from encroaching Thereon and that in the Event of further Settlement of Their Lands, They may be compensated for the same, in such manner as will enable them to Support Their Families.

It appears to me that a due regard to Justice, and to the Benevolent Intentions of His late Majesty, as set forth in the aforementioned Proclamation, render a compliance with Their request both reasonable, and expedient; and when it is remembered that these Indians have been always distinguished for Their Loyalty, and general good Conduct, especially during the American Rebellion, when Their attachment to His Majesty's cause was most Conspicuous, I trust that the countenance and Protection of Government will be extended to Them in such a manner as may convince Them that Their good conduct and Services are not forgotten.

I beg leave to enclose herewith a copy of an "Ordonnance" Issued in the year 1750 by the Marquis De La Jonquiere, at that time commanding in this country, which relates to the Encroachments of the Inhabitants upon a certain Tract of land reserved as Hunting Grounds for the Abenakis Indians of St. Francois, and Forbids Them from encroaching Thereon for the future---something of the Same Kind would, I conceive, answer in the present Case, Forbidding all Persons from Hunting, or in any manner Trespassing upon the Lands claimed by the Algonquin and Nipissingue Indians, and reserved to Their use as Hunting Grounds by His Majesty's Proclamation of 1763---and I request that you will be pleased to submit the same for the consideration of His Excellency the Major General Commanding the forces.

[Document No. 97]

Johnson's description of the land claimed by the Algonquins and Nipissings appears to have been based on his long acquaintance with their claim. The plan referred to in the text has not been found.

109. HBC trader John McLean was stationed at Lac des Sables, on the Lièvre River in 1826. This post was about 20 miles southeast of Maniwaki. His description of the area, which included the post at Fort Coulonge, suggests that some Algonquins did not travel to Lake of Two Mountains. He also indicated that Têtes de Boule were trading at Fort Coulonge and that they had previously been trading at Temiscaming. [Document No. SS-69, p. 40.]

110. The Algonquins and Nipissings drafted another petition on December 5, 1826, and their marks on this document were certified by an affidavit dated February 19, 1827. In this document they again requested compensation for the lands taken from them by the government -- an area they estimated to be one-third of their hunting grounds on the Ottawa River, between Hawkesbury and Lake Nipissing:

That about one third of Your Petitioner's hunting lands had been taken within a few years by Government and laid out in Townships for the settlement of the whites and no compensation whatever has been made to your Petitioners for the same.

That, they foresee, that the remainder of their lands will soon be taken away from them for the same purpose, without compensation, and they - your Excellency that in such case they will become quite destitute and deprived of all means of supporting their families, having no other property that they can call their own.

That the Indian Tribes of Upper Canada have been always indemnified for their lands, when taken away by Government for Settlement purposes and Your petitioners are quite confident, that your Excellency will be pleased to treat them as favourably, and with the same consideration as their Indian tribes of Upper Canada are accustomed to from the Government of the Province.

Wherefore Your Petitioners; fully relying on the Justice and munificence of Your Excellency humbly pray, that your Excellency may be pleased to appoint one or more Commissioners, to ascertain what extent of lands has been actually taken from them and to fix the amount of indemnity which your Petitioners are entitled to receive for that part of their hunting lands thus taken away for the settlement of the Whites, or that will be taken hereafter by the Government for the same or any other purposes, should Your Excellency think proper to indemnify your Petitioners for their land agreeable to the report which the Commissioners shall make upon their claims and may be pleased also to cause such compensation or indemnity to be made to your Petitioners in such a manner as Your Excellency shall in your wisdom conceive to be most convenient for the relief of Your Petitioners.

[Document No. 98]

111. On February 28, 1827, Colonel D. C. Napier, the "Right Arm" [assistant] to the Military Secretary, advised Darling of the Algonquin and Nipissings' petition:

At the earnest request of the Grand Chiefs of the Algonquin and Nipissingue Indians, I beg leave to Submit for your favourable consideration the Accompanying Petition from the Tribes whom they represent, praying, that the Commander of the Forces may be pleased to institute farther inquiry respecting their Land Claims, which have been already before his Lordship, And that Commissioners may be Appointed to investigate and report upon the same, and to determine the amount of Compensation to the Petitioners for the proportion of Land, which shall appear to have been taken from them by the Government, or that may hereafter be required for the purposes of Settlement, upon the

principle laid down in His Late Majesty's Proclamation of the 7th October 1763.

I am also requested by these Chiefs to solicit for them Your protection and support on the present occasion and to express their belief, that thro' your intercession their Claims will be speedily recognized and satisfied provided they are found to merit the consideration of their Great Father.

From the Uniform practice of the Government of Upper Canada, in the like Cases, and the pledge contained in the Royal Proclamation before mentioned, (an extract from which is enclosed.) the Petitioners consider themselves equally entitled to indemnity with the Other Tribes of Indians, whose Hunting Grounds have been taken by His Majesty's Government in that Province for Similar purposes.

[Document No. 99]

112. On June 11, 1827, James Givens, the Superintendent of Indian Affairs in Upper Canada, met with "the Mississagua Nation from Rice Lakes, Mud Lakes, and Crow River"⁴⁰ who were alleging incursions into their territory by the Indians of Caughnawaga and Lake of the Two Mountains. The following record of the proceedings was forwarded to Major General Darling under a covering letter dated June 13, 1827. [See Document No. 103.]

Father, Patache a Chief spoke to the following Effect, During the life time of Col. Claus, we were directed to Communicate to him through the Superintendent at this Post [York] any Complaint or Grievance under which we Laboured.

Father,- We have therefore now to State that Our Brothers of Caughnawaga and of the Lakes of the Two Mountains, having exhausted their own hunting Grounds are encroaching on Ours and destroying the Beaver.-

Father,- During Col. Claus's life time we had a Father with whom we Could Communicate and now we have equal Confidence in you in the hope of having Our Brethren put under a proper Restraint, especially as they say that by the Laws of Lower Canada, they do not look on us as Indians and that we do not possess, nor would they allow us to claim any portion of Land and that every man of them will Come on Our Lands, that we may do our worst and that if we wished to go to War, they were Ready also . -

Father, The Traders advised us to Call on you to prevent the effusion of blood and to redress the grievance of which we Complain.

Father- We have also to Complain of a Number of White people who trespass On Our Lands.-

Father- The Principal Chief of the Mud Lakes District is dead, and we wish to Revive the Chieftainship in the person of his son.-

Father- We have said all we have to say: We now wish to know when we may expect to Receive our Presents.-

Reply

Children I am happy to see you, your Words have been taken down and shall be Communicated to your Great Father. I cannot inform you, at what period you will Receive your Presents, but you will be made acquainted therewith in due time as also of such Answer as may be received from your Great Father on the subject of your complaint.-

[Document No. 102]

⁴⁰ Rice Lake, Mud (Curve) Lake, and Crow River are west of the Ottawa Valley. Reserves belonging to United Indian Council of Mississauga and Chippewa Nation [UICMCN] bands are now located in that area. See Vol. 4, Part B - Contemporary Aboriginal Communities in the Vicinity of the Ottawa River Watershed for details. Unfortunately, correspondence does not indicate where the incursions took place or the extent of the hunting grounds claimed by the Mississaugas. Due to overlap between Algonquin and Mississauga claims, this information has been included in the report.

113. The Mississauga complaints were immediately drawn to the attention of Lt. Colonel Napier, who informed Darling on July 21 that he intended to discuss them with the Indians of Lower Canada:

I have the honour to Acknowledge the receipt of your Letter of the 14th instant, transmitting for my information and Guidance the Copy of a Letter which You had on that Day Addressed to Lieut. Colonel Givens, with a Copy of a Minute of His Majesty's Executive Council of the 21 March last, relative to the Claim Set up by Some of the Indian Tribes to the exclusive Right of Fishing and Hunting on Certain Tracts of Land Claimed as their own - Also enclosing for my perusal Colonel Givens's Letter of the 13 June with the Proceedings of a Council held with the Mississauga Indians of the Rice Lakes, Mud Lakes and Crow Rivers.-

In obedience to your directions on the subject of the above mentioned Papers I shall take the earliest Opportunity to explain to the Iroquois of Caughnawaga, and to the whole of the Indians in this District, in the Clearest and Strongest Manner, that any attempts on their part to disturb or molest any other Tribe under the Protection of their Great Father in Either Province, or to resort or punish by Personal Violence any Supposed Act of Intrusion or trespass by any other Indian or white Person on their Lands, will Subject the offending Parties to the utmost penalty of the Law, besides the total discontinuance of His Majesty's further Bounty to the Whole Tribe.-

Having taken a Copy of Colonel Givens's Letter of the 13th Ultio, and of its' Enclosure, I beg leave to return the Originals Agreeably to your desire.-

[Document No. 106]

114. The next day, as promised, Napier met with the Iroquois at Caughnawaga to deal with the Mississauga complaints. While it is not clear whether any of the hunting grounds in dispute at this time are part of the lands involved in this claim, the following reply of the Iroquois chiefs to the complaint provides information about the Algonquin/Nipissing hunting grounds:

The Chiefs replied as follows:

That there were only 3 Individuals of their Tribe employed in Hunting during the last year and that these men Confined their excursions to the Ottawa Branch of the Matawaska River and to the bank of the latter River which has been always Considered to belong to the Algonquins & Nipissingues of Lake of 2 Mts.-

The Chiefs also declare that they know nothing whatever of the threats Attributed them by Mississaugas, but as 2 of the 3 Indians mentioned in the foregoing paragraph are still absent, they are of course ignorant of what may have taken place between these men and the Mississauga Indians. The Iroquois Chiefs further stated that they have heard of a Council which took place not long Since between the Iroquois of the Lake of 2 Mts. & the Mississaugas, and have been told. That the many differences between these Nations were fully & Amicably arranged at that meeting - they concluded by assuring the RA [Right Arm] of that they know nothing further of the Subject of the late Council with the Mississaugas.-

The RA afterwards explained to their Chiefs in the clearest manner (the desire of his Lordship the Comm of the Forces) that the Chiefs present unanimously expressed their intention to enforce obedience to these Orders & to the Law in all future Cases in which any Individual of their Tribe may be Concerned as well towards Indians as White Persons.-

The following insert in quotation marks appears at the bottom of the page.

any attempt on the part of the Iroquois Indians to disturb or Molest any other Tribe under the protection of their Common Father in either Province or to resort or punish by Personal Violence any Supposed Act of intrusion or

trespass by any other Indian or White Person will subject the offending Parties to the upmost penalty of the Law besides the total discontinuance His Majestys further Bounty to the Whole Tribe.

[Document No. 107]

115. In the same month, the Algonquins and Nipissings were complaining about encroachments on their territory by non-Indians. On July 14, 1827, Colonel Napier issued the following instructions on the matter to Superintendent James Hughes:

The Algonquins & Nipissingue Chiefs having stated to me that a Mr. Barnet Lyons is Concerned with Certain Other Indian Traders in a Conspiracy to deprive these Tribes of the profits of their Chace [sic] by Means of Emissaries in his and their employ, I have to request, that you will very minutely investigate all the Circumstances Connected with this Complaint during your Visit to the Lake and make a Separate Report to me on the Subject for the information of the De. Supt. Gen. upon your return to Montreal.

[Document No. 104]

116. In accordance with these instructions Hughes prepared the following report on July 20, 1827, which gives some insight into the organized use of their hunting grounds:

The Algonquin and Nipissingue Chiefs complain greatly of one Barnet Lyons and other traders whom they say induce strangers to go and hunt beavers and other furs on their hunting grounds, which lands they say they look upon as their property, having been in possession of them time out of mind: they say they have been nursing these lands by refraining from hunting on certain parts of them for a year or two at a time so that the Beavers and other Wild Animals may multiply [emphasis added].⁴¹

They beg & pray that their father the Superintendent General Maj. G. Darling will adopt some means to put a stop to their being molested by Intruders; they say they wish to live in peace with all, but that they cannot answer for what might happen should they find strangers hunting on their grounds as they would be depriving them of their own property and livelihood.

[Document No. 105]

117. The government's policy of allowing equal access to the hunting grounds along the Ottawa River, as first outlined by Lord Dalhousie in 1822, coupled with changing economic conditions, brought the Algonquins and Nipissings into conflict with the Iroquois. On July 29, 1827, the Algonquins and Nipissings presented the following petition on the matter of Iroquois encroachments to Lord Dalhousie, the Governor of Lower Canada:

That- from Time Immemorial the Algonkin & Nipissingue Indians of this Mission 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, under the protection of His Britannic Majesty's Government.-

That- for some time back Many Indians of the Iroquois and Abenquois Tribes, and Others, under an Idea of having an equal claim with the Algonkin and Nipissingue Tribes as to the Right of Hunting on these Lands, have frequently made excursions thereon, committing considerable damages, destroying the Beaver without any regard for the future, so it is much to be feared these Lands will eventually become entirely Ruined, and the numerous Families of the rightfull Owners of the soil will be reduced to the Most abject distress.-

That- driven by Necessity to preserve their means of subsistence and a Property which has never yet been disputed, they would not nevertheless wish to employ violent methods, nor disturb the Peace of the Country, nor make use of their

⁴¹ This was a common aboriginal conservation practice.

Arms in any Other Manner but against the Enemies of His Majesty's Government, under the protection of which they have hitherto had the happiness to Live. They therefore Hope and Pray Your Excellency, the Worthy Representative of their Common Father, will deign to pay Attention to this, their Humble Petition, and take in your Wisdom such measures as may leave them in quiet and peaceable possession of such Lands as they have hitherto enjoyed by inheritance from their Forefathers.-

That- they supplicate Your Excellency to issue immediate Orders so as to put a stop to any further ravages being committed on their Lands by the said Iroquois and Abenauquois Tribes or any Others and also that an Indemnification be made them for the losses they have already sustained-

Pierre Louis Constant Penaise
Laurent Keseinsique
Amable Pakwakwana

Principal Chiefs

Jean Bte. Mackwa
Michel Paysindawa
Mathias Chabakawache
Benj. Osawakik
Louis Jahinguay
Jos. Paykakakhetché
Jacques Kotinona
Louis Nikik
Amable Naywachaykijike

War Chiefs

Japatis Kikons
Jnias Ketogeachitch
Simon Kigegoanton
Atgentanagke
Meiagichiwats
Migounnale
Kosigessgiteh
Ignace Chawainaboïs
Francois Otik".

[Document No. 108]

118. In August 1827 there was a council at which hunting territories were discussed. Captain Ducharme reported to Colonel Napier that the Iroquois had been allotted lands south of the St. Lawrence while the Algonquins and Nipissings inhabited the lands watered by the Ottawa River:

Please excuse me for taking the liberty of informing you of the rights of each nation. The Iroquois received as their allotment the St. Lawrence River, on the islands of which they have their settlements and properties and their seigneuries, and from which they even get monies from the Americans for the said lands. The Algonquins received the south shore of the Ottawa river, and the Nipissing, the North shore of the said river. The said lands were divided up among the families, who developed them and held them as their own. The Iroquois never disputed this, but for the past three years or so they have begun wanting to go onto the said lands, at Mr. Jillette's and Mr. Leon's⁴² instigation. [They are very certain that if they (had used) this land in common, there would not have been a single beaver left twenty-five years ago in the said river.⁴³]

It would be highly unusual if the Algonquins and the Nipissing were to come to share in the income the Iroquois derive from their lands.

On the contrary, all the lands in general were divided up and shared among the nations by their ancestors almost one hundred years ago. Each nation received its native land as its inheritance, and none have disputed this before now.

Ever since I myself have been in this village, neither the Iroquois nor any other nation has sought to encroach upon the Algonquin and Nipissing lands -- until about three years ago.

⁴² See charges made against a trader Mr. Lyons, Doc. Nos. 105 and 111.

⁴³ The sentence in brackets represents the best translation possible of a garbled original.

Mr. Bernard St-Germain, interpreter, who was born and raised in the village, will tell you that the Iroquois have never hunted on Algonquin lands, unless they were hired by the Algonquins and paid for their services.

Since His Excellency the Governor is supposed to summon two of the main chiefs of each nation and give them a decision on their request, the two main chiefs, Kisainciss and Constant Penencey on behalf of all the others, humbly beseech you to intercede with His Excellency for them.

[Translated from French]

[Document No. 109]

119. Several days later, on August 25, 1827, a delegation of Algonquin and Nipissing War Chiefs met with Colonel Napier at Montreal to outline in detail their complaints regarding the alleged encroachments by both Indians and non-Indians:

The Deputation stated, that they were ordered to solicit an Answer to the Petition which their Principal Chiefs took the liberty to present to the Commander of the Forces on the first of this Month, when His Lordship passed their village at the Lake of Two Mountains, and that, in the event of no Communication being as yet received from Head Quarters on the subject, they were directed to request the Resident Agent to write to M. General Darling in their behalf:

The Deputation at the Same time declared with grief, that the late decision respecting their Hunting Grounds, has produced Serious disturbance among the Indians in this District, and is likely to lead to alarming and ruinous Consequences to their Tribes in particular, As the Iroquois, and other Indians, under Shelter of the present Regulation have been instigated by Several unprincipled Traders to plunder the Lands on the Ottawa River and Lake Nipissingue, which have been exclusively occupied by the Algonquin and Nipissing Tribes since the conquest of Canada and on which these Indians have been Nursing the Beaver and other wild Animals for some years past [emphasis added].-

The Deputation Further stated that the late order, if enforced, will be the means of rendering the Individuals of their Tribes so many wandering Beggars throughout the Continent, as they are obliged to subsist entirely by the Chace [sic] and do not, like the Other Indians in Lower Canada possess any Seigneurial Lands or Property whatever.-

The Deputation Stated in conclusion that their Tribes are and ever have been most anxious to preserve Peace and Good Order and to prove themselves deserving of His Lordship's protection and good opinion, But that they may as well be exterminated at once, As to be deprived of their only means of support for their Numerous Families, and that their principal Chiefs cannot possibly Answer for what may happen should their Young People detect the Iroquois and other Indians in the Act of plundering their Lands.-

The Deputation finally observed that as their Young Men are daily going off to their Hunting Grounds [emphasis added; note council was held in August], the Chiefs are anxious to be favoured with His Lordship's decision on their Petition as early as possible, with hope that it may avert the dreadful consequences likely to result to their Tribes from the excitement produced by the before mentioned Circumstances Among the Indians in the Montreal District.-

The resident agent (James Hughes) replied to the delegation:

That He regretted it was not in his power to Communicate to them the pleasure of His Lordship the Commander of the Forces on the Petition of the Algonquin and Nipissingue Chiefs, as he had not as Yet been honored with any Instructions from the Dy Superintendent General respecting it; but that he would immediately ... Lay their request before M. General Darling, who he was Convinced would give all possible attention to their Complaints.-

The Resident Agent then informed the Deputation of the Substance of a letter ... which He intended to forward by them to Captain Ducharme at their village, directing that officer to explain to the Indians Generally, and more especially to

the Iroquois Tribe, the punishment that awaits them should they presume to Commit depredations upon any other Tribe of Indians in defiance of the positive commands of His Lordship ...

[Document No. 110]

120. Subsequently, Napier brought the matter to Major General Darling's attention [see Document No. 111] and, on August 29, 1827, was advised by Darling as follows:

In consequence of a petition presented to The Commander of The Forces, by the Algonquin and Nipissing Indians of the Lake of the Two Mountains when His Lordship recently passed their village on His way to the Rideau: I have received His Lordships Commands to desire, that such of the Chiefs of these tribes, as can be collected; together with the Iroquois Chief of Sault St Louis, those of St Francis and the British Chiefs from St. Regis may be assembled in Montreal on the 25th day of September next, when a Communication will be made to them, on the subject of their Complaints. You will also require the Interpreters and officers of the Department from these Nations to be present, directing that the Chiefs appear in their medals and best Costumes.

[Document No. 112]

121. In accordance with these instructions, the Indians -- including the Algonquins and Nipissings -- assembled at Caughnawaga on October 5, 1827. Major General Darling, the Superintendent General of Indian Affairs, addressed the assembly:

Your Father at Quebec has received many Petitions from you at different times on the same subject, particularly, from you of the Lake of Two Mountains, all complaining of the intrusion of White People, and of your Brethren of Different Tribes, on the particular Grounds on which you have been accustomed to hunt; In these complaints from you of the Lake, the Iroquois and Abenquois are mentioned as the Chief offenders, and I fear that the Iroquois do not always conduct themselves like peaceable good Children. But hear what your Father says through me on this Subject, His Red Children and his white, are equally entitled to his Care and Protection, and He is disposed to render equal justice to both.-

He cannot by the Laws of the Land prevent white people from going through the woods, or killing a Bear, or Beaver, where they meet with it. But it is not often the white People go hunting in the forest; when they do, the Indians must not venture to use any violence towards them, For your Father is bound by duty to our Common Father across the Salt Lake, to punish the Children who may be disobedient, and if any white Mans life is lost, for killing a Beaver, the red children by whom the act may be committed, must and will be punished - Do you not know that John Ornee and Alex. Sarastin of the Abenquois Tribe have just been tried at Quebec for murdering two Americans near the Black Lake, in a quarrel about killing a Deer, for which offence Alexander would have been hanged, but that it was proved the American struck him first and knocked him down in consideration of his provocation will suffer a less punishment, but John Ornee has still to be tried for the murder of the other man, and if found guilty will certainly be hanged - Let this be a warning to you all that punishment will certainly follow such misconduct: but know also, that a white man will be punished for killing an Indian, with as much severity, as an Indian for killing a White Man, - The Law is the same to all, and the persons of White Men, and Indians will be equally protected.-

Darling now turned to the question of access to the hunting grounds:

Now as respects your complaints against each other; Listen to the advice your Father sends through me.-

It is only of late years, that He has heard of your interfering with each other in your Hunting Grounds. [emphasis added] If the Custom of your Nations makes this an offence, your Father can only advise you, one and all, to discontinue it, and to confine yourselves strictly to those grounds which have long been assigned to each.-

Let not the Iroquois interfere with the Hunting Grounds of the Abenquois and Nipissingues nor must the Algonquins kill Bears or Beaver on the Grounds of the Iroquois or Abenquois, but each hunt on the grounds allotted to his Tribe [emphasis added] - Hitherto you have shewn yourselves good and obedient children. Do not now, by any breach of the Law, cause your Father to turn his back upon you.-

He desires that you the Chiefs will recollect how long you have lived in peace under the British Government, and that you will teach your young Men and children who are growing up, the necessity as well as the Advantage of living in Peace and friendship with each other, and of considering the White Men, as members of the same family; Receive this as the advice of a Father who is anxious for the happiness of all his Children alike - If you disregard it, He will turn his back upon you, and the Bounty of your Great Father in England which has been extended to you, for many years, will be entirely discontinued to the disobedient.-

After cautioning each group "to confine (itself) strictly to those grounds which have long been assigned to each", the Governor concluded his speech, making the following proposal and commitment:

I know that you of the Two Mountains who have no Land of your own, like the Iroquois of the Sault, and St. Regis, or the Abenquois of St. Francis from which money (or Revenue) is derived, will say your situation is worse than that of your Brothers, and that in years to come when your Hunting Grounds are all settled by white Men you must starve - But this is not so, if you are disposed to follow the example of the white Men, who are settled around you, your father will give you the same advantages they have received - A Small portion of Land will be granted to each family for the purpose of agriculture, but he cannot grant any tract of Land to be kept in a wild state as Hunting Grounds. - If any of your young men are now on the hunting grounds of other tribes and I find that some of the Algonquins and Nipissingues from the Lake, and some of the Iroquois, are up amongst the Chippawas at York,⁴⁴ let them be called home, immediately and be admonished by the Chiefs not to trespass any more ...

Constant Penicy, the Principal Chief of the Algonquins, & the Chiefs Amable Chevalier and Laurent Kessinsique of the Nipissingue Indians, then declared themselves perfectly satisfied with what has been said respecting their Lands, & promised to respect the advice that has been given them ...

Charlou Canawata, the Principal Chief of the Iroquois at the Lake of Two Mountains then Spoke as follows:

Father-

You have listened to the Other Tribes and have done with them; I now wish to speak in my turn.-

We live in the same Village with the Algonquins and Nipissingues and are jealous that they pretend to a superiority over us, claiming all the Hunting Grounds for their own use: we shall therefore be glad of lands to cultivate.

[Document No. 113]

122. On October 27, 1827, Darling wrote to Lieut. Colonel Givens regarding the above Council. Note the reference to the frequency of complaints of encroachment:

With reference to that part of the proceedings wherein the Chippewas speak of Encroachment making on their grounds by Indians from the Lake of the two mountains: I beg leave to acquaint you that complaints of this nature have of late become so frequent and threats of personal violence have been so often reported to, that it was thought proper to assemble the Chiefs of Lower Canada at Caughnawagua on the 5th of October when I addressed them in a General Council in the name of the Commander of the Forces on this subject.-

⁴⁴ This may be a reference to Algonquins and Nipissings hunting on Mississauga and Chippewa lands outside of the Ottawa Valley.

A Copy of the part of the address I enclose that you may be acquainted with the views of His Lordship and that you may govern Yourself accordingly as circumstances may require in your intercourse with the Indians in your neighbourhood. Particular Orders were given at the Council that the four persons complained of by the Chippewas as intruders should be recalled and I request to hear further from you as to the attention paid to these orders. It is proper to add that the whole of the Chiefs declared themselves perfectly satisfied with the advice given to them on the occasion, which they promised cheerfully to follow, expressing a hope that the same forbearance would be exercised towards them by their Brethren in Upper Canada. I shall be glad to find that your admonitions to the same effect meet with due respect.

[Document No. 114]

123. On March 13, 1828, Givens advised Darling that Chippewas and Mississaugas were still complaining that their hunting grounds were being intruded upon by "Indians of the Lower Province":

In reference to that part of your Letter of the 27th October which mentions, particular Orders were given at the Council held at Caughnawaga on the 5th of the same month, that the four persons complained of by the Chippewas as intruders should be recalled and requesting to hear further from me on the subject. I have the honor to report that the Chippewas of this Post [York] have repeated their complaints of being encroached upon this Winter by Indians of the Lower Province. The Mississaugas of the Rice Lake have likewise complained and Petitioned for protection against intruders and their threats of personal violence.

The Chippewas have given me the name of the Chief who has annoyed them and is supposed to be at this time with his friends in the District. The Mississaugas have also given me the Names of those who have intruded and are still supposed to be hunting in the District.

Some of the Offenders are named in the margin. [In margin: Kanawaton, a Chief belonging to the Lake of Two Mountains & Party. Schawatetus, Puctoewa and Dickson, John Babtiste Aurison & Party.]

I take this opportunity of acknowledging your Letter of the 14th Ultimo and of acquainting you that I shall avail myself of the first opportunity of communicating with Mr. Anderson and requesting him to furnish me with a Return of the Indians who have received Rations of Provisions and Presents at Drummond Island during the year 1827.

[Document No. 115]

The territory the Chippewas and Mississaugas considered as their hunting grounds is not known.

124. On July 24, 1828, Darling prepared a comprehensive report on the state of the Indian Department in Lower Canada, enumerating Indians at the following places:

The Indians of the Lower Province consist generally of the undermentioned Tribes; viz.

Souls 179 - -	Hurons - -	at Lorette, near Quebec
- 82 - -	Algonguins - -	at Three Rivers.
- 96 - -	Abenaquais -)	
- 363 - -	Ditto -)	at Becancour and St. Francis.
- 967 - -	Iroquois - -	at Caughnawagua.
- 348 - -	Ditto - -	at St. Regis, and
- 282 - -	Ditto - -	at Lake of Two Mountains.
- 355 - -	Algonquins -)	
- 250 - -	Nipissings -)	at Lake of Two Mountains.
2,922 souls ...		

[Document No. 116]

125. The following extracts from Darling's report dealt with the Algonquins:

ALGONQUINS and ABENAQUAIS, of Three Rivers, St. Francis and Becancour. - These Indians, amounting in the aggregate to 541 souls, frequent the neighbourhood of Three Rivers, St. Francis and Becancour [All outside subject area].

... [detailed description] ...

ALGONQUINS, NIPISSINGS and IROQUOIS, Lake of the Two Mountains. - The Algonquins and Nipissings of the Lake, amounting to about 600 souls. are an active and intelligent race, who were much employed in the late contest with America. They are settled in a village, on a spot of ground granted to them by the priests, who are seigneurs of the island of Montreal, but they have no land for cultivation; they therefore depend entirely upon their activity and exertions in hunting, in which they are in general so successful as to contribute a large proportion of furs to the stores of the North-West and Hudson's Bay Company [emphasis added].

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 naturally considered as their own [emphasis added].

The result of the present state of things is obvious, and such as can scarcely fail in time to be attended with bloodshed and murder; for, driven from their own resources, they will naturally trespass on those of other tribes, who are equally jealous of the intrusion of their red brethren as of white men. Complaints on this head are increasing daily, while the threats and admonitions of the officers of the department have been found insufficient to control the unruly spirit of the savage, who, driven by the calls of hunger, and the feelings of nature towards his offspring, will not be scrupulous in invading the rights of his brethren, as a means of alleviating his misery, when he finds the example in the conduct of his white father's children practised as he conceives towards himself.

[Document No. 116]

126. On August 24, 1828, D. Ducharme, Interpreter for the Indian Department at Lake of Two Mountains, wrote the following notice to "Traders on the Missisagee Lands":

This is to certify that the bearers, Francois Papineau, Pierre Wabikekegue, Francois Kakechiwann and Paul Ozawakijik have left this Place on a special Mission for their Brethren the Missisagees, principally to the Chiefs Kichinibiche and Minosekijik. I do therefore forbid you or any of you from molesting them under any pretence whatever, and leave them to enjoy any priviledges [sic] that may be allowed their Party by their Brethren the Missisagees.

[Document No. 117]

127. In 1829, Alexander Shirreff explored the country lying between the mouth of the Rideau and Lake Huron. In his report, Shirreff gives a detailed description of the timber, soil, hydrology, topography, and the suitability of land for cultivation of the territory he had explored. Shirreff noted that the country along the Ottawa River had not yet been settled (with the exception of Lake of the Chats) and claimed that there were several good tracts that should be laid open for that purpose. He also commented on the extent of Algonquin hunting territory as well as two encounters made with Indians in his travels:

... On the upper des Allumettes are two trading houses, one belonging to the Company, called Fort William, and the other to some private traders. At these stations we had made little doubt of obtaining some distinct accounts of the country towards the Hurons, and also of procuring a guide acquainted with it, in our intended direction, at least until fairly past the division of the waters; but in both these particulars I was disappointed. The lands of the Algonquin

Indians frequenting the Ottawa, do not extend quite to the height of land, at least on the Nesswabic [Petawawa River]; and the traders on the Grand River, have no communication with the Mississaguas, who hunt beyond the Algonquins. ... [p. 276]

At the Cedar Lake, I remained nearly three days, partly delayed by bad weather, but chiefly waiting the arrival of a son of the Algonquin Chief, named Constant Pennaissez, who had established his winter quarters here.-- From him I received an excellent chart, which delineated the route as far as his hunting bounds extended, nearly to the source of the Nesswabic; but he could give no distinct information as to the the [sic] situation of the portages crossing the height of land. From Constant I learned that there was a much better route from the Ottawa thus far, than that which I had followed. It is by a stream entering the Cedar lake, from the north, and communicating with another, called after the Indian who hunts upon it, Map di Fong's creek [Amable du Fond River], flowing into the Little river. This, though the longest, is the smoothest route, and is always followed by the Indians passing between the Ottawa and the Cedar lake, with loaded canoes. ... [pp. 289-290]

...
After a little searching we found a portage-path, which led to a small lake [Timberwolf Lake], and from thence ascending a brooke still belonging to the eastern waters, we soon arrived at another carrying place, which, from its westerly direction and being distinctly tracked and marked, I did not doubt to be the proper route. Having proceeded along it nearly a mile, we were met by an Indian, only the second we had seen since leaving the Ottawa. It could not have occurred in better time, for I now found that we had missed the main route, and begun to follow an interior hunting track.

...
He was one of the Iroquois tribe, who reside with the Algonquins, at the Lake of Two Mountains. They are generally robust, enterprising fellows; and, having no hunting territory of their own, frequently ascent the Ottawa and, passing over the grounds of their Algonquin friends make free with the beavers and otters on those of the Mississaguas. ... [p. 293]

[Document No. 123]

128. The following month, on March 30, 1829, Lt. Colonel Napier sent a report to Colonel Couper on Indian conditions in Upper and Lower Canada. This report dealt with the possibility of establishing Indians in farming settlements. As regards Lower Canada, Napier wrote:

The unconceded front of the Township of Gormanchester upon Lake St. Francis, and the Right Bank of the River Ottawa, above the Township of Onslow, appear to possess Superior Advantages for the Establishment of Indian Settlements.

Then turning to Upper Canada and general considerations, Napier continued:

As respects the quantity of ground to be granted to Indians, I am of the opinion that in the first instance, One Hundred Acres of Land ... would be amply sufficient for Each Family and ... the lands set apart for Indian cultivation should only be provisionally assigned or be vested in Trustees, to prevent their being disposed of ...

In Reporting upon the Nature and expense, and the duration of the Aid the Indians would require on being located in Provisions, Seed, Corn Stock, Agricultural Implements, etc. I consider it necessary to observe that in order to attach the Indians to the spot where it may be deemed advisable to locate them, they should be made Comfortable: -

They do not possess the industry or perseverance of American or Scotch Settlers, who, with little more than a blanket, an Axe, and a Scanty Supply of Provisions for each Person, are Capable of Establishing themselves upon Wild Land under the most trying privations. - It would, therefore, be advisable to build a Log House for each Family of Indians on being located and I have in

consequence introduced this item into the enclosed memo of the possible expense of settling a family of five persons ... one hundred pounds sterling.

The Iroquois Tribe residing in a Village at the Lake of the Two Mountains, and the Algonquin and Nipissingue Indians at the same place do not possess any Landed Property in the Province from which Income is derived: -It is probable that a large proportion of the former may be induced to become Farming Settlers, with assistance from Government, and, that a selection of perhaps Twenty or More Families may be made from this Tribe to form an experimental Settlement.-

The Algonquin and Nipissingue Tribes are exclusively devoted to hunting in the Indian Country, and are Seldom to be seen in any number at their Village [Lake of Two Mountains] except for a few Weeks previous to the distribution of His Majesty's Annual Bounty. I have therefore placed them under the third head of enquiry: - These Indians subsist principally by the profits arising from the Chace [emphasis added].

[Document No. 129]

129. Shortly after Napier submitted this report the Algonquins and Nipissings drafted yet another petition requesting protection of their hunting grounds from encroachments. On April 28, 1829, this petition was forwarded to Sir James Kempt, Administrator of Lower Canada:

... the Chiefs of the Tribes of the Algonquins and Nipissings of the Lake of Two Mountains ... implore the Favour of His Excellency and pray him to take into consideration the request that the Petitioners have had the honour to present, the 29th July 1827, to his predecessor, Governor Dalhousie, claiming the Protection of His Excellency against certain subjects, who for some years, bore them prejudice and troubled them in their hunting, on the lands watered by the Ottawa River [emphasis added].

The Petitioners also dare to observe to Your Excellency, that Governor Dalhousie seemed to lend a Favourable ear to the said request, and that the officers have since taken, in their favour, some light measure of protection, awaiting the decisive answer that His Excellency had made them hope for soon in that respect, during the last year of his administration;

The Petitioners also dare flatter themselves that it would be permitted to them to seize the present occasion to renew at the same time the assurances of Their Fidelity, of their Devotion, and of their sincere recognition in respect of their good and August Sovereign George and of His new and worthy Representative in this Province for the Conservation and the Prosperity for which the Petitioners will never cease to pray.

In the name of all the Nations
The Three Grand Chiefs

Consten Penency
Amable Paquaconan
J. Bt. KilikoManitou
For Lauran Kisainlik

[Translated from French]

[Document No. 130]

130. On May 5, 1829, Lt. Colonel Napier forwarded the petition to Lt. Colonel Couper, the Military Secretary at Quebec, together with the following recommendation:

Understanding that the Persons Complained of by the Petitioners have within the last year committed extensive depredations upon the Hunting Grounds of the Algonquin and Nipissingue Tribes, and that the Indians, in the hope of obtaining the protection of His Majesty's Government, have Submitted to this species of Plunder with a degree of forbearance quite foreign to their Native Character, I am, under these Circumstances, induced to recommend, that a Public Notice may be issued forbidding all Persons from trespassing in any manner upon the Lands claimed by these Tribes, and secured to them by His Late Majesty's Proclamation dated the 7th October, 1763, a copy of which is herewith transmitted for His Excellencys information.-

The Algonquin and Nipissingue Indians possess strong Claims to the Consideration of Government from their meritorious Conduct on Several occasions during the American Wars of 1775 and 1812, particularly in the Attack and Capture of Colonel Boerstler's Detachment at a critical period of the latter contest: - One of the Petitioners, the Chief Amable, was severely Wounded in the Expedition under the late General Burgoyne in 1777, for which he receives a Pension of One Hundred Dollars per annum [emphasis added].-

[Document No. 131]

131. On May 29, 1829, C. Yorke wrote to Couper enclosing an application from Mr. Henderson for a grant of five islands in the Ottawa River. Henderson held a lease from "Indians" for the islands:

By Sir James' desire I sent you the enclosed application for a grant of five islands in the River Ottawa made by a Mr. Henderson;- he seems to have got a lease of them from the Indians, but on his first application being recd last year Sir James desired me to write to Col. By to inquire whether he was aware of any objection to the request being complied with, Sir James thinking it probable that the Islands might be required for some purposes connected with the works carrying on in that quarter. Col By was at that time too ill to attend to anything & Capt. Cole answered the letter; his Report is enclosed & is the second to promise something further I wrote to Mr. Henderson by Sir James' desire to tell him that he could not at any rate comply with his request at that time, but that he should not finally decide upon the application till he rec'd a further report. This report has never come, & I had forgotten the business till reminded by Mr. Henderson's letter which I recd. yesterday, & on showing it to Sir James he desired me to send you all the papers which I have much pleasure in doing together with this long story that put you as much in [jist?] with the merits of it as I am.

I have written to Mr. Henderson to say that when H.E. finally decides upon his application he will be honored with a communication from you.

[Document No. 132]

A further letter from Yorke of the same day stated:

The result of the reference to the Juge en Chef was simply a recommendation of council to make the inquiry I mentioned from Conl. By;- the grounds of the recommendation were principally that the size of the 5 Islands containing only between 10 & 15 acres, their contiguity to the new bridge over the Ottawa, & the lease so lately obtained from the Indians (in March 1829) make it not improbable that some peculiar object had led to the application [emphasis added]. If you wish to get a copy of the Report will procure one from Mr. Ryland, but it is in fact exactly what I have stated.

I send you a copy of my letter to Col. By, which I omitted to do this morning.

[Document No. 133]

132. Napier investigated the complaints of encroachments and forwarded the following report to Lt. Colonel Couper on June 5, 1829:

In obedience to the directions transmitted to me in Your Letter of the 9th Ult: I have duly promulgated the decision of His Excellency The Commander of the Forces respecting the Tribes which trespass upon the Hunting Grounds of the Algonquin and Nipissingue Indians [emphasis added]:- It being His Excellency's pleasure, that I should afford some specific and detailed cases of intrusion committed by Traders or Settlers upon those Hunting Grounds, I have the honor to Submit the Enclosed Affidavit from Francis Odjik, an Indian Warrior of the Nipissingue Nation, representing a recent instance of trespass on the part of a White Trader by the name of Robert McGregor [emphasis added]; and I expect to receive the particulars of one or two other cases of this description, whenever the Indians can obtain the Names of the Offenders:- With a view to lay before His Excellency the most satisfactory information in my power respecting the Situation and Circumstances of the Algonquin and

Nipissing Tribes, I beg leave to transmit the Accompanying Extract of a Communication from Sir John Johnson to the Military Secretary, upon the Subject of the injuries sustained by these Indians, and the Consequences likely to result therefrom, and agreeably to the permission conveyed to Me in Your Letter I have to State my opinion, that the measure proposed by the Superintendent General in the Year 1824, and recommended for the favorable Consideration of His Excellency in my Letter of the 5th Ulto: appears to me calculated to relieve these Tribes from the trespasses of which they complain, and to secure to them the Undisturbed possession of their Lands.

[Document No. 135]

The affidavit from Mr. Odjik which describes the exact location of the trespass reads as follows:

Mission of the Lake of Two Mountains, County of York Today the second of June Eighteen Twenty-Nine before Dominique Ducharme Esquire one of Justices of the Peace of His Majesty, has appeared Francois Odjik, Indian, Nipissing of the said Mission, who after having made oath on the Holy Gospels said and declared That having been This spring on the hunting grounds belonging to his tribe, he found there the person name Robert McGregor having already begun to cut down trees and prepare the land saying that he was intending to cultivate there, and hunting there, and said Francois Odjik declares that the establishment started by the said Robert McGregor is found around the Lake known commonly in their language as Fishing Lake [Lac de la peche] at about eight leagues from the mouth of the river named the White River [La Riviere blanche], and says nothing more.

[Document No. 134]

133. On August 16, 1829, the Surveyor General's Office wrote to Lt. Col. York, Civil Secretary, regarding a petition from Mr. Henderson to obtain islands leased by him from the Indians on the Ottawa River. Note the discussion of jurisdiction and reference to Indian leases:

I have the honor to state, that the Islands in the River Ottawa are Considered as belonging to the Crown [emphasis added] - That this subject has already been under the consideration of His Majesty's Government previous to James Buchanan Esq. having received in 1828 a Location for two Island lying in front of his Land, in the Lochover [illegible], which Islands were previously occupied by an Individual under a Lease by the Indians [emphasis added], these two Islands were situated rather nearer to the Lower Canada shores whilst those Leased to Henderson are quite near the South Shore of the Ottawa on the Upper Canada side - This involves the question whether these latter small Islands are or are not within the limits of this Province - On Reference to the Proclamation of 1791 Dividing the two Provinces, The Words respecting the Boundary are as follows "Then along the North Western Boundary of the Seignioury of Vaudreuil, running North 25° East - until it strikes the Ottawa River: ---- the said River into Lake Temiscaming".

[Document No. 139]

134. Several days later, on August 19, 1829, the following report on a dispute between Abenakis and Trois Rivières Algonquins was forwarded to Lt. Colonel Napier by Monsieur le Chevalier de Niverville, an interpreter with the Indian Department. Note that the Algonquins of Trois-Rivières stated that the lands upriver (i.e., west) of Masquinouge belonged to the Indians of the Lake of Two Mountains:

...
Let us begin with the Algonquins. As concerns them, I will give you the same information that I sent yesterday to Mr. Duchesnay, the Indian Superintendent at Quebec. Having assembled the Algonquin chiefs and having asked them what was the extent of their hunting grounds, their situation and what right they had there, they answered me:

"The First White, who discovered Canada, found us on lands extending from Quebec, up to the River Assumption [Riviere de l'Assomption]. It is God who placed us on that extent of land, and we have never left it. Our ancestors made arrangements with the Hurons, and ceded to them the land from Quebec to Ste. Anne Laperade River, keeping for themselves the southwest half of the said river. That land which lies upstream from Masquinouge⁴⁵ belongs to the Indians of the Lake of Two Mountains [emphasis added]. -We claim [the land extending] from the southeast half of the said River Ste. Anne as far up as Masquinouge, and upstream along the River St. Maurice, about fifty leagues, to a place called Cococachechingue. We have so to speak a line which starts at the lands belonging to the King's posts runs up in a Southwesterly direction to where we have different lakes which separate our lands from those of the Tetes de Boule.

At about thirty six leagues upstream on the river St. Maurice our lands border on the King's posts, after our lands lie those of the Tetes de Boule and after their lands, toward the north, are those of the Obegiwane Indians.

The reason why we say, God has placed us where we are, is that the Abnekis were placed here by men. Our ancestors made arrangements with the Abenakis, but they no longer want to recognize them. What made us open our eyes, was General Darling's speech; he told us that all the words spoken by his mouth came from the mouth of our Father who is across the great Sea; that he desires each Indian Nation to live on its own land as its ancestors did, and that those who heeded his words would always be on good terms with him; those who did not listen, he would reject.

They also told me "we have in our possession a [wampum] belt handed down by our ancestors; this belt signifies that the Abenakis will hold [land to] the south of the St. Lawrence River and the Algonquins land to the North. The Abenakis had a similar belt, though they do not want to admit it.

This then is what I can tell you about the Algonquins.

As for the Abenakis, since I had no orders to go to St. Francis to take information on the spot, I again called together the Algonquins who gave me the following information to which I will add my personal information. This is what they told me: "The Elders have always told us that the Abenakis had always hunted to the south of the St. Lawrence River. Our ancestors always told us that there was a [wampum belt] between them and the Abenakis and that belt signified that the Algonquins would hunt to the north of the St. Lawrence River and the Abenakis to the south of the said River."

As for my particular and personal information it may be summarized thus: the Algonquins for the past 25 or 30 years have hired Abenakis Indians in their service. These Abenakis and other explorers got to know the rivers and since then have been hunting on Algonquin lands. Before that time I never saw an Abenakis hunting north of the St. Lawrence. Sir, I am distressed at not being able to obtain for you a copy of the Request that Algonquins made to His Excellency. Mr. Badeaux Junior, who drew up this request, says he ripped up the rough copy. Mr. Duchesnay alone can give you a copy of it.

[Translated from French]

[Document No. 140]

135. A week later, on September 1, 1829, Lt. Duchesnay, Superintendent of the Indian Department at Quebec, followed up this information, addressing further comments on the matter to both Lt. Cols. Napier and Couper:

I have attentively perused the reports of Lt. Col. Napier 27th Ultio and that of M. Le Chevalier De Niverville of the 19th Ultio /referred to me/ on the subject of the Claim of the Algonquins to the right to hunt exclusively on the North side of the St. Lawrence. I infer- from their representations and those of the Abenakis, that the difficult point is, on the part of the latter to prove their right, in any other way than their own. They pretend to hold this exclusive right as expressed by certain branches of beads [wampum], which they still have in their possession, the only manner of proof Indians have amongst themselves.

⁴⁵ Masquinouge [Maskinongé] is located approximately 5 miles up a small river flowing into the north side of Lac Saint-Pierre about 30 miles west of Trois-Rivières which is on the St. Maurice River.

They further assure that the Abenakis have a similar Collar of beads, Which explains that they shall hunt on the South side only of the St. Lawrence and the Algonquins on the North. M. Le Chevalier De Niverville in his report, says "that for 25 or 30 years passed the Algonquins hired Abenakis and Since that, they (the Abenakis) have taken Knowledge of the courses of rivers etc. they have continued on the North Shore, but that previously he never saw an Abenakis hunt on that side. It seems to me that he is perfectly of Opinion that it is an encroachment on the part of the Abenakis -

The Superintendent then stated his conclusion thus:

I conclude by declaring that I think it a difficult and dangerous point to be settled by Government, as the proclamation of 1763 gives generally to the Indians the liberty of hunting on the ungranted or Crown Lands. But there appears no Document for any distribution of hunting lands exclusively to any Tribe.

[Document No. 145]

136. In a report dated October 30, 1829, Dushesnay described as follows a meeting that he organized between the Algonquins of Trois-Rivières and the Abenakis to assist them in resolving their difficulties. While the disputed area is east of the Ottawa River watershed, the document's comments on the division of territories north and south of the St. Lawrence give context to intertribal conflict over hunting grounds:

I have the honor to report for His Excellency's information that I have assembled at Three-Rivers the Abenakis Chiefs of Becancour and St. Francis, the Hurons of Lorette and Algonquins of Three-Rivers, On the 26th Instant and held Council on the Subject of the existing difficulties between them concerning hunting grounds - Enclosed I send the haranges made on the occasion and such as they were interpreted.-

I concluded from this investigation and the information I collected, That the Algonquins are correct When they say it was arranged by their Ancestors and the Abenakis that they/The Algonquins/ should have the North side of the St. Lawrence to hunt and the Abenakis of Becancour and St. Francis the South side - I am informed /as is known by tradition/ that their talk at that time was thus interpreted, in French. "Toi Abenakis, tu aimes la Chaleur, tu auras le Cote Sud pour ta chasse et nous Algonquins accoutumes au froid aurons le Nord du fleuve."

Dushesnay then reiterated his point of view:

I consider the present case as one both difficult and dangerous to decide. On one hand the Abenakis must be in a wandering state the South side of the St. Lawrence leaving but small tracts of ungranted lands and from its present rapid Settlements leaves no hunting grounds of any consequence. On the other hand the Algonquins, not the authors of this, have no other recourse than hunting while the Abenakis have Land and Seigniorial rents.

The Algonquin Chief Wishes by his Speech to have the question of right decided by a council of the Six Nations or by His Excellency; but the Abenakis do not wish the measure of a council called but that His Excellency alone would decide. This convinces me that they apprehend it would be decided against them by a Council.

I am happy to inform His Excellency that I have settled the difficulty between the Hurons of Lorette and the Algonquins of Three Rivers, by a written arrangement, inserted in the enclosed speeches & of which arrangement I shall give Copy to the parties & Which for ever after, will guarantee them against similar difficulties-

[Document No. 151]

137. On November 10, 1829, Lt. Col. Napier, Right Arm and Secretary of Indian Affairs, wrote to Lt. Colonel Couper, Military Secretary, advising that the Superintendent of Quebec's recommendation to issue presents in the fall would be difficult to carry out as the Algonquin and Nipissing Tribes typically left for their winter hunting grounds in August. His letter reads as follows:

I have the honor to Acknowledge the receipt of two Letters addressed to you by the Superintendent of Quebec of the dates stated in the Margin, which you have been pleased to refer from my observations thereon, with reference to my Report of the 22nd Ultimo.

In the Superintendent's Communication of the 3rd Ultimo, he states that the Annual Presents ought to be issued in the fall of the years "as it is then the Indians go to hunt." In reply to this suggestion, I beg leave to observe that altho such an Arrangement might perhaps Accommodate a few of the Lorette Indians who occasionally go to hunt about that period, it would certainly be a very serious inconvenience to a large proportion of the Indians in the District, to oblige them to wait for their Presents until the end of the Autumn, and amount almost to a prohibition of His Majesty's Bounty to the whole of the Algonquin and Nipissinque Tribes and to those of the Iroquois and Abenagois Nations who are Accustomed to pass the Winter at their Hunting Grounds, and who invariably quit their villages for that purpose, in the course of the month of August [emphasis added]:--- In support of this remark I have to Notice that the Chiefs at the Lake of the Two Mountains and St. Francis applied to me early in the month of July last, for their Annual Presents, requesting in a very earnest manner, that the issues might take place at the customary period, viz between the 10th & 25th July: as established by the Military Secretary's Letter to Sir John Johnson of 27th October 1823, an extract from which I beg leave to enclose herewith:--- The Superintendent's view of the subject generally appears to be at variance with the positive Command conveyed to me in the concluding paragraph of your Letter of the 29th September last, "that the periods for issuing those Presents in Lower Canada, Should be so regulated, as to present the Indians who have received Presents in the Upper Province from appearing at the issues in the Lower" And, as the Presents are in future to be issued to the Indians in Upper Canada, during the months of June and July, I am humbly of opinion that the object contemplated by Your Letter cannot be obtained unless the distribution in this Province is effected with the same period.---

With respect to the proposed alteration of the Day appointed for the issue to the wandering Indians who resort to Quebec from which the Superintendent apprehends so much difficulty, I would observe that as those Indians are known to loiter about in the neighbourhood of the Garrisons for a number of days previous to the distribution of their Presents they can I think be made Acquainted with the new arrangement in due time:----the period for this issue, as fixed by General Darling is the 5th October; that which I have suggested the 15th July.----

Adverting to the numerous objections in the Superintendent's Letter of the 4th Instant, to the measure proposed for regulating the issues to the Indians of Three Rivers and Becancour in future; I take the liberty to observe that the plan adopted last Year, is attended with much Unnecessary expense to the Public, in transporting goods from Montreal and Quebec for this Service, and requires an Officer of the Line to be withdrawn from each Garrison to witness the separate issues at St. Francis and Three Rivers, by this System also the Indians of St. Francis have been deprived of the Services of the Interpreter, who had previously superintended their affairs for several Years and who, to my personal knowledge, was particularly useful as the Medium of Communication between the Head of the Indian Department and the Chiefs of this Tribe, while on the contrary, the former arrangement, by bringing the Indians of the Three Villages together, once in each year, tended in a great measure, to preserve a good understanding among those Tribes, and afforded them the opportunity of settling any difficulties they might have respecting their Hunting Grounds without the interference of the officers of the Department and certainly a Journey of a few Leagues by water would not prove of any inconvenience to the Indians of Three Rivers and Becancour during the summer season. I am of opinion that the Superintendent has not informed himself correctly on the subject, when he states that "Presents were formerly issued at Three Rivers to the St. Francis Indians":- Having made particular enquiry at this point, I have reason to believe that the system proposed in my Letter of the 22nd Ultimo had

actually existed for upwards of Twenty Years previous to the year 1818; and from the circumstance of the whole of the Issues to the Indians in the District of Three Rivers for the years 1826 and 1827, having taken at St. Francis under my immediate Superintendence, I feel myself called upon to remark that the Superintendent at Quebec must be under a mistake as to the cause he assigns for the change which was order last year. I therefore respectfully submit that the Indians of Becancour and Three Rivers be replaced under the same superintendence with their Brethren at St. Francis, and that the Annual Issues to the Indians be made in future at the same time and place and as I conceive it is not intended to appoint an Interpreter exclusively for St. Francis, I beg leave to recommend that Interpreter de Niverville may be directed to resume the charge of that village.

[Document No. 152]

138. On November 13, 1829, Napier filed a further report to Couper, regarding the ongoing dispute between the Abenakis and the Algonquins of Trois-Rivières. The report makes reference to the dispute over the Ottawa River watershed:

In obedience to your reference upon the Proceedings of the Council held at Three Rivers in the 26th Ultimo, by the Superintendent of the Quebec District with the Chiefs of the Algonquin, Abenakis & Huron Indians there assembled, and the Accompanying Letters from that officer, relative to the Claims of those Indians to hunt upon Certain waste Lands of the Crown situated on the North Shore of the River St. Lawrence.

I have the honor to observe, that the Report of this Council, altho not unfavorable to the pretensions advanced by the Algonquins, does not establish their exclusive privilege to occupy those Grounds for Hunting purposes, or render it expedient, that their claim should be publicly recognized by His Majesty's Government: - I am the more inclined to this view of the Subject from the opinion expressed by the Attorney General of the Province, in the case of the Algonquin and Nipissing Tribes at the Lake of the Two Mountains, adverted to in Your Letter of the 2nd July last. - The Hunting Grounds of the Various Tribes of Indians Inhabiting these Provinces were Originally defined among themselves and the Boundary of each Tract perfectly understood by them: it is therefore, in my humble opinion, desirable under all the Circumstances Stated in the Superintendent's Letter of the 31st Ultio., that the present question should be disposed of According to the Indian Customs. (by a Council of the Six Nations) as proposed by the Algonquin Chief [emphasis added].-

I beg leave to remark that the Abenakis Indian, Charles Annance, alias Catanche has misrepresented to the Council, the purport of the inquiries which I made at St. Francis in order to obtain the information required by Your Letter of the 12th, of August last: - I did not ask the Abenakis Chiefs "upon which Side of the River St. Lawrence they wished to hunt," as reported by this Indian! - The Questions which I put to the Chiefs on that occasion were as follows: 1st:--That, they should state the situation and extent of their Hunting Grounds? 2nd:--To explain the Nature of the Authority upon which they found their Claim to hunt upon those Grounds whether exclusively or Otherwise?-

Adverting to the Superintendent's suggestion that the Chiefs should be furnished with commissions to prevent a recurrence of the imposition practised upon him by the above named Indian at the late Council, it appears to me, that such marks of distinction should be Confined to the Principal or Grand Chief of each tribe.-

[Document No. 153]

139. A Numerical Return for Indians of Lower Canada, dated November 25, 1829, included the following at Lake of Two Mountains: 4 Nipissing Chiefs, 1 Algonquin, and 1 Iroquois. [See Document No. 154.] Another return lists Nipissings - 2 Great Chiefs, 2 Chiefs; Algonquins - 1 Great Chief; Iroquois - 3 Great Chiefs. [See Document No. 156.] [See Document No. 162 for Chiefs listed two months later.]

The Nineteenth Century, 1830-42

140. A Petition from P. L. Constant Pinency, Chief of the Algonquins of Lake of Two Mountains to Sir James Kempt, Administrator of Lower Canada, dated February 19, 1830, noted that his family hunting grounds were located on the south side of the Ottawa at the mouth of the Rideau:

The very humble request of Pierre Louis Constant Pinency, the Chief of the Algonkins living at Lake of Two Mountains, son succeeding the Grand Chief, Manitolais [?]; respectfully submits to his Excellency -

That after several years the hunt has more and more [illegible word] the destruction and the distancing of the beaver and of game, the only means of subsistence of the suppliant whose hunting grounds, situated to the South of the Ottawa at the top of the Rideau, are almost all ruined by the incursions that were made and the numerous settlements that now run along them [emphasis added].

That the petitioner finds himself in a state of [illegible word] and outside a condition to make a living for his family and those of two of his sons who [illegible word] died, [Okymanisande?] and [Walpssinnien?], and who have left him young children, and who, in his old age, he has neither the forces/power nor the means to get out from so deplorable a situation;

That the suppliant, with these two sons and his two other sons, [illegible names], had constantly served during the last war with the United States of America, and who, by his active service and his right to the Indian [fund?], he believes to have contributed [illegible adverb] in the defence of his county.

This is why he hopes that, in his misery, the [illegible words] always showed in the [service?] of the King will be the titles to the [illegible words: generosity of ?] and that His Excellency would very much like to [illegible word] on the petitioner the royal [illegible word], by [illegible word] him some [illegible word] to help him to give subsistence to his numerous family who, along with him, will never cease to address the [angels?] of the Heavens to [illegible word] their common Father, the King of Great Britain, and [illegible word] a worthy representative of the same.

[Translation from French]

[Document No. 163]

141. Lt. Col. Mackay made the following Report of the Proceedings of a Grand Council held at the Village of Caughnawaga on July 5, 1830:

Present

Lieut.Col. Mackay, Supt. Indn. Departmt	Major Baird, H.M. 66th Regimt
Captn de Lorimer, Resident, _ do	Captn Kingsmill do_do
Captn Ducharme, Intepreter, _ do	Captn Daniell do_do
Revd. I. Marcoux, Missionary, _ do	Captn Johnston do_do
Revd. I Valle, do_do	Lieutenant Ditmas do_do
Mr. McCullough, late, Clerk in _do	Lieut. _ Armstong do_do
Major C. Johnston, H_P_	Ensign Johnston do_do
Lieut. MacDonald, H_P_	as also the Principal Chiefs of
the Iroquois, Nippissingue, Algonquin & Abenagois, Tribe or Six Nation Indians	

The Council having met and the usual forms gone through, Lieut. Colonel Mackay explained to the different Tribes (through the medium of their interpreter) the purpose for which they were assembled, namely-
1st To investigate the claim of the Abenagois Indians of St. Francis to an equal right with the Algonquins of Three Rivers to hunt upon the North Bank of the River St. Lawrence, and next, the claim of certain Indians to be considered the Principal Chiefs of the British Iroquois Indians of St. Regis.

The following Chiefs then addressed the Council relative to the first claim.

Simon Obomsawine, Abenagois Chief of St. Francis

Father, I most positively deny that the Algonquins have any exclusive right to hunt on the North side of the St. Lawrence, and assert that the Abenagois have

an equal right to hunt on the unconceded Lands on the North Bank of the River St. Lawrence, as the Algonquins. I never heard 'till lately that the Algonquins pretended to exclude the Abenquois or any other Tribe from the right of hunting on the North side of the St. Lawrence and consider it free & open to all the different Tribes. I have often seen the Algonquins hunting on the South side of the river St. Lawrence, and if any of them meet me there again, I will be very happy to share such fare as I may happen to have with them. I never heard of any particular Tract or District being allotted to One Tribe of Indians, to the exclusion of any other always considering the right of Hunting common to all Indians as granted to them by the late Sir William Johnson's Proclamation in 1763.

We, the Abenquois, wish to be on the most friendly footing with the Algonquins.

Constant Penney,⁴⁶ an Algonquin Chief thus Replied
Father, I have always understood that We (the Algonquins) had the exclusive right to hunt on the North Bank of the River St. Lawrence, the South side being allotted to the Abenquois, to whom also Government was pleased to grant the Seignior of St. Francis. They have Leased out the greater part of their Wild Lands, from which they derive a good living, and now, they wish to Hunt and destroy the Wild Animals on our Grounds, which, if persisted in, must bring us to starvation, as they are the only means of support we have for ourselves and our Families. We therefore Pray that His Excellency the Governor in Chief may be graciously pleased to maintain them in the sole & exclusive right of hunting on the unconceded Lands on the North Bank of the St. Lawrence which we consider was always our right and boundary or if not that we be placed on a footing with the Other Tribes, who have seigniories for their support.

The above named Chiefs having finished Lieut. Colonel Mackay called upon the Chiefs in Council to decide the right in question (After a good deal of conversation amongst the chiefs & Interpreters it was finally decided by a majority of the former that the right of hunting on the north side of the River St. Lawrence should be free, and open to the Abenquois and the other Indian Tribes, But at the same time, they most respectfully and earnestly request that their Great Father, the Governor in Chief, would be pleased to grant a certain portion of Lands to the Algonquins from which they would derive means of support for themselves and their children and thus placed them in a permanent situation, similar to their Brethren.)

...

At the request of the Principal Chiefs of the Lake of Two Mountains, Lt. Colonel Mackay then presented a medal to Francois Papineau, a Nipissingue Chief, when the Council broke up at 1/2 past 3 O'Clock.

[Document No. 172]

142. On July 31, 1830, Lt. Colonel Couper, the Military Secretary at Quebec in charge of Indian Affairs, wrote to Lt. Duchesnay, the Superintendent of the Indian Department at Montreal in relation to the Algonquin and Nipissing claim to the Ottawa River Islands:

With respect to the Claim of the Algonquins and Nipissingues of the Lake of the Two Mountains, to the Islands in the Ottawa, from Chatham to the Portage des Chats, which they allege to have been given to them by Lord Dorchester in the Year 1777, I have it in Command to request you will Acquaint these Indians, that no record of any such donation is to be found in the Office of the Indian Department, nor in any other Public Office in Ottawa. -

[Document No. 175]

⁴⁶ An important Algonquin Chief whose hunting grounds were on the south side of the Ottawa River near the Rideau.

143. In 1830 HBC trader John McLean reported that the Iroquois use of the Ottawa River area caused conflict between the two tribal groups:

In the course of the year, the Iroquois and Algonquin were nearly coming to blows on account of the hunting-grounds. This quarrel originated from a speech which Colonel McKay, then at the head of the Indian department, had addressed to the Iroquois, in which, making use of the metaphorical language of the people, he observed that Indians of all tribes ought to live together in the utmost concord and amity, seeing they inhabited the same villages, 'and ate out of the same dish.' This the Iroquois interpreted in a way more suitable to their own wishes than consistent with its real meaning. 'Our father,' said they, 'tells us we eat out of the same dish with the Algonquins; -- he means that we have an equal right to the hunting grounds.' They proceeded, accordingly, to avail themselves of the supposed privilege. The consequence was a very violent quarrel, in which Government was ultimately obliged to interfere.

[Document No. SS-69, p. 98]

144. In May of 1831 the Mississaugas of Rice Lake again complained of Indians from Lake of Two Mountains trespassing on their lands. Again, neither the location of the trespass nor a description of their lands was specified in the complaint. [See Document No. 181.] Colonel MacKay instructed Interpreter Ducharme to investigate the allegations at Lake of Two Mountains. [See Document No. 182.]
145. In a petition dated July 17, 1832, to Lord Aylmer, Governor of Lower Canada, the Algonquin and Nipissing Indians of the Lake of Two Mountains renewed their claim to the Islands in the Ottawa River from le bas des Ecore to Lake Nipissing. [See Document No. 183.]
146. In July of 1833 the Algonquin and Nipissing Indians at Lake of the Two Mountains addressed the following petition to Lord Aylmer, the Governor of Lower Canada. Note their reference to being prevented from using the islands in the Ottawa River and their repeated request for secure title to the lands along the Ottawa and its tributaries:

The chiefs and officers of the Algonquin and Nipissing nations greet you, my father, and venture to set forth humbly their misfortunes; they are worthy of pity. They already submitted several moons ago in a petition - that they are without land to provide for the subsistence of their families. You told them: "My children, wait, I will convey your words to our common father, beyond the great Lake, who will consider them, and will command me to grant you what you are asking from me". What have you done for us, my father, since then? Nothing, at least to our knowledge, to grant what we asked you for then, except to tell us to go and hunt or live on the islands in the Ottawa. We went there and we found these islands occupied by other people with better title according to what they told us, and who chased us away saying: "Leave, you have no right here, we forbid you to hunt and fish. If your father had granted you some rights, he would have granted them to you in writing" [emphasis added]. And so, my father, these same persons, who were not afraid to scorn your word, feared even less chasing us off the land given to us by Lord Dorchester, which was little enough compensation compared to what we were entitled to expect from our good king.

My father, you want your children to love you, to be loyal to you, to follow you and to help you when you need help. Have they not done this? Look back and read the history of the last war. Who went first to the border and faced the enemy? Was it we, your children, or those to whom you have shown most favour? It was we the Algonquins and Nipissings who defended this land that we are asking you for today, that over which you govern. Other nations have done practically nothing, some were traitors to our father and they have been generously rewarded with lands. But for us, what have you done? Promises only. Perhaps, my father, some evil birds have advised you to do otherwise, have told you to grant nothing to the Algonquins and Nipissings. Alas, my father, know your children better, remember that an evil cloud has never

darkened their ever-grateful hearts and observe that an Algonquin or Nipissing father gives up his portion to share it among his children, he carries them in his heart, their misfortunes becomes his own; in this way, he gains the affection of his children, they are loyal to him, they share with him their troubles, their sufferings and their joys; and you, my father, you see your children dying of hunger, without an inch of land back to which they can lead their hunger-weakened livestock. Rejected everywhere, you forget them, you ignore them in the midst of plenty, you forget the distress of your children, you forget that the bodies of some of their ancestors, or rather their ashes, still attest to these exploits which were ever the mark of Braves and Warriors.

Despite your neglect, your children still love you and cherish you; grant them, therefore, what they ask, land along the Ottawa or on the rivers that flow into it, that this land may belong to us, that we may be free there, we and our children forever, to hunt and fish there without anyone preventing us from doing so [emphasis added]. We earnestly ask you this, so that we will be assured of a place where the bodies of our descendants may rest in peace, and be assured that we will not find ourselves in the dire situation where one day we are told [by our descendants] ... Beloved shades, precious bones of our dear ones, they are sending you and us far away from here; rise up and come and live with us in a strange land. Alas, my father, remember that some of this land you are living on today and over which you govern today once belonged to us; do not refuse us at least a little bit of it on which we may rest in the shade of your paternal goodness and your kindnesses.

By granting us this favour, or at least a reply to our request, you will find us at all times loyal children who will cherish you and pray that the precious days of their father may be preserved.

The following petitioners put their marks by their names, and these marks were certified by Ducharme, the Department interpreter:

Chefs Algonquins
Pierre Louis Penency
Ignas Meiachkowateh
Jappatist Kigons
Benjamin Osawakik
Antoine Ca_inawatik
Joseph K_pat

Chefs Nepisaingue
Fill PaPino
J. Bt. Kigikomanitou
J. Bte. Makwa
Simon KioekGat
Ignace Chawinabais
Bi_Wapichip
Louis Achaki
Francois Otjik
Michel Besinoawatch
Matois Chabakatch

[Translated from French]

[Document No. 187]

147. Several months later, on December 5, 1833, a number of Indian matters were put forward for consideration by Lord Aylmer, the Governor of Lower Canada. Included in the package was the following:

...
5. Petition from the Grand Chiefs of the Indian Tribes of the Lake of the Two Mountains, dated 28th November 1833:

Represents the distress amongst their respective Tribes, occasioned by the sudden reduction of their Annual Presents, for the Consideration of their Father:- The Petitioners, also, Submit their Claim to be reimbursed by an Annual Rent, or Annuity, for the Lands taken from them by Government, and that the possession of their present Hunting Grounds may be Secured to them Under the terms of His Late Majesty's Proclamation of October 1763 In order to explain the Nature and extent of the Land Claims of the Petitioners, Sir John Johnson's detailed Report, and Sundry Papers on the Subject, are respectfully Submitted to Your Excellency herewith.-

[Document No. 188]

A copy of the petition dated November 28, 1833 could not be located.

148. Shortly thereafter, on February 15, 1834, Superintendent James Hughes advised Napier that two Chiefs had identified the lands which they wanted:

Old Constant Pinaisieu was here a few days ago with another Nipissingue Chief they brought with them a map, made a few years past, by Kissinsique & old Amable Chevalier (now both dead) wherein you see at one view the tract of Country from Lake 2 Mountains to Lac Nipissingue - The hunting grounds & lands allotted to them of old, begins about the Long Sault upwards as far as Lac Nipissingue - These lands on the borders of the Ottawa are now almost all settled - They however have marked out a lot above the Grand Calumet Portage - some distance above the last Settlements [emphasis added]. They would wish to have a Township or Seignorie, given to them there, before these lands are granted - Let me know if you please how these poor fellows (The Nipissingues & Algonquins) are to act to get possession of this tract - do you think It would be best to Petition their Father for it, & at same time send down this map to shew where they want this land - It is on the south side - there is an Island before it which they would also like to have, to make hay thereon & place their Cattle in summer - They say they have no encouragement to work on pieces of land that are in a manner only lent to them whereas were they like the rest of the Indians - Masters of a certain tract - that they could call their own, they would be happy & Industrious and moreover, above, they could have it in their power to make better hunts - find more deer & catch plenty of fish.-

[Document No. 190]

149. On February 16, 1834, Captain Ducharme, Interpreter at Lake of Two Mountains wrote to James Hughes, Superintendent of the Indian Department, stating that Makwa, a chief associated with Lake of Two Mountains, complained of encroachments on his hunting ground:

I have just received a letter from Makwa, one the Chiefs of the village, who complained strongly of Mr. Charles Thomas, who hunts despite [illegible word] on his hunting grounds, he made a bundle, which he sold to the [?: chaudière].

Such that you have the goodness of writing to him or of shifting the complaint against him. I think that it would suffice for you to write him a letter that if he continues to hunt, you will take it to the government.

... [signature etc.]

[Translation from French]

[Document No. 191]

150. A week later, on February 24, 1834, Hughes brought the complaint of encroachment to Napier's attention. Makwa's land was on the Bonnechere River, a tributary flowing into the Ottawa River from the southwest:

However averse I may be to trouble His Excellency the Commander of The Forces with continual complaints from the Indians of this District - Still when I see the miserable State they are reduced to, I am in duty bound to represent their grievances and the unjust treatment they are daily receiving at the hands of Intruders - Herewith I have the honor to transmit a letter which I received a few days ago from Mr. Dominique Ducharme an Interpreter of the Indian Dept. stationed at the Lake of the two Mountains - It appears by this, /as I also have been informed from another quarter; that one Macwa a respectable and good Nipissingue Chief complains much of one Charles Thomas, (formerly a Clerk in the Employ of the Hon'ble Hudson's Bay Coy. but now turned a free hunter) who has a family of four or five Stout Sons; has taken possession of part of his hunting ground (as per Margin) and destroyed a quantity of furs such as Beaver, Muskrats & Otters, they having in their possession no less than about Sixty Steel traps: - This Poor Indian/Macwa has several times given notice to Charles Thomas to retire and quit his land or hunting grounds and not rob him of his property as he does, That the lands were his, and all that he had to depend upon for a livelihood and to cloath his family, were the furs and Peltries he was in a manner nursing on those lands - But all this had no effect

on the said Charles Thomas who still persists in hunting and more over says he means to Squat down there and take to himself a Farm - Macwa as well as others of his Tribe - Beg and Pray of me to represent this act of Injustice to their Father at Quebec - and hope that he may take Pity on his poor red Children - and give such orders and commands that the said Chs. Thomas and family may be made to quit these lands - and that their Good Father will also Prohibit all White Hunters and other Interlopers, from trespassing on their hunting Grounds in any manner whatever - And that His red Children the Algonquins and Nipissingues will as in duty Bound ever pray for their Good Father.

The marginalia Hughes referred to reads as follows:

Macwa's hunting grounds are situated on the banks of a small river, called Rivierre au bonne chaire in the back parts of Petite Nation (Papineau's Seigneurie)⁴⁷ on the North side of the Ottawa river about 75 miles distant from the Lake of the two mountains. In the division of the Indian hunting grounds many years past, this tract fell to the share of said Macwa's family. [emphasis added]

[Document No. 192]

151. On March 31, 1834, Napier drew the matter to the attention of Lord Aylmer, the Governor of Lower Canada:

1. Letter from the Superintendent of Indians at Montreal, dated 24th of February 1834, States that the Chief Macwa of the Nipissingue Tribe at the Lake of the Two Mountains, complains, that an Unwarrantable trespass has been committed upon his Hunting Grounds on the Ottawa River, by an Individual of the Name of Charles Thomas, who has plundered and taken possession of a portion of those Grounds, and continues to occupy the same in defiance of the Notices and warnings of the Complainant: That the Chief has requested him to represent this Act of injustice to his Good Father at Quebec, and to pray that measures may be Adopted for his relief. -

In Submitting this complaint to Your Excellency, I deem it my duty to observe, that in the Month of May 1829, the Chiefs of the Algonquin and Nipissingue Tribes at the Lake of the Two Mountains preferred a Similar Application to His Excellency Sir James Kempt, - relative to various trespasses and depredations which had been committed by white Intruders upon their Hunting Grounds near the Ottawa River, upon which Occasion I was directed to intimate to those Tribes, that His Majesty's Solicitor General, or the Senior Crown Law Officer at Montreal, would be directed to prosecute on the part of the King, any Person who might illegally Settle, or Commit any Cognizable trespass or depredation on their Grounds; But as the Indians were unable, at that time, to Establish any particular Case with Competent proof, nothing further was done in the Matter.

[Document No. 193]

152. Subsequently, on April 7, 1834, it was noted by the Indian Department that the precise location of Macwa's land had been erroneously described in previous correspondence:

I beg leave to state for the information of His Excellency the Commander of the Forces, that having perused the letters addressed to you by the Superintendent of the Indian Department And requested of that Gentleman further instructions in order to enable me to yield immediate obedience to His Lordship's directions, he mentioned to me that since his letters to you, he has discovered that he had been Misinformed, as to the Situation of Macwa's hunting ground. It now seems that this ground is situated on the South Side instead of the North Side of the Ottawa River. And of course within the limits of Upper Canada. [emphasis added]

[Document No. 194]

⁴⁷ Papineau's seigneurie was located in what is now Papineau County, drained by The Petit Nation. This Seigneurie was originally granted to François de Laval in 1672. See, however, correction as to this location [quoted below, Document No. 194 dated 1834/04/07]. Makwa's land was in fact on the south side of the Ottawa River on the Bonnechere River.

Since the land was outside the boundaries of Lower Canada, Aylmer had no authority to deal with the situation. No record has been found that indicates that the matter was later drawn to the attention of the authorities in Upper Canada.

153. The following year, on June 6, 1835, the "Chiefs and Warriors of the Algonquin and Nipissingue Indians" addressed another petition to Sir John Colborne, the Lieutenant Governor of Upper Canada. Again they described their hunting grounds and cited protection under the Royal Proclamation. They drew particular attention to the alienation of their lands on the Upper Canada side of the river:

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 Neppissing 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 Lake Nipissing from those of the Little River, together with the Countries watered by the several tributary Streams of the River Ottawa and Little Rivers running North and South from their sources; the above tract of land is bounded to the Southward by a ridge of land separating the waters which fall into the Lakes and into the River St. Lawrence from those falling to the Northward and into the River Ottawa [emphasis added]; the distance from the Township of Hawksbury (Pointe d'Orignal) to Lake Nippisingue by canoe navigation is computed at 117 Leagues, 100 of which comprise the River Ottawa to the junction of the Little River with the River Matawangué, the actual settlement at present by the Whites, extending from the said township of Hawkesbury to the last Settlement, inclusive.-

That Our Great Father, George III of glorious Memory, by His Royal Proclamation given at the Court of St. James the 17th day of October 1763, promulgated to us, your Red Children, and other Indian Tribes of North America by the Honourable Sir William Johnson Bart. Our great Father's Superintendent of Indian Affairs in a Proclamation dated at Johnson Hall on the 24th day of December 1763, did expressly declare and provide "That the Lands claimed by the Indians as their Hunting Grounds are reserved to them for that purpose, and that they shall not under any pretence whatever be molested or disturbed in the possession thereof unless they should be inclined to dispose of the same" - in which case it is further declared and provided "That the same shall be purchased for our Great Father in His Royal Name at some Public Meeting or Assembly to be held for that purpose by the Governor or Commander in Chief".-

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 Your Excellency's predecessors, of the Territory so immemorially held, used, occupied, possessed and enjoyed by us, your Red Children as Hunting Grounds, without regard to and notwithstanding the provisions of the above Royal Proclamation of Our Great Father, no purchase or compensation for the Lands so taken and dismembered from our Hunting Grounds ever having been made of or to us or any of our Tribes, Nations or Kindred, although in all similar instances where Lands claimed by contemporary Tribes in Upper Canada have been required by Our Great Father the same have uniformly been purchased at a stipulated price or for some certain compensation in obedience to the above Royal Proclamation of Our Great Father.-

That may it please Your Excellency Our Father, We the Algonquin and Nipissingue Indians do not possess any Lands yielding to us any Revenue and hence are solely dependent upon the Chase on our Hunting Grounds for support and maintenance, and although your Red Children have not failed to view the progressive settlement by the whites of Our Hunting Grounds from the Township of Hawkesbury to the last Settlement inclusive, as a forgetfulness of the above Royal Proclamation of Our Great Father, we have nevertheless abstained hitherto from preferring any representation on the subject to the Government whereof Your Excellency Our Father is now at the head, but observing that the present rapidly increasing settlement of the Upper Province and of that part thereof comprehending the Hunting Grounds of your Red Children lying on the South side of the River Ottawa, and that the indiscriminate

and wanton destruction by the Whites or new Settlers, of the Beaver and other animals from which the most valuable Furs are derived will ere long annihilate our Chase and deprive us of the sole means which have hitherto been the support of our Tribes from long and immemorial custom, we are irresistibly compelled to supplicate the aid and protection of Your Excellency Our Father, touching our humble claim to reasonable indemnification for the Lands on the South side of the River Ottawa thus dismembered from our Hunting Grounds without purchase or compensation of our Great Father, the King -

That may it please Your Excellency our Father we your Red Children of the Tribes of the Algonquins and Nipissingue Indians do not presume or venture to entertain the belief that the Lands already dismembered from our Hunting Grounds and converted or erected into Townships for Settlement by the Government over which Your Excellency Our Father now presides, will be restored to us, but we do believe that a fair and reasonable compensation for the Lands lying on the South side of the River Ottawa, so dismembered from Our Hunting Grounds, will be allowed and conceded unto us in obedience to the above Royal Proclamation of Our Great Father - and we do humbly and confidently appeal to Your Excellency our Father to ratify and confirm to us your Red Children, the use, occupation and possession of the Hunting Grounds on the [N]orth side of the River Ottawa which yet are reserved to us, and that in case we, your Red Children, or our descendants may at any time hereafter be inclined to dispose of the said Lands, that the same be purchased for Our Great Father in His Royal Name at some public meeting or Assembly of the Indians be held for that purpose - And moreover we humbly pray that Your Excellency Our Father will be pleased to command by Proclamation or otherwise that all Intruders or Squatters do forthwith depart from, and leave undisturbed and unmolested the Hunting Grounds yet reserved to and possessed by your Red Children, the whole in obedience to the above Royal Proclamation of Our Great Father -

We do by this our Memorial humbly submit to Your Excellency Our Father the foregoing representation of the Grievances and deprivations which we your Red Children have endured and are likely to endure from the gradual dismemberment of our Hunting Grounds, possessed by us immemorially and reserved and confirmed to us by the above Royal Proclamation of our Great Father of glorious memory, and while we humbly recall to Your Excellency Our Father's recollection that our Tribes have respectively been distinguished for Fidelity, Bravery and general good conduct and attachment to the Royal Cause of Our Great Father particularly during the American Rebellion, we do yet wholly repose on the wisdom of Your Excellency Our Father, to whom we humbly pray for the redress of our grievances and deprivations, and for the dispensation of Justice and Equity touching the same-

And as in duty bound, we your Red Children will ever pray -

Nippissingues

Francois Ka-on-timKetch
J.Bte Keijic-o-mani-too
Ignace Chu-wu-na-bais
Ta-nus-kon
F. Ojick
Pe-ku-ku-si-kith
Tchun-gi
Wabee-sayr
S. Takwa-nin
etc.etc.etc.

Algonquins

Ign-Mui-Yu-Wus-Ku-Watch
Kisonce
Ant-pa-ki-nu-wu-tick
F.Mic.Co.Bu buis
Ku-pu-ni-cking
Oja-wi-kick
etc.etc.etc.

[Documents No. 195]

154. By the direction of Sir John Colborne, the above petition was transmitted by Col. J. Givens, Chief Superintendent, to Lt. Col. Napier to present to the Governor in Chief. In his covering letter dated August 11, 1835, Givens reiterated Colborne's previously stated views:

...
His Excellency requests that you will have the goodness to cause it to be stated to these Tribes that He will endeavor to prevent the lumbermen and Squatters

from molesting them on their hunting grounds to the Northward of the River Mataquangue, and between that River and Lake Nippising: and, that, as they have expressed a desire to settle on a tract of Land near les Calumettes, His Excellency will not fail to assist them in occupying it, should they decide on removing to that part of the Ottawa; but, that, in regard to their claims generally, their Memorial has been forwarded through the Indian Department for the Consideration of the Governor in Chief.

[Document No. 196]

155. There was a cholera epidemic at Lake of Two Mountains in 1835 which decimated the village. Many people either died or moved away. [See Document No. SS-26, p. 787.]

156. An 1836 petition from the Algonquin and Nipissing Indians of Lake of Two Mountains to Major General Sir John Colborne, Lt. Governor of Upper Canada, requested proper deeds and an interpreter to help them to take possession of Allumette Island, and lands on the south shore opposite that island which, they declared, they had been told belonged to them. The petition read as follows:

The humble petition of the Algonquins and Nipissings of Lake of Two Mountains

humbly representing to your Excellency [illegible words: July August in?] 1835 who, having found his excellency Sir John Colbourn [sic] had obtained some lands named the Alumith [sic] Island [inserted:] the lands near Bytown up to Alumette Island [l'isle des Alumette] approximately 126 [illegible word] with another lot of lands opposite the island and which His Excellency the Govr. [inserted:] Sir J. Colburn [sic] of Upper Canada had accorded them, in the year 1835, we had been in Toronto Algonquin and Nipissing Chief[s] and he told us my children I will give you what you have asked of me when in the year 1836 we had returned and have told them that the Mississaugas had sold this piece of land to the government which had been accorded to them to the Algonquins and Nipissings but that he had thought they had been [compensated? (dédominisé)] recognizing that this land had belonged to them, this is why your humble petitioners [illegible] in hopes that your paternal goodness would wish to compensate them for Alumette island they were told that it belonged to them and to take possession of it but that they hope by your Excellency that they be accorded title, with an interpreter, to take possession saying that they are the only ones who have no lands of their own even though their ancestors and themselves had spilled their blood in the defence of country and of their lands. This is why your humble petitioners in the hope that your paternal arms would give to them and who will never cease [illegible crossed out words] to pray for your consideration,

your petitioners very humbly beg you what has been sold by the Mississaugas above-mentioned to pray that His Excellency of Upper Canada interest himself in this for them, to give them the country that he accorded to the Mississaugas, and your petitioners have made several petitions for these same demands they never received any decisive answers.

your petition[ers] represent that the islands of the Ottawa [autawa] River had been given to them by Colonel Cambell [sic] [inserted:] under Lord Dorchester's government, in one thousand seven hundred and seventy five for the good services rendered by them to the government but that several whites had seized these said islands and wanted to give no recompense and that they pray to your Excellency to repeat well [in good will] the grant that was given to them.

July 1835 - Sir J. Colbourn [sic] accorded to them Allumettes Island with the [attached?] lands on the southern shore of the Ottawa River of a length of the said island and of a depth of 3 leagues.

1836 - they have found the Algonquin and Nipissing Chiefs that the said island and lands had been purchased by the Government from the Mississaugas and that the government had given a certain [pay?] for the possession of the said

lands to the Mississaugas which should have belonged to the Algonquins and Nipissings - and asked to be compensated for the said injustices -

As for Alumettes Island - they ask for deeds [illegible word]

The Islands of the Ottawa which belong to them are now in the possession of Whites - they ask [to be] recompensed - or be given possession of the deeds [illegible word]

[signatures and names of Algonquin and Nipissing Chiefs]

[Translation from French]

[Document No. 197]

157. On January 19, 1836, Superintendent James Hughes, advised Napier that the Algonquins and Nipissings had met with Colborne in Toronto and, on the basis of discussions there, they had decided to leave Lake of the Two Mountains and settle at Grand Calumet Portage:

... I have here to observe that while making the Issues of His Majesty's Annual Bounty at the Lake of the Two Mountains on the 10th Dec. 1835 - Two or three old Indians of the Algonquin and Nipissingue Tribe as well as Captn. Ducharme, Interpreter at that Station - Informed me that the whole of the Chiefs and principal Warriors of those Nations, Being Obligated to leave the village, in search of a livelihood from the Chase, and it being more than probable that they could not meet me at the said Annual Issue Assembled in Council before their Departures, and left a Parole for me with the above mentioned Individuals Requesting of me to make known to their Father Sir John Colborne Lieutenant Governor of Upper Canada (through you) that it was the determination of the Algonquin and Nipissingue Tribes in General - To leave the village of the Lake of the Two Mountains and to go & settle on the tract of land above the Grand Calumet Portage, which His Excellency their Father Sir John Colborne, was pleased to say to them, in the course of last Summer, at a Council held at Toronto, that he would not fail to assist them in Occupying - And they also pray of their Father at Quebec The Governor in Chief - to take the distressed state of his red Children the Algonquins & Nipissingues into Consideration - and to do all in his power with the Lieutenant Governor of Upper Canada - to recommend them (the Algonquins & Nipissingues) for a like remuneration, as their red Brethren of Upper Canada have received - for such lands or hunting grounds as they have been deprived of by that Government -

[Document No. 198]

158. One week later, on January 28, 1836, Napier wrote to Givens, Chief Superintendent Indian Department of Upper Canada, supporting the Indians' petition which he enclosed:

Referring to Your Letter of the 11th August 1835, and to My Communication of the 3 September following, I have the honor to transmit to You, for the favorable Consideration of His Excellency the Lieutenant Governor of Upper Canada, the enclosed Copy of a Communication from the Superintendent of the Indian Department at Montreal, Stating, that the Indians of the Algonquin and Nipissingue Tribes, at the Lake of the Two Mountains, have decided on removing to the Tract of Land, near the Grand Calumet Portage, on the Ottawa River, alluded to in Your Letter above mentioned.

Adverting to the Petition from these Tribes, (which I beg leave to return to You enclosed) I consider it my duty to observe, that it is expressly provided by His Majesty's Proclamation, Dated St. James's 7th October 1763, that, the Indians shall not under any pretence whatever, be deprived of the Lands claimed by them - Unless they should be inclined to dispose of them, in which case, they are to be purchased for the Crown, only, and, at Some Public Meeting to be held for that purpose: - Notwithstanding which, extension Grants have been made of the Territory claimed by the Algonquin and Nipissingue Indians within the Province of Upper Canada, 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 Algonquin and Nipissing Tribes have always been distinguished for their Steady, Undeviating Loyalty and general good Conduct, and their brilliant Services, as Auxiliaries to the King's Troops, during the last war with the United States, in almost every Action and Out Post Affair, between the British and American Forces, upon the Frontiers of both Lower and Upper Canada, Stand recorded in the General Orders of the Army in this Command.

An Authentic Copy of the Royal Proclamation of 1763, Certified by the Late Sir John Johnson, is lodged in this Office, and should His Excellency be desirous of referring to that Document, I shall have much pleasure in transmitting it to you, in support of the Claims of Algonquin and Nipissing Tribes.

[Document No. 199]

159. An extract from a letter dated April 28, 1836, by the Commissariat at Quebec, reads as follows:

...
On the Lake of the Two Mountains situated on the River Ottawa, about Thirty-five Miles above Montreal, there are three Tribes, a Branch of the Iroquois about 280, the Algonquins about 304, and the Nipissings about 260, numbering together about 840 Individuals, the Majority of whom are Women and Children.

These are the most necessitous Tribes. They have about 260 Acres under Cultivation in small Patches, but the Quality of the Land is bad, and held from the Priests of St. Sulpice. Their village is respectable, with a handsome Church.

A great Part of these Tribes are employed in hunting, and go as far as Lakes Nipissing and Superior, disposing of their Fur to an Agent of the Hudson's Bay Company resident in their Village, and who supplies them in advance with the Necessaries for their Excursions, which are for the Most Part undertaken during the Winter Season. During the Summer I understand that they pay a good deal of Attention to the Cultivation of their Lands. Some of these Indians, chiefly of the Iroquois Tribe, are employed as Pilots and Raftsmen to the Rafts which come down the Ottawa, through the Rideau Canal, and by the Falls of the Chaudiere.

...

[Document No. 202]

160. On the 2nd of August, 1836, Napier wrote to Givens informing him that representatives of the Algonquins and Nipissings were about to travel to Toronto to indicate to Givens the land they had chosen for settlement on the south side of the Ottawa River:

In reference to the Concluding paragraph in your Letter of the 26th February 1836, I beg leave to acquaint You, that the Indians named in the Margin have been appointed by the principal Chiefs of the Algonquin and Nipissing Tribes, to proceed to Toronto, for the purpose of explaining to you, the exact situation of that portion of their Hunting Grounds on the South Side of the River Ottawa, which they have selected for the settlement of their Tribes, and with a view of obtaining, through your protection, some assistance from Government in Settling thereon.-

Those named in the margin were:

Nipissing Tribe: François Papino, Grand Chief and Kabawst, Warrior.
Algonquin Tribe: Jean Bapt^{te} Kikonsi and Ignace Magowaskaw, Grand Chiefs.

[Document No. 203]

161. Further light is thrown on the Indians' decision to move in a November 1836 report describing the conditions in the village which the Algonquins and Nipissings proposed to leave. "Answers to Certain queries relative to the Indians of the Village of the Lake of Two Mountains", was prepared by Supt. James Hughes. Hughes' report described the hunting grounds and condition of the Algonquins and Nipissings in detail:

...
2nd Query Means of subsistence of the Indians, independent of the presents -

Answer -

... The Algonquins and Nipissings' only means of Subsistence are derived from the Chace [sic], These two Tribes are a wandering sett, never remaining at their village more than two months in the year (with the exception of a few old men, women & Invalids). They generally leave their Village in the month of August & repair to their hunting grounds - They move about from place to place during the whole winter, in search of furs and game to support their families - In the month of June the ensuing year they return to their Village, for the purpose of performing their religious duties, to receive their proportion of His Majesty's Annual bounty to them, and to pay the Traders who are stationed there, with their furs & peltries for such articles of Cloathing & food (pork, beef & flour) which they may have taken on credit during the time they remained at the Village the Summer previous - Formerly these two Tribes were rich and Independent - Their hunting grounds were extensive, abounded in furs and Peltries & were overstocked with Deer - The hunting grounds granted to these two Tribes about the year 1763 (by a certain Proclamation) and which they had enjoyed long before the Conquest - embraced all the Countries from Pointe D'Original (a little above long Sault)⁴⁸ on both sides of the river Ottawa - to Lake Nipissingue, comprehending all rivers and Creeks to their sources - flowing into said river Ottawa - - By far the greater part of these hunting grounds have been taken by Government laid out into Townships & conceded to Individuals Without any remuneration whatever having been made to the poor Indians for the same - Altho' the Indians of upper Canada receive an annual remuneration (over and above their presents) for all such parts of their hunting grounds as they may have been deprived of by Government, by purchase or otherwise - The Nipissings and Algonquins from once being in affluence are now reduced to a state of Indigence - The Settlers, and more especially the lumber men have entirely ruined their hunting grounds - Their furs & peltries from the constant fires in the woods are destroyed, The Deer are driven away - The Indians are naked & half starved - Their only dependence for to cover their nakedness is, from His Majestys annual presents to them -

6th Query -

Number of unsettled Indians as above, receiving presents -
What Tribes -

Whence coming.

Answer

The whole of the Tribes of this Village are as I have already said mostly unsettled, never remaining at their village one fourth part of the year and never while in the Forest more than a few days in the same Encampment, excepting when they have the luck of falling into a good Deer Country or on a good fish Lake - and that they Kill a sufficiency to enable them to lay up a stock of Provisions - No other Tribes of Indians (unsettled) visit this Village, except a few now and then from the Upper Province, who remain but a few days - But never receive presents.

[Document No. 205]

162. On February 8, 1837, "The Chiefs and Warriors of the Algonquin and Nipissingue Indians" addressed still another petition to Lord Gosford, the Governor of Lower Canada. The text of this petition was similar to the one they had presented in June

⁴⁸ Point d'Original is just upstream from present day Hawkesbury; Long Sault is just downstream.

1835 to Sir John Colborne, the Lieutenant Governor of Upper Canada, and which had been decided on by Sir Francis Bond Head. This time, however, their description of that portion of their traditional hunting grounds on the north side of the Ottawa River and the reference to the encroachment of white settlers on that side was directed at the Governor of the province in whose jurisdiction these lands lay. In addition, in consequence of the growing settlement since 1835, they now asked for "reasonable indemnification" for these lands on the north shore:

...
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 together with the countries watered by the several tributary streams of the River Ottawa and little Rivers running North and South from their sources, the distance from the Township of Grenville to Lake Nipissingue 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 Matawangué, 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.

...

we are irresistably compelled to supplicate the aid and protection of Your Excellency our Father backing our humble claim to reasonable indemnification for the lands on the North side of the River Ottawa dismembered from our Hunting Grounds without purchase or compensation notwithstanding the above Royal Proclamation ...

The signatures appearing on the petition to the Governor of Lower Canada:

Nipissingues
Fill Papino
Simo Kiweksa
Chapatis Kilkikomanito
Mias Chaweanapa
Chapatis Weapichip
Newi Tchaki
Pana Surve Otchik
Tominik Patse

Algonquins
Ignace Meiwagchkawatch
J. Baptiste Kikonse
Simon Chawanasiketch
Francois Migwanabai
Antoine Pakinawatik
Benjamin Osawakik
Joseph Stokwa

[Document No. 208]

163. In a report dated May 15, 1837, Captain Charles Anderson, Rice Lake, stated that the Chippewa [Mississauga] Indians settled at Alnwick, Rice Lake and Mud Lake hunted up to the Ottawa River:

Query 1st.-- The Number of Tribes and of Indians resident within this Province?

Answer.-- There are Three Tribes of Indians of the Chippewa Nation in the Newcastle District;⁴⁹ their Numbers about 500.

Query 2d.-- The Pursuits of each Tribe, with the Number of fixed Locations occupied by the Indians?

⁴⁹ The District of Newcastle includes the present counties of Northumberland, Durham, Peterborough, Victoria, Haliburton, the western half of Algonquin Park and eastern halves of Muskoka and Parry Sound. The eastern boundary of Newcastle district intersected the Ottawa River at Mattawa; the western boundary ended on the southshore of Lake Nipissing. The northeast quarter (approx.) of Newcastle District was within the Ottawa River watershed. The Chippewa (Mississauga) settlements of Rice Lake, Mud Lake and Alnwick are located along the Trent System in the southern portion of the district.

Answer.-- The Pursuits of the Indians in the Newcastle District since they embraced Christianity are principally agricultural. There are Three fixed Locations; viz. Alnwick, Rice Lake, and Mud Lake Indian Settlements.

Query 3d.-- The Situation of the Locations of the settled Parties or of Hunting Grounds occupied by the other Indians?

Answer.-- The Alnwick Indian Settlement is situate on the South Side of the Rice Lake, about One and a half Mile 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 on that Lake.

The Hunting Grounds is the Tract of Country through to the Ottawa River.

Query 4th.-- The extent of the Lands set apart at the different Locations for the Use of the Indians, or of the Hunting Ranges:

Answer.-- The Extent of the Alnwick Indian Settlement is about 3,000 Acres, that of the Rice Lake about 1,200 Acres, and that of the Mud Lake about 1,600 Acres; the Hunting Ranges consist principally of Deer, with which the Country abounds.

...

[Document No. 210]

164. The Executive Council considered the matter and prepared the following recommendation for Lord Gosford on June 13, 1837:

The Iroquois, Algonquins, and Nipissings, collected, under the spiritual Care of the Priests of the Seminary of Montreal, at the Lake of the Two Mountains, and forming altogether a Population 864 Souls, have no Land in their actual Possession, except about 260 Acres of sterile Soil, which they occupy by Permission of the Seminary, the Possessors of the Seignior.

The Circumstances of these Tribes appear to the Committee to demand the peculiar Attention of Government. Having done good Service in the Field in aid of His Majesty's Arms, both during the Former and the late War with the United States, they are now among the most helpless and destitute of the Indians of Lower Canada. They have laid before Your Excellency a Claim to be maintained in the Enjoyment of the Residue of their Hunting Grounds on the Ottawa River not as yet comprised in Settlements or Townships, and to be compensated for that Part which has been taken from them for those Purposes by the Crown.

The Claim of these Indians comprises a Tract of Country on each Side of the Ottawa River reaching from the last seigniorial Grant for some Hundreds of Miles upwards; and they ask that, besides receiving Compensation for that Portion of this Territory which the Crown has granted away or the White Population has occupied, they may be protected in the Enjoyment of the Remainder against further Encroachments or Grants.

There appears no Reason to doubt that under the French Government the Hunting Grounds of these Nations may have covered the whole Extent which they now describe, and that their Right so to use it, was as little disputed and as well defined as any of the territorial Rights of the other Indian Tribes.

These Petitioners now appeal to the Terms of the Royal Proclamation of 1763; and it appears to the Committee that, as that Act of State has been considered sufficient to guarantee the Iroquois of St. Regis the Possession of their present Reservation, to which it is stated they had no other Right than as a Part of their ancient Hunting Grounds, the Algonquin and Nipissing Tribes may have some Ground to complain if they are deprived of the Benefit of the same protection for their Claims. They have brought forward their Pretensions on various Occasions; and it is to be inferred from some of the Documents which they produce in support of their Application, that their Right to Compensation was at least in one instance distinctly admitted by Lord Dorchester.

The Committee however conceive that the Claims of these and indeed of all the Indian Tribes in respect of their former Territorial Possessions are at the present day to be resolved into an equitable Right to be compensated for the loss of

Lands from which in former Times they derived their Subsistence, and which may have been taken by Government for the Purposes of Settlement, and that the Measure of such Compensation should be to place and maintain them in a Condition of at least equal Advantage with that which they would have enjoyed in their former State.

Viewing in this Manner the Claim now made by the Tribes in question, the Committee recommend that a sufficient Tract of Land should be set apart for them in the Rear of the present Range of Townships on the Ottawa River; and that such of them as may from Time to Time be disposed to settle on Land should be located there, and that both they and the rest of these Tribes should continue to receive such Support, Encouragement, and Assistance as may supply the Place of their former Means of Subsistence, and at the same Time prepare and lead them to a state of Independence of further Aid.

[Document No. 212]

These recommendations of the Executive Council constitute the first record after Dorchester's declarations [See Document No. 66] that has been located of official recognition that the Algonquins and Nipissings had "an equitable right to be compensated for the loss of [their traditional] lands ...". They were duly transmitted to London by Gosford on July 13, 1837, in his dispatch No. 71.

165. A year after the Executive Council had presented their recommendations to Lord Gosford, the Indians had still not received a reply to their petitions. Therefore, on July 18, 1838, the Algonquins and Nipissings submitted to Superintendent Hughes another request that the government deal with their complaints:

We, your Brothers, the Chiefs and Warriors of the Nipissing and Algonquin Tribe, on behalf of both ourselves and our women and children, give you our heartfelt thanks for the great kindness you have always shown us; we are certain we have caused you great trouble and torment. We know your heart, Brother, and it is good and true. Your brothers, the Nipissings and Algonquins, again need your help and are certain you will not refuse them. It is in you alone, brother, that we place our trust. You are one of us. And so, we implore you to make our poverty known to our Brother His Excellency the Governor General who recently arrived, and who governs us. You are not unaware, Brother, that these past years, we have submitted a number of requests to the Fathers who governed us. But, unfortunately for us (perhaps because of their short stay among their Red Children or some other reason), we have never been able to have a definitive reply to our fair demands.

It would appear that our Father today, the Governor General, has more power than his Predecessors. They say he is good and generous, that he does Justice to his Red Children and White Children alike. That is all we are asking and all we are entitled to expect.

You know, Brother, our deplorable situation. You must remember the content of the Petitions we sent to several of our Fathers. These Petitions, or at least their copies, must be in Quebec City. Tell Our Father that we beseech him to read them, examine them and consider them seriously; and he will see at a glance that his Children, the Nipissings and Algonquins, are reasonable and are only asking for their rights; and tell him also that we are convinced he will do us Justice and that soon he will make his feelings known to us.

Brother, tell Our Father how we have been treated and scorned by the Whitemen who live on the banks of the Ottawa River. They take possession of our islands. They build here and there on our hunting grounds, without our permission or that of the Government. They ruin our Firewood without giving us anything; destroy our fur trade, drive off our deer; in short, they do us much harm. Before, the Whitemen who lived on our islands asked our permission to do so. They dealt honestly with us. They paid us an annual payment; we were satisfied with it and they remained there undisturbed. Now, only a few of the people pay us, although there are many who live on our islands. They laugh at us when we ask for payment. They tell us: "Where are your Titles? Show them to us, and then we will pay you". And so, Brother, be so good as to

beseech our Father, on our behalf, to be good enough to give us a writing in his own hand giving us the power and authority to lease (but not sell), through the hands of one of our officers, for a specific period of time to be determined by our Father as he sees fit, these same islands which are reserved for us for our own benefit and use, located in the Ottawa River. One day, when our Father needs them, he will take them. We know he will give us some small annual payment.

Tell our Father who we are. Tell him his children, the Nipissings and Algonquins, have always been loyal subjects; that his predecessors, our Fathers, always found us ready to follow their commands. We have spilled our blood for our King and our country. And we are prepared to do so again, at any time, when our Father deems it necessary. We have nothing further to say; we leave everything in your hands. Explain the demands we are making of our Father, in our petitions, and tell him we hope he will answer us before we leave for our Hunting grounds. And, if possible, we would like to see him before our departure.

Done in good faith and trust us always.
Your grateful and obedient brothers

[Translated from French]

[Document No. 216]

166. Two weeks later, on August 1, 1838, Superintendent Hughes wrote to Napier regarding the Algonquins' various petitions. Besides reiterating their previous claims, Hughes reported that the Algonquins and Nipissings had been informed that lands south of the Ottawa had been ceded by Mississaugas. Hughes added the Chiefs' contended that the Mississaugas had not used this land unless sanctioned by themselves in a "clandestine" manner:

I have the honour to transmit herewith for the information and consideration of His Excellency the Governor General the document referred to in my letter marked No. 1 of the 31st ultimo and delivered to me as therein started by Francois ka-on-li-no-ketch, Grand Chief of the Nipissingue Tribe on the 19th Ultimo.

The petitions referred to in said document, & which they request of me to explain are as follows:

No. 1 Is a Petition from the Algonquin and Nipissingue Tribes of the Lake of the Two Mountains to His Excellency Sir John Colborne the then Lieut. Governor of Upper Canada dated 6th June 1835 relative to their hunting grounds on the South side of the Ottawa River.

No. 2 Is another Petition from the same Tribes to His Excellency The Right Hon'ble Earl of Gosford then Governor In Chief dated 8th Feb. 1837 relative to their hunting grounds on the north side of the Ottawa River - to which they beg reference -

No. 3 Is a Joint Petition from the Principal Chiefs of the several Tribes of Indians in this District dated 3rd Feb. 1837. Praying for a continuance of the Royal Annual Bounty to them, and their Children as heretofore - Petitions No. 2 & 3 accompanied my letter of the 8th Feb. 1837.

In reference to Petition No. 1. (a copy of which I beg leave to enclose) I have to observe that in the course of July 1835 a deputation of the Tribes Nip & Algonquins went to Toronto, were admitted to an Interview of His Excellency, To Whom they presented the Petition in question. His Excellency was pleased to listen Kindly & favorably to their presentations. Vide letters from Chief Supt In. Department at Toronto to Lt. Col. Napier, Secty In. Affairs Lower Canada dated 11th August 1835 -

In the course of the month of August 1836 four Chiefs Nipissingues and Algonquins were again deputed by their different Tribes to Toronto - But The Lieut. Governor Sir Francis Bond Head being absent, The Chief Superintendent would give them no definitive answer to their application - relative to the land mentioned in their Petition, & on which they had a desire to

settle - & wished it to be surveyed - However by what the Indians, themselves represent - It appears from the Information they received from the Chief Superintendent Col. Givens that the hunting grounds in question had been purchased by Government some years back from the Missisagua Tribe & for which that Tribe received goods annually to a certain amount. - The Nipissingues and Algonquins pray of Their Father to be pleased to order that an inquiry be made in this affair and if such be the case. They pray for Their Father to be pleased to direct the said annual remuneration paid to the Missisaguas for said lands to be retained and paid over to the Nipissingues & Algonquins - The said lands being known & acknowledged by all Tribes before and since the conquest of Canada by Their Great Father King George the Third of Blessed Memory to have been put apart and enjoyed by the Nipissingues & Algonquins as their hunting grounds and that the Missisaguas never without permission from the Nip. & Algonquins, dared hunt on said lands - without they did it in a clandestine manner [emphasis added] -

As regards Petition No. 2 - The Nipissingues & Algonquins are persuaded that their Father His Excellency The Governor General, will shew no partiality, but will act towards them as the Government of Upper Canada has Invariably done to their red Bretheren in that Province - They ask for a certain annual remuneration; for the vast territory, forming great part of their hunting grounds, on the North side of the Ottawa river - assumed by Government and erected into Townships - and also to be secured in the full enjoyment of such portions of their said hunting grounds, as have not as yet been taken by Government -

With respect to the Joint Petition No. 3 they leave to the consideration of their New Father whom they are persuaded will do all in his power for His red children who have always been loyal & Obedient -

Concerning the Islands on the Ottawa River, They beseech their Father, to order that justice be rendered them, by ordering the removal of such of the Whites as have squatted on them and by giving His red Children a certain Document signed by His own hand, to empower them, or the Officer that he may be pleased to appoint to watch over their Interests, and to leave the said Islands for four or five years at a time for the sole benefit of His red children the Nipissingues -

They beg further to represent to their Father, That many of their Tribes have settled on an Island [Isle aux Allumettes] above the Grand Calumet Portage on the Ottawa, And that many others are on the point of joining them, they being nearer the hunting grounds that are not yet quite ruined and enabled to procure a livelihood from fishing But they are sorry to say that many squatters have settled themselves on said Island to their annoyance, They therefore pray of Their Father to give such orders as he may deem most fit to enforce their removal from said Island - (L'Isle aux Allumettes)

[Document No. 218]

167. Petition No. 1 to which Hughes referred was the Algonquin/Nipissing petition of June 6, 1835 [See Document No. 195] which was rejected by Sir Francis Bond Head. In a separate letter dated September 4, 1838, Hughes added the following comments on that situation, including remarks on the sale of land by the Mississaugas:

Yours of the 17th Ult. I have the honor to acknowledge, and would long ere now have answered it, but being in expectation that the principal Chiefs of the Algonquin and Nipissingue Tribes, would according to their Intentions have paid me a visit, occasioned the delay. - I now beg leave to mention, that the decision of the late Lieut Governor of Up. Canada (Sir F.B. Head) which I had the honour to receive with your letter of the 10th March 1836) and Nipissingues to His Excellency Sir John Colborne dated 6th June 1835, was fully explained to the Petitioners at the time or soon after. -

1. The object of the Petitioners' present request, 1st Aug. - Praying that the said Petition should be submitted to His Excellency, the Governor General, is. that His Excellency may be made acquainted, with the extensive tract of Country, situated on the South side of the River Ottawa, which they the Algonquins & Nip. Tribes, claim as their hunting Grounds from time immemorial, & which were held, used, occupied, possessed and enjoyed, as such, by their ancestors,

long before the conquest of Canada by the arms of Their Good and Great Father of Glorious memory, King George III and since by themselves and Kindred.

2. That His Excellency, by reference to said Petition will find, that the greater, & most valuable parts of these hunting grounds, have been assumed by Government, without ever consulting their Tribes, or allowing them the least remuneration for the same, altho in all similar instances, when lands claimed by contemporary Tribes, have been required by their Great Father, the same have been uniformly purchased, at a stipulated price, or for some certain compensation, in Obedience to the Royal Proclamation, as mentioned in said Petition.

3. That Their Father, His Excellency The Governor General in looking over the Petition, and having reference to the sale of lands, or rather the deed of sale (a memo of which is in possession of the Secty In Affs at Quebec) made by the Missisaguais to the Government of Up. Canada) will find that the greater part thereof, as the Petitioners to their great astonishment and surprise, were informed by the Chief Supt In Dept at Toronto, are the very hunting grounds which have always been, & still are claimed by the Algonquins & Nipissingues - and to which the Missisaguais had no right whatever. The country claimed as hunting grounds, by the Missisaguais and respected as such by the Nipissingues & Algonquins, is a certain tract to the Southward, of a ridge of land (called Hauteurs des Terres) that separates the waters which fall into the Lakes and into the River St Lawrence from those falling to the Northward & into the River Ottawa. [emphasis added]

4. That they the Nip. and Algonquins, are persuaded, that when Their Father His Excellency the Governor General, finds that they have never sold any part of Their hunting Grounds to Government- and that the very tract of country made over by the Missisaguais to the Government of Upper Canada, forms part of the hunting grounds, claimed & enjoyed by them (Nip. & Alg.) from time immemorial & acknowledged as such by all the Tribes of Lower Canada His Excellency will see the Justness of their demands - and order that the remuneration in Indian presents, whatever it may be, annually paid to the Missisaguais, for the said lands, to which they had no right whatever, may be retained, and in Justice, ordered to be paid to the Nipissingue and Algonquin Tribes:

[Document No. 223]

168. Having learned thus in 1836 that the hunting grounds they claimed had been purchased from the Mississaugas, the Algonquins and Nipissings changed the tenor of their representations to the Crown. The following petition was presented on September 6, 1838, to Sir George Arthur, the Lieutenant Governor of Upper Canada. They reiterated their claims to the watershed before addressing the issue of the Mississauga surrender:

That we the Indian Chiefs and Warriors who now most respectfully approach Your Excellency, do for ourselves and our respective nation, tribes and kindred, humbly and obediently implore Your Excellency as our Father and Protector, to vouchsafe and Your gracious attention to, and consideration of this the humble Memorial of the Grievances and deprivations which we, Your Red Children, have long endured patiently and submissively without complaints; under the conviction however, that those Grievances, now becoming more and more burdensome, when made known to Your Excellency, our Father, would obtain retribution; Justice and Equity having ever been co-ordinate with the Government over which your so meritoriously preside.

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 Nipissingue, that is to say, comprehending both Banks of the River Ottawa and of the River Matawangu 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 together with the countries watered by the several tributary streams of the River Ottawa and Little Rivers running North and South from their Sources: the above tract of land is bounded to the Southward by a ridge of Land separating the waters

which falls into the Lakes and into the River St. Lawrence from those falling to the Northward and into the River Ottawa; The distance from the Township of Hawksbury (Pointe d'Orignal) to Lake Nipissing by Canoe navigation is computed at 117 Leagues, 100 of which comprise the River Ottawa to the junction of the Little River with the River Matawangu, the actual settlement at present by the Whites, extending from the said township of Hawksbury to the last settlement, inclusive.-

That our Great Father, George III^d; of glorious memory, by his Royal Proclamation given at the court of St. James the 17th day of October 1763, promulgated to us, Your Red Children, and the other Indian Tribes of North America by the Honourable Sir William Johnson Bart. Our Great Father's Superintendent General of Indian Affairs, in a Proclamation dated at Johnson Hall on the 24th day of December 1763 did expressly declare and provide "That the Land claimed by the Indians as their Hunting grounds are reserved to them for that purpose, and that they shall not under any pretence whatever be molested or disturbed in the possession thereof unless they should be inclined to dispose of the same" in which case it is further declared and provided "that the same shall be purchased for our Great Father, in His Royal name at some public meeting or assembly to be held for that purpose by the Governor or Commander in Chief".-

That Your Excellency's Petitioners humbly represent, that Extensive Grants have been made and converted or erected into Townships and Settlements for the Whites by Your Excellency's predecessors on the territory so immemorially held, used, occupied, possessed and enjoyed by us, Your Red Children as Hunting Grounds, without regard to our Rights therein and notwithstanding the provision of the above Royal Proclamation of our Great Father and that no indemnity or compensation for the Lands so taken and dismembered from our hunting ground has ever been made to us or any of our Tribes, Nations, or Kindred, although in all similar instances where lands claimed by contemporary Tribes, in Upper Canada have been required by our Great Father the same have uniformly been purchased at a stipulated price or for some certain compensation in obedience to the above Royal proclamation of our Great Father.

That Your Petitioners have recently heard with surprise, that the Mississagua Tribe have sold to the Government of Upper Canada, a certain portion of our said Hunting Grounds and that they receive an annuity for the same amounting to 642:10:0 C.M. per annum, without our knowledge consent or participation in any shape or manner whatever [underlining in original text]; wherefore Your Petitioners claim from Your Excellency justice; that the said sale by the Mississagua be cancelled and annulled and the said annuity paid to your Petitioners.-

That may it please Your Excellency Our Father, we the Algonquin and Nipissingue Indian do not possess any lands yielding to us any Revenue and hence are solely dependant upon the chase on our hunting Grounds for support and maintenance and although your Red Children have not failed to view the progressive settlement by the Whites of our hunting grounds in various other tracts than those mentioned as having been sold without our consent or authority as above mentioned, as a violation of the Terms of the above Royal Proclamation of Our Great Father, we have nevertheless abstained hitherto, from preferring any representation on the subject to the Government whereof your Excellency Our Father is now at the head; but seeing ourselves plundered of our property by the sale in question, and observing that the present rapidly increasing settlement of the Upper Province and of that part thereof comprehending the Hunting Grounds of Your Red Children lying on the south side of the River Ottawa, and that the indiscriminate and wanton destruction by the White or new Settlers, of the Beaver and other animals from which, the most valuable furs are derived will ere long annihilate our Chase and deprive us of the sole means which have hitherto been the support of our tribes from long and immemorial custom; we are irresistably compelled to supplicate the aid and protection of Your Excellency Our Father touching our just claim to the Annuity in question and also to reasonable indemnification for the other Lands on the south side of the River Ottawa thus dismembered from our Hunting Grounds without purchase or compensation of our Great Father, the King.

That may it please Your Excellency Our Father we Your Red Children of the Tribes of the Algonquin and Nipissingue Indians do not presume or venture to entertain the belief that the Lands already dismembered from our Hunting Grounds by the iniquitous sale in question and subsequently converted or erected in Townships for Settlement by the Government over which Your

Excellency our Father now presides, will be restored to us, but we do believe, that Your Excellency will take steps to transfer to us the Annuity which has been unjustly acquired by the Mississaguas, as above stated, and also that a fair and reasonable compensation for the other portion of our lands lying on the South side of the River Ottawa and dismembered from our Hunting Grounds without our knowledge & consent in the manner before described, will be allowed and conceded unto us in Obedience to the tenor of the above Royal Proclamation of Our Great Father - and we do also humbly and confidently appeal to Your Excellency our Father to ratify and confirm to us Your Red Children by a Proclamation, the use, occupation and possession of the residue or unoccupied portion of our hunting grounds on the South side of the River Ottawa which yet are reserved to us, and that in case we Your Red Children, or our descendants may at any time hereafter be inclined to dispose of the said lands, that the same be purchased for our Great Father in his Royal name, at some public meeting or assembly of our Tribes, to be held for that purpose. And moreover we humbly pray that Your Excellency Our Father will be pleased to command by Proclamation, or otherwise, that all Intruders or Squatters do forthwith depart from and leave undisturbed and unmolested the unoccupied portions of our said Hunting Grounds, now possessed by Your Red Children, the whole in obedience to the above Royal Proclamation of Our Great Father.

We do by this Our Memorial humbly submit to your Excellency Our Father, the foregoing representations of the grievances impositions & frauds and deprivations which we your Red Children have endured and are likely to endure from the unjust and fraudulent dismemberment of the Hunting Grounds heretofore possessed by us immemorially, and reserved, and confirmed to us, by the Above Royal Proclamation of Our Great Father of glorious memory, and while we humbly recall to Your Excellency Our Father's recollection, that our Tribes have respectively been distinguished for Fidelity, Bravery, and General good conduct and attachment to the Royal cause of our great Father, particularly during the American Rebellion, we do, yet wholly repose on the wisdom of Your Excellency Our Father to whom we humbly pray for the redress of our grievances and deprivations, and for the dispensation of justice and equity touching the same:-

And as in duty bound we Your Red Children will ever pray etc.

Nipissigues		Algonquins	
Frans, Ka-on-tino-ketch		Ign. Mui-gu-waskuwetch SA Marque	
J. Bte. Keejic-o-Muni-too	X	Ki, conce	X X
Ignace Chu-wu-na-bais	X	Ant. Paki-nu-watick	X X
Tanas-thon	X	F. Mi-co-na-buis	X X
F. Ojick	X	Ku-po-ni-ching	X X
P-Kukusi-Keth	X	Oja-wa-thick	X X
Tehungi	X		
Beeaccpit [T. Tak-wa-nin]	X	etc. etc. etc.	

etc., etc., etc.

Je Missionnaire soussigné certifie que les réclamations contenues sans la sus dite petition sont réellement l'Expression des demandes faites par les Chefs Nipissings at Algonquins tant en leur nom qu'en celui de leurs nations respectives demeurant au Lac des deux montagnes.

Ce 7e jour de September 1838 Durocher P. Misne.
(Pere Missionnaire)

[Document No. 224]

169. The Chiefs of Algonquins and Nipissings of Lake of Two Mountains addressed Lt. Colonel Napier, Secretary of Indian Affairs, requesting his support in presenting the above petition to the Lt. Governor:

We the Algonquins and the Nipissings of the Lake, on our own behalf, as well as that of our wives, children and our tribes in general, greet you with all our heart, we thank you a thousand times for the kindness that we have always received from you. You know our grievance, we have done all we could with our Fathers the various Governors to obtain redress, but, we are mortified to tell you, without any success. This is why Brother, we have undertaken once again, to address our new Father of Upper Canada, in the enclosed petition. You will see what they have been told, Your Brothers the Algonquins and

Nipissings beg of you to obtain the support of your Father the Governor General for his children of the Lake, and his permission, that you present the petition directed to him, Try Brother to see our new Father of Upper Canada, in person make him [see?] the state of our distress, the [illegible word] way, have mistakenly patented and [illegible word - the taking?] of our hunting grounds by the Mississaugas - beg him on our behalf to take our Petition into consideration, tell Him that it contains the pure truth. And that we are persuaded that he would render Justice - in according us our demands - Courage Brother do all that you can do for the happiness of and in the interest of your grateful Brothers.

Nipissings [signatures]

Algonquins [signatures]

Certified [signed] D. Ducharme

[Translation from French]

[Document No. 225]

170. On the next day, September 7, 1838, the Iroquois Indians at Lake of the Two Mountains signed the following declaration in support of the Algonquin and Nipissing claims:

We the undersigned Chiefs and Warriors of the Iroquois Tribe stationed at the Lake of the Two Mountains, do certify and declare that Our Indian Bretheren The Nipissingue and Algonquin Tribes, have from the remotest antiquity, held, used, occupied, possessed and enjoyed as hunting grounds The tract of land on either side of the River Ottawa and Little Rivers as far as Lake Nipissingue that is to say, comprehending both banks of the River Ottawa and of The River Matawangu 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 countries watered by the several Tributary Streams of the River Ottawa and Little Rivers, running North and South from their Sources, The above tract of land is bound to the southward by a ridge of land, separating the waters which fall into the Lakes and into the River St. Lawrence from those falling to the northward and into the River Ottawa, The distance from the Township of Hawksbury (Point D'Orignal) to Lake Nipissingue by canoe navigation is computed at 117 leagues more or less, one hundred of which comprise the River Ottawa, to the Junction of the Little River, with the River Matawangu.

[Document No. 226]

171. On September 23, 1838, Superintendent Hughes instructed Captain D. Ducharme, the interpreter at Lake of Two Mountains, to investigate and, if possible, redress the situation of squatters on the islands in the Ottawa River. He further authorized him to draw up leases "in the names of the Chiefs and Warriors ...[at] a shilling for each arpent per year," and to receive payments:

I have the honour to acknowledge your letter of the 16th instant, in which you inform me that you have received all the necessary information in respect of the persons and Strangers who have taken possession of and occupy certain Islands in the Ottawa River. I am very gratified of this, and hope that your trip will be propitious, and that you will be able to arrange all these affairs amicably, to the satisfaction of the Intruders, as well as to that of the Indians.

Firstly: As all the Islands in the Ottawa River form part of the Hunting Grounds allocated to the Algonquin and Nipissing Tribes, as well as all the lands situated on both banks of the River, which are not conceded, possessed, or erected into Townships by the Government [emphasis added]; you will be pleased to warn and order all persons who might have taken possession of any of the said or other lands situated on the said Ottawa River without any authority to show you, to leave them as soon as possible; unless they judge, on the subject, with your consent, and that of the Chiefs and Warriors who may accompany you, in the name of the two Tribes, to make a kind of arrangement, for two or three years at the most, to hold occupation of the Island or land that they occupy. In that case, you have the power to make them a Lease for the above mentioned

period,⁵⁰ in the names of the Chiefs and Warrior of the said Tribes [emphasis added], for a small remuneration (or rather rent) of a certain price fixed according to the size and the value of the land that they occupy, say a shilling for each arpent per year.

But it should be well understood that they have neither permission nor authority to cut timber in any quantity to sell. They have only permission to take it to build and heat themselves. And furthermore you will forbid those persons who may make the above-mentioned arrangement with you to pay anyone but yourself and some Chiefs who may go to find them in the course of the Autumn following, equipped with an authority signed by myself or some other Officer of the Department, to that end that all moneys received for the said land rents in question --- hunting grounds of the Algonquins and Nipissings, be equally distributed between the two Tribes for their exclusive benefit.

As it might happen that some individuals among the great number of persons who now occupy the Islands or the lands (hunting grounds of these Tribes) ungranted by, and not in the possession of the Government, and for which lands they may have a lease or paper from the Chiefs of the above mentioned Tribes, for a certain remuneration per year, you will examine the said leases and you will prepare them others, in the name of the Chiefs of the two Tribes, for the same sum that the Chiefs have rented them the land, but not more than for the period of two or three years, the rent to be paid as above.

And furthermore, if in any case the Chiefs or other Indians have taken upon themselves to sell any Island or other land, not sanctioned by the Government, you will take knowledge of this, and you will tell the Indians, as well as the occupants of the Island or land so sold, that the said sale is null and void, and you will make a report of it.

You have in your possession an Extract of the Orders of Sir James Kempt of the year 1825 in respect of all persons who may have occupied the said hunting grounds of the Algonquins and Nipissing: this Extract you will be able to show to all the Delinquents ...

[Translated from French]

[Document No. 230]

172. On September 26, 1838, Napier forwarded Hughes' letter of September 4 and a petition addressed to Sir George Arthur of September 6, 1838 to Chief Superintendent Jarvis in Upper Canada. He included the following comments:

By permission of The Governor General I have the honor to submit for the consideration of His Excellency the Lieutenant Governor, the enclosed communication from the Superintendent of the Indian Department in the District of Montreal, dated 4th September 1838, in relation to the claims preferred by the Algonquin and Nipissing Tribes of the Lake of the Two Mountains to certain Lands heretofore occupied as their Hunting Grounds, on the South Bank of the River Ottawa.

I also transmit a Petition on the subject, addressed to His Excellency Major General Sir George Arthur, by the Principal Chiefs and Members of Council of the aforementioned Tribes, which you will be pleased to lay before His Excellency at the same time. I beg leave to observe that the latter document is principally a recapitulation of the claim submitted by the Petitioners to His Excellency Sir John Colborne, in their Petition of the 6th June 1835, and referred to in Colonel Givins' Letter of the 11th August following of which the enclosure C, is a copy.

I am informed by the Indian Superintendent at Montreal, that in the month of August 1836, it was intimated to the Petitioners in a verbal communication from the late Chief Superintendent, that a portion of the territory claimed by them had been purchased by Government from the Mississauga Indians of the Bay of Quinte and Kingston, but that they might settle on the "Isle Aux Allumettes" in the Ottawa River which belonged to them. The Petitioners have in consequence requested me to solicit His Excellency, to grant to them the necessary Authority

⁵⁰ See Document No. 215, 1838/00/00 for sample of lease or agreement prepared for Ducharme.

to occupy the Island in question and to order an investigation of their claims to the Hunting Grounds described in their Petition.

[Document No. 231]

173. The Oblates had missions amongst the Indians in the vicinity of Lake Abitibi, Lake Timiskaming, Grand Lac, Lac à la Truite, Lac Barrière and Ft. William since 1838. [See Document No. 285.]⁵¹
174. A section of a report dated January 1839 and entitled "Notice sur les missions du diocèse de Québec", has been excerpted below. It concerns the Lake Abitibi Mission of the period:

...
For several years Monseigneur the bishop of Telmesse, in charge of the spiritual governance of the Montreal district felt an urgency in the desire to bring faith to the Indians who lived in the areas surrounding Lake Temiscaming. He had even made some attempts that got nowhere at first; but finally the moments marked by the divine mercy for the conversion of these poor infidels had arrived, the obstacles that had been insurmountable until the year 1835, had been raised. The venerable bishop of Juliopolis, charged, in his capacity of auxiliary Suffragan of the Bishop of Québec, with the spiritual governance of all the Northwest territory, having descended this same year [1835] from the upper country, en route to Europe, had taken particular notice of the spiritual needs as much of the infidel tribes as of the Catholics in fairly large number spread throughout the country watered by the Ottawa up to Lake Temiscaming which is the source of this lovely river.

A mission was then determined for the year 1836, and Messrs. de Bellefeuille, priest of the Montreal Seminary, and Dupuy, priest of the St. Jacques convent of the same place, were put in charge of this important expedition. Mr. de Bellefeuille, having served the Algonquin Indians of Lake of Two Mountains during several years, found himself to be conversant in the language of the Indians who he visited,⁵² and therefore well prepared in this mission which would produce the most comforting fruits. The missionaries would find the Indians of these regions in the best dispositions to become Christians, and submissive, above and beyond all expectation, to the instructions that were given to them. They would baptize 123 children and 19 adults, celebrate 4 weddings and gave the first communion to 28 people; but these latter were almost all Canadians or Irish; the Indians having not been able to sufficiently teach themselves in this first mission to be admitted to the holy table [altar].

Mr. de Bellefeuille had met with too much consolation to bring the good news of the gospel to a people who had welcomed it so, to not continue in his work. Also, on June 7 of the next year, he started off en route, the only priest, in order to save a part of the costs that he had had to bear during the preceding year. This time it was not only a question of the Temiscaming mission, but again that of Lake Abbitibbi, 50 leagues from Temiscaming, and, on the Moose road, Hudson's Bay post or fort, where the ships of the Company came to bring the European merchandise and take on furs.

...

[Translation from French]

[Document No. 233]

175. The following year, on April 10, 1839, Superintendent Hughes provided Napier with the following report on Captain Ducharme's investigation of the Algonquin complaints of depredations and encroachments on their hunting grounds:

I have the honour to represent for the information and consideration of His Excellency the Governor General and Commander of His Majesty's Forces that

⁵¹ See for example: Rapport sur les missions du diocèse de Québec 1840, pp. 42-3; 1841, pp. 81-2; 1842, p. 74. Letter 25 August 1844, J. N. Laverlochère to R. P. Guiges, Visiteur général des Missions du Canada. Archives Deschâtelets LCB 3005 M66 L1.

⁵² This suggests the Indians at Abitibi spoke Algonquin or a very close Algonquian language.

for these several years past the Chiefs and Warriors of the Nipissingue and Algonquin Tribes, (who are a wandering sort, and depend entirely upon the chase for a livelihood) have frequently lodged complaints against individuals, trespassing and making depredations 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 & little Rivers from Pointe d'Orignal 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 several tributary streams of the River Ottawa & the Little Rivers running north & south from their sources and flowing into said River Ottawa.

Such parts of said Hunting Grounds, as have already been taken, assumed & erected into townships by Government the Indians do not here advert to-But only such portion as has not as yet been assumed by Government and where from the enclosed documents or Extracts they look upon as secured and reserved for their- sole use & benefit. -

They the said Chiefs of Nipissingue and Algonquin Tribes, in the course of Sept. last, 1838, while I was on public duty at the Lake of the Two Mountains, represented that for many years back, sundry squatters had taken possession of Islands or part of Islands; situate in the said River Ottawa; as well as numerous lots of ground on both banks of the said rivers-which formed part of their hunting grounds not assumed by Government, and for the enjoyment of which the said squatters were accustomed to pay to the said Indians a certain annual remuneration. -

That of late years, the squatters have become numerous & have possessed themselves of islands in the Ottawa & vast lots of land on both its banks comprehending the said hunting grounds of the said Nipi. & Alg. That these squatters now bid [offence (?)] to the Indians, and that the majority of them refuse to give them any remuneration whatever. For which reason they humbly requested of me, to allow Captain Ducharme of the Ind. Dept. to accompany one of their Chiefs & two or three principal warriors, up the Ottawa River, to take cognisance of a number of Individual strangers, that have squatted on & taken possession of part of their hunting grounds, and to order their removal from thence & to empower him (Capt. Ducharme) on the part of the Two Tribes to grant lease for a limited time to such as would remain, by paying a certain annual remuneration or rent, as explained in the Inclosed documents mark art B. & C. - I also beg leave to transmit herewith a nominal list of Individuals that have squatted & taken possession of certain Islands or parts of Islands as well as of lots of land on either bank of said River Ottawa forming part of the hunting grounds claimed by said Indians & not as yet assumed by Government - There are many other squatters on these grounds not mentioned, the late season prevented Capt. Ducharme searching them out. -

I have here to represent that these two Tribes have requested me to pray of Their Father His Excellency the Governor General to sanction what they have done, and in default of such of the squatters as have leased lots of ground not paying the sum agreed to-That His Excellency may adopt such means as He may deem most fit, to oblige his or their removal from the spot they have squatted on and enjoyed-and I am further authorized to say that these two Tribes would be far better pleased if Government would take the whole of Their hunting grounds not yet assumed (the Islands aux Allumettes excepted on which they mean to settle) for a reasonable annual remuneration, such as is given to their Bretheren in Upper Canada in similar cases-than to be at constant variance with the squatters and by whom they are at times very ill treated.

[Document No. 234]

176. On June 17, 1839, an Order-in-Council passed under Sir J. Colborne stated that the Algonquins and Nipissings had no right to lease their islands in the Ottawa River. The report to the executive council was prepared because of petitions from settlers holding leases to Kettle Island in the Ottawa. Relevant portions are quoted below:

...
In support of the claim of the petitioners they state that Lord Dalhousie, then Governor-in-Chief, in declaring the that "the Indian leases are good for

nothing" had added that Mr. Gillson [lessee from 1818] will not be disturbed in his hold of them; ...

The committee, however, are likewise of opinion that the leases lately given of this island by an officer of the Indian Department to certain occupants is equally irregular and invalid, and that the island should be considered and treated as a part of the waste lands of the Crown, and all intruders ousted who have not a title from the Crown.

... [the committee then considered and quoted from the report of 13 June 1837 which recommended that a portion of the hunting grounds of the Algonquins and Nipissings be secured to them and they should receive some support. These measures should be carried out by Her Majesty's government, i.e. the colonial government as they are not yet the responsibility of the provincial, i.e. domestic, government] ...

As the recommendations of this report tended not only to exclude the Indians from any participation in the management of their affairs, but negated their right of property at the present day in the lands which they once held as hunting grounds, the committee respectfully suggest that the officers of the Indian Department be instructed to act in accordance with the tenor of the aforesaid report, it appearing to have been overlooked in recent orders given by Colonel Hughes, for leasing the islands in the Ottawa River, and of which the secretary, Colonel Napier, had no knowledge.

[Document No. 238]

177. The following spring, as no action had yet been taken on their claim, the Algonquin and Nipissing Indians addressed still another petition to the "Governor General", actually Lord Sydenham, Governor of Lower Canada, who had assumed office on October 19, 1839. On March 9, 1840, once again they set out their complaints in detail, describing their traditional lands, the impact of settlement, lack of compensation, rents from islands and the contentious Mississauga surrender:

Father

We your red Children the Nipissingues and Algonquin Tribes beg leave to make known to you our most destitute and deplorable situations, starvation and poverty is staring us in the face, we see no other means of bettering our prospects than addressing ourselves to our new Father the Governor General of the Provinces.

We have frequently represented our grievances to Our Father your Predecessor-but we are sorry to say to very little effect. The only answer we received to our complaint, was that they were sent across the big salt Lake to Our Great Father The King who would pay attention to them and send us an answer. We much fear that our Great Father and present Good Mother have never heard of or seen these writings in question; for from what we have heard of them, they would certainly have sanctioned our demands that are but moderate & Just and have ordered that Justice be rendered to Their destitute Children, in conformity to the Wishes and Instructions of Our Great Father of Blessed Memory King George The Third An Extract of whose Proclamation dated St. James' 7th October 1763 in relation to the lands claimed by His red Children we now beg leave to Enclose a copy of which we have in our possession given to our Tribes by our late good Father Sir William Johnson dated 24th Dec. 1763 when our ancestors were told by Him, that we should always have the enjoyment of our hunting grounds, without being molested by any strangers, until we thought proper to sell them to our Good Father the King for the use of our white Brethren -

Father - We your children The Nipissingue & Algonquin Tribes who are now addressing you, expect and hope you will take our complaints into serious consideration - they are true and correct - and we are persuaded you will own that we have not met with that Treatment at the hands of Government that we were entitled to expect - We have always been good loyal subjects, we have fought & bled for Our Great Father, during the two last American Wars, and are ready to do so again, whenever called upon.

Father - we were formerly rich & independent - our hunting grounds embraced a vast territory, they extended from Pointe D'Orignal on the Ottawa river to Lake Nipissingue, embracing all its banks and both its tributary streams from the heights of land North & South, they abounded in rich furs of every description, our Forests were alive with Deer. We lived well, and had wherewith to cloath our wives & Children comfortably and we were happy.

About forty years ago Father, when the Whites first came amongst us, to settle on our hunting grounds, they were good & grateful, we took pity on them, received them with open arms - We knew them to be the Children of our Great Father the King, as well as ourselves, therefore had no Objection to them cultivating our land for the support of their families - Always bearing in mind, the Words of Our Great Father as expressed in the Proclamation above mentioned - that when our hunting grounds were ruined viz. destitute of furs, It was at our option to sell them to The Representatives of Our Father for His disposal - It has been the case with our Bretheren of the Upper Province who have sold vast tracts of their hunting grounds, for which they now receive an annual remuneration in merchandise which enables them to support & cloath their Wives & children.

Father - That day is now arrived - which we never expected to see - your red Children The Nipissingues & Algonquin, have never been in the habit of tilling the Ground, from time immemorial our Chief & only dependance for a livelihood sprang from the Chace From which We procured abundance. Not so now - Father, Our hunting grounds are entirely ruined - Our Beaver & other furr have been destroyed by the constant fires made by the lumber men in our Majestic Forests; Our Deer have disappeared - Our Timber to the amount of hundreds of thousands of pounds, is annually taken from those very hunting grounds, which by Our Great Father's orders were to be removed for us & us only - But from which we are sorry to say, we derived not the least benefit - We are starving - Father - Our wives & children are naked - Our Traders will give us no more Credit - Why? Because we can procure no furs and of course are unable to pay.

Father - We must make you acquainted with another great grievance that we have lately experienced - We beg leave to represent, that for these many years past, we Your Children, have been in the habit of receiving certain annual rents, from squatters & other Individuals who have clandestinely taken possession of certain Islands, and divers lots of land on both banks of the River Ottawa (which form part of our hunting grounds from time immemorial, which has never been disputed by Government until recently & not as yet assumed by it) sent word to us in the course of last autumn, to go & receive the annual rents that they agreed to pay us, for the enjoyment of said Islands & Lots, and for which the squatters have been in the habit of paying us for these many years past - But strange to say - Father - When on the Eve of our departure for that purpose - Our Superintendent came & explained to us - An Extract of a Report of a Committee of the Executive Council of the 17th June 1839 - approved by His Excellency Our Father Sir John Colborne, - which in a manner prohibits us from so doing -

We as Obedient Children, listened to the Order and desisted - But nevertheless we cannot help representing to you Father, that we thought it rather unjust, cruel & hard, to be deprived, all at once of that which we always thought, & were persuaded we were justly entitled to, & have been in the habit of enjoying for many years, without any of our Fathers, your Predecessors forbidding us - far from it, When Our Father The Earl of Dalhousie, when on a voyage up the Ottawa River - in the year 1821 - was applied to (by a person of the name of Joseph La Flamme) for the grant of our Island on the River Ottawa (for which La Flamme was in the habit of paying an annual rent to the Indians). His Excellency Our Father was pleased to say to him, that that could not be done, they were reserved for the Indians, that they the Indians could not sell them, but might lease them until they were assumed by Government.

Father - We have only you, The representative of Our Good Mother across the Salt Lake - to look up to for Protection - All that we demand of you, is, to render us Justice - We are persuaded Father When you are more acquainted with our deplorable situation - You will immediately listen to the Prayers of your Children who beg & pray of you to be allowed to go and gather these small rents in question, and that you may be pleased to order one of our Officers to accompany us with authority for so doing - Is it not more Just - Father for us to receive these rents, which we have been accustomed to do than to leave them to the enjoyment of these squatters, and strangers, who have clandestinely taken possession, and

settled themselves on part of our hunting grounds in defiance of the Proclamation above mentioned and without the sanction of Government - We have made innumerable complaints against these Intruders, as well as against lumber men - We received many promises from Government that they should be prosecuted & made to remove - but all turned out in smoke. We therefore thought it the best plan, Father, to make up matters with them & leave them in the enjoyment of their several lots & Islands for two or three years at a time for a certain annual remuneration, which most of them annually paid us.

Father - As we have represented above we can no longer depend on the chase for support - we must set ourselves to the hoe - or else starve - we demand your assistance - We beseech you Father to have reference to an approved report of a Committee of the Executive Council, dated 13th June 1837 - Which report (we are informed) with our Petition of that year, was sent to our Great Father The King (But to which we have received no answer) In which it is recommended that your children The Nipissingues & Algonquins, should be placed on the same footing as the Indians of Saint Regis and other Indian Tribes of Upper Canada.-

Father - we must inform you, that the Iroquois of Saint Regis, have returned all their Islands in the River St. Lawrence, which they lease and which leases have been approved by the Govt of Upper Canada; & for which they receive annually rent - And besides these Islands, Father The Iroquois of St. Regis enjoy vast tracts of land on both sides of the River St. Lawrence, which formed part of their hunting grounds (In the same manner as the Islands in the Ottawa, both its banks & tributary streams from the heights of land North & South form the hunting grounds of your children the Nipissingue & Algonquins) and part of which they conceded to the whites, in farms of a certain Extent and for which they receive a handsome Annual Revenue.

Father - Our Bretheren of Upper Canada receive a very handsome Annual remuneration, in merchandize to a certain amount, for such part of their hunting grounds as has been sold by them to Government - and besides they have retained most tracts of their best lands, for their own Cultivation - While we Father - The Nipissingues & Algonquins who possessed by far the most extensive & richest hunting grounds, have been deprived of the most valuable parts of the same by the Upper Canada Government - Who have made extensive grants of the Territory, on the South side of the River Ottawa, claimed by your Children the Nipissingues & Algonquins without any compensation being made to them Although in all cases, where lands claimed by other Tribes have been acquired by His Majesty's Government, they have been purchased at a stipulated price.

Father - We humbly pray of you, to take our present situation into serious consideration - We must do something to support our families - We request of you Further to be pleased to assume the whole of our hunting grounds, Islands &c. in the Name of our Good Mother the Queen - (with the exception of Isle aux Allumettes which is situated above the Grand Calumet in the Ottawa River, and which Island we have for these many years back reserved, & pitched upon for a settlement for ourselves, It being a good place for fishing and adjacent to our allies the Tetes de Boules Many squatters are settled thereon, without Titles - We have no Objection that they should remain by paying a certain annual rent for the land they may occupy at the rate of one shilling per acre, but that no other Strangers will be allowed to come and annoy us - At present there are between One & two hundred squatters on it - These would give your children a small revenue such as the Indians of St. Regis & Caughnawaga received from their Ancient hunting grounds) - for which we expect to be treated as Our Bretheren of Upper Canada - viz. that a certain remuneration be granted us for such parts of our hunting grounds as have already been assumed by Government - and for such parts may hereafter be assumed - and such remuneration to be annually paid in merchandize, of all description - and farming utensils as our Father may deem most advisable.

Lastly Father - We further pray of you to Interest yourself for your children the Nipissingues & Algonquins, with the Government of Upper Canada, and order that Justice be rendered us - viz. By the restitution to us of a certain Annuity paid to the Mississagues for lands on the Ottawa river facing L'Isle aux Allumettes, & which lands form part of our hunting grounds from time immemorial - Which they The Mississagues have clandestinely sold to that Govt. & for which they receive the above mentioned annuity. The Mississagues, claimed no hunting grounds whatever on the waters emptying themselves in the Ottawa - Their hunting grounds lying on the south side of the height of land separating the Waters that flow into the St. Lawrence from those

that flow into the Ottawa - and as in duty bound we your red children The Nipissingues & Algonquins will ever pray.

Document No. 241]

178. On September 4, 1841, the Indians held a council at the Lake of Two Mountains to discuss the matters they had raised in the petition of March 9, 1840:

The Grand Chief Ka-on-di-no-ketch, on behalf of the Principal Chiefs of the Nipissugue and Algonquin Tribes spoke as follows:

Brother' we are impatient to hear what you have to say to us, and to be informed of the Answers, if any, that our Father The Governor General has been pleased to Send us upon the representations contained in our Petition of 9 March 1840.

Answer of Mr. Hughes:

Bretheren; Before we proceed to business I must inform you with much regret, that I have not yet received any answer to your Petition abovementioned, nor have I, at present, anything to say on it's subject.

Bretheren; Having been advised of the point on which you mean to consult me, I will therefore advert to them in your presence. But I request you will not disturb me and that you will be attentive to what I say and give me straight forward answers to the questions I may put, so that I may ascertain your sentiments.

In the first place Bretheren, you have often represented to me that the Hunting Grounds which you have occupied from time immemorial are now entirely ruined and destitute of Furs and Deer; that you can no longer procure a livelihood from the chase nor furs sufficient to clothe your families: that the only alternative you now have, is to abandon the wandering life you have been accustomed to lead, to make choice of situation on your Hunting Grounds where you may become Farmers and by following example of your White Bretheren to raise wherewith to support Yourself and Families. Pray are you still of this opinion: if so give me a correct answer on the subject.

Answer of Chief Ka-on-di-no-kitch.

Brother; We the Nipissings and Algonquins have frequently Consulted on this very Subject, and my Indian Brothers have put these Words into my Mouth to deliver to you: We have much to say Brother, do not disturb us, nor be impatient when we repeat what we have already told you, that Our Hunting Grounds, which are vast and extensive and once abounded in the richest Furs and swarmed with Deer of every description, are now entirely ruined. We tell you the truth, We now starve half the year through and Our Children, who were formerly Accustomed to be Comfortably Clothed, are now Naked!

We own Brother, that we are partly the cause of these present misfortunes: We were too good and generous: We permitted Strangers to come and Settle on our Grounds and to Cultivate the Land; wood merchants to destroy our valuable Timber, who have done us much injury, as by burning our rich Forests, they have annihilated our Beaver and our Peltries, and driven away our Deer. Had our Hunting Grounds belonged to the Whites they would never have allowed this; But we had good hearts and took pity on our White Bretheren we know that they must live as well as ourselves. They are also the Children of Our Great Father: We never thought of futurity Brother, and we were silent at these encroachments; But now Brother we are pitiful ourselves and are obliged to crave assistance from our Father the Governor General. We have always borne in mind, the Promises and Commands of our Great and Good Father King George the Third who in His Royal Proclamation dated at St. James' the 7th day of October 1763, of which our Father Sir William Johnson gave our ancestors a Writing on parchment which we still hold. This Document tells us: that we shall never be disturbed on the Hunting Grounds reserved for us. (The Vast extent of which has often been represented) that we could not make away with them to strangers, but that whenever we should wish to part with them, Our Great Father for the time being, or His Representative in America would assume the same as pay us for them, as we understand He had done to our Brothers, His Red Children of Upper Canada. We have Brother offered these Hunting grounds to our Father The Governor General, in our Said Petition of the 9th March 1840, to which we have as yet received no answer; But Brother,

in his Letter to Us (which we hold) after the delivery of the Petition, He promised to do us justice and relieve our distress: His meaning as we understand it must be, that he perceived by our Petition, that we have been unjustly dealt with and imposed upon and that He will treat us as our Bretheren in Upper Canada have been treated. They have for many years past been allowed to receive, and still enjoy, an Annual remuneration for such parts of their Hunting Grounds as have been assumed by the Government. This Brother is all we ask for in our Petition. It is what has been promised to us; what our Red Bretheren in Upper Canada have already inveribly received, and what in Justice we have a right to expect.

During the last two wars with the United States, our ancestors as well as ourselves, were called upon by our Fathers the then Governors and told that we had lands to defend, as well as our white Brethren. We obeyed, we knew it was our duty to defend our Hunting Grounds. We gave the war whoop, we fought, and bled, in defending the rights of our Great Father, and our Soil, and we would assure our Father the Governor General, that we are ready to do so again whenever called upon.

Adverting to circumstances which we have represented in our said petition relative to the purchase of the portion of our hunting grounds by the Upper Canada Government, and which was clandestinely sold to them by the Mississauga Tribe of Indians without our knowledge, We await the results of the enquiry which our Father has promised, (in his answer of the 23rd April 1840) to institute upon our complaints upon the point.

We beg leave most humbly to represent to our Father, that the hunting grounds of the Mississauga extended on all the waters taking their source on the south side of certain heights of land and flowing into the St. Lawrence, and the Waters from the same Height of land which flowed into the Ottawa passed through the hunting grounds of the Algonquins and Nipissingue Indians.

The Mississauga never attempted to hunt near our grounds, neither have we encroached on their lands, this course was observed in the consequence of a treaty between the Chief, of the Mississaugas and us, of which the Iroquois Tribe are perfectly cognizant: When our Father the Governor General is made acquainted with this fact, he will certainly render justice to his red children, and order that the remuneration which is now paid to the Mississaugas for the said land may from henceforth be withheld from them and paid to us the Nipissings and Algonquins, who are the only tribes entitled to receive the annuity above mentioned.

These are our real sentiments and the truth, which we wish to make known to our Father, and at the same time we would entreat His Excellency once more to glance over our petition, and according to his promise to render us justice, and to relieve our distress.

Brother, we must tell you in conclusion that we have no choice to make. We must one and all become Tillers of the ground, otherwise we must starve.

Brother, Isle Aux Allumettes is the place we have selected for the settlement of our families, we have already mentioned this in our Petition to our Father of the 9th March 1840, and we earnestly hope he will approve of our several demands therein made, and that he will also approve of our receiving the same amount of assistance, while engaged in the performance of the necessary settling duties, as we understand our brethren of the Ottawa tribe of Indians are at present receiving at the settlement at the Manitoulin Island in Lake Huron. Say to our Great Father that we have a small place of worship erected at Isle aux Allumettes where one of our missionaries generally resides during a month or two in the summer season. This, brother is all we have to say at present. You see our miserable situation and so no doubt will make it fully known.

Under the circumstances stated we humbly pray that our Great Father the Governor General will be pleased to grant us our early answer to our petition above mentioned.

Here the Chief Ka-on-di-no-ketch concluded his speech with the usual thanks to the officers present.

[Document No. 249]

The 19th Century, 1842-49

179. In a letter to Chief Secretary Murdock dated January 14, 1842, Lt. Col. Napier reported that the combined population of the Nipissing and Algonquin tribes was 600. This census figure would have been based on persons known through their association with the mission at Lake of Two Mountains. Napier expected that 140 families could be induced to settle on Isle aux Allumettes. [See Document No. 251.]
180. Superintendent Hughes, upon receipt of this decision, called together representatives of the Algonquin and Nipissing Indians in order to discuss the matter. On July 11 and 12, 1842, a council was held at Lake of the Two Mountains. Hughes' record of the proceedings is dated July 12, 1842:

After the usual ceremonies on such occasions, Francis Ka-on-di-no-ketch, a Nipissing Chief got up and addressed me on behalf of the Two Tribes in nearly the following words:

Brother,

We have been consulting amongst ourselves on the words of our new Father the Governor General, which you delivered to us yesterday ---concerning the proposed Settlement on Isle aux Allumettes, which Spot forms part of our hunting grounds & on which our ancestors had long ago pitched upon to settle, when nothing could be procured from the Chase. But it appears that now our Father does not think it expedient to assist his red Children the Nipissingues and Algonquins. Therefore, we shall trouble him no more on that subject.

Brother,

We know your good heart, and we have long experienced the great interest you have always taken in the Welfare of your Indian Bretheren and we are persuaded, you will render us this last service which we are about to demand of you. We have sent many Memorials, Brother, to our late Fathers, the different Governors of Canada. Fair promises were always made us but were never performed. You know Brother that formerly we were rich and independent but now we are miserably poor and pitiful. Had we the means of paying our expenses we (the Chiefs) would go and throw ourselves at the feet of Our Father the Governor General, and open our Hearts to him. But our poverty and the fear of not being admitted to his presence (as was the case with our late Father his predecessor) is the reason that we have this day sent for you, to explain to you, The wishes of your Bretheren the Nipissingues and Algonquins & to pray of you to repeat them to our new Father.

First---Brother, tell our Father, that although we have not had the pleasure of seeing Him, we have heard a great deal about him. We are told that he is just, a good charitable man and that he will render the same Justice to his red as to his white children. That Brother is all we ask for.

Secondly---tell him that we his red children the Nipissingues and Algonquins are destitute of the common necessities of life, that we have no one but him (our Father) to look up to for Protection, and that we are persuaded from what we hear of him that he will take pity on us, and see that justice be rendered us.

Thirdly---Tell him, that we beseech Him to have reference to our Joint Petition on the 9th March 1840 to the address of our late Father His Predecessor and to his short answer thereto dated 23rd April same year⁵³ (which we have in our possession) in which he promises to render us Justice, and we have not the least doubt, that had the Great Master of Life spared him, He would have kept his word. - But He Being no more, we pray of our new Father, to take these same writings into his most serious consideration. For we are certain, and have every reason to expect that when he has carefully examined them, He will find that the demand, of His red children the Nipissingues and Algonquins are just & moderate. Tell him that we only ask to be treated in the same manner

⁵³ The Governor of Lower Canada undertakes to communicate with the Lt. Gov. of U.C. with reference to the annuities paid to the Mississaugas. [See Document No. 243.]

as our bretheren of Upper Canada who receive an annual remuneration for such part of their hunting grounds, as have been assumed by Government, in conformity to the Proclamation of Our Good Father of Blessed Memory---King George the Third--- dated St. James's 7 October 1763 of which we have a copy given to our Tribes by our late Father Sir William Johnson.

Fourthly---We pray our Father not to lose sight of the clandestine manner in which we have been treated by the Mississaugas (as represented in our above mentioned Petition) as reported to us by the late Chief Superintend^t of Indian Department at Toronto, Col. Givins, and that our Father will be pleased to enquire into the business.

Fifthly---We also beseech our Father to be pleased to cast his Eye on the long list of squatters (sent to our Father His Predecessor by his order 27th April 1841) and to be pleased to acquiesce to our demands, in our Petition above alluded to, on this subject.

Sixthly---We pray of our Father, to be pleased after he has carefully examined our said Petition & to have the goodness to give his red children the Nipissingues and Algonquins detailed answer thereto, which we are persuaded, from our moderate & Just demands can be but favourable to us. We ask what has been granted to all Tribes of Indians in similar cases and what we are Justly Entitled to.

Brother---This is all we have to say. Tell our Father that the wishes and Prayers of his Red Children the Nipissingues and Algonquins are the Great Master of Life may long protect Him and His family and assist him in all his undertakings.

[Document No. 253]

181. On July 17, 1842, a group of Indians, formerly of the Lake of Two Mountains, addressed the following petition to the Governor General, Sir Charles Bagot:

The petition of Peter Shawanipinessi one of the Indians of the Lake of the Two Mountains Tribe humbly sheweth: - That your petitioner together with the other Indians of the same tribe with their families have long been accustomed to spend the hunting season in the tract of country embraced within the limits of the townships of Bedford,⁵⁴ Oso and South Sherbrooke---and now that their natural means of subsistence have become precarious by reason of the settlement of the country, they have of late turned their attention, in part, to the cultivation of Corn and potatoes, and are now anxious to be protected, by Your Excellency in Council, in the occupation of a limited tract of land within these townships whereon they may be allowed to support their families and as the land is of a very poor quality, your Petitioners hope they will not be refused.

Referring Your Excellency in Council to Mr. Morris of Perth and Mr. Kingston of Bedford for further particulars, and Your Petitioner as in duty bound shall ever pray ...

[Document No. 256]

182. Five days later, on July 22, 1842, Mr. N. Morris of Perth⁵⁵ forwarded the petition to A. R. Morrison at Government House requesting:

May I beg that you will have the goodness to lay the accompanying petition before His Excellency the Governor General in Council.

Mr. Morris also added the following comments to the petition:

I have known Peter Shawanipinessi for upwards of twenty five years [since 1817] and I consider him and his companions as well entitled to any indulgence which the Government may think proper to extend to them.

⁵⁴ Bedford is south of the height of land, while Oso and S. Sherbrooke are within the Ottawa River watershed.

⁵⁵ Perth, Ontario, is located north of Big Rideau Lake, about 30 miles northeast of the township of Bedford. It is within the Ottawa River watershed.

The greater part of the land where they reside is wholly unfit for cultivation and a Compliance with the prayer of the petition will not in any manner interfere with the settlement of the townships referred to.

[Document No. 259]

183. The economic distress of the Algonquins and Nipissings was reflected by the growing number of these Indians collecting annual presents. For example, on December 7, 1842, Superintendent Hughes sent the following observations on the matter to Lt. Col. Napier:

The apparent great increase of the Tribes in this District, particularly of those who are stationed at the Lake of the two Mountains, I will endeavour to explain, as far as lays in my power - from the information I have obtained from the Missionaries at that Station, as well as from the principal Chiefs of the Nipissingue & Algonquin Tribes - The increase of the population of these Tribes now annually visiting the village for these two years just proceeds from a number of families of these Tribes not making their appearance at the general Issues - at the Lake - for several years, prior to 1840 (of course according to the general rule these families were not entered in the annual return to receive presents) they being at too great a distance from the village, on their hunting grounds, where they had it then, in their power, to procure from their hunts furs & peltries, much more than the value of their annual presents - But it appears that these two years past 1841 & 42, the greater part of these very families, from the ruined state of their hunting grounds & the great scarcity of Beaver, martins, deer &c. that now prevails, caused by the continual fires made by the lumber men, who have overrun great part of the hunting grounds of these two Tribes, They cannot as they were formerly accustomed to do, procure a sufficiency of furs, - so that from distress, they are now obliged to resort to the village of the Lake, or send some of their relations to receive their share of Her Majesty's annual Bounty - ...

[Document No. 261]

184. On March 22, 1843, Superintendent Hughes, in response to a request regarding the general practise of distributing the annual presents, again wrote to Napier. His report included the following comments regarding the increasing number of Algonquins and Nipissings who were receiving presents:

...
At the Lake of the Two Mountains as regards the Nipissingue & Algonquin tribes who entirely depend upon the chase for a livelihood - It invariably happens that many of these poor families, who reside in the forests of their vast hunting grounds, ten months out of the twelve, have it not in their favor thro' want of provisions, to be present at the general Issues - Therefore the presents of these Individuals, are left at the Lake, (in charge of the Honble. H. Bay Coy.) with the name of each attached to his proportion - until they come or send for the same - which is generally done in course of the winter - But such as do not make their appearance, from being at too great a distance [etc.] then their proportion left forms part of the Estimate for the ensuing year, -
...

[Document No. 264]

185. On July 15, 1843, Col. Jarvis wrote to Rawson W. Rawson regarding a band of Indians who had established a settlement in Bedford:

A Band of Indians some of them from the Lake of Two Mountains in Canada East and others, Chippewas belonging to Canada West, numbering in all Eighty Souls, have established themselves upon a Small Indian Reservation in the Township of Bedford near to the mills of a Person of the name of Kingston.

[Document No. 265]

186. On July 21, 1843, Jarvis wrote to Lt. Col. Napier, as follows:

I have the honor to inform you that having brought under the consideration of His Excellency the Governor General, the situation of certain Indians from the Lake of Two mountains who have located themselves on a small lake in the Township of Bedford with the view of having them included with the Indians of Canada West in my Returns for Presents His Excellency has been pleased to signify to me His approbation of the course suggested, and has requested me to communicate the circumstance to you in order to prevent a double issue to the parties, should they after receiving their presents here make a second application to you for the same purposes.

I have not yet received a correct return of these Indians. They have united themselves with a band of Chippewas who are settled at the same place.⁵⁶

I shall write and ascertain their number and communicate the results to you.

[Document No. 267]

187. Later that year, on August 9, 1843, Hughes responded to a request from Napier for additional information on the apparently increased population, describing the circumstances in which the Algonquins and Nipissing found themselves, necessitating their coming to the Lake of Two Mountains for the first time in years:

I have received your Letter of the 7th Inst. in which you have reference to my returns of the Indian Tribes at the Villages of St. Regis, St. Francis and the Lake of the Two Mountains dated 11th June 1843 - and request that I will report for the information of His Excellency The Governor General, the circumstances which may have occasioned the increase of the population therein described amounting to 59 men, 39 women and 30 children ...

As for the Lake of the Two Mountains it is next to an impossibility to procure a correct census of the Nipissingue and Algonquin Tribes. But from the information I have received from the Missionaries at that Station as well as from the Chiefs of each band or clan, there is not the least doubt but that the population of these Tribes is greatly increased, the apparent present increase is occasioned from the following circumstances. These Tribes having from time immemorial entirely depended on the chase for a livelihood and the clothing of their families, their hunting ground being extensive and formerly abounding in furs of every description, and well stocked in Deer, were in the habits of remaining in their forest (at least a great proportion of them) for several Years at a time, these were not included on the list to participate in Her Majestys Annual Bounty for they were then enabled to kill more furs and peltries in the space of the time they would take for their journey to the Lake of Two Mountains, than would purchase four times the amount of their presents; - But it is not the case now, their hunting grounds are ruined, few or no furs to be had, their deer have in a great manner disappeared, can receive no credit from their traders. They can no longer support themselves from the produce of their hunts, and have nothing to depend upon for clothing but what they receive from Government: Her Majesty's Annual Bounty: Families who have been absent for many years past (and not been equipped) are now obliged to resort to the Lake or send some one to receive their presents. This is the principal cause of the apparent great increase.

[Document No. 269]

188. Hughes met with the Algonquins and Nipissings on October 7, 1843, in order to secure information on certain questions which had been raised by the Commissioners appointed by Bagot in 1842. The following extracts of the proceedings concerned the islands. The Superintendent addressed the Council as follows:

Proceedings of a Council held at the Lake of Two Mountains 7th October 1843 at which were present the undermentioned Chiefs and principal Warriors (who

⁵⁶ Note that these Algonquins under Peter Shawanipinessi, who described their hunting grounds as the Twp. of Bedford, S. Sherbrooke, and Oso, have taken up farming in Bedford, just south of the Ottawa River watershed with Chippewas of the same location.

remained at the Lake, as representatives of their different Tribes) The Superintendent Indian Department and Capt. D. Ducharme Ind. Dept. Interpreters.

Nipissingues present
Francs. Kaon-di-non-ketch-G.C.
Simon Quai-quai-to-sin
Ajon - - - P. W.

Algonquins -- Do-
Ignace Ka-my-yous-ka-watch G.C.
Vincent Kapaya C.
Amiable Wiskain C.

The Superintendent addressed the Council in the following words.

Brothers,

As you have been appointed and left behind, by your Bretheren (who were under the necessity of resorting to their hunting grounds to procure a livelihood) to wait the answer of your Father His Excellency The Governor General, to the Memorial, you placed in His hands (on his departure from Montreal) on behalf of your different tribes - I regret much that I have it not at present, in my powers to give you any direct answer on the subject.

But I have to inform you that you late Father Sir Charles Baggot, had previous to His being called away by The Great Master of life, appointed certain of His Officers and Commissioners to inquire into all Indian Affairs as regards your welfare, as well as that of all your other Brethren. I have no doubt but that your present Father His Excellency The Governor General has placed the paper above mentioned in their hands which has caused two distinct questions to be put to me on its subject. I can answer these questions in part. But not perhaps to the satisfaction of the Commissioners which is the reason of my coming here and calling you together. The questions put by the Commissioners - I will now put to you, to which I expect an explicit and correct answer. You Ka-on-di-non-ketch⁵⁷ understand the french language better than the others of course can give better information & will have it in your powers to represent to your absent colleagues the Chiefs of the different Tribes what has taken place.

The first question I have to put is as follows to which I expect a correct answer.

Question 1 "Whether- any and what amount has been paid by the Tenants who occupy the Islands in the Ottawa belonging to the Indian"

This Question being put, Ka-on-di-non-ketch consulted with the others for minute and then requested of me to give them an hour or two to prepare their answer after which, I was sent for and was addressed by Ka-on-do-non-ketch in nearly the following words-

Brother,

Tell the Commissioners that are appointed by our Father to enquire into our affairs that their first Question has made our hearts to dance with joy - our claims from time immemorial are now sanctioned - we are certain that our Good Father will do us Justice - we now answer the Question put to us.

Tell the Commissioners that many & many years to 1838 The Majority of the Squatters, who had settled and taken possession of our Islands situated on the Ottawa as well as of sundry lots of land on both its banks, that form part of our hunting grounds (not as yet assumed by Government) were in the habit of paying us a certain annual remuneration, more or less, for the enjoyment of the same. In Oct. & Nov. 1838 finding that the Squatters were annually increasing our officer Capt. Ducharme, at our request & with your consent Brother, accompanied a couple of Chiefs & two of our principal Warriors, for the purpose of ascertaining how many Squatters had settled on our hunting grounds, without our permission or that of the Government (of which a List was sent to our Father the then Governor General). We requested our officer Captn. Ducharme to make out leases for the term of two, three or four years to such of the Squatters as had settled on our hunting grounds & who wished to retain this enjoyment of the several lots they occupied on our Islands as well as on the Main Shores.

As regards the numbers of acres they said they occupied, we took them at their word, for which they agreed to pay one Shilling per acre per annum for the enjoyment thereof. - We are aware that the leases made out by our Officer are

⁵⁷ Note that the Nipissing Chief's knowledge of French language gave him greater access to the Indian Department.

perhaps not correct nor made out in form and that the Squatters may wish to dispute them. If so we are persuaded that our Good Father His Excellency will order that assistance be given as to oblige the squatters to pay what they owe.

Previous to 1838 we can form no idea of what amount we received annually - for the Squatters gave us what they pleased but always a little - In the course of 1838 & 39 we may have received about forty or fifty Pounds Currency. Since 1839 the great majority of the Tenant Squatters, have refused to pay us, any rent whatever alleging that we can shew no authority from Government to oblige them to pay - But at the same time the, tell us, that whenever it may please Our Father The Governor General to appoint an officer or Agent to act for us they are ready to pay us the arrears of rent due us for the Island lots of lands they occupy.

Question 2 "By whom is the money collected, and the mode in which it has been applied."

The Monies received from Tenant Squatters who occupy & are settled on our Islands & lots of lands on both banks of the Ottawa forming part of our hunting grounds from time immemorial (and not as yet assumed by Govt.) have generally been collected by one or two of the Chiefs of the different Tribes each in their turn assisted by one or two of the warriors. The Tenant Squatters previous to the arrangements made with them in 1838 gave us in a manner what they pleased with the exception of a few honest Squatters, some gave money & others produce such as Corn flour, potatoes, calves, sheep. The monies received were pleased [sic placed] in a Public purse for the use & benefit of the two Tribes, This purse was handed to two Chiefs in charge one of each Tribe appointed by the Council - a certain portion was applied to defray the expences of the Collectors - another part was annually laid aside to defray the cost of a general feast given once a year at the Lake of Two Mountains when both Tribes returned from their hunting grounds & met together in June & July. If then any money remained in the purse, it was applied to defray the expenses incurred by the Chiefs & principal Warriors, in travelling about for the benefit & Interest of the two Tribes. The Produce was generally divided between the old men and women and sick who were unable to endure the fatigues of a Winter campaign but were obliged to remain at one spot where fish could be procured this with the provisions received from the Tenant such as the Indians near them would give them now & then they made out to pass the Winter.

I certify that the answers given by Ka-on-di-non-ketch as above mentioned are a Interpreter to me and responded to by the rest of the Council.

[Document No. 270]

189. The day after they met with Hughes, the Indians addressed the following petition on the matter of the island rents to Sir Charles Metcalfe, the Governor General:

...
Yes, Father! You bring us back to life. You have not lost time in submitting to the Commissioners who act on Indian affairs, the brief we placed in your hands a short time ago in which we explained to you the grievances and destitution we have endured for a long time.

By the request these commissioners address to us we see that our Father wished to disperse the dark clouds we have had for so long before our eyes. The Sun, Father, shines more brightly for us than ever. And the hearts of the Children, the Algonquins and the Nipissings, are more Joyful. We see, Father, that you have the happiness of the Children at heart and want to do them Justice, as is being done to our fellow tribesmen in Upper Canada and Saint-Regis who have received each year payment for the islands and the portion of their hunting grounds the Government has seen fit to appropriate.

Father, we are sending you and the above-mentioned Commissioners a list of those people who have taken possession and are occupying a number of our islands and plots of land, as well as a statement of the sum they owe us since 1838. These people, Father, have become richer at our cost. They have established themselves on our islands and hunting grounds without our permission or that of the Government. They live well, Father, and are at ease. And so, Father, it is only fair that they compensate us for the good we are doing them.

It is true that they (at least most of them) do not refuse to pay us. But they want to know whether we have the right to receive this income and say that if our Father, the Governor General, gives the authorization and appoints an agent to act for our affairs, that they are prepared to pay us what they owe us in return for a receipt from the hands of whomever our Father sees fit to appoint as our agent.

So, Father, we beseech you to think once again of your children, the Nipissings and Algonquins, and to deliver them from destitution as soon as possible by allowing them to receive the money owed to them and, according to their request, to appoint an agent immediately to accompany a few Chiefs and two Warriors with Mr. Ducharme, their interpreter, to collect the said payments for the benefit of their Tribes who are truly utterly destitute.

[Translated from French]

[Document No. 272]

190. The following remarks were attached to a list dated October 8, 1843, showing the names of Nipissingue and Algonquin families who were absent at the issue of presents at Lake of Two Mountains in August 1843 and who were reportedly settled at Bedford and vicinity, or remained on their hunting grounds:

All such as have the red letter "K" before their names were reported at the Last Issue 19th August 1843 to be in the Township of Bedford & the environs, and it was supposed that they would go to Kingston to be equipped, alledging for their reasons, that their equipment were ___ & that they received more articles - such as are marked off X were also absent from the general Issue - some of them may perhaps cast up at Kingston - But the majority of them, are represented to have remained at their grounds.

I beg here to observe, that it is a general custom with the Tribes of Indians, more particularly the Nips. & Algonquins to change their names, so that it is probable that some of them that are marked with an X cross - may under other names, be inserted on the slip of paper.

The families mentioned on the written attached slip of paper - (I've marked No. 2) cannot be made out. - They perhaps are those which the Chief Supt. states as the Osh-quah-ga-meight Tribe. They are not included in our nominal returns - nor do I recollect their having participated in Her Majesty's Bounty at the Lake - under the names mentioned on said slip of paper.

[9 families consisting of 37 persons are marked with a "K" on the above-mentioned schedule]

[Document No. 271]

191. On October 29, 1843, Col. Jarvis, Chief Superintendent of Indian Affairs, wrote a report recommending that Chief Peter Shawanipiessi and his band of Indians be granted a tract of land in the Townships of Oso and Bedford:

A strong desire has been manifested by the band of Indians over whom the Petitioner presides as Chief to turn their attention to agricultural pursuits and settle permanently on the tract of land asked for in the annexed petition.

The tract containing somewhere about 2000 acres and situate principally in the Townships of Oso and Bedford being bounded on all sides by chains of small lakes is quite secluded and is thereby rendered peculiarly adapted for an Indian settlement, although the quality of the soil is not particularly good.

The Honble. M. Morris appears by his certificate annexed to be well acquainted with the Chief and his followers numbering about 91 souls and speaks in high terms of their other actions and general good conduct, and he is of opinion that the tract made choice of by them will not in any manner interfere with the settlement of the country adjacent to it.

The map or sketch hereto annexed will explain the precise situation of the tract.

I think it most desirable that these Indians should be encouraged in every practicable way to persevere in their laudable intention of becoming agriculturists.

The Government for many years past has been endeavouring to collect the scattered bands (many of whom are still leading a wild and roving life in the Northern parts of the Province) with the view of inducing them to have fixed places of residence and adapt the course of life now determined on by the band in question and the endeavor has been successful in very many instances.

The opportunity which now presents itself to settle the band to which the petition has reference who are represented to me as being very poor and heretofore to have depended almost altogether for the support and maintenance of their families on hunting and fishing should not in my opinion be lost. I therefore respectfully recommend that the tract asked for be set apart for them and their posterity on the same terms and conditions that the Reservations in other parts of the Province have been made for the several Resident Tribes and that the Surveyor General be directed to cause a survey of the same to be made for that purpose.

[Document No. 274]

192. On November 3, 1843, Jarvis wrote to Lt. Col. Napier:

I have the honor to acknowledge the receipt of your letter of the 31st ultimo respecting certain Nippissingue and Algonquin Indians who are settled on the Township of Bedford in the Midland district and requesting to be informed whether those Indians had received Presents at this place.

In reply I have to inform you that they have not yet received Presents - but I have obtained the sanction of His Excellency the Governor General to their doing so, and the estimates have been prepared by me and have been approved by His Excellency.

These Indians are represented to me, as not belonging to the Tribe called Algonquins or Nippissingues. They call themselves Atishquah-quahmiegs.

I have now an application before the Governor General and Council on their behalf, to have about 2,000 acres of land in the Township of Bedford and Oso, set apart as a Reservation for them.

I send you a Piece of Paper on which are the names of these People, written by the Chief himself - from it you will be able to discover whether any of those Indians not present at your last distribution of presents are among this Band.

[Document No. 275]

193. A letter from the local agent, dated December 16, 1843, recommended postponing the distribution of presents to the Bedford Indians who were "much scattered in the back country trapping."⁵⁸ [Document No. 278.]

194. On March 21, 1844, Order-in-Council #1467 was passed, granting a license of occupation to Peter Shawanipinessi:

On the Petition of Peter Shawanipinessi one of the Indians of Lake of Two Mountains Tribe, to be protected in the Occupation of a Tract of Land in Bedford, Oso and South Sherbrooke. It is ordered that the land prayed for be reserved from public sale and that the Petitioner have a License of Occupation during pleasure.

[Document No. 282]

⁵⁸ Back country was a phrase used to denote areas furthest from settlement or major water routes. In this case it likely refers to lakes to the north in Oso and Sherbrooke.

195. On August 24, 1844, Superintendent Hughes reported to Napier that a delegation of Algonquins and Nipissings had visited him and had again raised the question of collecting rents:

... on the 22nd Instant. six chiefs of the Algonquin and Nipissingue Tribes - (per margin) paid me a visit, and requested of me to procure them an Interview of Their Father His Excellency -- I informed them that their Father, had at this present moment, a multiplicity of busyness on hand that I feared much, he could not spare time to see them - They replied that they were very sorry for it - that they were too poor-, and destitute of means to prolong their stay in town and requested of me to salute Their Father His Excellency on their part & Represent to him their great poverty and to pray and beseech him to take their destitute situation into serious consideration - and to be pleased to permit them to go & gather the rents due to them by the squatters on their hunting grounds (as represented in their sundry memorials) and at the same time they pray of Their Good Father, to be also pleased to grant them a document signed by his hand, authorizing them the above mentioned Chiefs, to draw said rents - and they beseech Their Father to be further pleased to allow their Interpt Captn. Ducharme with any other person their Father may be please to appoint to accompany them -

They also beg leave to represent to their Father that the leases granted to the squatters by the Indians expire this year - & the year ensuing.

The following names appeared in the margin:

Algonquins
Kai-yus-ka-watch
Ki-conce
Pa-ka-na-wa-tic

Nipissings
Su-wa-we-se-ketch
Kee-jic-o-mu-witos
Tu-qua-ka-nues

[Document No. 284]

196. On September 12, 1844, J. F. Kingston wrote to Col. Napier on behalf of the Bedford Indians:

I take the liberty of troubling you on behalf of the Indians to whom a tract of land (partly in this township [Bedford] & partly in the adjoining one of Oso) was a short time since conceded by the Provincial Govt. They belong to the Tribe of the Lake of the Two Mountains and their Chief's name is Peter Shaw-wa-ne-pa-nesse; altogether there are about 20 families & the settlement will probably increase. On an application made last year it was conceded to them to receive their presents by way of Kingston, & Col. Jarvis came to Sydenham which is about halfway between that place and their settlement, & met the diff. families there, and distributed the presents, which was a great convenience & advantage to those poor people. They appear to be uncertain how or when they are to receive their Presents for the current year, & when I was at their settlement, they made me promise to write on their behalf about it ... They have handed me a list with the names of all the men women & children in the settlement ... which if necessary I could forward - there are at present 85 in No. altogether.

[Document No. 288]

197. During the 1840s, the Oblates made missionary visits to Algonquins on the north side of the Ottawa River. Correspondence from an Oblate missionary, who later became an expert in the Algonquin language which he had studied at Lake of Two Mountains, indicated that the people residing at Lake Timiskaming, Abitibi, Grand Lac [Victoria], Fort William (Allumettes), Lac Barrière, Lac à la Truite, and the Gatineau River all spoke the same Algonquin language. [See Document No. 293.]⁵⁹ In a report dated August 25, 1845, however, the same missionary notes that the

⁵⁹ February 10, 1845. J. N. Laverlochère to Monseigneur Bourget, Bishop of Montreal. Archives Deschâtelets JC 3901.C21R 37.

language spoken at Lake Abitibi is different from that spoken at Lake Timiskaming.
[See Document No. 298.]⁶⁰

198. The following is a translation of excerpts from an article describing Catholic Missions in 19th century Northeastern Ontario, particularly at Mattawa in the mid to late 1840's:

[pp. 23-26]

...
The first missionary centre of the actual region of New Ontario served by the Oblate Fathers was to be Mattawa, then called "Mattawan". Already, since 1818, the missionaries from the Red River in Manitoba visited, in a sporadic way, the Indians and the voyageurs who gathered at the Hudson's Bay Company post at Mattawa. This was brought about when the missionaries went to Red River or when they returned from there. Meanwhile, these irregular missions transformed themselves into annual missions in 1835 when Messrs. Bellefeuille and Dupuis, secular priests, were assigned to these new areas. Their missions were thus based at the Fort William of the Calumettes islands, which therefore constituted the limit of settlement. 1836 is the year when we celebrate the first mass of the 19th century at the site where Mattawa is now found. It is particularly celebrated in the company of Indians and of voyageurs who met at the Hudson's Bay Company post.

Oblate missions

It was in the year 1843 that Monseigneur Bouret applied to the Hudson's Bay Company for permission to permanently settle some Oblate missionaries at Mattawa, to cover all the surrounding regions of Lakes Temiscamingue and Abitibi and of James Bay. However, this request was refused him because the Company wanted to reserve these territories to the Protestant clergy who already had interests in these areas. However, the Company offered the possibility to the missionaries of visiting the missions of Mattawa and of Lakes Temiscamingue and Abitibi and put her buildings up for the service of the Oblates to house them and for their religious services. It was therefore in 1844 that the Oblates started to visit the company's posts.

Father Laverlochère was the first Oblate to proceed through this new region of mission work. From Mattawa, the missionaries visited the region up to Moose-Factory, the James Bay post, where they proceeded for the first time in 1847 despite advice to the contrary from the Company. Meanwhile, the latter did not hinder them from working there. It was Sir George Simpson, highest official of the Company, who said: "I may assure you that these gentlemen will meet with every attention and assistance at the establishments they may visit and sincerely hoping that their mission be attended with success." These visits were made regularly from 1844 to 1869.

The first strategic region for the Oblates was without doubt Mattawa, as this point represented the opening of the Canadian north and west. It was in 1869 that the desire to settle some Oblates was brought about, with the permanent arrival of Father Nédélec, already a missionary in these parts. He was thus the first missionary to become a resident priest of the Oblate missions. It was said that Mattawa then numbered a population of fifty catholic families (French and English) as well as twenty five protestant families and two thousand Indians. As well as serving this population, Father Nédélec had to proceed annually to James Bay. Mattawa became therefore an important religious centre and a new frontier for settlement which served two main regions. The first, ministered by Father Nédélec, extended from Mattawa to James Bay while passing by the missions of Lakes Temiscamingue and Abitibi. The second, the responsibility of Father Guéguen, extended from Mattawa to Ottawa.

...

[Translation from French]

[Document No. SS-18]

⁶⁰ August 25, 1845. J. N. Laverlochère to Monseigneur L'Archeveque de Montreal, "le langage etant bien différent de celui de Temiskaming". Archives Deschâtelets LCB 3005 .M66 L2.

199. Chief Peter Stevens (Pierre Shawanipinessi) reported that there was a population of 96 people at his settlement at Bedford on March 4, 1845. [See Document No. 296.]
200. On March 20, 1845, the Bagot Commission of Inquiry tabled its final "Report on the Affairs of the Indians in Canada" in the Legislative Assembly. The Commission reported on the Algonquin and Nipissing Indians in detail. The population at Lake of Two Mountains was reported to be 333 Algonquins (under 3 chiefs) and 263 Nipissings (under 4 chiefs).⁶¹ There were also 92 Algonquins reported at Trois-Rivières, which is outside the subject area. No Indians were reported within the Ottawa River watershed. [Section II, unpaginated].

...
3. THE ALGONQUINS, NIPISSINGS, AND IROQUOIS, AT THE LAKE OF TWO MOUNTAINS

The tribes at this post do not possess any lands from whence a revenue is derived, and have hitherto depended upon the chase for the principal part of their support ... The total number of these Indians is 1,050 of whom 418, including 62 heads of houses, are Algonquins, 318 including 90 heads of houses are Nipissings ...

As the Algonquins and Nipissings differ very much from the Iroquois, in character and habits, it will be necessary to describe them separately.

The two former tribes lead a roving life, dwelling in huts and wigwams during the greater part of the year, and some through out the year; the majority, however, resort to the Lake of Two Mountains for about two months annually [emphasis added]; and during that period they occupy houses in their village, which is separate from that of the Iroquois. These two tribes possess 68 houses, 10 stables and only one barn ... [describes Iroquois improvements] ... only the women and aged men, who are unable to follow the chase, and are consequently left at home, cultivate small patches of land to a very limited extent.

... [describes cultivation at mission] ...

... A few of the Iroquois find employment during the summer, as pilots and raftsmen, to the rafts which are brought down the Ottawa to Montreal. Their condition, however, is far from prosperous; and as they have no other resource than their crops, a failure in the harvest reduces them to a state of absolute destitution. The situation of the Algonquins and Nipissings is still more deplorable: their hunting grounds on the Ottawa, which were formerly most extensive, abounding with deer, and other animals, yielding the richest furs, and which their ancestors had enjoyed from time immemorial, have been destroyed for the purposes of the chase. A considerable part has been laid out into townships and either settled or taken possession of by squatters. The operations of the lumbermen have either destroyed or scared away the game throughout a still more extensive region, and thus, as settlement advances, they are driven further from their homes, in searches of a scanty and precarious livelihood. Their case has been often brought before the government, and demands early attention.

...

It is mentioned of the Algonquins and Nipissings, that there are many among them, who, although living a wandering life during the greater part of the year, can read and write tolerably in their own language; and it is observed of them, that they are generally much more intelligent and civilized than the Indians that remain in the vicinity of the towns. There can scarcely be stronger evidence of the demoralizing effects of partial civilization. These wandering and almost destitute tribes, far from being sensible of any improvement in their condition, say that forty years ago they were much happier and more independent than they are now: they then had game and peltries in abundance; they lived well and were well clothed: but now they are ragged and starved half the year. This statement accords with that of the Superintendent.

⁶¹ See, however, estimates given later in report: 418 Algonquins and 318 Nipissings.

...

CHIPPEWAS AND OTHERS IN THE TOWNSHIP OF BEDFORD

Within a few years past, some stragglers from the Rice Lake tribe have settled in the Township of Bedford, about twenty-five miles north of the town of Kingston; and recently, they have been joined by a band of eighty-one Indians from Lower Canada, belonging to the post of the Lake of Two Mountains. As the settlement is of recent formation, and the claim of these Indians upon the attention of the Department of Upper Canada, has only been brought forward last year, they have not yet been visited by any officer of the Department, and no account can be given of the settlement. By Instructions issued in 1843, they were transferred from the Roll of Lower Canada to that of the Upper Province, and, accordingly, received their presents for the first time in that Province.

The same report lists the population of the Bedford Township Indians as 91.

The Bagot report also made the following comments on aboriginal title, the administration in Lower Canada, and the case of the Algonquins and Nipissings:

...

I. *Title to Lands*

Although the Crown claims the Territorial Estate and eminent Dominion in Canada, as in other of the older Colonies; it has ever since its possession of the Province, conceded to the Indians the right of occupancy upon their old hunting grounds, and their claim to compensation for its surrender, reserving to itself the exclusive privilege of treating with them for the surrender or purchase of any portions of the Land. This is distinctly laid out in the Proclamation of 1763, and the principle has since been generally acknowledged and rarely infringed upon by the Government. The same rule has been followed by the Government of the United States, who pay annuities for the surrender of Indian Lands to the extent of about £140,000 a year.

In Lower Canada, where settlement had made considerable progress before the conquest, and where civilization and Christianity had been introduced among the Indians, their territorial possessions had at that time become circumscribed within defined limits, and in many instances were held by patents under the French Crown, or individual Seigneurs. Of these reserves the several tribes still retain possession and there is only one section of the country, viz: on the Ottawa, in which the Indians have been dispossessed of their ancient hunting grounds without compensation.

This encroachment, however, was not the act of the Government, but the natural consequence of the extension of the Lumber Trade in that direction, which has gradually cleared the country, destroyed the game, and introduced White Settlers holding possession of the land without any authority on the part of the Government.

...

[Section III, pp. 17]

The Bagot Report also noted that the Algonquins and Nipissings travelled about 250 miles to receive their presents at Lake of Two Mountains. [Section III, p. 9]

...

3. *Algonquins, Nipissings and Iroquois, at the Lake of the Two Mountains.*

The claims of these Indians have been repeatedly before the Government, and their present distressed condition calls for its human interposition.

The nature of their claim, founded upon the former occupation and gradual dispossession of the territory on the banks and in the islands on the Ottawa, upon the terms of the Proclamation of 1763, and upon the fact of their having (although illegally) received rents for lands occupied by settlers in those islands, gives them a title to the favourable consideration of the Government.

The Commissioners find it recorded in the Report last quoted which was confirmed by another Committee in a Report dated 17th June 1839, that the

claim of these Indians were, in their opinion, "to be resolved into an equitable right, to be compensated for the loss of the lands from which, in former times, they derived their subsistence, and which may have been taken by Government for the purposes of settlement, and that the measure of such compensation should be to place and maintain them in a condition of at least equal advantage with that which they would have enjoyed in their former state. They therefore recommend that a sufficient tract of land should be set apart in the rear of the present range of Townships on the Ottawa River, and that such of them as may, from time to time, be disposed to settle on land should be located there; and that both they and the rest of these Tribes should continue to receive such support, encouragement and assistance as may supply the place of their former means of subsistence, and at the same time prepare and lead them to a state of independence of former aid."

Your Commissioners having this latter end chiefly in view as the fruit of the civilization and social elevations of the Indians, and considering the difficulties which would exist in bringing to bear upon Indians, if located as proposed in the rear of the Ottawa Townships, the means of improvement which are recommended for the rest of their race, cannot recommend that this part of the suggestion be carried into effect. Neither do they conceive that it would tend to the interest of these Indians to grant the prayer of their petition, and to settle them upon the Isle aux Allumettes, as it appears that a large white population already occupy that Island - a number amounting to 800 souls having petitioned for titles to lands therein, whom it would at the present day, be impossible to dispossess.

They would, therefore suggest 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 Province, in which the proposed institutions 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: L2.10. 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 had led to the destruction of their means of subsistence, this payment becomes an equitable charge upon the revenue of the Crown lands.

That with regard to the claim put forward by them to the annuity at present paid to the Mississaugas of Alnwick, Your commissioners conceive that no further delay should be allowed to take place in determining the party who is thereto entitled; and that if the claim of these Tribes be substantiated, they should be admitted to share in the application of the said Annuity, which shall henceforth be devoted, independently of any contract on the part of the Indians, to the maintenance of institutions and other instruments of civilization, for the benefit of these Tribes and its former recipients.

...

Your Commissioners called upon the Chief Superintendent with regard to this part of the claim, but their letter, dated 19th February 1843, remains unanswered.

...

[Section III, p. 40-41]

A transcript of the evidence of Superintendent Hughes with reference to the Algonquins, Nipissings and Iroquois of the Lake of the Two Mountains, as well as the Abenagois of St. Francois, is included in the Bagot Report:

Answers to Queries put to the Superintendent of the Indians under your superintendence?--In the year 1827, I was appointed by His Excellency the Earl of Dalhousie, to the situation of Resident in the Indian Department at Montreal, and was attached to the Indians in the vicinity until the year 1830. In that year a reduction took place in the Department, in then Upper and Lower Canada, by order of the Home Government. Among the reduced, I, unfortunately, was one. Lieutenant Col. McKay was that year appointed Superintendent of the Department in the District of Montreal. In the spring of 1831, having nothing to depend upon for support, I retraced my steps back to the interior of the

Northwest Country, in rather a subordinate situation to the one I had previously held in that country during the term of thirty years. In the course of the month of March, 1823, when stationed at the distance of two thousand miles from the civilized work, I was gratified by the receipt of a letter from my brother, then Major in the 24th regiment (whom I had not seen for forty-two years), informing me of the death of Col. McKay who had fallen a victim to the cholera, in September, 1832, and that he was desired by His Excellency, Lord Aylmer, to intimate the circumstance to me as early as possible, and to say that the situation would be left open for my acceptance until September, 1833, and that a person was appointed to act until my arrival in Canada. On the 8th June, I took my departure from the settlement of the Honourable Hudson's Company, in Red River, and arrived at Montreal the 15th July. On the 1st of August was appointed Superintendent in the Department, in the District of Montreal, and have acted as such to this day.

2. Are they improved during that time in their moral and religious character, and in habits of industry?--Since my first entering the Indian Department, until about twelve months ago, I observed little or no change in their moral and religious character, as well as in their habits of industry (with the exception of a few families). In general, since the time above mentioned, when the Rev. Bishop of Nancy preached to them temperance and sobriety, they are not so much addicted to the use of spirituous liquors as heretofore; of course rather improved in their moral and religious character, but in their of industry I cannot say much.

3. Where and in what manner are they settled, whether in villages or upon small farms?--The Tribes of Iroquois under my superintendence, stationed at St. Regis and the Lake of the Two Mountains, reside in villages, as also the majority of the Abenquois Tribe at St. Francis. The Nipissings and Algonquins of the Lake, lead a roving and wandering life. These tribes live in huts, or wigwams, ten months out of the twelve, and many of them the whole year through. Such as resort to the Lake annually (the great majority), where they remain two months, live, while there, in houses. Each family has a house in the village. None of the tribes (bona Fide Indians) under my superintendence are located on farms.

4. What is the size and extent of each village, viz., number of houses, barns, &c., and of what material built?--The inclosed statistical return answers this query. The houses are generally built of wood; a few of stone, they are comfortable enough. The two villages at the Lake may be, in extent, about seven acres superficial; that at St. Francis, about three and a half.

5. Do many of the Indians under your superintendence, from choice, live in wigwams; if so, state the number?--Many of the Indians under my superintendence, do, from choice, live in wigwams, or lodges. About a dozen families, of the Abenquois Tribe, who do not, from indolence, cultivate the land, live three parts of the year in wigwams, in the forests near Fish Lakes, and seldom resort to the village but once a year, to receive Her Majesty's annual bounty, and perform their religious antics. As regards the Nipissing and Algonquin Tribes, I have answered to Query No. 3.

6. Is the land cultivated by the Indians under your superintendence, subdivided into regular blocks or parcels or does each Indian select the spot he wishes to cultivate, according to his taste, or is the land selected by the Chiefs for him?--The land cultivated by the Indians under my superintendence, is not subdivided into regular blocks or parcels. Such of the Indians of the villages of St. Francis and St. Regis, as wish to cultivate the land on their reserved domain, or add to their patches already cultivated, select a vacant spot, inform the Chiefs that he has chosen this piece of ground for his own use, to which the Chiefs seldom object. At the Lake of the Two Mountains, which is a Seigniorie granted to the St. Sulpice Seminary at Montreal, for the support of the tribes of Indians stationed there; the Indians receive as much land as they can cultivate without paying rent for the same.

7. Will you state, as near as practicable, the number of acres under cultivation in your own particular settlements; and also the number of acres cultivated by each family? In each case in which the family has no land under cultivation, how does it procure the means of subsistence?--It is a difficult matter to state the number of acres cultivated by each family; some families cultivate more than others, and many none at all; and most of this cultivated land is in small patches, irregularly scattered here and there. But as the statistical return mentions the number of acres cultivated by each tribe at the different villages, as

well as their population, some idea can be formed of the extent of land cultivated by each tribe. Such of the families as do not cultivate the land, (Abenagois of St. Francis), which we may average at about twelve families, support themselves by making baskets, moccasins, snow-shoes, &c.; and these live in forests, near fish lakes, kill a few deer and whatever other animals and furs they can procure. The whole of the Nipissing and Algonquin Tribes (with the exception of a few old men, old women, and a few invalids, who are unable to endure the hardships of a winter campaign, remain at the village), depend entirely on the chase for a livelihood. They wander about from place to place, on their hunting grounds, which are most extensive, and once abounded with deer and the richest of furs, and most magnificent forest timber. These hunting grounds have engaged by their ancestors and them from time immemorial. They were subdivided, long before the conquest, among the six Chiefs of the two tribes, and their different bands or clans. In a Council held by the two tribes, for the purpose, no individual of one clan dare intrude on the hunting grounds of another. They were once the richest and most independent tribes of this continent, but are now the reverse. Great part of their hunting grounds have been assumed by Government, and laid out into townships; a vast extent has been taken possession of by Squatters, and the rest almost entirely ruined by lumber men. Their deer have disappeared, their beaver and other furs annihilated, caused by continual and annual fires made in their forests by lumber men. These poor tribes have frequently represented their grievances to Government, but have not as yet received satisfactory answers. Reference to their sundry memorials will show the state they are now in, and the grievances they have sustained; in a Council held by the tribes for the purpose.

8. When an Indian is once in possession of a piece of land, is he secure from the intrusion of other Indians; heirs; or conveying his interest in the property to other members of the tribe, or to other parties?--When an Indian is in possession of a piece of land, or the domain of the Seigniorship appertaining to the tribe in common, at St. Regis as well as at St. Francis, although he has no title deeds to said piece of land, by usage his heirs invariably inherit it. If no heirs, he may leave or give it to whom he pleases, or sell it to any member of the tribe, to no whites or strangers. The Iroquois, at the Lake of the Two Mountains, receive as much land as they can cultivate (from the missionaries stationed there, representatives of the Seminary at Montreal), for which they pay no rent. They receive title deeds to said property, and have the power, if no heirs, to leave or sell it to whom they please, provided it be to a member of the tribe, and of the mission, but to no strangers or whites.

9. Do you find them improved in their mode of Agriculture to any extent, since you first had charge of them; to what extent do they cultivate their land in common?--I do not find the generality of the Indians in the least improved in their mode of Agriculture since I was first amongst them in 1827, with the exception of a very few. The Indians do not cultivate the land in common, each family cultivates its own patches, which are of little extent and scattered here and there at certain distances from the other.

10. Can you state the number who have commenced to till lands during that period. What instruments did they use, when you first had charge of them, and what do they use now?--(Answer to No. 10 and 11.) The tillers of the land since I came first amongst them have not much increased. Their implements of Agriculture, when I first joined them, were hoes and spades, and these are what they principally make use of at present. The statistical return mentions the implements of Agriculture used by each Tribe--the women, or such as have them, are careful of their hoes and spades.

12. What stock do they possess, and do they pay proper attention to it during the winter season?--The stock possessed by the Indians is mentioned in the statistical return, they take pretty good care of them during the winter.

13. What mode of Agriculture do they pursue; if it differs from that of white settlers, state in what the difference consists?--The Indians make use of spades and hoes, a few have ploughs which they make use of as white settlers.

14. What description of grain or pulse do they mostly cultivate?--Indian Corn is what they cultivate most, being the principal article of their food; they also raise pease, beans, potatoes, pumpkins, oats, and hay.

15. Can you state quantities each Tribe has produced in any one year?--Reference to the Statistical Returns will shew.

16. By whom is the field labor performed; if by the young men, do they take their fair share of the labor?--The greater part of the labor is performed by the women; their husbands assist. The young men generally attend the hay, oats, cattle, and the firewood.

17. Is the division of the day as regards labor systematic?--There is no system, generally speaking, amongst the Indians as regards labor. Some are more thrifty than others, and many lose half their crops from inattention to them; in general they work seven or eight hours in the twenty-four, and some days not at all; they seldom go to their labor before nine o'clock, with the exception of a few families.

18. Do they partake of their meals at regular stated periods of the day as is customary among white settlers?--The Indians have in general no stated hour for their meals, excepting their breakfast; the men generally rise late, go to Church, and breakfast about eight o'clock; after this meal go each to their work if any they have. Such of them as can afford it, eat three times a day as the humour takes them, but the majority only twice, morning and evening.

19. Is their fondness for fishing, hunting, &c., as great as ever?--(Answer to No. 19 and 20.) The Nipissing and Algonquin Tribes are as fond of fishing and hunting as formerly, having nothing to depend upon for a livelihood but the chase. The rest of the Tribes, with the exception of a few Abenquois (as I have mentioned above in my answer to query No. 5) and about half a dozen Iroquois, shew no great eagerness for fishing or hunting. The whole of the year by the Nipissing and Algonquins is spent in their occupations, the spring and fall by the other Tribes.

21. To what places do the Indians under your charge resort for such purposes?--The Nipissings and Algonquins resort to their hunting grounds, which extend from Point D'Orignal, above the Long Sault, up the Ottawa River to Lake Nipissing, and embrace all the rivers, creeks, &c, from their sources North and South, emptying themselves into the Ottawa. The other Tribes generally resort to the Lakes and vast forests in the Eastern Townships, as well as behind Three Rivers, on the North side of the St. Lawrence.

22. What effect has the progress of settlement had upon their practice in these respects, and upon the choice of their places of resort?--The progress of settlement has had but little effect in appearance on the majority of the Abenquois and Iroquois Tribes, as regards their former practices of hunting, &c.; indolence, the want of means to purchase fire-arms, &c., and the scarcity of game, prevents many of them from leading the wandering life they were accustomed. But as to the progress of settlement on the banks of the River Ottawa, it is looked upon by the Nipissing and Algonquin Tribes with an evil eye, having from time immemorial, enjoyed and looked upon that country as reserved to them for hunting grounds. But the greater part being now assumed by Government, and settled without their receiving any remuneration, as their brethren in Upper Canada in similar circumstances, they are under the necessity of wandering far into the interior, at a great distance from all settlements to procure a livelihood and clothing for their families.

23. What progress have they made in Christianity?--The Indians in general under my superintendence, are in appearance good Christians, but I believe not much improved since I was first amongst them.

24. To What religious denomination do they belong?--The whole of them follow the Roman Catholic religion, with the exception of four families of the Abenquois, who are Methodists.

25. Do they attend church or chapel regularly, and from choice or other motives?--Such of the Indians as live in the villages, regularly attend church twice a day, the whole year round, morning and evening; and I am informed, that those who lead a wandering life are regular in their morning and evening prayers. The Indians in general are a superstitious set, and much in dread of their Priest; it is therefore hard to say, whether they act from choice or fear. No Indian is allowed by the missionaries to go into church during service without their blankets.

26. Since their conversion to Christianity, are their morals improved?--The answer given to Query No. 2, is nearly what I can give to this.

27. Do they appear sensible of any improvement in their condition and desirous of advancing?--Far from being convinced, or sensible of any improvement in their condition, they say that forty years ago they were much happier and more independent than they are now. They represent that deer and all condition of game were then numerous, they procured furs and peltries in abundance; that they lived well, and were well clothed; but that now, they were ragged, and starved half their time, caused by too many whites coming amongst them.

28. Are any of the Indians under your superintendence Heathen? if so, state the number, what efforts have been made to convert them, and what obstacles have prevented their conversion?--No Indians under my superintendence are Heathens.

29. What number of baptisms have taken place, or do take place on an average yearly; and into what Church?--By reference to the statistical returns, all baptisms take place in the Roman Catholic Church.

30. What means of religious worship and instruction do they possess?--(Answer to 30 and 31.) At every village in this District there is a Roman Catholic and a Missionary of that faith, from him they receive instruction; at the village of St. Francis there is a settlement preacher who has converted four or five families to his persuasion.

32. What is their practice with regard to public and private worship?--Answered in query Nos. 23, 24, and 25.

33. What schools are established amongst them?--No schools are at present established at any of the villages, except at the Lake of the Two Mountains, where a Canadian acts as Schoolmaster, and teaches French only. The Missionaries at that station inform me that only six boys attend the school two or three times a week. A few Indian girls receive instruction from two nuns that reside there; some children shew aptitude to acquire knowledge, the books made use of are spelling books, and prayers of the Church.

37. Do they shew any aptness for Mechanical Arts; and if so what Arts?--(Answer to 37 and 38.) With very few exceptions, the generality of the Indians under my superintendence shew no aptness whatever to any Mechanical Arts. There are two or three Indians at the Lake, who are pretty good rough Carpenters; but if the Indian youth were encouraged and put out as apprentices, they would in my opinion become good Mechanics. There are no tradesmen amongst the Indians in this vicinity but those mentioned above.

39. Is the health of the Indians under your superintendence generally good or otherwise, as contrasted with the health of the white population in their neighborhood?--The Indians, generally speaking, enjoy far better health than the white population surrounding them.

40. What are the prevailing diseases amongst them?--The most prevailing diseases amongst the Indians is the Kings-evil; many are consumptive.

41. Do you find those diseases on the increase or decrease since their civilization?--I can only speak since I was amongst them; since that time I do not think they are on the decrease or increase, but remain in status quo.

42. Do the Tribes under your superintendence increase or decrease in number, irrespectively of migration, if the latter, what in your opinion is the cause?--Since these two or three years past, the Indians have increased in number; in 1832 and '34 many were carried off by the cholera, and since that time they have increased.

43. What is the average number of children born to each married couple, and the number generally reared?--The average number of children born to each married couple is between two and three, and the number generally reared is about two; many have no children.

44. At what age is the mortality amongst children most frequent, and to what cause may this be ascribed?--The mortality amongst the children is most frequent from their birth to the age of four or five years; this chiefly is caused by small pocks, king's-evil, and measles; many are carried off by worms, caused by their eating green fruit for want of other.

45. Do the Indian men or women frequently intermarry with the whites?-- Indian women do frequently intermarry with the whites, but very few of the Indians intermarry with white women.

46. Among the Indians under your superintendence, what is the proportion of half-breeds?--At least two-thirds in my humble opinion.

47. Is there any marked difference in habits and general conduct of the half-breeds and the native Indians; if so state it?--No difference whatever exists in the habits and ways of living of the half-breeds and the native Indians, but in general the half-breeds are far more addicted to vice than the native Indians.

48. In cases where intermarriages with the whites have taken place, do you find the condition of the Indian improved?--In cases of intermarriages taking place with the whites, the condition of the Indian does not improve; white women who marry Indians adopt their manners and dress themselves like Indian women, and the generality of the white men who marry Indian women do the same, as well as their children.

49. Do the Indian women frequently live with white men without being married?--In the Indian villages no women live with white men without being married; but there are instances of Indian women living with white men without being married, at a distance from the villages. The Missionaries and Indians will not allow whites to remain with Indian women in the village without being lawfully married.

50. Does the birth of illegitimate children among the unmarried women occur as frequently now as heretofore, and in what light is the circumstance viewed by the Indians?--The birth of illegitimate children, among the unmarried women, does not occur as frequently as formerly; when it does happen, it produces no effect whatever on the Indians. The child is adopted by the Tribe, and looked upon as well as if it was legitimate.

51. Do any of the Indians enjoy all or any of the civil and political rights, besides those of the children of educated white men, married to Indian women?--(Answer to 51 and 52.) I know of no educated white men married to Indian women in this District; no Indians under my superintendence enjoy any of the civil or political rights possessed by other subjects of Her Majesty.

53. In your opinion, have the Indians the knowledge and ability to exercise those rights?--There are no educated men amongst the Indians, and of course cannot have the ability and knowledge to exercise those rights; but I will add that there are many, from their natural sense and intelligence, (could they explain themselves in the French or English language) would be as fully adequate to exercise them, as the great majority of the Canadian *Habitant*.

Superintendent Hughes offered the recommendation that the Indian Department establish one or two schools for the Indian children "at some distance from their parents and relations, and even from all Indian Tribes. The best place would be in the Eastern Townships, as too many Indians reside on the banks of the Ottawa."

[Document No. 297]

201. A translated letter from R. Richard, the missionary at Lake of Two Mountains, to Lt. Colonel Napier, Secretary of Indian Affairs, dated October 2, 1845, shows the population and activities of the families from Bedford (the Rideau) and Temiskaming:

I beg you to permit me to write to you on the occasion of the list of the Algonquins and Nipissings that we are obliged to make each year. For the last two or three years, we have distributed presents in Kingston or in the area, to some families who, before, had received them at Lake of Two Mountains, there came many difficulties when it came to making an exact list of those who should receive their presents at the Lake. Such a family, one year, consented to giving their name for Kingston, another year they wanted to withdraw it to put it back on the list for the Lake; such that this makes changes and creates continuous encumbrances.

Could we not notify these few families that as in the past they will receive their presents at the Lake for the following reasons:

1. It would be re-entering into the ancient use from which we have not derogated until the past two or three years.
2. There are but eight or nine poor families in this place on the Rideau River
3. Almost all these families come to the Lake, every spring, or at least send some among their members there, consequently, why change, with respect to them, the place of distribution.
4. This change, as I have said, gives difficulties to you and to he who makes the list, because we do not know if such a family belongs to the list of the Lake or to that of Kingston.
5. This is subject to giving double the equipment to the same family, a mistake which has already occurred.
6. This again exposes some families to being deprived of presents to which they have a right; which has again happened for many.
7. All of these distributions have to cease in a few years due to the exclusion of children who are born from now on; why, therefore, change for so little time the place or the system of the distribution of presents.

It is, Sir, to avoid grief and trouble for you that I have taken the liberty to present to you these observations. If you judge in terms of having considered them, I will then take it upon myself to have the few families in question notified on your behalf.

... [signature and list of Algonquins and Nipissings from Rideau (Bedford) - 84] ...

Those whose names follow are Indians of Temiscaming, reduced to their final destitution. They came to Lake of Two Mountains in the hope of receiving some gear, and in the desire of uniting with their brothers, to form with them only one village. They are deserving of commiseration, and if you allow them to receive some equipment, each year.

Moreover, My Lord, if you save them, you would help them to continue the cultivation of the fields which they had happily started this year, and you would contribute in helping them leave the darkness of barbarism so that they may enter into the beneficial enlightenment of civilization.

... [list of Temiscamings - 46]

[Translation from French]

[Document No. 299]

202. An 1846 return of Algonquins receiving annual presents at Bedford listed 12 families for a total of 57 people. Three families, 14 people, were struck off of the list as they were considered Mississaugas, probably from Alnwick. Thus nine families, comprised of 43 people, were counted as Algonquins. [See Document No. 305.]

203. On January 6, 1846, Pier-chaw-wi-ni-pi-nassi (Chief Peter Shawinipinessi or Chief Peter Stevens) of the Bedford Township Indians petitioned the Governor General to ask for protection from lumbermen who had been trespassing on their property and removing timber. In this petition Chief Stevens stated:

That your Petitioner obtained from the Government of this Province a certain tract of land in the Townships of Bedford, Oso and South Sherbrooke in the Midland District for the use of himself and his tribe as by an Order in Council bearing date the 21st day of March A.D 1844 will appear;

That during last winter several acts of trespass were committed on the said tract of land which induced your Petitioner to apply to the Government for protection and that therefrom instructions were given by the Governor General to seize the timber cut upon the said tract of land and to prosecute the parties concerned in such trespass as will appear by a letter from Samuel P. Jarvis Esquire of Toronto to the Superintendent of Indian Affairs a copy of which letter is herewith transmitted. That notwithstanding this numerous lumbering parties have been at work this winter and are at present at work upon the said tract of

land cutting the timbers therefrom and committing trespass thereon to a much greater extent than here to given, only without our consent but in defiance of us and who threaten our lives in the event of our attempting to put a stop to such trespasses:...That the said parties have received information from the Crown Timber Office in Bytown that the timber on the said land cannot be cut without our consent but without effect, and that the collector of Crown Timber duties at Bytown aforesaid declares that he has no power to protect us.

Your Petitioner further humbly sheweth that he has been given to understand that an order was issued to the district Agent of Crown Lands to have the said tract of land surveyed last summer but that it was delayed until the Fall, and when about to be entered upon was prevented by Mr. Boutillier of the Crown Lands Department Montreal.

[Document No. 303]

204. On February 23, 1847, Algonquin Chief Antoine Pakinawatik requested a grant of land on his traditional hunting grounds on the Gatineau River. His petition, addressed to Governor General James Bruce, Earl of Elgin, read as follows:

...
The Humble Petition of Antoine Pagnawattick, Chief of the Indians the Algonquins, of Lake and in the County of Lake of Two Mountains, as well in his own name as in the name & representing the Indians society & company of said Lake & County & all loyal subjects.

...
Humbly Prayeth Your Excellency to Grant Him, in his said capacity, all that tract of land, about nine miles square, on River La Gatineau, situate on the west Bank of the said River & between the mouth of the River du Desert & the Rapids called 6 Portages, below Bytown, on the north side of River Ottawa as the whole society & company applied to your Predecessor the right Honorable late Sir Charles Théophilus, Metcalfe and as morefully set forth & expressed in the Petition referred & addressed to his Excellency by the whole society and Company these three years past.

[Document No. 306]

205. J. MacDonnell surveyed the Petawawa River in 1847. In his survey diary, he noted that in May, P. McLennan was sent to Trout Lake to buy a canoe from the Indians. McLennan returned with a man named McDonnell who informed them that a canoe could not be bought from the Indians. On May 8, two Indians with a camp were encountered on the course of the north branch of the Petawawa and they agreed to sell a canoe to Surveyor MacDonnell. The survey party then travelled up the north branch to obtain the canoe and found the Indians' camp at the head of a large lake, but no trace of Indians or the canoe was found. [See Document No. 310.]

206. In August of 1847, the Algonquins and Nipissings once again laid out their case in detail. They described their traditional hunting grounds and the history of their dispossession:

To our Father His Excellency the Right Honourable James Bruce, Earl of Elgin, and Kindcardine Governor General of British North America and its dependencies.

The Memorial of the Algonquins and Nipissingues Tribe of the Lake of the Two Mountains.

Father your Red Children the Algonquins and Nipissingues having lately returned from the Hunting grounds after nearly a years absence have heard of your arrival and they beg leave to approach you with joy and they humbly pray

the Great Master of Life to be pleased to bless you with health a long life and prosperity in all your undertakings and above all a lengthy sojourn among them.

Father:

Having been deprived of the Paternal care of our good and lamented Father Lord Metcalfe on whom we placed the greatest confidence and as our good and great Mother the Queen has deemed fit and proper to appoint you to the command of their colonies and their Representatives we will henceforth address you as our Father and Protector and we hope to obtain from you that justice which has hitherto been denied us.

Father

At the last interview that our late Father Lord Metcalfe was pleased to allow us in the month of August 1845 we had much to say to him but his words at the time (proceeding we imagine from great suffering) shut our mouths and deprived us of that opportunity of making him acquainted with the great grievances and injustices we have long and are yet experiencing from strangers who are constantly trespassing on our hunting grounds, settlers and lumberers who are annually increasing. Our Father Lord Metcalfe (at our said interview) requested us to make known and thoroughly explain to him on a piece of paper the injuries and grievances we had to complain of, that he would examine them and render us the justice we were entitled to. As our Good Mother across the Big Salt Lake has placed you in his chair we herewith send you the paper we were requested to prepare for him. It contains all we have to say in regard to the injuries and great injustices that have been done us; our mouths are not forked, Father, we speak straight and what we represented is the truth.

Father:

To make you thoroughly acquainted with the cause of our present most destitute and distressed situation we must go far back and therefore entreat and pray of you to be patient and to listen to our words and not only as our good Father Lord Metcalfe. Just that you show no partiality, that you render justice to whom it appertains. Justice, Father, is all we ask; it is what we are entitled to and expect at your hands.

Father;

As you are to us a stranger and perhaps ignorant of our claim as regards our rights, permit your Children Algonquins and Nipissings to point out to you the extent of the Hunting Grounds reserved to the Tribe by the Father of their ancestors, the King of France, and which they occupied and enjoyed long before the conquest of Canada. It began at Point d'Original above the Long Sault on the Ottawa River and following up that River to Mattawang, thence up the Little River up to the banks Lake Nipissing, embracing both banks of the Ottawa, its Islands, adjacent countries, tributaries, streams, rivers and brooks from their sources; & heights of land that flow and empty themselves in said Ottawa River.

And moreover Father the said hunting grounds were reserved to our Tribes by a Proclamation signed by our late and good and lamented Father King George the Third dated 7th October 1763 and by the late Sir William Johnson Chief Superintendent of all the Indians in North America (who) assembled the principal Chiefs and warriors of our Tribes in Council and was pleased to appoint one of his officers, his representative to address the Council as we have always been given to understand by our Father and old Chiefs in the following words:

Address: My Children Algonquins and Nipissingues; By command of your Father Chief Superintendent Sir William Johnson I have assembled you in council to make your hearts dance with joy in announcing to you that your new Father King George, the Third, across the big Salt Lake has the interest of his Red Children at heart, he has not forgotten them as he is persuaded that should he at any time require their services they will be prompt to obey him. The hunting grounds, My Children, which your ancestors and yourselves have from time immemorial occupied and enjoyed and that have been the means of supporting and bringing up your families are reserved to you as heretofore by order of your Great and Good Father the King. No strangers, my children have a right to establish themselves on your hunting grounds nor molest you in any manner whatever. They are reserved to your tribe as hunting grounds for the

sole benefit of yourselves and your Children. Your Great Father even forbids his first Officer or any other individual of making a survey of any part thereof or to purchase or otherwise to appropriate to themselves a single particle of your hunting grounds.

Should you my Children at a future period find that your hunting grounds become ruined and exhausted of beaver, Peltries, &co. and that you might be willing to dispose of a part or the whole of your hunting grounds they will be assumed by your Great Father the King and his representatives that may at the time be with you and the purchase thereof is to take place at a public council to be held for the purpose at which your Chiefs and Principal warriors must be present, to act in concert with your Father's representatives and such of his as he may appoint to act with him and whatever arrangements may be mutually resolved upon at said council and sanctioned by both parties will be approved of in the name of the King your Great Father by his representatives, whom will give orders for the payment of such parts of your hunting grounds as may have been assumed by Government---in conformity to the resolves of any arrangements of the Council.

God Save the King.

My Children:

Here is a true copy of the writing which your good Father the King has transmitted to your Chief Superintendent Sir William Johnson, it is certified by him dated 24th December 1763. My orders are to place it in your hands. Be careful of it. It may at a future period be of service to you.

Father

We hold this writing our ancestors and ourselves were proud of it. We considered it as a sacred document. It contains the words of our late Father King George the Third, and as we were always given to understand, we were persuaded that his words and signature were sufficient to ensure us of the peaceable enjoyment of our hunting grounds and keep us from being molested by strangers of any description. This being the case, Father, it was thought necessary and advisable by our old Chiefs and principal warriors (to prevent quarrels and bloodshed with our Indian brothers) to assemble a grand council to which were invited to attend the principal chiefs and warriors of the tribe then inhabiting the North Banks of the St. Lawrence facing Point d'Original and from thence upwards to a parallel of Lake Nepissing Iroquois, Mississaugas and etc. The hunting grounds claimed and reserved and enjoyed by the tribes of the St. Lawrence embraced the countries, Rivers, Lakes, tributaries, streams, following and emptying themselves in said River St. Lawrence from the heights of land separating the waters that flow from said height of land in(to) the River Ottawa which country and tributary streams are as above mentioned. The portions of hunting grounds reserved to your Children Algonquins and Nipissingues on the South bank of the Ottawa River, this point being amicably settled at said council it was unanimously resolved and agreed upon that no individuals of either tribes should on any account whatever encroach on the hunting grounds of the other under a certain penalty for which the Chiefs of the guilty Tribe were amenable.

Father;

The limits and extent of the hunting grounds reserved to the Algonquins and Nipissingues and them reserved to our Brethren then inhabiting the North Bank of the River St. Lawrence being amicably settled at the above mentioned Council as explained, it was further thought advisable by our old Chiefs and principal warriors to prevent quarrels and dissensions among ourselves that the whole of our hunting grounds reserved to us as above explained should be divided into two parts as equally as possible according to the different situations abounding in furs, and part to be enjoyed by the Algonquins Tribe and the other for the benefit of the Nipissingues the part or proportion allotted to each tribe to be by their Chiefs and principal warriors having a band or clan might have a certain extent of hunting grounds in proportion to the number of the band & followers, this arrangement having been settled to the satisfaction of the whole with a stipulation that no individual of one band should encroach on the portion of the hunting grounds belonging to another to hunt Beavers or Peltries. But should a Deer start from the Hunting Grounds of one Band to go to that of another the hunter was at liberty to follow it.

By this arrangement, Father, the various chiefs or heads of bands had an opportunity of nursing their Beavers and otters in the following manner viz. by dividing the portion belonging to the band into two equal parts which were still very extensive and hunting and changing alternately every two or three years from one part to the other which was generally adopted.

Father,

These two points between our known Brethren and ourselves being settled, and holding the above mentioned writing signed by our lamented Father King George the Third (in which we placed the greatest confidence) wherein it is stipulated that we are assured of the Protection of the government your Children were happy and persuaded that they could never be molested by strangers with impunity having the representative of their Father the King as a Protector.

But Father,

It is with tears and sore heart that your Red Children Algonquins and Nipissingues are under the necessity of telling you that to their great surprise detriment and ruin that it is far from being the case but at the same time they are persuaded that it ought to be.

Father:

Permit your Children to represent to you that about fifty years ago or thereabout there was not a single white man's establishment above the Long Sault with the exception of two or three huts of Canadian fur traders and these were not permitted to come without leave of Government. In these days Father we were happy, Rich and independent, we lived well made great hunts and had abundance of good clothing. Our hunting grounds were rich in more valuable furs and our magnificent Forests were well stocked with Deer, and small game of many species. No one in those days Father dared to molest us. It is only about the beginning of this century, Father, that a few indigent poor families who were starving and (as your Children Algonquins and Nipissings at present) who placed more confidence in their Indian Brethren for assistance than they did in our white Brethren found their way up to the Long Sault. Our Chiefs took pity on them, fed them, and allowed a piece of land on our hunting grounds to cultivate and support their families for which they were grateful and thankful.

But Father,

These interlopers some years afterwards began to increase annually. We perceived they would be an annoyance to us but forebore making use of force to expel them. We complained to our Father and Superintendent Sir William Johnston [sic], he promised to send them away but did not do so. Since that time Father, innumerable memorials have been sent by us with complaints praying for the removal of these squatters and lumberers from our Hunting Grounds, and we always received good words, and great promises from your predecessors, and were told that steps would be immediately taken to remove and punish these. But Father, these were but promises and so light that they were blown away by the first little wind and of course remain to be accomplished.

Father,

We your red Children Algonquins and Nipissingues are the true and identical children of the said (and according to the above mentioned Proclamation of our lamented good Father King George the Third, the sole proprietors of these (once) rich hunting grounds and majestic [illegible word] Forests but at the present day Father your Children are reduced to beggary caused principally by the innumerable squatters and lumberers who not content of taking possession & establishing themselves on the most fertile parts of our hunting grounds, destroying our magnificent forests and appropriating to themselves our fine timber now (but also) they most maliciously set fire to our woods, by which means they have destroyed our beavers and peltries, and driven away our Deer, the only dependance we had to support, clothe and bring up our children. We are often ill treated by these interlopers they take pleasure in destroying our patches of maize which we have here and there in cultivation for our winter flock and pillage and destroy our sugar bushes and when we threaten them with complaints to our Father they laugh at us & say it is from him that they receive licences to cut our timber. We are too weak Father to defend ourselves and obliged to put up with all these injuries and injustices.

Who Father is the cause of all we endured for the many years past are this day reduced to the greatest distress.

It is with a sore heart we say it Father. It is the government who furnish licences to these lumberers and who connive with those squatters who take possession of part of our most valuable hunting grounds without our permission or authority from Government - and who owe us much money they formerly used to pay us a small sum of money for the use of the land they squatted on but now refuse to do so - saying that they are forbid by Government.

Who Father has established and is still establishing those numerous and flourishing townships on our Hunting grounds on the Ottawa River. It is government Father that same government which instead of protecting and assisting us (in conformity to the above mentioned Proclamation) is the principal cause of our principal great distress.

Father

At the beginning of the Revolutionary War with the Big Knives (Americans) our Great Father the King required the assistance of his Red Children the Algonquins and Nipissingues our Ancestors were told by his then Representative that we were called upon as allies of our Great Father to encounter the Enemy that we had the honour to defend our Lands and our families Father and must act in concert with our white Brethren, we were no sooner summoned than the war whoop reiterated in our camp and we remembered what our Great Father the King had done for us and (our) ancestors we fought and bled for our Father and country. We did the same in the last war with the Big Knives and in a similar case we are ready to do it again.

Father,

All the above mentioned grievances and great injustices that we have experienced without being enabled to get redress were heaped upon us before we had the good fortune of having your predecessor Lord Metcalfe for a protector---he promised to render us justice. It is at his requests (as before mentioned) that this document was prepared as he has suddenly and unexpectedly been taken from us by the great Master of Life. We at the present day have no one but you to look up to for protection, we beseech you Father to watch over your red Children. Protect as a good parent and order and see that justice be rendered them.

Enough Father let the past be forgotten and rather please see what is to be done for the Future.

Father,

We pray and beseech you first to have reference to the enclosed copy of a Report of the Executive Council of Lower Canada of the 13th June 1837, that Report Father was sent across the Big Salt Lake and approved & sanctioned by our good young Mother the Queen, by a dispatch of the 22nd August 1838.

The Representations in that document Father with respect to your Red Children the Algonquins and Nipissingues are but just and what they are entitled to, and if treated as therein represented they would be happy and once more rich and independent as in former times; We have held this paper Father, for near ten years, always looking forward and expecting that something would cast up, but as your Children have received no benefit from it the cause we imagine proceeds for the several and sudden changes and deaths of several of our Fathers; your predecessors and to the late distracted state of the country.

We are now at peace, Father, and we depend upon you to set all this to rights, you have the power and the means, and we therefore pray and beseech of you to act towards your Children according to this report which is sanctioned by our young Mother the Queen.

Father,

We have to represent to you that the Algonquins and Nipissingues, have frequently requested of Government to assume the whole of their hunting grounds (with the exception of sufficient extent of country on said hunting grounds for both the tribes to establish themselves with the said Government) and we demanded from Government to be treated in like manner as our Brothers of Upper Canada have been, (in conformity to the above mentioned

Proclamation who receive a certain annuity for such part of their hunting grounds according to their extent) that Government has assumed; our hunting grounds are extensive, rich in soil and abound in Majestic Forests.

Father,

With respect to our demands we pray of you to be pleased to glance over several of our Petitions of the Month of March 1840, August 1843 and all of the Month of June 1844. These documents contain all of our Prayers and are in the hands of our Officer Col. Napier.

We request of you Father, to pay particular attention to the one regarding Isle aux Allumettes, and respecting the monies due us, by the numerous squatters who have settled themselves upon that Island and are become rich and independent. Our Officer Col. Napier has a nominal list of them as well as an account of the monies they owed us when we found it was impossible to obtain redress from Government to expel and remove those trespassers we came to an arrangement with them and leased them the land they had squatted upon for the term of two or three years at the rate of one shilling per acre per Annum, many used to pay us punctually but since 1838 & 39 they have refused to pay without we had some paper from Government to show them that they would authorize us to receive payment.

Father,

Render us Justice for that part of our hunting grounds situated in the upper part of the river Ottawa (which our Officer Col. Napier can explain to you) facing L'Isle aux Allumettes on the South bank where we meant to settle ourselves and had the sanction of so doing and a promise from our Father Sir John Colbourne (the then Governor of Upper Canada) of assistance but the year after this promise on our Chief's second visit to Toronto on the subject. To our great surprise and mortification we were given to understand that said part of our hunting grounds had been clandestinely sold to the Upper Canada government by the Mississagui who well know they belonged to us, and who nevertheless for these many years past and still, receive an annuity for them, which annuity we are henceforth entitled to receive and we are persuaded that our Father will agree with us and give his orders accordingly.

Father,

The annual accumulation of the vast revenues of the present and future flourishing townships established on our hunting grounds the rent and purchase money that government have a right to obtain from the numerous squatters that have established themselves on our said hunting grounds without authority and the annual vast sums of money that must and ought to be realized from the timber of our magnificent forests, ought surely to be much more than adequate to furnish a sufficient annuity to place your once rich Children of the soil in the situation mentioned in the above report of the Executive Council which (was sanctioned by our Great and Good Queen) and also abundant means to settle them comfortably in some snug corner of their said hunting grounds to bring up and support their Children with the assistance and protection of Government, without the fear of being hereafter molested by strangers.

Father,

We will break your ears no longer, we are persuaded that when you have carefully examined our complaints you will be convinced that we have received much ill treatment and injustice and that we have as much right as our White brethren to demand and be entitled to receive justice at your hands that the Great Master of Life may be pleased to give you health, long life and prosperity in all your undertakings is the prayer of your Red Children the Algonquins and Nipissingues and also that he may be pleased to keep you long amongst them.

Algonquins
Meiawinawatch
Kinyous
Nysamakawick
Sima Pitawimching

Nipissingues
F. Papineau
Simon Miksy
Francois Otjik
Sima Risuksat

[Document No. 315]

207. The next month, on September 30, 1847, also in response to the Governor General's request for information, former Superintendent Hughes prepared the following report for Napier regarding the lands claimed by the Algonquins and Nipissings on the south shore of the Ottawa River:

On Monday the 27th Inst. the day that your communication reached St. Polycarpe, I was absent from home, and did not return till Wednesday when I found yours of the 25th inst. with its enclosure from the Civil Secretary Major Campbell dated 16th July 1847 [request information on claim to Mississauga annuities].

In conformity to the command of His Excellency the Governor General and your wish, I will endeavour as far as lays in my power, from frequent conversations I have had with the principal chiefs and warriors of the Algonquin and Nipissingue Tribes, as regards their claim to the annuity received by the Mississaguais, for a certain tract of land, situated on the upper part of the Ottawa river nearly opposite the L'Isle aux Allumettes derives from the following circumstances.

In the first Instance; These Tribes represent to have, from time immemorial, occupied and enjoyed as hunting grounds (reserved to them) before the conquest of Canada by Great Britain, the lands on both banks of the Ottawa and Little river, as far as Lake Nipissingue that is to say both banks of the Ottawa and of the Mattawangue river (called by the Voyageurs the Little river) to the heights of land dividing the waters of Lake Nipissingue from those of said Little river, as also the countries watered by all streams falling into the said Ottawa river and Little river North and South to their sources-

This tract is bounded to the Southward by a ridge dividing the waters, which fall into the Lakes and into the Saint Lawrence, from those falling to the Northward and into the Ottawa River.

The computed distance from the Township of Hawkesbury (Pointe d'Orignal) to Lake Nipissingue by canoe Navigation is one hundred and seventeen leagues of which the Ottawa river forms one hundred to Matawangué where it is joined by the little river. Settlement(s) extend at present to nearly one third of the distance.

These are the hunting grounds which the two Tribes of Algonquins and Nipissingues, conceive they have full right to occupy as such, in consequence of their being so long in possession, and having been as they conceive further confirmed to them, by the Act of their Father Statute Sir William Johnson (then Supt. of all the Indian Tribes in North America) in 1763 by order of their Great Father King George the Third) Settlement have been formed, and Townships Established on a very considerable part of their hunting grounds without their having received any compensation for the same, which they have grieved to say has not been the case as regards their Indian Bretheren of Upper Canada, who receive an annual remuneration for such part of their hunting grounds (according to extent) as have been assumed by Government for settlement. Although they have no title than that possessed by their own Tribes Algonquins and Nipissingues-

In the course of the summer of 1836 a deputation from the Nipissingue and Algonquin Tribes, went up to Toronto to see his Excellency Sir John Colborne, the then Governor of Upper Canada and represented to His Excellency on behalf of their Tribes, that from the numerous squatters and lumberers, that were annually trespassing on their hunting grounds on the South Bank of the Ottawa river and their Islands, their Beaver, Peltries, and Deer were nearly exhausted and that they wished to have a Settlement of their own and become settler [sic] of the ground, and pointed out to His Excellency a certain tract of Land on their hunting grounds situated on the South Banks of the Ottawa river facing L'Isle aux Allumettes, they represented that this being a good fishing place nearly in the center of their hunting grounds, it would suit them best.

It appears that His Excellency consented to their demand and told them that since it was their wish to settle and become farmers, he would get the said land surveyed for them as soon as he was apprized of their intention to move to that quarter. The ensuing year a second deputation went up to Toronto His Excellency was then absent, but to their great mortification and surprise, they were told by Col. Givens the then Chief Supt. that the land they had expressed

a wish to settle upon, had been sold to government by a Tribe of the Mississaguais for which they received a Certain Annuity - The Mississaguais having clandestinely taken upon themselves to sell this tract of land, which they were well aware belonged and formed part of the hunting grounds of the Algonquins and Nipissingue Tribes - These Tribes conceive it but just that from henceforth, they are in equity entitled to receive the said annuity which they now claim and are persuaded that their Father His Excellency the Governor General when made acquainted with the merits of the case will decide in their favor.

[Document No. 318]

208. While surveying the Bonnechere River in November of 1847, J. McNaughton, P.L.S., noted that his survey party had stopped at an Indian camp between the 2nd and 3rd Chute on the Bonnechere River (below Golden Lake). [See Document No. 320.]

In his Field Notes for the survey of the Bonnechere, McNaughton made a number of references to Indian occupation along the river. For example, a sketch map of Golden Lake in the field notes shows an Indian settlement at the base of the lake and further up the lake, on the north side, is MuQua's house. Also, Near Couchain Lake, which is just west of Round Lake on the Bonnechere, is "The Indian Doctor Ignace's landing and path to his sugar bush." In another location on the Bonnechere is the notation "Indian winter camp". [See Document No. 316.]

209. In D. Greenfield's Diary of Survey of the Madawaska River, completed in July of 1847, he states that he purchased a canoe from the Indians. [See Document No. 312.] In his report on the survey, he states that he encountered a "decent intelligent Indian who knows the country and in which his hunting ground lays who made me a map shewing the River with its different Branches and pointing out where the pine ended and where the good land commenced ...". [See Document No. 322.]

210. F. Aoustin, the missionary of Algonquins at Lake of Two Mountains, sent a petition to Lord Elgin, Governor General of Canada, on April 7, 1848, concerning the receipt of presents:

We deeply greet you, Oh Our Father, you who lives in Montreal; we have great confidence in you,

We would like you to know one thing; It is that the Indians who were accustomed to receiving their gear in Kingston desire receiving them henceforth at Lake of Two Mountains,

We were told to go to a far away land, it was not possible for us to go there; in this far off country a different religion from our own is practiced; here is why we did not want to go there.

We therefore humbly beg of you to consent to give the equipment to those of our brothers who have received them for the past several years at Kingston, at Lake of Two Mountains from now on.

There is the favour that we ask of you and that we await with trust in your goodness.

... [signatures]

[Translation from French]

[Document No. 323]

211. In his report on the 1848 survey of the Madawaska River, P. V. Elmore noted that there was an Indian camp in the neighbourhood of Egan's farm on the Madawaska River. [See Document No. 326.]

212. On July 20, 1848, Reverend Aoustin, the missionary at Lake of Two Mountains, authored the following letter on behalf of the Indians there:

My lord,
It has been several months since I had the honour to address to you a request on the subject of some of our Algonquins; by this petition I asked your Excellency to give to them, at Lake of Two Mountains, the provisions that they had been receiving at Kingston for several years.

You had the goodness to agree to my demand, and we are very grateful to you, the kindness of your heart so good to all binds me to ask one more favour of you for our good Algonquins.

They have hardly done any hunting this year, as such they are very poor; they have nothing or almost nothing to feed themselves, a large part of them was unable to come down because of the distress to which they have been reduced. The seminary can be of assistance, but there are not enough resources here to feed them all.

When Colonel Napier arrived here for the Iroquois business, the Algonquin and Nipissing Chiefs came to greet him, and to offer you their respects through him. They begged him to interest himself in them on behalf of your excellency, and we agreed that I should address a petition to you on this subject. The Colonel told them that he would be pleased to present it to you.

We implore you therefore to save them in their distress, and to have some provisions reach them such that they may live until the distribution of their presents.

If you acquiesce to our wishes we would be very grateful to you; and our Algonquins, who are already so devoted, would be even more so.

... [salutations and signature]

[Translation from French]

[Document No. 328]

213. In August 1848, Napier requested permission to issue presents to "eight families of Indians of the Nipissingue Tribe from Temiscamingue" who had been brought to Lake of Two Mountains by their missionary Père Clement. They had never received presents in Canada East. [See Document No. 329.]

214. The Chief of the Algonquins of the Gatineau, now joined by the Algonquins of Grand Lake in Lower Canada, again petitioned the Governor General in February 1849 for farm land on the Gatineau River, "near [their] hunting grounds":

Oh Leader, we write another letter to you, to make the same request that we made four months ago. We have learned that you have read and considered our words, (our petition) we are very glad to hear this news. We are very miserable, having no lands anywhere of which we are the masters, so that we may devote ourselves to agriculture. We live here far away from our village. We cannot go to cultivate at Lake of Two Mountains; there is the reason why we ask you to give us some land to cultivate. If you give us some, we are ready to begin farming, we, as well as our brothers at Grand Lac and at Lac à la Truite. They too, desiring [sic - verb tense] to work with us, if you want to give us some land. Does there remain any more hunting on our lands, which was our sustenance before? No, this is why we are absolutely resolved on cultivating, if our father the great leader would like to give us some land. We, inhabitants of the River Desert, we cannot leave and renounce the advantages of the clearings that we have already made here where we live. We greet you Oh

Great Leader our father; consider listening favourably to our words. Let us quickly know your thinking and your answer so that we can know your feelings toward us.

There is what we request of you.

(The number of men who signed this petition is 60 as far as one can persuade oneself by reading the signatures)

...

[Translation from French]

[Document No. 332]

215. On April 16, 1849, the Bishop of Bytown [Ottawa] wrote a letter of recommendation endorsing their petition which read as follows:

I believe it my duty to recommend to Your Excellency this humble request of the Indians who inhabit the northern part of the British Possessions in America.

It is they who had the happy thought of finally settling and devoting themselves to cultivating the land to avoid the famine which decimates them each year. The land they ask seems sufficient to satisfy their needs, and it is far enough from the inhabited lands not to retard the work of colonization.

I am thoroughly convinced that the explanation they give of their needs in the request they are submitting to Your Excellency, will suffice to evoke your solicitude for these children deprived of the land of their Fathers.

The petition enclosed with this letter follows:

When you see us travelling from one end of the rivers and lakes to the other in our frail canoes, you are surprised at our way of life and you find us very poor. We confess that this is certainly true. We are poverty stricken because day by day we are being stripped of our possessions. Our lands are rapidly passing into the hands of the Whites. You have long advised us to cultivate the land; long too have we failed to listen to such salutary advice. Is this surprising? We were rich in bygone days. We lacked nothing. The forests were inhabited by animals of every species and we sold the carcasses to eager merchants for a very good price. This gave us the means to meet our needs and those of our children, but now it is no longer thus. The Whites are settling on our lands on all sides; and where they are not farmed, the lumbermen go to destroy them and drive off the animals which remain in the small area of land which has not yet been stolen from us. Our families are without means of subsistence and we do not know where to seek our livelihood. We are reduced to dire poverty. We want to imitate the Whites. This is why we are asking for land to farm. When we recall the acts of generosity of our metropolitan and colonial government, we cherish the firm hope of seeing your requests granted. We want to farm near our hunting grounds, should you grant us what we are asking. This land which we are asking you for is located on the Gatineau River about twenty-seven leagues from Bytown. It is bounded on the east by the Gatineau River, on the north by the Rivière du Désert, on the west by the Rivières d'Aigle, the little Kindovisipi River, - and Lake Chersakamik, on the south by a straight line from the southernmost point of this little lake to the southern tip of the island in the mouth of the outlet of Lac Rond. You may know that several among us are already farming larger and larger fields in the Gatineau. We will certainly have better success if we group together and if you grant the object of our requests - a piece of land under our full and complete control.

The petitioners then turned to another matter:

We have another request to make of you - on behalf of our missionaries. We would like priests to teach us religion and also to help us with their advice in farming the fields. We therefore request that you grant to the priests that the Bishop of Bytown will send us, a 600-arpent tract of land from our territory in the location that His Lordship, the Bishop of Bytown, deems most suitable. We want to be able to choose from among us five experienced men to govern our little colony. We will replace them every five years. These five will be elected by the majority of the farmers having at least one arpent of land under cultivation in our territory. These five chiefs will govern all the affairs of the

colony. In difficult matters, however, these chiefs will consult the wishes of the entire group.

These, My Lord, are the requests that we want to make of you. We will pray fervently that you grant them. We firmly hope that you will not be less generous toward us than toward all the others who have recourse to your generosity. Be assured that if you grant our requests the memory of your benevolence will never be erased from our memory.

These are the names of your petitioners (names of petitioners follow).

Indians of the Gatineau
[Twenty-seven names]

Indians of the Grand Lake etc.
[Twenty-three names]

The missionary added the following details:

These names were written on a request submitted to the colonial government three years ago to obtain a tract of land in precisely the same place as the one we are requesting now. I saw several Gatineau Indians. I saw the Grand Lake Indians this summer and I can affirm and certify that all of them specifically expressed the desire that the tract of land they have requested be granted to them.

[Translated from french]

[Document No. 330]

216. In 1849, the Bishop of Bytown described the bands of Algonquins known by visiting missionaries to be inhabiting the area north of the Ottawa River:

...
Here is the approximate number of Indian families, such as was furnished by the missionaries who visited them.

5th At Lake Abbitibbi [sic] and area, we count more than one hundred families; on the Ottawa, the River Noire, and the River Du Moine this number is greatly surpassed. Mattawagamangue and the attached post contain approximately ninety families: they could all have, as a meeting place, the north of Lake Temiskamingue without mentioning those who live west of the Ottawa from the shores of this river up to those of Lake Huron about whom we do not have exact enough notions.

6th At Grand Lac there are approximately twenty families; at Lac à la Truite twenty-five; at Lac à la Barrière about fifteen. Near River Desert on the Gatineau River, the Rivière aux Lièvres and the lands northwest of the St. Maurice live another one hundred and eighty families who could all be gathered at the top of the Gatineau River on the River Desert as it was proposed to the Government, in the Petition written by the Indians themselves.

7th All of these Indians speak the Algonquin language except for those of Abbitibbi [sic] who speak the language of the Crik [Crees] but this difference is not of a nature to prevent them from remaining in the same area.

[Translated from French]

[Document No. 333]

217. On August 2, 1849, T. Bouthillier, the Assistant Commissioner of Land Applications, prepared a report regarding the above request. Bouthillier described the hunting grounds of the Algonquins and also included a general observation regarding the differences between the administration of Indian Lands in Lower and Upper Canada. The section of the report dealing with the Algonquins and Nipissings follows:

The Nipissing & Algonquin Indians extend up the River Ottawa to the Boundaries of the Hudson's Bay Territory & spread on both sides of that River to the headwaters of its tributaries. The Têtes de Boule another branch of the

Algonquins and Nipissing inhabit the banks of the tributaries of the River St. Maurice and divide the Ottawa from the Saguenay Indians.

The Algonquins have at different times claimed to be the proprietors as the descendants of the original possessors of those grounds & as such the indemnified, as other Indian Tribes have been in Upper Canada for such portion of their hunting grounds as have been opened for settlement or laid out into timber locations, views & pretensions in that respect have been negated by former governments & they have only been considered as entitled to limited grants of land for actual settlement.

Their present numbers including the Tetes de Boule who do not appear as yet to have petitioned, but for whom it is considered to provide along with the others at 1000 families from 4 to 5 thousand individuals most of the signers of the Petitions now before government, if not all, are or were residents of the Village of the Lake of the Two Mountains at the Indian Missions under the charge of the Revd. Gentl. of the Seminary of St. Sulpice who it is understood obtained a grant of the Seigniorship of that name on condition of their administering to the spiritual as well as temporal wants of the Indians who would resort to that mission. There is yet in that Seigniorship a bloc of some 10,000 acres in reserve for them, but they are now it appears desirous of forthwith up the River Ottawa, where some of them have already commenced improvements. They apply (thro His Lordship the Bishop of Bytown) for a tract of land at the head of Lake Temiscaming lying between the Rivers Blanche & Kepaweseta (?) which would contain about 100,000 acres, also for a Township on the Gatineau founded in front to the eastward by that river, & at the north by River Desert, at the South & Westerly by lines to be drawn at sufficient distances to embrace an ordinary sized township of about 60,000 acres.

The 1st mentioned tract being far in advance of all settlements, would interfere with no existing right or privilege. The 2nd could be so laid out as to exclude all squatters improvements of whom there appears to be a certain number in that neighbourhood, some of whom have already remonstrated against their holdings being transferred to the Indians. The tract may also be in part covered by timber licenses, but this, it is conceived should be no reason for withholding it from the Indians as the proprietors of such licenses ought to be permitted to continue their operations, the proceeds in that case being appropriated for the use of the Indians.

These various grants of land, if made according to the wishes of the Indians must of course be sanctioned by legislative enactment, but in the meantime, it is suggested that the tract mentioned be laid & founded in the field to prevent strangers intruding upon them, leaving it discretionary with the government finally to appropriate a part or the whole, whenever possession of more accurate information on the actual number of the individuals or families to be provided for.

The Petitioners also pray for pecuniary aid and it is evident that without some such assistance at least to the extent of supplying them with the requirements of a farm, a grant of land will be of little use to them in their present state of poverty. They will however derive some little revenue from the sale of timber on their tracts.

The Algonquins have also frequently complained that the annuity granted in 1822 to the Mississauga Indians of Alnwick was in part for lands belonging to them the Algonquins/which the Mississauga had no right to cede without their consent, they accordingly claim participation in that annuity. The Indian Commission of 1843 recommended an investigation of that matter, but the suggestion does not appear to have been attended to.

There is this general observation to make in conclusion that while in Upper Canada the government have scrupulously paid the actual occupants for almost every inch of ground taken from them making fresh purchases as new Districts were laid out, in Lower Canada they appear to have been totally regardless of all Indian claims.

[Document No. 336]

218. An Order-in-Council dated August 7, 1849, was passed based on Assistant Crown Commissioner Bouthillier's recommendations. The O.C. directed lands to be set off on the Ottawa according to his report. [See Document No. 338.] However, a surveyor was directed to set aside lands on the River Desert where a settlement had been formed and at Temiskaming. [See Documents No. 347 and 348.] No action was taken for several years.

219. A translation of a petition from the Algonquin and Nipissing Chiefs of Lake of Two Mountains to James Bruce, Governor General, dated August 30, 1849, indicated the extent of land which they claim to have occupied since time immemorial and demonstrated the existence of family hunting grounds. In this petition, the Algonquins and Nipissings asked that they be allocated provisions so that they could begin agricultural work on their lands. Also, the Chiefs asked to be compensated for the Ottawa River Islands which had been taken over by white settlers:

We come, our very noble and powerful Father, to ask you in our name as much as in that of all our respective Nipissing and Algonquin tribes, to acknowledge the feelings of most profound respect and of most perfect devotion [illegible word] to use patience or at least [not] to remove [you] too long from the larger affairs of which you are in charge, we will restrict ourselves for the moment to express the deep bereavement as well as the indignation easier to conceive than to express, where we were thrown into the events of last April, but, noble father, let us touch on the subject which, at this moment, furnishes the goodness to find ourselves at your feet.

Since the passage of time immemorial, our nation had been in possession of a considerable extent of land, taken from the foot of Long Sault up to Lake Nipissing, situated on the north and on the south of the Ottawa, that we have incessantly used from generation to generation, from father to son, until the time during which you took possession, Our Father; we held these lands from the first from the hand of the All Knowing, our ancestors, afterward, had made a more or less equal division of it in awarding to each a part carefully marked out by certain boundaries that were supposed to be and which were, in effect, since respected as being the property of each family.

While proclaiming our incontestable rights on these lands, we do not, however, fail to recognize any claims on the same. The incalculable number of strangers that our mother [illegible words] [would send you?], obliges you to take possession of it in order to settle them; we would cede them to you willingly; but Noble Father would you allow your unfortunate red children to [rot?] from destitution and from hunger for whatever cause? No, you would never think of doing such a thing; this act of inhumanity would never enter into a heart as big and as noble as yours; besides why are we looked upon with more indifference than the surrounding tribes, made up of our like, the tribe of the Mississaugas for example, who were so liberally compensated by the Government for the taking of possession of their lands. Were our services and our loyalty considered less than theirs? If such an impression existed somewhere, it would be one of the most mistaken injustices that could be made on us and certainly unmerited, having at all times contributed powerfully even as far as the taking of our blood to have your flag respected. We therefore beg you, noble and benevolent father, to consider that, following the settlement of the Whites on our lands, the hunt has [illegible word: become?] insufficient for our subsistence and that the only alternative that we are left with is to make us into farmers, we therefore pray to you to help us to this end by [according?] us the means, as much in food provisions as in agricultural instruments, [at least?] during and until such time that our work has advanced enough for us to be able to do without this assistance.

Our Mission of Lake of Two Mountains is the place where we wish to cultivate [illegible word] being under so many of the most substantial reports of all.

We beg of you as well, our noble Father, to bestow on us the necessary agreement to receive, even judicially if necessary, the [bailiwick?] payment - of certain islands situated on the Ottawa, from the foot of the "Long Sault" to the Matawan inclusively, although we have been at all times regular [illegible word]

of these islands, some of the occupants [illegible words] to pay us what they are [illegible word] [without?] an authorization from the Government.

We also implore you, our very noble Father, to [illegible word] right to the desire expressed in this [illegible word] that we present to you of the acquiescence in the [remuneration?] of the person that we ask of you, and of his permanent residence among us, on which our future happiness will necessarily depend, as much on the [illegible word] as the physical reports. It is he, Our Father, who has imbued us with these feelings of loyalty and affection that we have already expressed to you; it is he, finally, who placed in our hearts this enthusiasm that make us want, with the greatest ardour the moment that we had occasion, to have ourselves cut to pieces at [illegible words] and to pour it out, to the last drop of our blood, in your defence. We must ask you to notice, moreover, that this man, having already made considerable pecuniary sacrifices in our interest, sacrifices that he would have had to continue to make even longer before he could put our affairs [illegible word] respectable state, his [remuneration?] must be such that he be compensated.

... [salutations and signatures]

[Translation from French]

[Document No. 341]

220. Appendix B of the Vidal-Anderson, dated 5 December 1849, outlined the areas inhabited by bands north of Lakes Huron and Superior as follows: "The tract lying between the last three bands [Bands residing near the French River, Manitoulin Island, Beausoleil Island, Penetanguishene, Isle au Sable] and the Ottawa River supposed to belong to the Indians of 'Two Mountains Canada East'." [See Document No. 344.]

The Nineteenth Century, 1850-1867

221. A petition dated August 21, 1850, prepared by Père Aoustin for the Algonquins, Nipissings, and Temiskamings indicated that fourteen Algonquins and Nipissings families [53 people] had not travelled to Lake of Two Mountains to receive their presents for over three years. He also wrote on behalf of 13 families of Temiskamings [42 people] who were now coming to Lake of Two Mountains seeking assistance. Both groups were reported to be extremely poor; the Temiskamings had begun cultivating on their hunting grounds. The details of the petition have been quoted below:

The goodness of your heart, and your zeal to procure the well being of Her Majesty's British subjects are known all over the world: this is what incites me to write to you, to advise you of a certain number of Indians from the Lake of Two Mountains Mission. To attract your compassion for them, I will not take pleasure in a long speech: I will content myself with exposing their sad situation to you, persuaded that the simple exposé that I will make for them will touch your well-meaning heart.

The hunt gives almost nothing any longer; the Algonquins and the Nipissings (whose names are given hereunder) have been reduced to a considerable poverty; and because of this, or for other analogous reasons, they have remained for more than 3 years without coming to the village; - This year, they came here, and they had received no appurtenances, such that they found themselves almost without any resources to procure clothing; If Your Excellency would help them recover their rights to receive some gear, every year; She would bring relief to those unhappy people who would be very grateful -

Algonquins* -

	Men	Women	Boys- 10 to 15	5 to 9	1 to 4	Girls- 10 to 13	5 to 9	1 to 4
Joseph Octokwa	1	3						
Amable Agwaiac	1	1			1		1	1
Joseph Cangenindang	1							
Denis Menotagocing	1							
J. B. Cawanibinesi	3	4			1	1	1	
Joseph Nenenj	1	1	1	1		1	1	
J. Bern Anamek	1	1						
Tos. Pijiojlikwan	1	1		1	1	1	1	1
Pipa Kijikokwe		1						
[Total - 37]	[10]	[12]	[1]	[2]	[3]	[3]	[4]	[2]

Nipissings* -

	Men	Women	Boys- 10 to 15	5 to 9	1 to 4	Girls- 10 to 13	5 to 9	1 to 4
Pierre Mangons[?]	1	1			1			
François Kitecpine[?]	1							
Etienne Miskigwan	2	2	1				1	
Widow Onapikwe		1						
Widow Omatwedjiwanokwe		1		1	1		1	1
[Total - 16]	[4]	[5]	[1]	[1]	[2]		[2]	[1]

Those whose names follow are Indians of Témiscaming reduced to their final destitution; They have come to Lake of Two Mountains in the hope of receiving some appurtenances, and in the desire of reuniting with their brothers, so that they may form with them only one village; They are worthy of commiseration, and if you allow them to receive some gear, every year, they would glorify your name and that of the Queen.

Moreover, My lord, if you were to save them, you would help them to continue the cultivation of their fields, which they happily started this year, and you would contribute to helping them leave the darkness of barbarism so that they may enter into the beneficial enlightenment of civilization.

I will not speak excessively about this. I entrust their cause to the goodness of your Excellency's heart.

Temiskamings* -

	Men	Women	Boys- 10 to 15	5 to 9	1 to 4	Girls- 10 to 13	5 to 9	1 to 4
Robert Kitciwadjew	1	1		1	1			
Ignace Waiabasite	1	4						
André Nitawakamikickam	1	1		1				
Robert Kitciwadjew[see above]								
André Otawanakwat	1	2		1	1			1
Paul Eniwasawe	1							
Michel Kapon	1	1			1			
Louis Meiwakwat	1	1					1	
Charles Minoabanwi	1	3	1		1			1
Widow Pinesiwikijikokwe		1						
Widow Wabanakikwe		1						
Widow Maiaosebanikwe		1	1	1	1			
Widow Wabimengokwe		1	1			2		
[Total - 42]	[8]	[17]	[3]	[4]	[5]	[2]	[1]	[2]

Please accept our deepest sentiments of respect, with which I have the honour to be, My lord, Your Excellency's very humble and very obedient servant.

[Translation from French]

[Document No. 351]

222. A petition dated January 25, 1851, was submitted to the Chief Superintendent of Indian Affairs by a Bedford Indian named Peter Clemo on behalf of himself, his wife, Madeleine Macouse, and their five children. He asked to be allowed to receive presents closer to his home in the Township of Dalhousie as it was too difficult for him to travel all the way to the Lake of Two Mountains:

... That your Petitioner was in the habit of receiving his Government Presents from one Peter Stevens an Indian settled on land at a place called Bob's Lake, from 20 to 25 miles to the South West of the Town of Perth: The said Stevens having been appointed to make the several issues through the interest of the Honble W. Morris; But is now discontinued; the last presents received by your Petitioner, being four years ago.- Your Petitioner has settled himself and family upon land in the Township of Dalhousie, in the County of Lanark.- And Your Petitioner in consequence of his growing family, is unable to leave his home and go yearly to the lake of the two Mountains to receive his Presents from the British Government. And also your Petitioners circumstances, would not allow of the time which would be required by Petitioner & his Squaw and five Children, all of whom it is necessary your Petitioner believes to take with him.

Your Petitioners family consists of one Girl and four Boys, their names and ages are mentioned in the margin. [Angelica Age 16; Simon Age 12; Peter Age 8; Eneas Age 4 & Francis Age 2]

Your Petitioner humbly prays that you will be graciously pleased to order such presents to your Petitioner as to you shall seem proper, and at such convenient places as you may be pleased to appoint.

And as in duty bound shall ever pray.

The petitioner's signature was witnessed by J. A. Young, the Township Clerk of Bathurst, and the petition was accompanied by a certificate of Edw. Malivik stating:

I hereby certify that I have been acquainted with the within named Peter Clemo upwards of twenty years and would recommend the prayers of his petition to be granted and that the articles be forwarded to the Sheriff A. Dixon Esq. - to I. G. Malivik, Esq. [illegible word] or to James Young Esq. the township clerk.

[Document No. 352]

223. A lengthy petition, dated February 9, 1851, was sent to the House of Commons on behalf of three or four hundred families of Algonquins and Nipissings from Lake of Two Mountains.⁶² The petition outlined the history of the Algonquins and Nipissings since the time of contact:

That your Petitioners, at the head of three or four hundred families of the two Abovementioned tribes, are the descendants of once powerful Indian nations which, since the first days of European domination in this country, delivered themselves with confidence into alliance with and the protection of the new inhabitants, and made common cause with them in peace and war, protecting them against the incursions of other warring tribes whose policy was to destroy the settlements;

That in particular the ancestors of your Petitioners, early converts to Christianity, have been faithful to that alliance, and since the cession of Canada to the British Crown, have shown at all times the same attachment, have defended the Government in the American wars, hoping always, as your Petitioners hope still, that they would find happiness, peace and ease, with guarantees of permanence and progress, in the religious, political and social institutions which it has always been their desire to attach themselves to and conform to, and which were represented to them as more than equal to the loss of their sovereignty and their primitive freedoms.

That the Algonquin and Nipissing tribes, which your petitioners are descended from, established at the Lake of Two Mountains for a century and a half, after diverse migrations on the island of Montreal, and living in a body under the protection of the Seminary of St. Sulpice⁶³ have received well the religious teachings which teach men to see themselves as brothers and to respect the good of one another, and also to hope for compensation in another life for the sufferings of this one; that they appreciate the good and the promises of this religion to which they remain attached, and they are equally grateful for that which the seminary has done for them in other ways in their village; but they cannot but represent energetically to your honourable House that neither the government nor any other body or authority, nor the mass of the European inhabitants, have done anything to help come to pass for them the awaited advantages of the civilized state; that having stripped them in fact of the land which was their inheritance, nothing has been given them in exchange, and that they have often been brought to believe as a result that the principles of religion and humanity that civilized men profess are not well rooted in their hearts.

That the continual expansion of the settlements, through the means of grants of those same lands by the government to farmers, is a fact that they cannot and do not wish to roll back; that they see in that an advantage for their descendants if they were called with justice and a paternal liberality to learn farming and to share in the prosperity that has been thus organized, and if above all there had been reserved for their special advantage part of the lands of which they had been in possession and which they loved the most, either for them to cultivate themselves, once they learned the practice and the means, or principally to sell to others to form a revenue for your petitioners, and wisely administered, to help them gain gradually a better state of existence and sustenance, compensating them in this way by the greater value of these reserves for the totality of the rest which has been stripped from them; that nevertheless nothing similar has taken place; that even their right to the islands and other lands, along the Ottawa which formed their particular possessions and which they had started to improve, has been ignored, despite their constant claims, and yet recently reiterated, and that your government has lately shown itself to be powerless to find or understand the title of your petitioners, which, nevertheless, anterior to all of yours, is to be found consigned in each page of your journals, since the time when the representative Ononthio seemed to treat with Indian tribes as equal to equal, until the appeal made to them lately, when it

⁶² At this time the Iroquois, Algonquins, and Nipissings were questioning the right of the Seminary to restrict their use of land and resources at the mission at Lake of Two Mountains. Representatives of the three tribes argued that the mission lands had been granted for the use and benefit of the Indians; while the Seminaries claimed total control over the lands and resources. This dispute continued for many years. The details of this conflict are not explored in this report; however, they do effect the general condition of the Algonquins and Nipissings associated with the mission and thus impact on their movements and efforts to secure a more stable life.

⁶³ The Saint Sulpice Mission was established at Lake of Two Mountains in 1721. Previous to that time, the Sulpician missionaries had a mission on Montreal Island.

involved defending, with weapons in our hands, the power of Great Britain and the security of the country;

That the just demands of help and protection made by your petitioners at various times, have entirely failed and have not been understood by your legislatures and your governments, either because your petitioners did not support them sufficiently on the principles of natural revealed or positive law which they now invoke, or because their claims did not seem to deal with anything but isolated subjects, or rather because the heads of your offices not having received from you the order to consider the major and imprescriptible rights of your petitioners, have judged their case on the basis of meticulous writings and formalities in use among your people, but which you have not taught us, nor made known as your law towards us;

That having thus remained a hunting people while you have destroyed all the means of hunting for them, your petitioners leaving their families without help, have continued nevertheless to go in convenient seasons to the depths of the forests to seek furs; and to trade them, but the uselessness of this occupation is of such a nature as to render it derisory, to the point where few among them venture to follow it, and that many remain in their village, discouraged, without hope and without resources; that the poverty which is the result of this has as its companions miseries of all kinds and sicknesses which quickly harvest their wives and children;

That the contract between your petitioners and the inhabitants of the neighbouring settlements cannot be of use to them at this time, as the past has amply demonstrated; that they are victims of frauds caused by their inexperience and their lack of habit in these transactions: that they cannot work as day labourers in agriculture and arts to which they are strangers, and that even there they would not find sufficient means; that furthermore they would not become used to manual labour except in beginning agriculture for themselves and as proprietors, which they desire ardently, though they are not only without lands, but also without the means of improving them;

That they know that there had been an intention to reserve to them a stretch of land in the heights of the Ottawa, around Lake Temiscaming; that apart from their repugnance to emigrating in a body and leaving the remains of their fathers in the village which is for them their only home which they do not see themselves rejected from, the ingratitude of the climate and the soil of that place, its distance, the absence of roads and neighbours, of any example in the practice of farming and of any means of procuring any tools, seeds and animals, make that plan impracticable and visionary, to such a point with experienced farmers and with all the financial resources which you possess, you would not be able to succeed;

That those lands which they are nevertheless asking you to keep for them, even though other tribes, still nomadic, claim property rights in them, which would in any case prevent your petitioners from settling there, cannot either produce the revenues which they pray you to assure them; that some of the more favourably situated townships would have to be appropriated for that purpose, of these newly marked to the north of the Ottawa; they indicate to you respectfully that they would like the same locality for a permanent establishment for themselves in the case where their hopes for a settlement in the Seigneurie of the Lake of Two Mountains are not realized.

That lately they have had to farm by hand and without enough capital, pieces of land which were allotted to them annually and precariously by the seminarians; that these men having recently organized among themselves a more fixed and encouraging farming system, of which the interruption can only be temporary, your petitioners and their families greeted this system without hesitation; that as to their work and even their success, they call with confidence to those who have witnessed it: that at the most the continuation of this way of farming would be insufficient to assure the position and advantages to which they aspire; that because of the promises that were often made to them and so they believe that they have the right to them, they hope to obtain grants of land in the Seigneurie of the Lake; they pray you to use your influence with the seigneurs to hasten that result, and, when it is obtained, to help them with the necessary capital and the means of living for a time; to establish among them a free school system, both general and elementary and agricultural; to establish for them a model farm; to protect them against the invasions by the descendants of Europeans in their village and on their lands, except for a blacksmith, a carpenter and other craftsmen of primary need; to assure by law that their lands will pass to their

relatives; while protecting them against their present debts and against any alienations which they might make of their lands without consideration, until they might better learn the value of property; that if you established agricultural societies to better the breeds of animals, it would be inhuman of you to not be disposed to make the same efforts for the moral as well as material advancement of your brothers, Christians like yourselves; that the general revenue of the province alone can furnish these numerous needs at this time, and that your petitioners hope that their share will not be refused them; that it is also of great necessity to establish among them to keep them in touch with the government and the other people, as an interpreter, agent and protector, a person who would have their confidence and yours; that awaiting the means to pay him, as they are informed, your petitioners believe that Mr. Tillet, whose name they have suggested, and from who they have already received great services, would consent to give them what they ask for, as that free work would allow him to do it easily.

That, while in Upper Canada all the lands have been bought from the Indians, which have been administered with care and the numerous and fertile townships which have been left for their own have been protected [sic] against all depredations, those of Lower Canada have been taken without a price and left to abandonment, though among those in Upper Canada there are those who are not even Christians --the copper mines have not been exploited without their permission, dearly bought -- the official gazette lately contained a list of the lands of the Indians, reserved and distinguished with care [refers to 1850 Robinson Treaties]. The law under which that proclamation emanated extends to Lower Canada: will you leave it there without effect?

That the tribes of Lower Canada having been taken under the protection of religious establishments from whom they received spiritual instruction though it was not possible for those establishments to look to their other needs, the past governments have not been able with honour or justice to believe as a result that they were relieved of all restitution and any obligations to those tribes;

That the diminution and probable extinction, perhaps, of the presents received from the imperial government in the past, and for the conservation of which they beg your honourable House to intercede, is for your petitioners a source of great apprehensions, as they see themselves bounced incessantly between the imperial authorities and those of the province; that as the territorial revenue now profits the Canadian government, it is to that same source that the duty falls to repair the harm that they suffer, the more so since a due appreciation of justice and the rights of Indian tribes has sufficed, in Upper Canada, to procure for the Indian people, from that revenue, considerable income which they continue to enjoy;

That, in your plans of colonization, of land appropriations, and in many laws, you have recognized the existence of the rights of the Indian tribes to part of these lands, and admitted as facultative, if not obligatory, the setting aside of such lands, from time to time for that purpose: please do the same so that those acts and written words shall not be in vain;

That your justice and benevolence have been manifested by an Act of the last session of Parliament for the protection of the Indians' lands: -- that your petitioners thank you for it, but that, having nothing, you will have nothing to protect for them but that which you will give them; you could at least attach to the operation of that law the carrying into effect of the numerous benefits they await from you, and the organization that they have suggested to you as the only means of plucking them from an abyss of hopelessness and evils;

Your petitioners, wishing for the success of your government as well as for the individual fortune of those who take part in it, and above all for the august person of their mother the Queen, cannot end without sharing with you their conviction that that which is called the Indian Department is destined only to perpetuate the salaries of its employees, and not to better the conditions of the remnant of the older people: if the intention had been different, as your petitioners continue to believe, they can say without fear that at least as far as they are concerned, this has been the result;

Why your petitioners beg humbly that by means of the necessary laws and convenient administrative actions, and guided by liberal, Christian and civilizing views, you would take under your protection the Indian tribes of Lower Canada; that in particular you would reserve lands of a sufficient size in the vicinity of the settlements and in the places where the settlers are beginning to

go, to be sold and administered as your petitioners' property, of which the revenue will be applied to save them from ruin and total disappearance, to ease their present evils, to help them become farmers and proprietors, and to initiate them into the arts and habits of the people who surround them, and to encourage and use among themselves sedentary and laborious habits; to protect them against the frauds that their inexperience exposes them to in their contact with individuals of those people; to establish easy relations between them and you by means of agents in whom they will have confidence; and generally to perfect and consolidate the work of their civilization; that while awaiting the revenue from such lands and in the case of their insufficiency, you should apply to these objects part of the public funds to which your petitioners have as much right as their fellow citizens of European origin; that other lands be reserved to them and given later, if they have need to cultivate them; that they be helped, protected and organized in the clearing and farming of land, and for the peaceful possession as owners of those which they expect to obtain in the Seignury of the Lake of Two Mountains; so that the moral and material position of your petitioners be known, understood and assured, and so that they cannot say with justice to their posterity, that their faithful adherence and confidence in civilized men, has been for them definitely, and after two hundred years of waiting, a cruel deception and the source of the greatest of evils.

And placing trust in your honourable House, your Petitioners will not cease to pray.

F. Papino and 23 others

[Document No. 353]

224. P. Aubert, Priest and Interpreter at River Desert, wrote a letter to Colonel Bruce, Superintendent General of Indian Affairs, on May 23, 1852. His letter outlined the formation of a settlement at River Desert (Maniwaki):

Monsignor the Bishop of Bytown having entrusted me with petitioning, on behalf of the Provincial Government, for assistance for the Algonquin Indians settled at River Desert and in favour of the missionaries residing among them, I take the liberty to present to you in a short memorial for this double purpose by taking the trouble to present it to His Excellency the Governor General of the Province.

Memorial on the settlement of the Algonquin Indians at River Desert⁶⁴

The River Desert settlement was founded by Monsignor Gregoire Bishop of Bytown in the year one thousand eight hundred and forty nine, in order to unite the Indians and their Provider with all the religious assistance they needed, guiding them to a new life for them, that is to say helping them to pass from a nomadic state to that of the agricultural and settled populations, but as we did not know how to found such a colony, of Indian peoples without a priest, Monsignor the Bishop of Bytown placed several priests at River Desert, to attain the goal that was proposed to promote the colonization of the Indians the Provincial Government had wanted to cede a considerable extent of land in favour of its Indians and even allocate them an amount.

Here is what state this new colony is in now - twenty-eight Indian families are already making their residence here, thirteen others from Grand Lake had already come last summer to visit and left with the intention only to return - twenty-two families of the Indians of St. Maurice had given their names to the Head Missionary with the intention to obtain some land and they were disposed to come here at the first invitation made to them, these families are numerous enough to make up the core of a colony. It is true that the deposition of the Algonquins, to the few tribes to which they belong, are generally few, conducive to agricultural life; but they have a pressing stimulant to overcome, it is poverty, and they will be obliged to do out of necessity that which they could not do by inclination. - the salvation of the Indians in our countries demands that we [err?] from the beginning of the farming of the lands and the proof that we could succeed is that several families living at River Desert have already cleared more than thirty acres of land but to reach this end it is necessary for the Government to come to their aid by two [illegible word] by providing them with

⁶⁴ Punctuation errors in this text occurred in the original and were left the same.

the objects indispensable to an agricultural settlement, then by furnishing the priest in charge of teaching them with a means of subsistence so that he may be able to live among them.

Some funds have already been allocated for the Indians this can therefore serve to assist them, it would seem only fair and reasonable that the missionaries who devote themselves to their religious instruction and who alone are capable of supplying them with an agricultural life receive a salary from the Provincial Government it is only by charitable assistance that they have been able to sustain their life until now it is a life of deprivation and sacrifices, they are disposed to continue it only if they have a way of living, It seems even more fitting that a certain piece of the land assigned to the Indians, be reserved for a church, a rectory and a school house we cannot leave the care of these to the Indians themselves that which must be consecrated for these purposes, it would be therefore for support that the Government would bring it about.

[Translation from French]

[Document No. 357]

225. A letter dated July 24, 1852, from R. Bruce, Superintendent General of Indian Affairs, instructed Colonel Napier to make a special issue of presents to the Indians from Lake of Two Mountains settled on the Gatineau:

Referring to my letter of the 13th Instant. I am directed by the Governor General to authorize you to place in Charge of the Director of the Mission of the Lake of the two Mountains the Presents of Such of the Indians belonging to that settlement and now located at the Gatineau as may be entitled to the same being upon the Returns of Indians who have received Presents within the last 3 years. The Chiefs must then find the means of Transporting them to the place of their destination.

You will explain to these parties that although His Excellency has permitted this deviation from the Departmental regulations it must not be taken as a precedent for future issues.

[Document No. 358]

226. Reserves were set aside at River Desert (also referred to as Maniwaki and Gatineau) and Temiskaming under an 1851 Act and 1853 schedule for Algonquin, Nipissing and Tête de Boule Indians. [See Document Nos. 356 and 365.] See Volume 4, Part A - The Establishment of Reserves in the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming for a discussion of the setting aside of these reserves.

227. The Oblate missionaries arrived at Maniwaki in 1853. The following passages from Gaston Carrière's writings on the work of the missionaries were translated from French. Carrière summarized the development of the settlement under the influence of missionaries:

...
From the first year, Father Déleage was in charge of schools [at Maniwaki]. Algonquins, Irish and Canadians attended classes together.

To help the Indians to cultivate, he thought that the best method was to colonize the surroundings. He therefore established a mill and had his former parishioners come. Seventeen families chose their lots. The Irish immigration ceased toward 1860 and the Canadians of la Lièvre began to infiltrate. [p. 81]

...

Moved by the total poverty of the Indians, the first Oblate missionaries conceived of a project to obtain for them a reserve from the government where they could get involved in the culture. We have seen that this issue had existed in 1844. In 1845, the first petition was sent to Lord Elgin, governor general of Canada, by the Algonquin Indians of Gatineau. This was sent again in 1848.

In this letter, dated October 10, 1848, Monseigneur Guigues emphasized that the Indians complained of being destitute, since they are stripped every day of what they own. Their lands pass quickly between the Whites' hands. For a long time, they say, you have counselled us to cultivate, we did not listen to this beneficial advice, because we had been rich before, we had all kinds of animals, but today the lumberyards are there to destroy the animals and make them flee. Reduced to distress, we want to imitate the Whites. We want some land, close to our hunting grounds, situated on the Gatineau, about 27 leagues from Bytown, bordered on the east by the Gatineau, on the west by Eagle River, the little Kindwisipi River and the little Chisabevek Lake, to the north by the River Desert, to the south by the island situated at the mouth of the round lake in the Gatineau. Many of us already cultivate fields. We would do better if we all joined and if we learned that you would give us what we ask, a plot of land of which we would take charge. [p. 85-87]

...

[Indians petitioned again in February of 1849 for their own lands; stating that if this was not to be granted, they would have to move to Lac Des Deux-Montagnes; indicating their brothers at Grand-Lac and from Lac-à-la-Truite would also like to take up farming, because of the downfall of hunting in their territory, p. 88]

...

These Indians live in Canada and possess hunting grounds in the north of the dioceses of Bytown, Kingston and Toronto.

Numerous in the past, they have decreased in the last 15 years following the hardships and the progressive diminishment of hunting and fishing. They were the peaceful owners of all the lands north of the Ottawa, but the roadworks stretched forward and the Canadian population was established; they were thereby driven back towards the North.

There also exists a large number of Indians beyond the height of land, but they were under the domination of the Hudson's Bay Company and it was its duty to provide any necessary care; those who lived on this side [of the height of land] were the only ones toward which one wanted to direct the government's attention.

The number of families is approximately the following, such as was furnished by the missionaries who visited them. At Lake Abitibi and surrounding area, more than 100 families; on the Ottawa, the Noire River and the "du Moine" River, this number is exceeded by a large amount. At Mattawagamangue and in the supply posts, there are about 90 families. Therefore, 300 families who could have as a meeting point the north of Lake Temiscaming, not including those who lived to the west of the Ottawa, up to Lake Huron, on whom one does not have exact ideas.

At Grand-Lac, there are about 20 families; at Lac La Truite 25, at Barrière Lake [lac à la Barrière] about 15. Near River Desert, on the Gatineau, the Lièvre River [rivière au Lièvre] and the lands north of the Saint-Maurice, one can count about 180 families all liable to gather together at the height of the Gatineau River and at the Desert, such that it is proposed to the government in the request addressed by the Indians themselves.⁶⁵

All speak the same language, Algonquin, except for those of Abitibi who use Cree; which does not deter from settling them all in the same place.

Two demands for land were made due to the immense expanse of the country and the impossibility of gathering all at only one point: Lake Temiscaming and the River Desert. There were, around these places and at the furthest locations occupied by the Indians, more than 300 families. The expanse is vast between these two points and impassable roads. In asking for two reserves, one is limiting oneself to the strictest necessities.

These two points were chosen out of preference, at the demand of the Indians. They are the two places which are the most central and the missionaries who

⁶⁵ Of the places named, Lake Abitibi and the St. Maurice River are outside of the Ottawa River watershed.

serve them could, by means of some excursions, help with the settlement of French Canadian and Irish settlers. [pp. 89-90]

...

On 17 August, 1849, Monseigneur Guigues finally received a response from the Office of Crown Lands, signed by Mr. Bouthilier announcing that, by Order-in-Council of the 7th of the same month, the commissioner of lands received authorization to reserve for the Indians, on the Gatineau River, the district for which they asked, provided that, nevertheless, no lot be occupied by any squatters. According to a report by Father Clément, which appeared in the *Rapport de la Propagation de la Foi du Diocèse de Montréal*, the government had given 60,000 acres of land and compensated a bourgeois [de chantier?] who had cleared some forty acres on this territory. The missionary added that Monseigneur Guigues had done much to obtain this land which would serve as a meeting place for the Indians, especially during the winter. One could learn Algonquin for the missions of Abitibi, Temiscaming, Mattawagamangue and Grand-Lac. The Father claimed to be certain that agriculture would succeed among them. Moreover, they would need a school, but the superintendent showed himself to be generous for the Indians.

In June 1850, Monseigneur Guigues asked the government, who considered the Indians as minors and incapable of ownership, that the titles/rights would be given to the Catholic bishop, since all the Indians belonged to this religion. The Monseigneur assured, however, that he did not intend by that, by any means, that it would be possible for him to divert his properties from the purpose made by the government, nor could the Indians, themselves, have the freedom to sell and buy properties on which they had nothing but a limited domain. [p. 90-91]

...

As for the Oblates, according to the desire of the Indians, they received from the government a concession of six hundred acres, taken in the reserve. The exploitation of this land was, for a long time, the unique or main resource for their missions.

The Indians of the Saint-Maurice began to be interested in the reserve. The Father Andrieux wrote from Maniwaki to an unknown recipient that a large number of the Indians had gone down to Maniwaki, toward the middle of May, where he had seen them before his departure. They are trying, he said, to become farmers, but I do not know if they will succeed. It is an unknown thing to their spirits and the warmth of the fields is appalling to them.

During the same year, again, a letter from Mr. Marcoux, missionary at Caughnawaga, made it known that the Iroquois of his parish were interested, as well, in the reserve of Maniwaki.

And, the lumber companies came into conflict with the Indians, which still entailed a great amount of difficulties for both the missionaries and for the bishop.

In his notes left concerning the business to be dealt with the government of Toronto during his trip to Europe in 1850, Monseigneur Guigues put forward the question of the Indians of the Gatineau. According to Monseigneur Guigues, it was a matter: 1st of getting the government to agree that the lands intended for the Indians would be legally accorded to them⁶⁶; 2nd that the government would not reserve itself the right to sell lumber, as it would be better that the Indians had that themselves; 3rd in the case where the government reserved for itself the right to allocate licenses, that the Indians be given the money; 4th that the money from the licenses from the preceding year, or, at least, the last amount owing by the lumberyard bourgeois of Mr. Aumond, Mr. James and Mr. Thomas McGoeys would be paid to the Indians.

Monseigneur Guigues had also asked in the petition from the Indians that 600 acres be held for the support of the priest; this clause would have to be specified in the act. It would even be necessary that the bishop have the right to select the

⁶⁶ The author inserted a footnote at this point, which read as follows: "March 30, 1850, the Indians wanted to obtain the assurance that their lands would belong to them forever. They promised to make good use of them and wanted to receive their amenities at River Desert, as they had been unable to go for them at Lac-des-Deux-Montagnes, as there there was a regulation which deprived them of these amenities if two years had passed since they had last gone. Monseigneur Guigues had supported their request once again."

place, as well as that of the chapel so that the missionary could live and be independent.

A council would have to be established to decide the disputes between the Indians. The bishop, or his delegate, should not be unacquainted with the situation. The Whites married to Indians should not be excluded in terms of property rights. It is necessary to make the government understand that it need not be alarmed by the difficulties presented by some lumberyard bourgeois or by any settlers. Reduced to their fair worth, they are nothing much. We must insist on the observation that the Indians look at this land as belonging to them, as many promises were made to them. A refusal, or only some obstacles, could lead to some deplorable conflicts that must be avoided in the interest of humanity. [p. 91-93]

...

... Moreover, this establishment [reserve at Maniwaki] is very favourable for attracting those of the surrounding areas, in particular, from the Saint-Maurice, from the Grand-Lac, from Temiscaming and even from Abitibi. All may gradually come and establish themselves to cultivate the land and this is not a pipe dream. Last year, a good number came from Grand-Lac and from Lac-à-la-Truite.

On the other hand, Father Clément wrote to Monseigneur the archbishop of Québec on the same day [meaning February 1, 1852]. He had invited the Indians from Weymontaching to visit the fathers at their residence on River Desert. They had promised to come the following year. Twenty-two families wanted to obtain land at the Desert. The generosity of the government had precipitated their desire in granting a reserve. Thus, during the summer, the River Desert became the meeting place of all the Indians of the Saint-Maurice, of the Grand-Lac and even of the Ottawa and its confluents. [p. 94]

...

At the end of the year 1851 or 1852, the father made his report on the establishment; we can find a copy of this in the Monseigneur Guigues' correspondence.

The report underlines that 28 Indian families reside at the River Desert. During the course of the summer, 15 families had come from Grand-Lac and intend to return the following year after the hunt. Twenty-two families who possessed their hunting grounds on the Saint-Maurice had given their name during the mission, last summer, to come and settle at the Desert. Four families who were already settled have cleared approximately 30 acres without any outside help. The land granted by the government is, in general, of good quality. [p. 95]

...

Later, the missionary, having learned that the Têtes-de-Boule wanted to link up with the River Desert and believing that if they lived among the Algonquins there would be no quarrels, he had intended for them as an encampment, a place below the area occupied by the missionary and had invited all the Indians to come and prepare this site. To which [Ce à quoi] they lent themselves willingly. But the Têtes-de-Boule would change their intention and would not want to leave their land. This summer, despite representations from the missionary, the Algonquins have come to settle on this site, they have cut the missionary's fences and those of Mr. Bouly, landlord of the area, and they have taken the materials so that they may build themselves some cabins.

If the Indians had ever worked on the lands they wanted to occupy, it was only in the role of helpers or labourers. They had been asked to give some land to the Têtes-de-Boules, and, if they claimed payment for their work today, we would be prepared to give it to them, according to an estimation made by competent persons. But they are within their own rights. For their benefit, we consented to some large expenses (£1500) at River Desert to the ends of helping them to build, and we had a sawmill built at a cost to the mission.

... [p. 95-96]

[Translation from French]

[Document No. SS-15]

228. In 1853, the missionary R. P. Clément reported that Indians from Grand Lac were visiting friends and relatives at Maniwaki and that Indians from Saint-Maurice, Témiskaming, and Abitibi had also been attracted to the post; later that month he stated that many of the Indians at Grand Lac were Têtes de Boules. [See Document No. 362.]⁶⁷
229. Frank Speck, who visited and studied the River Desert Algonquins in 1915 and 1923 stated that, prior to the establishment of the River Desert Reserve in 1854, "there had been occasional movements of families from the older location at Lake of Two Mountains⁶⁸ in this direction [River Desert] as well as into Ontario south of the Ottawa to the boundaries of the Mississauga." [Document No. SS-59, p. 115.]
230. In the spring of 1853, Alexander Murray set out to explore the unsurveyed country between Georgian Bay and the Ottawa River and wrote a report which is dated February 1, 1854. Murray travelled up the Muskoka, which flows into Lake Huron and crossed the height of land and entered the Petewahweh (Petewawa) which flows into the Ottawa River. Burnt Island Lake is the head of the Muskoka; while Otter Slide Lake is at the head of the Petawawa. [Document No. 367, pp. 63 & 69.]

On his return, Murray ascended the Bonne-chère River (Bonnechere) to Round Lake and there crossed over to Lake Kamaniskiak on the Madawaska. He followed the Madawaska to its south west branch, the York, also known as the Shawashkong or Miskawashkong to the height of land. They crossed the York to arrive at Balsam Lake by the channel of the Gull River. Murray stated that the head waters of Shawashking, tributary of the Madawaska, were in a small chain of lakes above Lake Papineau [p. 86] and that Great Opeongo Lake was the headwater of the Madawaska. Murray noted that he met an "Indian Chief" near present day Purdy:

...
 Lumbering operations have already extended nearly up to Kaijick Manitou Lake, and I was informed by the Chief of a tribe of Indians I met there, that preparations were about to be made to bring timber down from the country above Papineau Lake. The name of Kaijick Manitou was given the lake in honor of this Chief, who proved of great service to us by his description of the country we were about to travel through at the height of land. [p. 84]
 ...

[Document No. 367]

231. In his 1854 survey of the Madawaska, J. A. Snow had contact with Indians on several occasions. In January, he "purchased two Trains de Gleece [sleighs?] from an Indian." On March 4, during the survey of Long Lake, an Indian Chief named Jno. Baptiste informed him that the country to the south was timbered. The next day, he was informed by a man named McCaul that the country by an Indian winter route from McCaul's farm to the first lake was well timbered with hard wood. On March 21, Snow purchased another "train" from an Indian and paid the Indian to tell him about the Indian route to McCann's camp on Long Lake. In May, Snow engaged an

⁶⁷ Rapport sur les missions du diocese de Québec, 1853, No. 10, p. 103 and 115.

⁶⁸ The reader should interpret this comment with caution. It is well documented that the Algonquins, with the exception of the old and sick, lived at Lake of Two Mountains for only a few months each summer. Clearly they traditionally travelled to hunting grounds elsewhere for the major part of each year throughout the years that they were associated with the mission. Speck may mean that people were severing their connection with the mission and moving into the River Desert and Ontario side for year round occupation.

Indian to take his baggage in a canoe to a "lower shanty". The diary of Hudson, Snow's companion, notes that the survey party again reached the camp of Jno. Baptiste at the head of Long Lake on May 5. [See Document No. 366.]

232. On May 25, 1857, Ignace Mackwa, a Nipissing man, petitioned the Commissioner of Crown Lands. The land on which he had settled and made improvements was being surveyed and he had been told to leave:

The humble petition of Ignace Mack.kwa - Indian, of the Tribe of Nipissings, whose late father was chief warrior of his tribe.-

Humbly sheweth -

That for more than five years he [the petitioner, Ignace Makkwa] has been resident and established with his wife and and family on Lake Clare [Clear] on the River Bonne Chère.⁶⁹

That he has more than ten arpents cleared and under cultivation with a House Stable and Barn. That the site is now being surveyed and that he is likely to be driven out, and actually notified to that effect, without any preference or remuneration whatever -

Your humble Petitioner therefore prays that you will take his state into your kind consideration and grant him such immunities or preference as his destitute circumstances may require, or such as in your benevolent judgement may seem fit.

[Document No. 368]

233. Five days later, on May 30, 1857, Mr. Egan, M.P.P., sent a letter to the Commissioner of Crown Lands supporting Mackwa's case, and supplying additional details on his situation:

My object in now addressing you, is to beg your attention to the Petition of one Mr. Muckwa from the Township of Sebastopol, Bonchere; he is an Indian of the Lake Two Mountain Tribe, he in common with others have turned their attention to farming pursuits. I feel confident that their efforts to educate themselves will be encouraged by the Government, I know of no class to have stronger claim on the Government. The applications of Emigrants just arriving are promptly met, therefore I consider that Indians should be fully encouraged, those on the Bonnechere are an industrious steady class.

[Document No. 369]

234. In July of 1857, Surveyor John A. Snow submitted an affidavit verifying that Mackwa was an original settler who had made improvements on his land:

This is to certify that Mack.kwa was the first person to make improvements on Lot No. 20 in the 10th Range of the Township of Sebastopol. And is therefore fully entitled to occupy the same. As a squatter his improvement being notice In the field book of the survey of that Township.

[Document No. 370]

235. On September 24, 1857, the following petition was addressed to "His Excellency the Administrator of the Government in Council" by the Indians at Golden Lake, via the Commissioner of Crown Lands:

That your memorialists and their ancestors for many generations have ever lived in the vicinity of Golden Lake on the Bonne Chere River and in the newly

⁶⁹ Document Nos. 192 and 194 indicate Mackwa's hunting ground was on the Bonnechere as early as 1834.

surveyed township of Algona and that they have at all times proved themselves good and loyal subjects of the British Crown [emphasis added].

That, as is usual with their race, they have hitherto supported themselves and their families by hunting and fishing, but that now that their hunting grounds have been opened up for settlement and sale by the Government they can no longer earn a subsistence by those pursuits.

That though always temperate and industrious the profits of their hunting have been barely sufficient for their maintenance from day to day and that although they now have no resource left but to try and raise sufficient from the soil to support them henceforward, they are unfortunately unable to purchase the necessary land.

That therefore, in consideration of their forefathers and their own, loyalty and good conduct their present poverty, and the fact of their now being deprived of their only means of support by the sale of their hunting grounds as well as in view of the sad fate that awaits them should their request be now rejected, they most humbly pray Your Excellency in Council will be pleased to give to each of the undersigned, heads of families, a free grant of 200 acres on the shore of the lake where they have so long resided.

That at the present moment your memorialists are unable to give the exact numbers of the lots and concessions of the lands they ask for but they beg to assure Your Excellency that there are not to their knowledge any other applicants for said lands; and if their request be favourably entertained they will at once supply the particulars of the lots; and they will at all times endeavour to prove themselves worthy of the favor they now ask.

[Document No. 371]

The petition was signed by five individuals and the extent and value of their improvements was indicated on an attached sheet.

236. On November 11, 1857, E. P. Tache, the Commissioner for Crown Lands, forwarded the above petition to the Superintendent General of Indian Affairs, with the following comments:

As there is no provision made in the Act for the disposal of Public Lands for such an appropriation, this Department cannot submit the application to the favourable consideration of the Government. The question therefore appears to be whether there are any Indian funds by which the lands can be purchased.

It would be observed that the Petitioners are unable to point out the lots as now surveyed; but the Surveyor reported lots No. 8, 9 & 10 in the 10th Con., being on the south side of Golden Lake, as being occupied by Joseph Tiniskaw, Iwas Jarikay, Micl. Pizwanatch, "half-bred, half-civilized Indians", having about 26 acres cleared, and having resided thereon from 8 to 10 years.

[Document No. 372]

237. The Commissioners appointed in 1856 to investigate Indian Affairs published a report, commonly referred to as the Pennefather report, which contains considerable information on the state of Indian settlement and administration. At the beginning of Part II - "Present Condition of the Indians in Canada", the commissioners noted that the report is limited in its description of the conditions in Lower Canada:

...
Under this head we propose to give such Statistics as we have been able to collect as to the actual state at the present time of the native Tribes in Canada. We also intend to give briefly some account of the subjects connected with their land and annuities, wherein they consider themselves aggrieved, or deem that they have a just claim to the careful consideration of the Executive Government.

We regret that as regards Lower Canada the absence of any detailed report from the Superintendent of that District has obliged us to enter less fully into the condition of the Bands under his charge than we should have wished. We have to a certain extent supplied this deficiency by our own researches, but we lament that accidental circumstances have forced us to forego the personal inspection of some of the Tribes, which we have intended, and which would have rendered the elucidation of some points more complete than that which we are obliged now to present. [p. 15]

...

The report's outline of the occupation of Canada from the earliest period is not very useful or informative because it lumps all Algonquian speakers under the term "Algonquin" and therefore does not distinguish between the areas occupied by groups such as Mississaugas, Chippewas, Ottawas, Nipissings, and Algonquins.

The section entitled "Indians at the Lake of the Two Mountains" provides statistics on Iroquois, Algonquins, and Nipissings. These statistics are based on returns for annual presents issued at the post, and thus count only the Algonquins and Nipissings who were settled at the mission or who visited the post to receive annual presents. The Algonquins were made up of 85 families comprising 338 individuals; while the Nipissings included 176 people in 41 families. The report noted that "a certain number of Algonquins" had left the mission to begin farming at the reserve set aside near Maniwaki.⁷⁰

The missionary, N. Dufresne, who had worked for twenty-three years [i.e. since about 1834] with the Indians at Lake of Two Mountains, included the following remarks which are included in Appendix No. 4 of the the Pennefather Report:⁷¹

... These Indians [Algonquins], who subsist almost entirely upon the chase, and pass three-fourths of the year in the woods, have a distaste for agriculture
...

... The same [progress in agriculture] with several of the Algonquin families, who remain permanently at the Mission.... [alternate source reads: the few Algonquin families who remain at the mission continuously]

... the same [population increase] can be said of such of the Algonquins as reside permanently at the Mission. As regards the Algonquin Indians who subsist by the chase, as their stay each year at the Mission is but short, I cannot express an opinion in this respect. [i.e., whether the population has increased or decreased]
[alternate source reads: "they only come once a year to the mission, I would know nothing about the increase of that part."]

Father Deleage, a priest stationed at Maniwaki for the previous nine years, made the following report, published as Appendix No. 5 in the Pennefather Report:

... I must premise by saying that I have been brought in contact only with the Algonquin Indians, in which family I include all the Indians to be found on that tract of territory, lying between Lake St. John, the latter not included, and including the Abitibi Post, on the north of the St. Lawrence and the Ottawa, with the exception of the Indians under the supervision of the Mission at the Lake of Two-Mountains. When speaking of agriculture, I refer only to the Indians residing on the Gatineau. Although some of the other Indians have shewn a desire to follow agricultural pursuits, none of them have as yet done so.

⁷⁰ See Vol. 4. Part A - The Establishment of Reserves in the Vicinity of the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming for a full quote of the section of this report commenting on the settlement of the reserve at Maniwaki.

⁷¹ Note that Dufresne does not distinguish between Nipissings and Algonquins. He merely refers to Algonquins and Iroquois. He states that there are two tribes at Lake of Two Mountains: one speaking the Iroquois language, the other the Algonquin."

...
One hundred and twenty-five children are baptised each year, twenty-eight of the number at Maniwaki.⁷² They all belong to the catholic church.

...

Of the Indians who live amongst the whites, the population is about stationary, it does not appear to increase, neither does it diminish. The others on the contrary who live in the woods lessen in number almost perceptibly ...

The Indians generally speaking do not emigrate; an occasional one however is sometimes seen crossing from one river to another when employed in the chase.

The sections on the Mississaugas and Chippewas (now having reserves south and west of the subject area) were examined for information regarding their use of the subject area. No references to use of the Ottawa Valley were noted. The section on the Mississaugas of Alnwick mentioned that these Mississaugas had ceded land by an 1822 treaty (the Rideau Purchase), but did not supply any other details or comments.

Appendix No. 29, which reproduced the responses of T. G. Anderson, Visiting Superintendent of the Chippewas and Mississaugas,⁷³ included unspecific references to hunting grounds as follows:

...
Those of the settled bands who go out to hunt, are generally absent about two months in the fall of the year, and they go out for shorter periods at other times.

Some times to the uncleared part of the settlements, but generally further north to the wholly unsettled parts.

It [hunting] has had the effect of dispersing the game, sending it to a greater distance, and consequently making the chase more inconvenient with but poor chance of success.

...

Anderson also noted that in 1846 he issued annual presents to 58 Indians from Lake of Two Mountains.⁷⁴

[Document No. 373]

238. T. P. French, Crown Lands Agent in the upper Ottawa Valley, reported on his visit to the petitioners at Golden Lake in a letter to the Chief Superintendent of Indian Affairs dated May 15, 1858:

Referring to my conversation with Mr Chesley of your Department, & to your letter of 21st ulto. respecting the petition of the Golden Lake Indians, I have now to inform you that I had, yesterday, an interview with the Petitioners and the following information elicited from them has been the result.

They state that they are of the Algonquin tribe, that about 80 years ago they came to Golden Lake⁷⁵ - from the Lake of Two Mountains - and that they have

⁷² Note that only 22.4% of the children baptised belong to families resident on the River Desert reserve. This suggests a large majority of the Algonquins on the Quebec side of the Ottawa were not settled on the reserve. Alternately, it is possible that Deleage was referring to non-Native children baptised. This possibility is unlikely as the report is intended to concern Indians only.

⁷³ Unfortunately, Anderson reported on all the tribes under his superintendency including the Chippewas of Saugeen and Newash and Mohawks of the Bay of Quinte along with the Chippewa and Mississauga Bands of interest to this study.

⁷⁴ Anderson's return for presents issued to Lake of Two Mountains Algonquins at Bedford in 1846 was 57 Indians. The following year some families were removed from that list as they were considered to be Mississaugas from Alnwick. [See Document No. 305.]

⁷⁵ According to the surveyor's information, these people would have come to Golden Lake around 1778--long before the establishment of the reserves on the Quebec side.

resided there continuously, from that period to the present. There are five heads of families who with their wives and children make 30 souls. The number of acres cleared are set down at 25, and the value of the labor expended on them in clearing, is estimated at \$250; all of which statements I believe to be in strict accordance with the truth.

One of the petitioners - Michel Pesantawatch - is a chief and wears a large silver medal of the reign of George III which he says was "a present from the king of England to his father."

These people complain that for two years they have not received the usual Royal Presents and they urge this as an argument why they should get their lands free.

I myself must add that these men appear to be unusually intelligent and respectable; that I have been informed that they are moral & industrious and well deserving of the favor which they solicit from the Government--a favor which I trust you may be pleased to grant them.

[Document No. 374]

239. In May of 1860, Superintendent General of Indian Affairs Pennefather forwarded a copy of a petition from the Chippewas of Saugeen and the Chippewas of Lake Simcoe and Huron. One of the points in their petition was a statement of support for the Algonquin claim to land on the Ottawa River:

...
3d. In behalf of their brethren established at the Lake of Two Mountains, they represent that they owned a large tract of land in the Ottawa and adjoining districts, and that a part of these lands has been surveyed and sold to the whites, which they have not at any time ceded.
...

Pennefather made the following comments on the claim to the Ottawa:

...
In consideration of the claims pressed by the Indians of the Lake of Two Mountains, for compensation for their hunting grounds on the Ottawa River, which had been taken possession of by the white population before they were surrendered, or the Indian interest consulted in any way, the Executive Government granted to these bands, under the 14th and 15th Vict. c. 106, 45,760 acres on the River Desert. A certain number of the Algonquins have embraced the opportunity thus given to them of exchanging the sterile tract at the Lake of the Two Mountains for a fresh location, where they have formed the settlement of Maniwaki, and are beginning to apply themselves to agriculture.
...

[Document No. 390]

240. On May 28, 1860, A. Russell, Assistant Commissioner of Crown Lands, wrote to the Superintendent General of Indian Affairs about a land application in the Madawaska Valley. The applicant, a man from Lake of Two Mountains, desired land on the York Branch of the Madawaska River. Russell set out the procedure the applicant was to follow thus:

In relation to the application of Nour Nikek made through the chief of the tribe of the Indians of the Lake of the Two Mountains, I have the honor to state that the Lands on the York Branch of the Madawaska River have not yet been surveyed into Lots & the applicant must either wait until such subdivision takes place or must furnish the Map & report of a licensed surveyor shewing the exact locality of the Lands required & their condition as to occupation & improvement.

[Document No. 393]

241. On August 4, 1860, Ignatius Mackwa wrote to Superintendent General Pennefather regarding taxes being charged against his 200 acre lot in Sebastopol Township:

Ignatius Mackwa
Chief of a Tribe of Indians at Lake of Two Mountains
Humbly Sheweth,

That he has obtained for possession of a Lot of Land of two hundred Acres in the Township of Sebastopol No. 21-

That the said Lot of Land is charged with Government dues to an amount which your Petitioner is utterly incapable of discharging.

That usually the Native Chiefs have their grants of Land Free.

Your Petitioner therefore humbly prays that his Lot may also be exonerated from the Government claims now imposed upon it.

[Document No. 394]

This petition was supported by affidavits from his neighbours dated September 28, 1858 and September 29, 1858.

242. On December 17, 1860, Mackwa petitioned again for his land (Lot 21, Conc. 13 in Sebastopol Twp.):

I take the liberty of addressing you again on a subject which I brought under your notice last summer respecting some land which I wished to obtain from Government, and which according to all precedents I supposed, as an Indian, I was entitled to you are aware that I personally referred to the Department, at Quebec, I believe to you, and you said that you would write to me to Sebastopol forthwith and let me know without any further trouble what the Dept. felt at liberty to do in my case. Please to act as expeditiously in the matter as you can for very little delay would be likely, under the present arrangements for the sale of Crown Lands, deprive me of the place I wish to secure altogether. Lands in this neighborhood are sold to the first applicant and mine, of course, will form no exception to the General rule, if applied for.

[Document No. 395]

243. On January 10, 1861, S. Lynn, Reeve of the United Townships of Wilberforce and Grattan, an area contiguous to North and South Algona also wrote to Vankoughnet, Commissioner of Crown Lands, regarding the petitions of "Makoa and Pronewach"⁷⁶ for land:

Two Indian Chiefs have applied to me in order that Justice may be done to them about the lands which they have long held in their possession. Their names and Nipius Makoa and Michel Pronewach, both living about ten miles from this place. They wish to Secure the lands they occupy, and to be free from taxes, a letter is now before me from Mr. Pennefather, dated Quebec 22 May 1860 in reply to the Chief Stating that all he could do in the matter was to refer the Case to you, which he had done.

Now if you would have the kindness to give me power to ascertain their Claim and have it settled I think I would be enable to satisfy all parties the Chiefs say that they asked Mr. French about three years ago to have the matter settled but with no good result up to this date. Consequently, they will feel pleased if you appoint me to arrange the business, the tribe comprises about ten heads of families.

[Document No. 396]

⁷⁶ Mackwa family and Michel Pesantawatch.

244. A few days later, on January 14, 1861, French wrote again to Vankoughnet, regarding requests for land near Golden Lake in Sebastopol and South Algona Townships:

I beg to refer to my letter of 29th Sept. 1858 and to assure you that Mockwa the Indian herein referred to has become extremely importunate and will not be persuaded that I have not get received any reply for him; I trust therefore that you will as soon as possible decide upon his petition and communicate your decision to me. I see no reason to alter the opinions upon the application, expressed in my letter above referred to Muckwa is well deserving of any indulgence or kindness that can be extended to him.

Six Indians from Golden Lake in the Township of South Algona have been here on 12th inst and are similarly situated in regard to lands occupied by them. On 15th May 1858 & again on 21st Sept. '58 I wrote to the Superintendent General of Indian Affairs respecting these men and as I understand Mr. Pennefather has transferred my letters to your Department I beg also for a decision in their cases. They are all excellent characters and I earnestly recommend them to your favorable consideration. Their names and the lots they occupy are as follows: .

Michel Pesantwatch	Lot 10 in 10th Con
Eneas Wabonack	9 " do
Joseph Tenisko	8 " do
Simo Kanabonoketch	7 " do
Louis Pesantawatch	6 " do
Paul Pesantawatch	5 " do

[Document No. 397]

245. Twenty-four Algonquins petitioned Viscount Monk, the Governor General, in March 1862, stating that along with the Nipissings they possessed the Valley of the Ottawa. They complained of white encroachment:

...
We the Chiefs and band of Indians known as the Tribe of the Algonquins of the Lake of Two Mountains beg leave most respectfully to represent;

That the Ancestors of your Petitioners, in conjunction with the Nipissings, possessed the valley of the Ottawa, and occupied it as their hunting grounds from time immemorial. At the time of which we speak, our ancestors were very numerous, and our white brethren in the Ottawa Valley were very few. The tables are now changed. Our white brethren have become a great people, whilst our numbers are greatly diminished.

The Lumbermen and the settlers are constantly encroaching on our borders, whilst white Trappers in considerable numbers infest our Hunting grounds in the interior, killing off the Deer, Beaver and the Muskrat, which are the principal source of our subsistence, and we look forward with fear and apprehension to the few years only which must elapse until the animals of which we speak and which furnish our principal food will be exterminated.

We have no desire to interfere with the Lumberman, whose legitimate object is the manufacture of Timber, nor with the settler whose object is the cultivation of the soil, but what we consider a real grievance is the custom pursued by white Trappers who infest our hunting grounds for the sole purpose of trapping. The Indian, whose hunting ground is secured to him according to ancient usages amongst his own people under the regulation of his chief, pays every attention to the increase of (particularly the Muskrat and the Beaver) which are purely local, whilst the white Trappers invariably exterminate them.

By the Provincial Statute 23rd Victoria Chapter 55 Your Petitioners are liable to heavy fines and penalties for killing certain animals at certain seasons of the year (no matter what our necessities may be).

Your Petitioners therefore pray that our case may be taken into consideration and that an Act may be passed during the present Session of the Legislature so amending the Game Act of Upper Canada refer'd to above, as to permit Indians to kill at any season of the year such wild animals as they may require for their

own immediate use, without being liable to punishment for so doing, and to prohibit others than Indians from trapping Beaver or Muskrats at any season of the year, and your Petitioners as in duty bound will every pray.

Bouchies March 1862.

Michen Pesindawatch [Michel Pesindawatch]

Nias Makwa [Mackwa]

Amab Akwaiach

[names of 21 others]

[Document No. 398]

246. S. G. Lynn, Reeve of Wilberforce and Gratton Townships, wrote again on July 14, 1862, inquiring about a decision on the petition of several Indian families for land near present day Golden Lake. Note that Lynn refers to them as Nipissings although they had identified themselves as Algonquins in a petition dated March 1862:

About two years ago I was requested by the Indians belonging to the Nipissing tribe residing near this place to petition the Government for an allotment of Land but up to this period no action has been taken in the matter. However, I hope, under the new regime, that their claims will be recognized. It appears that the Indians, whose names I enclose, have been a long time settled upon the lands for which they now apply, and have erected some good houses together with clearing their farms, consequently, consider their claim to the Lands, thus occupied by them, to be indisputable, will you, therefore, have the kindness to take their case into your serious consideration and grant them the relief prayed for.

As I am favourably known to the Honr. Adam Wilson I shall be most happy, if my services are required to render you any information respecting this case.

Names of Indians belonging to the Nipissing Tribe

Michele Pesnewach, wife, 4 sons and 2 daughters,
Eneas Muckwa, wife and two children
Eneas Eneas, Mother, 2 Brothers & 3 Sisters, Father dead
Joseph Yenson, Wife, 6 Boys and one Girl
Benoit Kononi, Wife, 4 Boys and 4 Girls
John Stevens, Wife, 1 Boy and 3 Girls

The above parties request a deed for the lands occupied by them.

Marginalia on this letter reads:

See Reservation No. 9 near Lake Nipissing retained the Robinson Treaty of 9th Sept. 1850.

[Document No. 399]

247. On July 21, 1863, the Algonquin Indians whose hunting grounds were in the Madawaska Valley sent the following petition to Governor General Charles Viscount Monk. The land they requested is at the headwaters of the Madawaska:

The humble petitions of the undersigned Indians of the Village of Two Mountains, hunting on the head waters of the Madawaska and other rivers of central Canada,
Respectfully sheweth,

1. That in times past the hunting grounds of your Petitioners were in the country watered by the Madawaska and adjoining streams about 150 miles from their Village at Two Mountains, but owing to that country having become during the past few years thickly settled it has rendered useless and destroyed their hunting grounds, and has compelled your Petitioners in order to obtain food and clothing for themselves and their families to travel still further westward until at present their hunting grounds are from 300 to 350 miles from their Village.

2. That owing to the distance your Petitioners have to travel from their Village of Two Mountains to their present hunting grounds and the extreme poverty of your humble Indian Petitioners, it nearly takes all that they receive in money, trade or exchange for the spoils of their hunt to meet, after returning to their homes, the debts they have contracted between their hunting seasons.

3. That your Petitioners as a race are fast fading away before the influence of their brethren the White Men, whose gradual but constant encroachments have already nearly exterminated them and the few that remain are reduced in poverty to almost absolute want and their old hunting grounds having been taken possession of and rendered useless there appears no prospect before them but that of starvation misery and death unless the Good Spirit influence the hearts of their Fathers the Governor and his Council to help them.

4. That your petitioners are desirous of having a tract of land near their present hunting grounds granted or reserved to them for the purpose of building up an Indian village capable of supporting about Four Hundred Families, a desire which they sincerely trust will be gratified by their Father in His Council when he considers that the whole country was once theirs and the land of the departed braves, their fathers.

5. That such a tract of land as would suit the purposes required, your Petitioners have found in the Township of Lawrence in the rear of the County of Peterboro;⁷⁷ four thousand acres of which, or thereabouts, taken off that portion of the Township of Lawrence⁷⁸ next adjoining the Township of Eyre, would meet all the requirements of your Petitioners - is near their hunting grounds, is suitable for their village, and would be the greatest blessing that could be bestowed upon your Petitioners and the whole Algonquin Tribe for our friends the Lumber Merchants on the Ottawa River have promised to erect us a church, to aid us in our new settlement and to protect our rights should our prayer be accepted.

Therefore your Petitioners humbly pray, that Your Excellency in pity to the Indian race, as an act of charity to them in their extreme poverty, and as an act of justice to them in consideration of their former rights, will be graciously pleased to make an Order in your Council granting to them Four Thousand acres of land in the Township of Lawrence in the rear of the County of Peterboro, such land to be taken off of that portion of the Township [next?] adjoining the Township of Eyre and to be reserved to them for the purposes of an Indian Village, and will be further pleased to make such further orders and do such further acts as in pity to our scattered tribes and families Your Excellency may think best for us as Faithful Indian Children.

[several signatures]

[Document No. 400]

The above petition was signed by eight chiefs and over 250 individuals. It was apparently forwarded to the Department of Indian Affairs by Robert Bell, local Member of Parliament.

248. Early in 1864 a memorandum was prepared for council outlining the improvements of Indian "squatters" in the Township of South Algona and recommending that the lands which they occupied be sold to them at six pence per acre, payable in five annual installments. The recommendation was approved on January 29, 1864. The memorandum to the Executive Council, dated January 25, 1864, is quoted below:

In the list of Squatters which accompanied the Report of survey of the Township of South Algona by Mr. D. Stanley in February 1857, the following names are found.

Joseph Jiniskan, lot No. 8 in the 10th con: eight years in occupation with six acres of cleared.[i.e. in occupation since 1851]

⁷⁷ The townships of Lawrence and Eyre are actually in the County of Haliburton.

⁷⁸ This location is at the extreme edge of the Ottawa Valley at the headwaters of the Madawaska.

Inas Gonikay, lot No. 9 in the 10th con: ten years in occupation with 10 acres cleared. [i.e. in occupation since 1847]

Michel Pignavatch, lot No. 10 in the 10th con: ten years in occupation with ten acres cleared. [i.e. in occupation since 1847]

These people are described by the Surveyor as "half-bred half civilized Indians".

These Indians and two others viz; Paul Pesuntawach and Benoit Kanimi in September 1857 memorialized His Excellency the Administrator in Council, setting forth that their hunting grounds having been opened up for settlement and sale by the Government they could no longer earn a subsistence by those pursuits, that they had no resource left but to till the soil, but were unfortunately unable to purchase the lots occupied by them, they therefore prayed for a grant of 200 acres each on the Shore of the Lake where they had so long resided.

The Commissioner of Crown Lands having no authority to make such grant transmitted their Petition in November of that year to the Superintendent of Indian Affairs stating the Department could not submit their application to the favourable consideration of the Government and enquiring whether there were any Indian funds by which the lands could be purchased.

The Crown Land Agent in May 1858 in reply to certain enquiries by the Superintendent General states that the Indians are of the Algonquin tribe, that about 50 years ago they came to Golden Lake from the Lake of Two Mountains [i.e. about 1808] and that they have resided there continuously to the present. There were then five heads of families who with their wives and children made 31 souls - one of them Michel Pesantawatch is a chief, and wears a silver medal which he states his father received from George III.

The Agent adds they are unusually intelligent and respectable, moral and industrious and well deserving of the favour they solicit from the Government.

The Superintendent General in a letter addressed to the Commissioner of Crown Lands on the 14th January 1859 states that these Indians are members of Indigent Tribes resident in Lower Canada and have no annuities or interest accruing from land funds⁷⁹ whence the Department could make any payment for them, at the same time from the testimony adduced in their favour he urged for them the utmost consideration consistent with the regulations then in force regarding Crown Lands.

Taking all these facts into consideration the Undersigned is disposed to recommend a sale to those Indians being heads of families of the lots or such parts of the lots in the said Township of Algona, which may be found to be occupied by them, consistent with their respective clearances, at the nominal rate of Six pence an acre payable in five annual instalments with interest.

[Document No. 401]

The Commissioner's memorandum was submitted to the Governor-in-Council and the recommended action approved on January 29. [See Order-in-Council, Document No. 402.]

249. On April 5, 1864, W. Spragge, the Deputy Superintendent General of Indian Affairs, acknowledged receipt of the petition dated July 21, 1863, which requested land in Lawrence Township, in the following letter to Bell:

The Petition of certain Indians of the Seigniory of the Lake of the Two Mountains forwarded with your letter of yesterdays date to the Provincial Secretary in which application is made that lands in the township of Lawrence C.W. may be set apart for the settlement of 400 families of their people having been transferred to this Depart. I have the honor to acquaint you that under the provisions of the Act 14th & 15th Victoria Chap 106 there were in the year

⁷⁹ Note that according to this report the Algonquins at Golden Lake did not receive nor were they considered to be entitled to a share of the £1,000 annual grant made under the 1851 Act and August 9, 1853, O.C.

1854 45,750 acres in the Township of Maniwaki on the River Gatineau set apart for the benefit of the Indians of the Lake of two Mountains and that a settlement known as that of the River Desert has made some progress - and it is still quite competent for any number of families of the People for whom the tract in questions was set apart; to remove there, and take possession of lands.

To those among them who will embark in Agricultural pursuits some assistance will by this Depart. be recommended to be granted in the form of seed grain and agricultural Implements. -

At the period of a special report made up in the year 1858 the Indians of the Lake of Two Mountains, numbered 844 persons, and there can be no doubt that the quantity of Land in the township of Maniwaki affords ample surface for the settlement of the whole of them.

The Lands upon which originally they were settled within the seigniority in question, appears to have been of a sterile character to a considerable extent. Nevertheless their situation upon the Ottawa River must impart to them some value and should the whole Body of Indians who leave for a long period of time dwell thereon resolve (as may almost be gathered from their Petition) is their desire to move from the seigniority it would be the duty of this Department to endeavour to effect some arrangement whereby they would derive some benefit from the Lands, the possession of which they in that case would yield up.

[Document No. 404]

250. On November 7, 1864, Robert Bell (and three others) responded in a letter to A. Campbell, the Commissioner of Crown Lands.

About the beginning of April last a petition was presented to your Deptmt. from certain Algonquin and Ottawa Indians praying for a grant of land in the New Township of Lawrence in the Ottawa and Huron Territory where their hunting grounds are situated. - The facts set out in their petition are unfortunately too true, and we beg most respectfully to urge their case upon your favourable consideration. The reply to Mr. Bell on 5th Apl. last, in relation to this petition states that "in the year 1854, 45750 acres in the township of Maniwaki on the River Gattineau were set apart", for these and the other Lake of Two Mountain Indians. To these petitioners, - whose hunting grounds are in Upper Canada, - this grant 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.

[Document No. 405]

251. The Commissioner heeded the appeal. On July 18, 1866, Andrew Russell, his Assistant Commissioner, advised James Bangs, the Indian Agent in Arnprior, that:

... the Commissioner has reserved the South East quarter of the Township of Lawrence from sale during the pleasure of the Crown for the use of the Algonquin Indians for a settlement.

The Indians are not to have any right to the merchantable timber on the land nor are they to interrupt those parties who hold timber Licenses for it from cutting and carrying off the timber.

[Document No. 407]

252. On July 24, 1866, William Spragge submitted to his superior the following recommendation on the request for land in the Township of Lawrence:

Robert Bell, Esq. M.P. in April 1864 submitted an application from a large number of these people, in which it was stated that lands were required for four hundred families, and the Township of Lawrence was designated as the locality where they desire to settle. - Their case is recommended by Messrs. Stead, Currier and Poupore as by Mr. Bell.

These Indian people consist of Algonkins, Nippisingues and Iroquois, and as shown in the accompanying extract from a report dated 22d Apr. 1839 the Algonquins; as set forth by the late Honbl. James B. Macaulay; 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 tract comprising 45,750 Acres situated in the River Desert (a far up branch of the Gatineau) was under the provisions of the Act 14th & 15 Victoria Chp. 106 set apart for the benefit of the Lake of Two Mountain Indians - and as shown in the last report from this office; 245 of those people had established themselves there.

That Reserve is however so remote from the Tract over which the applicants hunt, as to be as they state unacceptable to them.-

Their wishes, so far as practicable ought evidently to be met and facilities be afforded for forming a permanent settlement, where upon good land they may acquire a knowledge of good agriculture, and likewise schools be established for the education of their children. The Township of Lawrence has not been laid out in survey, consequently no sales therein have taken place. The Northerly portion appears to be hard wood land and within it is Lake Louisa situated in the Northeasterly part of the township. Considering the rugged character of that remote district it is advisable in order to set apart a sufficient quantity of land for so many families to appropriate the Easterly half of the Township for the Applicants. And I would recommend that a sale thereof be authorized at the rate of twenty cents per acre, payable out of Indian funds, which payment should include the expense of subdivision into Lots of One hundred acres each.

[Document No. 408]

253. On August 2, 1866, Spragge directed the following request to Andrew Russell, Assistant Commissioner of Crown Lands:

A party of the branch band of the Algonquin Indians which have for many years been settled upon lands which now form a part of the Township of South Algoma, having arrived here and expressed a very strong desire that the lots mentioned in the accompanying Memo. dated the 26th Ult. signed by Mr. Halterman Crown Land Agent consisting of Nos. 5, 6, 7, 8, 9 & 10 in the 10th concession and Nos. 3, 4, 5, 6, 7, 8, 9, & 10 in the 9th Con. may be permanently set apart for about sixty families of Indians who they state desire to devote themselves to agricultural pursuits as a chief means for the support of their families and who have removed to that locality. You will observe from the letter of Mr. Harris the Local agent dated 27th July 1856 all the lots named in the 10th concession were at that time occupied by these people some of whom he states had been resident there forty years, And who it appears on reference to an Order in Council of 29 Jany. 1864 had in two instances clearances of ten acres each.

This Order in Council authorized a Sale of lots 8 & 9 & 10 in the 10 Concession at ten cents per acre, and as the three additional Lots are required for the increased number of Indian families I beg to request that the other Lots named in Mr. Halterman's Memo. will be rendered available for purchases on behalf of those Indians upon the same terms as specified in the Order in Council. A compliance with the desire of these people becomes the more reasonable when it is considered that the lands in question are a part of those over which as Hunting grounds they have heretofore exercised important rights. As the party now in Town desire to leave tomorrow morning will you have the goodness to let me have a reply today to this letter.

[Document No. 409]

254. The following day, August 3, 1866, Spragge was able to send the following letter on the matter to Chief Michel Besdoront:

I am glad to have it in my power to inform you that the Honble. the Commissioner of Crown Lands agreed to the application made by Yourself and your people and I have to inform you that Lots 3, 4, 5, 6, 7, 8, 9 & 10 in the

9th Concession and Lots No. 5, 6, 7, 8, 9 and 10 in the 10th Con. of the Township of South Algoma will be set apart for the benefit of the Algonquin Indian families who are resident thereon and the conditions will be the Same as those prescribed by an Order in Council passed in January 1864 namely ten cents Per acre payable by five Instalments with Interest.

Mr. Halterman the Agent for Crown Lands will be directed by letter to reserve from sale the lots specified.

[Document No. 410]

255. On June 15, 1867, J. P. Bureau wrote to the Honourable Mr. Campbell, Commissioner of Crown Lands, at the request of the Algonquin Tribe of the Lake of Two Mountains, seeking rents for islands in the Ottawa River:

I am instructed by the Algonquin Tribe to apply to Government for the rent of the Islands on the River Ottawa occupied to the profit of some Lumber Merchants and on which Slides have been constructed etc, etc.

The Tribe is proprietor of these Islands and it has been understood that the Government would pay annually the rent thereof -

Mr. Paul de Larond of Caughnawaga of Lake St. Louis is duly constituted Attorney by the Chiefs of the said Tribe. I have [in] my possession his power of Attorney which [I] will forward you as soon as the settlement of the rent will take place.⁸⁰ I must remark that Mr. Hamilton one of the Lumber Merchants pays annually the rent of one of those Islands which he occupies.

I must also say that the Tribe desires to settle as soon as possible and to be paid.

[Document No. 411]

⁸⁰ Paul de Laronde made a claim with two others to lands bordering on the Ottawa Valley watershed in September 1866. Specifically, he claimed Sherborne, Stanhope, Livingstone, Havelock, Guilford, Lawrence, Eyre, and Harburn Townships. Paul de Laronde was identified by the Department of Indian Affairs as a Mississauga although he resided at Caughnawaga (a Mohawk reserve).

Confederation, 1867-97

256. Pon Sogmogneche, High Chief of the Algonquin and Nipissing Indians, addressed the following enquiry to the Commissioner of Crown Lands on July 25, 1868:

Some time since I was given to understand that there was a tract of land granted to me for the use of my tribe of Indians in the Township of Lawrence on the Madawaska River. I wish to know if the boundary lines will be run and the lots laid out so that each one of my tribe settling will know his portion and I wish for a document from you as soon as practicable to shew that I have authority to settle without molestation on the said land and that it is laid apart for the use of my Indians.

[Document No. 412]

257. The Chiefs and warriors of the Algonquins at Lake of Two Mountains wrote a petition to the Secretary of State on July 31, 1868. The main part of their petition was in regard to their conflict with the Sulpician Missionaries over rights at the mission. In addition they refer to dispossession of their hunting grounds and the issue of rent for the islands:

You that are our first Father on earth, we salute you, the chiefs and all the young warriors of our nation, and all the rest of the nation of Algonquins of this domain--our father whom we always loved, and still love--we ask you to hear our complaint and relieve us of our troubles. We see the smoke of the white man upon all of our grounds that we used to get our living; our privileges trod upon, and our lands taken from us; on that land that we now live, we have, as it were, nothing to say. The priests take all upon themselves and hinder us of our just rights. We want the same rights as our forefathers had, that is the control of our own lands. Some of the priests say that we still have the rights if we would look after them, that is, the privileges our forefathers had; the domain under our own control, instead of the priests controlling us. They, the priests, say, that we have no right to the Indian domain, but that they have the sole right. The priests make farms for the whites and leave very little for us; they are selling the wood very fast, and we are not allowed to sell any; they refuse to give us wood to build houses with, that is the reason why our nation are leaving the Lake of Two Mountains, and living abroad, very few remaining at the village.

The islands in the Ottawa were in our possession since before the whites came, and the Government wanted to build slides, and promised after they were built to pay us a yearly rent; it is now long ago (about 36 years), and we have had no benefit or money from the Government of them; also, our equipments were withdrawn from us. We were surprised at that from the Government; we were promised the equipments as long as we lived in this place; our fathers told us that. We are told now that we are under the laws of the whites, and we want the same privileges extended to us. The priests of this place forbid the whites to treat us the same as the white brethren. Since we are amenable to the laws of the Dominion we want the same privileges as the whites.

[Document No. 413]

258. On October 26, 1868, Hector Langevin, the Secretary of State, prepared a memorandum dealing with the five grievances enumerated in a petition received from the "Algonquin Indians of Two Mountains", dated July 31, 1868. The response regarding their claim to islands in the Ottawa River which had been taken by Government without compensation is quoted below:

...
On the third point I have to observe that by the Act 14 & 15 Victoria Chapr. 106 a large tract of land is set apart for the use of certain Indian Tribes in Lower Canada (now Quebec) and that by an Order in Council of the late Province of Canada dated 9th August 1853, and passed in accordance with and under this last mentioned Statute 45,750 (forty five thousand, seven hundred and fifty)

acres of land in the Township Maniwaki or River Desert are set apart specially for the Têtes de Boule, Algonquins and Nipissingues Indians being the tribes hunting on the territory between St. Maurice and Gatineau, principally residing at the Mission of Lake of Two Mountains - Compensation has therefore been given to the Algonquin Indians that may have been appropriated by the Government on the Ottawa River.

...

[Document No. 416]

259. On December 22, 1869, several Mississauga Chiefs sent the following notice to Deputy Superintendent General William Spragge, claiming an interest in the lands north of "line 45":

We the undersigned do hereby certify that the last treaty was given in the year 1818. It extended 33 miles north until it strikes line 45, north of this it has never been ceded to the Crown.⁸¹

All the unceded tracts of land is claimed by the Rice, Mud and Scugog Lakes etc. in Council assembled by the desire and wishes of Paul De la Ronde.

[Document No. 417]

260. The following year, on May 19, 1870, Spragge prepared a report on the matter. Spragge concluded that rights to the northern tract had not been extinguished:⁸²

In comparing the surrenders of land beyond the old settled districts in the Counties of Durham and Northumberland executed by different Bands of Indians I did not find that the Townships which Paul La Ronde states were formerly used as hunting grounds by his father and himself and in addition thereto a very large tract of country now forming part of the Province of Ontario were included. My opinion therefore is that the title of the Rice Lake, Mud Lake, Scugog Lake and any other Bands who had territorial rights over that section of the Country has never been extinguished [emphasis added]. The Honourable Stephen Richards Comr. of Crown Lands, Toronto, was addressed by letter of 9th Feby. 1870 for the purpose of eliciting information as to whether in his office there were any records of surrenders other than those in the Indian Department relative to the District, alluded to; Mr. Richards has neglected replying to the questions put to him. But from ___ personal knowledge of the documents relating ___ copies recorded in that Department, I am ___ of the ___ that the Robinson Treaty of September 1850 extending from the east Coast of Lake Huron inland as far as the hunting grounds of the tribe ___ of Ojibway Indians on that coast extended to ___ the great tract often alluded to as the Valley of the Ottawa with the Indian title unextinguished. It is true that under the late Province of Canada military operations of great magnitude were carried on. Townships were laid-out in survey ___ Roads constructed at the cost of the Province and the Territory dealt with generally as ordinary Crown Land [emphasis added].

Notwithstanding however all this the principle that compensation has in every other instance been allotted to the Indians should be kept in view and I would submit whether as a compromise some adequate annuity ought not to be granted to the Mississagas and a deed of surrender from them executed.

This brings up the question as to whether the Government of the Province of Ontario might not be called upon to furnish funds for periodical payments of such an annuity to be for greater convenience capitalized. Within the territory in question are vast quantities of unsold land and on which still stand forests of merchantable lumber of great value.

[Document No. 418]

⁸¹ Lands in Ontario north of 45° include the western portion of the Ottawa River watershed in addition to land south and west of the watershed.

⁸² The lines (i.e. ___) appear in the texts on file which appear to be typed transcripts of the documents. The lines would thus indicate words illegible to the transcriber.

261. On May 23, 1870, Spragge wrote to the Lieutenant Governor of Ontario regarding the tract to which the Mississaugas had voiced their claim:

I have the honor to bring under your notice the circumstance heretofore apparently overlooked, that in the Province of Ontario very important tracts of land exist, concerning which so far as can be ascertained the Indian title has not as yet been extinguished. The tract in question as exhibited in the accompanying traced map lies northwest of the lands surrendered on two separate occasions in the year 1822 westward of the Townships of Blythfield, Admaston, Bromley, Stafford and the Grand River, eastward of the lands ceded by the Robinson Treaty of September 1850 and southerly by Lake Nipissing and the waters flowing from it into the Ottawa River [emphasis added].⁸³

The Mississauga Tribe who occupy as their hunting grounds, considerable portions of this unceded lands [sic] would have claims to compensation in some other form, upon executing conveyances to the Crown similar to those to which they were parties in the year 1822, and the subject is accordingly brought under your consideration with a view to receiving due attention at your early convenience and the eliciting such proposals as may lead to a settlement of the Indian claims [emphasis added].

[Document No. 419]

262. Relations during the late 1860's and 70's between Father Déléage, Oblate Missionary, and the Indians at River Desert are referred to in Vol. VII of Gaston Carrière's Histoire Documentaire de la Congrégation des missionnaires oblate de Marie-Immaculée dans l'Est du Canada. For the purposes of this study, it is interesting to note that reportedly there were two groups at Maniwaki: "pure-blooded Algonquins" and "a mixture of all kinds of tribes and of various Métis." The Algonquin left the reserve to hunt:

...
Father Déléage affirmed, nonetheless, that he visited his 500 Algonquins, on 20 December, 1868, when he found them on the roadworks along the mission and in May, when they arrived at Maniwaki, he preached a retreat. These Indians lived generally as good Christians: they were docile, respectful and submissive. They would have formed a model population if the Whiles had not brought them spirituous drinks.

We also know that in 1874, Father Pian contemplated building a chapel especially for these Indians, which would have simplified this minister's task, who practiced in the three languages, french, english and algonquin. On February 13, Father Pian affirmed to Monseigneur Duhamel that the grand chief approved the project, but the Father wanted to obtain the bishop's consent in writing. The Father added that he would be happy if the Indians could have their chapel in time for the bishop's visit. The Indians would have the pleasure of having Monseigneur Duhamel for an entire day and the whole would be done in the language of the natives. "We will be, said the Father in conclusion, almost as at Temiskaming and Abbitibbi."

Nothing changed from that point, and then at the beginning of January, 1875, war broke out between Father Déléage and the Indians. In essence, the chiefs were writing to Monseigneur Duhamel to complain of the missionary, who interfered in their temporal affairs and made them lose several hundreds of dollars. Being diplomatic, Monseigneur Duhamel was satisfied to respond that he wanted to hear the Father's version before ruling on anything, and that then he would do his best by them.

The chiefs were really in a bad mood. They answered, on February 27, that they had gone to Ottawa and that the Deputy Superintendent of Indian Affairs had told them that their losses occurred from the influence of the big and little Father on the superintendent, Mr. Duncan Scott. They added that this had to stop.

⁸³ This description appears to exclude the Ottawa River watershed.

On March 3, Monseigneur Duhamel answered that Mr. David Laird had assured that Father Déléage had no part in this issue and that the Indians themselves hadn't wanted the money sent.

This was a matter of a family squabble among the Indians and Father Déléage explained the whole problem to Monseigneur Duhamel, on February 20, 1875. He confirmed that the Indians were divided into two camps: the pure-blooded Algonquins, the most numerous, the most moral, the most pure and the best. The other group was formed of a mixture of all kinds of tribes and of various Métis: The latter formed the majority, being mainly scottish Métis. They were the nastiest, drunkards, immoral, etc. They had been elected leaders in October because the pure-blooded Algonquins had almost all left for the hunt. The pure-blooded Algonquins were extremely irritated and came often to complain to the Father.

In the face of such accusations, this is what happened. The Father learned from one of the signatories to the petition that the Indians had themselves forbidden the government to send them money, as they foresaw the opposition of the Algonquins and, as a result, difficulties in the distribution of the allowances. They therefore asked the government to wait until they had reclaimed the money before sending it. The Father had gone to Ottawa, the preceding 3rd and 4th of February, to obtain the grants and was happy with the results.

The Indians added that they had lost \$200 or \$300 because of the Father. The Father responded that the sum they received was the largest ever granted. The author of the petition was in as foul a mood as these Indians; he was no longer in Maniwaki, he could now be found in the episcopal city and Father Déléage wished that the bishop would not complain of him ... [pp. 136-7]

[Translated from French]

[Document No. SS-16]

263. A reserve was set aside for Algonquin families "resident at or near Golden Lake" in September of 1873. The reserve was described as being 1,561 acres in South Algona, County of Renfrew, comprising lots 3 to 10 in the 9th concession and lots 5 to 10 in the 10th concession. The federal government purchased this land from the province for \$156, and letters patent were issued in trust to the Crown. [See Document No. 422.]⁸⁴
264. A census taken at Golden Lake in 1874, listed 97 Algonquins. Numbers were broken down by sex and age; no names were listed. [See Document No. 424.]
265. On April 1, 1875, Chief Nihias Makwa (writing from Vanbrugh, just south west of Lake Clear) petitioned the Deputy Superintendent General of Indian Affairs for a patent to the land he occupied on Lot 21 in Conc. 13 Sebastopol, County of Renfrew. This is the same land that Chief Mackwa, presumably his father, had been trying to secure tenure for since at least 1857:
- I beg leave to request that you will be pleased to use your influence with the Government that a patent may be issued in my name for Lot 21 in the 13th Concession of Sebastopol Co Renfrew. I have been residing on said Lot for the last twenty-three years [i.e., since 1852] and have about 15 acres cleared on the same.
- I enclose statement of one of my neighbors to certify to the above and if necessary can have it certified on oath.

⁸⁴ For a fuller account of the events surrounding the establishment of this reserve, consult Vol. 4, Part A - The Establishment of Reserves in the Vicinity of the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming.

Hoping you will be pleased to see justice done the poor Indian.

[Document No. 427]

266. On March 9, 1876, L. Vankoughnet, the Deputy Superintendent General of Indian Affairs succeeding Spragge, prepared the following report for the Indian Branch of the Department of the Interior concerning a petition of Paul de la Ronde, dated December 28, 1869:

On the 28th December, 1869, claimant filed a document signed (with their marks) by himself and two other Indians, viz: Hester Wakaonah and Ann Wakaonah, at Rama, Ontario, (which is a Chippewa Reserve) setting forth that he (Paul De la Ronde) as the lawful heir of his uncle Wakaonah, (sic. Wahaonah) is entitled to certain Townships in Ontario,⁸⁵ which formerly composed the hunting grounds of his said Uncle, and the title to which, the document alleges, has never been extinguished. Accompanying this document was a certificate, dated December 22, 1869, signed (also with their marks) by the Chief and certain other members of the Mississauga Band of Rice Lake (to which Tribe Paul De la Ronde claims to belong) to the effect that no land in Ontario north of the 45 degree of North Latitude 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.

The tract claimed by the said Paul De la Ronde is comprised within the Territory claimed by his Tribe (The Mississaugas) and Paul was informed that whatever claim his Tribe might have, his individual interest in the land could not be considered apart from theirs.

The records of the Department fail, upon examination, to shew that the Indian title to the territory in question has ever been extinguished. This claim embraces a large area composed of many Townships in the Ottawa and Huron Territory laid out in survey by the old Province of Canada; as well as much unsurveyed land between the Ottawa River and Lake Huron.

On the 9th February, 1870, the Commissioner of Crown Lands was asked by letter if among the records of his Department, any trace of such a surrender could be discovered. No reply has ever been received. But a letter from one of the subordinate officers of the Department dated 17th of the same month, addressed to His Excellency the Governor General States that it would likely be established that no surrender of the territory in question had ever been made.

On the 23rd day of May, 1870, the late Superintendent General, the Honourable Joseph Howe, drew the attention of His Honor the Lieut. Governor of Ontario, to the matter, by official letter, with the request that the subject of the claims of the Indians interested, to annuities, for compensation in some form, upon executing a conveyance to the Crown might receive due attention at His Honor's early convenience. No reply has ever been received to that communication.

On the 17th March, 1870, Paul De la Ronde made another claim to payment of annuity, at the rate of ten dollars (\$10.00) per annum, since the year 1818, being the amount per capital paid the Mississauga Band annually since that year.

If Paul De la Ronde is a Mississauga Indian of any of the Bands resident at Rice, Mud or Scugog Lakes, and had continued to reside with his Band, he would have shared in the annuity payable to them. He appears, however, to have been resident at Caughnawaga for sometime and according to the regulations, he is incapacitated from sharing in the annuity of his Band. Paul was informed through his Agent, that his claim was not one the Department could recognize.

The undersigned also verbally explained to the applicant that his non-residence with his people incapacitated him from sharing in their moneys.

⁸⁵ Note townships claimed by de la Ronde included Sherborne, Stanhope, Livingstone, Havelock, Guilford, Lawrence, Eyre, and Harburn.

In view of the importance of the question to the Bands of Mississauga Indians interested therein the undersigned is of the opinion that the attention of His Honor the Lieutenant Governor of Ontario should be called to the correspondence had with his predecessor as well as with the Commissioner of Crown Lands on the subject and that His Honor should be moved to cause early action to be taken by His Government in the matter, in order that a settlement of the Indian claim may be made as soon as possible.

[Document No. 431]

267. On July 28, 1876, Patrick Moore, the Indian Agent at Maniwaki, advised A. Meredith, the Deputy Minister of the Interior, that Tête de Boules under Chief Jages were requesting assistance for farming at Lac Barrière:

Chief Michel Jages from Lake Bouryare of the Tudebute Band of Indians, wishes to know if you would be so kind, as to give him, and the party of Indians that he governs ninety nine (99) persons, Land at Lake Bouryare that is about one hundred and fifty miles north of Desert, where they now reside and some assistance to get some hoes, axes, grinding stones, and seed ...

[Document No. 434]

268. Subsequently on August 18, 1876, Deputy Minister Meredith advised Indian Agent Moore that:

... you will inform the Têtes de Boule Indians to which you refer that 45,750 acres on the River Desert in the Township of Maniwaki were set apart under the Statute 14 & 15 Vic. Chap. 106 for the use of the Têtes de Boule Algonquins and Nipissingues Tribes, hunting on the Territory between the Rivers St. Maurice & Gatineau, but the Depart. has no control over the land at the place described by you as their present places of residence. They should remove to and settle on the Reserve in Maniwaki and then the question of giving them seed grain and allowing them to share in the distribution of the Act money will be taken into consideration.

[Document No. 435]

269. Day, in the "Nipissing" chapter of the Handbook of North American Indians, contends that, after the mission at Lake of Two Mountains was abandoned in 1877, some Nipissings may have become integrated into Algonquin groups:

... following disturbances and the burning of the church in 1877, all of both groups [Nipissings and Algonquins] left. Some, perhaps all removed to Maniwaki ... but it is likely that the nominal Algonquin families and groups in the Ottawa Valley in the late nineteenth century derived at least in part from Lake of Two Mountains. These and the nominally Algonquin bands of Maniwaki and Golden Lake surely contain Nipissing descendants, but the destruction of the church records in 1877 prevents tracing Nipissing families in these groups.⁸⁶

[Document No. SS-26]

270. Father Guéguen, o.m.i., reported on Indians living at Grand Lac Victoria (Algonquins and Cree) each year from 1878 to 1888 as well as on his visits in

⁸⁶ Dr. M. Jean Black's study on ethnicity at Lake of Two Mountains was based on indepth examination of birth, marriage, and death records kept by the missionaries at the Sulpician mission and the Maniwaki reserve. She has concluded that the distinction between Algonquin and Nipissing is difficult to define and perhaps irrelevant. Individuals and families were often identified as Algonquin in one entry and Nipissing in another. Furthermore, Algonquins and Nipissings frequently intermarried and had much closer relations than any of the other peoples residing or visiting the mission. See Black, M. Jean. "A Tale of Two Ethnicities: Identity and Ethnicity at Lake of Two Mountains, 1721-1850." The documents quoted in this study indicate that Algonquins and Nipissing were visiting the mission at Oka less frequently from about the middle of the 19th century. Factors such as the cession of annual presents, disputes with the Sulpician missionaries and the presence of missionaries up the Ottawa Valley made the Lake of Two Mountains mission less and less attractive. [Document No. SS-4.]

1894 with the Indians along the Gatineau, Nicomis or Old Man's Creek (80 miles from Maniwaki), Baskatong, and the Lièvre River. He noted that the Indians who visited the HBC post at Grand Lac were made up of a group hunting on the Ottawa, Dumoine, and Coulonge Rivers (inside the watershed) and another group who used the Hudson Bay watershed:

...
In 1878, the Father again insisted on the difficulties of this mission [Grand Lac Victoria]. He found there two hundred Indians, all still very ignorant. It was the most difficult mission of all of the Saint-Maurice. In the last few years, these Indians would arrive at the post at the first navigation and were already preparing to leave when the missionary got there. They could be divided into two categories: those who hunted on the Ottawa, Dumoine, Noire or de Coulonge Rivers. They were educated enough and assisted assiduously in the mission. Drinking had disappeared. The others, Indians of the interior, hunted along the rivers tributary to Hudson's Bay. They used to run from the missionary, from which came the name of Wild Indians given them by a clerk of the Hudson's Bay Company. It took barely fifteen years for a missionary to succeed in baptizing the headmen of the tribe. These people gave themselves up to trickery and polygamy.

The following year, there were new consolations at Grand Lac, where Father Guéguen met with almost all of the Indians of the interior and who demonstrated a serious desire to learn to read, to know their prayers and to study catechism; in one word, the missionary said, they wanted to know and serve the good Lord. These Indians began to cultivate and, if they were perseverant, there would be a lovely colony.

Father Guéguen returned to Grand Lac every year until 1888, inclusively. After this date, various missionaries were put in charge of this post, while the Father devoted himself to [another stage?]. He continued, however, to interest himself in his former mission and, in 1894, he managed to accompany the new missionary, Father Laniel, who still did not perfectly know Algonquin. They stayed for fifteen days at the mission and Father Guéguen had the pleasure of ascertaining that the mission had made great progress since the six years that he had seen it. The Indians of the interior (Wild Indians), rebels for so long, appeared desirous of learning the prayers. Across this mission, there were eleven baptisms made, three marriages and six deceases registered. [p. 121-122]

...

... Upon returning to Grand Lac, Algonquin and Cree were studied, and in the winter, the work of the lumberyards took over on the Kuoio, Coulonge Rivers and the head of the Gatineau River. The residence became a link between Temiscamingue and Maniwaki and, in thirty years, the apostolic curate would probably be surprised at the progress of settlement. [p. 160]

...

In his letter [of February 24, 1894], Father Guéguen announced that he had visited the lumberyards and the Indians along the Gatineau River and that he ended up eighty miles from Maniwaki at a place known under the name of Nicomis or of Old Man's Creek, which flowed into the Gatineau, on the right shore. The diocese of Ottawa should be extended further than this post on the Gatineau River. [emphasis added]

The Father had also taken a census of the Indians and had seen nine families and had found the names of twenty-five others who did not belong to Maniwaki. In January, one hundred and fifty families could be found at the post, not counting the eleven families of Baskatong of the Ferme de l'Île [Island Farm]. At sixty or seventy miles from Nicomis the great lake Majamegos was found, on the Lièvre River, where Pisan and his band continued to hunt. These people did not have to do much to get to the Nicomis mission without seriously worrying the priest of the Lièvre River. This mission was also found in the middle of hunting territory. [emphasis added]

The year before, the Hudson's Bay Company had abandoned its post of Mekiskan and most of its Indians ended up at Nicomis. They found themselves

outside the pathway of the Saint-Maurice missionary and subject to never having a mission at all. This residency would render a service to the Indians living at the head of the Gatineau and Lièvre Rivers, abandoned as they were from other posts. This would be at last a foundation for the settlement of the diocese of Ottawa, as there was land favourable to cultivation there. [p. 162]

...

[Translation from French]

[Document No. SS-17]

271. A list of Indians resident at Golden Lake in June 1878 included 20 heads of families, totalling 69 people. [See Document No. 439.]

272. Two letters dated August 1878, one from three Chiefs at River Desert and one from the Indian Agent, indicate that an unspecified number of families visited the reserve annually to receive annuity payments but lived off the reserve and supported themselves by hunting. The Chiefs wanted these people struck off the annuity payroll. Indian Agent Moore's letter is as follows:

The River Desert Indian Chiefs has called on me And wishes me to inform you that he would be very thankful if you would be good enough [sic] to give them permission to make a change in the Paylist of the anual [sic] distribution mony [sic], As they say the [sic] wish to give the mony to any of the Indians that will come and make a home and till the land in Maniwaki And all the old and feeble Indians belonging to the Desert should receive more mony then the other Indians.

But those Indians that goes away to hunt in August and do not return unto [sic] the next July or August and some of them for one year some two three and four years And always causes great truble [sic] in paying them as they are never here in proper time and comes merely to obtain thier [sic] share of the distribution And squanders it with no benefit to themselves And takes the mony from those Indians that remains here trying to live on the land, where these is no hunting to be had. And they Chiefs thinks by stoping [sic] those hunters of getting mony it will be the cause of them settling here so as the [sic] will receive their part of the distribution.

[Document No. 442]

The letter from the River Desert Chiefs is dated August 24, 1878. [See Document No. 443.]

273. When Niven surveyed the township of Nightingale in the summer of 1878 he noted two "Indian" clearings. [See Document No. 445.]

274. When James Dickson surveyed Ballantyne Township in the summer and fall of 1879 he met with "Indians" who gave him information on the waterways of the area. [See Document No. 448.]

275. The Annual Reports for the Department of Indians Affairs gave summary information on Algonquin reserves on the Quebec side of the Ottawa Valley during the 1880s. The reserve at River Desert was described as being owned by the Algonquin and Tête-de-Boule Tribes. [See Document No. 467, p. xxv; Document No. 473, p. xxi.] They practiced agriculture on their reserve and worked for wages in the lumber industry; the "Tête-de-Boule portion of the community do not pay so much attention to farming as the Algonquins. The former live chiefly by the chase; a few of them, however, work for lumbermen." [See Document No. 467, p. xxvi.] In 1885 the

agent reported that about half of the population farmed, while the other half lived by trapping or working for lumbermen. Those that farmed "join in the hunt in the winter." Their fur catch in 1885 was valued at \$5,100. [See Document No. 475, p. xxii-xxiii.] In 1887 their hunt was reported to be "very successful," but the value of furs was not given. [See Document No. 479, p. xxxi.] The on-reserve population was reported as 410 in 1883 and 1885; it had increased to 440 in 1887. [See Document No. 479, p. xxx.]

The Algonquins occupied another reserve at Lake Temiscamingue. These Algonquins supported themselves by fishing, hunting, and commercial trapping. The 1883 population was 136. [See Document No. 467, p. xxvi.] In 1887, they numbered about 200 souls, who supported themselves "in comfort by hunting and fishing," supplemented in some instances by farming to a limited extent. Some families resided near the Hudson Bay post.⁸⁷ [See Document No. 479, p. xxxi.]

276. In 1880, the Indian Agent at Maniwaki reported that Têtes de Boules had hunting grounds around the upper Gatineau. [See Document No. 449.]⁸⁸

277. On October 19, 1880, L. Vankoughnet, the Deputy Superintendent General of Indian Affairs, pursuing his research on the Golden Lake reserve, addressed the following questions to Mr. Benson:

The original grant to the Inds. of Golden Lake was 1,561 Acres,

1. How much of this tract is cultivated as shewn by Mr. Agent George's Tabular Statement
2. How many houses & barns have been erected?
3. What quantity of each kind of produce has been raised?

The reply from Mr. Benson, written on the same memo, provided the following information:

1. Mr. Georges Tabular Statement gives the no. of acres in the Res. as 1400. 120 acres of which are under cultivation 125 acres in pasture & the balance woodland.
2. There are seven log houses 16 wigwams or shanties & 13 barns & stables on the Res.
3. The return of crops raised last year was as follows 100 bushels corn. 80 bus wheat. 100 bus oats. 12 bus peas 300 bus Rye 200 bus potatoes & 13 tons hay. (there are 83 Indians in the Band)

[Document No. 453]

278. In January of 1881, the Indians of the Rouge and North Nation Rivers sent a petition to the Superintendent General of Indian Affairs asking for reserve land:

The petition of the undersigned Indians of the Rouge and North-Nation Rivers humbly sheweth that whereas the county in the neighbourhood of the aforesaid Rivers having been surveyed and is now becoming thickly settled and as a

⁸⁷ There was a Hudson's Bay Company trading post at Lake Timiskaming from 1821-1891, previously there were posts operated by the North West Company (1795-1821) and Independent Traders (1760-1795).

⁸⁸ October 11, 1880, Indian Agent Charles Logue's annual report. Dominion of Canada Annual Report of the Department of Indian Affairs for the year ended 31st December 1880. Ottawa: 1881 pp. 33-4.

consequence the forest game our precious means of subsistence are being gradually but surely destroyed or driven off it has become necessary for your petitioners to give up our former occupations of hunting and trapping and begin some other means for the sustenance of our familys and being very poor and unable to buy land from the Government and our familys 2000 acres of land and we would like it to be in the Township of Labelle in the Co of Ottawa and if not able to get that then somewhere near if it so please you, and (as we have already said) being very poor and some of us having large family assistance in the way of furnishing us with farming tools, seed grains, and provision would be very thankfully received and your petitioners as in duty bound will ever pray.

[Document No. 455]

279. The above petition was transmitted to the Indian Department by Mr. Thomas Christie, the Agent in LaChute, with a covering letter dated March 15, 1881. In his letter, Christie added the following comments:

The enclosed petition on behalf of a number of Indian families residing on the River Rouge in rear of the County of Argenteuil⁸⁹ was sent to my by (generally called Chief Joseph) I am aware that the land which they ask for belongs to the Quebec Government, but the Dominion Government, will give them a grant of land in the northwest or elsewhere.

[Document No. 458]

280. The Indian Department sent a reply to the petition to Thomas Christie on March 28, 1881:

... I have to inform you that the land in question is under the control of the local Gov. of Quebec and the only way it could be acquired by the Indian would be by purchase. If the families are settled upon different lots and have made improvements thereon & these lots have not been otherwise disposed of by the Crown Lands Department at Quebec I presume they would have little or no difficulty in purchasing them & this Dept. might come to their assistance in paying their installments upon the land. Crown Lands generally in the Province of Quebec are sold at the price of 30 per acre. The quantity of land applied for seems out of proportion to the needs of Indians, namely 60 families (?). It appears to me if they purchase 700 or 800 acres it would be amply sufficient for all their requirements. With regard to furnishing them with necessary implements and seed grains the Department would be glad to obtain a statement of what implements & seed grains would be sufficient for them; and the quantities stated should [illegible] to their actual needs.

The Department does not supply provisions to Indians unless they are in circumstances of very extreme poverty.

[Document No. 459]

281. On September 23, 1881, J. B. Nanegisking, Chief of Rama, and other Chippewa and Mississauga Chiefs, sent the following petition to Sir John A. MacDonald, Superintendent General of Indian Affairs:

The petition of the Band of Indians of The Ojebwa and Mississauga Tribe with their Chiefs in General Council Assembled.

Humbly sheweth,

That at a general council of the Band of Indians of the Ojebwa and Mississauga Tribe with their Chiefs assembled at the Township of Rama to take into consideration the terms or conditions they would be willing to give up their title to that portion or Territory of Land south of the Water shade [sic shed] of the Ottawa and near that vicinity which they still own and claim and which has never been ceded to the Crown [emphasis added].⁹⁰

⁸⁹ A small county along the Ottawa River extending from Rigaud to just west of Point Fortune.

⁹⁰ Note the chiefs and councillors described their unceded land as being south of the watershed of the Ottawa, not south of the Ottawa River. This suggests they were not claiming the Ottawa Valley but a tract southwest of the height of land.

It was resolved to surrender the whole Territory still unceded to the Crown provided the Crown gave them reasonable compensation, therefore with the understanding that each band received an equal share of the compensation for said Territory.

It was also resolved to appoint Joseph G. Nanegisking Chief of the Rama Tribe and M.G. Pahtansh of Rice Lake Tribe to confer and act for us with the Crown and Transact all business in connection with the disposal of our rights to said Territory and we also authorize them to have and to hold all communications in connection with the disposal of said Territory and to sign all documents on our behalf. Your Petitioners therefore pray that you see that the Tribe be liberally compensated as this is the last Territory they have to cede away and your Petitioners as in duty bound will ever pray.

[Document No. 460]

282. The Inspector's report on Golden Lake dated October 1882 noted that "several of the Indians were away from home, hunting, or employed in the lumber woods." The following statement suggests that hunting and fishing remained important to the reserve residents: "... when lumbering ceases in this section, which it must in a few years, and hunting and fishing become less productive, they will be even more dependent on the Department ...". [See Document No. 462, pp. 9, 15-16.]

A letter written by the agent the following year noted that "they will all be home Christmas from hunting." [See Document No. 466.]

283. A resolution passed by the Alnwick Mississaugas on February 4, 1884, was forwarded to the Superintendent General of Indian Affairs on March 11, 1884, by John Thackeray, Indian Agent, who made the following comments on the extent and location of the land being claimed. Note they claimed land within the Ottawa River watershed:

Attached hereto please find a resolution passed by the Indians of the Alnwick Band in general Council assembled proposing to surrender all lands to which they may have any claim excepting those therein reserved for the sum of \$80,000. The band claims that they were the owners of certain lands lying north of the Township of Ramdon [sic Rawdon] in the County of Hastings and extending north of the Ottawa River and which was never surrendered by them [emphasis added]. I have no means of ascertaining the exact limits of the land to which they lay claim neither have they. Mr. Plummer has given the matter considerable study and no doubt will be able to give you all the information required.

[Document No. 470]

The actual resolution referred to unsundered lands without describing them. [See Document No. 469.]

284. On October 2, 1884, Deputy Superintendent General Vankoughnet prepared the following memorandum regarding the Chippewa and Mississauga Claim. He described the claim as encompassing part of the Ottawa Valley and lists the Indians interested in the lands:

Referring to the memorandum of the undersigned of the 11th of March, 1881, and his subsequent memo of the 22nd of November, 1882, and the Superintendent General's instructions thereon relative to the claims of the Chippewas of Lakes Huron and Simcoe and certain Mississauga Bands in respect of a large section of country which was improperly included in the

surrender made by the Ojibeways of Lake Huron in 1850, under what is generally known as the Robinson Treaty, - the undersigned is informed that the Treasurers of the Provinces of Ontario and Quebec will probably meet in Ottawa about the 20th instant and he has been asked by The Deputy Minister of Finance to submit any claims that the Department may have for consideration previously to the meeting of the two Treasurers.

The undersigned having given the matter of the claims of the Indians above referred to due consideration begs to state as the result that the present number of Indians who would appear to be interested in the lands previously referred to in [sic] 1,227, made up as follows, -

Chippewas of	Beausoliel,	381
"	Snake Island,	137
"	Rama,	248
Mississaugas of	Mud Lake,	158
"	Rice Lake,	94
"	Alnwick,	231
"	Scugog,	41
<u>Total.</u>		1,227

and the tract of country which they claim to have been their hunting grounds and for which they demand compensation from the Government comprises that portion of the territory included in the Robinson Treaty which is nearest to the great centres of civilization and is therefore, it may be concluded, the most valuable part of the territory covered by that Treaty. Roughly computed the southern part of the tract contains 5,406 square miles and this and the more remote north eastern portions thereof which contain together 10,719 square miles may be described as extending from Moose Deer Point on Georgian Bay inland to the Southern extremity of a right line drawn Northward and touching the Eastern border of Lake Nipissing thence South to the 45th degree of Latitude; from thence East⁹¹ to the Georgian Bay; thence South following the sinuosities of the Easterly shore of that body of water to a point near East Oro, thence Eastward to the shore of Lake Simcoe, thence Northward following the sinuosities of the Westerly shore of Lake Couchiching to the head of that Lake, thence North Easterly through the Townships of Morrison and Muskoka to the North-Eastern corner of the latter Township thence following the 45th degree of latitude Eastward until the same strikes the Westerly corner of the Township of Ashby, thence Easterly along the Southern boundary of that Township and of the Townships of Denbigh, Matawatchan, and Brougham to the South Eastern corner of the latter Township, thence North following the Eastern boundary of the last named Township and of the Townships of Grattan, Wilberforce, Alice, Petawawa, and Buchan to the Ottawa River, thence North Westerly following the Sinuosities of the Western shore of the latter stream to the 47th degree of latitude on Seven League Lake, thence by a line running southward to the angle made by it and the right line previously described drawn from Moose Deer Point Eastward, thence Westward to Moose Deer Point the place of beginning aforesaid.⁹²

The undersigned submits that although the territory included in the above boundaries is not so extensive as the remainder of the territory covered by the Robinson Treaty with the Ojibeway Indians of Lake Huron which contains about 18,898 square miles, nevertheless owing to a large proportion of it being much nearer to the large centres of population it is much more valuable, and it would not be unfair to assume that the Indians interested in this territory are therefore entitled to as much consideration for the relinquishment of their rights therein as the Ojibeways of Lake Huron received in compensation for their rights in a not more valuable tract. The undersigned therefore submits that an annuity of a similar amount, namely; \$4.00 per head should be allowed these Indians for the future, and that they are entitled to arrears of annuity at that rate from the date of the Treaty of 1850 to which they were not parties, although this large and valuable tract was erroneously included therein and has been lumbered over and used for the purposes of settlement ever since without any reference to the claims of these Indians.

Taking the present number of Indians as a basis for the calculation it will be found that at \$4.00 per head the amount of annuity payable to them will be

⁹¹ It is not known whether "East" is an error.

⁹² This description includes the western portion of the Ontario side of the Ottawa River watershed.

\$4,908.00 and at this rate the arrears due them for the thirty-four years since the date of the Robinson Treaty of 1850 amount to \$166,872.00. The proportion of this sum which should have been paid previous to the confederation of the Provinces in 1867 should be charged against the old Province of Canada, and the balance against the Province of Ontario. The amount of capital which it will be necessary to invest in Government securities at 4% in order to purchase an annuity of say in round numbers \$5000.00 per annum will be \$125,000.00. This latter obligation the undersigned respectfully submits it is incumbent upon the Province of Ontario to assume by placing the Dominion in funds to enable this Department to pay the Indians annuity at the above rate.

It may be added that these Indians are becoming very impatient for the settlement of their claims and they repeatedly press the same upon the Department. The undersigned respectfully recommends that this matter be brought before the Treasurers of Ontario and Quebec at their next meeting with a view to an arrangement being made for liquidating the liability of the Old Province of Canada and of the Province of Ontario to the Indians above mentioned.

[Document No. 471]

285. On June 10, 1886, Vankoughnet wrote to Sir John A. Macdonald, the Superintendent General of Indian Affairs, outlining the removal of Indians from Oka to Gibson, near Georgian Bay. The following excerpt relates to Indians who formerly visited Lake of Two Mountains:

...
There are quite a number of Oka Indian families scattered at different points in the Province of Ontario and Quebec who have for years not resided at Oka. It appears to the undersigned that it would be advisable to endeavour to induce all those families to remove to the Gibson Reserve. There is plenty of land for them in that tract and good land, and there are other facilities for their obtaining a subsistence, and they would be much better situated than living as they are in camps in the vicinity of towns and villages where they and their children are subject to contaminating influences. The undersigned considers that it would be well to employ some of the money voted by Parliament, for the removal of those scattered camps of Oka Indians to the Gibson Reserve, and he respectfully recommends that steps be taken towards that end.

[Document No. 476]

286. On November 4, 1886, Chief Nogon-nak-suk-way forwarded the following request for lands in Lawrence Township to L. Vankoughnet. Chief Nogon-nak-suk-way's return address was a post-office near Barry's Bay:

I am requested by the Chief Non-non-She-Gushig and his Band to make enquiries in their behalf the Said Chief & His Band belong to the Algonquin Nation of Canada and were once Settled at Oka with the other Tribe the iriouquois [sic]. But the property there not Belonging to them moved off the Lands they were Living on. This took place some years ago and the consequences were they were neglected through their own fault by the Indian Department that is they were not recognized as a Band.⁹³ Neither do they share in the same privileges as the other Bands in this Province.

The Chief and Band now Desire unitedly to locate on some good land that they might See fit for Farming purposes in the Township of Lawrence or in some other. And such Lands if found to be set apart for them as an Indian reserve.

[Document No. 477]

287. On November 19, 1886, Vankoughnet replied to the request as follows:

⁹³ These people had begun petitioning for land on the Madawaska in the Township of Lawrence as early as 1863. The southeast quarter of Lawrence was reserved from sale for their use in 1866. [Document Nos. 1863/07/21 and 1866/07/18.]

I am in receipt of your letter of the 4th Inst. applying on behalf of Chief Non-mon-she-keeshins and his Band, who belong to the Algonquin nation and who were at one time settled at Oka but moved off the lands there in consequence of those lands not being the property of the Indians, and who wish to be located upon some land fit for farming purposes in the Tp. of Lawrence.

I beg in reply to state that the Algonquin Band of Indians have a Reserve on the River Desert in the Tp. of Maniwaki on the Upper Ottawa where there is plenty of land to accommodate them. If the Indians referred to will go to that Reserve a lot of 100 Acres of land will be assigned to each head of a family and to each young man able to work the same. The lands in that Tp. are very good for farming purposes, and there is good fishing and hunting in the vicinity, also employment can be had by Indians in the shanties of lumber men during the winter months and in running rafts, etc. in the Spring and Summer.

[Document No. 478]

288. Three pieces of correspondence dating from February of 1888 discussed the petition of Algonquins in Lawrence to obtain alternate land in Haliburton, Hastings or near a market town such as Maynooth. The locations would have been outside the watershed. The following letter dated February 2, 1888, stated that the petitioner was the chief of 30 families or 150 people:

It seems that the South East quarter of the township of Lawrence has been reserved for the Algonquin Indians, their Chief Non-no-che-ke-schick has requested me to write to the Deputy Superintendent General of Indian Affairs to have that reserve cancelled in exchange for some other nearer a market.

I thought it best to write you in the matter instead of Mr. Vankoughnet as the most direct way of getting information. It seems that the above Township is too much out of the way and to [sic] long a distance from any market, the hunting in that part of the country is poore [sic] game and fur booth [sic] being very scarce.

I think they would prefer part of a Township in this county or in the County of Haliburton but this county is preferred. The Chief tells me that there would be about thirty families making a population of about 150.

Any information you send me I will communicate to the Chief.

...

[Document No. 480]

289. The Deputy Superintendent General of Indian Affairs wrote to the Superintendent General of Indian Affairs outlining the tenure of the land in Lawrence and recommending that the matter be investigated, on February 16, 1888, as follows:

With reference to Mr. J. B. Cleak's letter of the 2nd Instant stating that he writes at the request of Chief Non-no-che-ke-shick of the Algonquin Indians to have their Reserve, consisting of the south East quarter of the Township of Lawrence, which is situated on the River Madawaska, exchanged for some land nearer a market, and that he, Mr. Cleak, thinks the Indians would prefer part of a Township in the County of Hastings or Haliburton, but that the former County is preferred by them; and that the Chief states there would be about thirty families consisting of about one hundred and fifty souls who would occupy the said Reserve, - the undersigned begs to state that the South East quarter of the Township of Lawrence was set apart by the Crown Lands Department for the Indians in question in the year 1860 "during the pleasure of the Crown", the stipulation being that, while the Indians might occupy it and use the land, they were not to have any right to the merchantable timber thereon nor to interrupt parties holding timber licenses covering the same from cutting and carrying off the timber.

The undersigned begs to state that in his opinion it would be necessary:-

1. To have a resolution passed by the Indians for whom the Reserve in Lawrence was set apart to the effect that they wish to exchange the said Reserve and specifying the land which they desire to obtain in lieu thereof.
2. After the views of the Indians had been learned in matter, that a competent person should be requested to report upon the adaptability for an Indian Reserve or the tract selected by them.
3. That if the report received be favorable, the Government of Ontario should be applied to for an exchange of the tract in Lawrence for the land selected by the Indians.

[Document No. 481]

290. Mr. Cleak was instructed to have the Indians write a resolution regarding their wish to exchange land. [See Document No. 482.] No further correspondence on this issue was found until 1894.
291. In the years 1915 and 1923 Speck was informed by River Desert Algonquins that before the Algonquins were removed from Lake of Two Mountains their hunting grounds were between the River Rouge on the west, the Mattawin (Mattawa) in the North and the Black River on the east. Speck noted that the northern limit drawn to the Mattawin corresponded to the southern limit described by the Têtes de Boule and recorded by Davidson in 1925. [See Document No. SS-59, p. 116.]
292. In 1888 the Agent of the River Desert Band reported that 110 of 455 band members had been absent from the reserve for several years. In addition, he reported that three quarters of the Band hunted during the winter. [See Document No. 484, Annual Report for 1889, pt. 1, pp. 27-8.]
293. The Annual Reports for the Department of Indians Affairs gave summary information on the Algonquin reserve at Golden Lake during the 1890s. The Agent reported that farming efforts had been productive and "Those who devote part of their time to fishing, hunting and trapping have also been fortunate." [See Document No. 486, p. 117-8.] In 1895 the Agent again reported that, with the exception of four old and infirm families, the Golden Lake residents were supporting themselves well "between farming and hunting." [See Document No. 513.] In 1896 he reported that "Very few of the Indians have much taste for farming. I might say there are only three who farm to any extent, while the rest prefer to hunt and work on the river in the spring for the lumbermen." [See Document No. 532, p. 1.]
294. On February 11, 1893, A. White, Assistant Commissioner of the Department of Crown Lands of Ontario, provided the following information to Aemilius Irving regarding "the Indians of Algona" [Golden Lake]. White concluded that the Algonquins in question were "not in any position to make any claims against the Province of Ontario":

I have your letter of the 8th inst. in reference to "the Indians of Algona," in connection with whom you say you have no papers, and asking if we have any to send them.

The Indians of Algona consist of a few families who seem to have belonged to indigent tribes resident in Lower Canada and who had no annuities or interest accruing from any land funds. They squatted in the township of South Algona, and remained there hunting and fishing for a great many years as mere squatters.

In 1859, application was made by the Indian Department to the Department of Crown Lands, asking that the lands which they occupied might be sold to them, and by Order in Council of 29th January 1864, 1561 acres of land in the township of South Algona were sold on behalf of the Algonkin Indians at ten cents an acre, and patent issued to the Department of Indian Affairs in trust for these Indians. It was just an ordinary sale of lands, and they do not seem to have any claims or to be making any claims, so far as the papers on file here show. If you still desire to see the papers, I shall be very happy to send them to you; but as Superintendent General Pennefather, in his letter of the 14th January 1859 addressed to the Commissioner of Crown Lands, when asking for a sale of these lands to the Indians, says "the individual Indians on whose behalf application is made are all members of indigent tribes resident in Lower Canada, and have no annuities or interest accruing from the land funds whence the Department could make any payment for them", it would appear to be clear that they are not in a position to make any claims against the Province of Ontario.

[Document No. 491]

295. On May 6, 1895, W. D. Hogg, Council for the Dominion Government, filed before the Board of Arbitrators the following "Statement of Case of the Dominion on behalf of the Chippewa Indians of Lake Huron and Simcoe, and the Mississauga Indians of Mud Lake, Rice Lake, Alnwick and Scugog". It was Canada's position that the Chippewas and Mississaugas had unextinguished interest in part of the Ottawa River watershed:

1.

The above-named Indians have for many years claimed and do now claim that a certain large tract of land, which is hereinafter set out and referred to, formed the hunting grounds and abode of their ancestors; and that the title of the said Indians to these lands has never been surrendered to the Crown.

2.

The lands, with respect to which the Indians allege that their title has not been extinguished by treaty or surrender to the Crown, comprise all that tract of land in the Province of Ontario containing approximately ten thousand seven hundred and nineteen square miles, bounded on the north by the Ottawa River, on the east by the surrender of the 8th Nov., 1822, on the south by the said surrender, by the surrender of 5th Nov., 1818, and 18th Nov., 1815, and by Lakes Simcoe and Conchiching [sic], and on the west by the Georgian Bay and the lands of the Ojibewas of Lake Huron, ceded by them on the 9th September, 1850, and which lands may be more particularly described as follows: - COMMENCING on the Georgian Bay at the northeastern angle of the surrender of the 18th Nov., 1815; thence southerly and easterly following the boundaries of the said surrender to the westerly shore of Lake Simcoe; thence northerly following the said westerly shore of Lake Simcoe and the westerly shore of Lake Conchiching [sic] to the foot of the said Lake Conchiching [sic]; thence northerly and easterly along the boundaries of the surrender of the 5th Nov., 1818 to the northeastern angle of the said surrender; thence easterly and northerly along the boundaries of the surrender of the 8th Nov., 1822, to the Ottawa River; thence up the said Ottawa River to the point where it crosses the 47th parallel of latitude; thence southerly and easterly along the boundaries of the lands of the Ojibewas of Lake Huron, ceded by them on the 9th September, 1850, to Moose Deer Point on the Georgian Bay; thence southerly following the easterly shore of the Georgian Bay to the point of COMMENCEMENT, excepting thereout and therefrom certain Island at the foot of Lake Conchiching [sic] and in the head waters of the Severn River, that are claimed by the Indians as their property.

3.

Prior to Confederation the said lands were dealt with by the Province of Canada and portions thereof were sold and disposed of as crown lands, but no portion of the proceeds of the said sales was paid to the Indians or any compensation made to them by the said Province of Canada.

4.

The Indians above named assert that although the said land now forms part of the Province of Ontario and has been surveyed and used by that Province, and has been laid out into townships, and portions of it have from time to time been sold and conveyed, and the full benefit and advantage of the said land has been enjoyed by the said Province of Ontario, in the same manner as if the title of the said Indians had been surrendered and extinguished; yet the said tribes, and bands of Indians have never been in any way compensated for or in respect to their title and interest in the said lands.

5.

The claim of the Indians for compensation has, on many occasions, been brought by the Dominion to the notice of Ontario, and although that Province has acknowledged that no surrender or extinguishment of the Indian title to the said lands has ever taken place, yet Ontario has refused and declined to acknowledge the claim of the said Indians to be compensated, the allegation of that Province being that the Dominion and not Ontario must compensate the Indians, for their right title and interest in the said lands.

6.

The Dominion, on behalf of the said Indians, claims that the said lands came into the hands and possession of Ontario under the 109 section of the British North America Act, 1867, subject to the Indian title thereto, which was and is an interest in the lands "other than that of the Province in the same," and that the said title and interest of the Indians are still outstanding and unsurrendered.

7.

The Indians have, on many occasions since the date of the Union, signified their willingness to the Dominion to cede and surrender their claims in and upon the said lands upon receiving proper compensation therefor, and the Dominion has brought the question of this desire on the part of the Indians to the notice of Ontario, and has requested that some fair and equitable settlement of the claims of these Indians, should be made; but up to the present time, no step has been taken by Ontario towards making such settlement.

8.

In the year 1884, the number of Indians forming the several bands interested in the said lands, and who would be entitled to share in any compensation which may be granted was 1227, made up as follows:-

Chippewas of	Beausoliel,	381
"	Snake Island,	137
"	Rama,	248
Mississaugas of	Mud Lake,	158
"	Rice Lake,	94
"	Alnwick,	231
"	Scugog,	41
<u>Total,</u>		1,227

and at the present time the numbers are about the same. The Dominion therefore submits that in view of the valuable character of the said land, being to a large extent situated in, or close to the centres of population, the Indians should receive from and be paid by the Province of Canada and the Province of Ontario a liberal allowance and indemnity, for their interest and title in the said lands, for the respective periods during which the said lands were comprised in either of the said Provinces; and that Ontario should hereafter provide an annuity for the said Indians, or that a lump sum should be provided by Ontario and paid to the Dominion from which the Indians might receive and be paid annuities in the future.

9.

The Dominion, on behalf of the said Indians, submits the said claim to the consideration of the arbitrators, and prays for an award which will answer, and provide for, the just claims and demands of the Indians entitled in the premises.

[Document No. 511]

296. Requests for a reserve in the Township of Lawrence were revived in 1894 under Chief Peter Sharbot. The Chief stated that they had been in occupation for 45 years. [See Document No. 500.] The claim was to be investigated by Crown Lands. [See Document No. 503.] The Superintendent of Algonquin Park was instructed to examine the requested lands in Lawrence. [See Document No. 512.] Chief Sharbot made another inquiry in September 1895, at which time he submitted a list of families totalling 46 people. [See Document No. 514.] The report of the inspection by Superintendent Thomson was not made as he died before he could write a report. [See Document No. 517.] The final reply of the Crown Lands Department to the Algonquin request is contained in the following letter which also describes the location of a number of Indian families:

...
It appears from the report that Mr. Thomson [Superintendent of Algonquin Park] visited the township in August last, that he did not find a single Indian settler in the township, and the only attempt at clearing or settling which he found was a small improvement, if it could be called such, made by one Francois Antoine, which consisted of an attempt to clear up part of lots 3 and 4 in the 9th and 10th Cons. the nature of the work being roughly underbrushing in the Indian style about 1 1/2 acre [sic]. He states that the nature of the land in the township is such that it is well adapted for settlement, the greater part of the township being fine, arable, rolling land, dipping to the East and South. The soil is black loam and sand mixed, the timber, beech, black and yellow birch, spruce and pine, the quantity of pine estimated to be upon it is some 45 million feet, which is scattered through the township.

The township of Lawrence is situated upon the confines of The Algonquin National Park, which as you know was reserved as a home for game of all descriptions, the intention being to preserve the beauty of the Park and to afford a harbour for the different wild animals, birds, etc. which are natives of this Province. The formation of a settlement of Indians upon the borders of a territory of this kind would, in my opinion, be attended with great danger to the preservation of the game in the Park. You know the predatory habits of these people, how they roam about, and how difficult it is to keep watch of their movements in the forest or to get them to recognize that a law which applies to white people, with respect at any rate to the killing of game, should be made to apply to the Indian, who depends for his livelihood [sic] in a great measure upon what he can kill in the forest. It would therefore be almost impossible to keep these Indians, thus situated, from hunting and trapping within the Park, and the attempt to do so would no doubt be attended with great expense and continual friction and bad blood between the Indians and the rangers, which might lead to unfortunate results. There being such a large quantity of pine timber still growing in the township is another difficulty. The Department does not open to sale to white people lands upon which there is still a considerable quantity of pine timber growing, and where there is 40 or 50 million feet of pine in a township, it would not be a proper thing to open it to indiscriminate settlement. Mr. Simpson, the Park Superintendent, speaks very strongly of the danger there would be in permitting these people to settle on the confines of the Park. He is of opinion that it would greatly increase the difficulty of protecting the game, which opinion is no doubt correct.

Under these circumstances I think you will see how impossible it is for the Department to sell or grant the Indians any lands in the township of Lawrence.

It would appear from what Mr. Simpson says that there is a considerable number of Indians in the township of Nightingale, some 32 individuals in all, many of whom have entered into possession of lots and made small clearings, and been there for a considerable period. I think it would be well that these people should be given to understand by your Department that they have no rights there, and that they must not expect that these lands will, as a matter of course, be allowed to them.

[Document No. 522]

297. The above letter was transmitted to the Indian Agent along with instructions to have the people seeking a reserve in Lawrence moved to Golden Lake. [See Document No. 523.] As the agent's reply indicates, however, they were unwilling to move:

In reply to yours of 23rd ult. stating that the Indians of Township of Lawrence will have to remove to Golden Lake Reserve. I am sure they will not come to live to Golden Lake Reserve. I think it would be better to go to the Indians at Lawrence and try and get them all together and see what they are willing to do; or if they know of any other Locality unless there can be any place got along the O.R. & P.S. close to a Lake or River as they want to be near the River if that is what you mean in your letter. Vacant Land, the Govt. Provincial may refuse to give them any place. as [sic] for the Indians at Nightingale I do not know to what tribe or Band they belong to. I will find out and notify them if they belong to Golden Lake Reserve in any case it is no time to remove them or cause them to leave. I think the Whitney Co. has the most to do to keep the Reserve from them if you would authorize me to go and try to make a settlement with them. I would like to take an Indian from Golden Lake Reserve with me one that can speak English & understand it well.

[Document No. 524]

298. Chief Peter Sharbot suggested an alternate site on Hay Lake in Sabine Township. [Document No. 527.] The Agent so informed the Department on January 22, 1896:

You will see by the enclosed letter that the Indians at Long Lake in Township of Lawrence have located a place to live on away from Lawrence or Nightingale, I met two of the Indians on the 2nd Inst. at the Golden Lake Reserve, one from Nightingale and the other from Township of Lawrence, I read the official Letter I received from Indian Department date 23rd Nov. 1895 (No. 83-203). I wrote to them in December, but on the 2nd inst. they told me they did not get it, it appears they got it when they got back home, the enclosed which is an answer. I told them to get the Consent of the Chief Ranger of the Algonquin Park to the place they would wish to settle on and send it to me and I would forward it to the Department, they did not do so as yet, pleas [sic] advise me in the matter by return of mail.

[Document No. 528]

299. On January 13, 1897, Peter Sharbot again wrote to Agent Bennett:

In regard to Reserve which we are trying to get. I might say that the land we wish to secure lies at the head of Hay Lake in the township of Sabine to the South West end of lake, there are four families living there just now, all with more or less clearance and there would be probably ten families altogether living there should that part of the township be set aside for the purposes of a Reserve.

Kindly let me know what further steps I should take in this matter. We are all Algonquins.

[Document No. 534]

300. On February 9, 1897, Sharbot sent the following letter to Bennett:

Yours of January 20th to hand and in reply beg to enclose you letter received from Dept. Crown Lands through Mr. Simpson Park Superintendent we also wish to say that we were not aware that the lands in question were not in the market and that there are at present four families of Indians living there all having more or less clearance, while three more families are intending to locate there in the spring.

The reasons we have for desiring this location are that it is in a country fifteen miles from the nearest railway and about seven or eight miles from the nearest white settlers who have been living in this same township of Sabine for over eighteen years, the land is also well situated on the water ways being on Hay lake which is emptied into Long Lake of the Madawaska River and also near the Mink Lakes tributary to the York Branch of the Madawaska.

The pine is all cut off this part of the country and if you could induce the Indian Dpt. to grant us one fourth of this township for settlement we would be self supporting and independent of government assistance in every way.

...

[Document No. 535]

301. A letter was sent to Bennett in April 1897 instructing him to inform the Indians wanting a reserve in Sabine to go to the Golden Lake Reserve. [See Document No. 540.] Bennett responded on May 18, 1897:

in [sic] reply to yours of April 15th, 1897 No. 83,203 stating that the Indians of Sabine be notified to return or come to live on Golden Lake Reserve, the Indians at Sabine do not belong to Golden Lake Reserve, also there is no room for them on the Reserve as there is only seven vacant lots 50 acres each on the Golden Lake Reserve. So there is no use in asking them to come to live on the said Reserve. if [sic] it is Possible it would be better to get the reserve for them in Sabine. I understand that there is two parties, and that they are not agreed on the place to locate. I was told so by one of the Indians at Golden Lake Reserve if the Dept. will get the Reserve for them I think it would be advisable to send some one and call a meeting of all the Indians and find out the particulars and then report to govt.

[Document No. 542]

302. J. D. McLean, the Secretary of Indian Affairs, instructed Agent Bennett to meet with the Sabine Algonquins and provide certain information. [See Document No. 546.] Within two months, on July 15, 1897, Bennett filed his report:

I visited the Indians at Sabine (who are Algonquins) as authorized by Department, and found three families settled on land bordering on Hay Lake in the Township of Sabine, and others waiting to settle on the proposed Reserve also I was informed by the Indians that there is other Indians who are not living on any Reserve, who would wish to go and settle on proposed Reserve the names and ages of the Indians whom I found there are

Mat Whiteduck	Age 37 years	wife & family
Amab Lavally	" 28 "	" "
Henry Macoose	" 35 "	" "
Exavier Levally	" 24 "	unmarried
Denis "	" 29 "	"
Lemab Sharbot	20	"
Peter Sharbot	65	Widower
Frank Sharbot	29	wife and family
William Levally	30	" "
Louis "	50	Widower
John "	32	wife & family

three families are living on land on Sabine with improvements made thereon the other Indians who are there but afraid to make any improvements until they are sure of the Reserve being set aside for them.

The area of the Reserve they want is ten lots in width and seven in length, there is about 1500 acres of a drowned [sic] marsh in the north east Corner of the reserve they wish to get the proposed reserve is in the south east corner of the Township of Sabine, I think however that 4000 acres would be sufficient for these Indians and would recommend that lots 1 to 10 inclusive in con. 4-5-6-7 of the Township of Sabine be acquired for them. this tract of land is not fit for settlement and I do not think it will be settled upon by white settlers.

[Document No. 547]

303. A reservation of land for the Algonquins of Sabine, Lawrence, and Nightingale was not allowed by Crown Lands. [See Document No. 549.]

Nineteenth Century, 1897-99

304. On December 21, 1895, the Province of Quebec passed legislation that allowed for an exemption on the ban on beaver hunting if Indians could demonstrate poverty. [See Document No. 526.] Because of this provision, the Superintendent General of Indian Affairs, Clifford Sifton, wrote to the Commissioner of the Hudson's Bay Company requesting a list of Indians that should be allowed the exemption. [See Document No. 533.] The Commissioner obliged on February 17, 1897, with a list showing Indians trading at some of the HBC posts in Quebec, such as Long Point, Grand Lac, and Barrière. His letter stated:

With reference to your letter of the 15th December, No. 159,612, I beg to hand you herewith a List of the Indians who, at the latest date, were attached to the Hudson's Bay Company's Posts in the Province of Quebec, and who are dependent more or less, upon Fur-hunting for their means of subsistence.

It will of course be obvious that such a list may not comprehend all the Indians resident in the respective localities [emphasis added].

I shall be glad to be advised when you learn of the action that has been taken.

[Document No. 536]

305. The Hudson's Bay Company listed the following number of individuals dependent on fur trapping: Long Point, 22 individuals; Grand Lac, 14 individuals; and Barrière, 2 individuals. [See Document No. 537.]

306. A Memorandum dated May 1897, was prepared at the Department of Indian Affairs for a reply to a question in the House of Commons regarding Indians on the Quebec side of the Upper Ottawa Valley. The material touched on the exemption to game laws allowed to impoverished Indians and the issue of extinguishment of title and compensation:

The Indians referred to belong to nomadic Tribes inhabiting the country watered by the Ottawa adjacent to Hudson's Bay territory for whom a Reserve was set apart at Lake Temiscamingue, and probably include some of the Tribes hunting in the territory between the St. Maurice and Gatineau for whom a Reserve was set apart at Maniwaki, and they are evidently such members of these Tribes as have not settled down on these Reserves, but have kept moving about or settled on unoccupied Crown land at various points in their hunting districts.

With regard to the question as to their being Treaty Indians and extinguishment of their claims, I quote from the Report on Indian Affairs submitted to the Legislative Assembly in 1847 [Bagot Report]:

"Lower Canada, where settlement had made considerable progress before the Conquest, and where civilization and Christianity had been introduced among the Indians, their territorial possessions had at that time become circumscribed within defined limits, and in many instances were held by Patents under the French Crown or individual Seigniories. Of these Reserves the several Tribes still retain possession, and there is only one section of the country, namely, on the Ottawa, in which the Indians have been dispossessed of their ancient hunting grounds without compensation."

It appears, therefore, that no Treaties nor agreements were made with the Indians of Quebec, but their claim to Reserves was recognized, and those referred to by Mr. Poupore, under provisions 14, 15 Victoria, had Reserves set apart for them as herein above mentioned [emphasis added]. They are subject to the game laws of the Province of Quebec, by which the hunting of fur bearing animals is restricted to within certain months of the year, and the killing of beaver entirely prohibited until 1st November 1900. The Department's attention having been attracted to this legislation, which was assented to in

December 1895, pointed out to the Crown Lands Commissioner in July 1896 that if these provisions were applied to the Indians, who, in the Province of Quebec, derive their main support from trapping beaver, great destitution would result. The reply was that a special permit might be given to any Indian whose poverty would be well established, and who would require hunting the beaver as a means of subsistence for himself and family [emphasis added]. Further correspondence ensued, and an inclination was manifested to withdraw even the concession just mentioned, and in reply to further communications by the Department, on 5th April last it was informed that no final decision had been reached yet as to issuing special permits in the future, and so the matter stands at present but the Dept. intends again bringing the question before the Quebec Govt.

These Indians have, as occasion required, received some assistance from the Department, and there is a sum of \$3500 in the proximate fiscal year's Estimates to cover assistance in seed, medical attendance, and general relief to the Indians of the Provinces, out of which those of the Upper Ottawa could doubtless be assisted to some extent, should necessity arise.

[Document No. 543]

307. The replies written from this memo and the questions posed in the House of Commons are quoted below:

Mr. Poupore--On Wednesday next--INQUIRY OF MINISTRY--1. Are the Indians who live in the Abittibi and Grand Lac districts in the Province of Quebec, treaty Indians?

2. Have their claims been extinguished?
3. Are they subject to any game laws of the Province of Quebec and do such laws restrain them from killing beaver and other fur bearing animals?
4. Is the Government aware that beaver and other fur bearing animals are their only or principal means of subsistence?
5. Is the Government aware that these Indians are likely to suffer from distress and famine during the autumn and winter if they are restrained from killing or taking those animals for their subsistence?
6. Does the Government propose to take any, and what means to relieve them?

1. They are not treaty Indians.
2. There has never been any formal extinguishment of territorial claims in the Province of Quebec. As to the Indians in question a reserve was set aside at Lake Temiscamingue for the nomadic tribes inhabiting that part of the country watered by the Ottawa River, which is adjacent to Hudson's Bay territory, and a reserve was set aside at Maniwaki for the tribes whose hunting grounds extended over the territory between St. Maurice and Gatineau Rivers, and the Indians who live in the Abittibi and Grand Lac districts are taken to be of the tribes for whom these reserves were set aside.
3. They are subject to the Game Laws of the Province of Quebec, under which the hunting of fur bearing animals is restricted to certain months in the year, and the killing of beaver entirely prohibited until the 1st November, 1900.
4. The Government is aware that beaver and other fur bearing animals are their principal means of subsistence.
5. The Government fears that these Indians are likely to suffer destitution as a result of the operation of the Quebec Game Laws.
6. The Department of Indian Affairs has been in communication with the Provincial authorities with a view to obtaining some exceptional treatment for these Indians under the Game Laws. Up to the present, however, no concession has been made in the matter by the Provincial authorities, further than an intimation that a special permit be given to any Indian whose poverty was well established, but it is the intention of the Department to continue to urge that a general exception should be made in favour of these Indians. The Government does not propose taking any special measures for the relief of these Indians, but will be prepared, in the event of the occasion arising, to extend some assistance to them out of ordinary appropriation for the relief of Indians in the Province of Quebec.

[Document No. 545]

308. In 1898 the Province of Ontario prepared a brief for possible submission to the tribunal established to settle claims against the old Province of Canada, the Board of Arbitration. This brief was intended to reply to arguments raised by the Dominion Government, among which was their case (filed before the Board in 1895) on the claim of the Mississaugas and Chippewas to lands in south eastern Ontario. These lands included part of the Ottawa Valley claimed by the Algonquins. This extremely long memorandum concludes that the Algonquins had a much better claim to occupation of the valley than the Mississaugas and Chippewas. However, Ontario had no liability with regard to unextinguished title. The argument regarding extinguishment of aboriginal title is summarized under point no. 19 near the end of the memorandum:

...
VII. THE CLAIM OF THE RICE, MUD AND SCUGOG AND ALNWICK BANDS TO LANDS OF THE OTTAWA VALLEY--THE ALGONQUIN TITLE--1. We now come to what remains as the final point of enquiry in this investigation, namely, the question of the native title to the lands of the Ottawa Valley.

(a) We have seen that these lands had been, on the advent of the French, found to be in the possession of the Algonquins, so named *par excellence*. The Algonquins, when visited by Champlain, had their headquarters on the Allumette islands, in the Ottawa River, and favoured by this commanding position, and by a natural dominance of character--they had the reputation of being the haughtiest of all the tribes, and in influence and standing, second only to the Hurons themselves--they levied toll upon all who passed by that great (and then--because of the Iroquois--the only uninterrupted) highway between the Great Lakes and Montreal and Quebec. They had undisputed sway over the lands of the river, and were in friendly intercourse with the Hurons, whose lands abutted upon theirs, and, with them, entered into a close alliance with the French. After their dispersion by the Iroquois--to repeat it--the remnants were gathered together, under the immediate protection of the French, at the Mountain of Montreal, afterwards removed to the Sault au Recollet, and transferred in the end, in 1720, to the Lake of the Two Mountains, by the waters of their own river, from whence, as a base, and situate within the circumscription of their ancient possessions, they have uninterruptedly used the lands of the Ottawa valley as their hunting ranges. Curiously enough, whilst thus located on the northerly side of those waters, their hunting operations, for as long as we have authentic account of them, appear to have been carried on more on the southerly or Upper Canada side.

Strange that when any portion of the lands on this Upper Canada side of the Ottawa came to be dealt with, with a view to the extinguishment of the Indian title, the actual and only possessors of that title, as they were also the actual and only native occupants of the lands--and whose rights, (in this differing widely from the Mississaguas) were really aboriginal and "from time immemorial"--were ignored, and a power of surrender fictitiously attributed to an insignificant body of strangers, who never had faintest colour of right, and whose actual presence on the lands, or any of them, at any time, whether for hunting or other purposes, has certainly never been shewn, and if shewn would have been of such recent date as to be ineffectual for creating a valid native title. Had they extended their hunts over that tract, they would have come into hostile contact with, or at all events their presence would have come to the knowledge of the Algonquins, and would have been a subject of protest, bringing the matter to immediate issue. But nothing of the kind happened, and it was not until long after the event, that the knowledge even of the surrender of the Alnwick bands came to them, leading to immediate and imperative objection on their part.

(b) The Mississaguas were at the time of the surrender so numerically small, and settled at locations so remote, that even had they rights, they would hardly be likely to visit this Ottawa territory in their hunting excursions. They were outside of, and further away than the extremest limits of the surrender of 1822. Divided at the time into two sections, the one was located upon the islands at the head of the Bay of Quinte, the other in the immediate vicinity of Kingston. The first of these numbered but 159; the second only 98:

" Mississaguas of Bay de Quinte	159 persons
Mississaguas of Kingston	<u>98</u> persons
Total	257 persons,"

being also the total number mentioned in the treaty. This was in 1819, the date of the provisional agreement, formally confirmed by that of 1822.

The whole tract to the southward, south-eastward and eastward of the then proposed cession, and running conterminously with its southerly and easterly limits, from the north-west angle of Rawdon to the Ottawa River, had been surveyed and laid out in townships--the unbroken line ran along the then northerly bounds of the townships of Rawdon, Huntingdon, Hungerford, Sheffield, Hinchinbrooke, Bedford, Crosby, Burgess, Elmsley, Montague and Marlborough, and the westerly bounds of the township of Nepean, to the river--and was rapidly filling up with settlements; and new surveys and new townships were required to meet the demand, both to the rear of the existing lines of survey and along the banks of the Ottawa.

These Mississaguas were then wanderers among the islands and along the water front from the head of the Bay of Quinte to Kingston, or the Gananoque, and had already made surrender of such portion thereof as the Crown had so far chosen to require of them. They, few as they were, were yet the only Indians continuously in evidence by actual presence on the front of this section of the soil of Upper Canada; the front to the east of them, was entirely free of natives, except by the occasional presence of the Iroquois of St. Regis (located on the south side of the St. Lawrence, and within the Province of Lower Canada), upon the islands, or--by their lessees or in person--upon the large tract reserved to them on the borders of Stormont and Glengarry; to north of them, or in immediate rear of the surveyed townships above enumerated, were no Indians within the then probable knowledge of the Provincial Government of Upper Canada, nor were there, in fact, any residential Indians, the Algonquin settlement being, as aforesaid, far away on the Lower Canada side. And the immense territory still further north--that is all the territory to the northward of the northerly bounds of the Alnwick cession of 1822, and of the Rice, Mud and Scugog cession of 1818, and stretching from the easterly shores of Lake Superior on the west, to the main stream of the Ottawa, and the western boundary of the Johnstown District, on the extreme east--was, officially, looked upon as within the possessions of the united bands hereinbefore referred to as the Ojibeways of Lake Huron: "Chippewa [Ojibeway] Hunting Country," it was called, erroneously, of course, in so far as the Ottawa valley was concerned. This is shown on the face of the valuable official "Map of the Province of Upper Canada. ... compiled at the request of His Excellency Major-General John G. Simcoe, first Lieutenant-Governor, by David William Smith, Esq., Surveyor-General," already alluded to.

(c) The Algonquins, of the Lake of the Two Mountains, hidden away, as it were, on the farther side of the Ottawa River, and within the bounds of another Province, and under a different Indian administration--Indian affairs, at this time were within each Province separately administered under the care of its own Lieutenant-Governor (prior to 1791, and subsequent to 1841, it was otherwise)--were not, at that time, within the ken, official or historical, of the authorities of Upper Canada: their name, and the name of their location as such, are alike absent from this map; the publicity, notoriety and official attention and recognition which their claim subsequently received, were then but unimagined incidents of the future; they are, therefore, as of course, entirely excluded from consideration when the Government cast about them for an extinguishment of Indian rights in the tract about to be ceded. The Ojibeways are also excluded, as too remote for the then purposes, their rights not extending in fact to within the St. Lawrence watershed, nor, in the official view, according to this map, to southward--in the easterly parts--of the parallel of 45 degrees; and the Alnwick (and with them the Rice, Mud and Scugog) bands are thus left solely available.

(d) The extension of the rights of surrender of these last named bands, in the discretion, and at the instance of the Government, northward to the limit approximately of the Ontario and St. Lawrence watershed, evidenced by the cessions of 1818 and 1822, may be understood as carrying to conclusion the policy inaugurated by the Crown; but the recognition of such rights in the Alnwick band (under the same instrument of 1822) in respect of inland territory whose St. Lawrence front they had never occupied or surrendered, and extending into lands of quite another water system, which also (notwithstanding

the recital in the cession) they are not shewn to have--as they never in fact had--occupied, is, to say the least, very surprising, and hard of explanation.

One or other of two explanations occur to one as barely possible:

First, That these Indians may have urged claims, which, though not well-founded, the Crown deemed it well to procure an extinguishment of, especially as, under the established rule, the cession of the larger, would involve no greater charge than the cession of the smaller, territory, which, in either case, would be precisely the same, viz., an annuity of £2.10s a head;

Second, That the Crown, by a cession which cost it nothing, desired to conclude the St. Regis Indians, who had acknowledged rights on the north front of the St. Lawrence, from any attempt at extension of these rights rearward into the Ottawa watershed.

I give these suggestions for what they may be worth.

What is certain about the transaction is, that there was accepted from the Mississaguas a surrender which, as to this portion of the lands, was, properly, only within the competence of the Algonquins.

(e) One thing is very clear on the face of this map. If it shews the ignorance of the authorities regarding the undeniable rights of the Algonquins, it also shews the rejection by the same authorities of any such claim to the Ottawa lands as is now preferred by the Rice, Mud and Scugog and Alnwick bands; for these very lands are here assigned to the Ojibeways. The fact that the latter neither had, nor claimed, any rights in the Ottawa valley, does not impair the force of the argument as against the former; the map is evidence that in the view of the authorities, there was a northern limit beyond which their powers of surrender would not be recognized. That limit, as has been argued and proven in the earlier part of this paper, was precisely defined, by metes and bounds, by the instruments of 1818 and 1822.

(f) It would have sufficed for the present purpose to have shewn what, but for the continuous unbroken possession of the Algonquins--first exercised from the Allumettes and afterwards, none the less effectively, from Mount Royal or the Lake of the Two Mountains--would have been the fact, that the Upper Canada lands of the Ottawa valley had, from the time of the dispersion by the Iroquois, remained, and still were, derelict of Indian inhabitants; or to have shewn, as has in fact been shewn, that the present claimants had neither inherent right, nor any sort of possession, nor rightfully recognized claim to the lands in question. But the incidents of the Algonquin claim could not be ignored, and demanded, and have compelled, attention.

2.--(a) The claim of the Algonquins to the territories of the Ottawa valley, on either side of the river, was brought to the attention of the Imperial authorities, and of the local Governments of Upper and Lower Canada, some sixty years ago, in 1836 and 1838--there had been earlier complaints, from time to time, but the particulars are not in the papers before me--on the complaint of these Indians that there had been an unwarrantable interference with their hunting grounds, which, they represented, were being depleted of game, and themselves deprived of their accustomed maintenance and reduced to want, by the progress of lumbering operations, of surveys and settlement, and the taking possession of their lands for these purposes of the Government, without recognition or extinguishment of their rights, or the grant of any compensation, and that a tract of their lands had even been, as they had then recently heard, wrongfully, and without their knowledge or consent, a subject of cession by, and compensation to, another body of Indians; wherefore they claim to be indemnified for the lands already taken, and to be secured in the enjoyment of the residue, until regularly purchased from them for the Crown, and to have transferred over to them the annuity reserved to the Mississaguas of Alnwick, in respect of the cession of 1822, or an equitable proportion of it; and they invoke the terms of the Royal Proclamation of 1763, an authenticated copy of which they exhibit, communicated to them at the time by Sir William Johnson, the Imperial Superintendent of Indian Affairs.

(b) The question of the claim of these Algonquins, with various other questions relating to the Indians of the respective Provinces, was referred by the Governors, for report, in Lower Canada to the Executive Council, and in Upper Canada to Mr. Justice Macaulay, who in due course made their reports, the former to Governor-General the Earl of Gosford (who duly approved thereof,

as did also the Secretary of State, Lord Glenelg), as of the 13th of June, 1837; the latter, to Lieutenant-Governor Sir George Arthur, on the 22nd of April, 1839.

(c) The Council of Lower Canada find that the territorial claim--which is to

"A tract of country on each side of the Ottawa River, reaching from the last seignioral grant for some hundreds of miles upwards"--

is well founded; that the tribe has a right to the protection of the Royal Proclamation; that their pretensions have been brought forward on various occasions; and that

"it is to be inferred from some of the documents which they produce in support of their application, that their right to compensation was at least in one instance distinctly admitted by Lord Dorchester."

But the Council conceive that the territorial claims of these, and of all the Indian tribes, are

"to be resolved into an equitable right to be compensated for the loss of lands from which in former times they derived their subsistence, and which may have been taken by the Government for the purposes of settlement, and that the measure of such compensation should be to place and maintain them in a condition of at least equal advantage with that which they would have enjoyed in their former state;"

and so viewing it, they

"recommend that a sufficient tract of land be set apart for them in the rear of the present range of townships on the Ottawa River, and that such of them as may from time to time be disposed to settle on land be located there, and that both they and the rest of the tribes should continue to receive such support, encouragement and assistance as may supply the place of their former means of subsistence, and at the same time prepare and lead them to a state of independence of further aid."

(d) The Earl of Gosford, in a despatch to Lord Glenelg of the 13th July, 1837, intimates that he had approved of the report, and given the necessary directions to the Crown Land Department to reserve certain specified tracts of land designed for these Indians, "until the pleasure of His Majesty's Government be known on the subject."

(e) Lord Glenelg, in a despatch to the Earl of Durham, of the 22nd August, 1838, dealing with all the questions, acknowledges the receipt of the report, and of Lord Gosford's despatch, and explains the causes of the postponement of his answer, which he "felt the less unwilling to incur, as Lord Gosford had very judiciously acted on the recommendations of the Committee of the Executive Council, so far as was necessary to prevent any injury accruing to the Indians from a short delay in the final decision of Her Majesty's Government." The report, he considers, leaves little to be desired; its sentiments and suggestions coincide with his own views:

"I have therefore to authorize you to carry the proposed measures into effect ...

"I must call your special attention to the recommendations which the Committee offer in relation to each separate tribe. You will be more at liberty to shape your proceedings in this matter according to your own discretion, in consequence of the provident directions given by Lord Gosford 'to the Crown Land Department not to dispose of the tracts' proposed to be reserved for such tribes as appear to need an augmentation of their property, 'until the pleasure of Her Majesty's Government be known on the subject.'

"In regard to those Indians who are at present without any land, consisting principally of the Iroquois, Algonquin and Nipissing tribes [of the Lake of the Two Mountains], I concur in the opinion of the Committee, that reservations should be made for them at the back of the present settlements, although of the extent of such reservations I am unable to form any opinion. ...

"In the case of the lands proposed to be reserved for their benefit, it should be distinctly provided that the land so reserved shall be inalienable by the Indians without the express consent of the Executive Government; and that it should be in the power of the Government, should the Indians not cultivate the land, to remove them hereafter to other hunting grounds, when the advance of settlements may render such a measure expedient; but if they should cultivate it, then to contract the limits of their reservation to such an extent as would leave them the means of procuring an adequate and comfortable subsistence."

3. Here then we have the Secretary of State, on behalf of the Imperial Government, representing the Imperial Crown, and with all the facts in evidence before him--the admitted title of the Algonquins to the lands of the Ottawa Valley, the effect of, and their reliance on, the Royal Proclamation of 1763, the usurpation of their lands in defiance of its terms, their invocation of its provisions for a reinstatement in their rights--approving, recognizing and establishing the very important principle, that the rules laid down in that Proclamation for the determination of Indian titles, may, as a matter of expediency, in the discretion of the Imperial Crown and Government, be departed from, if and as proper occasion may require.

That is, in effect, that the the Crown having formulated the rules of 1763, the same Crown may vary or repeal them.

In this view, the Imperial Crown having intervened as aforesaid, such intervention has had the effect of lifting the present case out of the region of doubt, and the Ottawa lands are to be deemed to be wholly freed and discharged from the Indian title.

The question remains, whether the conditions laid down by the Council of Lower Canada and recognized by Lord Glenelg, have been fulfilled. We shall presently see that they have been. Were it otherwise, it could not prejudicially affect the right and title, thus established, of the Province, to these lands, as waste lands of the Crown unencumbered by any Indian interest; but it would remain to the Algonquins to demand, and, if need were, enforce the strict fulfillment of the conditions.

4. The question of the Indian proprietorship in the Ottawa lands came again before the Executive Council of Lower Canada in connection with an Indian lease of an Island in the Ottawa River, granted in 1818. By Order of the 17th June, 1839, approved by the Governor-General, Sir J. Colborne, wherein also the previous Order in Council of 13th June, 1837, is recited, it is declared:

"That the lease ... is null and void, inasmuch as the Indians have no right to grant leases or dispose of the lands situated within their ancient hunting grounds ...

"That the leases lately given of this island by an officer of the Indian Department to certain occupants is equally irregular and invalid, and that the island should be considered and treated as a part of the waste lands of the Crown, and all intruders ousted who have not a title from the Crown." ...

These Indians had granted numerous leases of islands in the river. This one was of Kettle Island, below the Rideau, opposite the Township of Gloucester, and therefore below the southerly limit in that quarter of the Alnwick surrender of 1822. Others were of portions of the Allumettes, opposite to which was the most northerly point of the main shore reached by that surrender; and some may have been still further north.

5. Such was the action of Lower Canada; which the authorities there appear to have taken for granted to have been within their own inherent right, whereas in fact it seems to have been justifiable only because, and in so far as, the principle had been approved of by the Imperial Crown, in modification of the rules of policy established by the proclamation of 1763.

6. The action of the authorities of Lower Canada, within whose administration these Algonquins had from their dispersion by the Iroquois been, and who therefore had a most thorough knowledge of their rights and claims, has been as set forth: their territorial claims recognized in respect of both sides of the Ottawa--and *both* sides had, until 1791, and from 1608, that is for nigh 200 years, been under the jurisdiction of Lower Canada--and a scheme presented for

compensating them in respect of the dealings of the Crown with these lands, and meeting with the approval of the Imperial Government.

7. Now we come to the action of Upper Canada in the matter. With no previous knowledge of the case, and no reasons for special sympathy with a body of natives removed in person from their administration, but claiming title as of aboriginal right to extensive lands within their jurisdiction, the Government refer the question of those rights (first assigned to one of its own members, but in the end) to one who, a very able man, yet distinctly disclaims any previous knowledge of the case, and no greater knowledge than was disclosed by the papers submitted to him. These papers were such as were found in the public departments of Upper Canada, and included a then recent petition of the Algonquins to the Lieutenant-Governor, together with the Report of the Executive Council of Lower Canada, above referred to, and some communications from the officers of the Indian Department of that Province; but it does not appear that the evidence before the Executive Council of Lower Canada in the preparing of their report, was before the agent selected by the Lieutenant-Governor of Upper Canada to make a report on the same subject. Neither was he possessed of the intimate and special knowledge which they were able to bring to bear. It need not therefore be a matter of surprise if his report be found less favourable to the Algonquins.

Mr. Justice Macaulay, in his report referred to, of 22nd April, 1839, says:

"By a petition to Your Excellency of this date, [6 September, 1838], the Lake of Two Mountain Indians renew an old claim, often repeated by them, to lands on the Ottawa. They claim, by virtue of immemorial usage, all the lands on both sides of the Ottawa and Little River [the Mattawau], as far as Lake Nipissing, the general boundaries of which they describe, being 117 leagues in length, and embracing the tributary streams. They refer to the proclamation of 1763, as guaranteeing to them the enjoyment of their hunting grounds, unless purchased in Her Majesty's name at some public meeting to be held for that purpose, by the Governor or Commander in Chief.

"They complain that large tracts have been laid out in townships and settled, without any previous surrender, or any compensation having been made according to usage; that they had recently heard of the Mississaga tribe having sold to the Government of Upper Canada a portion of their grounds for an annuity of £612.10.0, without their knowledge or consent, wherefore they claim this annuity as justly due to them; ... they claim indemnity for the dismembered lands already monopolized, and to be re-instated and secured in the residue, on the south side of the Ottawa, until ceded. ...

"They confidently trust in Your Excellency's favourable interposition to protect their interests."

The findings and recommendations of the Order in Council of Lower Canada, of 13th June, 1837, are then cited, and it is added:

"This claim has long awaited the attention of the Government, and still demands it."

The report then proceeds to give Mr. Justice Macaulay's personal reflections, but qualified as follows:

"In now submitting some reflections of my own, it is proper that I should in the outset disclaim any intimate acquaintance with the subject. *I know little more than the papers before me together with occasional opportunities of casual observation, have taught me*, and I would, in consequence, rather desire to be understood as *founding my remarks upon the contents of the former* than upon anything I can pretend to by reason of the latter ...

"*The Algonquin Claim.*--From the papers in the Indian Office, it appears that this claim was long ago asserted, and that it has often been renewed. The tract to which it more especially relates, and for which an annuity is paid to the Mississagas, was ceded to the Crown in 1822 ...

"*The papers referred to do not enable me to express any opinion upon the merits of this memorial.* It seems admitted that the Algonquins and

Nipissings have a valid claim to the north and Lower Canada side of the Ottawa River. Their pretensions to the south side are more doubtful. They contend not for the St. Lawrence as a boundary, but a line midway between the two rivers.

"The Mississagas, it is said, on the other hand, have, from the beginning, claimed the whole territory south of the Ottawa and north of the St. Lawrence. The Government of this Province have, by treating with the tribe, implicitly recognized their right as occupants, and there is no sufficient evidence to support the counter-claim of the Algonquins. If it exists, it must repose in the early history of the tribes frequenting the great Canadian rivers.

"The letters from official sources in Lower Canada, strongly advocate the justice of the Algonquins' complaint of encroachments in this Province, without a previous compliance with the proclamation of 1763; but they rather assume than prove the right of those Indians to the territory within the limits of Upper Canada. From Mr. Hughes' letter of 4th September, 1838, it would appear that Sir F. Head returned an answer in 1837 to the memorial addressed to Sir John Colborne. No copy is with the papers, but, in reply, the Indians reiterated their demands. There is also an Indian plan in the Superintendent's office shewing the extent of them, from which it will be perceived that they embrace the whole Ottawa River, on both sides, and up to the Lake Nipissing. They propose removing to the Grand Allumets Island, in the Ottawa, for which permissions has been granted by this Government. They invoke an investigation of their alleged title to hunting ranges in Upper Canada, and desire that at least one-half of the annuity may be withheld from the Mississagas till the dispute is settled. Great complaints are also made of intrusions in all directions upon the more remote hunting grounds.

"All this requires attention, and if a compromise is not at once effected, further investigation should take place. *At present the principal points in the official letters from Lower Canada, and in the Indian memorials, seem to remain unanswered.* Considering the extensive lumber trade carried on in the wilds on both sides of the Ottawa, beyond the inhabited parts of the provinces, it is hopeless to think of preventing the destruction of game which such inroads must occasion, and it behoves the Government, I think, at once to compound with the proper parties for the cession of all this territory, and in short for all the unceded lands embraced by the Great Lakes and the Ottawa, as far as Lake Nipissing, or, at all events, to a wide extent, if competent persons can be found to treat for the same extinguishing the Indian title for a fair equivalent, as the only means of relieving them from the exigencies in which they must inevitably be placed. The sales of licenses to cut timber would afford funds to meet the charges. I, of course, only make the suggestion, feeling that *I write very much in the dark respecting local circumstances and the most material facts, essential to the formation of a satisfactory opinion.*

"With respect to the Lake of Two Mountain Indians in particular, no better course occurs to me than that suggested in the Report of the Council of Lower Canada; and perhaps the Governments of the two provinces might, in concert, compound with them for all claims at a fixed yearly stipend, to be contributed, in the proportions agreed upon, by each province respectively. In this way existing contracts may remain undisturbed." ...

8. The report, it will have been observed, points out the consistent and persistent reiteration of the claim, as regards both sides of the Ottawa; its admission in respect of the Lower Canada side; the implied recognition by the Government of Upper Canada of the Mississagua title to the tract on the other side, surrendered in the Treaty of 1822; the insufficiency of the evidence, as actually submitted, in support of the counter-claim of the Algonquins; the leaving their claim to the south side of the river, in the absence of other evidence, more doubtful than their claim to the north side; the suggestion that such other evidence, if existent, must repose in the early history of the tribes frequenting the Ottawa and the St. Lawrence; the author's disclaimer of any knowledge of the question, other than that disclosed by the papers actually submitted to him; and his inability, upon those papers, "to express any opinion upon the merits of this memorial"--that is the Algonquins' memorial of claim. The author, however,

approves the suggestion of the Council of Lower Canada, and shews his consciousness of there being a rightful claim in respect of lands of Upper Canada, by the suggestion that the two Governments should unite in compounding with the Algonquins, "for all claims at a fixed yearly stipend," and so leave the arrangement already made with the Mississaguas undisturbed.

9. As to all which, it may be remarked, regarding the various objections, that they have already, in the preceding pages, been, in effect, disposed of by anticipation. It may now be pointed out, or further added -

(a) That no attempt is made in the report, to shew a vestige of valid claim or title of the Mississaguas to the tract of Ottawa lands covered by their surrender of 1822, or to any other lands of the Ottawa valley; that the papers submitted, upon which the report is founded, fail to disclose any such title; that their case, as to the tract so covered by the surrender of 1822, is rested solely upon the action of the Upper Canada authorities in accepting the surrender; that to their claim, as now made, to the remaining lands of the Ottawa valley, on the south side of the river, there is not the remotest allusion in the report, leading to the obvious inference, that at that time no such claim had been suggested or thought of by anybody--neither by the Indians themselves, nor by the authorities, Imperial or Provincial; the papers submitted to Mr. Justice Macaulay contained no mention of it:

(b) That the Mississaguas are shewn to have been recent arrivals even upon the westerly tracts of which of late years they were the only native occupants; that upon these westerly tracts they were but squatters at sufferance on waste lands of the Crown, which were unencumbered by any native right, title or interest whatsoever; that as to the more easterly tracts, which they are not shewn to have in any way occupied, they would, had they so occupied, have been in like manner, mere squatters on sufferance on waste lands also of the Crown, but claimed to be encumbered in this case by the unextinguished native interest - on the St. Lawrence side, of the Iroquois, on the Ottawa side, of the Algonquins;

(c) That the Algonquin claim to the north, or Lower Canada, side of the Ottawa, which is admitted, is no stronger, nor founded on any better, or any different evidence, than that which goes to establish their claim to the south side: they are not two claims but only one claim, whole and indivisible; that by parity of reasoning, the admission of the claim to the north side, involves and compels the admission of their claim to the south or Upper Canada side; the evidence that supports the one maintains also the other: the accidents, that whilst their one claim covered both sides of the river, whilst the jurisdiction of the Crown was exercised by two distinct authorities limited strictly to opposite sides of the same river, and that whilst their hunting operations extended to both sides of the river yet their fixed residence was located on one side of the river, gave rise to some confusion of facts, as of ideas, in dealing with the two tracts thus separated, lead[ing] in the one case, as has been seen, to an admission of their claim, but in the other, firstly, to a total ignorance, as we may presume, of the existence of such a claim, as evidenced by the acceptance of the surrender of 1822, and, secondly, after the claim had been proposed to the authorities, to a doubt of its validity, in the absence of further evidence;

(d) That the early history of the tribes of the Ottawa and the St. Lawrence, to which Mr. Justice Macaulay appeals, but which confessedly he had not examined, establishes, as has been seen, the paramount native claim of the Algonquins, whilst, with it, the history of the Mississaguas, which also was not in evidence before him, went, as has likewise been seen, to entirely disprove any semblance of right on their part to these lands of the Ottawa valley;

(e) That as at the dawn of the history of this territory, nearly three centuries ago, these Algonquins are found located on the Ottawa ("the Great River of the Algonquins," Champlain calls it), on the Allumettes, exercising unquestioned sway and jurisdiction on either side of the river, and visiting on occasion their Huron allies as far westward as Lake Huron--and the history of the intervening three hundred years absolutely fails to shew an adverse, or in fact any possession of any other tribe--so also, in the early half of the present century, as we find in evidence in the official documents now accessible, these Algonquins still carried on their hunts, on the Upper Canada side of the Ottawa River, extending on occasion--by permission we may suppose of the Ojibeways--as far westward as Lake Huron, or even Lake Superior. A few quotations (just from the material at hand) on this head, as it has not been already touched upon:-

i. Commissary-General Routh in a Report of 28th April, 1836, to Governor-General Lord Gosford, under instructions from the Lords Commissioners of the Treasury, says:

"A great part of these tribes [of the Lake of the Two Mountains] are employed in hunting, and go as far as Lakes Nipissing and Superior, disposing of their fur to an agent of the Hudson's Bay Company resident in their village."

ii. The Algonquin petitions--to Lord Gosford, in 1836, and to Sir F. B. Head, in 1838--claim:

"As hunting grounds, the tract of land lying on either side of the River Ottawa and Little River [Mattawan], as far as Lake Nipissing ... together with the countries watered by the several tributary streams."

iii. Col. Napier, as Secretary for Indian Affairs, in a return to the Governor-General, Lord Gosford, of 12th December, 1836, has reference to both banks of the river:

"Their situation as hunters [that of the tribes of the Lake of the Two Mountains] is, however, becoming truly alarming, by the rapid settling of their hunting grounds ... on the Ottawa, and by the indiscriminate destruction by the settlers of the beaver and other animals from which the most valuable furs are obtained."

iv. And so also, the report of Commissioners Rawson, Davidson and Hepburn, of the 22nd January, 1844:

"Their claim, founded on the former occupation and gradual dispossession of the territory on the banks, and in the islands, of the Ottawa," etc.

v. Evidence of Mr. Superintendent Hughes, of 16th January, 1843, (appended to the report of 22nd January, 1844), under whose superintendence these Indians then were:

"The Nipissings and Algonquins [of the Lake of the Two Mountains] resort to their hunting grounds, which extend from Pointe d'Orignal, about the Long Sault, up the Ottawa River to Lake Nipissing, and embrace all the rivers, creeks, etc., from their sources, north and south, emptying themselves into the Ottawa. The other tribes generally resort to the lakes and vast forests in the Eastern Townships, as well as behind Three Rivers on the north side of the St. Lawrence."

"The whole of the Nipissing and Algonquin tribes (with the exception of a few old men, old women, and a few invalids, who are unable to endure the hardships of a winter campaign, remain at the village) depend entirely on the chase for a livelihood. They wander about from place to place on their hunting grounds, which are most extensive, and once abounded with deer and the richest furs, and the most magnificent forest timber. These hunting grounds have been enjoyed by their ancestors and them from time immemorial. ... Great part of their hunting grounds have been assumed by Government, and laid out into townships; a vast extent has been taken possession of by squatters, and the rest almost entirely ruined by lumbermen. Their deer have disappeared, their beaver and other furs annihilated. ... These poor tribes have frequently represented their grievances to Government, but have not as yet received satisfactory answers."

"These tribes live in huts or wigwams ten months out of the twelve, and many of them the whole year through."

Pointe d'Orignal and Lake Nipissing, the extreme limits at either end, are, of course, on the Upper Canada side of the Ottawa.

vi. Evidence of Mr. Robert McNab, formerly of the Indian Department 9 September, 1843, appended to the same report of 22nd January, 1844: it does not specifically describe the limits of the hunting grounds, but we are left to infer that the reference is to both sides of the Ottawa:

"The greater part of the Algonquins and Nippissings [of the Lake of the Two Mountains] subsist by the chase, and have very extensive hunting grounds, on which no other Indians are permitted to hunt without special leave; but I presume they make but precarious subsistence, as the various animals are becoming more and more scarce and furs commanding but a small price. Such of the tribe as remain at home make out much better than those who wander about the forest nine and ten months in the year; as they generally leave the village in the month of August and return in June following. There are more pure blooded among these tribes than any other in Canada East."

vii. Report of Commissioners Anderson and Vidal, of 5th December, 1849:

"The tract lying between the "sources of the rivers running into Lake Huron" "and the Ottawa River, is supposed to belong to the Indians of Two Mountains, Canada East."

viii. "Petition of the Indians of the Village of Two Mountains, hunting on the head waters of the Madawaska, and other rivers of Central Canada," to Governor-General Viscount Monck, 21st July, 1863:

"That in times past, the hunting grounds of your petitioners were in the country watered by the Madawaska and adjoining streams, but owing to that country having become, during the past few years, thickly settled, it has rendered useless and destroyed their hunting grounds, and has compelled your petitioners to travel still further westward, until at present their hunting grounds are from 300 to 350 miles from their village."

ix. Representation of Messrs. Robert Bell, J. Skead, J. M. Currier and John Poupore, prominent lumbermen and citizens of Ottawa, to the Honourable Alexander Campbell, Commissioner of Crown Lands, 7th November, 1864:

"A petition was presented to your Department from certain Algonquin and Ottawa Indians, praying for a grant of land in the new Township of Lawrence, in the Ottawa and Huron territory, where their hunting grounds are situated. ... To these petitioners--whose hunting grounds are in Upper Canada--this grant [in the Township of Maniwaki, on the Lower Canada side] is practically valueless. It is too far from their winter quarters, and from their summer routes of travel, to be even accessible to them." ...

x. Memorandum of William Spragge, Deputy Superintendent General of Indian Affairs, 24th July, 1866:

"The Algonquins as set forth by the late Honourable James B. Macaulay, 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 ...

"That Reserve [at Maniwaki on the River Desert] is so remote from the tract over which the applicants hunt, as to be, as they state, inaccessible to them." ...

(f) These extracts--and no doubt they could be largely supplemented on a special search--sufficiently establish that within the present century, the Ottawa lands on the Upper Canada side of the river were if not the sole, at all events of, the hunting grounds of the Algonquins; and from this follows, in the light of the history, the reasonable and inevitable deduction and conclusion, that their possession, constructive and actual of the south or Upper Canada side of the river, had, from the days of Champlain to the present, been continuous and uninterrupted, otherwise than by the temporary interruption of the Iroquois invasion.

Then, it is to be remembered that had it been otherwise--had they had no such possession--the position of the Mississagua claimants would not be thereby in anywise improved; for not only have the Mississaguas not been shewn to have ever appeared or set foot upon the scene of the *locus in quo*--they also were too entirely lacking in credentials of title to give them, in this matter, any, even the slightest, *locus standi* as claimants to the lands of the Ottawa valley. The facts

of history had established conditions which had disposed of the question in controversy adversely to their pretensions long before they had put themselves in evidence.

10. Before dismissing the consideration of Mr. Justice Macaulay's report, the claim of the Algonquins, therein adverted to, to a proportion of the annuity secured to the Mississaguas by the treaty of 1822, may be dealt with:

That treaty, as has been seen, covered lands of the two watersheds, Lake Ontario and the River Ottawa. Had the cession been confined to the former, to the total exclusion of the latter, there can be no doubt whatever that following the established and universal rule hereinbefore adverted to, the compensation should have been in that case precisely as it now actually is, fixed with reference not to the area surrendered but to the number of Indians interested in the surrender, and to each of them an annuity of £2.10s.

The annuity of the Mississaguas would not, then, in any event have been reduced, nor any portion of it diverted to the Algonquins. But had the title of the latter to the tract of Ottawa lands which was, with the other lands, embraced in the cession, been admitted by the government, and a cession thereof taken from them direct, they would undoubtedly have been allowed therefor an annuity fixed on probably the same basis as that of the Mississaguas, viz. £2.10s. per head of their then number. In their case, however, it is equally certain that the cession would have been made to embrace, not alone the tract included in the treaty of 1822, but, with it, the whole of the lands claimed by them on the Upper Canada side of the Ottawa, and that the annuity would probably, in that event, have still remained the same £2.10s. per head, and no more.

11. The qualifying clauses of Mr. Justice Macaulay's report having thus been disposed of, it stands forth as evidence in establishment of the Algonquin claim as against that of the Mississaguas.

12. And so the question stood at the time of the Union of Upper and Lower Canada, when the dual authority under which Indian affairs had been theretofore administered, was superseded by the authority, sole and undivided--reaching to both Upper and Lower Canada--of the Governor-General, or the Government, of the Province of Canada, as the case might require.

13. Shortly after the organization of the new Province, that is, on the 10th of October, 1842, the Governor-General appointed Messrs. Rawson, Davidson and Hepburn commissioners to enquire into the affairs of the Indians, who made their voluminous [sic] and elaborate report, already mentioned, on the 22nd of January, 1844.

As with Mr. Justice Macaulay's report, so with this; it makes not the slightest allusion to any such claim of the Mississaguas as the one they are now presenting; evidently it had not yet been suggested or thought of. But the commissioners deal with the claim of the Algonquins. Of it they say:

"That claims of these Indians [of the Lake of the Two Mountains] have been repeatedly before the Government, and their present distressed condition calls for its humane interposition.

"The nature of their claim, founded on the former occupation and gradual dispossession of the territory on the banks and in the islands of the Ottawa, upon the terms of the proclamation of 1763, and upon the fact of their having (although illegally) received rents for lands occupied by settlers in those islands, gives them a title to the favourable consideration of the Government.

"They would suggest 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 Province, in which the proposed institutions 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. £2.10s. 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 the Crown lands.

"That with regard to the claim put forward by them to the annuity at present paid to the Mississaguas of Alnwick, your commissioners conceive that no further delay should be allowed to take place in determining the party who is thereto entitled, and that if the claim of these tribes be substantiated, they should be admitted to share in the application of the said annuity." ...

There, is, practically, the admission that the land claim is well-founded; Judgment is suspended in regard to the claim to share in the Mississagua annuity, but as to it, it has already been demonstrated that were the Ottawa lands eliminated from the cession of 1822, the Mississaguas would, in pursuance of the recognized policy of the Crown, probably still be permitted to retain it, in full, in compensation for the remaining lands of the cession--those of the Lake Ontario watershed--whilst the Algonquins would probably be granted, independently, a like annuity, proportioned to their numbers.

14. Commissioners Anderson and Vidal, in their report already cited, of 5th December, 1840, make allusion to the Algonquin title to the lands on the Upper Canada side of the Ottawa:

"The tract lying between the last three bands [that is, "between the sources of the rivers running into Lake Huron"] and the Ottawa River, is supposed to belong to the Indians of Two Mountains, Canada East."

Now, this simple statement is of more value, when it comes to be considered, than at first might appear. For, firstly, it is evidence of REPUTATION, which is held to be an element of very great importance in matters of this kind, and secondly, it embodies, with Mr. Vidal's, the opinion of Captain T. G. Anderson, one of the commissioners, alluded to as the most experienced officer of the Indian Department, and the one most familiar with Indian Affairs.

15. Two years afterwards, the Act of the Province of Canada, 14 and 15 Vict., chap. 106 (1851), was passed, providing that tracts of Crown Lands, not exceeding in all 230,000 acres, should be "set apart and appropriated to and for the use of the several Indian tribes in Lower Canada, for which they shall be respectively directed to be set apart in any Order in Council;" and providing further, that there should be paid out of the Consolidated Revenue Fund of Canada, a yearly sum of £1,000, for distribution amongst the Indian tribes of Lower Canada, in such proportions and manner as the Governor in Council might direct.

An Order in Council, of 30th December, 1852, provided for the manner of appropriation of the £1,000, yearly grant, which was to be devoted chiefly "to the improvement of the new [Indian] settlements, and to promote the comfort and general interests of the [Indian] settlers."

Another Order in Council, of the 11th of August, 1853, finally approved the distribution and appropriation of the tracts of land, which aggregated 231,000 acres, a little in excess of the quantity mentioned in the statute.

Of the whole, a tract of 45,750 acres, situated at Maniwaki, or River Desert, was appropriated to the Algonquins of the Lake of the Two Mountains, with whom were associated, as sharers therein, the Nipissings of the same place and some Têtes de Boule--the three being described as "homogeneous tribes"--whilst the Iroquois of the Lake of the Two Mountains are detached from these, and associated with their brethren of Caughnawaga in the appropriation of a tract of 16,000 acres elsewhere.

16. The appropriation of these lands of Maniwaki, and the allotment of a share of the £1,000 grant, was meant to be in settlement and extinguishment of the claims of the Algonquins in respect of the lands of the Ottawa Valley.

Messrs. Pennefather, Talfourd and Worthington, appointed by the Governor-General, on the 5th September, 1856, commissioners to enquire into and report upon Indian affairs, refer to the subject in their report:

"In consideration of the claim presented by these Indians for compensation for their hunting grounds on the Ottawa River, which had been taken possession of by the white population before they were

surrendered, or the Indian interest consulted in any way, the Executive government granted to these bands, under the 14 and 15 Vic. c. 106, 45,750 acres on the River Désert. A certain number of the Algonquins have embraced the opportunity thus given them of exchanging the sterile tract at the Lake of the Two Mountains for a fresh location, where they have formed the settlement of Maniwaki, and are beginning to apply themselves to agriculture. To aid the settlement in its infancy, they have received a share of the Provincial grant, but they seem to have been rather lost sight of since that time."

As Mr. Pennefather was the Superintendent-General of Indian Affairs of the day--he signs the report as such--and supposed to be an authority on the subject the statement that the grant was in settlement of the Algonquins' claim to compensation for their hunting grounds of the Ottawa valley, may be assumed to be official.

Not all of these Indians, however, were willing to retire to Maniwaki; for some, as we have seen, sought to get a grant of lands in the Township of Lawrence, within the limits of the tract, on the Upper Canada side of the Ottawa whereon they had been wont to follow their hunting operations; certain of them have since removed to Golden Lake, and to the Township of Gibson, and some still remain over at the same Lake of the Two Mountains.

17. It is noticeable, in regard to this report of the Commissioners of 1856, as in regard to the reports of Mr. Justice Macaulay and the Commissioners of 1842, that it makes not the slightest allusion to the existence of any such claim of the Mississaguas as is now before us, leading to the like conclusion as in the former cases, that such a claim had not, even yet, been suggested or thought of.

18. As bearing on the claim and position of the Mississaguas, I will cite here the remarks of the Honourable David Mills, M.P., for Bothwell (now a Senator of the Dominion), and formerly Superintendent-General of Indian Affairs, in debate in the House of Commons, on 19th May, 1888:

"I desire to bring before the honourable gentleman [Sir J. A. Macdonald] a matter about which there is much public rumour ... There are no treaties between any bands or tribes of Indians and the Crown in reference to the surrender of the Indian claims to the country in all this eastern section, extending from the Ottawa to the frontier of Lake Ontario and the vicinity of Kingston. It is said that certain bands of the Mississagua Indians claim the country, although settled, and the Crown has parted with the title to private parties. ... The Six Nations, after being armed, until Fort Frontenac was built, held possession of the country. The Mississaguas were not in this country at all until it became a British possession. I mention this to the honourable gentleman, that now the country has been settled and surveyed, he should not entertain any claim of that sort."

The tract specially referred to here, is that stretching from the Ottawa to Kingston, and from the southerly and easterly boundary of the Mississagua cession of 1822 to the St. Lawrence, but the remarks are, in some degree, also applicable and of value respecting the present claims and former cessions of the Mississaguas, and as confirming, on the weighty authority of this student of history and past Superintendent-General, the proposition hereinbefore put forward on behalf of Ontario, that these bands of Mississaguas were not indigenous to the soil, and had no claim as of aboriginal right, but only such, if any, as the Crown, in its discretion, and as a matter of grace or policy, might choose to attribute to them.

19. To conclude this final branch of the subject, it is clear that such Indian interest if any, as still attached to the lands of the Ottawa Valley, on the south or Upper Canada side of the river, was in the Algonquins; that the Imperial Government approved of a settlement of their claim, by the appropriation to them of a tract of land in rear of the surveyed townships on the Lower Canada side of the river; that such appropriation was carried into practical effect under the authority of an Act of the Parliament of Canada, and of an order of the Governor-General of Canada in Council; that by the effect, and as a consequence, of such combined action of the Imperial and Provincial Governments, of the Provincial Parliament, and of the Crown in Council, all the subsisting right, title and interest, if any, of the Algonquins in the said lands are to be deemed to have been, and they in fact have been, wholly and forever extinguished, in favour of the Crown in right of the Province of Upper Canada,

or of the Province of Canada, now, under the British North America Act, enured to the Province of Ontario;

That no evidence whatsoever has appeared in sustenance of, but, on the contrary, all the evidence is adverse to, the claim to these lands, of the Mississaguas of Alnwick, the Huron-Simcoe bands, and the Rice, Mud and Scugog bands, or any of them; that neither they, nor any of them, have, nor ever had, any right, title, or interest therein, or in any part thereof, and their claim, whether joint or separate, is ill-founded and has no merits;

That from the acceptance by the Crown--whatever its motives--of a surrender of a tract of Ottawa lands under the instrument of 1822, no argument can, in the circumstances, be deduced in favour of the pretensions of the present claimants to the residue of the said lands; that these, therefore remain lands of the Crown, in right of the Province of Ontario, and that free and clear of all and every native interest, whether of the tripartite claimants, or any of them, the Algonquins, or any other Indians whomsoever;

That the admission or establishment, for the purposes of the question in hand, of the title of the Algonquins, as against that of the claimants, as hereinbefore, is expressly without prejudice to the right of Ontario, if so advised, and circumstances require, to contend, that, as between the Algonquins and the Crown, on occasion, and as a consequence of the dispersion of the Algonquins, and their abandonment of the lands in question, the aboriginal title had become effaced and extinguished, giving place instantly, and as of course, to the title and Lordship of France--now represented by the Crown in right of Ontario to the exclusion, effectually and forever, of every right, title and interest of the Indians.

...

[Document No. 552]

309. On March 20, 1899, Commissioners McKenna and Rimmer prepared a report entitled "Matters in Dispute between the Dominion and Ontario." Among the matters considered was the Mississauga claim. The Commissioners' conclusion referred to the Algonquin interest in the land in question:

...

Case 5

This is a claim to compensation for land used for settlement, and alleged to have been hunting-grounds of the said Indians, and not to have been included in any surrender by them. The land may be briefly and roughly referred to as a large tract of land lying south of the Ottawa River, north of the 25th [sic 45th] parallel and west of a line drawn from the N.W. corner of Pembroke Township, Renfrew County, in south by east direction to the 45th parallel, and a neck of land between Lake Couchiching and Sturgeon Bay, Lake Huron. Under instructions Counsel for the Dominion filed case before the Arbitrators on the 6th May, 1895. By letter of the 16th December, 1897, (file 111834 1a) Counsel advised that the claim was not a proper one within the jurisdiction of the Arbitrators. No further steps have been taken. We agree with Counsel's opinion, and we recommend that the case be withdrawn.

We have considered whether this is a claim which can be successfully urged in any way on behalf of the Dominion or the Indians.

As to the large tract of land we find: -

That by Surrender of 5th November, 1818, No. 20, and 28th November, 1822, No. 27, the above Chippewas and Mississaguas respectively surrendered to the Crown lands South of the 45th parallel inhabited and claimed by them comprising in the whole 4,699,000 acres.

That the Chippewas of Lake Huron who made the Robinson-Huron Treaty of 9th September, 1850 (No. 61) were entitled to surrender the land on the north and east shores of Lake Huron as far south as Moose Deer Point (near 45th parallel) and inland to the height of land, which territory is included in the treaty.

That as to the Chippewas of Surrender No. 20 it has for 22 years been conceded by the Department that they were not entitled to claim rights north of Moose Deer Point.

That inasmuch as we can discover no evidence that the Chippewas and Mississaguas who made surrenders Nos. 20 and 27, respectively had any use of the land north of the one and north and west of the other prior to the surrenders, the words "inhabiting and claiming" used in the surrenders may, when the surrenders are read with the treaty, be fairly taken as implying that the parties to the surrenders by them relinquished the whole territory they inhabited and claimed [emphasis added].

That the tract of land appears to have been used as a hunting ground generally by the Algonquins (see file 83203) and the Chippewas of Lake Huron afterwards party to treaty 61, rather than by the particular tribes on whose behalf this claim is made [emphasis added].

[Document No. 556]

310. In the memoirs of Father Joseph Etienne Guinard⁹⁴, o.m.i, several references were made to Indians. He noted that most of the Algonquins lived by hunting and fishing:

[pp. 71-73]
Maniwaki
...

At the church, the celebrations were held in French, in English and in Algonquin. The Whites sang in Latin and the Indians in Algonquin. Among the latter, there were two famous singers: Mathias Bernard and Katénin Mekaténini. The row of benches running along the side wall of the gospel was reserved for the Indians. The Indian reserve itself was found set back from the village of Maniwaki and it was difficult to perceive it from the road since it contained few buildings. The Algonquin children attended one of the two English schools in which the teachers were paid by the Department of Indian Affairs. An Indian Affairs agent resided as well at Maniwaki. Most of these Indians lived by hunting and fishing. One of them, Amable Watagan, was exploring the forest for the John Gilmore company. Overall however, everyone hunted.

At the mouth of the River Desert, on the northern point, rose a discontinued Hudson's Bay Company store. Some Indian families had kept the habit of camping on the southern point, across from the old, abandoned post. I can see their canoes again, overturned on the shore, their cloth tents set up under great elms, now cut down, their bubbling boilers over a fire, hung up on the end of a stick planted in the ground, their covers of wool and of brightly coloured linen thrown on some poles. In the middle of this scene, some children played and some relaxed men smoked their pipe. In writing these lines, the nostalgia of the missions catches up with me. How can one not be happy at the contact of the simple and poor people, without ambitions or costly preoccupations? They were pious like saints and took our word on our teachings.

In the village of Maniwaki as in its surroundings, the livestock wandered in total freedom. The Indians' dogs benefitted from this absence of fencing to attack the calves, the cows and the pigs. The settlers marked their beasts by the sound of small bells which they carried suspended around their necks. This noise of bells ringing here and there, day and night, all over the village, was remarkable. It is thus that a nun, freshly arriving at the convent in Maniwaki and totally oblivious to the affair with the livestock, prayed to God and renewed her adorations for an entire night, believing that she heard the bells which were rung in front of the priest when he carried the Holy Sacrament to the sick, as was the use in the parish from which she had come.

It was absolutely necessary that the village become a municipality so that a local control could be put in place. At this time, Maniwaki was a small open city which counted six hotels for 50 houses. Two stores sold gin and whiskey by the gallon. With the John Gilmore and W. C. Edwards companies having their hiring offices in Maniwaki, thousands of lumberjacks passed through and stopped in the village. Now, these lumberjacks drank a lot of alcohol, lived and

⁹⁴ Father Guinard served as an Oblate missionary from 1864.

talked according to all the principles contrary to Christian morality. They exercised a sad influence over our Indians who, they too, got drunk at their own turn. The situation was such that it happened that the Indians came to church in an inebriated state. The village lived without law, in the most complete disorder. In this context, we had resolved to fight to re-establish order and morality.

The first stage of our struggle consisted of having Maniwaki given the status of municipality. Despite the violent opposition of the "big bonnets" of the village, the first set finished to our advantage. The adversaries would not quit for as much. The people of the village elected a drunk as mayor, however well that, the municipality being controlled by the merchants, nothing would change. We would put ourselves therefore to enter in pursuits against the merchants who encouraged public debauchery. Despite the perjury, the buying of witnesses, Judge Talbot imposed exemplary sentences. But the people badgered him so much that he had to take refuge in our community in order that he be no longer bothered by the population. A new judge presided over the process and what was our deception when we had figured out that he favoured the merchants. This judge considered that it was not necessary to uselessly do harm to the merchants of the village who made their living like everyone else. Our counsel refused to continue his pleadings in such conditions. Despite the presence of a service police officer, the hotel owners literally bought witnesses.

...

[pp. 74-78]

One of the main preoccupations of this era of colonization had to do with the state of the roads. Although Maniwaki was the last community to benefit from the telegraphic line, the government did not occupy itself in road maintenance. Somehow or other, the settlers did this at the same time as the forestry companies who cleared and replanted according to the needs of their yards. In all logic, the settlers knew very well that the companies could not be trusted to maintain the roads. The companies invested the minimum amount in these operations and only did what was necessary. The results were pitiful. In the fall and in the spring, most of the roads were impassable. The swamps and mud holes had to be bridged with tree trunks which the new frost had brought out of the ground, so well that with cars, one had the choice between getting stuck up to the axles or smashing the same axles against the hard trunks which protruded and stuck out. Poorly drained, without sufficient sunlight since they passed through the heart of the forest, these roads were muddy all year long. When it was not mud, it was rocks. The rocky roads provoked unfortunate accidents and more than one car had overturned because of hidden rocks. These paths resulted from spring rains which washed away the loose earth into the ditches, leaving the rocks uncovered. The progress and improvement or the abandonment of these roads of misery were a great help to cars and would certainly relieve a number of horses. I also believe that the better roads considerably reduced the already enormous quantity of blasphemies uttered by the settlers who passed long moments in giving themselves much grief in getting horses and cars out of these roads of misfortune.

The survey of the Transcontinental

I had replaced Father Guéguen for the last two years until the Reverend Provincial Father, Joseph-Marie Jodoin, had asked me to give up the Indian missions to Father Georges Lemoine. The latter was complaining about the lack of work occasioned by his missions of La Barrière and of Lake Victoria and he had asked for more. He was handed therefore the Haute-Mauricie missions. I accepted with regret the will of the authorities. I considered my Indian missions as my main task and already, I found the winters too long in Maniwaki. The idea of now spending complete years here made me very sad.

The survey of the Transcontinental began the following year. It consisted of a railroad that crossed the Abitibi from La Tuque. In reality, this railway was supposed to cross all of Canada, up to Prince-Rupert, on the banks of the Pacific.

Numerous Indians worked on the laying out [of the survey], in the middle of the forest. These new workers asked for a priest who spoke their language. The government acceded to their request and one day, an official, who was in charge of supplying the groups of men who worked on the survey here and there in the woods, had come to Maniwaki to ask for a missionary who spoke Indian.

I accepted this mission with joy and in a fairly peculiar way and I left on the spot with the official. The latter thought of himself as clever. The first [n° 1] survey post was found at one hundred and ten miles north of Maniwaki, at the fork in the Gatineau [River]. In order to get there, we had to walk for a longtime and the paths were not easy. The official did not know me and ignored all my missionary experiences. He thought, perhaps, that I had learned Algonquin in the heat of the priests' house at Maniwaki. As it was, he then began playing the tough-guy, walking quickly, never stopping, enlarging the difficulties of life in the forest. He even tried to scare me by misleading me. Less out of breath than he after this whole production, and still on his heels, I made him understand that I knew the road better than he and that nothing that he said or did would impress me in the least. I even went as far as making him understand that the only thing that could happen, was that I would become impatient by such bragging, specifying that when I got angry, I managed to throw the pests into the waters of the Gatineau. This point was well taken.

As I had indicated above, the supply post n°1 was found at the forks of the Gatineau. The post n° 2 was situated a further thirty miles to the north, at the confluence of the Echohom River and the western branch of the Gatineau River. In the winter, the provisions were dispatched to post n° 1 by horse. Between these two posts, transportation was made by dog sleds. From this last point, still with the dogs, Indian travelers supplied the different camps which were scattered all over the place along the lay out of the future railway. All of these camps were very isolated, in the middle of the forest, in regions not well known to Whites. One day, some news came that the encampment of White Bear Lake were missing some provisions and were fighting hunger. The foremen therefore hurried the Indian travelers who were supposed to supply the camp. Well, no White and by the same token no foreman knew exactly where the lake was. It was known that it consisted of the furthest encampment to the west but all had different advice as to the exact locality of White Bear Lake which, surely, was not shown on maps. The foreman gave some complicated instructions to the Indians who were supposed to do the supplying and the latter left in search of the famous lack. According to the story they told me about their journey, they looked hopelessly for this White Bear Lake, conforming themselves as well as they could to the clues furnished by the survey foreman. Discouraged, they encountered by accident an Indian trapper who knew the site of the camp they were seeking. The travelers learned with surprise that this encampment was situated on the shores of Lake Manitobégan, a lake known to all the Indians of these parts. White Bear Lake was none other than Lake Manitobégan which even a young Indian would have found with his eyes closed. With this information, the Indians quickly provided supplies to the encampment. Meanwhile, they remained confused for a longtime afterward about such a mistake on the part of the surveyors.

Things went smoothly as such. The surveyors, probably ignoring that the Indians had already given names to all the lakes, all the rivers and all the streams, gave new names to the lakes known as otherwise and foolishly expected the Indians to straighten it out for themselves. As the Indians had said, you have to be a magician or a prophet in order to find the Whites' lakes.⁹⁵

Although the surveying work had only begun, already at post n° 1 a feverish activity was taking place which drew a strange crowd. A Syrian woman sold ribbons, ties, kerchiefs and rings; her trunks overflowed with multicoloured stock. A métis was bracing gold objects in conducting a trade in furs with the Indians. I had met again about ten Têtes-de-Boule who I had known at Wemontaching. They had come here because the Hudson's Bay Company at Wemontaching had temporarily suspended its policy of giving credit to Indians. It would seem that this suspension of credit was related to the fact that England was warring with the Boers.

...

⁹⁵ Here, the author inserted a footnote which read as follows: "Between 1912 and 1920, there was held in Quebec a campaign to eliminate the Indian names given to the lakes and to the rivers. It was Eugène Rouillard (1851-1926) who had given a start to this campaign of gallicizing the names of geographic locations at the time of a meeting of "La Société du parler français au Canada", in 1908. Rouillard was the secretary of the Geographic Society of Quebec [Société de géographie du Québec]. He had been strongly supported in his campaign by the priest Lionel Groulx. It was thus that the majority of the Indian terms used to designate geographic locations were crossed off the maps. ..."

[pp. 86-87]

Baskatong

Further north, a small village could be found at Baskatong. Before the construction of the Mercier dam, Lake Baskatong was four miles in length. Every winter the ice cracked in the centre of the lake from which was derived its Indian name of Baskatong, which means "crevasse". About one hundred adults resided permanently at this site. There were some French, some English and some Algonquins. The Baskatong River never froze for more than four or five days during the coldest moments of the year. This was a favourite area for the wild geese. An old wooden tumbledown bridge spanned the river. The latter rushed into the Gatineau. All the activities at Baskatong revolved around the cutting of wood. Two companies could be found there, those of John Gilmore and W. C. Edwards. With the exception of the Indians, everyone was lumbermen, wood measurers, clerks or foremen.

...

It must be said that Baskatong had a great need for religion. All the lumbermen and the [draveurs?] of the lumberyards in the region met each other in the two hotels of this evil area. An agent often said: "This is the worst spot in the world". Blasphemies, brawls, drunkenness made up everyday life. The lumberjacks refused to pay one cent for the construction of the chapel under the pretext that they were too poor. Nevertheless, they invited me to "take a drink" with them. The bottle came before church. The area was so sad that when it was time to choose a patron saint for the mission, I made it known to His Eminence Duhamel that, in place of a patron saint for Baskatong, Notre-Dame-de-la-Pitié would be the only designation. Even the women of Baskatong thought that a real man was one who blasphemed and drank.

...

The village of Baskatong disappeared in 1929 with the construction of the Mercier dam on the Gatineau River. Today, it can be found thirty feet below the waters of the reservoir. Father Stanislas Beaudry has been occupied in having the bodies removed from the ancient cemetery. They were transported to the shores of the actual reservoir where they were buried in a new site. The same Father moreover occupied himself by having the chapel dismantled which had been taken down by "cage[cageux?]" to Grand-Remous where the wood was being used for the construction of the new Grand-Remous church, the church of the Saint-Jean-Marie-Vianney parish."

...

[pp. 98-99]

The forestry companies

I often speak about the forestry companies without really identifying them. I will here give a brief history of tree cutting in the region of Maniwaki. It was an elderly man, William Snoddie, who told me about these events to which he was a witness. Wood cutting began around Maniwaki, on the Gatineau River, in 1860. In this period, the first who arrived made use of and defended his territory by force. In the "lumber limits", some quarrels and some murders took place. Old Snoddie told me the story of a Laymay who had killed a man with a chop of his axe handle because the man had cut wood on his land. Laymay's wife had encouraged him to fight. This murderer was assassinated himself by some people who were looking for revenge. In this isolated area, no justice reigned.

The first real concession made by the government was given to Blanzelle Square Timber Co., in 1860. This company only produced "square wood". During the same year, the Atkinson Lumber Co. came to establish itself on a concession along the river. The agent of this company was named Jim Nault. In 1868, old Lépine de Bouchette cleared the farm which carried his name and opened a lumberyard on Crown lands. Two years later, the Gouin company of Trois-Rivières was established at Bark Lake and there a dam was built on the actual site of the government's dam. The "boats" [de drave?] of this company had had their fronts raised in order to better jump the rapids. The Gouins would build the Théophile Rochon hotel at Maniwaki. The company had its offices close to the village of Bouchette and Jack Boyle took care of its activities. The Gouin company would fail and was replaced by the Knight company, who would also, in turn, fail.

It was the John Gilmore [company] that would buy back the considerable forestry concessions of Knight. The John Gilmore would build his "paper mill" in Chelsea, then in Hull. Horace Donnely and Jeremiah Quail took care of the company's business matters. In 1874, the Stuble company made a "square wood" yard near the Esturgeon farm, fifty miles north of Maniwaki, on the Gatineau. The Hamilton Brothers would buy the Stuble and made a yard at Pivagan, at the Ignace farm, at Lake Croche and at the head of the River Desert. The J. B. Hall Lumber company came to establish itself in the region in 1875 and put up a yard on the Eagle River [Rivière de l'Aigle] and on Lake Kakamaw. It was told that J. B. Hall produces the largest and most beautiful blocks of wood in all of Gatineau. James McLaren would buy J. B. Hall in 1887, make a yard at Lake Desert and Lake Trente and set up his offices at Gracefield, named beforehand La Victory. McLaren's mills were found in Ottawa and in Buckingham. W. C. Edwards bought back the Hamilton Brothers' concession. Originally very small, called by people the "consorts of Indian women", this company would become very powerful. Its mills were situated at Rockland on the Ottawa River. The Riordon [company] would buy John Gilmore and W. C. Edwards in 1919. Finally, in 1921, the International Paper [Company] bought Riordon. Today, its Gatineau Mill manufactures seven hundred tons of paper per day. The reeking "paper mills" have replaced the noisy "saw mills".

At first, the companies were not interested in anything but the best pine wood of the Gatineau. Later, all the wood that the mills could handle was cut. This was a lot when we think of the improvement in sawing techniques. The result produced was incredible quantities of boards piled up in the mills' yards.⁹⁶

...

[pp. 196-200]

Land Claims of the Têtes-de-Boule⁹⁷

... Besides professional hunters, which would be a lesser evil, the majority of these destructors [Whites] already have another job and it is a function related to this job that brings them to Mauricie. The lumberjacks, the forest rangers, the prospectors, the explorers, those who move and decide on the site of the lumberyard, and the surveyors are all trappers at their times and find in this activity a contributing revenue. For some years, a lone surveyor had trapped so many beavers in the Indians' territory of Manowan that the latter thought that the beaver population would never be replaced. The surveyor even pushed his employees to trap in order to increase their revenues.

"The Indians suffer from this hasty hunting on the part of the Whites. Otherwise, their territories shrunk every day. All of this had started with the advent of the railroad of which it can be said that it constituted a strip of land ten miles wide which is no longer useable by the hunters because the animals have deserted these well-frequented regions. Now this railroad travels the Têtes-de-Boule lands through and through. I move quickly on the destructive hunting brought by builders to the moment that the railway track was put into place. I am passing over it because it was made worse still, being the source of most of the big forest fires which destroyed half of the country.

These fires burned the trees but they also killed the animals. As if this was not enough for the Têtes-de-Boule hunters, the Québec government leased immense pieces of land to private clubs who prevented all Indians from hunting or setting foot on them. These lands, suddenly denied, were not blindly determined: they were the best hunting grounds left in Mauricie.

"To the railway, the unscrupulous hunters, the fires and the private clubs the famous dams were added."

⁹⁶ A footnote was inserted at this point by the author, and it has been quoted as follows: "Father Guinard made reference to the transformation of the lumber industry at the end of the nineteenth century. Actually, the first big cuts of wood served at first to feed the construction industry. In the nineteenth century, almost all of the great white pine forests in the basins of the large tributaries of the Saint-Lawrence (Saguenay, Saint-Maurice and Outaouais) were cut. During Father Guinard's time, pulpwood was more and more in demand. The big trees for construction would make themselves otherwise rare. The choice in species of trees was becoming less selective and the cutting territories were gaining in extent.

The lumber industry is surely one of the dominant economic activities in the Québec of the nineteenth and of the beginning of the twentieth century. It would be at the centre of the development of the Gatineau and of the Maurice."

⁹⁷ This section relates an interview with Quebec Premier Taschereau.

...

"Consider as well that the Indians are the best guardians of the province's forestry lands. You would never see them take forest fires lightly as they know that this domain is also theirs and that it is important to take good care of it. Who knows, however, if one day, pushed by fury or despair out of seeing their lands lost in every way, they don't burn down what is left of the rich forest of the Mauricie on purpose. This would carry a hard blow to the Province's finances as it is known how lumber is of important value in our day.

The Têtes-de-Boule have a right to recognition from your government if we recall that they always became allies of the French in their conflicts against the Iroquois. Without them, who knows if our brave ancestors could have overcome them?

Mister Premier, these Indians never ceded their territory to anyone, English or French. While we were settling ourselves on the shores of the Saint Lawrence and the father in his son passed on the property of this magnificent valley to us, the Indians were doing the same thing in the deep forests, surrendering what they had, while dying, to the generations who would take the relief. Before rendering his last breath, the Indian hunter would rejoice in thinking that the property of his domain would go to his heirs. These lands have belonged to them since time immemorial. Their antiquity in this country exceeds ours. They have fought, as native tradition teaches us, to save and protect their rights over these lands. Today, the wave that breaks over them is too strong. The Whites remove the bread from their mouths and with impunity hunt the Indians from the lands that make up the birthplace of their race. These Whites cannot even invoke the necessity for justifying the plunders and the violence of which they are the sad authors. They are cruel by lack of conscience and ignorance.

Mister Premier, these Indians are not asking that their lands be indefinitely reserved for their own ends, they only want you to repair things as soon as possible before civilization completely settles in the Haute-Mauricie. At this time when hunting would still be possible if the Whites had not persecuted these poor people, they ask you to protect them by fair laws. Reduced to a disgraceful beggary, despite some well-established rights, it is up to your government to take responsibility with regard to them. It would be necessary for you to take the side of these weak ones by voting for laws capable of remedying their miseries and of answering to their real grievances. Finally, you must do so in a way that these laws would be observed by the measures which are in your power."

I finished on this and gave the floor to John Midlige, a merchant. The latter underlined the fact that all the Indians owed him money and that it would be humanly impossible for them to pay their debts if the Whites kept acting as substitutes for them in their hunting territories. Following him, the representative of the Hudson's Bay Company impressed the Premier by citing numbers which demonstrated that the Whites produced the majority of the furs in Mauricie while the Indians brought almost nothing back.

...

[Document No. SS-11]

Twentieth Century, 1900-1929

311. Frank Pedley, the Deputy Superintendent General of Indian Affairs, wrote to F. R. Latchford, Commissioner of Public Works in Toronto, on December 13, 1902, regarding complaints that the Algonquins of Golden Lake were hunting deer out of season:

Referring to your letter of the [?]th March last addressed to the Deputy Minister of the Interior, reporting that complaints had been received by you to the effect that the Indians at Golden Lake are in the habit of leaving their reserve and killing deer at all times of the year, I have to inform you that the Indian Agent was at once written to and asked to report in regard to this matter. No report was received from Mr. Bennett, who was then Agent but was dismissed in June last and the matter was for a time overlooked. The attention of the present Agent, Mr. Martin Mullin, was, however, recently called to the letter to his predecessor and he was instructed to ascertain and report whether the complaints made against the Indians were well founded. A reply has been received from Mr. Mullin stating that he has made inquiries but that he has been unable to obtain any evidence that the Indians of the Agency kill deer out of season. He further states that he has known the Indians for a long time and is of the opinion that they respect the law in regard to this matter fully as well as do their white neighbours.

[Document No. 561]

312. J. A. McCrae, Inspector of Indian Agencies and Reserves, wrote to the Deputy Superintendent General on February 12, 1903, advising that consideration regarding extinguishment of rights should be given to certain Indians in Quebec residing east and south of the Upper Ottawa, centering at Grand Lac and Grand Barrière:

In a report of June 3rd/01 I pointed out the need of dealing with certain Indians who reside north and north east of those who entered the Robinson Treaties in order to extinguish their title to the tract they occupy.⁹⁸

I now beg to draw your attention to the fact that whenever steps to that end are taken consideration should be given to the case of certain Indians in the Province of Quebec who inhabit the country east and south of the Upper Ottawa and to some extent centre at Grand Lac and Grand Barrière.

[Document No. 561]

313. Frank Pedley, Deputy Superintendent of Indian Affairs, submitted a report on the Oka question, on February 19, 1903, to Clifford Sifton, Superintendent General of Indian Affairs. He advised that many of the Indians who had moved to Gibson Township had returned to Oka. Pedley suggested that they be given reserve status on their holdings in Oka providing they forego their claim to the whole tract:

The enquiries conducted so far with reference to the Oka question have resulted in my being able to make an interim report as follows:-

Quite a number of Oka Indians who moved to the Township of Gibson in Muskoka some years ago under an arrangement with the Ontario Government, this Department and the Seminary of St. Sulpice at Oka, have left Gibson and have returned either to Oka or the Reserves at Brantford, Caughnawaga or St. Regis. Those who have returned to Oka, are not disposed to return to Gibson. At present there are at Oka some 452 [handwritten above 454] people, 128 [handwritten above 185] Roman Catholics and 324 [handwritten above 265] Protestants. The Roman Catholics are mostly Algonquins, the Protestants, Iroquois. The difficulty is largely religious, and, as far as one can see, under the present arrangement it is likely to be continuous.

⁹⁸ This is a reference to plans to take Treaty No. 9 in northern Ontario.
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The Catholic Indians may be fairly represented by Chief Amable Roussin who came from Oswego some years ago, married a French woman and has just about enough Indian blood in him to claim Indian privileges. Roussin declares he will not go to Gibson, he prefers to stay at Oka, but if he has to move will go to the Reserve at Maniwaki up the Gatineau, set apart under 14 and 15 Vic., Cap. 106, for the Algonquins and Nippissings at the same time that the Doncaster was set apart for the Iroquois of Caughnawaga and Oka.

Chief Peter Oke may be said to represent the Protestants. He has lived in Gibson but has moved back to Oka and there wishes to remain. If forced, however, from his present residence he indicates that he would prefer Maniwaki.

The friction, as it presents itself in a practical manner, arises from the Indians asserting their alleged right to the land from time to time, such as cutting wood, not only for their own use but for commercial purposes, as they see fit without regard to the permission of the Seminary which expressed itself at all times willing to allow sufficient wood for home consumption provided it is cut where they indicate.

The Premier has spoken to me several times about this matter and I have called his attention to the fact of the setting apart of the Maniwaki and Doncaster Reserves and that if the Indians for whom these Reserves were set apart would occupy them the difficulties would possibly disappear. The Premier, however, is of the opinion that it will be impossible to have this done and, even if it were it would not settle the difficulty inasmuch as it is considered that so far as the Doncaster Reserve is concerned, that the squatters should be maintained in their possessions, and that the Maniwaki Reserve will, in the course of a few years, stand in a similar position towards settlement as does the Doncaster to-day.

I have suggested that confirmation of the present holdings of the Indians in Oka, by giving them an absolute title to the land so that these together become a Reserve in the meaning of the Indian Act, would settle the matter. The Premier inclines to this view and is of the opinion that if the Protestant section are willing to come to terms on that basis the Seminary will concur. He thought that we should put ourselves in communication with those who were likely to have some influence with the Indians themselves and see if some understanding could not be reached along these lines, and it was suggested that Mr. S. P. Leet of Montreal, who has had a good deal to do with the Oka and Caughnawaga Indians should come up for the purpose of discussing the proposition. Mr. Leet was up here on Monday and thinks that it is not improbable that such an arrangement might be effected.

The Reverend Mr. Williams of Montreal who is closely in touch with the Indians at Oka, will, when things are in shape, if this meets with your approval, take the matter up to ascertain how far the Indians will consent to forego their so-called rights to the whole of the property in dispute at Oka, in consideration of their being confirmed in their holdings.

It has appeared to me on looking over the files that the Doncaster and Oka propositions were pretty much bound up together and that the settlement of one would depend upon the settlement of the other, but on further consideration I think that if the matters in dispute affecting particularly the property at Oka were settled independently of the Doncaster question that the latter may be settled afterwards.

It is practically conceded that it is going to be the next thing to an impossibility to get the Indians to move willingly from Oka. They cling tenaciously to the place on account of its associations, because of certain means of livelihood they have adopted and think their right to occupy this land is paramount. If, however, we can conclude this long standing dispute somewhat on the lines indicated it may be just as well to make the effort.

[Document No. 565]

314. On April 1, 1903, J. A. McCrae, Inspector of Indian Agencies and Reserves wrote to Frank Pedley, Deputy Superintendent General of Indian Affairs reporting on the

populations of Indians south and east of the Upper Ottawa who might have to be included in any Treaty covering the country north of the Robinson Huron Treaty⁹⁹:

Referring to my former letter in which it was mentioned that certain Indians South and East of the Upper Ottawa might have to be included in any Treaty effected in the country lying North of that covered by the Robinson Huron Treaty, I beg to submit for your information the following estimates of population. These include as you will see Abbitibi and some points West as well as East and South of the Ottawa:-

Longue Point, above the Quinze	98
Abbitibi	405
Matatchewan	75
Mattawagaming	210
Kippewa and Grassy Lake	153
Victoria or Grand Lake	281
The Barriere	172

This information has been got together by Father Gueguen, who has collected it from Rev. Fathers Beaudry, Laniel and others who are in a position to give it.

[Document No. 569]

315. The Indian Agent for Golden Lake, Martin Mullin, wrote to J. D. McLean on April 4, 1903, asking for help for a Golden Lake Band member who was prevented from trapping "up the Bonchier river" [Bonnechère River] by a local Game Warden. [See Document No. 570.] McLean, in his response dated April 7, advised that the department had no authority to grant any hunting privileges beyond those given by the games laws of the province. [See Document No. 571.]
316. On May 15, 1903, a number of affidavits were taken from elders and submitted to the Department of Indian Affairs to support the claim of the Mississaugas and Chippewas to unceded lands and back annuities. [See Document Nos. 573, 574 and 575.]
317. The following declaration of George Blaker was sworn before J. W. Kerr, in Cobourg, on May 15, 1903:

In the Dominion of Canada, Province of Ontario.

In the Matter of a claim of the Massassaga [sic Mississauga] Indians to certain unceded Territory lying South of Lake Nipissing, East of the Bobcaygeon Road and West of the River Ottawa.

1. George Blaker of the Township of Alnwick in the County of Northumberland, Farmer, make oath and say.

2. That I am a member of the Indian band in the Township of Alnwick, and am now 79 years of age.

3. I can remember well when Elder Case was at work in our band in the Bay of Quinte 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 on 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 and our band has always claimed that the Territory North of the ceded Territory to the Ottawa River still remained the hunting ground of the

⁹⁹ This is a reference to Treaty No. 9, taken in 1905. Only Ontario Bands were covered by this treaty.

Massassaga Indians made up of the two bands known as the Bay of Quinte or Grape Island Indians and the Kingston Indians. [emphasis added]¹⁰⁰

4. Since ny [sic] boyhood days claim has never ceased to be made and has constantly been passed upon the attention of the Government, and several generations have passed away without the claim being settled. In all these years our claim to this land was not disputed but one reason after another was given for delaying the matter.

5. That the older Indians in my younger days belonging to these bands always said that the line of the Western side of the Township of Rawdon going North but bending somewhat to the west until it reached the Ottawa River was the Western boundary of their territory.¹⁰¹

6. I am the oldest member of the Alnwick Indian band and none of the others are as familiar with what was preserved among our people as to the recollection of their rights excepting Mr. Thomas Marsden who is slightly younger than I am.

7. 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 flowing into the Ottawa River from the Rivers and streams which flow into Lake Ontario and the Bay of Quinte.

8. That the old people in our band claimed that our land went East to a line running North from between Brockville and Prescott to the Ottawa River; and I make this solemn declaration conscientiously believing same to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the Canada Evidence Act 1893.

[Document No. 573]

318. Thomas Marsden also swore a declaration before J. W. Kerr on May 15, 1903:

In the Dominion of Canada, Province of Ontario.

In the Matter of a claim of the Massassaga Indians to certain unceded Territory lying South of Lake Nipissing, East of the Bobcaygeon Road and West of the River Ottawa.

1. Thomas Marsden of the Township of Alnwick in the County of Northumberland, Farmer, do solemnly declare.

2. That I am a member of the Alnwick band of Indians and that I was born in the County of Prince Edward, a few miles from Grape Island in the Bay of Quinte.

3. That I am now 78 years of age, and next to George Blaker am the oldest Indian in the Alnwick band with the exception of the Reverend Allen Salt of Parry Island who is older than either of us by some ten or twelve years.

4. I have heard read the declaration of Mr. George Blaker made herein this day and I say that the said declaration is correct and is borne out by my recollection of what I heard the old people of our band say in my youth, and during my whole life.

5. That a year ago last fall I was at the Village of Mattawa on the Ottawa River and I met an Indian of that part of the Country who had formerly come from Oka in the Province of Quebec, and I asked him where they claimed their territory extended to, and he informed me that they did not claim further South than the Mattawa and said "This is the extreme to which we come" and that all South of that point belonged to the Mississauga Indians; and I make this solemn declaration conscientiously believing same to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the Canada Evidence Act 1893.

[Document No. 575]

¹⁰⁰ The Mississaugas of Alnwick are descended from the signatories of the 1819/1822 Rideau purchase; they likely took part in the Crawford purchase in 1783.

¹⁰¹ This corresponds to the eastern boundary of the Newcastle District.

319. Peter Crowe made a declaration before J. W. Kerr on May 15, 1903, to the effect that the above statements made by George Blaker and Thomas Marsden were correct. [See Document No. 574.]

320. On January 26, 1904, Allen Salt, an 85 year-old former member of the Alnwick Band, signed a declaration verifying the truth of George Blaker's declaration of May 15, 1903. This declaration was forwarded to Frank Pedley seven months later. [See Document No. 591.]

321. The Deputy Minister of Lands, Mines and Fisheries for Quebec compiled a list, dated May 9, 1904, showing the distribution of lands for the Indians in the Province of Quebec. Only the first two reserves, Temiscamingue and Maniwaki are within the watershed:

...
Area of land set apart for the Indian Tribes in Lower Canada, under 14 & 15 Vict. ch. 106-----230,000 acres.

The Indian Reserves already set apart and surveyed in the Province of Quebec, and their respective areas in acres are as follows:

Lake Temiscamingue	38,400	
Maniwaki	45,750	
Celeraine	2,000	
Doncaster	16,000	
Reclmont	9,600	
Viger	3,650	
Mann	9,600	
Bersimis	63,100	
Ouiatchouan (Tp.)	23,000	
West of Crespieul	8,375	
Cou-Cou-Cache	380	
Weymontachingue	7,408	
Seven Islands	250	
Total		<u>227,513</u>
Balance remaining for future requirements - - -		2,487

[Document No. 592]

322. A resident of Killaloe Station [about 12 miles west of Golden Lake Reserve] wrote to the Minister of Indian Affairs on October 16, 1905, on behalf of a Golden Lake band member requesting a lease for him to hunt and fish on lakes known as Rabbitant and Wilkins, small tributaries of the Bonnechère River. [See Document No. 594.]

Martin Mullin, Indian Agent, transmitted this request to J. D. McLean the following day, stating that this band member had once made an income from fishing and trapping every fall and spring but now had no hunting grounds:

[Golden Lake band member] of the Golden Lake Reserve called on me today and requested me to write to the department for him asking liberty to Hunt some fur and fish he wants to get a lease of a lake known as Rabbitant and Wilkons Lake being small tributaries of the bonchere [sic] a little above basin depot he is farming off he [coon?] and has within the last few years made a lot of improvements on his place and he is considerable in debt an [sic] cannot pay it of the farm unless he gets some chance of making money out of fishing or clothing [sic] fur he used to make money every fall and spring before now but has no hunting ground now and he won't be allowed to go where the fur and fish are this ground is not on any reserve or park and would not be to far away hoping the department will do something for this man.

[Document No. 595]

323. Jos. Perillard, Indian Agent at Oka, Quebec, wrote to the Secretary of Indian Affairs, on January 2, 1907, requesting a hunting permit for an Indian of his Agency who had been prevented from hunting muskrat at Port Union, Ontario (east of Toronto) until he obtained a license. [See Document No. 602.]
324. Several early twentieth century petitions requested land for the Indians of Long Pointe, Lake Quinze. About 100 people, known as the Winneway Band, and who were not members of any other band, were said to have spent the summer months at the site of a former Hudson's Bay post for "a number of years". [See Document Nos. 599, 624, 638, 649, 650, and 653.]
325. On December 10, 1908, S. Stewart, Assistant Secretary, Department of Indian Affairs, prepared for Frank Pedley, Deputy Superintendent General of Indian Affairs, the following memorandum regarding allocation of hunting grounds north of the St. Lawrence:

During the years 1829, 30 and 31 the Indians of Three Rivers, St. Francis and Lorette brought before the Department their claims to be allowed to hunt on certain waste lands of the Crown north of the St. Lawrence, which right the Algonquins of the Lake of Two Mountains claimed belonged exclusively to them. Complaints were also made by several bands that their hunting grounds were being trespassed upon and a request was made that the whole question be referred to a Council of the Six Nations to be held at Caughnawaga during the winter of 1829-30. This was agreed to by the Commander of the Forces and the different bands were so informed.

The Council was not however held on the date originally fixed, but was postponed till the 4th July, 1830, when the decision was given that the privilege of hunting north of the St. Lawrence did not belong exclusively to the Algonquins.

The decision gave great offence to the Algonquins and a report was received from Lt. Col. Duchesnay, Indian Superintendent at Quebec that it has occasioned disturbances resulting in the loss of several lives.

The limits of the hunting grounds of each band were apparently not defined by the Council and by letter of the 19th February, 1831, during the administration of Lord Aylmer, the Indians of Lorette signified to His Excellency their desire to lay before Parliament "the necessity of regulating among the Indians the limits of their hunting grounds, &c."

In reply they were informed by His Excellency's direction that "the wastelands upon which they have been permitted to hunt, being the Crown's Demesnes, His Excellency Apprehends the Provincial Legislature is not competent to interfere in determining their limits:- His Excellency will however refer any Petition these Indians may desire, to the Consideration of His Majesty's Government."

No further action appears to have been taken in the matter.

[Document No. 606]

326. A lawyer from Lindsay, Ontario, wrote to the Department of Indian Affairs on April 21, 1909, concerning Indians from St. Regis, Quebec charged for hunting without a licence near Lindsay. The last paragraph of this letter stated that the St. Regis Band members had been trapping near Rideau Ferry and other locations in Ontario:

On 16th April instant, five indians were arraigned before the Police Magistrate for the County of Victoria, charged with hunting muskrats without a license,

contrary to the Ontario Fish & Game Act, they being indians of St. Regis, Quebec.

We defended them and were able to satisfy the Magistrate that two of the indians were domiciled in Ontario, and in consequence they were acquitted.

Now, in reference to the three indians who are convicted, we raised the question of ultra vires, owing to the fact that we considered the order in council of 26th day of April 1907, which was printed in the Ontario Gazette on Saturday May 11th 1907, which states the fees for licenses of this kind and under which the indians were convicted, was ultra vires of the act, which it purports to follow, namely, sections 46 a, and b, and 48 a, of the Ontario Game and Fisheries' Act.

Now the point is that it is not a question of getting a license for \$25. to carry fire arms and hunt and shoot. It is a question of being obliged to pay \$25. for a license to set a few traps for muskrats.

As to one of the three indians convicted, aside altogether from the question of ultra vires, he ought to be acquitted on the question of domicile. Evidence went to show that he had two houses, one in St. Regis, Quebec, and one at Rideau Ferry in Ontario, where his wife is at present.

We would not ask the Department to consider this question if it was simply a case of one indian being subject to a small fine. The fact is that a large number of indians come from St. Regis each year for this special purpose and have been doing so for a great number of years. One of the men convicted has been hunting in this same vicinity for over twenty years. Another indian, one of those acquitted, has been hunting for 40 years. The outcome of the decision of this case if left the way it stands, means that there are only two indians out of a band that will be able to trap in this country again without paying a license, which is practically prohibitive. Of course, the indians cannot afford to go to appeal themselves, and they would be glad if the Department would give the matter their consideration.

[Document No. 607]

327. The Deputy Superintendent General, Frank Pedley, wrote to the Superintendent of Game and Fisheries for the Province of Ontario, on November 24, 1909, concerning St. Regis Indians from Quebec charged with hunting muskrats without a license along the route to Smith's Falls:

At the request of the members of the Indian village of St. Regis in the Province of Quebec, I have the honour to invite your attention to the following matters.

It appears that from pretty well time immemorial these Indians have been in the habit in the spring of the year of travelling about trading their baskets and other native manufactures with the inhabitants of the towns and villages along the route to Smith Falls, and in the district east and west of that neighbourhood, and in conjunction with that means of making their maintenance, of hunting small furs, principally muskrats as opportunity might offer.

Much to their surprise some five of their number were arraigned last April before the Police Magistrate for the County of Victoria charged with hunting muskrats within the Province of Ontario without a license.

Two of those Indians were discharged, it having been shown that their domicile was within Ontario, but the other three were fined, which would probably be the case with almost all of these St. Regis Indians were proceedings taken against them.

It seems open to question whether the Order in Council of 26th day of April 1907 which was printed the Ontario Gazette on Saturday May 11th, of the same year, under which the convictions were made, was or not ultra vires of the Sections of the Game Ordinance which it purports to follow, viz., sections 46 a, and b, and 48 a thereof.

The question does not appear to be one of getting a license to carry fire arms and hunt and shoot, but of having to pay a license fee of \$25.00 in order to be allowed to set a few traps for muskrats or other small furs.

The Indians were anxious to appeal from these convictions, but were not encouraged by the Department to do so.

It is not so much the Department's desire to now discuss the legal aspect of the question as to put the facts before you and to ask whether you can see your way to allowing these Indians to trap the small furs referred to, without insisting upon their taking out what is practically for them a prohibitive license.

Of course, Indians have their own peculiar way of regarding such matters, and are unable to appreciate distinctions between provincial boundaries as others do, and in this case find it all the more difficult in consideration of a portion of their Reserve, although not their village being within the Province of Ontario, and their having been allowed to go on for so many years without interference.

The Department was inclined to hope that those Indians might drop this matter and accept the decision of the courts, but to them it seems so important and they are so convinced the Ontario authorities would not insist upon payment of the license fee if really cognizant of the facts, that at the urgent request of a deputation which recently visited the Department it promised to put the matter before you, with an earnest recommendation for the most favourable consideration which you might be able to afford it.

[Document No. 609]

328. The Golden Lake Indian Agent, Martin Mullin, wrote to J. D. McLean, Secretary of the Department of Indian Affairs, on December 14, 1909, reporting that two band members had been caught trapping by the Killaloe Game Warden up the Bonnechère River:

[two Golden Lake Band members] of the Golden Lake reserve Went up the bonchere [sic] river to catch some Fox and wolves and any other small animals that they were allowed to trap and there is a game warden in Killaloe for the government and He went up after them and he found one red Fox with them and one muskrat and he brought them down to Killaloe and they have to stand their trial on thursday the 16th december and they want to know if the department will send them a lyar [sic] as they don't think he can fine them for this offence I would like if you cannot let me know by letter to wire to me so as I can let them know what to do hoping to hear from you soon I am sir your obedient servant.

[Document No. 611]

329. On December 30, 1909, E. Tinsley, Superintendent of Game and Fisheries for the Province of Ontario, wrote to J. D. McLean, Secretary, Department of Indian Affairs agreeing to leave in abeyance the collection of a fine imposed on a Golden Lake Band member but stating that they had no right to hunt deer off their reserve:

I beg to acknowledge receipt of yours of the 22nd, also your telegram of yesterday, re conviction of an Indian at Killaloe for illegally killing deer, and in reply may say that I wired Mr. Boland to leave the collection of the fine in abeyance, as the matter was being taken up by your Department.

In reference to the Golden Lake Indians I may say that they have been slaughtering deer for years', in season and out of season, and it must cease, as they have no right to go off their Reserve killing deer as they have been in the habit of doing.

Our overseer reports that the two Indians arrested must have killed ten deer, judging from the appearance of their camp, as well as many partridges.

I have no desire to prosecute any person, much less an Indian, preferring to see the laws obeyed voluntarily, but the law was put on the Statutes for the

protection of our game and fish, and I am obliged to enforce it whenever or wherever the occasion arises.

[Document No. 620]

330. On January 18, **1910**, Martin Mullin, Indian Agent at Golden Lake, responded to the Secretary of Indian Affairs' request of December 27 for a report on the hardship imposed on the Golden Lake Indians as a result of being prevented from hunting for domestic purposes. [See Document No. 623.]

331. The Police Magistrate for Smith's Falls wrote to the Superintendent of Indian Affairs on December 7, **1910**, advising him that the Chief of the Iroquois at St. Regis was claiming that his band retained the right, under the Royal Proclamation, to hunt and fish in the region between Smith's Falls and Kingston:

An Indian came to me yesterday, representing himself to be the chief of the Iroquois tribe at St. Regis, Complaining that he had given o [sic] one of his tribe the right to come up to Smiths Falls and hunt and fish in this vicinity and that some official up here compelled this Indian to pay \$10.00 for a license. He claims that Indians have the right to these parts for a hunting and fishing grounds and that they should not be charged a license fee. He showed me an extract from Royal Proclamation of 1763 which provides "that the Indians should not be molested or disturbed in the possession of such parts of our Dominion and Territory as not having been ceded to or purchased by us are reserved to them as their hunting grounds".

Would you kindly inform me whether or not the Iroquois Indians have the right to hunt and fish in the waters between this Town and Kingston without paying license.

[Document No. 628]

332. J. D. McLean, Secretary of the Department of Indian Affairs, wired E. Tinsley, Superintendent, Game and Fisheries, in Toronto on March 29, **1911**, advising that a Golden Lake Band member had been charged with killing deer and taking fur-bearing animals in Algonquin Park:

[Golden Lake Band member] Indian Golden Lake has to appear before Bartlett at Algonquin Park tomorrow afternoon six o'clock for alleged killing deer and taking furbearing animals in Algonquin Park. [Golden Lake Band member] claims he was outside old park line and new park line not run. He has large family and is lame one arm. His gun canoe blankets provisions seized. Can you arrange to allow him off on suspended sentence and release goods seized.

[Document No. 630]

333. On January 5, **1914**, J. D. McLean, Secretary of Indian Affairs, wired Patrick Rankins, Indian Agent in Ruby, Ontario (just west of Golden Lake), advising that Chief Bernard had telephoned him stating that the Golden Lake Indians were being prevented from bringing deer meat for their own use from Round Lake (approximately 12 miles from the Golden Lake Reserve):

Chief Bernard phoned to-day that Indians prevented from bringing deer meat from Round Lake for their own use. See letter 29th October and consult with Game Warden.

[Document No. 654]

334. E. S. Gauthier, Indian Agent at Maniwaki, Quebec wrote to J. D. McLean, Assistant Deputy and Secretary, on May 6, **1914**, concerning an Indian of the Maniwaki

Agency who was arrested for killing three deer at Big Whitefish Lake (southeast of Maniwaki):

In reply to your letter of the 28th ulto, re [Maniwaki Agency Indian] that fellow was arrested for having killed 3 deer on big white fish lake, he claims it was to support his family, he states that he asked the Court to communicate with the Department of Indian Affairs, the magistrates answer was, that he could do so, but they did not give him the opportunity of doing so, they took him right to the goal [sic gaol] he says the information was laid against him by George McCabe from Notre Dame du Lans.

He said he got out, in promising to pay \$15.00 in two months, this fellow I am informed is not very fond of working, but I am trying to get him some work as Fire Ranger for the summer, he told me he was not very strong and was not able to go to the drive, he is going to hunt for a week and will probably leave to-day or tomorrow. I am very doubtfull [sic] that he will be able to pay \$15.00. If the Department would communicate with Sheriff Wright of Hull, probably they would not insist on the payment of the said fine of \$15.00, this is all I know about the matter. Kindly advise me if I shall furnish relief supplies for another month as authorized by letter of 16th April 1914 #254,014-18A.

[Document No. 655]

335. The Killaloe Game Warden, Wm. Briscoe wrote to the Ontario Game and Fisheries Department, on December 13, 1914, stating that a Golden Lake Band member had killed seven moose in the Roasy [sic-Round] Lake District:

As I made a search through the Roasy [sic-Round] Lake District and found to my surprise that there was a terrible slaughter done on moose by an Indian by the name of [Golden Lake Band member] who resides on the Indian Reserve at Golden Lake. Those fellows have too much liberty. Now I have protected that district this five years from all sources of people and the moose was getting very plentiful in there and there is quite a lot of them in there yet, but as soon as the snow comes the Indians will go back again and take the rest of them. Seven moose is too much for one family. I would suggest that one moose be plenty for one family. This [Golden Lake Band member] has killed seven, as I found where five of them had been taken and found where red deer was killed and the saddles taken and the rest of the meat saturated with strychnine. The government has given them liberty to hunt now and they are determined to clean out the place of land game. I found lots of beaver stretchers at their camp ground. Now the people of this country are all complaining about this matter and I would wish the Department would look into the matter and report the same to me as it is no use for me to protect them if this work is allowed to go on.

[Document No. 660]

336. On January 4, 1915, Patrick Rankins, Indian Agent at Ruby (just west of Golden Lake), advised Indian Affairs Secretary, J. D. McLean, that members of the Golden Lake Band had stored meat in the bush on their hunting grounds, which he described as being a long distance from their homes. Rankins stated that they require a team of horses to bring the meat home. [See Document No. 662.]

337. Duncan C. Scott, Deputy Superintendent General of Indian Affairs, wrote to A. Sheriff, Deputy Minister of Game and Fisheries, Toronto, on January 9, 1917, advising of a complaint from two Golden Lake Band members that four deer had been seized from them:

I have received a communication from [two Golden Lake Band members] complaining that the local Game Warden, Mr. Briscoe seized four deer which they claim were for the use of their families during the winter. They also state that the Warden seized a gun, a trunk, a pair of blankets and a tent.

Last winter you were kind enough to issue instructions to your Game Wardens to show a certain amount of leniency to the Indians, and I hope that you will be good enough to instruct them to this effect again this winter. Would it be possible to allow each family one or two deer for their own use during the winter? I shall be glad, also if you can see your way clear to authorize that the personal effects of these two Indians seized by Mr. Briscoe be returned to them.

[Document No. 682]

338. Dave Lamure, an Indian (band affiliation unknown) from Mackey Station (along the Ottawa River, east of Algonquin Park) wrote to the Department of Indian Affairs on November 8, 1919, requesting a license to hunt and stating that he hunted outside of Algonquin Park:

I'm writing you these few lines to let you know that I want you to help me. What I am asking you now in this letter I'm having rested[sic-arrested], hear [sic] from hunting and not only me hunt hear lots of white people hunting in park. I'm not hunt in the park. I am outside park. I am haveing [sic] pull just the same and will pleas [sic] send me the lisings [sic-license] to hunt it is right and please give me the lissinc [sic] good one year for me to hunt. I am one the Indians of Canada. That is all I get my living all time if I don't hunt I will die and starve I don't trou [sic-throw] away the meat. I get anything I take it home and eat it. I don't trou it away and the white people they trow away all the meat all over in the bush and let me know if you gone charge me. Tell me the price of the lission [sic-license] to hunt.

[Document No. 691]

339. Pierre B. Jocko, of Baskatong (located at the head of the River Gatineau) wrote to J. D. McLean, Department of Indian Affairs, on December 2, 1919, complaining of others hunting on his regular hunting grounds. [See Document No. 694.] E. S. Gauthier advised J. D. McLean on December 19, 1919, that the lands claimed by Jocko were situated somewhere up on the Baskatashing or on the Narawasse River and did not form part of any Indian reserve:

In reply to your letter of the 18th, instant NO. 159612, I beg to report that the hunting grounds claimed by Jacko, is situated somewhere up on the Baskatashing or on the Narawasse river, and do not form part of any Indian reserve; but up to a few years ago each Indian family adopted a certain part of the upper country as their own hunting ground, this custom is more or less respected of late, Indians and White People hunts to the best advantage, I do not know that the Indians have any more claim than any one else on the land belonging to the Provincial Government, for the purpose of trapping, except on their Reserves.

[Document No. 697]

340. Anthropologist Frank Speck visited Lake Temiskaming in 1911 and described the various Algonquin groups in the area at that time. The Temiskaming Algonquins, who Speck judged were greatly influenced by their Ojibway neighbours, numbered about 241. They had a village, North Timiskaming, three miles above where the Rivière des Quinze empties into Lake Temiskaming. The islands in Lake Temiskaming were considered the common hunting grounds of the band.

The Lac des Quinze band was located about 25 miles east of the Temiskaming band. Speck also noted the Mattawa and Kipawa Algonquin Bands at the south end of Lake Temiskaming. Speck was told that the Dumoine River Band had lost their separate identity and had become mixed with the Fort William Indians of the Coulonge River by the turn of the century. Speck produced maps of the family hunting groups in the

area, showing the outer boundaries of the Temiskaming, Kipawa, and Dumoine Algonquins.¹⁰² [See Document No. SS-62, pp. 1-2, 5, 9.]

341. Indians at Lake Quinze reported in 1912 that the "...opening of our region to settlers, miners, hunters, traders of all kinds..." was causing hardship. [See Document No. 649.] Much of the land south of Lake Kewagama, where the band had requested a reserve, was under timber license and the lake was covered by a fishing license. In addition, one mile on each side of the Transcontinental Railway was covered by timber license. [See Document No. 653.]
342. The brief history of the Wolf Lake Band was summarized in a contemporary departmental letter. This band was said to have come to Grassy Lake, immediately to the east of Wolf Lake on the Kipawa River, about 1913. No other information regarding the origins of this band was included. The band, which included 13 families in 1921, requested a reserve. [See Document No. 1254.]
343. D. Sutherland Davidson recorded the hunting and trapping territories of the Algonquins at Grand Lake Victoria and Lake Barrière and environs in 1915 and 1927. In general he described the territory as follows:

In southwestern Quebec, extending all directions from the lake which gives them their name, are situated the territories of the Grand Lake Victoria Indians. The area occupied by these people extends northward from Lake Dumoine to within a few miles of Lake Waswanipi, a distance of approximately 150 miles. The greatest distance east and west lies in the north where it is, at the most, not more than 80 miles. Contiguous to them on the east are found the Têtes de Boule [Cree] and the Indians of the Lake Barrière Band, the latter being a very closely related group. On the south various Algonquin bands are met with. On the west and north they come in contact with the Abitibi and Wasanipi [Cree] bands respectively.

According to their own terminology, these people call themselves *Kitcisagi ánicenàbi*, "Big Inlet People". To those from Lake Barrière they apply the term *Mátikanàbe k ánicenàbi*, meaning not given. The Têtes de Boule are called *Wemutàci ánicenàbi*, for which they give the meaning, "On a mountain where the wind blows all the snow away, people". The Abitibi Indians are known to them as *Abitibi ánicenàbi*, the Waswanipi Indians as *Waswánipi ánicenàbi*, "The place where they fish at night by the light of birchbark torches people", and the Lake Dumoine Band as *Matac kwea ánicenàbi*, "Mouth of the Rivers people".

The Grand Lake Victoria and Lake Barrière people, altho constituting politically two distinct bands, according to information furnished by them consider themselves as fundamentally one and the same people. The two groups live on the most intimate terms of friendship as is demonstrated by their many reciprocal visits as well as by a considerable number of intermarriages in the past. In considering the close relationship between these two bands, culturally, linguistically, socially, as well as geographically, one cannot easily avoid inclining to the opinion that at some time in the past the two were politically allied and formed one and the same unit. The Indians, themselves, when questioned on this possibility, were unable to recall any corroboratory evidence altho many of the old men were inclined to believe that such had been the case.

[Document No. SS-24, pp. 69-70]

344. A map produced by Davidson of family hunting territories of the Grand Lake Victoria Band indicates that about half of their territory was north and/or east of the height of

¹⁰² Speck's study and map included the Temagami Band. Information regarding the Temagami, who are Ojibway, has been excluded from this report.

land (i.e., outside of the Ottawa River watershed). The contiguous bands occupying the territory within the watershed are the Abitibi Band (to the west), the Lake Dumoine Band (to the south) and the Lake Barrière Band (to the southeast).¹⁰³ [See Document No. SS-24, p. 79.]

345. On February 11, 1921, Joseph K. Gabriel, Chief of the Lake of Two Mountains, petitioned the Governor General of Canada on behalf of two St. Regis Indians for protection of their hunting rights in the Province of Ontario. The petition did not mention the specific location of their hunting grounds. [See Document No. 703.]
346. In 1924 charges for hunting in Algonquin Park were made against several Golden Lake Band members. [A Golden Lake Band member] who was arrested in the Park claimed that the skins in his possession were not actually trapped there. This same Band member was again arrested in Algonquin Park in the same month for being in possession of traps and firearms. [See Document No. 753.] He pleaded guilty to hunting in the Park and promised not to hunt or trap there again. [See Document No. 758.]
347. The Game Warden at Barry's Bay wrote to J. D. McLean on April 6, 1924, regarding two Golden Lake Band members arrested for culling beaver houses. Although he did not give the location of the arrests, the Warden stated that one of the members was known to be an old offender in Algonquin Park. [See Document No. 760.]
348. P. J. Bernard of Ottawa wrote to J. D. McLean on April 8, 1924, requesting the return of articles listed as having been seized from [Golden Lake Band member] in Algonquin Park. He also included a list of articles seized from two other Golden Lake Band members outside the Algonquin Park limits stating that the Chief requested that they be returned also. [See Document No. 761.]
349. John Peters, of the island of St. Regis, filed an affidavit in the City of Cornwall swearing that sometime during the month of April, 1924, 74 of his traps and 38 muskrat skins were seized from him on the Rideau River, west of Smith's Falls, Ontario. [See Document No. 758.]
350. An R.C.M.P. crime report, dated April 14, 1925, stated that [a Golden Lake Band member] had recently been released from Burwash where he had served a sentence of three months for trapping inside the Algonquin Park boundary. [See Document No. 774.]
351. The Superintendent of Game and Fisheries, Quebec, wrote to J. D. McLean on February 1, 1926, stating that [two Golden Lake Band members] had their guns, blankets and muskrat skins seized at Trout Lake, Quebec, on land leased to the Pontiac Fish and Game Club, southeast of Lac Simard. [See Document No. 778.]

¹⁰³ Davidson's study of the Waswanipi (Cree) hunting territories in 1915 indicates that the northern most portion of the Grand Lake Victoria Bands hunting territory had formerly belonged to Waswanipi members but had been given to Grand Lake Victoria members at some time. This northern extension of the Grand Lake Victoria territory includes part of the land north of the height of land. [See Document No. SS-23. Davidson 1928: 45.]

One year later, a Sudbury lawyer wrote to J. D. McLean, February 3, 1927, requesting the return of [Golden Lake Band member's] seized belongings. In his letter, he stated that the Band member had hunted in that locality years ago without meeting any objection. [See Document No. 797.]

352. A Parish Priest by the name of I. A. French from Eganville, Ontario, wrote to the Secretary of Indian Affairs on February 11, 1926, asking for leniency for [Golden Lake Band member] who was serving a three month sentence at Burwash for trespassing in Algonquin Park. [See Document No. 779.]

353. W. M. H. Quartermaine, Children's Aid Society of County of Renfrew, wrote to the Secretary of Indian Affairs, J. D. McLean, on March 11, 1926, advising that he was arranging a meeting with the Deputy Minister of Lands and Forests, Toronto, to discuss the matter of extending rights to the Golden Lake Indians regarding fishing and hunting in Algonquin Park. [See Document No. 783.]

354. Detective Sergeant F. Syms of the R.C.M.P. wrote a report on a meeting held on the Golden Lake Reserve, on March 25, 1926, to discuss the matter of hunting:

...
They ask for the right of free hunting without purchasing a permit, five dollars (\$5.00); general hunting and trapping October and November in the Fall, April and May in the Spring; deer hunting, October 1st until January 15th.

They claim also that an injustice was done to them when the Ontario Government enlarged the Park and stole away a part of their hunting grounds.

[Document No. 785]

355. Four Chiefs of the Hurons of the Jeune Lorette wrote to the Superintendent General of Indian Affairs on April 8, 1926, stating that they were the only Indians in Canada who had the right to hunt and fish freely in the Province of Quebec:

I wish to bring to your knowledge the following facts:

You must know that the Hurons of Reserve of Jeune Lorette, in the county of Quebec, are the only Indians in Canada, who have the right to hunt and fish over the whole area of the Province of Quebec, specially over the ground leased to clubs by the government of the Province of Quebec, the rivers and the lakes.

They are constantly annoyed by summons and fined.

These Indians live on a Reserve and not on cultivated land. They earn their living by making objects of Indian art such as: snowshoes, mocassins, bead work or wampum etc. this industry has been invaded by the white people, who are making a disastrous competition.

We know that by a treaty between the Huron nation and the Canadian government the Indians have the right of hunting and fishing for their living.

Could you not make sure of this case and take the matter up with the government of the Province of Quebec so as to stop those prosecutions and summons.

[Document No. 786]

356. The Inspector for Indian Agencies for Ontario and Quebec, C. C. Parker, wrote a report dated July 22, 1926, for D. C. Scott, Superintendent General of Indian Affairs, regarding the state of the Indian in Northern Quebec (and Ontario). He

commented on how the development of this area had impacted on the Indians' hunting livelihood and offered suggestions for regulating trapping:

In connection with my recent trip along the line of the Transcontinental Railway in Northern Quebec, I desire to draw your attention to one matter in particular which would appear to deserve immediate consideration.

The Indians of this section are all hunters and, without exception, this is their sole means of livelihood. Up until the present time, (and, in some sections, even yet), they have been able to maintain themselves in the measure of comfort to which they are accustomed, without much difficulty.

The opening up of this country, has however, brought the Indian face to face with a situation never before known to him and this has been accompanied by various results mostly to his detriment. The two which have most affected him are the illicit trade in intoxicants and the advent of the white trapper. It is my purpose in this communication to deal mainly with the trapping question. We have ways and means to combat illegal trade in intoxicants but in the matter of protection of trapping rights there would seem to be a need for more adequate ways and means of protection, or, possibly more sympathetic co-operation as between Federal and Provincial authorities, and this applies equally to Ontario and Quebec. In fact, while I am in this instance dealing with the situation as I found it in Northern Quebec, I am quite aware that identical conditions pertain in Northern Ontario.

Following the opening up of this hinterland white settlers entered the country at various points along the line where the country appeared to be favourable for development. This development has been along three main lines:- Forest exploitation, mining and agriculture, the latter being on a smaller scale than either of the other two, and the timber and pulpwood industries exceeding the latter two combined up to the present time. In one section the construction of a large dam has inundated extensive hunting grounds which will never be recovered.

The Indian has watched this gradual encroachment on his hunting grounds for years, not realizing that in the near future, he would not be able to make a living and would become a wandering mendicant.

Coupled with the exploitation of the forest and other development, the Indian has had to face another serious problem. Even with these things going on he was able to find fur in parts of his hunting ground which had been his and his families for generations back. Then came the fish and game clubs, leasing large areas and not being content with the sport of killing big game and fishing for game fish, close the entire territory so far as trapping rights are concerned and put guardians in to prohibit Indians from seeking fur.

The days when lower Canada was taken from the Indians by conquest are not to be compared with the present time when the Indian is being robbed of the only means of livelihood he knows and is capable of following. It is useless to say he should take up agriculture. Neither the Indian nor the country is fitted for it. In the limited area where the soil is at all tillable, the white farmers are not making a decent living and the greater part of the country is entirely impossible of cultivation.

There are Indians in these parts who will have difficulty in obtaining their fall outfits this year on account of a poor hunt last winter. When I mention this to some people they say the Indian is lazy and that a white man will go into the same territory and make a big hunt. Part of this I will grant but with this qualification:- the white man's hunt will be at least half unprime skins or else he has absolutely stripped the territory of fur bearing animals and that there will not be found one beaver house left intact.

If the province of Quebec values its fur bearing animals and the revenue, direct and indirect, derived therefrom, it is high time effective measures were taken to put a stop to the devastation caused by white trappers.

There are ways and means that would prove effective and for preliminary consideration I would suggest the following.

1. More active operation of game wardens. These officers should be on the job earlier in the season to catch the early fall hunters who kill off valuable animals before the pelts are prime.

2. As an aid to the Indians I would suggest Beaver hunting be under license and that licenses be issued to Indians only for a period of ten years.

3. The licensing by this Department of large areas for hunting and trapping rights and none but Indians allowed to hunt thereon.

One fur trading company has already done this in one section but warned the Indians that all fur caught or killed on that territory must be sold to the licensee.

4. A conference between Federal and Provincial authorities with a view to arriving at some satisfactory arrangement with the foregoing proposals as a basis of discussion.

[Document No. 794]

357. The Indian Agent for North Temiscaming, Quebec, reported to the Department of Indian Affairs on September 11, 1926, that the Indians from Abitibi to Kipawa were all complaining of encroachment from white trappers who were taking game away from their traps and chasing the Indians from their hunting grounds. [See Document No. 795.] The R.C.M.P in Ontario were being asked to investigate similar complaints at Low Bush, Ontario with instances of encroachment occurring between Amos and Kapuskasing and, in some instances, as far as Moose Factory. [See Document No. 796.]

358. On March 17, 1927, Chief John Chevrier of North Temiscaming, Quebec wrote to the Department of Indian Affairs on behalf of the Bands at North Temiscaming, Grand Lake Victoria, Wolf Lake and Long Point requesting a new hunting ground of twenty square miles for their own use:

I am writing on behalf of the North Temiskaming, Indian Band, also Grand Lake Victoria, Long Point and Wolf Lake Indians. Those people would be very glad if the Department could do something on there [sic] behalf in regards to a new Hunting Ground they would like to get about 20 square miles more or less and they want it for thire [sic] own use as they wish to be protected from the white trappers.

But we would like to let it open for tourists and sportsmen in the season. To day we have a very hard time to make a living here, as there is no more hunting for miles around.

Sir- We intend to come to Ottawa sometime in June.

[Document No. 800]

359. J. D. McLean forwarded a complaint to the Quebec Department of Colonization, Mines and Fisheries, which he had received from "the Indian Chief" at Lac Simon, against encroaching white hunters. [See Document No. 804.]

360. On November 4, 1927, L. A. Richard, Deputy Minister of the Quebec Department of Colonization, Mines and Fisheries, instructed J. D. McLean, Secretary of the Department of Indian Affairs, to notify the Chief of the Indians at Oka to stop their illegal hunting of muskrats at St. André East (along the Ottawa River southeast of Pointe Fortune). [See Document No. 806.]

361. A few months later, in January 1928, the River Desert Band passed a resolution protesting the decrease of fur-bearing animals. They stated that the decrease was due to the invasion of their hunting grounds by whites who came by Transcontinental Railway to the head of the Gatineau, Coco and Otter Rivers. [See Document No. 808.]

362. In January 1928 a conference of Federal and Provincial Game officials was held in Ottawa. John Martineau sent a memorandum to D. C. Scott, Superintendent General of Indian Affairs, dated March 2, 1928, advising that the officials had passed a resolution approving a policy of setting aside lands in unsettled areas for the purpose of trapping by Indians. He quotes the resolution as follows:

WHEREAS it is recognized that most of the livelihood of the native Indians of Canada was obtained originally through some form of hunting, and that in unsettled districts in this country Indians are still largely dependent upon hunting, and especially upon hunting by means of traps, to provide them with the means of existence, and

WHEREAS the increasing white population of Canada and the increasing money value of fur is causing white trappers in many areas to invade more and more those trapping areas on which the Indians depend, so that results unsatisfactory to both whites and Indians are obtained, and extreme hardship for the Indians may in many cases be expected to result from continuance of this confused and unregulated competition, and

WHEREAS restriction of trapping rights in and to limited areas leads to increased interest in the conservation and maintenance of a supply of fur-bearers on those areas.

THEREFORE BE IT RESOLVED that this conference approves a policy of setting aside, as far as practicable, in unsettled regions, certain suitable and reasonable areas whereon Indians only may be allowed to trap.

Regarding the matter of designation of the hunting reserves in Quebec, Martineau goes on to say:

During the Conference I discussed the question of hunting reserves in Quebec with Mr. Richard and Mr. Belisle. I expressed the opinion that there should be a reserve in northern central Quebec to take care of the Indians of the Upper St. Maurice and Mistassini regions. I suggested also that provision should be made in the western part of the province for the Indians of North Timiskaming, Lake Barriere, Grand Lake Victoria, Lac Simon and Abitibi, etc. Mr. Richard asked me my opinion as to providing a reserve for the Indians of the north shore, and I stated that I did not consider that their need was so urgent as in the other categories mentioned, owing to the extensive hinterland that is open to them for hunting purposes, but that nevertheless I thought that the question should be investigated and given consideration. Both Mr. Richard and Mr. Belisle stated that they considered it extremely likely that their Minister would sanction the proposals and that as soon as a definite decision was reached in the matter, this Department would be advised, and the necessary negotiations proceeded with, requirements estimated, areas outlined and so forth.

[Document No. 810]

363. A 1927 article by anthropologist Frank Speck stated that the Algonquins at River Desert lived in recent times (i.e., early 1900's) "on the head-waters of the Gatineau river, Desert river, and Eagle river west to Coulonge river, going north at least to lake Baskatong and possibly to Bark Lake." [See Document No. SS-61, p. 240.]

In addition, Speck stated that there were families descended from "the band which belonged to the districts south of the Ottawa, in Ontario," (i.e., the Golden Lake Band). [See Document No. SS-61, p. 240.]

364. Another article written by Frank Speck in 1929 concerning the River Desert Algonquins contended that the contemporary band members were the descendants of the Algonquins who "resided until about 1850 on the lower Ottawa river and north of the St. Lawrence eastward to and beyond Montreal." [See Document No. SS-59, p. 100.] He gave the total population of the band in 1923 as 469 and provided a list of heads of families from the 1927-8 band register. [See Document No. SS-59, pp. 108-9.]
365. Speck also provided some information on the Coulonge Band. He reported that they formerly inhabited the area around the Coulonge and Black rivers and were accustomed to assembling around Fort Coulonge on the Ottawa River. Some members may have joined the River Desert Band as Speck knew them in the 1920's. Speck expressed uncertainty about their relationship to the Dumoine River band, a small group that traded and gathered at Fort William. When Speck spoke with them in 1913, they claimed territory extending eastward to the Coulonge river. River Desert hunters were later occupying the territory overlapping and adjacent to the Black river. Whatever the specific boundaries of the family hunting territories were at that time, it is clear that the whole area was claimed as hunting grounds by separate or interrelated Algonquin groups. [See Document No. SS-59, pp. 113-4.]
366. Speck stated in 1929 that some Algonquin families who lived at Lake of Two Mountains (Oka) at the time of his studies (1913-1923) were hunting around the North Nation River and Lac Simon. He contended that these were Algonquins who remained at Oka after the majority had moved to River Desert when the reserve was set aside in 1854. [See Document No. SS-59, pp. 116-7.]
367. The Province of Quebec's 1922 Lands and Forests Act authorized the creation of reserves utilizing up to 133,650 hectares of provincial Crown land. Two Algonquin reserves were set aside -- Lac Rapide for the Barrière Lake Band and Lac Simon for the Lac Simon Band. Upon surrender, the title to these lands reverts to the Province of Quebec. [See Document No. SS-68, p. 16.]
368. Frederick Johnson's 1928 study of the Lake Barrière Band included the following description of their hunting territory and relationship with neighbouring bands:

...
The band is bordered on the west and north by the Grand Lake Victoria Band, on the east by the Têtes de Boule, and on the south by the River Desert Algonquin. It would seem that the Lac Barrière Band are related more closely to the Grand Lake Victoria people than to their other neighbors. Their own testimony in the matter is quite positive, as they offer proofs such as family relationships, linguistic similarities, and the fact that, in a few cases, hunting territories belonging to families which have their summer headquarters at Grand Lake Victoria. Dr. D. S. Davidson, working among the Grand lake Victoria Indians, also found that the Lac Barrière Band was considered to be closely related to the Grand Lake Victoria Band.

The people at Lac Barrière call themselves ..., "Gate in the Stone Fence People," referring to the rather high rocky bank on each side of the Bark Lake

entrance to Lac Barrière. The Grand Lake Victoria people are known as *kitciságinicnábé*, "Big Outlet People," and the River Desert Algonquin are called *ke-taganzbiwinini*, "Fawn River People." The Lac Barrière Band is a separate political entity from the Grand Lake group, but its organization seems to be similar....

[Document No. SS-36, pp. 29-30]

369. Frederick Johnson reported in 1928 that the number of Algonquins living at Golden Lake increased from 86 in 1900 to 164 in 1924. He attributed the population increase to the fact that formerly scattered members were moving onto the reserve during that period. He was unable to determine the exact boundaries of their territory but stated that they were surrounded by Mississaugas to the west, Iroquois to the south, and more Algonquins to the east and north. He also asserted that "[i]t is safe to say, however, that the band has made its summer headquarters about Golden Lake for several centuries." [Document No. SS-37, pp. 173-4.]

370. A resident of Jasper, Ontario, wrote to the Department of Indian Affairs on behalf of an Indian named Joe White, who had been trapping in the area southeast of Smith's Falls for years. In a letter dated March 4, 1928, J. C. Foster stated that white trappers were trying to stop Joe White from trapping on Irish Creek and part of the Rideau Canal known as the Break Round. [See Document No. 811.]

371. A letter was received at the Department of Indian Affairs on May 4, 1928, from a resident of the Maniwaki Reserve named Mrs. James Brascoupé complaining about the French taking over the Indians' hunting grounds and wasting much of the meat. [See Document No. 812.]

372. Father E. Blanchin, O.M.I., Lake Simon, Quebec, wrote to J. D. McLean, Secretary of the Department of Indian Affairs, on August 23, 1928, identifying the Indians who had traditionally hunted within the Grand Lac Victoria preserve. He stated that some Indians were hunting north of the C.N.R. line as this preserve was not sufficient for their needs:

... This Reserve as you know is 70 miles x 90 and holds within its limits a part of hunting grounds where Barrière, Grand Lake, Simon Lake Indians only have been hunting for years.

Now to protect those Indians against intruders of all kinds, white or other Indians or halfbreeds and consequently against starvation permit me Honourable Sir, to make some suggestions.

1st Two game wardens should be appointed and should stay all year round on the Reserve. They would be notified by Indians when any intruder came around in any point and do away with him from the beginning.

2nd permit should be issued by the Quebec Government to any hunter except to Indian [missing words] to Simon Lake, Grand Lac and B[missing letters]gangs. Though this hunting area seems very large it is hardly sufficient for them. As a matter of fact a good few of them so far, have been hunting north of the C.N.R. ligne [sic], being unable to make a living closer to their homes.

...

[Document No. 822]

373. An extract of a report on trapping rights by J. J. Wall, Department of Indian Affairs, dated October 16, 1928, stated that the Indians of Grand Lake Victoria, Obidjiwan, Weymontachi, Manouan, Simon Lake and Lake Barrière were complaining bitterly about the intrusion of white trappers on their hunting grounds. The author of the report stated that if something was not done about the situation, the beaver would go the way of the buffalo. [See Document No. 823.]

374. G. H. Ferguson, from the office of the Prime Minister and President of the Council, Ontario, on February 11, 1929, responded to a request from Charles Stewart, Superintendent General of Indian Affairs, regarding the setting aside of special hunting preserves for Indians in Ontario:

...
In an old settled province like this, I am sure you will appreciate the difficulty in carrying out such a policy. Even in the newer sections of the northern portions of the Province, colonization is going along fairly rapidly. Moreover, hunting and trapping has grown apace in Ontario, and if we were to set aside certain portions of the Province as hunting grounds exclusively for Indians, I fear we would not only have difficulty in policing it, but we might have some serious conflict between Indian and white trappers. However, I am not prepared to express a definite opinion at the moment. The minister immediately responsible for the administration of the hunting laws will return to his office within the next week. I am sending the letter on to his Department asking his Deputy to put it before him immediately he returns [sic] and will have the advantage of having a talk with him about it.

[Document No. 829]

375. A status Indian named Norman Jackson from Kinburn, Ontario, was being interfered with while trapping beaver on the Constant and Carp Rivers [in the subject area west of Ottawa]. On February 28, 1929, J. D. McLean issued him a letter of identity:

To Whom It May Concern

This is to certify that the Bearer, Mr. Norman Jackson, is an Indian ward of the Crown who holds a Resident Trapper's License from the Game and Fisheries Department, Province of Ontario, and that he should not be interfered with by any person in the lawful pursuit of his privileges under the said license on the Constant and Carp Rivers.

[Document No. 830]

376. A Golden Lake Band member was charged with trapping muskrats in an unspecified area. Indian Agent P. Rankins advised that the band member had since purchased a trapping license and asked if the charges could be dropped as he could not afford to pay the fine. [See Document No. 839.]

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377. In January 1931 a proposal to create a national park in Quebec was submitted to the Minister of the Interior. The proposed park would comprise 10,000 square miles and be located northwest of Maniwaki, some eighty-five miles from Ottawa. [See Document No. 849.] C. C. Parker, Inspector of Indian Agencies, Department of Indian Affairs, wrote a memorandum to D. C. Scott, Deputy Superintendent General of Indian Affairs, on January 15, 1931, stating that this region lying north of Ottawa was part of the last remaining Indian hunting grounds:

I beg to draw your attention to the attached clipping from the Ottawa Journal of the 14th inst, in which it is stated that there is a possibility of a National Park being established in the Gatineau region.

I note that it has the sympathetic support of the Hon. Superintendent General, who will have to be consulted, as Minister of Crown Lands. May I point out that this region is part of the last remaining hunting grounds of our wards to the North of Ottawa. I would suggest that, in event of negotiations coming to a head, some adequate provision be made to protect the trapping and fishing rights of the Indians.

There is considerable unrest among the Indians of Maniwaki and not altogether without cause. The closing of any considerable area of land at the present time would not only be a hardship but would also foment [sic] trouble and give those agitators who are playing on such restraints an added argument against Federal control. On the other hand, certain privileges [sic] could be granted to Indians, under control if found necessary, which would not be detrimental [sic] to the Park.

[Document No. 850]

378. The Indian Agent at Golden Lake wrote to the Secretary of Indian Affairs on July 27, 1931, regarding the hardship encountered by the Indians there. He stated that they were forced to go out to hunt and return at night and suggested that an arrangement be made to allow them to kill meat for their own use. [See Document No. 861.]
379. At the Second Grand Council held at Maniwaki, Quebec, on September 15, 1931, the Chiefs of the Bands at Golden Lake, Barrière (Que.), Oka (Que.), and Maniwaki (Que.) passed a resolution to ask the Department of Indian Affairs to help them obtain hunting privileges. [See Document No. 865.] On the same date, a resolution was passed to protest the ruling which barred Indians from being guides in any province. [See Document No. 866.]
380. Some Indians of the Maniwaki Reserve (no signatories) wrote to the Department of Indian Affairs on October 13, 1931, complaining, among other things, that the Game Warden had seized fishing nets as well as three deer from them. They stated that, according to their treaties, they had the right to not be deprived of the privilege of hunting. [See Document No. 868.]
381. Joseph Whiteduck of the Maniwaki Reserve wrote to the Department of Indian Affairs on January 28, 1932, advising that he had been hunting 90 miles north of Maniwaki:

I beg to informe [sic] you that I have been away north of Maniwaki hunting about ninty [sic] miles & had hard luck so I was oblided [sic] to catch a few beavers for food kindly advise me what to do with the skins.

[Document No. 870]

382. Michael J. Buckshott, a Golden Lake Band member living at Mackey Station (a town on the Ottawa River north of Deep River) wrote to the Secretary of Indian Affairs on February 26, 1932, asking for a permit to hunt and trap in Quebec. He advised that he was already trapping in Quebec:

I am writing you this letter. To ask if you will send me a special letter of recomendation [sic]. To hunt and trap in the provence [sic] of Quebec. I wish to use this letter to carry on my person. I am now trapping in Quebec. And meet up with guite [sic quite] a few Game Wardens. Who ask me for my trapping permit or special letter from this Department.

I am an Indian and a member of the Golden Lake band of Indians. And I should think that I should be intitiled [sic entitled] to this letter of recomendation [sic]. Will you please send it to me by return mail.

[Document No. 872]

383. J. M. Farrell, Indian Agent at Golden Lake, wrote to the Secretary of the Department of Indian Affairs on April 12, 1932, asking for the return of goods confiscated from a Golden Lake Band member caught hunting in Algonquin Park:

[Golden Lake Band member] lost the following goods when he was caught hunting in the Park last winter. 3 single blankets 1 pair snowshoes 1 rifle 1 box of shells 3 axes one Packsack

Samson was caught on January 23, 1932 would ther [sic] be a chance of having the above mentioned goods restored to their owner.

[Document No. 874]

384. L. A. Richard, Deputy Minister, Department of Colonization Game and Fisheries for Quebec, responded to the request of A. F. MacKenzie, Secretary of the Department of Indian Affairs, on July 11, 1932, as to whether Indians other than those residing in the district would be allowed to hunt and trap on the new game preserve in Northern Quebec:

Yours of the 6th instant (No.420-8) together with copy of a letter of Mr. W. A. MacGibbon, agent for the Indians of the Reserve of St. Regis duly received.

In reply, I beg to inform you that according to the Order-in-Council creating the Reserve of the New Quebec for the use of the Indians for trapping fur-bearers, it cannot be question of other Indians than those who are residents of the reserve, to be allowed to do any hunting for fur-bearing animals in that section.

[Document No. 882]

385. On October 22, 1932, A. F. MacKenzie, Secretary of Indian Affairs, issued a letter of identification to John Whiteduck, a Golden Lake Band member, to assist him in his desire to hunt in the Province of Quebec. [Document No. 884.] A year later, on October 5, 1933, he issued another letter to John Whiteduck with the same wording:

TO WHOM IT MAY CONCERN:

This is to certify that John Whiteduck is a member of the Golden Lake Band of Indians in the province of Ontario. He desires to hunt in the province of

Quebec and, being an Algonquin Indian, this Department would appreciate any consideration shown him as such.

[Document No. 884]

386. E. S. Gauthier, Indian Agent at Maniwaki wrote to A. F. MacKenzie, Secretary of Indian Affairs, on March 15, 1933, informing him of two Indians from the River Desert Reserve who were caught trapping on privately owned land near White Partridge. [See Document No. 890.]

387. On September 21, 1933, Frs. Brisebois, Indian Agent at Oka, Quebec, wrote to the Secretary of Indian Affairs on behalf of two Indians from Oka desiring permits which would allow them to hunt in Algonquin Park. They claimed their father had been permitted by Ottawa a few years ago to hunt in Algonquin Park:

Benny and Laurence Jacobs, Gibson Indians, living at Oka, would like to know if The Department would allow them to go trapping at Algonquin Park during the hunting season. They claim that a few years ago their father was allowed this privilege by Ottawa.

[Document No. 902]

388. The Golden Lake Indian Agent, J. M. Farrell, wrote to the Secretary of Indian Affairs on November 7, 1933, requesting a letter of identification for a Golden Lake Band member so that he could hunt in the Province of Quebec that winter:

Kindly send me an identification for Lawrence Benoit of Golden Lake band who wishes to hunt in the Province of Quebec this winter.

[Document No. 905]

389. A. F. MacKenzie, Secretary of Indian Affairs, on November 13, 1933, issued the following letter of identification for Lawrence Benoit:

This is to certify that Lawrence Benoit is a member of the Golden Lake Band of Indians in the Province of Ontario.

He desires to hunt in the Province of Quebec, and being an Algonquin Indian, this department would appreciate any consideration shown him as an Indian.

[Document No. 906]

390. The Agent at Golden Lake requested five more letters of identification for Golden Lake Band members so that they might hunt in Quebec during the winter of 1933. [See Document Nos. 907, 908 and 909.] In response, A. F. MacKenzie wrote to the Agent on November 18, 1933, authorizing him to issue these letters of identification himself and warning him against too many Golden Lake Indians hunting in Quebec:

I have to acknowledge receipt of your letters of the 30th ultimo, 8th and 14th instant, with reference to letters of identification for Golden Lake Indians, and in reply thereto I have to advise you that you are hereby authorized to give certificates of identification in these and like cases to members of the Golden Lake Band. It should be understood, however, that this does not give permission to hunt in Quebec as this department has no authority in that behalf. It is feared, moreover, that if too many Golden Lake Indians go to Quebec to hunt, any privileges now extended by the Quebec authorities may be revoked.

[Document No. 910]

391. A. F. MacKenzie wrote to the Commissioner of the R.C.M.P. on March 19, 1934, asking him to investigate the case of Norman Jackson, an Indian of Fitzroy Harbour, who had his traps unlawfully seized on the Mississippi River [1 1/2 miles west of Fitzroy Harbour]. [See Document No. 912.] The same day, T. R. L. MacInnes, the Acting Secretary, Department of Indian Affairs, issued a voucher for \$5 to pay for a trapping license for Norman Jackson. [See Document No. 913.]
392. The R.C.M.P. Inspector filed his report on the Norman Jackson case on March 27, 1934, stating that Jackson wanted to claim all hunting rights in the Fitzroy Harbour district "and from his threats I believe his story is all made up." [See Document No. 914.]
393. J. M. Farrell wrote the Department of Indian Affairs, on April 16, 1934, advising that [a Golden Lake Band member] had been caught selling beaver skins out of season. He forwarded a letter he had received from H. Laurick of Sweyze, Ontario, asking for time for this Band member to pay his fine. [See Document No. 917.]
394. On May 15, 1934, the Chief Ranger at Algonquin Park filed a report on the case against [a Golden Lake Band member] charged with trapping in Algonquin Park on Carcajou Creek, Township of Guthrie. [See Document No. 920.]
395. Ignace Wickote, an Indian from Senneterre, wrote to the Department of Indian Affairs on August 2, 1934, asking for permission to trade some moose meat for necessities until trapping season opened again. [See Document No. 938.]
396. J. M. Farrell, Indian Agent at Golden Lake wrote to A. F. MacKenzie, Secretary of Indian Affairs, advising him that [three Golden Lake Band members] were caught with seven deer at Deacon, Ontario (ten miles west of the Golden Lake Reserve). The Agent stated that they needed the meat and asked that they be treated with leniency. [See Document No. 941.]
397. H. C. Willson, a lawyer from Perth, Ontario, wrote to the Deputy Superintendent General of Indian Affairs on March 25, 1935, concerning an Iroquois Indian named John Peters who he was representing. Peters was claiming hunting and trapping rights on the Rideau River:

I have been consulted by Mr. John Peters, Iroquois Indian, regarding the hunting and trapping rights which he claims to be the owner of along the Rideau River between the Town of Smith's Falls, Ontario and Rideau Ferry. Mr. Peters complains of trespassers on this reserve who steal his traps and skins.

He does not appear to have any evidence of title in his possession of this trapping right although from the information I can obtain from him it seems he has obtained the same about 1904.

Would you kindly advise whether such a right was ever given to anyone by the name of John Peters or John Sunday.

[Document No. 951]

398. A. F. MacKenzie, Secretary of Indian Affairs, responded to H. C. Willson stating that the Department knew of no trapping or hunting rights belonging to John Peters along the Rideau River. [See Document No. 952.]

399. The following week, A. F. MacKenzie wrote to the Chief of Police at Smith's Falls regarding a complaint from Chief Peter Day and Andrew Cook, two Indians from Cornwall, that a trap and a muskrat were stolen from them on Lots 25 and 26 near Smith's Falls. [See Document No. 954.]

400. On April 8, 1935, J. M. Farrell, Indian Agent at Golden Lake, wrote the Secretary of Indian Affairs to negotiate his salary as Agent. While citing his duties, he stated that seventeen families lived outside of the reserve and that the Indians were occasionally in court for trespassing in Algonquin Park:

...
The salary I have been receiving for the past three and one half years may have been adequate remuneration for the work ten or fifteen years ago when relief was low. However with 240 Indians to take care of and an outlay of about \$10,000.00 a year. I have to spend about half my time doing Indian work.

...
Indians are up in court occasionally for trespassing in Algonquin Park and for breaking the Game Laws. I am called on frequently to speak for them when they are unable to pay a lawyer.

...
In this Agency 17 families live outside of the Reserve and they require much more time than the same number who live on the Reserve because nearly all dealing between this office the Indians and the Merchants is carried on through correspondence. I use the telephone in some cases where I find immediate action is necessary.

[Document No. 957]

401. A Councillor for the Golden Lake Band, F. B. Pessandewatch wrote to the Secretary, Department of Indian Affairs, on November 11, 1935, requesting permits for his Band to hunt, trap, and carry guns:

I am writing you this letter for the Golden Lake band of Indians of the Indian Reserve and also for myself. Requesting the Department of Indian Affairs for permits for the carrying of guns and also permits for hunting and trapping. As we would like to go and hunt when it is time to hunt, but we are afraid to do so, on account of the game wardens taking our traps and guns away from us. The most of game wardens also destroys our tents and blankets. Therefore if you can help us out in this we would be very glad for you doing so.

[Document No. 960]

402. Chief Peter Meness of Golden Lake wrote to the Department the next day echoing the complaint of F. Pessandewatch and adding that the Indians were being forced to hunt at night:

Just at the present time the Indians of the Golden Lake band have no authority to hunt and trap outside the reserve without a license. They are at all times in danger of being caught while out trapping and being prosecuted.

When an Indian goes out to hunt or trap he always has to travel in the night and leave during night and when he returns it is always at night which makes it very difficult for them to bring home anything they have to bring.

The Dept. Ind. Affairs have advised our Agent to have the Indians go out and trap otter as it is open season for otter and if they were to go out and trap and the game warden was to overtake them they would lose every thing they have guns traps & all and be prosecuted at the same time.

Now I want to ask the Dept. if it be possible to grant those Indians License or Permit to hunt also to carry firearms, then they would have no trouble to go out trapping.

The Indians on this reserve have not got the means to buy those permits as there is absolutely no work for an Indian around this district. When there was work here outside the reserve during the summer, a few Indians applied for work and they failed to get work and it is generally always the same whenever there is work, so it is almost useless to try any other means for a living only trapping.

Early this fall a few Indians from St. Regis Reserve went to Booth's camp Madawaska to work and there was a white man with them, the Boss of the camp hired the white man and did not take the Indians and therefore they had to walk the track back to their homes as they had no money to pay fares and those conditions are just the same here.

I hope the Dept. will consider these circumstances and grant the Indians here the above mentioned.

[Document No. 963]

403. J. M. Farrell wrote to T. R. L. MacInnes, Acting Secretary of Indian Affairs, stating that the Indians did not have the money to pay for trapping licenses and that they took chances by going into Algonquin Park to trap:

...
... The Indians very seldom have enough money to pay their way and the result is that they have to steal their way about the bush, which hampers their work trapping, and when they have to take a chance with the Game Warden they take another and go into Algonquin Park.

...

[Document No. 962]

404. T. R. L. MacInnes, Acting Secretary of the Department of Indian Affairs wrote to the Indian Agent at Oka on March 31, 1936, asking him to investigate an Indian of the Oka Agency who complained that the owner of Jones Island (located on the Ottawa River ten miles from Oka) had fenced a channel which was preventing the Indians from setting traps for muskrats. [See Document No. 968.] The Indian Agent received a letter from J. A. Decarie on behalf of the owners of Jones Island stating that they had the deeds to these properties from the King of France dated 1791 (who sold the Argenteuil Seignior to Mr. d'Ailleboust). [See Document No. 969.]
405. The Acting Secretary of Indian Affairs received a letter dated June 4, 1936, from the Secretary of Public Works advising that it would be difficult to prove that the fencing obstructed navigation between the two islands in the Ottawa River. He quoted the Chief Engineer of Public Works concerning the ownership of the islands:

Referring to the hydrographic chart accompanying letter dated April 13, 1936, on file, from Mr. J. A. Decarie, it is noted that the present owners have the deeds covering a group of seven islands, including Carillon, Paquin and Jones Islands, with beaches and seigniorial rights as originally obtained from the King of France.

...These islands are included in the bird sanctuary authorized by P.C. No. 819, Order in Council of 10th April, 1931.

...

[Document No. 980]

406. Maxime Lamure of Chalk River (south of Mattawa on the Ottawa River) wrote to the Acting Secretary of Indian Affairs on October 27, 1936, requesting a hunting permit. [See Document No. 985.] J. M. Farrell, Indian Agent at Golden Lake, responded to the request of A. F. MacKenzie, Secretary of Indian Affairs, of November 23, 1936, as to whether Maxime Lamure belonged to the Golden Lake Agency:

I have to acknowledge receipt of your letter of November 9th No. 420-B regarding a hunting permit for Maxime Lamure. This man is an Indian and in one sense of the word belongs the Agency, however, since last spring has not been in receipt of relief, Medical attention, or any other assistance from the Dept. as he is assessed [sic] for taxes. Previous to last spring this Indian received the above mentioned aids.

[Document No. 990]

407. A. F. MacKenzie wrote directly to Maxime Lamure on November 27, 1936, advising him that the Department of Indian Affairs had no authority to issue hunting permits and no exception was made in the case of Indians. He instructed Lamure to apply to the local game warden. [See Document No. 991.]

408. On November 2, 1936, Wilfred Leclair of Deux Rivières wrote to the Acting Secretary of Indian Affairs requesting a permit for trapping. He stated that he belonged to the Maniwaki Indian Reserve. [See Document No. 986.] A. F. MacKenzie, Secretary of Indian Affairs, wrote to the Agent at Maniwaki on November 18, 1936, about Leclair's request, instructing the Agent to inform him that the Department was not aware of any special privileges to which he would be entitled as an Indian with regard to trapping in the Province of Ontario. [See Document No. 989.]

409. A. F. MacKenzie, Secretary of Indian Affairs wrote to the Commissioner of the R.C.M.P. on December 9, 1936, authorizing a special patrol of the Abitibi and Grand Lake Hunting Preserves and stating that he had no objection to the Maniwaki Indians hunting within the southern boundary of the Grand Lake Preserve:

... Regarding the question of Maniwaki Indians hunting within the southern boundary of the Grand Lake Preserve, there would appear to be no objection to this as the Preserve was set aside for the use of the Indians of that locality, and not specially for the Grand Lake Band.

The Grand Lake Preserve is sufficiently large in area to permit of the Maniwaki Indians hunting in the southern section without restricting the requirements of the Grand Lake Indians.

[Document No. 992]

410. The River Desert Band of Indians at Maniwaki passed a resolution on January 2, 1937, proposing that the Department of Indian Affairs be petitioned for permits for each head of family to trap 20 beaver per season on the Gatineau River and its tributaries north of Maniwaki. [See Document No. 993.] The Indian Agent at

Maniwaki forwarded the resolution to A. F. MacKenzie, Secretary of Indian Affairs stating that he told the Council that the Department might be able to request special permits from Quebec but he doubted that they would be granted according to the resolution:

...
I have explained to the meeting that game laws were administered by the Government of the Province of Quebec, that it might be possible for the Department to make representation to Quebec to obtain permits for trapping certain quantity of beavers in definite [sic] locality, but that I doubted very much that permit could be obtained according to the resolution, but the meeting did not seems [sic] disposed to share my view on the matter.

[Document No. 994]

411. The Secretary confirmed the Agent's opinion (above). In a letter dated January 13, 1937, he instructed the Agent to advise the Indians accordingly. [See Document No. 995.]

412. Another Maniwaki Indian living at Deux Rivières wrote to the Department on March 19, 1937, stating that he and his family were in trouble for killing deer for their own use:

Just a lin [sic] to ask you if we are allowed have deer meat on these permit we rec. from you on Oct. 20th, 1931. We have had trouble family and I for the killing of deer for own own use which is all we have for a living. There is no work of any kind for us to make a living on so would you please let me know if I am titeld [sic entitled] to have deer or moose meat for our own use and please help us some way so we can have deer and moose meat for our own use. The game warden Mr. Dave Gauthier was over here today searching for wild meat and we showed him these permit for hunting and traping [sic] we rec. from you on Oct. 20th, 1931 and said that it didn't cover the killing of deer or moose meat. I belong to Maniwaki Band as an Algonquin Indian so with great confence [sic confidence?] wishing to hear from you soon for I need help to support my family some way.

[Document No. 996]

413. H. J. Bury of the Indian Affairs Branch wrote a memorandum to T. R. L. MacInnes regarding the opening of the Abitibi Indian Game Preserve¹⁰⁴ for settlement by white families:

In reference to letter hereunder from Mr. Charles Fremont, regarding the opening up of the Abitibi Indian Game Preserve for settlement by white families, there does not appear to be anything that the Department can do in the matter.

The Province of Quebec set aside this area voluntarily without any representations from this Department and as apparently the Colonization Branch at Quebec have ruled that the land is fit for settlement and have encouraged settlers to go in there, it would appear that the concession originally granted by Quebec has been to all intents and purposes, nullified.

French settlers, as you are perhaps aware, make a habit of living off the country and the killing of deer and small game also the taking of fish at all seasons is generally practised in the Quebec hinterlands.

¹⁰⁴ This game preserve was established at the same time as the Grand Lac Victoria Preserve.

Further, the Canadian French settler makes a practice in the winter of trapping as a means of livelihood and it will only be a short time before the Abitibi Indian Hunting Preserve will cease to be of any use for the purpose of assisting the Indian to earn a living.

[Document No. 1002]

414. J. M. Farrell, the Indian Agent at Golden Lake, wrote to the Secretary of Indian Affairs on March 3, 1938, forwarding a request for an Ontario hunting and trapping permit made by Golden Lake Band member, Michael Jocko, who was living at Napanee. [See Document No. 1006.] An official of the office of the Secretary replied to Farrell advising that they could not send a hunting permit but enclosing a certificate verifying that Jocko was an Indian and a member of the Golden Lake Band. In addition, the letter stated that "any consideration extended to him will be appreciated by this department." [See Document Nos. 1007 and 1008.]
415. On March 8, 1938, Agent Farrell wrote again to the Secretary concerning some Golden Lake Band members who had been charged with the possession of illegal fur which they had trapped at the Grand Lake Victoria Hunting Reserve:

[Golden Lake Band member] went up to Grand Lake Victoria Indian Hunting Reserve, in Quebec, last November, his sons went up to him in February. They were returning home on March 7th, when they were searched by Game Warden Marion near Waltham, and he took all the fur they had, [Golden Lake Band member] offered no resistance [sic], he also took [Golden Lake Band member]'s gun. [Golden Lake Band member] had 6 Fisher and 1 lynx, skins, William had 1 beaver 3 muskrats and 1 fox, skins. I called Mr. G. A. Howard Inspector of Game Wardens, at Shawville and he said he would hold the the [sic] skins until I had time to take the matter up with you, and he has no knowledge of an Indian Hunting Reserve at all, if that territory, he said too that beaver is prohibited also Muskrat, for trapping the balance of the fur they had is legal. I recommend that you take whatever steps is necessary to have the legal fur returned to [Golden Lake Band member]. [Golden Lake Band member] has been away almost five months and he worked hard for this fur and it seems to say the least very unreasonable to take all his earnings from him. I have your map of the Grand Lake Victoria Indian Hunting Reserve and your advice to encourage the Indians from here to go up there to hunt and trap. it is anything but fair that [Golden Lake Band member] should loose [sic] all his fur I might say that I advised [Golden Lake Band member] to go up there in the first place. If [Golden Lake Band member] is not entitled to the legal fur he got there there isn't much sense in sending Indians up there to trap. I might say that [Golden Lake Band member] is one Indian that does his very best to provide for his family and always did he is 61 years of age almost broke down from hardships in the bush. he has accounts to pay and needs the value of the fur.

I would ask you to do everything in you [sic] power to have the legal fur returned to [Golden Lake Band member] also his gun.

[Document No. 1009]

416. The Office of the Secretary of Indian Affairs wrote to L. A. Richard, Deputy Minister, Department of Mines and Fisheries, Quebec, on March 11, 1938, enclosing a copy of Farrell's letter and requesting that the confiscated furs and gun be returned to [Golden Lake Band member]. [See Document No. 1010.] Charles Frémont, Superintendent of the Fish and Game Branch of the Department of Mines and Fisheries, Quebec, responded to the Secretary on April 4, 1938, advising of their decision to return the seized furs:

Replying to your letter of March 11th. (No. 420-10X) I may say that this Department has decided to remit to [Golden Lake Band member] all the furs which were seized in his possession by our Officer John Marion, of Fort

Coulonge, less the beaver skin, as this animal is protected in the Province of Quebec.

If, however, [Golden Lake Band member] has taken this pelt ignoring the new regulations which were passed in the course of last year, we will have no objection, as we have done for the beaver skins which were taken on the North Shore, to have same sold here, collect the royalty and we will then send you the sale price.

I would like to have your comments on the matter.

P.S. The fact that [Golden Lake Band member] has taken beaver ignoring new regulations should be corroborated by writing by a local missionary or some other trustworthy person.

[Document No. 1013]

417. A declaration by [an Indian; band affiliation not stated], indicating that he was compelled by a shortage of food for his family to kill beaver at Coulonge River during the winter 1938-1939, was sent to the Superintendent of the Game and Fish Branch, Department of Mines and Fisheries, Quebec. The declaration, dated June 9, 1938, was witnessed by Hugh R. Conn:

I [Indian; band affiliation not stated] do hereby declare that I was compelled because of shortage of food for my family and myself to kill beaver at Coulonge River on Winter 1938-1939.

I hereby surrender the pelts of the above mentioned beavers to the Honourable Minister of Mines and Fisheries, Quebec, for sale for my benefit.

[Document No. 1019]

418. On June 18, 1938, T. R. L. MacInnes forwarded a cheque for \$7 for the confiscated beaver to Agent Farrell on behalf of [Golden Lake Band member]. [See Document No. 1020.] MacInnes wrote to Farrell again on July 7, 1938, stating that the Department had never told him to encourage the Golden Lake Indians to hunt and trap at the Grand Lake Victoria Reserve. He quoted the letter he wrote to Farrell on November 18, 1933, in which he warned that if too many Golden Lake Indians went to Quebec to hunt, perhaps the Quebec authorities might revoke the privileges that were presently being extended to them. MacInnes informed the Agent of the identity of those for whom the Hunting Reserve was set aside:

...
It should be clearly understood that if the Indians of Golden Lake go to the Province of Quebec to hunt and trap, they do so at their own risk. It was not the intention in the letter above quoted to encourage the Indians to hunt in the Grand Lake Victoria Reserve. This area is reserved for the use of the Abitibi Indians.

Moreover, the Grand Lake Victoria Preserve was set aside by special Order in Council, dated January 16, 1932, for the Grand Lake Victoria Indians, and no other Indians have a right to go there.

[Document No. 1022]

419. On July 14, 1938, T. R. L. MacInnes, Secretary of Indian Affairs, issued a certificate of identity to Tom Sarazin of the Golden Lake Band. The wording of this letter is different from the ones issued earlier insofar as it refers to hunting and fishing privileges:

This is to certify that Tom Sarasin is a member of the Golden Lake band of Indians, in the Province of Ontario and this Department would appreciate any hunting and fishing privileges that can be properly extended to him as an Indian.

[Document No. 1023]

420. The Indian Agent at Oka wrote to the Secretary of Indian Affairs on August 15, 1938, advising him of Quebec regulations regarding hunting licenses for Indians:

I beg to acknowledge receipt of your letter of the 13th instant, enclosing a letter received from the Indian Stephen Etienne, which letter I am returning herewith.

In reply, I beg to say that I have already written to the game authorities of the Province of Quebec, regarding the hunting licenses for Indians. On April the 11th, I was told that the Indians were on the same standing as the white people regarding the hunting permits, except those Indians residing to the north of the 51st line of latitude. On July the 29th, after having asked a permit for Indians to go hunting on the north side of the 51st line of latitude, I was told that only the Indians residing in that part of the Province were allowed to hunt in that territory; that it was not possible to give any permit to any other Indian, as the Indians residing there could hardly get their living from the proceeds of their hunting.

...

[Document No. 1024]

421. In response to a request received from Chief Tenniscoe for protection for trappers of the Golden Lake Band, T. R. L. MacInnes advised the Chief to submit a list of the trappers to the Agent who would provide them with certificates of Indian status. In a letter to Agent Farrell dated September 28, 1938, advising him of this arrangement, the Secretary noted that these certificates did not carry any right to hunt contrary to the laws of the Provinces of Ontario or Quebec. [See Document No. 1026.]

422. Agent Farrell wrote to the Secretary of Indian Affairs concerning two Golden Lake Band members who had their guns seized by the Game Warden of Calabogie (located in the southwest section of Renfrew County):

I have your letter of September 28th regarding three guns taken from two men [Golden Lake Band members] by Game Warden Dillon of Calabogie. I tried to get in touch with him on three different occasions but he was away. He called here yesterday and explained that he has a report that these Indians were peddling vension [sic] some time ago and selling it to whoever might want it. He met these men on the road and seized their guns. Then reported the case to Toronto, it was decided upon that the Indians would not be prosecuted but would loose [sic] their guns for good as punishment. I beg to say that the loss of their guns is rather severe punishment as they could use the guns to a good advantage is [sic in] getting meat for their families especially [Golden Lake Band member] as he has a family of about 8 children and half of this number small children.

[Golden Lake Band member] is accused of selling the vension [sic], this may have occurred [sic], but I do not beleive [sic] [Golden Lake Band member] would peddle vension [sic] as his family could eat all the meat he could bring home, I would like to see all the guns returned but especially [Golden Lake Band member] as he has a large family to support.

[Document No. 1027]

423. On October 25, 1938, Agent Farrell submitted a list of twenty trappers of the Golden Lake Band who wanted certificates confirming their Indian status. In this letter the

Agent complained that the only place where the certificates seemed to be effective was on the Quebec side:

I have your letter of September 28th regarding Indian trappers, and certificate of Indian status. On the request of several Indian trappers I am asking you to send me a number of those certificates signed by some official in the Dept. I will give you the names of the Indians requesting them.

I would like to say that these certificates does not prevent the Game Wardens from taking the Indians guns and traps. I might say that [Golden Lake Band member] an Indian of Golden Lake band was caught at Round Lake [approximately 12 miles northwest of Golden Lake Reserve] a few days ago with a gun and a few traps and the Game Warden took them on him. I know these certificates are not permits, but the Game Wardens are not giving the Indians a chance at all even when they have them. The Indians are taking the same chances when they go out to hunt or trap as I would, without a gun permit trapping licence and hunting licence. The Gun permit is 1.00 trapping licence \$5.00 and deer licence about \$1.00. Now the way that I look at this matter is that by giving an Indian one of those certificates he goes out to hunt with a false idea of his rights, and gets caught and loses [sic] his gun and traps or what ever he may have. The only place these certificates seem to help the Indians is over on the Quebec side, some times the Game Wardens let them go when they produce a certificate. The Indians who desire certificates are as follows.

Dave Cooco,
Benoit Whiteduck,
Wm. Tenniscoe,
Maurice Bernard,
Anthony Bernard,
James Lavalley,
Samson Vincent
Felix Jocko,
Wm. Jocko, jr
Dan Sarazin,

Arthur Benoit
Francis Benoit
Archie Lavalley
Peter Meness
Angus Vincent
Joe Jocko
Peter Jocko
Seymour Jocko
Allan Jocko
Sylvester Jocko

[Document No. 1028]

424. The Agent at Golden Lake wrote to Secretary MacInnes on November 25, 1938, advising that a Golden Lake Band member had been caught with a gun at Round Lake (12 miles west of Golden Lake) and charged under section 10, subsection 2 and section 10, subsection 4 of the Ontario Game and Fisheries Act. [See Document No. 1031.] D. J. Allan, Superintendent of the Reserves and Trusts Branch wrote to the Agent on November 29, 1938, advising that the Departmental Solicitor had been instructed to appear in court of behalf of [Golden Lake Band member]. [See Document No. 1032.]

425. T. R. L. MacInnes, Secretary of Indian Affairs wrote to Agent Farrell at Golden Lake on November 30, 1938, concerning the matter of certificates of identification for Golden Lake Band members:

I have to refer to previous correspondence with regard to certificates of identification for Indians, with particular reference to your observations in letter of October 25, 1938, in which I agree. I was somewhat reluctant in the first instance to give certificates of identification for the reason that they might be misunderstood by the Indians, and that was why I told you and the Indian Chief when you visit Ottawa recently that they would be of no assistance to Indians with regard to hunting contrary to any provincial law or regulation, and in my letter to you dated November 10, I stated that they were to be used for purposes of identification only and that they conferred no rights or privileges.

It is noted, however, that the certificates are of some use to the Indians in the Province of Quebec, but I would ask you to again explain the department's position in the matter to the Indians, in order that they may have no further cause or excuse for misunderstanding.

426. Solomon Buckshot, a Golden Lake Band member living at Mackey's Station (along the Ottawa River, between Pembroke and Mattawa) wrote to the Department in December 1938 asking for papers to permit him to hunt and fish for his own living. [See Document No. 1037.] Secretary MacInnes wrote to Agent Farrell asking him to advise Buckshot that the Department had no jurisdiction over hunting and fishing and therefore could not comply with his request. [See Document No. 1041.]
427. Secretary MacInnes wrote to Indian Agent Farrell at Golden Lake on December 27, 1938, advising that he had received a communication from S. F. Tenniscoe, a Golden Lake Band member, living at Port Arthur, Ontario. He quoted from Tenniscoe's letter and stated that as the Golden Lake Indians were not under treaty, the Department did not recognize any band numbers:

The department has received a communication from S. F. Tenniscoe, 75 Kenogami Avenue, Port Arthur, Ontario, an Indian of the Golden Lake Band, from which I may quote as follows:-

"The fact that Dept. of Game and Fisheries have issued new laws and regulations regards to selling raw furs a trapper cannot sell his furs to a travelling buyer but must either ship to a dealer or direct to a fur house. He must either give his license number or if he comes under the Indian Act he must have his band or treaty number on the shipping tag. Could you protect me in this respect. Would certainly appreciate it very much if you could advise me at your convenience."

In so far as I am aware Mr. Tenniscoe is required to have a license, both to trap and to sell furs, in the same manner as other people.

As the Golden Lake Indians are not under treaty, the department does not recognize any band numbers.

Please make the situation clear to Mr. Tenniscoe so that he will not get himself into trouble through misunderstanding.

428. Jas. Farrington, the Assistant to the Deputy Minister of the Ontario Department of Game and Fisheries wrote to T. R. L. MacInnes on April 17, 1939, regarding a time extension on the open season on muskrats. His letter specified the districts involved and handwritten marginalia identified the Indian Bands connected to each a location:

This is to advise that due to unsatisfactory weather conditions which have prevailed, arrangements have been made to extend the open season on Muskrats until April 30th, 1939, in the following sections of the Province, viz:-

That portion of Ontario lying south of the north boundaries of the Townships of Brock and Scott.¹⁰⁵

Those portions of the Counties of Frontenac, Hastings, Lennox and Addington, Peterborough and Victoria lying south of Highway No. 7.¹⁰⁶

¹⁰⁵ Marginalia reads "Scugog CN".

¹⁰⁶ Marginalia reads "St. Regis, Tyendinaga CN".

The Counties of:-

Dundas,
Durham,
Glengarry,
Grenville,

Leeds,
Northumberland,
Prince Edward and
Stormont¹⁰⁷

[Document No. 1062]

429. Farrington wrote to MacInnes again three days later advising that the open season on muskrats had been further extended to May 5, 1939, and providing a listing of the areas of the Province involved. This letter also included handwritten marginalia identifying the Indian Bands concerned and connecting each to a location:

...
That portion of the County of Ontario lying north of the north boundary of the Township of Brook;¹⁰⁸

Those portions of the Counties of Frontenac, Hastings, Lennox and Addington, Peterborough and Victoria lying north of Highway No.7;¹⁰⁹

The Counties of Carleton, Lanark, Prescott, Renfrew and Russell;¹¹⁰

and the Districts of Haliburton, Muskoka and Parry Sound.¹¹¹

[Document No. 1063]

430. The Secretary of the Department of Indian Affairs, wrote to D. J. Taylor, Deputy Minister of the Ontario Department of Game and Fisheries, to obtain a gun seized from [Golden Lake Band member] who, it was claimed, had been hunting deer out of season near Aylen Lake (outside of the eastern boundary of Algonquin Park). [See Document No. 1068.]

431. Agent Farrell of Golden Lake wrote to the Secretary of Indian Affairs on October 6, 1939, to request that the Indians of Golden Lake be granted free trapping and hunting permits and stating that there were between twenty-five and thirty trappers on the Reserve:

...We have between twenty-five and thirty trappers on the Reserve and with some protection they would be able to make some money. I would ask you to place this request before the Department of Game and Fisheries in Toronto. I enclose herewith letters from Mr. Murray M.L.A. and Mr. Warren, M.P.

[Document No. 1077]

432. On October 11, 1939, the Director of Indian Affairs, H. W. McGill, wrote to H. C. Nixon, the Provincial Secretary and Registrar for Ontario, forwarding letters from an M.P. and M.L.A. requesting that the Golden Lake Band receive gun permits and hunting licenses without cost. He pointed out that the location of their Reserve was chosen because of the hunting and fishing opportunities there:

...
The suggestions made by these gentlemen that the Indians of this band should receive gun permits and hunting licenses without cost, if carried out, would, in

¹⁰⁷ Marginalia reads "Mud Lake CN".

¹⁰⁸ Marginalia reads: "Scugog, Rama".

¹⁰⁹ Marginalia reads: "St. Regis, Tyendinaga, Mud Lake".

¹¹⁰ Marginalia reads: "Golden Lake, CN".

¹¹¹ Marginalia reads: "Parry Sound, CN".

my opinion, compose the difficulties that have existed for some years at Golden Lake. I am assured that the effect upon the Indian hunters would be such that violation of the law and regulation by them would cease to be a serious problem.

I would point out that the Golden Lake Reserve was originally set aside for the Indians because it was considered a good area for hunting and fishing. It is of little agricultural value, and the Indians are very impoverished and find great difficulty in making a living.

In forwarding these communications from Mr. Warren and Mr. Murray, I desire at the same time to express the earnest wish of this department that they may receive favourable consideration.

[Document No. 1078]

433. H. W. McGill's letter was forwarded to D. J. Taylor, Deputy Minister of Game and Fisheries. Taylor wrote to McGill on October 18, 1939, pointing out that Ontario had paid the Department of Indian Affairs for any privileges that the Indians might have considered they had under ancient treaties:

Your letter of the 11th instant, addressed to the Honourable H. C. Nixon, accompanied by letters over the signature of Mr. Warren and Mr. Murray, M.P.P., requesting this Department to permit without license the taking of game in season by the Golden Lake Indians, has been directed to this office for attention.

You will, of course, appreciate that the Ontario Government, during the period Mr. Warren was a Member, paid to the Department of Indian Affairs a considerable sum of money for any privileges the Indians in that section of the Province might have considered they had under any ancient treaties. It would, therefore, hardly seem advisable at this state to exempt the Indians or any other citizen in respect to these Regulations.

[Document No. 1081]

434. D. J. Taylor wrote to R. M. Warren, M.P., of Eganville, on the same day (October 18, 1939) pointing out the importance of the tourist trade to the County of Renfrew; and stating that the principal attraction was its game and fish. He also stated that Ontario paid one half million dollars for any special privileges the Indians may have had:

...
No doubt you are familiar with the value of the tourist trade to the County of Renfrew, which is increasing annually, and the difficulty the Department has in conserving one of the principal tourist attractions, viz., the game and fish of your section. This alone should be sufficient reason why the Dept. in its effort to control the taking of this very valuable asset by Indians of that or any other section of south or southwestern Ontario should have same taken in the legal way under license and in season. You will perhaps recall also that, when you were a member of the Drury Government, the sum of approximately half a million dollars was authorized for payment by the Treasury of this Province to the Department of Indian Affairs¹¹² in lieu of any special privileges the Indians might have claimed under ancient treaties. This being the case, it would be unprofitable and not seem advisable so far as your county is concerned to permit the take of game by Indians other than under the strictest of regulations.

[Document No. 1082]

435. H. W. McGill, Director of Indian Affairs responded to D. J. Taylor on November 9, 1939, regarding his statements about the application of the Williams Treaties to the Golden Lake Indians and regarding the request for free hunting permits for them:

¹¹² \$500,000 was the settlement of the 1923 Williams Treaty.

...
You mention payment by the Province of Ontario of a considerable sum of money for Indian privileges. I presume that you refer to the Treaties made in 1923 with the Chippewas of Christian Island, Georgina Island and Rama, and Mississaugas of Rice Lake, Mud Lake, Scugog Lake and Alderville. From your letter it would appear that you are under the impression that the Golden Lake Indians benefited from these Treaties. As a matter of fact they were not concerned with them in any way, and the point, therefore, seems to be entirely outside the question. I believe that this phase of the matter has been explained to you by officials of this Branch on more than one occasion in the past.

The Golden Lake Indians are not party to any Treaty, and, therefore, no claim based on Treaty rights can or has been advanced in their behalf by this department. The plea that has been made for them is based upon humanitarian consideration, and finds ethical support in the fact that their reserve at Golden Lake was purchased for them from the Ontario Government, especially because it was located in a good hunting area. As you are I think aware, their land is not suited to agriculture, and with the severe hunting restrictions now in force, it is difficult for them to make a livelihood.

It is not suggested that they should be permitted unrestricted hunting to an extent that would interfere with conservation, but it is thought that some concessions might be made to them in view of their peculiar situation.

[Document No. 1087]

436. Secretary MacInnes wrote to R. M. Warren, M.P., on November 9, 1939, regarding D. J. Taylor's statements concerning the application of the 1923 Williams Treaties to the Golden Lake Band:

...
While I fear that I must agree with your observation that there is little further than can be done at the moment in view of the attitude of the Province, I may say for your information that the statement contained in the Deputy Minister's letter to you with reference to the payment made by the Province under Treaties made in 1923 with certain groups of Indians are quite misleading as applied by him to the Golden Lake Indians. These Indians were not beneficiaries under these Treaties. The Treaties were made with the Mississauga of Rice Lake, Mud Lake, Scugog Lake and Alderville, and with the Chippewas of Christian Island, Georgina Island and Rama, and did not affect the Golden Lake Indians in any way. As a matter of fact these Indians are not parties to any Treaties, and, therefore, no claim based on Treaty rights can or has been advanced in their behalf by this department. The plea that has been made for them is based upon humanitarian consideration, and finds ethical support in the fact that their reserve at Golden Lake was purchased for them from the Government of Ontario, especially because it was located in a good hunting area. As you are well aware, their land is not suited to agriculture, and with the severe hunting restrictions now in force, it is difficult for them to make a livelihood.

All these points, including the misunderstanding with regard to the application of the Treaties of 1923 have been raised before, and the position has been explained fully to the Department of Game and Fisheries by officials of this department on more than one occasion.

[Document No. 1089]

437. R. A. Hoey, Superintendent of Welfare and Training, Indian Affairs Branch, sent a cheque on November 15, 1939, to Golden Lake Indian Agent Farrell to cover the cost of purchasing hunting and trapping licenses for the Golden Lake Indians:

Enclosed herewith is an accountable cheque for \$180.00 to purchase thirty (30) hunting and trapping licenses, together with a like number of gun permits which you are instructed to procure with the least possible delay. You are advised to insist that the Indians for whom you obtain these licenses are to leave for the hunting grounds immediately.

We feel that thirty licences will take care of all those who will avail themselves of this privilege, and you are instructed to advise each Indian that the Department expects him to make an honest effort to support his family and that this is an experiment which can only be continued if the results are really worth while. This was thoroughly explained to you by Inspector McGookin during his visit there yesterday.

Please note that thirty licenses are being provided for; however, you are not authorized to supply this number unless you are satisfied that each Indian will make a real effort and is a capable hunter. You are also instructed to supply us with the names of those Indians to whom you issue licenses and to report to this office in due course the exact effect these licenses have on unemployment relief in your Agency.

Enclosed also is an Economic Survey Form which you are requested to fill in and return at your earliest convenience.

[Document No. 1090]

438. On November 30, 1939, Agent Farrell sent the Department a list of 24 Golden Lake Indians who were supplied with trapping or hunting licenses and 22 who were supplied with gun permits:

<u>Trapping Licenses supplied by J. E. Luloff</u>		<u>Gun Licences</u>	
<u>Names</u>		<u>Names</u>	
Wm. Jocko Jr.	\$5.00	Seymour Jocko	1.00
Seymour Jocko	5.00	Wm. Tenniscoe	1.00
Wm. Tenniscoe	5.00	Joe Jocko Sr	1.00
Felix Jocko	5.00	Felix Jocko	1.00
Peter Meness	5.00	Peter Meness	1.00
Basil LeClaire	5.00	Basil LeClaire	1.00
Sylvester Jocko	5.00	Sylvester Jocko	1.00
Dominic Cooco	5.00	Dominic Cooco	1.00
Thomas Vincent	5.00	Thomas Vincent	1.00
Micheal Jocko Jr	5.00	Michael Jocko Jr.	1.00
Anthony Bernard	5.00	Anthony Bernard	1.00
Peter Jocko	5.00	Peter Jocko	1.00
Maurice Bernard	5.00		
Arthur Benoit	5.00	Arthur Benoit	1.00
Leo Baptiste	5.00	Leo Baptiste	1.00
John Cooco	5.00	John Cooco	1.00
Francis Benoit	5.00	Francis Benoit	1.00
Ben Seymour	5.00	Ben Seymore	1.00
Leonard Cooco	5.00	Leonard Cooco	1.00
John Levalley	5.00	John Lavalley	1.00
James Lavalley	5.00	James Lavalley	1.00
Basil Aird	5.00		

Licenses supplied by C. D. Murray Barry's Bay, Ont.

<u>Trapping License</u>		<u>Gun License</u>	
		Basil Aird	1.00
Dan Sarazin	<u>5.00</u>	Dan Sarazin	<u>1.00</u>
	\$120.00		22.00

The above licenses were supplied up to November 30th, 1939.

total cost	\$142.00	advance	\$180.00
			<u>142.00</u>
Balance as at			<u>\$38.00</u>
Nov. 30, 1939			

[Document No. 1094]

439. Agent Farrell wrote to the Secretary of Indian Affairs on December 29, 1939, concerning [a Golden Lake Band member] who had a borrowed gun seized by the Game Warden while deer hunting near Aylen Lake (east of eastern boundary of Algonquin Park). He was one of the three Band members who were not listed as having received a gun permit. [See Document No. 1097.]

Twentieth Century, 1940-1980

440. Agent Farrell received a letter dated January 3, 1940, from Leo Whiteduck living at Stonecliffe, Ontario (south of Mattawa), requesting hunting and trapping licenses for himself and John Fisher, both members of the Golden Lake Band. [See Document No. 1099.] In response to Agent Farrell's inquiry on the matter, T. R. L. MacInnes advised that in view of the fact that these Indians had not resided on the Golden Lake Reserve for many years, they should not be granted licenses. [See Document No. 1101.]

441. On February 3, 1940, J. M. Farrell wrote to the Secretary, Indian Affairs Branch, advising that four Golden Lake Band members had their guns confiscated for hunting deer out of season in the vicinity of Dacre (southeast of Golden Lake near Constant Lake). Agent Farrell recommended that their guns be returned to them:

I have to say that four Indians from Golden Lake Reserve were hunting in the vicinity of Dacre in Renfrew County. They were searched by Game Wardens Dillon and Inwood, and their guns confiscated....

...
All four Indians have trapping and Gun licenses but of course these licenses does [sic] not protect them for deer hunting out of season. The total value of the guns lost is about \$70.00.

I recommend that every effort be made to have the guns returned to the Indians mentioned without cost to them, as it was a case of hunt or go hungry.

[Document No. 1102]

442. Agent Farrell wrote to the Secretary of Indian Affairs on February 6, 1940, reporting that three more licenses had been issued to Golden Lake Band members:

I beg to report that the following Indians were issued licenses in December and January

December 29, 1939

Peter Vincent 1 gun license and 1 Trapping license \$6.00

January 31, 1940

Angus Fisher gun license

Samson Vincent gun license and 1 trapping license \$6.00

[Document No. 1103]

443. Jas. Farrington, Assistant to Deputy Minister, Game and Fisheries Department, Ontario, responded to the letter of the Secretary, Indian Affairs Branch, dated February 6, 1940, regarding the seizure of guns from Golden Lake Band members near Dacre, Ontario:

...
These Indians, on the occasion when these firearms were seized, were found to be in possession [sic] of the carcasses of two deer which had been taken unlawfully. The officer responsible reported regarding their circumstances and in view of the same no prosecution was undertaken. However, so far as the firearms are concerned the Department is not prepared to consider return of the same.

[Document No. 1105]

444. Secretary MacInnes responded to the request from the Indian Agent in Notre Dame du Nord, Quebec, on February 17, 1940, as to whether the Indians of the Temiskaming Band have the right to hunt and trap on the Grand Lake Victoria Preserve:

...
The intention behind the Order in Council of April 21, 1928, setting aside the Abitibi and Grand Lake Victoria Preserves in favour of the Indians, was that the Indians of Quebec, and of that locality, should enjoy the privileges of hunting and trapping in the areas set aside. For your information copy of this Order in Council is enclosed.

May I suggest that any of your Temiskaming Indians, should procure a letter from you, if they desire to hunt on the Grand Lake Victoria Preserve, addressed to the Royal Canadian Mounted Police at Amos who have jurisdiction over this hunting territory.

[Document No. 1107]

445. R. A. Hoey, Superintendent of Welfare & Training, requested that Agent Farrell submit the unexpended amount which he had been given for the purchase of hunting licenses. [See Document No. 1108.] A 'Credit Advice' shows that Agent Farrell remitted \$25; which indicated that more than 25 but less than 30 hunting licenses (at \$5) and gun permits (at \$1) were issued at Golden Lake. [See Document No. 1110.]
446. On March 29, 1940, the Golden Lake Band passed a unanimous resolution to request the Department of Indian Affairs to make arrangements with the Province to allow each family two townships along the border of Algonquin Park for trapping purposes. [See Document No. 1109.] Agent Farrell submitted the resolution to the Secretary stating that he believed it was a good proposal but that he doubted the Ontario government would give their approval. [See Document No. 1113.]
447. An extract of a report for March prepared by the Indian Agent at St. Regis states that the Indians of that place intended to trap in the Smith's Falls area during the coming month:

Work has been very scarce in the vicinity of the reserve during the month. Should the weather break, however, many if [sic] of our Indians intend to go trapping in the Smith's Falls area during the coming month. Word has been received however from this trapping ground that a good season cannot be expected owing to many of the muskrats being drowned when water was dammed back.

[Document No. 1111]

448. The Secretary, Indian Affairs Branch, wrote an undated note to file (sometime in November 1940) concerning [Golden Lake Band member] living at Rapides Joachims, Quebec (south of Mattawa on Ottawa River) who was charged in Quebec with having beaver and trout in his possession. On January 15, 1941, Alphonse Martineau, Prothonotary in Campbell's Bay, advised the R.C.M.P. that [Golden Lake Band member] had pleaded guilty and quoted the charge made against him by the Game Warden on October 29, 1940:

That [Golden Lake Band member] did illegally hunt, kill or take during close season, on or about the 28th of October 1940, in the Township of Malakoff, district of Pontiac, 1 beaver, and 3 muskrats and also

did illegally on the same date and at the same place, or about, fish speckle-trout during close season; the whole contrary to the Statute provided in such case.

[Document No. 1131]

449. Hervé Larivière, Indian Agent at Senneterre, Quebec, wrote to the Secretary, Indian Affairs Branch on December 3, 1940, expressing his concerns about the displacement of Indians if the Mont-Laurier-Senneterre Reserve was established¹¹³:

It is noted according plan in view to establish the Mont-Laurier-Senneterre Reserve, this hunting reserve will be affected considerably, permit to point out the immediate results on our Indians: -

1. - Lake Simon Band will be within the 10 mile limit of this new set up, that is their summer living point and part of the old trapping grounds, still worked by the older Indians.

2. - Lake Victoria Band, will be affected about as follows: -

"A" Indians that have been trapping since generations on Lake Granet, will have to move out.

"B" Indians that have been trapping, residing, Etc., at the head of lake Victoria now Jackson's landing, will also have to move out.

"C" Most of the Indians from Grand Lake Victoria have spent their lives on the waters of the Ottawa and Chichicouane Rivers on both sides of the road, like on Birck [sic] Lake, the little Birch Lake, Cawatose Lake, Etc., means they will have to find new trapping grounds.

"D" Most of the Indians from Grand Lake Victoria and Barriere Lake, that have spent many years on Soulier Lake, Etc, have too [sic] move out.

3. - Lake Barriere Band, will be affected but not as much as those previously mentioned.

Outside of these Indians being forfeited the rights within the planned new reserve, one important point that we must keep in mind, the Indians mainly at Grand Lake Victoria are typical inlanders, they have come in contact with developments and their trapping grounds have been covered by such developments within only three years, the change is too rapid for them to fully understand or adopt themselves in general.

I note Mr. Charles Fremont points out, in return the Indians have received certain consideration at other points and will be able to compensate their loss by employment as guides, permit to remark other consideration does not apply in practice to our Indians and employment as guides does not overcome the fact, the general public is not prepared to employ Indians as guides for certain reasons, mainly these Indians have had in the past practically no opportunity to fit themselves on this class of work, few understand english or french, when guides are employed usually this is done through certain agencies, without Indian contact.

I feel certain this will cause difficulties, add suffering amongst the Indians, and increase the cost of relief to a new high in these sections.

As an immediate compensation to these Indians and for their improvement, I suggest the authorities be approached, that they employ as many Indians as possible in view to train them as wardens on this reserve, also allow them to retain their trapping rights for at least another five years, in the meantime probably a scheme could be developed to train these Indians to become guides.

The Indians affected by this plan, also means, the best part of the beaver section is taken over by the set up, Indians cannot very well look for new trapping grounds, for if look [sic] around on the western part of the area covered by them we find the new power site of Cadillac, north lumber operators and settlement, further in same direction mining, east the timber limits operated by the Canadian International Paper Co., from Clova Que., south connecting through this area via Barriere area and Maniwaki.

¹¹³ The Mont Laurier-Senneterre Highway reserve consisted of a corridor cutting through the Grand Lac Victoria Hunting Preserve.

Hoping above informations [sic] will contribute to assist our Indians in this case.

[Document No. 1124]

450. The Deputy Minister of Game and Fisheries for Quebec, L. A. Richard, wrote to H. W. McGill, Director of Indian Affairs, on December 5, 1940, advising him of an Order-in-Council [Quebec] creating a new fish and game reserve which was to be separate from the Grand Lake Victoria Reserve:

An Order in Council has just been adopted by the Government of the Province of Quebec with regard to Grand Lake Victoria Reserve, created in 1929 for the benefit of Indians who solely had the right to trap fur-bearing animals there.

Owing to the construction of the Montreal-Abitibi highway, a new Fish and Game Reserve was created in order to attract tourists and draw all possible advantages from this extensive highway.

To avoid any possible confusion or misunderstanding, the Order in Council, copy of which I enclose herewith, stipulates the withdrawal of this Fish and Game Reserve from Grand Lake Victoria Reserve. Would you kindly note this and advise your Indians that in the new Fish and Game Reserve they will have to conform to the general law and cannot claim any special privileges.

[Document No. 1125]

451. Departmental lists for 1942 show the distribution of hunting and trapping licenses to Indian Agents in the Province of Quebec. A list of hunting licenses shows that Agent Larivière, Amos, received 30 books for a total of 599; Agent J. E. Gendron, Maniwaki, received 8 books for a total of 159; and Agent Z. Caza of Notre Dame du Nord received 7 books for a total of 139. [See Document No. 1153.] A list entitled "Indian Trapping Licenses" shows the agency, band, and number of licenses required including the following for the Algonquin communities within the watershed:
- Chibojoman Agency: Barrière-47 licenses; Grand Lake Victoria-42 licenses; Simon Lake-59 licenses. Temiskaming Agency: Brennan Lake-14 licenses; Dumoine-1 license; Hunters Point-14 licenses; Kipawa-10 licenses; Long Point-37 licenses; Wolf Lake-9 licenses. [See Document No. 1154.] An extract from a report by Agent Larivière dated sometime in 1942, states that the Indians of Barrière, Quebec, refused to purchase trapping licenses:

11. Exception for a few Indians, they refused to purchase Trapping Licenses, in case they would change their mind, a certain number were left with Mr. Conn. As soon Licenses issued are known, a complete list will be mailed to Agent Gendron for [sic] his information.

[Document No. 1151]

452. Not all of the licenses distributed to the Agents were sold. Agent Gendron at Maniwaki wrote to the Indian Affairs Branch on May 5, 1943, reporting that he had sold 58 of the 159 licenses provided him for the 1942-43 season. He included a list showing names of the purchasers (all from Maniwaki with the exception of two who were from Barrière), license number, and date issued. [See Document No. 1182.]
453. Hugh R. Conn, Fur Supervisor, Indian Affairs Branch, prepared an eight-page report entitled "Grand Lake Victoria Indian Hunting Reserve-Annual Report, 1942". This report covered topography, history, mining, power development, lumbering, Mont

Laurier Highway Park, organization, poaching, native co-operation, liquor, recommendations and conclusions. Page 1 of the report stated that the Grand Lake Victoria Indian Hunting Reserve was the best potential beaver country in Eastern Canada and was the first trapping area in the Province of Quebec to be set aside for the exclusive use of the Native population. Conn stated that the area was set aside as soon "as white penetration reached the area" and observed that as a result of the Indians adhering to their traditional trapping customs, the fur yield of the tract was the best in the Province [page 1].

Conn pointed out that the development of resources on the reserve and the area adjoining it far outweighed the value of the fur industry and had actually been detrimental to it. He remarked that the development of mining had forced the Indians, who had formerly trapped there, to move back into more inaccessible country. A power plant was installed along the Ottawa River in Laudenet Township to service the mining industry and, subsequently, blasting and flooding had resulted in the death or migration of most of the wildlife. Conn further advised that by Order-in-Council passed November 30, 1940, a ten mile wide strip on each side of the Senneterre-Mont Laurier Highway was withdrawn from the preserve and set up as a Provincial Park to encourage the tourist trade. The initial intention was to exclude Indians from this park altogether, but it was later decided that they could trap fur but were restricted from hunting big game animals. Fishing was permitted by Indians, but only for their own needs, while travelling across the park [page 3].

Conn gave statistics for the years 1928-1940, a period in which two Indian Game Wardens were employed to protect the reserve from white encroachment. A chart covering this period shows there were 15 complaints, 11 investigations, 4 arrests, and 3 convictions. Between 1940 and 1942, the Game Wardens were replaced with a tallyman system whereby each family was appointed guardian of his own hunting grounds. Statistics for these two years show there were 12 complaints, 11 investigations, 11 arrests and 9 convictions [page 5]. Also included are charts entitled Grand Lake, Barriere, Simon Lake, Temiskaming & Dumoine showing "fur production" and the values of the catch reported by the Indians with totals verified by fur buyers. Each chart indicates species, number of pelts, amount realized, and average price per pelt [pages 5 and 6].

Conn recommended that the Department of Indian Affairs ask Quebec for a lease and an extension of the area. He concludes by declaring that the preserve is absolutely necessary for the welfare of the Indian population:

The Grand Lake Victoria Hunting Reserve is a very attractive area and is absolutely necessary to the welfare of the Indian population adjacent to the preserve as well as those actually resident on it at the present time, so everything possible should be done to develop and control the fur resources. Only when one realizes that every mine opened up and every acre cleared, permanently disrupts the life of the Indian population is the importance of this section realized. It shows no indication of being good for either mining or farming so the long term future of the area is in its fur and game production.

[Document No. 1152]

454. On January 3, 1942, the River Desert Band at Maniwaki passed a resolution to ask Indian Affairs to gain permission from the Province for them to trap ten beaver per family from January till spring 1942. The resolution stated that this measure was necessary due to trapping territory being diminished by leases to clubs. [See Document No. 1156.] Agent Gendron at Maniwaki endorsed this resolution, encouraging the Department to do everything in their power to convince the Provincial government to accept it. [See Document No. 1157.] The Deputy Minister, Department of Fish and Game, wrote a letter on January 19, 1942, advising H. W. McGill, Director, Indian Affairs Branch, that the request could not be granted because the increase of beaver was not sufficient. [See Document No. 1158.]

455. H. R. Conn, Fur Supervisor, Indian Affairs Branch, wrote a memorandum to D. J. Allan, Superintendent of the Reserves and Trusts Branch, dated February 5, 1942, on the subject of licensing Indians to trap in Quebec as proposed by L. A. Richard, Deputy Minister of the Department of Game and Fish, Province of Quebec. He expressed the opinion that Mr. Richard had a sincere desire to help the Indians. He also stated that designated trapping areas ensure better practices:

...
The next question which presents itself is that of trapping grounds. It is a well known fact that an Indian will not or cannot compete with a white trapper. When a white encroaches on his grounds the Indian in most cases simply gives up and moves over onto his neighbor's ground and the movement gathers force as it progresses until the Indians are crowded into a small corner of their former area which is depleted by them as fast as their rightful lands are cleaned out by the whites. If the Indians are to pay for the privilege of trapping they should be given something for their money. I refer, of course only to Indians outside our fur projects where they are allowed to subdivide the land in their own way. I believe that every trapper, either Indian or white, should be given a definite territory in which he should have the exclusive right to trap. This would give the Indian security on his lands and remove the curse of white trappers who trap a piece of land to depletion and move on the next....

Now we come to the question of fees. Mr. Richard asks our opinion as to whether the Indians should pay a fee and also whether they could pay the full amount. There is no doubt that they could pay the full fee but they have come to regard themselves as privileged and for this reason I would recommend that some distinction be made in the price. Mr. Richard's point that they might be inclined to attach more value to something for which they had to pay is very well taken and I concur with him. I think, however, that a price of \$1.00 instead of \$2.00 would establish the principle that trapping was a privilege for which they should pay and at the same time make a distinction between them and the whites, which would recognize to a certain extent their ancient rights....

...

[Document No. 1163]

456. In a memorandum to the Director, H. W. McGill, dated February 5, 1942, D. J. Allan, Superintendent, Reserves and Trusts, agreed with Conn's conclusions and added that licensing the Indians in Quebec would give the advantage of providing the Department with a list of Indians who were trapping:

...
From the viewpoint of departmental administration to license all Indians in the Province of Quebec would have certain definite advantages. We would know exactly the number and location of every Indian in the province to whom trapping was of sufficient importance to inspire him to take out and pay for a license. This list in each agency would also form the basis of the fur returns that we ask every Indian Agent to furnish to the Department at the end of each

trapping season. It would also, in my judgment, promote closer cooperation between this Department and the Quebec administration.

...

[Document No. 1162]

457. On February 25, 1942, D. J. Allan, Superintendent, Reserves and Trusts, responded to H. R. Conn, Fur Supervisor, who was in Quebec City negotiating trapping arrangements with the Deputy Minister, Department of Fish and Game of Quebec. In his wire, he advised Conn that there were approximately eight thousand Indian trappers in the Province of Quebec. [See Document No. 1166.] A note on the file gives the following breakdown:

Abitibi	1,762
Bersimis	698
Cacouna	169
James Bay	1,920
Maniwaki	576
Maria	222
Mingan	115
Pointe Bleue	802
Ste. Augustine	359
Seven Islands	625
Temiskaming	564
Ungava	197
	<u>8,009</u>

[Document No. 1168]

458. On June 2, 1942, H. W. McGill, Director, Indian Affairs Branch, advised all Indian Agents in the Province of Quebec that for the current year all Quebec hunters and trappers were required to have hunting and trapping licenses. He instructed the Agents to sell these only to Indians, excluding half-breeds and whites, at a fee of \$1, which he pointed out was half the fee charged to others. [See Document No. 1169.] On October 1, 1942, J. E. Gendron, Agent at Maniwaki, reported "that trapping has been very quiet and up to now, no trapping licences have yet been issued to Indians." [See Document No. 1174.] Agent Larivière from Amos reported that the Indians of Cadillac were "[A]ll provided with trapping licenses which they accepted without hesitation." [See Document No. 1175.] The Agent from St. Regis, Quebec, wrote that, to date, no licenses had been issued. He commented on the areas where the Indians of his Agency did their hunting and trapping:

...

As you probably are aware the hunting and trapping in the immediate vicinity of this reserve is nil with the possible exception of a few muskrats and the majority of these are caught on the Ontario side.

We have however, around twenty Indians who make a business of trapping during the lean years but as these Indians frequent the vicinity of Smith's Falls Ontario, the instructions from the Province of Quebec would not be applicable.

...

[Document No. 1169]

459. J. E. Gendron, Indian Agent at Maniwaki, wrote to the Secretary, Department of Indian Affairs, on December 21, 1942, asking if he was supposed to issue licenses to non-treaty Indians living on the Maniwaki Reserve or just to Indians that are on 'the list':

...
We have here quite a few Indians who for some reasons or others are not on the list, and they like the others are requesting trapping licences at \$1.00 a licence, which are issued to Indians. There is no doubt that these Indians are in many instances as pure blood as any other who are on the list, and I am wondering what to do with them.

At first I have issued some licences to that particular kind of Indians, but since I have received the latest circular, I have not issued one to those Indians.

[Document No. 1177]

460. D. J. Allan, Superintendent, Reserves and Trusts, responded to Agent Gendron on January 15, 1943, stating that the issuance of Indian licenses would depend on whether they were 'bona fide' Indians:

...
As a guide I would say that any person accepted by the Department for relief, medical services and schooling can be accepted as an Indian for license purposes regardless of whether or not he participates in interest or treaty payments.

If a person does not qualify as an Indian under these conditions he should be refused a license and instructed to purchase a regular "white" license from the local Provincial Warden.

[Document No. 1179]

461. Hervé Larivière, Indian Agent at Amos, Quebec, wrote to the Secretary, Indian Affairs Branch, on February 13, 1943, submitting a general report on the state of the Lake Simon and Grand Lake Victoria Bands for the year 1942. Concerning Lake Simon, he reported that they were lacking proper food and spent most of their time travelling up and down to Senneterre, Val d'Or and Jackson's Landing. He stated that there was no trading done and that the land was unfit for cultivation. Agent Larivière gave a brief historical account of the Lake Simon Band:

...
9. Going back for a number of years, we find this set up was created, by transportation facilities, after the railroad came through Abitibi district, this by Hudson's Bay Company, via the old Bell River site, all of these Indians, originally are members of the Grand Lake Victoria Indian Band, instead of pushing on through Grand Lake Victoria with supplies, an outpost was created at Lake Simon, to take care of the northern trapping area to cut off, Indians from reaching the line, after it had served its purposes, Indians could not be held back for trading purposes, the establishment was closed, this group of Indians, the fact in the meantime, a Mission etc., was established, remained there, in other words they had re-settled, continuing trading through Senneterre. This is a brief story of why they are there, when they had plenty of furs, it worked out, more or less, to-day, they are facing serious conditions as a whole.

Agent Larivière concluded his report by suggesting these two bands be re-located further up the highway, in the vicinity of the Ottawa River. [See Document No. 1180.]

462. On January 8, 1944, the River Desert Band passed a resolution requesting that each family be allowed another ten beaver during the months of January, February and March 1944. [See Document No. 1185.] Agent Gendron forwarded the resolution to Indian Affairs expressing his doubts that the Province would agree to grant permission as the beaver season was closed. [See Document No. 1186.] H. R. Conn advised Agent Gendron on February 14, 1944, that on the advice of their local

officers, the Quebec authorities refused the Band's request. [See Document No. 1187.]

463. On May 28, 1945, René Levesque of the Department of Hunting and Fishing, Senneterre, Quebec, advised H. R. Conn, Fur Supervisor, Indian Affairs Branch, that an Indian had been trapping at the Grand Lake Victoria Preserve with a license that had been issued at Maniwaki. Levesque asked if he should proceed with a case against him. [See Document No. 1192.] H. R. Conn responded on June 2, 1945, stating that it would be impossible to make a case against the River Desert Band member as no stipulations were ever made as to which bands could benefit from the preserve:

...
I note that River Desert Band member [name of Band member] trapped beaver during the past season on the Grand Lake Hunting Reserve. There is no possibility of laying a charge against him because in setting up the Reserve no stipulation was made that any particular band was to benefit. While we have organized the Reserve into trapping grounds these subdivisions have no legal standing so we can not forbid him to trap on the Reserve as long as he is a licensed Indian trapper.

However, we may be able, under the new registered trap line legislation, to give our sub-divisions a legal standing.

[Document No. 1193]

464. Indian Agent Larivière of Amos, Quebec, submitted a report on the Grand Lac Victoria Band dated October 24, 1945. He recommended that the Department create a reserve for them along the Ottawa River, not far from the highway, and further recommended that the Lake Simon Indians be rejoined with the members of Grand Lac, on the proposed reserve. The Agent advised that the mining and timber industry was expanding closer to the area of Lac Simon thus affecting the beaver population:

This matter I will discuss with you my first opportunity, further mining is penetrating that area, particularly towards Lac Simon, unless steps are taken in near future, these two BANDS, will develop into a greater liability to the Department and in a few years, the situation would be hopeless, we find also the Canadian International Paper, organizing to further cutting in that area, which means these Indians, will develop into trouble makers [sic], etc., for this is affecting their "beavers".

[Document No. 1194]

465. Indian Agent Brisebois of Caughnawaga wrote to the Indian Affairs Branch on November 14, 1945, in response to a request concerning [an Indian of the Oka Agency] who was presently living at Lake Serenite, Abitibi District, and who was complaining of being denied a trapping license. Brisebois enclosed documents on the matter (not on file). [See Document No. 1195.]
466. R. A. Hoey, Director, Indian Affairs Branch, wrote a memorandum to the Acting Deputy Minister regarding difficulties encountered in the control of trapping on the beaver preserves in Quebec. He complained that the Province sets a quota for the whole preserve but did not recognize the Department's system of subdivision, the allotment of trapping grounds to family groups. He pointed out that Quebec allowed any Indian from the Province to trap on the preserves. Referring to the matter of marketing, Hoey suggested that the Department also be authorized to regulate the sale

of beaver pelts. Director Hoey concluded by stating that the Department needed to have the authority for the Indian wards and suggested an amendment be made to the Indian Act:

In view of the foregoing it is suggested that in the current revision of the Indian Act authority should be given the Minister to make such regulations that will enable our administrative officers to meet cases such as are described above and other instances of a similar nature where only Indians are involved. It is felt that since the regulations would be confined to restrictions on Indians only, there would be no conflict with Provincial prerogatives and we would effect control over these valuable projects, without which we can hope for very little success in management. Up to the present time when this work has been confined to straight conservation we have encountered very little difficulty but in the wider aspect of crop and market control we have not been too successful and it is considered that the only way to meet these Indian problems as they occur is to have the authority for the control of our wards vested in the Department and not in the Provincial Administrations, as at the present.

[Document No. 1197]

467. H. P. Ruddy, Indian Agent at Golden Lake, wrote to the Department on July 8, 1947, advising that the local Chief of the Ontario Forestry Department, Mr. Skuce, had informed him that Crown Lands in the district were going to be allotted to trappers for traplines. He stated that he was anxious to procure some of these areas for the Indians and suggested the allotment of the military grounds at Base Petawawa:

... As this is something new in this part of the country I was wondering if Mr. Conn, who I believe is in charge of this type of administration, would have the time to visit this Agency within the next couple of weeks. I am quite anxious to procure some of these areas for the Indians of the Golden Lake Band. I might mention that the Military grounds at Petawawa are included, and as this is Crown land under the jurisdiction of the Dominion Government it might be possible to have the whole area set aside as an Indian trapping ground.

[Document No. 1200]

468. H. P. Ruddy wrote to the Indian Affairs Branch, Reserves and Trusts on August 5, 1947, about information he had received regarding a plan to allot all Crown Land surrounding Algonquin Park for registered traplines:

...
I wish to advise you that I have contacted Mr. Skuce, the Chief Forestry Ranger in this district, and he has assured me that his Department is working out a plan whereby all Crown land surrounding Algonquin Park will be allotted in registered traplines.

While so far this is not the general knowledge of the public, Mr. Skuce was generous enough to let me know in advance so that the Indians of this Agency might be taken care of in this regard. Therefore if Mr. Conn can find the time to visit this Agency in the very near future I am sure that we can work out an agreement that will be suitable to both the Indians and the Ontario Forestry department.

...

[Document No. 1201]

469. On September 29, 1947, H. P. Ruddy advised that he had submitted 52 trapline applications to Mr. Skuce at the Ontario Forestry Office at Pembroke and stated that he understood from him that he would forward copies of them to the Indian Affairs Branch immediately. [See Document No. 1202.]

470. H. R. Conn, Fur Supervisor, wrote to Indian Agent Ruddy on October 29, 1947, enclosing a copy of a letter he wrote to W. J. Harkness, Chief, Fish and Wildlife Division. He explained to the Agent that it would have been better if, at the recent meeting with Harkness, they could have proven that only bona fide trappers had applied for traplines:

I am enclosing herewith for your confidential information copy of my letter of even date to Dr. W. J. K. Harkness expressing certain views which were the result of the meetings in Pembroke and Renfrew recently.

Our position in this matter would have been greatly strengthened had we had before us the information which would have enabled us to certify that the trapping applications of the Golden Lake Band were confined and restricted by us to bona fide trappers.

I am, therefore, mailing to you under separate cover copies of the applications received at this office and would request that at your earliest convenience you return them to this office with your comments as to what other means of livelihood each of the applicants has, whether such livelihood is permanent, semi-permanent or temporary, and all other information which would be of value to us and which will enable us to certify to the Ontario Department of Lands and Forests that the applicants are bona fide trappers and without other appreciable means of subsistence [sic].

[Document No. 1204]

471. In H. R. Conn's letter to W. J. Harkness, of the same date (October 29, 1947), he took issue with the fact that none of the Golden Lake Indian applicants were granted traplines and stated that the territory comprising Algonquin Park was taken from their traditional trapping grounds without compensation:

Yesterday the writer had the pleasure of accompanying Mr. J. L. Grew to Pembroke where we reviewed with Mr. E. L. Skuce the applications for registration of trapline areas in the Algonquin district. You will note when the recommendations of Mr. Skuce are received that not one member of the Golden Lake band of Indians has received the approval of your local field staff and the writer both during and since the meeting has tried to discover a formula which would justify the total exclusion of those men from participation in the program as individuals in their own right.

Proof of occupation in the form of cabins, etc., does not apply uniformly as we have a farmstead rated above a camp built exclusively for trapping purposes as a basis for your field men's recommendation. Permanent residence in the area applied for does not always apply as some recommended applicants are residing in Pembroke, Mattawa, Deux Rivieres and Stonecliffe, none of which points are within the area. Military service is apparently not taken into consideration as we find approved applications of men without military service in preference to Indians with four years' overseas service.

It was brought out in the meeting at Renfrew that Mr. Skuce divided the section into areas, each comprising one-half township, before meeting any trappers. This is, of course, contrary to accepted practice in trapline application where the procedure generally adopted has been to allow all eligible trappers to settle their claims with the presiding officer putting the result on paper and setting up the areas in accordance with previous trapping practices. While there is evidence that the recommended applicants did occupy territory in the area applied for there is no evidence that they trapped over the whole area now allotted to them to the exclusion of all others.

The writer, has therefore, very reluctantly reached the conclusion that Indians were not considered as individuals but were treated as a group to be given such consideration as the preconceived organization plan permitted. If Indians are to be considered as a group it is submitted that they should be a group worthy of at least equal consideration and the portion allotted to them should be equal in area on a per capita basis to the other groups.

A review of the history of this band as regards trapping will reveal that the territory now comprising the Algonquin Provincial Park was taken from their traditional trapping grounds without compensation to them so the proposal that they now be excluded from all but a small portion of their once adequate trapping lands will certainly be considered by them as a grave injustice and abrogation of their Treaty. The suggestion that they be confined to one and one-half townships is - because of its very inadequacy - impracticable since this amount of territory is deemed by your field men to be sufficient to support only three whitemen who, in most cases, have, in addition to their trapping, other means of subsistence.

It is not the desire of the writer to appear unduly critical of your overseer's recommendation, as he certainly has set up a very compact little section considered from the administrative angle alone, but which would be difficult, if not impossible, to enforce due to the presence in the immediate vicinity of such large numbers of unsuccessful applicants.

It is felt that the most equitable solution to this problem would be the division of the area in accordance with previous trapping practices and the allocation of smaller sections than those presently proposed, or, if this is found impractical, the abandonment of attempts to register an area where such inequalities as between groups of trappers must result.

We, as a Department, would be in an indefensible position if we approved, without protest, a method of allocation which resulted in the almost total exclusion of an entire band of Indians from participation in the program and we trust you will see your way clear to review the present case and give your consideration to the views presented herein on behalf of the Golden Lake Band.

[Document No. 1205]

472. W. J. Harkness responded to H. R. Conn's criticism of the trapline system and selection criteria. In a letter dated November 4, 1947, Harkness defended his position by pointing out the difficulties encountered in establishing a trapline system in such a thickly settled district. He also stated that the Indians were not being discriminated against because of being Indian, but rather because of the standard of trapping practice on which the priorities were decided. Harkness advised that four areas would be provided for Indian trappers with the possibility of other areas as they became available. [See Document No. 1206.]

473. Golden Lake Chief James Lavalley and Councillor Dave Cooco Jr. petitioned the Director of Indian Affairs on November 24, 1947, to protect the grounds, which were taken from their Band when the eastern section of Algonquin Park was enlarged, from white trappers:

Some thirty years ago, when enlarging the Algonquin Provincial Park, the Ontario Government took a substantial area of our trapping grounds and added it to the Eastern part of the Park. At that time the Indians were told that including this piece of territory in the Park was to their advantage, because it would re-stock the surrounding area which was left free for trapping.

Now the Ontario Department of Lands and Forests is dividing all the Crown land surrounding the Easter end of Algonquin Park into trapping areas. This land includes the Townships of Eyre, Clyde, Sabine, Lyell, Jones, Airy, Murchison, Dickens, Burns, Richards, Fraser, North Algona, McKay, Wylie, Rolph, Head, Maria, Clara and Cameron. You will note that these Townships completely surround the Park on the East and takes in nearly all of the Crown land in this district.

Whereas, for generations, these lands have been used by the Indians of the Golden Lake Band as trapping grounds, and as very little consideration is being given to the applications which we submitted to the Ontario Department of Lands and Forests for trapping Zones in this area. We, therefore, petition the Indian Affairs Branch of the Department of Mines and Resources to see that our

interests in the said lands are protected from white trappers, and also that provision is made for trapping grounds for future generations of this Band.

We might mention that fur has always been the main source of revenue during the winter months for Indians of the Golden Lake Reserve. This, because of the lack of employment in the surrounding district.

[Document No. 1207]

474. T. L. Bonnah, Indian Agent at St. Regis, sent minutes of a Band meeting held on February 16, 1948, on the proper management of the "fur project". The meeting was attended by H. R. Conn, Fur Supervisor, and J. E. Gendron, Maniwaki Indian Agent. The St. Regis Indians advised that they had been trapping muskrat in the Smith's Falls district for the past forty years [list of 29 of these trappers' names accompanies minutes]:

...
With regards to the Smith Falls trapping area many Indians present at the meeting advised that St. Regis Indians have been accustomed to using the Smiths Falls district for muskrat trapping for at least forty years. It was agreed that any of our Indians who had formerly trapped in that area and who wished to continue trapping would leave their names at the Agency office. These names would be forwarded to Mr. Conn.

[Document No. 1212]

475. H. R. Conn addressed a letter to W. J. Harkness, attention J. L. Grew, on March 6, 1948, regarding discrimination against Golden Lake Indians in the allocation of traplines in the Algonquin area. His letter, copy of which he sent to Agent Ruddy, concerned the case of Felix Jocko who was refused his traditional trapping grounds which he had used for twenty-one years (Lot 18, Conc. 7 of Head Township) and who accepted a license under protest for a new area:

...
When the question was raised we were advised that the difficulty lay in Indians not being able to state definitely that they had trapped in a certain district continuously for a number of years and they were, presumably, disqualified because the approved applicants were able to substantiate such claims. At the time I expressed some doubt as to whether this principle had been adhered to and voiced the opinion that the claims of the Indians were not fully considered. In support of this viewpoint I would like to draw to your attention the case of Felix Jocko, License No. 337.

Felix Jocko accepted this license under protest because he considered it better to take a license for this area rather than be shut out altogether and, as a matter of cooperation with your Department, we instructed him to go into his newly assigned area and look the country over. We have now received a report from him on the newly assigned area, as follows:

"There are three lakes (one large and two small) and three creeks in the area. One of these creeks runs out of Moose Lake another out of Waterloo Lake and the third is a small spring creek. There were no beaver houses or beaver on any of the waterways. There is no sign of any other animals, with the exception of deer and moose, in the area. While this area does abut the Algonquin Park you will note that there are no creeks or rivers running either in or out of the Park in this area."

Incidentally, I might say that Mr. Jocko advised us that he did not think this new area allotted to him was any good and he went into it only on our insistence and after we grubstaked him. In his report he goes on to say:

"I would like to state that my original trapping grounds were in the Township of Head - I had a cabin on Lot 18,

Con. 7 of Head Township - I have trapped in this township for the past twenty-one years. The greater part of this time my wife has trapped with me and we made our home in this cabin during the trapping season. I wish to say that there are enough beaver left in this area to support one trapper without restocking. Also it is a good area for mink, fisher and fox. I may say that as long as I trapped in Head Township I never used poison and therefore there were always enough animals left to restock the area.

There is a farm situated in this area which up until last year was owned by Mr. James Jennings who did not trap. Last year this farm was purchased by Dave Desjardin who is about twenty-five years of age. I never saw this man trapping in the area before he purchased the farm, yet I understand that he was given the area in preference to me."

Added to this report is a note from the Indian Agent:

"I checked on the last paragraph and found that Dave Desjardin was allotted the area."

We would like to suggest that if the facts of this case are as herein stated, and the ownership and date of Desjardin's purchase of the Jennings' farm can be traced through your land records, it would seem to indicate a policy of discrimination against this particular Indian and would substantiate my previous opinion that the claims of the Golden Lake Indians were not given due consideration by your local field officers.

[Document No. 1213]

476. The Agent at Senneterre reported to H. R. Conn, Fur Supervisor, on March 25, 1948, that poachers were keeping him busy. He included a list of twenty-one Indians of Grand Lake Victoria and three from Temiscamingue who had submitted their beaver maps. [See Document No. 1215.] Another similar list gave fifty-eight names of Grand Lake Victoria Indians who had submitted their beaver maps. [See Document No. 1220.]
477. H. R. Conn responded to the Department of Fish and Game, Quebec, on May 11, 1948, regarding an Indian of the Oka Agency who had his license cancelled because he was chasing other Indians from their grounds. [See Document No. 1217.]
478. A meeting was held on May 14, 1948, in the office of W. J. Harkness, Chief of the Fish and Wildlife Division, Department of Lands and Forests, Toronto, to discuss using portions of Algonquin and Quetico Parks for registered traplines to accommodate populations of Indians for which there were no available trapping areas. Meeting notes stated that trapping should be restricted; that is that there should be no trapping of fisher, marten, lynx and wolverine; and that the restrictions should proceed on a trial basis of five years. [See Document No. 1218.]
479. H. R. Conn, Fur Supervisor, Indian Affairs Branch, made the following remarks on the position of the Algonquins of Golden Lake in regard to the impact of the Williams Treaties on hunting and fishing rights. H. R. Conn's letter, dated May 27, 1948, to W. J. Harkness, recommended opening the case of the almost total exclusion of the Golden Lake Band from the registered trapline program:

...
My opinion, after perusal of these two Treaties [1923 Williams], is that the Christian Island, Georgina Island and Rama Indians, as well as those of Rice

Lake, Mud Lake, Scugog and Alderville [Alnwick], have surrendered all their special rights and are, therefore, insofar as the mainland of the province is concerned, not entitled to special consideration or preferential treatment on account of their Indian status.

If the tract of land described in these Treaties is plotted on a map it will be noted that the area covered takes in all of the Province between the French and Mattawa Rivers and the lands ceded to the Crown by the various surrenders prior to the negotiation of the Robinson-Huron Treaty. This includes the Ottawa Valley between the western boundary of Nepean Township and the mouth of the Mattawa River. Further, it will be noted that each of these bands who were considered to have hunting and fishing rights were located on reserves actually outside the area described in the Treaty.

Therefore, if these "non-resident bands" were deemed to have hunting and fishing rights in the area it follows in my humble opinion that the Golden Lake Band, who were actually resident in the area, should have had their claims considered and decided upon at the same time. While it is quite true that the Golden Lake Indians never resided in what is now the province of Ontario prior to the purchase of their reserve from the Province their occupation of hunting land in the Province can be traced back to the time of Louis XIV under the French regime and there does not seem to be any justice in considering them as Quebec Indians simply because the Reverend Fathers of the Jesuit Society in securing their grant from the King of France selected an area on the north side of the Ottawa River instead of the south.

It would appear to me that careful consideration should be given to the claims of the Golden Lake Indians in the same manner that was accorded to the Christian Island Indians and other bands which are the subject of this memorandum and that the case of the Golden Lake Band's almost total exclusion from the benefits of the registered trapline program should be re-opened and carefully examined in the light of this additional information.

[Document No. 1219]

480. René Levesque, Quebec Game Warden at Senneterre, advised H. R. Conn that he had received a complaint that two trappers from Maniwaki were on Little Lake Victoria. The Warden reported on other cases of trapping area violations near Hunter's Point. [See Document No. 1221.]
481. A five-page report on a meeting of wildlife specialists and Indian Agents, written in 1949, pointed out that it was difficult to place many Indians on the trapline areas due to the lack of available territory south of the French and Mattawa Rivers. Page two of this report advised that 40 or 50 new trapline areas were opened on three sides of Algonquin Park. It was recommended that game enforcement officers go onto reserves in southern Ontario to give presentations on forest management and game conservation. The report also included recommendations on the opening and closing dates for the beaver and muskrat seasons, beaver seals and other matters concerning the trapline program. [See Document No. 1222.]
482. J. MacDonald of Reserves and Trusts wrote a memorandum January 27, 1950, to L. Brown of the same Branch concerning the leasing of the islands in the Ottawa River for which the Algonquins of the Lake of Two Mountains had been receiving an annual rent of \$16.00. He stated that these Indians never had title to these Islands and refers to a "purported" 99-year lease dated July 22, 1834, to George Hamilton given by three Chiefs of the Algonquins and Nippissings. MacDonald stated that when Hamilton applied for a patent in 1861, the Crown Lands Department ruled that the Indians had no claim to the islands and consequently sold them to the Hamiltons, who gracefully gave the Indians a small sum annually. The memorandum outlined

the history of the rental payments by various owners and writer concluded with the recommendation that the collection of these rentals be terminated as the Department obviously had no claim to them. [See Document No. 1223.]

483. A meeting of trapline holders was held at the Forestry Station at Round Lake (12 miles west of Golden Lake Reserve). Agent Ruddy advised H. R. Conn that he had attended this meeting along with two Golden Lake Band members, Dan Sarazin and Wm. Commanda, who held traplines in the district. The Agent stated that he had a promise from the Forestry Officials that a new trapline area was being set up which would be allotted to an Indian. [See Document No. 1227.]
484. Agent Ruddy reported to H. R. Conn concerning his investigation into purchasing a trapline designated AL-I Algonquin District, near Whitney, from a white trapper named Neal Sawyer. He advised that Sawyer was requesting \$1,000 for cabins, equipment and compensation for his trapping rights. He also stated that Mr. Skuce, an official of the Ontario Forestry Department, had told him of a possible mistake in the zoning of Eyre Township and Ruddy suggested that the Department look into obtaining permission to trap on these lands if they are actually privately owned:

...
Mr. Skuce also informed that his Department may have made a mistake in zoning Eyre Township as he believes that this Township, along with the one West of it, are deeded property. He says that they were patented years ago to the Canada Land Immigration Company and that this company or their successors are still lumbering in these Townships. Mr. Skuce informs me that Mr. Molyneux L. Gordon, K.C. of 259 Dunvegan Road, Toronto, Ontario, is their representative. As this is probably privately owned land I would suggest that the Department contact Mr. Gordon regarding permission for the Golden Lake Indians to trap on these Townships. If this could be procured, then we would have a lever to use on the present trapline holders when payment is being made for their improvements.

[Document No. 1229]

485. H. R. Conn advised Agent Ruddy against purchasing traplines in the Township of Eyre if it was deeded land, as the Ontario administration had no power to convey trapping rights on private land. Conn advised, however, that he would contact the Canada Land Immigration Company to procure the trapping rights for the Indians. [See Document No. 1230.]
486. Agent Ruddy advised H. R. Conn that a new trapping zone, No. AL 48, set up by the Ontario Game Officials, had been allocated to Dave Cocco Sr. of Golden Lake. He also stated that this area comprised land between Paugh Lake and Round Lake in the southeastern part of Burns Township and the southwestern part of Richards Township, bringing the total number of zones allotted to Indians of the Golden Lake Band to six. [See Document No. 1234.] During the following week, E. L. Skuce advised Agent Ruddy that zone #AL14 at Aylen Lake in Dickens Township might be available for the Golden Lake Indians for \$500. [See Document No. 1236.] H. R. Conn instructed Agent Ruddy to contact the owner of trapline #AL14 at Aylen Lake, asking for a list of equipment, an estimate of pelts from the last two years, and a definite purchase price. He stated that if the purchase was advisable, an advance would be sent to affect it. [See Document No. 1241.]

487. By the mid-twentieth century, land use authorized by the provincial government included timber leases around Lake Quevillon, about 80 kilometers north of Lake Simon. [See Document No. 1244.]
488. In 1950, the Director of Indian Affairs indicated that in the Abitibi and Pontiac sections of the Province "...almost all the available land is taken up by mining and lumbering concessions as well as colonization settlements, all of which activities are steadily increasing." [See Document No. 1225.] This situation resulted in the Grand Lake Victoria and Lac Simon Bands being without a secure land base.
489. During the 1950's, all unpatented lands in Quebec were under the control of the Quebec Ministry of Lands and Forests and selection of Indian reserves had to be approved by the Colonization Department before being transferred to the federal government under section 67 of the 1922 Lands and Forests Act. Any reserves set aside under this act would automatically revert to the province if no longer used as an Indian reserve. [See Document No. 1225.]¹¹⁴
490. In the 1950's Grand Lake Victoria and Lac Simon Indians reportedly occupied traditional camping grounds near the trading posts. [See Document No. 1225.] Lac Simon Indians were also reported to live around Senneterre and Rapide des Cèdres with Abitibi Indians. [See Document No. 1244.]
491. Work done by Gontran Laviolette for the Oblates' Indian and Eskimo Welfare Commission supplies an overview of the location of Algonquins in the Province of Quebec during the 1950's. The study only dealt with Indians who had status under the Indian Act. Laviolette briefly described the following Algonquin communities, including Manouan and Obedjiwan, which are outside of the Ottawa River watershed:
- River Desert (Maniwaki) This is one of the most important Algonquin group [sic] whose 42,000 acre reserve is located at the confluence of the Desert river with the Gatineau river; that reserve was set apart for them in 1851; 2,700 acres have been surrendered at various times, until 1917. The 742 River Desert Indians are sedentary, being trappers and hunters only during the proper seasons.
- Barrière (Rapid Lake) This group of 151 is nomadic, their Summer camp is located on Rapid Lake, Pontiac country.
- Manoan. The reserve measures 1,906 acres; it was granted to the Indians by a provincial Order-in-Council, in August 1906. It is located on the Lake Kempt, Maskinongé county. The 284 Manoan Indians are partly sedentary while others work in lumber camps. [This is on the St. Maurice River watershed, but Laviolette says they are Algonquins.]
- Obedjiwan. A 3,500 acre reserve located on the north shores of the Gouin Réservoir, 45 miles north of Oskaleo, was granted in 1942. The 349 population is 50% Algonquin. [Outside Ottawa River watershed; part Algonquin.]
- Témiscaming. The Témiscaming Indians (pop. 314) are 2/3 sedentary and 1/3 trappers and hunters; the main group lives on the Témiscaming reserve, a 14,600 acres area, located on Témiscaming lake, (Notre-Dame du Nord). This reserve was granted in 1851, measuring 38,400 acres; 23,740 acres were surrendered at different dates. Other groups of Algonquins of the Témiscaming Agency are located at Long Point, (27), and Kippewas (28).

¹¹⁴ The Lands and Forests Act referred to is Ch. 93 R.S.Q., 1941. Lands no longer required as Indian Reserves or surrendered by Indians revert to the Province pursuant to a Privy Council decision in the Star Chrome Case.

The Lac Simon band, (Abitibi Agency), numbering 173, lives in the area of the lake of the same name, in Rouyn county. These Algonquins are trappers and hunters living mostly at Senneterre.

The Lac Victoria band number 140, lives in the area of the lake of the same name, in Pontiac county. They are trappers and hunters, (Abitibi Agency).

[Document No. SS-41, pp. 205-6]

492. Lavolette also identified several Cree Bands in Quebec that have associations with Algonquins or with the Ottawa River watershed. He stated the following about the Têtes de Boules Band of the Weymontaching Reserve on the St. Maurice River¹¹⁵:

The Têtes-de-Boule of Weymontaching (Sanmaur) are 50% Cree; their former territory included the upper St. Maurice, Gatineau and Ottawa rivers. They were visited as early as 1672 by the missionaries who called them "Maskegonas." Apparently, the Maskegonas¹¹⁶ broke away from the Ojibways early in the 18th Century.

[Document No. SS-41, p. 206]

493. The following are statistics on Algonquins which Lavolette collected, based on 1954 Indian Affairs band population figures:

Abitibi (Quebec)	207	Algonquin-Cree
Grand Lac Victoria	140	Algonquin
Lac Simon	173	Algonquin
Manoan	284	Algonquin
Obedjiwan	349	1/2 Algonquin, 1/4 Cree, 1/4 Montagnais
Weymontaching	208	1/2 Cree, 1/3 Algonquin, other Montagnais
Barrière Lake	151	Algonquin
River Desert	742	Algonquin
Témiskaming	314	Algonquin
Argonaut	6	Algonquin (& 40 non-treaty Indians)
Brennan Lake	35	Algonquin }
Hunter's Point	9	Algonquin } live at Kippewa
Kippewa	38	Algonquin }
Long Point	142	Algonquin (Winneway band, Lac Simard)
Wolf Lake	26	Algonquin (live at Hunter's Point and Kippewa)

[Document No. SS-41, p. 208-9]

494. Lavolette also published an overview of Indians in Ontario in 1957. Again the study was limited to status Indians. The only Algonquin group listed was the Algonquins of Golden Lake. The reserve was listed as containing 1,560 acres purchased in 1870. [See Document No. SS-42, p. 97.]

495. Day and Trigger provided the following population figures for Algonquins in 1965 in Quebec and Ontario:

¹¹⁵ It should be noted, however, that Lavolette stated that 35% of the population at Weymontaching were Algonquins. [Document No. SS-41. Lavolette, 1955: 205.]

¹¹⁶ Muskegonas was also a name given to Woodland or Swampy Cree in the early historic period.

in Quebec:

197 Barrière Lake,
225 Grand Lake Victoria,
273 Lake Simon,
898 River Desert,
3 Argonaut,
11 Hunters Point,
91 Kipawa,
247 Long Point,
389 Timiskaming and
57 Wolfe Lake;

in Ontario:

446 Golden Lake,
an unknown percentage of the population at Gibson

In addition, Trigger estimates "2,500 persons of Algonquin descent scattered through the Ottawa valley but unaffiliated with any reserve."

[Document No. SS-25, p. 797]

496. A Golden Lake Band member was charged with illegal possession of a gill net in the Township of North Algona in April 1980. The case went to Provincial Court in Killaloe with the trial starting September 10, 1980, and ending November 19, 1980. In a thirty-two page judgment which covered much historical material, Judge J. Merridew found that this Golden Lake Band member retained his aboriginal right to hunt and fish for sustenance; he declared that the Royal Proclamation of 1763 was a Treaty which reserved the defendant's aboriginal hunting and fishing rights, and further found that the accused "is not bound by the Ontario Game and Fish Act insofar as that Act purports to restrict his aboriginal right to hunt and fish for sustenance in the area of Ontario comprising the aboriginal Algonquin hunting area." Judge Merridew concluded that the accused was in his said hunting area on the day of the alleged offence and the charge was dismissed. [See Document No. 1254.]

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 4

**PART A - THE ESTABLISHMENT OF RESERVES
IN THE OTTAWA RIVER WATERSHED:
GOLDEN LAKE, MANIWAKI, AND TIMISKAMING**

**PART B - CONTEMPORARY ABORIGINAL COMMUNITIES
IN THE VICINITY OF THE OTTAWA RIVER WATERSHED**

FOREWORD

Research into the claim of the Golden Lake First Nation to the Ontario side of the Ottawa Valley has produced several inter-related reports and many volumes of primary and secondary documents. The material is organized as follows:

- Vol. 1 Part A. Executive Summary. A brief summary of the findings of all phases of the research.
Part B. Information Maps and Illustrations with Explanatory List.
A collection of 24 maps that show place names, geo-political boundaries, aboriginal communities, and non-aboriginal settlement patterns. The maps are provided to help the reader understand the written material.
- Vol. 2 Aboriginal Use and Occupation of the Ottawa River Watershed during the historic period. This report is a chronological presentation of historic documents that describe aboriginal use of the Ottawa valley from early contact with Europeans to the mid-twentieth century. The tribal affiliation of aboriginal inhabitants, the location, and extent of their use of the area is highlighted whenever possible. Some secondary sources are included to provide context to primary documents.
- Vol. 3 Purchases and Treaties in the Ottawa River Watershed: 1783, 1784, 1819, and 1923. This report examines the Crawford Purchase of 1783, the St. Regis and Oswegatchie Purchases of 1784, the 1819/1822 Rideau Purchase, and the 1923 Williams Treaties. Each chapter outlines the historic documents that indicate the location of the purchased/ceded lands, the identity of the signatories and participants, and the intent of the transactions.
- Vol. 4 Part A. The Establishment of Reserves in the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming. This section outlines information on the manner in which each of these reserves was established, for whom they were set aside, and the purpose of each reserve.
Part B. Contemporary Aboriginal Communities in the vicinity of the Ottawa River Watershed. Primary documents and secondary sources are used to describe the contemporary location of Indian reserves and settlements within the Ottawa valley and surrounding area.
- Vol. 5 Part A. Chronology: Settlement of the Ottawa River Watershed. This list illustrates the spread of non-aboriginal settlement throughout the Ottawa valley. Lists showing the date of survey of townships within the watershed are appended to the chronology.
Part B. Chronology: Crown Assertions of Extinguishment of Aboriginal Title or Aboriginal Rights. This chronology isolates all the historic documents in which Crown authorities made statements claiming to have extinguished aboriginal title to all or part of the Ottawa River watershed.
Part C. Chronology: Compensation for Extinguishment of Aboriginal Title. This chronology lists all the historic documents which indicate compensation was paid for extinguishment of aboriginal title to particular aboriginal people for lands within or bordering on the Ottawa River watershed.
Part D. Chronology: Exercise of Crown Legislative, Administrative, and Regulatory Authority in the Ottawa River Watershed. This chronology gives brief summaries of correspondence, statutes, and reports indicating exercise of jurisdiction by the Crown.
- Vol. 6 Chronology: Demands for Recognition of Aboriginal Title to the Ottawa River Watershed. This chronology isolates the historic documents in which aboriginal peoples claim unextinguished rights to the Ottawa River watershed.
- Vol. 7 Index to Primary Documents: Documents Nos. 1 to 1261. This index is organized in chronological order and includes brief information on the content of each document. The numbers assigned to each document are used as references in the reports and chronological listings.

- Vol. 8** Part A. Index to Secondary Sources: Documents Nos. SS-1 to SS-70.
This index lists the secondary sources cited in the reports. Each document is numbered and listed in alphabetical order by the author's last name. All secondary source document numbers are prefixed by "SS".
Part B. Index to Maps and Plans. This is an index to maps and plans collected during the course of the research. Many of the more informative maps are reproduced in Vol. 1, Part B - Information Maps and Illustrations with Explanatory List.
Part C. Bibliography of Sources Consulted. This is a listing of primary and secondary sources and document collections consulted in the course of the research. In general, primary sources are organized by repository, while secondary sources are listed alphabetically by author's last name.
- Vols. D1 to D40** Primary Documents. The documents are organized by number and correspond to the primary document index which is contained in Vol. 7.
- Vols. S1 to S8** Secondary Source Documents. The documents are organized by number and correspond to the secondary source index which is contained in Vol. 8, Part A.
- Maps and Plans** Maps and Plans Collection. The maps are organized by number and correspond to Vol. 8, Part B - Index to Maps and Plans. A number of these maps have been reproduced in Vol. 1, Part B - Information Maps and Illustrations with Explanatory List and are more easily consulted in that volume.

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 4

**PART A - THE ESTABLISHMENT OF RESERVES IN THE
OTTAWA RIVER WATERSHED:
GOLDEN LAKE, MANIWAKI, AND TIMISKAMING**

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 4

PART A - THE ESTABLISHMENT OF RESERVES IN THE
OTTAWA RIVER WATERSHED:
GOLDEN LAKE, MANIWAKI, AND TIMISKAMING

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October 30, 1993

VOLUME 4, PART A

THE ESTABLISHMENT OF RESERVES IN THE VICINITY OF THE
OTTAWA RIVER WATERSHED:
GOLDEN LAKE, MANIWAKI, AND TIMISKAMING

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VOLUME 4, PART A

THE ESTABLISHMENT OF RESERVES IN THE VICINITY OF THE OTTAWA RIVER WATERSHED: GOLDEN LAKE, MANIWAKI, AND TIMISKAMING

The following report focusses on the events which led up to the establishment of the above noted reserves. For a more complete picture of the aboriginal use and occupation of these areas refer to Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period. For an outline of the use and occupation of these reserves today, consult Vol. 4, Part B - Contemporary Aboriginal Communities in the vicinity of the Ottawa River Watershed.

Establishment of Reserves at Maniwaki and Temiskaming

1. Algonquin Chief Antoine Pakinawatik began requesting a grant of land on his traditional hunting grounds on the Gatineau River as early as 1847. [See Document No. 306.] Although the Chief's request for a grant was supported, Col. Napier, Assistant Superintendent General of Indian Affairs, favoured a grant on the Ottawa River rather than the Gatineau and thus rejected the request, stating that no new Indian settlements should be formed in the province. He recommended that the petitioners should remove to Manitoulin Island. [See Document No. 309.]
2. Chief Pakinawatik, along with Grand Lake Algonquins, renewed the petition for land on the Gatineau in October of 1848. The Bishop of Bytown endorsed their request. [See Document No. 330.]
3. As a direct result of these petitions and some unlocated requests for a reserve at Lake Temiskaming,¹ the Assistant Commissioner of Land Applications prepared a detailed summary of the situation in 1849. The Assistant Commissioner recommended granting lands for their use and commented on the different practices of the government in Lower and Upper Canada with respect to compensating for aboriginal title. The report is quoted below (sections pertaining to Saguenay Indians are deleted):

The Nipissing and Algonquin Indians extend up the River Ottawa to the boundaries of the Hudsons Bay Territory & spread on both sides of that river to the head waters of its Tributaries. The Tetes de Boule, another branch of the Algonquins and Nipissingue, inhabit the bank & tributaries of the St. Maurice and divide the Ottawa from the Saguenay Indians.

The Algonquins have at different times claimed to be the proprietors (as the descendants of the original possessors) of those grounds and as such to be indemnified, as other Indian tribes have been in Upper Canada for such a portion of their hunting grounds as have been opened for settlement or laid out into Timber Locations, but their views and pretensions in that respect have been

¹ While no specific petitions for a reserve at Lake Temiskaming have been located, two documents refer to people living at Lake Temiskaming. See Document No. 299 in which a missionary represents that 46 "Indians" had started cultivating lands at that location. The missionary's letter implies that they were not in the habit of travelling to Lake of Two Mountains annually to receive presents. Another missionary petitioned on behalf of 13 families of Temiskamings in 1850, again stating that they were cultivating their hunting grounds at Lake Temiskaming and that they would appreciate being issued annual presents. See Document No. 351.

negatived by former Governments and they have only been considered as entitled to limited grants of land for actual settlement.²

...

They apply (through His Lordship the Bishop of Bytown) for a tract of land at the head of Lake Temiskaming lying between the rivers Blanche and Kewawesipa which would contain about 100,000 acres, also for a township on the Gatineau bounded in front to the eastward by that River, and at the north by the River Desert, at the south and westerly by lines to be drawn at sufficient distances to embrace an ordinary size Township of about 60,000 acres.

The 1st mentioned tract being far in advance of all settlement, would interfere with no existing right or privilege: the second could be so laid out as to exclude all squatters improvements of whom there appears to be a certain number in that neighborhood, some of whom have already remonstrated against their holdings being transferred to the Indians. The tract may also be in part covered by timber licenses, but this, it is conceded, should be no reason for withholding it from the Indians, as the proprietors of such licences ought to be permitted to continue their operations, the proceeds in that case being appropriated for the use of the Indians.

These various grants of land, if made according to the wishes of the Indians, must of course be sanctioned by legislative enactment, but in the meantime it is suggested that the tract mentioned be laid out & bounded in the field to prevent strangers from intruding upon them, leaving it discretionary with the Government finally to appropriate a part or the whole - when in possession of more accurate information on the actual number of these individuals or families to be provided for.

The petitioners also pray for pecuniary aid and it is evident that without some such assistance, at least to the extent of supplying them with the requirements of a farm, a grant of land will be of little use to them in their present state of poverty. They will, however, derive some little revenue from the sale of timber on their tracts.

The Algonquins have also frequently complained that the annuity granted in 1822 to the Mississauga Indians of Alnwick was in part for lands belonging to them (the Algonquins) which the Mississauga had no right to cede without their consent, & they accordingly claim participation in that annuity. The Indian Commission of 1843 recommended an investigation of that matter, but the suggestion does not appear to have been attended to.

There is this general observation to make in conclusion that while in Upper Canada the Government have scrupulously paid the actual occupants of the soil for almost every inch of ground taken from them, making fresh purchases as new districts were laid out, we in Lower Canada appear to have been totally regardless of all Indian claims.

[Document No. 336]

4. An Order-in-Council was passed on 7 August 1849 based on the recommendations of the Assistant Commissioner. The Commissioner of Crown Lands was to be "directed to set off the Lands on the Ottawa according to the annexed report" (Document No. 336 as quoted above). [See Document No. 338.]
5. The Assistant Commissioner of Crown Lands, T. Bouthillier, reported on January 7, 1850, that they were "authorized to lay out two Townships for the Indians of the Ottawa, one on the Gatineau river or the river Desert where some Indians have already commenced a settlement and another at the head of the Lake Temiskaming." Bouthillier also stated that instructions to survey the reserve at River Desert had been sent to a surveyor in August 1849. [See Document No. 348.]

² Written in the margin next to this paragraph is "See report and papers 2nd Dec. 48."

6. Napier forwarded a copy of Bouthillier's report dated January 7, 1850, to Superintendent Bruce on that same day along with the following comments:

In accordance with your letter of the 31st Ultimo, I have the honour to transmit for the information of the Governor General, an authentic copy of the Minute of Council, dated 7th August 1849 on the petition of the Algonquin and Nipissing Tribes with a copy of the report of the Assistant Commissioner of Crown Lands therein mentioned.

Mr. Bouthillier informs me in a note of this date that instructions were given to Mr. Newman on the 24th August last for the survey of a township for those Indians on the River Gatineau, and that he expects that the work will soon be completed.

I entirely concur in the observation of the Assistant Commissioner that without some pecuniary assistance a grant of land will be of little use to the petitioners in their present state of Poverty.

[Document No. 346]

7. A year later a lengthy petition, dated 9 February 1851, was sent to the House of Commons on behalf of three or four hundred families of Algonquins and Nipissings from Lake of Two Mountains. In this petition they outlined their history, including the fact that they had received nothing in exchange for their lost lands. They feared that they could not succeed at farming the lands intended to be reserved for them at River Desert and Temiscaming, and noted that other Indians were living there. They required capital to start farming if removed from Lake of Two Mountains. Their first choice was to remain at Lake of Two Mountains to farm, but they required a more secure title. The lengthy petition is quoted in its entirety to demonstrate the nature of the request being made at this time by the Algonquins and Nipissings associated with the mission at Lake of Two Mountains:

That your Petitioners, at the head of three or four hundred families of the two Abovementioned tribes, are the descendants of once powerful Indian nations which, since the first days of European domination in this country, delivered themselves with confidence into alliance with and the protection of the new inhabitants, and made common cause with them in peace and war, protecting them against the incursions of other warring tribes whose policy was to destroy the settlements;

That in particular the ancestors of your Petitioners, early converts to Christianity, have been faithful to that alliance, and since the cession of Canada to the British Crown, have shown at all times the same attachment, have defended the Government in the American wars, hoping always, as your Petitioners hope still, that they would find happiness, peace and ease, with guarantees of permanence and progress, in the religious, political and social institutions which it has always been their desire to attach themselves to and conform to, and which were represented to them as more than equal to the loss of their sovereignty and their primitive freedoms.

That the Algonquin and Nipissing tribes, which your petitioners are descended from, established at the Lake of Two Mountains for a century and a half, after diverse migrations on the island of Montreal, and living in a body under the protection of the Seminary of St. Sulpice have received well the religious teachings which teach men to see themselves as brothers and to respect the good of one another, and also to hope for compensation in another life for the sufferings of this one; that they appreciate the good and the promises of this religion to which they remain attached, and they are equally grateful for that which the seminary has done for them in other ways in their village; but they cannot but represent energetically to your honourable House that neither the government nor any other body or authority, nor the mass of the European inhabitants, have done anything to help come to pass for them the awaited advantages of the civilized state; that having stripped them in fact of the land which was their inheritance, nothing has been given them in exchange, and that

they have often been brought to believe as a result that the principles of religion and humanity that civilized men profess are not well rooted in their hearts.

That the continual expansion of the settlements, through the means of grants of those same lands by the government to farmers, is a fact that they cannot and do not wish to roll back; that they see in that an advantage for their descendants if they were called with justice and a paternal liberality to learn farming and to share in the prosperity that has been thus organized, and if above all there had been reserved for their special advantage part of the lands of which they had been in possession and which they loved the most, either for them to cultivate themselves, once they learned the practice and the means, or principally to sell to others to form a revenue for your petitioners, and wisely administered, to help them gain gradually a better state of existence and sustenance, compensating them in this way by the greater value of these reserves for the totality of the rest which has been stripped from them; that nevertheless nothing similar has taken place; that even their right to the islands and other lands, along the Ottawa which formed their particular possessions and which they had started to improve, has been ignored, despite their constant claims, and yet recently reiterated, and that your government has lately shown itself to be powerless to find or understand the title of your petitioners, which, nevertheless, anterior to all of yours, is to be found consigned in each page of your journals, since the time when the representative Ononchio seemed to treat with Indian tribes as equal to equal, until the appeal made to them lately, when it involved defending, with weapons in our hands, the power of Great Britain and the security of the country;

That the just demands of help and protection made by your petitioners at various times, have entirely failed and have not been understood by your legislatures and your governments, either because your petitioners did not support them sufficiently on the principles of natural revealed or positive law which they now invoke, or because their claims did not seem to deal with anything but isolated subjects, or rather because the heads of your offices not having received from you the order to consider the major and imprescriptible rights of your petitioners, have judged their case on the basis of meticulous writings and formalities in use among your people, but which you have not taught us, nor made known as your law towards us;

That having thus remained a hunting people while you have destroyed all the means of hunting for them, your petitioners leaving their families without help, have continued nevertheless to go in convenient seasons to the depths of the forests to seek furs; and to trade them, but the uselessness of this occupation is of such a nature as to render it derisory, to the point where few among them venture to follow it, and that many remain in their village, discouraged, without hope and without resources; that the poverty which is the result of this has as its companions miseries of all kinds and sicknesses which quickly harvest their wives and children;

That the contract between your petitioners and the inhabitants of the neighbouring settlements cannot be of use to them at this time, as the past has amply demonstrated; that they are victims of frauds caused by their inexperience and their lack of habit in these transactions: that they cannot work as day labourers in agriculture and arts to which they are strangers, and that even there they would not find sufficient means; that furthermore they would not become used to manual labour except in beginning agriculture for themselves and as proprietors, which they desire ardently, though they are not only without lands, but also without the means of improving them;

That they know that there had been an intention to reserve to them a stretch of land in the heights of the Ottawa, around Lake Temiscaming; that apart from their repugnance to emigrating in a body and leaving the remains of their fathers in the village which is for them their only home which they do not see themselves rejected from, the ingratitude of the climate and the soil of that place, its distance, the absence of roads and neighbours, of any example in the practice of farming and of any means of procuring any tools, seeds and animals, make that plan impracticable and visionary, to such a point with experienced farmers and with all the financial resources which you possess, you would not be able to succeed;

That those lands which they are nevertheless asking you to keep for them, even though other tribes, still nomadic, claim property rights in them³, which would in any case prevent your petitioners from settling there, cannot either produce the revenues which they pray you to assure them; that some of the more favourably situated townships would have to be appropriated for that purpose, of these newly marked to the north of the Ottawa; they indicate to you respectfully that they would like the same locality for a permanent establishment for themselves in the case where their hopes for a settlement in the Seigneurie of the Lake of Two Mountains are not realized.

That lately they have had to farm by hand and without enough capital, pieces of land which were allotted to them annually and precariously by the seminarians; that these men having recently organized among themselves a more fixed and encouraging farming system, of which the interruption can only be temporary, your petitioners and their families greeted this system without hesitation; that as to their work and even their success, they call with confidence to those who have witnessed it: that at the most the continuation of this way of farming would be insufficient to assure the position and advantages to which they aspire; that because of the promises that were often made to them and so they believe that they have the right to them, they hope to obtain grants of land in the Seigneurie of the Lake; they pray you to use your influence with the seigneurs to hasten that result, and, when it is obtained, to help them with the necessary capital and the means of living for a time; to establish among them a free school system, both general and elementary and agricultural; to establish for them a model farm; to protect them against the invasions by the descendants of Europeans in their village and on their lands, except for a blacksmith, a carpenter and other craftsmen of primary need; to assure by law that their lands will pass to their relatives; while protecting them against their present debts and against any alienations which they might make of their lands without consideration, until they might better learn the value of property; that if you established agricultural societies to better the breeds of animals, it would be inhuman of you to not be disposed to make the same efforts for the moral as well as material advancement of your brothers, Christians like yourselves; that the general revenue of the province alone can furnish these numerous needs at this time, and that your petitioners hope that their share will not be refused them; that it is also of great necessity to establish among them to keep them in touch with the government and the other people, as an interpreter, agent and protector, a person who would have their confidence and yours; that awaiting the means to pay him, as they are informed, your petitioners believe that Mr. Tillet, whose name they have suggested, and from who they have already received great services, would consent to give them what they ask for, as that free work would allow him to do it easily.

That, while in Upper Canada all the lands have been bought from the Indians, which have been administered with care and the numerous and fertile townships which have been left for their own have been protected [sic] against all depredations, those of Lower Canada have been taken without a price and left to abandonment, though among those in Upper Canada there are those who are not even Christians --the copper mines have not been exploited without their permission, dearly bought -- the official gazette lately contained a list of the lands of the Indians, reserved and distinguished with care.⁴ The law under which that proclamation emanated extends to Lower Canada: will you leave it there without effect?

That the tribes of Lower Canada having been taken under the protection of religious establishments from whom they received spiritual instruction though it was not possible for those establishments to look to their other needs, the past governments have not been able with honour or justice to believe as a result that they were relieved of all restitution and any obligations to those tribes;

³ It is interesting to note that Algonquins and Nipissings referred to other nomadic tribes laying claim to the lands around Temiskaming which were intended to be reserved. These lands had been petitioned for by other Algonquins, as outlined in the above paragraphs. These documents suggest that the Algonquins petitioning for the upper reserves were not closely connected with the mission at Lake of Two Mountains. See petitions made by missionaries on the behalf of Temiskamings seeking presents at Lake of Two Mountains. These petitions are referred to above and quoted in full in Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period [see Docs. No. 299 and 351].

⁴ The petitioners are referring to the 1850 Robinson Treaties with the Ojibways north of Lakes Superior and Huron. These lands were ceded to the Crown in order for mineral exploration and settlement to proceed. The cession of lands prior to European settlement and use was required under the terms of the 1763 Royal Proclamation.

That the diminution and probable extinction, perhaps, of the presents received from the imperial government in the past, and for the conservation of which they beg your honourable House to intercede, is for your petitioners a source of great apprehensions, as they see themselves bounced incessantly between the imperial authorities and those of the province; that as the territorial revenue now profits the Canadian government, it is to that same source that the duty falls to repair the harm that they suffer, the more so since a due appreciation of justice and the rights of Indian tribes has sufficed, in Upper Canada, to procure for the Indian people, from that revenue, considerable income which they continue to enjoy;

That, in your plans of colonization, of land appropriations, and in many laws, you have recognized the existence of the rights of the Indian tribes to part of these lands, and admitted as facultative, if not obligatory, the setting aside of such lands, from time to time for that purpose: please do the same so that those acts and written words shall not be in vain;

That your justice and benevolence have been manifested by an Act of the last session of Parliament for the protection of the Indians' lands: -- that your petitioners thank you for it, but that, having nothing, you will have nothing to protect for them but that which you will give them; you could at least attach to the operation of that law the carrying into effect of the numerous benefits they await from you, and the organization that they have suggested to you as the only means of plucking them from an abyss of hopelessness and evils;

Your petitioners, wishing for the success of your government as well as for the individual fortune of those who take part in it, and above all for the august person of their mother the Queen, cannot end without sharing with you their conviction that that which is called the Indian Department is destined only to perpetuate the salaries of its employees, and not to better the conditions of the remnant of the older people: if the intention had been different, as your petitioners continue to believe, they can say without fear that at least as far as they are concerned, this has been the result;

Why your petitioners beg humbly that by means of the necessary laws and convenient administrative actions, and guided by liberal, Christian and civilizing views, you would take under your protection the Indian tribes of Lower Canada; that in particular you would reserve lands of a sufficient size in the vicinity of the settlements and in the places where the settlers are beginning to go, to be sold and administered as your petitioners' property, of which the revenue will be applied to save them from ruin and total disappearance, to ease their present evils, to help them become farmers and proprietors, and to initiate them into the arts and habits of the people who surround them, and to encourage and use among themselves sedentary and laborious habits; to protect them against the frauds that their inexperience exposes them to in their contact with individuals of those people; to establish easy relations between them and you by means of agents in whom they will have confidence; and generally to perfect and consolidate the work of their civilization; that while awaiting the revenue from such lands and in the case of their insufficiency, you should apply to these objects part of the public funds to which your petitioners have as much right as their fellow citizens of European origin; that other lands be reserved to them and given later, if they have need to cultivate them; that they be helped, protected and organized in the clearing and farming of land, and for the peaceful possession as owners of those which they expect to obtain in the Seigneury of the Lake of Two Mountains; so that the moral and material position of your petitioners be known, understood and assured, and so that they cannot say with justice to their posterity, that their faithful adherence and confidence in civilized men, has been for them definitely, and after two hundred years of waiting, a cruel deception and the source of the greatest of evils.

And placing trust in your honourable House, your Petitioners will not cease to pray.

F. Papino and 23 others

[Document No. 353]

8. The **1851 Act to authorize the setting apart of Lands for the use of certain Indian Tribes in Lower Canada**, quoted in part below, authorized the setting apart of lands for the use of Indians of Lower Canada and the expenditure of funds on their behalf:

...it is hereby enacted by the authority of the same, [the Province of Canada] That tracts of Land in Lower Canada, not exceeding in the whole two hundred and thirty thousand Acres, may, under orders in Council to be made in that behalf, be described, surveyed and set out by the Commissioner of Crown Lands, and such tracts of Land shall accordingly be and are hereby respectively set apart and appropriated to and for the use of the several Indian Tribes in Lower Canada, for which they shall be respectively directed to be set apart in any order in Council, to be made as aforesaid, and the said tracts of Land shall accordingly by virtue of this Act, and without any price or payment being required therefor, be vested in and managed by the Commissioner of Indian Lands for Lower Canada, under the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, An Act for the better protection of the Lands and Property of the Indians in Lower Canada.

II. And be it enacted, That there shall be paid yearly out of the Consolidated Revenue Fund of this Province, a sum not exceeding One Thousand Pounds currency, to be distributed amongst certain Indian Tribes in Lower Canada by the Superintendent General of Indian Affairs, in such proportions amongst the said Indian Tribes, and in such manner as the Governor General in Council may from time to time direct.

[Document No. 356]

9. In a 1984 study of Indian reserves and settlement in the Province of Quebec, authors Villeneuve and Francis contend that the 1851 Act, cited above, established reserves as partial compensation for lost lands and did not constitute an extinguishment of aboriginal title:

These reserves were not part of a land settlement by which Indians gave up their aboriginal title; instead they were a recognition by the government that native people deserved compensation for land which had been guaranteed them yet had been either lost or spoiled by the activities of Eurocanadians.

[Document No. SS-68, p. 12]

10. A letter dated 24 July 1852 from R. Bruce, Superintendent General of Indian Affairs, instructed Colonel Napier to make a special issue of presents to the Indians from Lake of Two Mountains settled on the Gatineau. Although the 1851 Act authorizing the establishment of reserve land had been passed and the Crown had stated its intention to set aside a reserve at this location, no reserves had been established at that time.

Referring to my letter of the 13th Instant. I am directed by the Governor General to authorize you to place in Charge of the Director of the Mission of the Lake of the two Mountains the Presents of Such of the Indians belonging to that settlement and now located at the Gatineau as may be entitled to the same being upon the Returns of Indians who have received Presents within the last 3 years. The Chiefs must then find the means of Transporting them to the place of their destination.

You will explain to these parties that although His Excellency has permitted this deviation from the Departmental regulations it must not be taken as a precedent for future issues.

[Document No. 358]

11. On August 3, 1852 Indian Agent Chesley addressed the following letter to Napier regarding assistance for the Indians now settled on the Gatineau at River Desert:

With reference to the Memoire of the Revd. W. Aubert, soliciting assistance from the Provincial government for the Indians settled at the River Desert [Document No. 357] and your report thereon, I am directed (in the absence of the Superintendent General

who is indisposed) to inform you that His Excellency the Governor General in Council, in consideration of the poverty and the condition of the new settlement of these Indians has been pleased to authorize an outlay of four shillings for each individual located there to be appropriated from the Lower Canada Indian Grant for the purpose of procuring a supply of agricultural implements, and to request that you will call on the Revd. Gentleman for an authenticated census of the resident Indians, and to point out the particular articles which he considers would be most serviceable to them.

[Document No. 359]

12. A report to the Executive Council dated 29 December 1852 and approved as an Order-in-Council the following day outlines the basis upon which the funds previously approved for distribution among Indians of Lower Canada were to be expended. The details of this distribution indicate that money was expended in short term relief, but more importantly, for encouraging and assisting settlement and the adoption of an agricultural way of life. The funds were not distributed in proportion to population or any other formula usually associated with compensation for extinguishment of title. The text is quoted below:

The Superintendent General appends to his Report a tabular Statement exhibiting the respective numbers, location, & resources or means of subsistence in so far as they can be ascertained of the several Tribes or Bands of Indians residing in Lower Canada and states that from the numbers (5000) given in this table, which as regards the Tribes not receiving presents, is but a proximate estimate probably rather below than above the reality it must be obvious that an indiscriminate per Capita distribution of the Grant would not only be unproductive of any lasting benefit to the Indians, but would afford no sensible relief to their immediate wants. It becomes then a question of serious importance whether in the exercise of the discretion with which it has been entrusted by the Act, the Government cannot adopt some other and more advantageous principle for the Application of the fund based rather upon the relative circumstances than the numbers of the several Tribes.

That it is exceedingly desirable that the land which the Government by the above mentioned Act, is empowered to set apart for the benefit of the Indians should be vested in them with the least possible delay in order that they may settle and commence their operations without fear of molestation - that concurrently with this wise and benevolent arrangement, the pressure of their increasing wants, the advice of their Missionaries and the example of the whites, have contributed to induce the Indians to seek new means of subsistence. Already the settlement of the Indians at the River Desert⁵ and others of the intended Reserves, is rapidly progressing. It remains for the Government to countenance and promote this Salutary Movement by the employment of the fund so opportunely placed at its disposal in providing the Settlers with implements of husbandry and other Appliances of which, under their altered circumstances, they may stand most in need, and by this means at once to encourage them to persevere and to induce others to follow their example. The recommendations therefore which the Superintendent General is prepared to submit, are as follows:

That until the annual Presents are withdrawn 1/4 only of the Grant shall be allotted to the Tribes participating therein, to be employed at the discretion of the Government in meeting sudden emergencies, for the prosecution of necessary suits at law or for the future use of the Tribes. That occasional relief shall when necessary be extended to the wandering Tribes, and that the residue of the fund shall be devoted to the improvement of the new Settlements and to promote the comfort and general interest of the Settlers.

That a balance of upwards of 600 remains unexpended of the Grant for 1851-2 and the Superintendent General recommends that Your Excellency will be pleased to direct that the said Balance may together with the Grant for 1852-3 be held applicable under the Orders of Your Excellency in Council for the purposes to which it has been appropriated by law.

⁵ The settlement at Maniwaki was also referred to as "a tract of land on the Gatineau" and "the River Desert Settlement".

The Committee recommend that the views of the Superintendent General be concurred in & that the Commissioner of Crown Lands be directed to give immediate effect to that part relating to the lands proposed to be vested in the Indians.

[Document No. 361]

13. Two years after the passage of the 1851 legislation, an Order-in-Council, dated 9 August 1853, set aside eleven reserves, including the Algonquin reserves at Maniwaki (River Desert) and Lake Temiskaming. The two reserves in question were described in the attached schedule of reserves as follows:

Lake Temiscamingue, 38,400 acres, A tract extending along the River Ottawa at des Quinzes 6 miles in breadth from the divisional boundary between Upper & Lower Canada to the head of Lake Temiscamingue by ten Miles in depth - [set aside for] Nipissingues, Algonquins & Outaouais. Nomadic Tribes inhabiting the Country watered by the Ottawa adjacent to the Hudson Bay Territory.⁶

Maniwaki or River Desert, 47,750 acres A tract on the West Bank of the Gatineau bounded on the North East, by the River Desert on the North & North West by the Eagle Branch averaging 7 Miles in front by 8 in depth. [set aside for] Tetes de Boule, Algonquins & Nipis. Tribes hunting on the territory between the St. Maurice and Gatineau principally residing at the Mission of Lake of Two Mountains⁷.

[Document No. 365]

14. The 1858 Pennefather Report commented on the establishment of the River Desert Reserve. Pennefather claimed the reserve was set aside in compensation for the loss of their hunting grounds on the Ottawa River and in exchange for the lands they had been using at the Lake of Two Mountains mission. Relevant excerpts are quoted below:

...
In consideration of the claim pressed by these Indians for compensation for their hunting grounds on the Ottawa River, which had been taken possession of by the white population before they were surrendered, or the Indian interest consulted in any way, the Executive Government granted to these bands under the 14 and 15 Vic. c. 106, 45,750 acres on the River Desert. A certain number of the Algonkins have embraced the opportunity thus given to them of exchanging the sterile tract at the Lake of the Two Mountains, for a fresh location, where they have formed the Settlement of Maniwaki⁸, and are beginning to apply themselves to Agriculture.

To aid the settlement in its infancy they received a share of the Provincial grant, but they seem to have been rather lost sight of since that time.

... [comments on missionary activity] ...

The claims of the Indians in respect to their former territorial possessions have been justly said, to be properly resolved at the present day into an equitable right to be compensated for the loss of the lands from which in former times

⁶ Note that the description of the people for whom the reserve was set aside would include Algonquins, Nipissings and Outaouais (Ottawas) whose hunting grounds were on the most northerly and westerly corner of the Ottawa River watershed at Lake Temiskaming. The Ontario side of the Lake Temiskaming watershed had been ceded to the Crown under the terms of the Robinson-Huron Treaty in 1850. That treaty was taken from Ojibways. The investigation preceding that treaty (1849 Vidal-Anderson report) identified Algonquins as inhabiting the area south of the French and Mattawa, but did not recognize any Algonquin claims north of that area on the Ontario side of Lake Temiskaming.

⁷ Note that the description of the people for whom the reserve was set aside would include Algonquins, Nipissings and Tetes de Boule whose hunting grounds were located between the St. Maurice and the Gatineau (i.e. on the Quebec side of the Ottawa River). Note that they are associated with the mission at Lake of Two Mountains.

⁸ Note that Pennefather's statement is somewhat misleading. Petitions from 1847 indicate that Algonquin settlement at River Desert preceded the official establishment of the Maniwaki Reserve.

they derived their subsistence, and which may have been taken by Government for the purposes of settlement; It has also been argued with truth that the measure of such compensation should be to place and maintain them in a condition of at least equal advantage with that which they would have enjoyed in their former state.

But the aborigines have other and stronger claims on the Government than those which would be compensated by payment for their land. The years, which have passed, during which so little was done for their religious, intellectual and social improvement, have seen many generations perish; but the youth of the present day are still susceptible of instruction, and we think should not be forgotten.

...

[Document No. 363]

15. On 26 October 1868 the Secretary of State prepared the following memorandum in response to five grievances enumerated in a petition received from Algonquin Indians of Two Mountains regarding the lack of compensation they had received. The relevant point is quoted below:

...

On the third point I have to observe that by the Act 14 & 15 Victoria Chapr. 106 a large tract of land is set apart for the use of certain Indian Tribes in Lower Canada (now Quebec) and that by an Order in Council of the late Province of Canada dated 9th August 1853, and passed in accordance with and under this last mentioned Statute 45,750 (forty five thousand, seven hundred and fifty) acres of land in the Township Maniwaki on River Desert are set apart specially for the Têtes de Boule, Algonquins and Nipissingues Indians being the tribes hunting on the territory between St. Maurice and Gatineau, principally residing at the Mission of Lake of Two Mountains - Compensation has therefore been given to the Algonquin Indians that may have been appropriated [sic] by the Government on the Ottawa River.

[Document No. 416]

16. Many years later, in 1898, the Province of Ontario prepared a lengthy memorandum regarding Indian claims in Ontario. The brief, which was intended to support Ontario's position denying outstanding aboriginal claims against Ontario, included reference to the Algonquin's claim to the Ottawa Valley. The pertinent section is quoted below.

...

15. Two years afterwards, the Act of the Province of Canada, 14 and 15 Vict., chap. 106 (1851), was passed, providing that tracts of Crown Lands, not exceeding in all 230,000 acres, should be "set apart and appropriated to and for the use of the several Indian tribes in Lower Canada, for which they shall be respectively directed to be set apart in an Order in Council;" and providing further, that there should be paid out of the Consolidated Revenue Fund of Canada, a yearly sum of £1,000, for distribution amongst the Indian tribes of Lower Canada, in such proportions and manner as the Governor in Council might direct.

An Order in Council, of 30th December, 1852, provided for the manner of appropriation of the £1,000, yearly grant, which was to be devoted chiefly "to the improvement of the new [Indian] settlements, and to promote the comfort and general interests of the [Indian] settlers."

Another Order in Council, of the 11th [sic - 9th] of August, 1853, finally approved the distribution and appropriation of the tracts of land, which aggregated 231,000 acres, a little in excess of the quantity mentioned in the statute.

Of the whole, a tract of 45,750 acres, situated at Maniwaki, or River Desert, was appropriated to the Algonquins of the Lake of the Two Mountains, with whom were associated, as sharers therein, the Nipissings of the same place and some Tetes de Boule - the three being described as "homogenous tribes" - whilst the Iroquois of the Lake of the Two Mountains are detached from these, and associated with their brethren of Caughnawaga in the appropriation of a tract of 16,000 acres elsewhere.

16. The appropriation of these lands of Maniwaki, and the allotment of a share of the £1,000 grant, was meant to be in settlement and extinguishment of the claims of the Algonquins in respect of the lands of the Ottawa Valley.⁹

Messrs. Pennefather, Talfourd and Worthington, appointed by the Governor-General, on the 5th September, 1856, commissioners to enquire into and report upon Indian affairs, refer to the subject in their report:

"In consideration of the claim presented by these Indians for compensation for their hunting grounds on the Ottawa River, which had been taken possession of by the white population before they were surrendered, or the Indian interest consulted in any way, the Executive government granted to these bands, under the 14 and 15 Vic. c. 106, 45,750 acres on the River Desert. A certain number of the Algonquins have embraced the opportunity thus given them of exchanging the sterile tract at the Lake of the Two Mountains for a fresh location, where they have formed the settlement of Maniwaki, and are beginning to apply themselves to agriculture. To aid the settlement in its infancy, they have received a share of the Provincial grant, but they seem to have been rather lost sight of since that time."

As Mr. Pennefather was the Superintendent-General of Indian Affairs of the day - he signs the report as such and supposed to be an authority on the subject the statement that the grant was in settlement of the Algonquins' claim to compensation for their hunting grounds of the Ottawa valley, may be assumed to be official.

Not all of these Indians, however, were willing to retire to Maniwaki; for some, as we have seen, sought to get a grant of lands in the Township of Lawrence, within the limits of the tract, on the Upper Canada side of the Ottawa whereon they had been wont to follow their hunting operations; certain of them have since removed to Golden Lake¹⁰, and to the Township of Gibson, and some still remain over at the same Lake of the Two Mountains.

...

[Document No. 552]

Additional Reserves on the Quebec Side of the Ottawa River Watershed:

During the twentieth century additional reserve lands and settlements were established within the subject area. The reserves were set aside under both provincial and federal legislation and leasing arrangements. These reserves and settlements were located within traditional use areas for the use and occupancy of local families.

17. In 1922, under the terms of the Quebec's "Lands and Forests Act," the Province of Quebec was authorized to set aside lands for the use of Indians. Upon surrender, the title to these lands reverts to the Province of Quebec.¹¹

⁹ Note that while Pennefather had stated that the reserves represented compensation for loss of lands, the authors of this brief added the concept of extinguishment.

¹⁰ See the section of this report on the establishment of the Golden Lake Reserve which contains evidence suggesting that settlement in the Golden Lake area preceded the establishment of reserves at Maniwaki and Temiskaming. See also Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period which gives a fuller picture of the evidence regarding use and occupation of the subject area.

¹¹ Villeneuve and Francis, 1984: 16. See Doc. No. SS-68.

18. A 1941 Act set aside two reserves in the watershed: Lac-Rapide for the Barrière Lake Band and Lac-Simon for the Lac Simon Band. [See Document No. SS-3.]
19. By an Order-in-Council dated 7 September 1961 the administration and management of the Lac Rapide Reserve was transferred to Crown Canada.¹² These lands were surveyed in 1962. An additional 2.42 hectares (6 acres) was reserved by the Quebec Department of Lands and Forests for the use of the Indians on 25 February 1975. [See Document No. SS-3.]
20. By an Order-in-Council dated 6 September 1962 the administration and management of the Lac Simon Reserve was transferred to Crown Canada.¹³ These lands were surveyed in 1964. An additional 18.61 hectares (46 acres) was obtained by Crown Canada through a 99 year lease in 1968. The Lac Simon Band was reported in 1986 to have a population of 457. The reserve is located on the western shore of Lac Simon, 32 kilometers southeast of Val d'Or. [See Document No. SS-3.]
21. The Crown also arranged for lands for the Long Point Band to be held under a lease. The land at Winneway is held under a leasing agreement between the Oblates and Crown Canada. In 1959 Letters patent for land were issued by the Government of Quebec to the Corporation of the Oblates of Mary Immaculate Missionaries.¹⁴ The letters patent covered 46.94 hectares (116 acres). Later that year, on 4 November 1959, the Government of Quebec gave authority by Order-in-Council 1269 for the Oblates to draw up a lease with the Government of Canada. The lease, dated 1 June 1960, was for occupation of 36.8 hectares (91 acres) for a ten year period.¹⁵ The lease was renewed on 1 June 1970 for another ten years. The lands are still occupied and it is assumed the lease continues to be renewed. [See Document No. SS-3.]
22. The Kebaowek Reserve was set aside for the Kipawa Band by federal Orders in Council dated December 11, 1975. The land was purchased by the federal government from the Gordon Creek Improvement Company in 1974. The reserve is located in part of Block A in Gendreau Township on the western shore of Lake Kipawa, 10 kilometers from Temiscaming. The population was published as 135 in 1986. The reserve encompasses 21.49 hectares (53.12 acres) of land. [See Document No. SS-3.] Crown Canada retains reversionary title in this reserve. [See Doc. No. 1257.]

¹² Approximately 28 hectares (69 acres) in Emard Township.

¹³ Vauquelin Township, north 1/2 of lot 4 and lots 5 & 6 in Range IV, and lots 1 to 7 in Range V and Block A. Approximately 272 hectares (672 acres). When surveyed found to contain 301.86 hectares (745.92 acres).

¹⁴ Devlin Township, north 1/2 of lot 50 and north 1/2 of lot 51 in Range VIII and parts of lots 46 and 47 in Range IX. Letters patent dated 25 May 1959.

¹⁵ Devlin Township, part of lots 50 and 51 in Range VIII and lot 46 in Range IX.

Establishment of the Golden Lake Reserve

23. On February 24, 1834, Superintendent Hughes brought a specific complaint of encroachment to Col. Napier's attention. The lands in question were situated on the Bonnechere River and claimed by Chief Mackwa. These lands were later identified as being in Sebastopol Township, which is not far from the eventual location of the Golden Lake Reserve:

However averse I may be to trouble His Excellency the Commander of The Forces with continual complaints from the Indians of this District - Still when I see the miserable State they are reduced to, I am in duty bound to represent their grievances and the unjust treatment they are daily [sic] receiving at the hands of Intruders - Herewith I have the honor to transmit a letter which I received a few days ago from Mr. Dominique Ducharme an Interpreter of the Indian Dept. stationed at the Lake of the two Mountains - It appears by this as I also have been informed from another quarter, that one Macwa a respectable and good Nipissingue Chief complains much of one Charles Thomas, (formerly a Clerk in the Employ of the Hon'ble Hudson's Bay Coy. but now turned a free hunter) who has a family of four or five Stout Sons; has taken possession of part of his hunting ground (as per Margin) and destroyed a quantity of furs such as Beaver, Muskrats & Otters, they having in their possession no less than about Sixty Steel traps: - This Poor Indian/Macwa has several times given notice to Charles Thomas to retire and quit his land or hunting grounds and not rob him of his property as he does, That the lands were his, and all that he had to depend upon for a livelihood and to cloath his family, were the furs and Peltries he was in a manner nursing on those lands - But all this had no effect on the said Charles Thomas who still persists in hunting and more over says he means to Squat down there and take to himself a Farm - Macwa as well as others of his Tribe - Beg and Pray of me to represent this act of Injustice to their Father at Quebec - and hope that he may take Pity on his poor red Children - and give such orders and commands that the said Chs. Thomas and family may be made to quit these lands - and that their Good Father will also Prohibit all White Hunters and other Interlopers, from trespassing on their hunting Grounds in any manner whatever - And that His red Children the Algonquins and Nipissingues will as in duty Bound ever pray for their Good Father.

[Document No. 192]

24. Subsequently, on April 7, 1834, it was noted by the Indian Department that the precise location of Macwa's land was as follows:

... this ground is situated on the South Side instead of the North Side of the Ottawa River. And of course within the limits of Upper Canada.

[Document No. 195]

25. Some years later on May 25, 1857, Ignace Mack.kwa again petitioned about his lands. He informed the Commissioner of Crown Lands that his land was being surveyed and he had been told to leave:

The humble petition of Ignace Mack.kwa - Indian, of the Tribe of Nipissings, whose late father was chief warrior of his tribe.-

Humbly sheweth -

That for more than five years he [the petitioner, Ignace Makkwa] has been resident and established with his wife and and family on Lake Clare [Clear] on the River Bonne Chère.¹⁶

That he has more than ten arpents cleared and under cultivation with a House Stable and Barn. That the site is now being surveyed and that he is likely to be

¹⁶ Document Nos. 192 and 195 indicate Mackwa's hunting ground was on the Bonnechere as early as 1834. It is also interesting to note that a sketch map in Surveyor McNaughton's field notes for the 1847 survey of the Bonnechere River shows "MuQua's House" on the shore of Golden Lake [Doc. No. 316].

driven out, and actually notified to that effect, without any preference or remuneration whatever -

Your humble Petitioner therefore prays that you will take his state into your kind consideration and grant him such immunities or preference as his destitute circumstances may require, or such as in your benevolent judgement may seem fit.

[Document No. 368]

26. Five days later, on May 30, 1857, Mr. Egan, M.P.P., sent a letter to the Commissioner of Crown Lands supporting Mr. Makkwa's case and supplying additional details on his situation.

My object in now addressing you, is to beg your attention to the Petition of one Mr. Muckwa from the Township of Sebastopol, Bonchere; he is an Indian of the Lake Two Mountain Tribe, he in common with others have turned their attention to farming pursuits. I feel confident that their efforts to educate themselves will be encouraged by the Government, I know of no class to have stronger claim on the Government. The applications of Emigrants just arriving are promptly met, therefore I consider that Indians should be fully encouraged, those on the Bonnechere are an industrious steady class.

[Document No. 369]

27. In July of 1857, Surveyor John A. Snow submitted an affidavit verifying that Makkwa was an original settler who had made improvements on his land.

This is to certify that Mack.kwa was the first person to make improvements on Lot No. 20 in the 10th Range of the Township of Sebastopol.¹⁷ And is therefore fully entitled to occupy the same. As a squatter his improvement being notice In the field book of the survey of that Township.

[Document No. 370]

28. On September 24, 1857, the following petition was addressed to "His Excellency the Administrator of the Government in Council" by the Indians at Golden Lake, via the Commissioner of Crown Lands. This group, under the leadership of Michel Pesantawatch, was claiming land in Algona Township where the Golden Lake Reserve was eventually established.

That your memorialists and their ancestors for many generations have ever lived in the vicinity of Golden Lake on the Bonne Chere River¹⁸ and in the newly surveyed township of Algona and that they have at all times proved themselves good and loyal subjects of the British Crown [emphasis added].

That, as is usual with their race, they have hitherto supported themselves and their families by hunting and fishing, but that now that their hunting grounds have been opened up for settlement and sale by the Government they can no longer earn a subsistence by those pursuits.¹⁹

That though always temperate and industrious the profits of their hunting have been barely sufficient for their maintenance from day to day and that although they now have no resource left but to try and raise sufficient from the soil to support them henceforward, they are unfortunately unable to purchase the necessary land.

¹⁷ This location is close to the eventual location of the Golden Lake Reserve.

¹⁸ In 1847 McNaughton surveyed the Bonnechere River. In his field notes for that survey, he prepared a sketch map of Golden Lake, which indicated, among other things, the location of an Indian settlement on the shore [See Document No. 316].

¹⁹ The Townships of Algona and Sepastopol were surveyed in 1857 and came under the free grant system in 1868. Lands along the Opeongo Colonization Road had been offered as free grants under the 1853 Public Lands Act. The Opeongo Road, surveyed in 1852 and opened for winter travel in 1854, was complete from Lac de Chats (near Arnprior) to Renfrew and inland to Barry's Bay by 1867.

That therefore, in consideration of their forefathers and their own, loyalty and good conduct their present poverty, and the fact of their now being deprived of their only means of support by the sale of their hunting grounds as well as in view of the sad fate that awaits them should their request be now rejected, they most humbly pray Your Excellency in Council will be pleased to give to each of the undersigned, heads of families, a free grant of 200 acres on the shore of the lake where they have so long resided.

That at the present moment your memorialists are unable to give the exact numbers of the lots and concessions of the lands they ask for but they beg to assure Your Excellency that there are not to their knowledge any other applicants for said lands; and if their request be favourably entertained they will at once supply the particulars of the lots; and they will at all times endeavour to prove themselves worthy of the favor they now ask.

So-seb-ta Naska
Ni ias-ha-ia-teh-ki
Michenbee-Sin-ta-watch
Con-be-si-ta-watch
Beni-col-konimi

Interp. Joseph Tenesco
Eneas Shawanasaketch
Michel Pesantawach
Paul Pesantawach
Benoit Konimi

[Document No. 371]

The petition was signed by five individuals and the extent and value of their improvements was indicated on an attached sheet.

29. On November 11, 1857, E. P. Tache, the Commissioner for Crown Lands, forwarded the above petition to the Superintendent General of Indian Affairs, with the following comments:

As there is no provision made in the Act for the disposal of Public Lands for such an appropriation, this Department cannot submit the application to the favourable consideration of the Government. The question therefore appears to be whether there are any Indian funds by which the lands can be purchased.

It would be observed that the Petitioners are unable to point out the lots as now surveyed; but the Surveyor reported lots No. 8, 9 & 10 in the 10th Con.; being on the south side of Golden Lake, as being occupied by Joseph Tiniskaw, Iwas Jarikay, Micl. Pizwanatch, "half-bred, half-civilized Indians", having about 26 acres cleared, and having resided thereon from 8 to 10 years [i.e. circa 1847-49].

[Document No. 372]

30. The Crown Land agent reported on his visit to the petitioners at Golden Lake in a letter to the Chief Superintendent of Indian Affairs dated 15 May 1858:

Referring to my conversation with Mr Chesley of your Department, & to your letter of 21st ulto. respecting the petition of the Golden Lake Indians, I have now to inform you that I had, yesterday, an interview with the Petitioners and the following information elicited from them has been the result.

They state that they are of the Algonquin tribe, that about 80 years ago they came to Golden Lake²⁰ - from the Lake of Two Mountains - and that they have resided there continuously, from that period to the present. There are five heads of families who with their wives and children make 30 souls. The number of acres cleared are set down at 25, and the value of the labor expended on them in clearing, is estimated at \$250; all of which statements I believe to be in strict accordance with the truth.

One of the petitioners - Michel Pesantawatch - is a chief and wears a large silver medal of the reign of George III which he says was "a present from the king of England to his father."

²⁰ According to this information, these people would have come to Golden Lake around 1778 -- long before the establishment of the reserves on the Quebec side.

These people complain that for two years they have not received the usual Royal Presents and they urge this as an argument why they should get their lands free.

I myself must add that these men appear to be unusually intelligent and respectable; that I have been informed that they are moral & industrious and well deserving of the favor which they solicit from the Government---a favor which I trust you may be pleased to grant them.

[Document No. 374]

31. The Crown suggested purchasing 50 acres per family for the above petitioners, as well as a petitioner from a distant location in the Township of Rawdon. [See Document No. 375.]
32. In 1860, the Crown received two additional letters from Ignatius Mackwa seeking secure title to his lands on Lot 21, Range 13 Sebastopol Township [See Document Nos. 394 and 395]. In addition, an application was received by another "Chief of the Tribe of Lake of Two Mountains" for lands on the York Branch of the Madawaska River. [See Document No. 393.]
33. On 10 January, 1861, S. Lynn, Reeve of the United Townships of Wilberforce and Gratton, an area contiguous to North and South Algona also wrote to Vankoughnet, Commissioner of Crown Lands, regarding the petitions of "Makoa and Pronewach"²¹ for land.

Two Indian Chiefs have applied to me in order that Justice may be done to them about the lands which they have long held in their possession. Their names are Nipius Makoa and Michel Pronewach, both living about ten miles from this place. They wish to Secure the lands they occupy, and to be free from taxes, a letter is now before me from Mr. Pennefather, dated Quebec 22 May 1860 in reply to the Chief Stating that all he could do in the matter was to refer the Case to you, which he had done.

Now if you would have the kindness to give me power to ascertain their Claim and have it settled I think I would be enable to satisfy all parties the Chiefs say that they asked Mr. French about three years ago to have the matter settled but with no good result up to this date. Consequently, they will feel pleased if you appoint me to arrange the business, the tribe comprises about ten heads of families.

[Document No. 396]

34. A few days later, on January 14, 1861, French wrote again to Vankoughnet, the Commissioner of Crown Lands, regarding the request for land at Golden Lake:

I beg to refer to my letter of 29th Sept. 1858 and to assure you that Mockwa the Indian herein referred to has become extremely importunate and will not be persuaded that I have not yet received any reply for him; I trust therefore that you will as soon as possible decide upon his petition and communicate your decision to me. I see no reason to alter the opinions upon the application, expressed in my letter above referred to Muckwa is well deserving of any indulgence or kindness that can be extended to him.

Six Indians from Golden Lake in the Township of South Algona have been here on 12th inst and are similarly situated in regard to lands occupied by them. On 15th May 1858 & again on 21st Sept. '58 I wrote to the Superintendent General of Indian Affairs respecting these men and as I understand Mr. Pennefather has transferred my letters to your Department I beg also for a decision in their cases. They are all excellent characters and I earnestly recommend them to your favorable consideration. Their names and the lots they occupy are as follows:

²¹ Mackwa family and Michel Pesantawatch.

Michel Pesantwatch
Eneas Wabonack
Joseph Tenisko
Simo Kanabonoketch
Louis Pesantawatch
Paul Pesantawatch

Lot 10 in 10th Con
9 " do
8 " do
7 " do
6 " do
5 " do

[Document No. 397]

35. S. G. Lynn wrote again on July 14, 1862, inquiring about a decision on the petition of several Indian families for a deed to land near present day Golden Lake. Note that Lynn refers to them as Nipissings although they had identified themselves as Algonquins in a petition dated March 1862:

About two years ago I was requested by the Indians belonging to the Nipissing tribe residing near this place to petition the Government for an allotment of Land but up to this period no action has been taken in the matter. However, I hope, under the new regime, that their claims will be recognized. It appears that the Indians, whose names I enclose, have been a long time settled upon the lands for which they now apply, and have erected some good houses together with clearing their farms, consequently, consider their claim to the Lands, thus occupied by them, to be indisputable, will you, therefore, have the kindness to take their case into your serious consideration and grant them the relief prayed for.

As I am favourably known to the Honr. Adam Wilson I shall be most happy, if my services are required to render you any information respecting this case.

Names of Indians belonging to the Nipissing Tribe

Michele Pesnewach, wife, 4 sons and 2 daughters,
Eneas Muckwa, wife and two children
Eneas Eneas, Mother, 2 Brothers & 3 Sisters, Father dead
Joseph Yenson, Wife, 6 Boys and one Girl
Benoit Kononi, Wife, 4 Boys and 4 Girls
John Stevens, Wife, 1 Boy and 3 Girls

The above parties request a deed for the lands occupied by them.

Marginalia on this letter reads:

See Reservation No. 9 near Lake Nipissing retained the Robinson Treaty of 9th Sept. 1850.

[Document No. 399]

36. Early in 1864 a memorandum was prepared for council outlining the improvements of Indian "squatters" in the Township of South Algona and recommending that the lands which they occupy be sold to them at six pence per acre payable in five annual installments. The recommendation was approved on 29 January 1864. The memorandum to the Executive Council is quoted below:

In the list of Squatters which accompanied the Report of survey of the Township of South Algona by Mr. D. Stanley in February 1857, the following names are found.

Joseph Jiniskan, lot No. 8 in the 10th con: eight years in occupation with six acres of cleared. [i.e. in occupation since 1851]

Inas Gonikay, lot No. 9 in the 10th con: ten years in occupation with 10 acres cleared. [i.e. in occupation since 1847]

Michel Pignavatch, lot No. 10 in the 10th con: ten years in occupation with ten acres cleared. [i.e. in occupation since 1847]

These people are described by the Surveyor as "half-bred half civilized Indians".

These Indians and two others viz; Paul Pesuntawach and Benoit Kanimi in September 1857 memorialized His Excellency the Administrator in Council, setting forth that their hunting grounds having been opened up for settlement and sale by the Government they could no longer earn a subsistence by those pursuits, that they had no resource left but to till the soil, but were unfortunately unable to purchase the lots occupied by them, they therefore prayed for a grant of 200 acres each on the Shore of the Lake where they had so long resided.

The Commissioner of Crown Lands having no authority to make such grant transmitted their Petition in November of that year to the Superintendent of Indian Affairs stating the Department could not submit their application to the favourable consideration of the Government and enquiring whether there were any Indian funds by which the lands could be purchased.

The Crown Land Agent in May 1858 in reply to certain enquiries by the Superintendent General states that the Indians are of the Algonquin tribe, that about 50 years ago they came to Golden Lake from the Lake of Two Mountains [i.e. about 1808] and that they have resided there continuously to the present. There were then five heads of families who with their wives and children made 31 souls - one of them Michel Pesantawach is a chief, and wears a silver medal which he states his father received from George III.

The Agent adds they are unusually intelligent and respectable, moral and industrious and well deserving of the favour they solicit from the Government.

The Superintendent General in a letter addressed to the Commissioner of Crown Lands on the 14th January 1859 states that these Indians are members of Indigent Tribes resident in Lower Canada and have no annuities or interest accruing from land funds²² whence the Department could make any payment for them, at the same time from the testimony adduced in their favour he urged for them the utmost consideration consistent with the regulations then in force regarding Crown Lands.

Taking all these facts into consideration the Undersigned is disposed to recommend a sale to those Indians being heads of families of the lots or such parts of the lots in the said Township of Algona, which may be found to be occupied by them, consistent with their respective clearances, at the nominal rate of Six pence an acre payable in five annual instalments with interest.

[Document No. 401]

37. The Commissioner's memorandum was submitted to the Governor-in-Council and the recommended action approved on January 29, 1864. [Document No. 402.]
38. Subsequent to the Order-in-Council dated 29 January 1864, the Crown Land Agent was informed that the lands would be sold at a nominal rate:

I have now to inform you that a sale has been authorized to those Indians, being heads of families, of the lots, or such parts of the lots which may be found to be occupied by them, consistent with their respective clearances, at the nominal rate of Sixpence an acre payable in five annual instalments, with interest.

As these Indians are debarred by law from obtaining free grants of the lands, it is hoped the present arrangement will be found satisfactory, and with which you will take an early opportunity of acquainting them.

If practicable you will see the lands as whole lots or as aliquot parts of lots, so that when paid for in full there may be no difficulty in issuing the Patents.

[Document No. 403]

²² Note that according to this report the Algonquins at Golden Lake did not receive, nor were they considered to be entitled, to a share of the £1,000 annual grant made under the 1851 Act and August 9, 1853 O.C. which set aside reserves on the Quebec side of the Ottawa River.

There is no record explaining why the sale was not completed.

39. Two years later, however, Crown Lands was approached by the Deputy Superintendent General of Indian Affairs requesting that additional lands be made available to the Algonquins under the terms of the January 1864 Order-in-Council. His letter is quoted below:

A party of the branch band of the Algonquin Indians which have for many years been settled upon lands which now form a part of the Township of South Algoma, [sic - Algona] having arrived here and expressed a very strong desire that the lots mentioned in the accompanying Memo. dated the 26th Ult. signed by Mr. Halterman Crown Land Agent consisting of Nos. 5, 6, 7, 8, 9 & 10 in the 10th concession and Nos. 3, 4, 5, 6, 7, 8, 9, & 10 in the 9th Con. may be permanently set apart for about sixty families of Indians who they state desire to devote themselves to agricultural pursuits as a chief means for the support of their families and who have removed to that locality [emphasis added]. You will observe from the letter of Mr. Harris the Local agent dated 27th July 1856 all the lots named in the 10th concession were at that time occupied by these people some of whom he states had been resident there forty years [i.e. since 1816], And who it appears on reference to an Order in Council of 29 Jany. 1864 had in two instances clearances of ten acres each.

This Order in Council authorized a Sale of lots 8 & 9 & 10 in the 10 Concession at ten cents per acre, and as the three additional Lots are required for the increased number of Indian families I beg to request that the other Lots named in Mr. Halterman's Memo. will be rendered available for purchases on behalf of those Indians upon the same terms as specified in the Order in Council. A compliance with the desire of these people becomes the more reasonable when it is considered that the lands in question are a part of those over which as Hunting grounds they have heretofore exercised important rights. As the party now in Town desire to leave tomorrow morning will you have the goodness to let me have a reply today to this letter.

[Document No. 409]

40. On the following day, 3 August 1866, the Deputy Superintendent General of Indian Affairs informed Chief Michel Besdoront that lots 3 to 10 in the 9th concession and lots 5 to 10 in the 10th concession of South Algona "will be set apart for the benefit of the Algonquin Indian families who are resident thereon." The conditions of the sale of this land were to be as specified in the Order-in-Council of January 1864. [See Document No. 410.]
41. No further correspondence has been located concerning the setting aside of the above described lands until Letters Patent were issued to the Superintendent General of Indian Affairs "for ever in trust for the use, settlement and benefit of the band of Algonquin Indians, resident at or near Golden Lake." The reserve was described as being 1,561 acres in South Algona, County of Renfrew, comprising lots 3 to 10 in the 9th concession and lots 5 to 10 in the 10th concession. The federal government purchased this land from the province for \$156 (i.e., 10¢ per acre as specified in the O.C.).

Whereas the Honorable Alexander Campbell, of the City of Ottawa, in the County of Carleton, Superintendent General of Indian Affairs, hath contracted and agreed for the absolute purchase of the lands and tenements hereinafter mentioned and described, at and for the price or sum of one hundred and fifty-six dollars of lawful money of Canada, and of which lands We are seized in right of Our Crown.

Now know ye, that in consideration of the said sum of one hundred and fifty-six dollars well and truly paid to Our use, at or before the sealing of these Our Letters Patent, We have granted, sold, aliened, conveyed and assured, and by

these presents do grant, sell, alien, convey and assure unto the said the Honorable Alexander Campbell, Superintendent General of Indian Affairs, and his successors in office for ever, all those parcels or tracts of land situated, lying and being in the Township of South Algona, in the County of Renfrew, in the Province of Ontario, containing by admeasurement one thousand five hundred and sixty-one acres, be the same more or less, which said parcels or tracts of land may be otherwise known as follows, that is to say being composed of lots numbers three, four, five, six, seven, eight, nine and ten, in the ninth concession; and lots numbers five, six, seven, eight, nine and ten, in the tenth concession of the aforesaid Township of South Algona, reserving the allowance for road along the banks of the Bonnechere River and Golden Lake and free access to the shores thereof for all vessels, boats and persons. To have and to hold the said parcels or tracts of land hereby granted, conveyed and assured unto the said the Honorable Alexander Campbell, Superintendent General of Indian Affairs, and his successors in office in that capacity for ever in trust for the use, settlement and benefit of the band of Algonquin Indians resident at or near Golden Lake in the said Township of South Algona and County of Renfrew, saving, excepting and reserving, nevertheless, unto Us, Our heirs and successors, the free uses, passage and enjoyment of, in, over and upon all navigable waters that shall or may be hereafter found on or under, or be flowing through or upon, any part of the said parcels or tracts of land hereby granted as aforesaid.

By command of the Lieutenant-Governor in Council.

[Document No. 422]

42. On October 11, 1880, the Indians of Golden Lake petitioned through their Agent to the Superintendent General of Indian Affairs for more land and assistance in provisions and supplies.

We the Chief and Indians of Golden Lake assembled in our School house to day in order to make a petition to you about our land. You promised or at least - your predecessor did some time ago that or rather at the time we got this 1400 acres from him that he would at some future time give us a claim for as much more. Now we want you to fulfill that promise, as we intend get(ting) a surveyor to survey it into lots. And we also want you to send some help to us in order to get one, you already know we are very poor and hardly able to support ourselves and families, and if you would send us up some provision it would greatly add in supplying our wants, and we would be very thankful to you. Please let us know immediately as we don't intend going to hunt again until we get your answer.

[Document No. 450]

43. Upon receipt of this letter, the Deputy Superintendent General apparently decided to investigate the circumstances surrounding the creation of the reserve. In a memo to Mr. Kirkpatrick, he requested all correspondence relative to the purchase of lands from the Crown Lands Department for the Indians at Golden Lake. [See Document No. 452.]
44. On October 28, 1880, a final letter was written to Harry George, Indian Agent, from the Deputy Superintendent General stating that no additional land would be bought for the Golden Lake Indians.

... I have to inform you that upon looking into the matter, it is found that in the year 1864 the area of land which was purchased for those Indians was 1551 acres, that of this quantity, there are now only 120 acres under cultivation and 125 acres in pasture, the balance of being wood land. The number of families in the Band would not appear to be more than 20 at the most; and there is consequently plenty of land for all in the Reserve as it at present stands. It is not therefore considered advisable to recommend further land be purchased for

those Indians, nor can I find that any promise was ever given the Band as alleged by them that more land would be purchased for them.

[Document No. 454]

45. Many years later, in 1898, the Province of Ontario prepared a lengthy memorandum regarding Indian claims in Ontario, including reference to the Algonquin claims to the Ottawa Valley. In this brief there is no reference to the establishment of the reserve at Golden Lake as affecting the Algonquin claim to the Ottawa Valley in any way. It is informative to examine the discussion of the establishment of the River Desert Reserve at Maniwaki in this context. [See Doc. No. 552.]
46. There are no other recognized Indian reserves on the Ontario side of the Ottawa River watershed.

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 4

**PART A - THE ESTABLISHMENT OF RESERVES
IN THE OTTAWA RIVER WATERSHED:
GOLDEN LAKE, MANIWAKI, AND TIMISKAMING**

**PART B - CONTEMPORARY ABORIGINAL COMMUNITIES
IN THE VICINITY OF THE OTTAWA RIVER WATERSHED**

FOREWORD

Research into the claim of the Golden Lake First Nation to the Ontario side of the Ottawa Valley has produced several inter-related reports and many volumes of primary and secondary documents. The material is organized as follows:

- Vol. 1 Part A. Executive Summary. A brief summary of the findings of all phases of the research.
 Part B. Information Maps and Illustrations with Explanatory List.
 A collection of 24 maps that show place names, geo-political boundaries, aboriginal communities, and non-aboriginal settlement patterns. The maps are provided to help the reader understand the written material.
- Vol. 2 Aboriginal Use and Occupation of the Ottawa River Watershed during the historic period. This report is a chronological presentation of historic documents that describe aboriginal use of the Ottawa valley from early contact with Europeans to the mid-twentieth century. The tribal affiliation of aboriginal inhabitants, the location, and extent of their use of the area is highlighted whenever possible. Some secondary sources are included to provide context to primary documents.
- Vol. 3 Purchases and Treaties in the Ottawa River Watershed: 1783, 1784, 1819, and 1923. This report examines the Crawford Purchase of 1783, the St. Regis and Oswegatchie Purchases of 1784, the 1819/1822 Rideau Purchase, and the 1923 Williams Treaties. Each chapter outlines the historic documents that indicate the location of the purchased/ceded lands, the identity of the signatories and participants, and the intent of the transactions.
- Vol. 4 Part A. The Establishment of Reserves in the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming. This section outlines information on the manner in which each of these reserves was established, for whom they were set aside, and the purpose of each reserve.
 Part B. Contemporary Aboriginal Communities in the vicinity of the Ottawa River Watershed. Primary documents and secondary sources are used to describe the contemporary location of Indian reserves and settlements within the Ottawa valley and surrounding area.
- Vol. 5 Part A. Chronology: Settlement of the Ottawa River Watershed. This list illustrates the spread of non-aboriginal settlement throughout the Ottawa valley. Lists showing the date of survey of townships within the watershed are appended to the chronology.
 Part B. Chronology: Crown Assertions of Extinguishment of Aboriginal Title or Aboriginal Rights. This chronology isolates all the historic documents in which Crown authorities made statements claiming to have extinguished aboriginal title to all or part of the Ottawa River watershed.
 Part C. Chronology: Compensation for Extinguishment of Aboriginal Title. This chronology lists all the historic documents which indicate compensation was paid for extinguishment of aboriginal title to particular aboriginal people for lands within or bordering on the Ottawa River watershed.
 Part D. Chronology: Exercise of Crown Legislative, Administrative, and Regulatory Authority in the Ottawa River Watershed. This chronology gives brief summaries of correspondence, statutes, and reports indicating exercise of jurisdiction by the Crown.
- Vol. 6 Chronology: Demands for Recognition of Aboriginal Title to the Ottawa River Watershed. This chronology isolates the historic documents in which aboriginal peoples claim unextinguished rights to the Ottawa River watershed.
- Vol. 7 Index to Primary Documents: Documents Nos. 1 to 1261. This index is organized in chronological order and includes brief information on the content of each document. The numbers assigned to each document are used as references in the reports and chronological listings.



- Vol. 8** Part A. Index to Secondary Sources: Documents Nos. SS-1 to SS-70.
This index lists the secondary sources cited in the reports. Each document is numbered and listed in alphabetical order by the author's last name. All secondary source document numbers are prefixed by "SS".
Part B. Index to Maps and Plans. This is an index to maps and plans collected during the course of the research. Many of the more informative maps are reproduced in Vol. 1, Part B - Information Maps and Illustrations with Explanatory List.
Part C. Bibliography of Sources Consulted. This is a listing of primary and secondary sources and document collections consulted in the course of the research. In general, primary sources are organized by repository, while secondary sources are listed alphabetically by author's last name.
- Vols. D1 to D40** Primary Documents. The documents are organized by number and correspond to the primary document index which is contained in Vol. 7.
- Vols. S1 to S8** Secondary Source Documents. The documents are organized by number and correspond to the secondary source index which is contained in Vol. 8, Part A.
- Maps and Plans** Maps and Plans Collection. The maps are organized by number and correspond to Vol. 8, Part B - Index to Maps and Plans. A number of these maps have been reproduced in Vol. 1, Part B - Information Maps and Illustrations with Explanatory List and are more easily consulted in that volume.

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 4

**PART B - CONTEMPORARY ABORIGINAL COMMUNITIES
IN THE VICINITY OF THE OTTAWA RIVER WATERSHED**

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 4

**PART B - CONTEMPORARY ABORIGINAL COMMUNITIES
IN THE VICINITY OF THE OTTAWA RIVER WATERSHED**

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Secretariat
October 30, 1993

VOLUME 4, PART B

CONTEMPORARY ABORIGINAL COMMUNITIES IN THE
VICINITY OF THE OTTAWA RIVER WATERSHED

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VOLUME 4, PART B

CONTEMPORARY ABORIGINAL COMMUNITIES IN THE VICINITY OF THE OTTAWA RIVER WATERSHED

A. Indian Reserves and Settlements within the Ottawa River Watershed

1. The following information chart was adapted from the December 1990 edition of Schedule of Indian Bands, Reserves and Settlements Including - Membership and Population Location and Area in Hectares. It includes statistics on the reserves and aboriginal settlements now located in the Ottawa Valley Watershed. All of the communities are made up predominantly¹ of people descended from Algonquin/Nipissing groups who used the study area. Those listed as reserves are Indian Reserves in the meaning of the Indian Act; settlements are communities which are recognized as being settled by registered Indian residents.

Name of Band or community	Band Membership*	Name of Reserve or settlement	size (if known)	On-reserve/settlement population*
<u>Reserves</u>				
Golden Lake	987	Golden Lake 39	688.8	321
Barrière Lake	447	Rapid Lake	29.6	78
Kipawa	380	Kebaowek	21.5	112
Lac Simon	699	Lac Simon	272.	545
Timiskaming	1,007	Timiskaming 19	1,922.3	354
River Desert	1,860	Maniwaki 18	17,370.7	1,117
<u>Settlements</u>				
Grand Lac Victoria	313	Grand Lake Victoria	-	237
Long Point	461	Winneway	-	234
Wolf Lake	141	Témiscaming	-	1

* Band membership and on-reserve populations as of December 31, 1989.
Areas are given in hectares. (1 hectare = 2.471 acres; 1 acre = .40468 hectares.)

2. All of the bands listed in the above table have been identified as Algonquin by Laviolette in 1954 and 1957² and by Day and Trigger based on 1965 data.³
3. Based on the population figures in the above table, the number of status Indians belonging to recognized Indian Bands located in the Ottawa Valley Watershed was 6,295 as of December 31, 1989. The number resident on their reserves was 2,999 -- about 48%. It is unknown what percentage of the off-reserve population is resident within the watershed and what proportion is living outside of the Ottawa Valley. It is interesting to note that Day and Trigger suggest that the Algonquin population has been "rather stable, perhaps showing a slight increase since 1900..."⁴

¹ All registered Indian Bands include persons descended from other aboriginal groups who have married into the band or been formally adopted into the band. For membership purposes these people are considered members of the band into which they have married or have been otherwise accepted.

² Laviolette, Gontran. "Notes of the Aborigines of the Province of Quebec." *Anthropologica* 1955 (1) pp. 198-211 pages 204-6 [Doc. No. SS-41], and "Notes of the Aborigines of the Province of Ontario." *Anthropologica* 1957 (4) pp. 79-106 [Doc. No. SS-42].

³ Day, Gordon M. and Bruce G. Trigger. "Algonquin" *Handbook of North American Indians*, Vol. 15. Washington: Smithsonian Institution, 1978. p. 797 [Doc. No. SS-25].

⁴ Ibid., p. 797 [Doc. No. SS-25]. This statement was made as of 1965.

It should be noted that these statistics only reflect the number of people registered or recognized as status Indians under the Indian Act.⁵ These figures do not include persons of Algonquin/Nipissing descent who are not registered or recognized as band members. These non-status people may be living on or off-reserve within the Ottawa Valley. Day and Trigger estimated that in 1965 there were approximately 2,500 persons of Algonquin descent (non-status and Métis) scattered through the Ottawa Valley.⁶

B. Algonquin Reserves and Settlements on the Quebec Side of the Ottawa River Watershed

4. Two reserves were established in Quebec for Algonquins, Nipissings and Têtes de Boule living in the Ottawa Valley and lands west of the St. Maurice River under an 1851 Act and 1853 schedule. See Vol. 4, Part A - The Establishment of Reserves in the Vicinity of the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming for details on the establishment of these two reserves at Maniwaki and Timiskaming.
5. The reserve at Timiskaming has been reduced by a series of surrenders, as of 1986 the reserve encompassed 2,144.84 hectares (5,300.05 acres) for a population of 310 Timiskaming Band members. It was originally surveyed in November 1895 as 15,539.9 hectares (38,400 acres).⁷
6. The reserve at Maniwaki was also reduced by a series of land surrenders. As of 1986 the reserve contained 17,520.76 hectares (43,294.81 acres) for a population of 984 River Desert Band members.⁸

The Oblate missionaries were instrumental in having a reserve set up at Maniwaki in the vicinity of the Gatineau River and River Desert. Studies of their records show that they believed the Algonquins and others, such as Têtes de Boule from the periphery of the upper Ottawa, could be induced to settle on the requested reserves. They claimed that in the summer of 1851 River Desert became the meeting place of Indians from the Saint-Maurice, Grand Lac Victoria, and the Ottawa. The Têtes de Boule, however, declined to leave their own territory and the Grand Lac Algonquins appeared to have returned to their own lands to hunt.⁹ Couture stated that "The main groups who settled under the impetus of the missionaries were those from the Rivière du Lièvre, Lac-des-Îles and a large part of the Algonquins from Lac-des-Deux-

⁵ The band membership figures may include people who are recognized as band members under their band's own membership code but are not status Indians in the meaning of the Indian Act.

⁶ Day, Gordon M. and Bruce G. Trigger. op. cit. p. 797 [Doc. No. SS-25].

⁷ Beaulieu, Jacqueline. Localisation des nations Autochtones au Québec - historique foncier. Québec: Gouvernement du Québec, Ministère du conseil exécutif, 1986, pp. 10-33 [Doc. No. SS-3].

⁸ Beaulieu, J. op. cit. pp. 10-33 [Doc. No. SS-3].

⁹ See Carrière, Gaston. "Maniwaki ou 'la Terre de Marrie', Chapitre XXIX" in Histoire documentaire de la Congrégation des Missionnaires Oblats de Marie-Immaculée dans l'Est du Canada - 1re Partie. p. 94-96. The relevant passages are quoted in Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period. It should be noted that the Indians the Oblates referred to were those who accepted Catholicism [Doc. No. SS-15].

Montagnes. They had come to rejoin the Kichesipirinis already wandering on the Gatineau."¹⁰

Disagreement over use and ownership of the land at the Sulpician mission fermented an extended dispute between the Algonquins, Nipissings and Iroquois and the Sulpician missionaries. Author Claude Pariseau stated that there was a massive Algonquin exodus from Lake of Two Mountains to River Desert in 1869. Some of the families who remained at the mission later joined the settlement at Maniwaki.¹¹

In 1875 the Oblate missionary reported that the "pure blooded Algonquins" had all left for the seasonal hunt, indicating that off-reserve hunting and trapping were still the major activities. The people remaining at the village were "a mixture of all kinds of tribes and of various Métis" (who formed the majority, mainly Scottish Métis).¹²

In 1927, Algonquins from the village of Baskatong, at the head of the Gatineau, moved to Maniwaki when their village and surrounding hunting grounds were flooded by the Mercier reservoir.¹³

Dr. Jean Black provided an outline of the history of the settlement of the reserve at Maniwaki.¹⁴ The Wright family began logging the Gatineau as early as 1806, by 1833 they had built a network of logging roads up to Maniwaki and had established a logging camp by 1834 on Desert River. In 1837 George Hamilton had obtained a timber license for the Gatineau; the area was logged by the Hamilton Brothers from 1844 to 1888. As many as 17 different lumbering companies held licenses in the area from 1847. In 1925 the Canadian International Paper Company purchased all of the limits on the Gatineau and Desert River. The town of Maniwaki, which was originally within the limits of the reserve, grew up as a result of the timber industry. This activity greatly reduced the ability of the Algonquins at River Desert to continue their hunting and trapping economy. In 1908 the Indian Agent reported that although a small number families farmed, agriculture was not very productive; other men worked for wages and "a large number of them still adhere to the old system of hunting, at which industry they make money very fast." Black's article traces the decline in hunting and trapping as a source of income to the second world war. In the 1960s it was estimated that about 20% of the band lived off the reserve.

7. After the two reserves at Maniwaki and Timiskaming were established, the acceleration of settlement growth and resource exploitation activities impacted heavily on the ability of the original inhabitants to rely on their traditional economy. Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic

¹⁰ See Couture, Yvon H. *Les Algonquins*. Val d'Or, Quebec: Editions hyperborée, pp. 119-121 [Doc. No. SS-21].

¹¹ Pariseau. "Les Troubles de 1860-1880 à Oka: Choc de deux cultures." 1974, p. 83-4 [Doc. No. SS-50].

¹² See Carrière, Gaston. 2e partie. p. 136-7 [Doc. No. SS-16].

¹³ See Couture, Yvon H. *Les Algonquins*. Val d'Or, Quebec: Editions hyperborée, pp. 119-121. The Oblate father Joseph-Etienne Guinard stated that the village, made up of 100 adults, Algonquins, French and English, was drowned by the Mercier dam in 1929 [Doc. No. SS-21]. See Bouchard, S. *Mémoires d'un simple missionnaire - le père Joseph-Etienne Guinard, o.m.i. 1864-1965*. p. 86 [Doc. No. SS-17]. Dams and reservoirs on the Ottawa River system are shown on the map entitled "Ottawa River Basin" produced in 1987 by the Ottawa River Regulation and Planning Board [Map No. 32].

¹⁴ Black, Meredith Jean. "Algonquin Ethnobotany: An Interpretation of Aboriginal Adaptation in South western Quebec." Ottawa: National Museums of Canada, 1980, pp. 19-24 [Doc. No. SS-5].

Period provides details on Algonquin use and occupation of the Quebec side of the watershed after the establishment of the reserves and the petitions and requests for additional secure lands by the local Algonquins. It is clear from these petitions and requests that there were many Algonquin groups within the watershed that were not associated with either established reserve.

8. Several reserves and settlements were established to provide villages for these people under a variety of land holding systems. The reserves and recognized settlement that exist today are outlined below. Tenure to many of these villages is less secure and long term than the tenure associated with reserve status under the Indian Act.
9. Winneway is now occupied by the Long Point Band, which had a reported population of 230 in 1986. Their settlement of approximately 36.8 hectares (91 acres) is located on the southern shore of Winneway River at Lac Simard, 11 kilometers from Ville-Marie.¹⁵ It is held under a leasing arrangement.¹⁶

The Long Point Band, under Ogoshen Pier, petitioned for land in 1906 on behalf of 88 people. Four years later this band was reported to consist of 100 members. They had camps at Lake Quinze in Pontiac County, which is to the west of the location of their present reserve. In 1912 the band informed the Department of Indian Affairs that the influx of settlers, miners, non-Native hunters and trappers was compromising their ability to live by traditional means.¹⁷ In 1927 they petitioned again along with the North Temiskaming, Grand Lac Victoria, and Wolf Lake Bands for an exclusive hunting territory protected from white encroachments.¹⁸

10. The Reserve at Lac Rapide, as of 1986, encloses 31.96 hectares (79 acres) for a population of 329 Lac Barrière Indians. It is located southwest of Cabonga reservoir, 134 kilometers north of Maniwaki.¹⁹ This band has close ties to the Grand Lac Victoria Band and initially traded at that post until the trading post at Kakabonga, about 40 miles east, was opened prior to 1856.²⁰

In 1871 the Bennett-Gouin logging company built a dam on Cabonga Lake, north of Lac Barrière, to float logs down the Gatineau to the Ottawa. Logging increased in the area to the detriment of the hunting, trapping and fishing economy of the Lac Barrière people. Chief Matchewan explained that people, who normally remained scattered throughout their territory began to draw together for protection from men coming into the area to harvest timber and other resources.²¹ In 1912 the Canadian Pacific Railway reached Senneterre, north of Lac Barrière, dramatically increasing the

¹⁵ The legal description of the settlement is Devlin Township, Range VIII part of lots 50 and 51 and Range IX, lot 46.

¹⁶ Beaulieu, J. op. cit. pp. 10-33 [Doc. No. SS-3].

¹⁷ See Document No. 599; Document No. 624; Document No. 638; Document No. 649.

¹⁸ See Document No. 800.

¹⁹ Beaulieu, J. op. cit. pp. 10-33 [Doc. No. SS-3].

²⁰ Black, op. cit. pp. 25-26 [Doc. No. SS-5].

²¹ Matchewan, Chief Jean-Maurice. "Mitchikanibikonginik Algonquins of Barriere Lake: Our Long Battle to Create a Sustainable Future." in *Drumbeat: Anger and Renewal in Indian Country*. Boyce Rickardson, ed. Toronto: Summerhill Press, Assembly of First Nations, 1989, p. 148 [Doc. No. SS-47]. This article gives a good outline of the impact of settlement on Algonquin communities. Dams and reservoirs on the Ottawa River system are shown on the map entitled "Ottawa River Basin" produced in 1987 by the Ottawa River Regulation and Planning Board [Map. No. 32].

number of non-aboriginal settlements and pressure on resources. The Grand Lac Victoria Hunting Reserve was established in 1928, as an exclusive aboriginal hunting reserve.²² Chief Matchewan stated that "though non-Indians were excluded from hunting or trapping inside the reserve, there was no enforcement of any kind, so non-Indian poaching continued."²³ In the following years, additional dams were built and land in the area was flooded. The impact of these developments was described thus:

By the 1930s, our people had massive problems: our hunting territory was flooded and devastated by the huge Cabonga reservoir whose water levels can vary without warning; non-Indian poachers remained a problem; our people continued to starve because of the lack of fish and game. Not until 1939 did the federal government hire four game wardens to police the Indian Hunting Reserve and chase non-Indian trespassers out. But it was too little, too late.²⁴

The hunting reserve was made even more accessible to non-Natives by the construction of a road from Senneterre to Mont Laurier in 1940.²⁵ A corridor, 10 miles (16 km) on each side of the road, was renamed the Mont Laurier-Senneterre Highway Fish and Game Reserve and opened to non-aboriginal use. Algonquins were excluded from hunting, fishing or trapping in this area. Some people moved to Kitiganik (Rapid Lake/Lac Rapide) in the 1940s to be close to guiding jobs. In the 1950s the Hudson Bay Company and Catholic Church moved to Lac Rapide from Lac Barrière. The Lac Rapide reserve was established by provincial order-in-council in 1961; the administration and management is under the control of the Department of Indian Affairs.²⁶ A Department of Indian Affairs nursing station was eventually built there and a small seasonal school was erected in 1971.

Chief Matchewan described the Lac Rapide Reserve as encompassing 24 hectares (54 acres), while the Schedule of Indian Bands, Reserves and Settlements, quoted above, states it is 29.6 hectares. The band population given by the Chief is 440 "of whom only 40 live elsewhere."

Like the Grand Lac Victoria people, the Lac Barrière band now spends much of the year scattered about on their trap lines, some sending their children to boarding schools in Amos. Most of the summer months are spent at their village. Some guiding jobs in La Verendrye Park are accessible from here. Income has also been derived from occasional wage employment with timber companies and from family blueberry harvesting.²⁷ The wage opportunities open to the Lac Barrière Algonquins is limited as the Chief noted in 1989:

... Today only sixteen of our people in the community have jobs for wages. But almost every family continues to rely extensively on hunting, fishing, and trapping for subsistence. Because of what is being done in our traditional hunting territory, it has become virtually impossible for our people to make even a subsistence living from these activities, so a large number of our people

²² See Order-in-Council 1928/04/21 Document No. 816. The reserve was approximately 6,300 square miles. Free trapping licenses were to be issued to Indians. The history of the Grand Lac Victoria Hunting Preserve as given by Chief Matchewan is supported by primary documents as quoted in Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period.

²³ Matchewan, op. cit. p. 149 [Doc. No. SS-47].

²⁴ Matchewan, p. 150 [Doc. No. SS-47].

²⁵ Matchewan, op. cit. pp. 150-152 [Doc. No. SS-47]. See this article for greater detail.

²⁶ As per Quebec Order in Council dated September 7, 1961.

²⁷ Black, op. cit. p. 26 [Doc. No. SS-5].

(in fact, more than thirty families and usually about forty single people) are on welfare, which has become an essential supplement to the traditional subsistence lifestyle. This is through no wish of ours; we have had no alternative.²⁸

11. The Lac Simon Band was reported in 1986 to have a population of 457. Their reserve is located on the western shore of Lac Simon, 32 kilometers southeast of Val d'Or. It is 320.47 hectares (791.92 acres).²⁹ The Lac Simon Band is said to have once been part of the Grand Lac Victoria Band. The building of the railway in the 1920s, the growth of towns, mining and agriculture in the area were cited as factors which drew these people to their present location. There was a Hudson's Bay post at Lac Simon in 1926, after that time Lac Simon people were known to trade and be rationed at the nearby post at Senneterre.³⁰ The Indian Agent at Senneterre reported in 1940 that cutting the Mont Laurier-Senneterre Highway hunting reserve out of the Grand Lac Victoria Hunting Preserve would adversely affect members of the Lac Simon Band who were traditionally situated within the proposed corridor.³¹
12. The Kipawa Band's reserve is located in part of Block A in Gendreau Township on the western shore of Lake Kipawa, 10 kilometers from Temiskaming. The population was published as 135 in 1986. The reserve encompasses 21.49 hectares (53.12 acres) of land.³²

Frank Speck's 1913 study of hunting territories of the Timagami, Timiskaming, Kipawa, and Dumoine Indian Bands identified three hunting territories belonging to the Kipawa Band. Speck noted that it was difficult to identify their territories as their claims "have become confused owing to removal, the encroachment of the whites, and intermarriage with other Indians and with Whites." He stated that they were now located near Mattawa.³³ Lake Kipawa is located just east of the Ottawa River between Mattawa and Lake Timiskaming.

13. Two Algonquin communities are known to occupy lands in the Ottawa Valley watershed without benefit of reserve or leased lands. They are the Grand Lac Victoria Band and the Wolf Lake Band.
14. The Grand Lac Victoria Indians are said to occupy approximately 6 hectares (15 acres) in the undivided part of Hamon Township on the eastern shore of Grand Lac Victoria, 66 kilometers south of Val d'Or. Their population, as published in 1986, was 269.³⁴

In 1878, Oblate père Guéguen stated that there were 200 Indians visiting the mission at Grand Lac Victoria. He divided them into two groups: those who hunted on the

²⁸ Matchewan, op. cit. p. 154 [Doc. No. SS-47].

²⁹ Beaulieu, J. op. cit. pp. 10-33 [Doc. No. SS-3].

³⁰ Black, op. cit. p. 28 [Doc. No. SS-5]. See also Document No. 1180 which is a brief history supplied by the local agent.

³¹ See Document No. 1124 quoted in Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period.

³² Beaulieu, J. op. cit. pp. 10-33 [Doc. No. SS-3].

³³ Speck, Frank. Family Hunting Territories and Social Life of Various Algonkian Bands of the Ottawa Valley pp. 9-10 and map [Doc. No. SS-60].

³⁴ Beaulieu, J. op. cit. pp. 10-33 [Doc. No. SS-3].

Ottawa, Dumoine, Noire or Coulonge Rivers, and those who hunted on the tributaries of the Hudson's Bay (i.e outside the Ottawa River watershed).³⁵

There was a Hudson's Bay Post at Grand Lac Victoria until about 1956. "Most of the time members of the band stay opposite the old post on the Dozois Reservoir where they can reach the highway in the Park and find work guiding tourists. Some work for the paper companies can be obtained but there are few opportunities for permanent employment and hunting, trapping and fishing continue to be essential activities, supplemented by government subsidies." There is also a small village on Grand Lake Victoria near the old church and trading post.³⁶

15. The Wolf Lake Band occupies about 4 hectares (10 acres) in the undivided part of Atwater Township on the eastern shore of Hunters Point Lake, 37 kilometers northeast of Temiskaming. In 1986, they were said to have a population of 46.³⁷

The brief history of the Wolf Lake Band was summarized in a contemporary departmental letter. This band was said to have come to Grassy Lake, immediately to the east of Wolf Lake on the Kipawa River, about 1913. No other information regarding the origins of this band was included. The band, which included 13 families, requested a reserve in 1921.³⁸ In 1927 they petitioned along with North Temiskaming, Grand Lac Victoria and Long Point for an exclusive hunting reserve.³⁹ In 1942 nine trapping licenses were issued by the agent at the Temiskaming Agency for trapping in the Wolf Lake area.⁴⁰ Laviolette stated there were 26 Wolf Lake people living at Hunter's Point and Kippawa in 1955.⁴¹ Day and Trigger said the Wolf Lake Band had a population of 57 in 1965.⁴²

C. Algonquin Reserve on the Ontario side of the Watershed

16. The Golden Lake Indian Reserve No. 39 now contains about 689 hectares (1,702 acres) of land at Golden Lake where it was first purchased for the local Algonquin families in 1873. According to Indian Affairs statistics, as of December 1989, the band membership was 987 people, 321 of whom lived on-reserve.

Consult Vol. 4, Part A - The Establishment of Reserves in the Vicinity of the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming on the establishment of the Golden Lake reserve for discussion of the use and occupation of the area around the current reserve prior to its establishment in 1873. In summary, there were several

³⁵ Carrière, Gaston. Le père Jean-Pierre Guéguen, o.m.i. 1838-1909 - Un grand voltigeur. Guérin, Quebec: Editions de la Société historique Rivière des Quinze, 1978. pp. 121-22 [Doc. No. SS-17].

³⁶ Black, op. cit. pp. 25 & 26 [Doc. No. SS-5].

³⁷ Beaulieu, J. op. cit. pp. 10-33 [Doc. No. SS-3].

³⁸ See Document No. 1257. Frank Speck's 1913 study of family hunting territories identified this area as being part of the Dumoine River Band's hunting grounds. Speck's informant stated that the Dumoine Lake Band became mixed with the Coulonge people. See Speck, Frank. Family Hunting Territories and Social Life of Various Algonkian Bands of the Ottawa Valley. p. 9 [Doc. No. SS-60.]

³⁹ See Document No. 800.

⁴⁰ See Document No. 1154.

⁴¹ See Laviolette. 1955 op. cit. pp. 208-9 [Doc. No. SS-41].

⁴² See Day and Trigger. op. cit. p. 797 [Doc. No. SS-25].

families, identified as Lake of Two Mountains Algonquins or Nipissings, living in Algona and Sebastopol Township. They petitioned for title to their clearings around the time of the first surveys. Letters of support and surveyors' statements indicated that they had been using the specific locations for some time.⁴³

Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period gives considerable detail on the use of the Ottawa Valley by Algonquins of Golden Lake since the reserve was established. In 1874, the population on the reserve was given as 97 Algonquins; in 1878, 69 people were listed under 20 heads of families; in 1880 there were 83 people; and in 1896 the population was reported as 79. By 1922 the band population was counted at 135.⁴⁴

It is clear from the documentation that groups of Algonquins were living on the Ottawa side of the river both before and after the reserve was established. There were settlements in Bedford, Lawrence, Nightingale and Sabine Townships. Two settlements were held under temporary licenses of occupation before (Bedford) and after (Lawrence) the reserve at Golden Lake was established. No land, except the reserve, was held by licenses of occupation or any other form of land disposition at the turn of the century. It is not known what proportion of the people from off-reserve settlements eventually settled on the reserve.⁴⁵

Information on continued traditional use of the area indicates that, in general, people belonging to the Golden Lake Band continued to hunt, trap and fish on the Ottawa side of the watershed up to the Mattawa River, around and in Algonquin Park. They also crossed the Ottawa River to hunt, trap and fish on the Quebec side of the watershed.

D. Algonquins outside the Watershed

17. Several bands who own reserves outside of the Ottawa Valley include a significant proportion of persons of Algonquin descent.⁴⁶ Algonquin membership is particularly prominent in Quebec bands whose reserves surround the Ottawa Valley. These include:
- Manóan on Lake Kempt, Maskinongé County, St. Maurice watershed, mostly Algonquins;
 - Obedjiwan, on the Gouin Reservoir, north of Oskalanéo, 50% Algonquin;
 - Abitibi, north of Lake Timiskaming on the Quebec side, some identify these people as Algonquin, others as Cree;

⁴³ Estimates of the first date of occupation of lots in Sebastopol and Algona by these people ranged from 1778 to 1851.

⁴⁴ See Agent's census return 1874/03/20 Document No. 424; 1878/06/25 Document No. 439; 1880/10/19 Document No. 453; and Document No. 532 1896/08/26; Document No. 711 1922/01/10.

⁴⁵ One document indicates that Peter Stevens, probably the chief who petitioned for lands in the Township of Bedford in the 1840s, was living under the care of his widowed daughter on the Golden Lake reserve. It is not known if his followers from Bedford had also moved onto the reserve. See Document No. 462. Another document indicates that the people living in Lawrence Township had left Lake of Two Mountains permanently because of the dispute over rights to land at the Sulpician mission. See Document No. 477.

⁴⁶ The following information is based on data concerning members of recognized reserves only. The material in this report does not reflect the location or populations of non-status and Métis people. The estimates of proportion of population were given by Laviolette, 1955 op. cit. p. 205-6 [Doc. No. SS-41].

- Weynotaching, St. Maurice River, about one-third Algonquin;
 - Gibson, on Georgian Bay, Algonquins and Mohawks from Lake of Two Mountains.
18. The Kanesatake Reserve at Oka is predominantly Mohawk, but includes some Algonquins as well. As of December 1989, the band membership was 1,591 people; 830 of whom resided on the reserve.⁴⁷ Many of the Iroquois (Mohawks), Algonquins, and Nipissings left the old Sulpician mission around 1880 and never returned. Some stayed on their hunting grounds up the Ottawa River, while others moved to the Gibson Reserve which was purchased for them by the Crown. After several years many of the migrants left Gibson and returned to Oka. Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period includes some references to "Indians" from Oka hunting and trapping inside the watershed.

E. Mississauga and Chippewa Reserves

19. The report on the use of the Ottawa Valley watershed during the historic period (Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period) identifies periodic claims by Mississaugas and Chippewas⁴⁸ to the study area. The Williams Treaty of 1923, the Rideau Purchase of 1819/1822, and probably the Crawford Purchase of 1784 were taken from Mississaugas and/or Chippewa Bands who claimed interest in the area. The following section of this report summarizes the location of the descendants of these people. All of the Mississauga and Chippewa Reserves, with the exception of a few small pieces of land reserved in 1979, were set aside before the Williams Treaties were signed in 1923. All Mississauga and Chippewa Reserves are located outside of the Ottawa River watershed.

MISSISSAUGAS

20. The Alderville or Alnwick Band of Mississaugas have reserve lands that were acquired from 1836 to 1870. They now include the Alderville Reserve and a shared interest in Sugar Island Reserve No. 37A. The ancestors of the Mississaugas of Alderville were formerly found in the neighbourhood of Kingston, Gananoque, and on the Islands in the Bay of Quinte. The Mississaugas of Kingston and the Bay of Quinte were signatories of the 1819/22 Rideau Purchase and likely participated in the Crawford Purchase of 1784.

Statutory declarations and testimonies at the Williams Treaty inquiries indicate that some members claimed their traditional lands extended to the Ottawa River and had never been ceded. In 1848 Superintendent Anderson noted that some of the Algonquins living at Bedford, to whom he was issuing presents and had included in

⁴⁷ Canada, Department of Indian and Northern Affairs. Schedule of Indian Bands, Reserves and Settlements Including - Membership and Population Location and Area in Hectares. December 1990.

⁴⁸ This study has not discovered any clear documentary evidence of Chippewa claims to the Ottawa Valley, however, because the Mississaugas and Chippewas were dealt with together under the Williams Treaties and shared equally in the compensation, they are being considered jointly in this report.

his 1846 census, were probably Mississaugas of Alnwick. Thirteen people were later struck off the Algonquin census list as they were deemed to be Mississaugas.⁴⁹ In the preceding decade, Anderson had stated in a report of May 1837 that the Mississaugas of Mud Lake, Rice Lake, and Alnwick had hunting grounds in the Newcastle District "up to the Ottawa River."⁵⁰ The Bagot report of 1845 indicated that the Mississaugas of Alnwick numbered 233 people and represented them as a fairly settled people.⁵¹ Initially they inhabited lands around Belleville, Kingston and Gananoque. Around 1826 they settled on Grape Island under the guidance of the Methodist Church and remained there for about eleven years living by agriculture and hunting. They moved to Alnwick in 1838. The missionary mentions they are "fond of roving" during summer months which probably indicates they were away from the village hunting.

21. The Curve Lake Band, formerly known as the Mud Lake Band, has the Curve Lake Reserve originally set aside in 1851. It is located on Chemong Lake in the Trent System. Fox Island was purchased by the Band and formalized as a reserve in 1952. It is now known as Curve Lake First Nation Indian Reserve No. 35A. This band also shares use and benefit of the Islands in the Trent Waters Reserve as set apart in 1893. Representatives of this band signed the Williams Treaty in 1923.
22. The Hiawatha First Nation, formerly referred to as the Rice Lake Band, have reserve No. 36 now known as the Hiawatha First Nation Indian Reserve. It was originally granted to the New England Company in trust for the Rice Lake Band in 1828. This band also shares use and benefit of the Islands in the Trent Waters Reserve as set apart in 1893. They were signatories of the 1923 Williams Treaty.
23. The Mississaugas of Scugog Lake were originally located on Balsam Lake in the Township of Bexley. They purchased land on Lake Scugog in 1843 which was later confirmed as a reserve in 1851 and 1874. This band also shares use and benefit of the Islands in the Trent Waters Reserve as set apart in 1893. They were signatories of the 1923 Williams Treaty.

CHIPPEWAS

24. The Beausoleil Band has resided on islands in Georgian Bay since the surrender of 1856.⁵² In this surrender, the Chippewas of Lakes Couchiching, Simcoe, and Huron surrendered the islands in Lake Simcoe, Couchiching and Georgian Bay except those reserved for their own use. The reserved islands are now known as Christian Island Indian Reserve No. 30 and are comprised of Christian, Beckwith and Hope Islands. They also have the Christian Island Indian Reserve No. 30A and

⁴⁹ See Document No. 305.

⁵⁰ See Document No. 210. The Newcastle district includes the current County of Peterborough and Haliburton and lies west of the Rideau Purchase. The Newcastle District overlapped the western extreme of the Ottawa River Watershed south of Lake Nipissing, including a portion of Algonquin Park.

⁵¹ These remarks should be interpreted with caution. As it was the stated intention of both the Indian Department and missionaries to turn all aboriginal people into settled farmers, the degree of sedentary lifestyle is probably exaggerated.

⁵² Prior to the surrender the Beausoleil Band under Chief Aisance had lived at Coldwater until about 1842 when they moved to Beausoleil Island in Matchadash Bay.

joint use of the Chippewa Island Indian Reserve.⁵³ They were signatories of the 1923 Williams Treaty.

25. The Chippewas of Georgina Island have reserve lands known as Georgina Island Indian Reserve No. 33 consisting of Georgina, Snake, and Fox Islands and the Sand Islands all in Lake Simcoe. The Band has occupied these islands since the mid 1800s. They were not surrendered by the 1856 treaty discussed above. Like the Beausoleil Band, they formerly resided at Coldwater. They also have the Georgina Island Indian Reserve No. 33A, set aside in 1979, and joint use of the Chippewa Island Indian Reserve. They were signatories of the 1923 Williams Treaty.
26. The Chippewas of Rama hold Rama Indian Reserve No. 32 consisting of the mainland area in the Township of Rama and islands in Lake Couchiching consisting of Nadie Island, Ship Island, Portage Island, Green Island, Chief Island, and several small islands numbered 1 to 3 and 5 to 16. These reserve lands were purchased from private parties between 1843 and 1848. Prior to settling on their reserve lands they occupied territory around Lake Simcoe, Holland River and the unsettled country in the rear of the Home District (north of Lake Simcoe). They also have a joint interest in the Indian River Indian Reserve set apart in 1977 for the joint use and benefit of the Chippewas of Rama and the Mohawks of Gibson. This reserve is a 2.6 acre lot occupied by a conference center. They also share the use of Chippewa Island Indian Reserve with the Beausoleil Band. They were signatories of the 1923 Williams Treaty.

⁵³ This unnumbered reserve was set aside in 1978 for the joint use and benefit of the Beausoleil Band, the Chippewas of Georgina Island and the Chippewas of Rama. It is a small island of about 7 acres.

ALGONQUINS OF GOLDEN LAKE CLAIM

VOLUME 3

PURCHASES AND TREATIES IN THE OTTAWA RIVER
WATERSHED: 1783, 1784, 1819, AND 1923

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Secretariat
October 30, 1993

VOLUME 3

PURCHASES AND TREATIES IN THE
OTTAWA RIVER WATERSHED: 1783, 1784, 1819, AND 1923

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FOREWORD

Research into the claim of the Golden Lake First Nation to the Ontario side of the Ottawa Valley has produced several inter-related reports and many volumes of primary and secondary documents. The material is organized as follows:

- Vol. 1 Part A. Executive Summary. A brief summary of the findings of all phases of the research.
Part B. Information Maps and Illustrations with Explanatory List.
A collection of 24 maps that show place names, geo-political boundaries, aboriginal communities, and non-aboriginal settlement patterns. The maps are provided to help the reader understand the written material.
- Vol. 2 Aboriginal Use and Occupation of the Ottawa River Watershed during the historic period. This report is a chronological presentation of historic documents that describe aboriginal use of the Ottawa valley from early contact with Europeans to the mid-twentieth century. The tribal affiliation of aboriginal inhabitants, the location, and extent of their use of the area is highlighted whenever possible. Some secondary sources are included to provide context to primary documents.
- Vol. 3 Purchases and Treaties in the Ottawa River Watershed: 1783, 1784, 1819, and 1923. This report examines the Crawford Purchase of 1783, the St. Regis and Oswegatchie Purchases of 1784, the 1819/1822 Rideau Purchase, and the 1923 Williams Treaties. Each chapter outlines the historic documents that indicate the location of the purchased/ceded lands, the identity of the signatories and participants, and the intent of the transactions.
- Vol. 4 Part A. The Establishment of Reserves in the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming. This section outlines information on the manner in which each of these reserves was established, for whom they were set aside, and the purpose of each reserve.
Part B. Contemporary Aboriginal Communities in the vicinity of the Ottawa River Watershed. Primary documents and secondary sources are used to describe the contemporary location of Indian reserves and settlements within the Ottawa valley and surrounding area.
- Vol. 5 Part A. Chronology: Settlement of the Ottawa River Watershed. This list illustrates the spread of non-aboriginal settlement throughout the Ottawa valley. Lists showing the date of survey of townships within the watershed are appended to the chronology.
Part B. Chronology: Crown Assertions of Extinguishment of Aboriginal Title or Aboriginal Rights. This chronology isolates all the historic documents in which Crown authorities made statements claiming to have extinguished aboriginal title to all or part of the Ottawa River watershed.
Part C. Chronology: Compensation for Extinguishment of Aboriginal Title. This chronology lists all the historic documents which indicate compensation was paid for extinguishment of aboriginal title to particular aboriginal people for lands within or bordering on the Ottawa River watershed.
Part D. Chronology: Exercise of Crown Legislative, Administrative, and Regulatory Authority in the Ottawa River Watershed. This chronology gives brief summaries of correspondence, statutes, and reports indicating exercise of jurisdiction by the Crown.
- Vol. 6 Chronology: Demands for Recognition of Aboriginal Title to the Ottawa River Watershed. This chronology isolates the historic documents in which aboriginal peoples claim unextinguished rights to the Ottawa River watershed.
- Vol. 7 Index to Primary Documents: Documents Nos. 1 to 1261. This index is organized in chronological order and includes brief information on the content of each document. The numbers assigned to each document are used as references in the reports and chronological listings.

- Vol. 8** Part A. Index to Secondary Sources: Documents Nos. SS-1 to SS-70.
This index lists the secondary sources cited in the reports. Each document is numbered and listed in alphabetical order by the author's last name. All secondary source document numbers are prefixed by "SS".
Part B. Index to Maps and Plans. This is an index to maps and plans collected during the course of the research. Many of the more informative maps are reproduced in Vol. 1, Part B - Information Maps and Illustrations with Explanatory List.
Part C. Bibliography of Sources Consulted. This is a listing of primary and secondary sources and document collections consulted in the course of the research. In general, primary sources are organized by repository, while secondary sources are listed alphabetically by author's last name.
- Vols. D1 to D40** Primary Documents. The documents are organized by number and correspond to the primary document index which is contained in Vol. 7.
- Vols. S1 to S8** Secondary Source Documents. The documents are organized by number and correspond to the secondary source index which is contained in Vol. 8, Part A.
- Maps and Plans** Maps and Plans Collection. The maps are organized by number and correspond to Vol. 8, Part B - Index to Maps and Plans. A number of these maps have been reproduced in Vol. 1, Part B - Information Maps and Illustrations with Explanatory List and are more easily consulted in that volume.

VOLUME 3

PURCHASES AND TREATIES IN THE OTTAWA RIVER WATERSHED: 1783, 1784, 1819, AND 1923

SUMMARY

The Crawford Purchase

The exact area of the lands purchased by Captain Crawford in 1783 has never been conclusively documented. The only evidence regarding this transaction is a small collection of correspondence. No deeds, maps or plans are extant; there is no evidence that any of these formal documents were ever drawn up. The so-called Crawford Purchase was described by Crawford as a single purchase, although he appears to have settled with two distinct parties for the lands. Crawford described the purchased lands as stretching along the north shore of Lake Ontario¹ from the Bay of Quinte [at the mouth of the River Trent] to the Toniata River [near present day Brockville]. The northern boundary for the whole purchase was described by Crawford as "extending from the lake back as far as a man can travel in a day".

Crawford's description of the terms of the purchase, however, imply that the land was actually settled for in two sections. The western purchase extended from a river in the Bay of Quinte [the Trent] to Fort Henry at Kingston. If the distance back from the lake is assumed to be a maximum distance of two or three townships or not more than 30 or 40 miles, this area is not within the Ottawa River watershed. This purchase was taken from an unspecified number of Mississauga Chiefs who were given a large wampum belt to formalize and commemorate the purchase.

According to Crawford, the lands below, or downriver, from Fort Henry were claimed by "old Menas who commonly resided at Canesadanga", an early name for the settlement at the Lake of Two Mountains. Crawford did not identify the tribal affiliation of Menas, nor did he indicate that the purchase from Menas extended any further back than the western section purchased from the other Mississauga Chiefs. In fact the opening line of Crawford's report described both sections of the purchase in the following words, "... I have purchased from the Mississaugas all the lands from Toniata or Onagara River to a river in the Bay of Quinte ... including all the Islands, extending from the lake back as far as a man can travel in a day, ..." Crawford did indicate that Menas received a small wampum belt to mark his sale of land to the Crown.

When Major Ross, the Commandant at Cataraqui, relayed the news of Crawford's purchase to the Governor General he described the purchase as being made from the Mississaugas and that it was much facilitated by "an Old Chief of them," indicating that he believed Menas was a Mississauga.² Later, Sir John Johnson indicated that as well as

¹ Actually, the eastern extent of the purchase as described by Crawford borders on the north shore of the St. Lawrence River.

² Since the various Algonquian language systems are similar in phonetics, it would be difficult to pinpoint the precise language group from which the name Menas or Mynass was derived. For example, in the Anishnaabe (Ojibway, Mississaugas, Chippewas) and Algonquin languages the word for hawberry is Menas, Mynass, or Meenes or some other similar form of spelling. See Ojibwe Language Speller, Book I, prepared by Lena

facilitating the purchase from the Mississaugas "Indian Chief Mynass ... sold his own lands from the River Toniato to Cataracqui, including all the Country between the River St. Laurence and the Grand River". Ten years later, John Ferguson, former Deputy Commissioner at Cataracqui, reported that he had heard Crawford and Johnson say that the purchase extended from the St. Lawrence as far back as the Ottawa River.

In March of 1784, Governor Haldimand mentioned the land claimed by Menas, noting that "There is an Old Indian, Piere Minass at the Lake of the two Mountains who has a Claim of which you are acquainted, by a french Grant of a Tract of Land upon the River towards Cataracqui, Which he is willing to relinquish to the Crown for a Small yearly Pension, he is very Old and deserves well from Government." Marginalia written by Sir John Johnson indicates that Menas's land covered the tract from Gananoque to the River Toniata, although no indication is given of how far back from the water's edge it extended. Johnson also stated that Menas was dead, but his family was receiving compensation.

It should be noted that a tract of land extending approximately from modern day Kingston to Brockville and as far back as the Ottawa River is a very large tract to be claimed by a single chief. In addition, the tract would cross a major waterway and height of land which would be quite an unusual block to be occupied by a single chief and his followers. Assuming that the tract so described was in fact ceded by Chief Menas, the southern portion would be outside of the Ottawa River Watershed, while the more northern portion would be within the Ottawa River Watershed.³

The St. Regis and Oswegatchie Purchases

The St. Regis and Oswegatchie Purchases were supposedly taken in 1784 by Lt. Col. Campbell, an Indian Affairs official, acting under the instructions of Governor Frederick Haldimand, from the Mohawks of St. Regis and the Onondagas of Oswegatchie. No deeds for either of these surrenders have been found. It would appear that the St. Regis Indians gave up their rights to a tract of land from the Long Sault (Osnabruck Township) to the River au Raisin (Charlottenburgh Township), stretching inland from the St. Lawrence River approximately 18 miles.⁴ Most of the ceded tract as described would be south of the Ottawa River watershed. The extreme north west corner of the tract might have been within the watershed in the Township of Osnabruck, depending on the north/south orientation of the western boundary.

The Oswegatchie purchase allegedly took the land from Long Sault south to the Toniata Creek, thus being located between the eastern boundary of the land surrendered by Menas to Crawford in 1783 and the St. Regis purchase described above. The ceded tract was described as being located along "the Front of the [St. Lawrence] River". There was

White, Walpole Island, 1976. See also, for instance, *Voyages and Travels of an Indian Interpreter and Trader*, by J. Long, 1791, for a comparison between early Algonkin and Chippeway terminology. Dr. Jean Black's study of ethnicity at the Lake of Two Mountains mission indicates that while Algonquins and Nipissings formed the largest communities at Oka during the 18th and early 19th centuries, other Algonquian groups such as Mississaugas, Ottawas, Saulteaux, Ojibwa, Abenaki, Têtes de Boule, and Cree also frequented the mission [Doc. No. SS-4].

³ The portion within the Ottawa River watershed would likely include parts of the townships of WOLFORD, KITLEY, BASTARD, SOUTH CROSBY and NORTH BURGESS and all of the townships north to the Ottawa River. This description is approximate, as there is no way of ascertaining the exact orientation of the north/south lines running from the southern boundary to the Ottawa River.

⁴ The eighteen mile depth of this purchase would be consistent with the rear boundary of the tract reputedly owned by the St. Regis Mohawks.

no indication of the depth of the parcel of land. The Ottawa River watershed is very close to the St. Lawrence River at this point; distances vary from about five to twenty miles. If this purchase was consistent with the St. Regis purchase in covering a eighteen mile depth, it would include some land in the Ottawa River watershed.

Based on the above information it is possible that parts of some townships within the Ottawa River watershed were purchased by the St. Regis and Oswegatchie purchases. These townships may include: parts of Elizabethtown, Augusta, Edwardsburgh, Matilda, Williamsburgh and Osnabruck. They were all projected as districts by 1788, indicating that the Crown believed them to be Crown lands available for settlement.

The Rideau Purchase

The Rideau Purchase of 1819, comprising over two million acres of land in eastern Ontario, was signed by the Mississauga Nation. Government officials stated that the lands were used and occupied by the Mississaugas. In 1816, in preparation for the Rideau Purchase, Deputy Superintendent General of Indian Affairs William Claus instructed Kingston Indian Agent John Ferguson, that as the government planned to purchase "Four or Five Townships in the rear of those mentioned in the Margin [Crosby, Burgess, Elmsley, Montague, and Marlborough]⁵, you will immediately communicate the Same by Wampum to the Chiefs of the Chippawaye and Missisaguay Nations, owners of the said Land".

When the Mississaugas were approached about the proposed purchase they stated that they were the only people interested in the land and that the claims of the Nipissings and Algonquins did not cross the Ottawa River. The Resident Agent believed that the lands to the Ottawa had already been purchased by Crawford.

When the provisional agreement for the purchase was signed in 1819, the signatories were referred to as "Principal Men of the Mississagua Nation". The lands described in the provisional purchase and confirmed in 1822 include lands which may have been sold by Menas (assuming a purchase to the Ottawa River) and lands north of the western portion of the Crawford Purchase. The following geographic townships encompassed by the Rideau Purchase are within the Ottawa River Watershed: parts of Olden, Kennebec, Kaladar, Anglesia, Effingham and North Canonto, and all of Oso, Abinger, Miller, South Canonto, Barrie, Clarendon, and Palmeston in the Counties of Lennox, Addington, and Frontenac; and part of Cashel Township in the County of Hastings. Also included are the following townships in Lanark and Carleton Counties: S. Sherbrooke, Bathurst, Drummond, Beckwith, Goulbourn, March, Huntley, Ramsay, Lanark, Dalhousie, N. Sherbrooke, Lavant, Darling, Pakenham, Fitzroy, Torbolton, McNab, Bagot, Blithfield, Adamston, Horton, Bromley, Ross, Westmeath, Stafford, and Pembroke.

⁵ These townships border on the Rideau waterway in the vicinity of modern day Smiths Falls. Assuming that Menas ceded all the land to the Ottawa these townships would likely have been included in that cession. The townships north (or in the rear) of those named would also have been ceded by Menas. If Menas' cession went only as far as the Rideau system (about three townships) then these lands would have been uncaded land.

The Williams Treaties

Both the Mississauga and Chippewa Nations were represented by the signatories to the Williams Treaties of 1923. Chiefs and Councillors of the Chippewas residing at Christian Island, Georgina Island, and Rama, as well as the Mississaugas of Alderville, Mud Lake, Rice Lake, and Scugog, were all parties to these treaties which surrendered over 10,000 square miles of territory in central and eastern Ontario, including the north and western part of the Ottawa River Watershed. At the time of the Williams Treaties these bands were residing on reserves outside of the Ottawa River Watershed.

In the months preceding the signing of the Williams Treaties, representatives of the federal and provincial governments conducted an investigation into the claims of the Mississaugas and Chippewas. A few of the elders interviewed stated that their lands went all the way to the Ottawa River. Many of the people interviewed, however, stated that their lands went as far north and east as the height of land, and that all the land between there and the Ottawa River belonged to the Algonquins. Despite this information the commissioners did not investigate the Algonquin claim prior to entering into the treaties.⁶

Intentions of the Purchases and Treaties

The intentions of the Crown in entering into the Crawford Purchase of 1783, the St. Regis and Oswegatchie Purchases of 1784, and the Rideau Purchase of 1819/1822 were similar to their intentions in most pre-Confederation Ontario treaties--to obtain the title to land which was needed for white settlement. The Crawford, St. Regis, and Oswegatchie lands were needed to settle both white United Empire Loyalists and members of the Six Nations of Indians who had fought on the side of the British in the American Revolution. The Rideau Purchase lands were also needed for settlement, as the white population expanded inland from the north shore of Lake Ontario.

Although it cannot be said that the Crown expressly meant to extinguish Aboriginal rights of any peoples other than those who were parties to these purchases, it is evident from the historical correspondence that the Crown believed that the signatories of the surrenders were the only parties who had a claim to the subject lands. Whenever the use and occupancy of the lands to be surrendered were discussed, it was noted only that the signatory parties had possession of the lands.

The Crown's intent in the case of the Williams Treaty of 1923 was somewhat different than in the other purchases discussed here. The Chippewa and Mississauga Nations had made many claims in the years prior to the signing of the Williams Treaties to unsurrendered lands in central Ontario. When the Williams Commission undertook an investigation of these claims, the federal and provincial Crowns described the lands which they were to study as comprising "parts of the counties of Renfrew, Hastings, Haliburton, Muskoka, Parry Sound and Nipissing, and being bounded on the south and east by the lands included in the surrender of the Indian title made on the 18th of November, 1815, the

⁶ The 1923 Williams Treaties are the subject of a claim by the United Indian Council of Mississauga and Chippewa First Nations. The claim has been accepted for consideration by both Canada and Ontario.

5th of November 1818, and November, 1822 [Rideau Purchase]; on the north by the Ottawa and Mattawa Rivers and Lake Nipissing, and on the west by the lands included in the surrender of the Indian title made in 1850, known as the Robinson-Huron surrender, and by the Georgian Bay, the area in question including about 10,719 square miles."

In the course of investigating the Mississauga and Chippewa claims, the commissioners discovered that there were lands other than those described in their mandate to which the title was unclear or perhaps imperfectly extinguished. The concern of the governments was to ensure that the crown's title to all unextinguished land in the province was "cleaned up" and made perfect. As a result the treaties were drawn up with the Mississaugas and Chippewas to extinguish all of their interests in the described area which included all of the territory in southern Ontario which the crown had concluded had not been adequately surrendered or purchased from aboriginal people in the past.

BACKGROUND

1. The Crawford Purchase of 1783, the Rideau Purchase of 1819, and the Williams Treaties of 1923, were all signed by members of the Mississauga Nation; in addition, Chippewas signed the Williams Treaties. The St. Regis Indians, mostly Mohawks, negotiated for lands on the north shore of the St. Lawrence River in 1784, as did the Onondagas of Oswegatchie. This background section contains information regarding the aboriginal occupation of the area.¹
2. In March of 1779, Walter Butler, the son of Colonel John Butler, commander of Butler's Rangers, set out from Niagara Falls en route to Quebec. The journal he kept is one of the only descriptions of the north shore of Lake Ontario from this period. The account of his journey as far as Kingston is reproduced below. Although many of Butler's references are outdated and/or incorrect, his mention of Indian villages verifies that the lands along Lake Ontario were occupied by the Mississauga Nation:

Three o'Clock in the Afternoon, Set off for Canada in a Batteau²--The Weather Calm, the Season very forward And More than Common fine, no Appearance of Snow, Ice, or Frost. Rowed to the 12 Mile Pond.³ Encamped--Saw this Evening a large flock of Pidgeons in trees, and number of Geese & Ducks in the Pond--

12 Mile Pond March 9th. [1779] At Six put off, the Wind & Swell high and ahead, but the hands being good Oarsmen Kept the Lake till the 20 Mile Pond, or River,⁴ When the Wind increasing & no Harbour nearer than 40 Mile Creek, made for the Creek and was near striking on the Barr, but the force of the Waves on the Stern and working briskly of the Oars, got into the River An Indian Cabin on the Banck Inhabited by Messessaugoes⁵, the 20 Mile Creek is a fine Stream, tho' shallow at the Entrance, and Narrow at the Mouth, but very wide a little way up--the Lands in General Level, tho' higher on the East side--Timber, oak, Pine & a few Chesnut Trees, the place Appears as the head of the Lake turns to the North Eastward, this Creek heads near Point O'Bino⁶ 18 Miles above Fort Earie, on Lake Erie, likewise the 12 & 16 Miles Creek rise out of the Swamps near Lake Erie--Boats Can go up this Creek about 15 Miles--Saw a number of Black Birds--3 o'Clock put off--the wind falling, rowed till four--hoisted sail & continued till six--rowed till seven o'Clock, put in shore and Encamped--on a low Sandy Beach,⁷ five miles from the Creek in this Bay forming the head of the Lake, hauled the Boat up--the distance from the Sd Creek to Niagara 60 miles.

10th of March--Put off at Daylight, Every Appearance of a fair wind, rowed an hour, the wind came ahead, increased with a high swell, was

1 The reader's attention is drawn to the fact that the purchases and treaties of 1783, 1784, 1819, and 1923 encompass land both inside and outside the Ottawa River watershed. The evidence cited in this section focusses on establishing the identity of the aboriginal occupants of the area of land ceded by the 1783, 1819 and 1923 treaties outside of the Ottawa River watershed. For more information on the identity of aboriginal occupants of the Ottawa River Watershed, please see Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period. This section also contains information on the movement of Mississaugas into southern Ontario at the end of the Iroquoian or Beaver Wars.

2 All archaic spellings and usages and grammar errors are as in the original document.

3 More usually, "Twelve Mile Creek";--the creek on which St. Catharines was subsequently built. These designations indicated the distances from Niagara.

4 Now Jordan Harbour. "Twenty Mile Creek" flows through "Twenty Mile Pond" before emptying into Lake Ontario. Jordan is situated three miles from the mouth.

5 Emphasis added for all underlined sections.

6 Point Abino. Butler is, of course, wrong in his opinion as to the place of origin of these creeks.

7 Probably at or near Hamilton Beach.

obliged to put into the River at the head of the Lake,⁸ Shipped Water twice before we made the River--the wind at East--from the West side the 20 Mile Creek the land lowers, till you come twelve Miles off this, where it forms a fine sandy Beach, with a few Trees near the shore--which Continues a mile beyond this River, where the shore turns and runs about North East, from whence it's a broken shore, with a Banck of Seven or Eight feet & no landing with Boats for Ten Miles, in windy weather a Boat may go up this River⁹ Ten or thirteen Miles, from whence there is a Carrying Place of thirteen Miles to the River Trance,¹⁰ which falls into the Lake of St Clair, After you enter this River about 400 yards, it forms a Lake or Pond¹¹ of 4 miles over and six long, between it & the Lake is a narrow neck of Land of 400 yards wide cover'd with a few Trees, & reedy Grass, on this the Indians hut in the Fishing Season--this Pond in the Season has great number of all sorts of Water Fowl--round this Lake or Pond a quantity of Hay might be made--this morning about 7, the weather being clear & little or no wind, we saw the Spray or Mist of the Fall of Niagara bearing from this about South East--A Canoe with Messessaugoes Came to us, gave me Ducks, in return gave them Powder & Shot & Bread, they being out of Ammunition--I learn'd from them that Joseph Brant had left his Boat here and took two Canoes Eleven days ago--¹²

Head of the Lake 11th of March--

Got up at Daylight, wind still Ahead & too hard to put out, amused ourselves shooting Ducks & Black-Birds, set in raining at Ten this Morning, an hour before Sun-set A Thunder burst, with Lightning and a heavy rain, a Thick Fog & Calm, tho' still a high Swell, set off a little before Sun set, half an hour out, fog clear'd of with a hard North West wind, very Squally, could not sail, row'd till Eight o'Clock, the swell and wind too high to go any further this night, put into the twelve Mile Creek,¹³ with much difficulty got into the Creek, obliged to drag up the Boat, water sufficient but a Fall in the Mouth of the Creek 10 o'Clock at night before we could Kindle a Fire, the ground and wood wet, Encamped on a bare point--the wind blew down our Tent--up this Creek a Saw Mill Might be erected having fine Rapids and good Timber for Boards, this Creek in the Fall is fill'd with Salmon, as all other the large runs of water are in the Fall Season, from Niagara to this the Lake in general shallow near Shore tho' good Anchoring Ground off in the Lake.

12th of March--Set off at Seven o'Clock this Morning the wind at N-W too much off Land to sail, row'd till 11 o'Clock, Put into the River called Du Credit 17 miles from our last station, the shore in general good for Boats to Land, the Sand low and a good Beach, except the Points which are Bluff, two Messessaugoes came to me & informed me a number of them lived up this River, gave them Bread, put off at 12, row'd to the Bottom of the Bay¹⁴ Above Toronto, hoisted sail, found the wind too high to go round Long Point¹⁵ forming the Basin or Bay,¹⁶ below Toronto,¹⁷ Continuing sailing down the Bay to the Carrying Place,¹⁸ unloaded the Boat, Hauled her over and Loaded again in an hour and a half, row'd from this to the beginning of the high Lands,¹⁹ Encamp'd on the Beach & Secured the Boat--Toronto was built on a level Spot of Ground nearly opposite a long narrow neck or Point of Land running 7 or

8 The original channel connecting Burlington Bay with Lake Ontario.

9 Now the Desjardins Canal and Linden Creek. The immediate goal of the portage here was the Grand River--leading to Lake Erie--rather than the Thames, which was much more remote.

10 La Tranche, now the Thames.

11 Burlington Bay. Butler regarded the channel from Lake Ontario and what are now Burlington Bay, the Desjardins Canal, and Linden Creek, as constituting one river.

12 Brant was on his way to Quebec.

13 On the north side of Lake Ontario the creeks were distinguished by their distance from Burlington. "Twelve Mile Creek" flows into the Lake at Bronte in Halton County.

14 Humber Bay.

15 Now the Island.

16 Toronto Harbour.

17 That is, the site of the old French fort, on a point running out from the present Exhibition Grounds.

18 The sandy beach, then and until long afterwards unbroken, which connected what is now the Island with the mainland.

19 Scarborough Bluffs.

8 miles into the Lake which forms a noble Bay of nine Miles deep, two or three Miles from the bottom of which on the N. side, Ships can ride in safety, it's strange the French Built the Fort where they did, and not where their Shipping were wont to Lay, which was a few Miles below the Fort, down the Bay--The Bay of Toronto was filled with All sorts of Wild Fowl, saw on the North side of the Bay several Wigwams & Canoes turned up on the shore, the Land about Toronto Appears very good for Cultivation, from Toronto to River du Credit it's twelve Miles Across the Bays but better than twenty along shore--which is the way Boats must take, Except the weather is very calm, or a light Breeze in your favour--from Toronto to the beginning of the high Lands is about nine or ten Miles down the Basin, but nearly double round the Point.

13th of March--Got off at Daylight, the wind from the Land, could not sail, rowed till twelve, pass'd the high Lands And a small Bay--put into Pine Wood Creek--here one Duffin a Trader resided formly, since which a Frenchman has wintered here,²⁰ he was off a little before we came, two houses a little up the Creek, the one Entire, the other strip'd, this Creek famous with the Indians for great Quantities of fish, the distance from this to the other end of the Highlands is about 20 Miles, 15 of which, is few, or no places, where a Boat could be saved in case of a Storm off the Lake, the Banck very high and steep, being a mixture of Clay and Chalk, nearly as hard as Free Stone, it forms a Romantic wild view--in Many places appearing like Towers in Ruin, the remains of Houses and relics of Chimnies &c, from the Lake you would take it for a large Town built of Stone partly demolish'd, put off at one o'Clock, rowed till three, the wind fair, sailed till four, rowed till dark, no wind, put in shore in a deep Bay, where we found a fine Creek, it's water as clear as Crystal, Encamp'd a little up the Creek--in this Bay--I Believe Vessels might ride with safety from the N.E and N.W winds, but not from the SE or SW. the distance from this to the Pine Wood Creek is about 30 miles, the Lake all along forming small Bays, in which you have a good Beach where Boats may be secure in case of a Storm--

14th March--Set off at Daylight, rowed till twelve, the swell increasing with the wind ahead at East put into a Creek called by the Indians *Pamitiescotiyank*.²¹ (the fat fire) the distance from our Encampment 15 Miles, at this Creek and two others nearly of the same name, the Indians in Fishing Season resided, all those three Creeks head near A Lake of about 30 Miles long, distant from this 50 miles, where the Messessaugoes have two Villages and where the Canadians in Winter send Traders-- Express in Winter pass this Lake on their way to Canada--Set off at one o'Clk, the wind of shore, row'd till two, sail'd till night, put into a deep Bay, found a Creek but could not get in, the Stream running very rapid, row'd further in the Bay and Encamp'd on the Beach, secured the Boat, from the fat fire Creek to this About 30 miles, the shore & perticularly in the Bays Level and good Beaches for Boats to land--and the Points Bluff --the Lake Shoal near the Shore.

15th March--Put off as soon as day appeared and row'd till ten, Passed a long Point²² which forms two Deep Bays, one on either side, of Ten miles to the Bottom--in the Bay to the West falls one of the Creeks before mentioned, Coming from near the small Lake Inhabited by the Messessaugoes, in those two Bays Vessels might lay secure from Storms on the Lake in the West Bay sheltered from the South, E and NE winds, in the East from the West and N.W winds, the Point runs direct into the Lake for five Miles at least, you can't see the bottom of the East Bay in Passing Across from the End of the Point to the Main, this Bay has a fine River falling into it to the East. which forms a Basin And a Narrow Entrance into it, occasioned by a narrow neck or Sandy Beach between the Lake & River. At 11 o'Clock hoisted sail, the wind of shore, 1 o'Clock passed two Islands, the one called St. Nicholas,²³ the other never

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- 20 The stream at Pickering is still known as Duffin's Creek, and Pickering Harbour also bore the name Frenchman's Bay.
- 21 This and the preceding stopping place have not been identified. Butler's estimates of distances are not very accurate. It may be noted that Rice Lake, which evidently is the inland lake of which he speaks, bore an Indian name represented as *Pemedashcoutayong*.
- 22 Presqu' Isle.
- 23 Or Nicholson Island.

knew a name for,²⁴ nor did know there was one off St. Nicholas's--St. Nicholas's is About 1/2 a mile in circumference, the other about half that size--St. Nicholas's is About 1 Mile from shore, the other much smaller & about 2 miles beyond it, directly off into the Lake--either of which would be a safe Retreat for Vessels in a Storm, those Islands about twelve Miles East of the forementioned Point forming the two Bays. When the wind is high the Boats go within two miles of the bottom of these Bays and drag the Boats over a Point of Land about 200 yards wide. The Distance from our Encampment to the point about 12 miles, from the Point to St. Nicholas's Island ten miles. Continued sailing till night, put in shore and Encamped on a low point where we found a fine Creek and good Harbour--in a Pond, for our Boat saw this morning a great number of Wild Fowl, from the Island to this 25 miles, the shore much the same as yesterday only the Points not so Bluff--

March 16th--Put off our Boat very early, much Ice which had form'd last night, the wind ahead and partly from the shore, which drove the Ice in the Lake--row'd till nine o'Clock, came up to the two Duck Islands & saw the two Islands called the false Ducks, about South from the Real Ducks, the distance I take to be better than twelve miles between the real & false Ducks, as they appear from here, the Vessels if I remember well made the distance more, those Islands afford a safe Retreat for Vessels in case of a Storm. the Islands are much alike, about a mile round and nearly circular, distant from the main four miles, & from each other one-- The weather Calm row'd across a very deep Bay²⁵ of Twenty Miles down, & about ten directly over, this Bay is much larger, if it is taken from the point of a large Island to the East,²⁶ and the Ducks to the West--part of the main and the large Island on the East side the Bay, from the Ducks appears like a number of small Island, & in many places a single Tree is only seen, many Persons not acquainted with the Passage have taken down the Bay²⁷ supposing it to be the Entrance of the River and in coming from the River have imagined the main to the West to be Islands from its appearance and gone down likewise down this Bay, Traders go in two Days to the before mentioned small Lake Inhabited by the Messessaugoes.--Continued rowing till the mouth of Caderonqua Bay²⁸ the wind coming fair sailed into Caderonqua Harbour the distance from our Encampment to Caderoghqua about thirty two miles, the Land in Genl all along very low & swampy back, the point rocky & shallow for some way out--there is so much of a sameness in the appearance of the Land from the Highlands to the River that a few miles off in the Lake there's no knowing one place from the other, nothing but the walls of the Barracks & Houses remain of the Fort, it appears never to have been a place of strength, neither do I think its situation will admit it's being made so, the Land very stony & ground back to command it, it has a fine, safe Harbour for shipping, the little Island opposite the Fort, improved in the French time is now cover'd with small Trees--

I am told Vessels can't sail out of Caderoghque to the Lake but with a North or North east wind, an East and South East and South wind are fair winds for ships once clear of the River, to Niagara.

The above are all the observations I made on the North shore of Ontario, which would have been more perfect but for the severity of the weather, which prevented my taking notice of many parts of the shore, neither did I think those remarks would have been seen, or would have been more particular.

[Document No. 33]

3. The Ontario Historical Society article, "The Coming of the Mississagas", is an oral history of the migration of the Mississauga Nation into southern and eastern

24 Egg Island.

25 Prince Edward or South Bay.

26 Amherst Island, apparently. The entrance to the Bay of Quinté would thus be included.

27 That is, by the Bay of Quinté and the River Trent.

28 Cataraqui, now Kingston.

Ontario. After discussions of the war between the Mohawks and the Mississaugas, the author concludes as follows:

It being known that the Iroquois would never rest until they should return and attack the Mississagas, and, perhaps, at a disadvantage to the Mississagas, the latter decided to advance against the Mohawks and the Iroquois generally, beyond the Great Lake. They came upon them at their fort on the Mohawk River, and laid siege to it. After a long time the Mohawks, who resisted with great bravery, sent out two old men to see if peace could not be made, it being a pity that two brave enemies should fight till both were upon the point of extermination. It was evident, however, that there could be no certainty of peace for the future, since the Iroquois, as well as the Mississagas children, would surely take up the quarrel and continue it. It was decided by treaty therefore, that the children of the Mohawk and Mississagas warriors should be given and taken in intermarriage, and in this way peace was secured for the future. The Mississagas then returned, and seeing that the land conquered by them from the Mohawks, who had dispossessed the Hurons, was full of game and an excellent hunting ground, they came down from Lake Huron and settled permanently in the valley of the Otonabee, or Trent, and along the St. Lawrence, as far east as Brockville. They thus extended from Lake Huron to Brockville, in the east, and in the west where the Credit Indians live, a tribe of the same race, from Toronto to Lake Erie. ...

[Document No. SS-13]

4. K. M. Lizars' The Valley of the Humber reveals the presence of Mississaugas along the north shore of Lake Ontario, as follows:

... The Mississaugas in 1750 were comparatively few in number and scattered along the north side of the Lake, and beyond the Humber as far as Matchedash. They were a branch of the Chippewas or Otchipways, and one history of the county states so unmixedly were they found along the north shore at the time of the Conquest that they were treated by the British authorities as the sole owners of the soil thereabouts, whose rights must be extinguished before the Crown could lawfully take possession. ...

[Document No. SS-43]

5. Edwin Guillet's Early Life in Upper Canada, in its discussion of the trails, portages, and trade routes used in the latter part of the 1700's, reveals that there were numerous settlements of Mississaugas along the north shore of Lake Ontario:

In the early years of the British period the trading-posts and routes in the vicinity of Lake Ontario decreased greatly in importance. In 1750 forty or fifty traders were established at Oswego, but by 1779 only one, named Parlow, remained, and a party of Indians and revolutionists pillaged his post. He took shelter in a small fort on Carleton Island; other merchants followed him there, and a fair trade was carried on with the neighbouring Indians for some years [emphasis added]. The Oswegatchie fort farther east had never been a favourite resort for traders, except, perhaps, in the first years of its existence.

Along the north shore of Lake Ontario there were traders between 1770 and 1780 at Pinewood Creek and at Piminiscotyán Landing (Pemiscutiánk, at the mouth of the Ganeraské) [present day Port Hope], and probably also near the mouth of Duffin's Creek, at Gandalskiagon. Sometimes one would winter at the Mississauga village on the shores of Rice Lake [emphasis added]. Farther west the trade at the mouth of the Humber was continued in the British period when St. Jean Baptiste Rousseau, usually known as St. John [father of Jean Baptiste Rousseau, the trader and interpreter], received a license in 1770 to establish a trading-post, which he seems to have previously erected on the east bank of the Humber, near the mouth. It may be assumed that he was active in the trade in that vicinity many years before, for at least as early as 1756 the

river was known as St. John's Creek, and retained that name until Governor Simcoe's day, when most of the old names gave way to new. Several other men, notably one Knaggs, were also engaged in the nefarious rum trade at Toronto.

[Document No. SS-31]

6. A History of Scarborough, by Robert R. Bonis, gives details of the Mississauga Nation's migration to the lands later ceded to the Crown:

...
From about 1690 onwards the character of the Indian population along the north shore of Lake Ontario also began to change. The Mississaugas, a sub-tribe of the Ojibway or Chippewa people, who lived along the north shore of Lake Huron east of Sault Ste. Marie at the river Mishisauga (meaning 'big river-mouth'), began to move southwards down Georgian Bay. Absorbing elements from other tribes, such as the Ojibways proper, Amikwas or Beavers, Ottawas, Nipissings, and Huron remnants as they came, they advanced down the Trent valley waters to Lake Ontario, and spread east and west along the shore, replacing the Iroquois. Mississaugas took possession of the old Seneca village of Teiaiagon and the Toronto area, and for almost a century they occupied the lands existing from Brockville on the St. Lawrence River on the east to the Thames River on the west.
...

[Document No. SS-10]

7. Toronto During the French Regime, 1615-1793, a published source by Percy J. Robinson, provides further support for the claim that the lands were occupied Mississauga Nation who later took part in the subject treaties:

Some time during the period which we have been considering [1683-1701], the Mississaugas began to replace the Iroquois along the north shore of the lake. The campaigns of Denonville and Frontenac must have made the position of any of the latter who ventured to remain very insecure. The nefarious kidnapping of the inhabitants of Kenté and Ganneious must have made all who professed neutrality exceedingly apprehensive. Teiaiagon and Ganatsekwyagon, if they still existed, lay right across the path of the Ottawas descending from the north. Indian tradition is notoriously inaccurate, but the fact that Copway, himself a Chippewa, in his traditional history of the tribe, asserts that it was in the latter part of the seventeenth century that the Mississaugas expelled the Iroquois from the country north of the lakes, may be allowed some consideration. At any rate, when Toronto and the Portage again emerge into the light of history, the Mississauga Indians are in possession.

Robinson also quotes a document dated June 30, 1700, which he refers to as "Propositions for Ye Commisioners for Trade", presented by the Five Nations at Albany:

We must now give you an account of what the Dowaganhaes (Outawas) have said at Onondaga.

Some of the Dowaganhaes having had a conference with our Indians at their hunting last winter, conclude to desert their habitations and to come and settle upon Ye Lake of Cadarackqui, near the Sinnekes' country at a place called Kanatiochtiage (Ganatsekwyagon), and accordingly they are come and settled there and have sent five of their people to Onondaga to treat being sent from three Nations who are very strong, having sixteen castles.

Robinson further provides the following information on locations of Mississauga settlements:

With the rebuilding of Fort Frontenac in 1695, the collecting of peltries along the north shore of Lake Ontario, at the foot of the important trails leading into the interior, was resumed. The Mississaugas were now established in the hunting grounds of the Iroquois north of the lake, and trading went on as before at Kenté and Ganaraske and especially at the mouth of the Toronto River where the Toronto Carrying-Place afforded easy access to rich and varied hunting-grounds.

...

Ten years later, in 1718, the author of an anonymous report gives the following scanty information about the Mississaugas. "On the opposite or north shore of Lake Huron you have Matchitace; some Missisagues are there, whose manners are the same as the Outaouaes. You have the Toronto Carrying-Place, leading from Lake Ontario to Lake Huron fifteen leagues long." This statement is incorporated with Chauvignerie's *Memoir on the Indians of Canada as far as the Mississippi* (1734) with the additional statement, "The Missisagues are dispersed along the shore at Kenté, others at the River Toronto and finally at the head of the lake to the number of one hundred and fifty in all and at Matchedach. The principal tribe is that of the Crane."

[Document No. SS-52]

8. In 1850, George Copway published a history of the Ojibway Nation, of which he was a chief. His book contains a description of the land occupied by the Mississaugas and Chippewas and detailed accounts of how they took possession of the territory. The following are excerpts from Copway's book:

...

The most bloody battles were fought on Lake Simcoe, at a place called Ramma, at Mud Lake, Pigeon Lake, and Rice Lake: the last that was fought took place at the mouth of the river Trent.

Forty years had nearly elapsed since the Hurons had been routed, but they had not forgotten the land of their birth -- the places that were once so dear to them. The thought of regaining their former possessions inspired them with a courage that faced every danger. They fought like tigers.

The first battle between the Ojibways and the eastern Iroquis or Mohawks, was fought at a place near where Orillea is now situated, about one-quarter of mile northward. The Mohawks collected in great numbers here and awaited the attack of the western Hurons and Ojibways. They resisted stoutly for three days - at the close of which, traditions informs us, they sued for mercy, which was granted, and the few survivors were allowed to go to Lake Huron, where they remained during the rest of the war.

The second battle of any account was fought at Pigeon Lake, where the Iroquis had made a strong fort, remains of which are to be seen at this day. At this place great numbers of the Ojibways took the fort by storm, and but few of the Iroquis were spared.

The third battle was fought near Mud Lake, about twelve miles north of Peterboro. Not a male person was spared, and the next day another village that stood on the present site of Peterboro and Smithtown was attacked, and an immense number slaughtered.

I will not attempt to narrate the many barbarous acts which took place on both sides, for humanity shudders at the bare thought of them. They spared none. It is said that they fought the last few who resisted, on a shoal in the river, with arrows strings, and other missiles; that their blood dyed the water, and their bodies filled the stream.

From both banks of the river the wail of woe and grief arose from the orphan children, whose loud cries and sobs were heard far distant. Here, side by side the hostile warriors rolled in blood and agony, while the eagles, buzzards, and crows, flying round and round, added their screech

to the noise of the combatants, and by their actions testified their joy that a day of general feasting had arrived. Where "Slaughter heaped on high its weltering ranks."

Death made a throne of the bodies of the slain, and arm in arm with his hand in hand, friend Despair ascended and ruled the day. The fourth village which they attacked was at the mouth of Otonabee, on Rice Lake, where several hundreds were slain. The bodies were in two heaps: one of which was the slain of the Iroquis; the other of the Ojibways.

Panic-struck the Iroquis collected their remaining forces in Perey, now Lewis's Farm where for two days and nights they fought like wild beasts. Their shrieks and shouts were heard on each side of the river Trent, so madly did they rush upon destruction.

Of this band of warriors, one alone was saved. The women and children were spared to wander in solitary anguish, and mourn over husbands and fathers whose bones were before them, -- sad memorials of desolating war. At this day arms of various descriptions are to be found, such as war-clubs, axes, spears, knives, arrow-heads and tomahawks mixed with human bones.

The fifth and last battle was fought on an island near the mouth of the river Trent, where most of the canoes had collected. At early dawn the warriors landed, and with one wild, fierce rush, commenced their work of havoc and extermination.

Yells and groans were heard on every side, -- hand to hand they fought, and those who attempted to fly were pursued into the water and there slain and scalped.

When the news of these victories reached the Mohawks, they were incredulous, but soon learned that the Iroquis were entirely broken up and the country subdued.

The war-whoop of the trading Indians and their host abounded. Revelling and feasting celebrated the downfall of the Iroquis. In vain the Iroquis who remained, sent to the French suing for peace. The petitions were not heeded, and they vainly attempted to regain by scattered skirmishes a foothold on the land they were destined soon after to abandon for ever.

They returned from Canada, and their conquerors allotted them places of habitation. The Shawnees occupied the southern, and the Ottaways and Ojibways the northern parts.

Peace was then restored, and the confines of Niagara and St. Lawrence reaped its benefits.

This took place about 1660, and continued for six years, when the French undertook to lay the foundation of a fort near the foot of Lake Ontario, called in the Algonquin language, Kah-tah-nah-queng (Cataraque).

...

[Document No. SS-20]

9. Etobicoke: from furrow to borough, by Esther Heyes, also describes the Indian settlements along the north shore of Lake Ontario:

...

After the turn of the 18th Century the whole pattern of Indian occupancy changed over a wide area on both sides of the Humber. The Iroquois had returned to the south side of Lake Ontario and the Mississaugas had left their barren haunts on the north shore of Lake Huron, and had settled along the western end of the Lake [Ontario]. Their villages extended from the Rouge River to the Niagara River. It is likely that they established themselves on the site of Teieiagon, but there are also indications that their

principal village, called Toronto, was on the west side of the [Humber] River. Both sites commanded the Toronto Carrying Place.

...

[Document No. SS-35]

10. An article in the December 1975 issue of Ontario History, the quarterly journal of the Ontario Historical Society, entitled "Who are the Mississauga?", examines the movements of the Mississauga Nation by following the changes in the names given to these people in historical sources:

...

In any case, in the first decades of the eighteenth century, the Algonkian peoples designated by the French and English as "Mississauga," and occasionally as "Saulteur" (in French), and "Chippewa" (in English), strongly controlled the north shore of Lake Ontario. By 1702, a band from the mouth of the Humber River had settled near Fort Frontenac. There, despite the existing peace, they terrorized the Iroquois, destroying their village in 1704. Around 1707 they arrived in the Niagara region. They proposed to build a settlement at what later became known as the Mississauga village near Chippewa Creek. In their weakened position, the Five Nations could not refuse.

By 1720 the Mississauga were firmly established throughout southern Ontario. An anonymous French memorialist located a village of "about 60 or 80 men" twelve leagues from Fort Detroit in 1718. Eighteen years later the French estimated 30 men lived near the Mississauga River, 20 on Manitoulin, 60 at Lake St. Clair, and 150 at Matchedash Bay and on the north shore of Lake Ontario. Charlevoix had found them in 1721 in settlements at Fort Frontenac, Niagara, and Detroit.

...

[Document No. SS-58]

11. The well-respected anthropologist and ethnographer, E. S. Rogers, in "Southeastern Ojibwa", a chapter of the Northeast volume of The Handbook of North American Indians, provides a brief description of the ancestral homelands of the Mississauga Nation:

Within a century after European contact, Ojibwa began to expand into southern Ontario and Michigan from a "homeland" that is difficult to define with any precision on the basis of cultural or linguistic data. It is reasonably certain that their homeland was somewhere within an area extending from the east shore of Georgian Bay, west along the north shore of Lake Huron, and a short distance along the northeast shore of Lake Superior and onto the Upper Peninsula of Michigan. Here at the time of European contact lived a number of named groups of Algonquian speakers, who it can be assumed spoke a common dialect although, no doubt, with minor regional variations. Each group numbered no more than several hundred people, totaling probably not more than 3,000--4,000. The history of these groups is not known in detail, but they were the antecedents of the Indians known in the twentieth century as Chippewa, Ojibwa, Mississauga, and Saulteaux. The first three of these names have been applied to various of the Southeastern Ojibwa groups discussed here, depending on period and location. Their history has been closely linked with that of the Ottawa and Potawatomi and, at times, the Huron, and the present Southeastern Ojibwa population is in part descended from members of these tribes and of the Shawnee and Menominee.

A linguistic survey in the 1970s (Rhodes 1976) found evidence for two major dialects in the Southeastern Ojibwa area, although both share a characteristic pattern of vowel weakening. One, which Rhodes calls Central Ojibwa-Odawa, can be identified with the form of speech called Ottawa in the nineteenth century (Baraga 1878-1880) but in the 1970s spoken not only by the Ottawas (or Odawas) of Manitoulin Island and Michigan but also by the Ojibwas (or Chippewas) of the Lower Peninsula of Michigan and of that part

of southwestern Ontario lying west of a north-south line drawn through the base of the Bruce peninsula. East of this line is the second major dialect, Rhodes's Eastern Ojibwa, spoken by people called Ojibwa (or Chippewa) and Mississauga and showing certain resemblances to the Ojibwa of the Upper Peninsula. There is also subdialectal variation within each major dialect, and some groups and individuals whose speech is fundamentally of one type use certain forms characteristic of the other.

...

After the Huron had been routed in 1649-1650, the Iroquois began putting pressure on Ojibwa to the north. Temporarily some groups withdrew westward but no mass exodus appears to have taken place. In fact, some Ojibwa are thought to have retaliated (Elliott 1896:354). In spite of what may have happened, the Iroquois continued their attacks. The Algonquian groups, previously politically autonomous, often became reduced in numbers through warfare, starvation, and European diseases. When this occurred, they amalgamated with other groups. In the process, many lost their group identity. The Amikwa, Marameg, and Nikinouek, for example as named entities had disappeared by the end of the period but not necessarily the people themselves. The Saulteaux of Sault Sainte Marie by about 1670 had become so reduced in numbers, to about 150, that they formed a union with three other groups who numbered slightly more than 550 (JR 52:133). Throughout the period, Sault Sainte Marie was a focal point for the native people who inhabited specific areas both to the east and to the northwest as well as for the Saulteaux (the French name for the people of this locality), who considered it their home (JR 54:129-131).

Starting in the mid-seventeenth century, the Ojibwa began coming to the Saint Lawrence to trade. At the same time, the Jesuits expanded their work in the interior by building more mission stations. About 1667, they established the "Mission of St. Simon" on one of the islands on the north shore of Lake Huron. The second mission was to serve the Mississauga, Amikwa, and other groups in the area (JR 55:99-101). Some if not all, of the Amikwa had by this time moved from the mainland and were living on Manitoulin Island (JR 55:153), as had about half of the Mississauga.

Until the last decade of the seventeenth century, Southeastern Ojibwa had occupied only the Precambrian Shield about the northern shore of Lake Huron. During the 1690's, some began moving south into extreme southern Ontario and soon replaced, often it appears by force, the Iroquois who had settled after 1650 along the north shores of Lakes Erie and Ontario (P.J. Robinson 1965:58-59; NYCD 4:505, 694-695, 899, 5:247; Hammond 1907:71). By 1702 a group from the mouth of the Humber River had settled near Fort Frontenac at the east end of Lake Ontario and proceeded to terrorize the Iroquois who lived there, destroying their village in 1704. Around 1707 Ojibwa arrived in the Niagara region unopposed by the Iroquois (Wraxall 1915:52; Severance 1917, 1:162). Several years earlier, some "Mississauga" who wished to join the Iroquois and transfer their trade to the English settled near a Seneca village at the mouth of the Humber River (P.J. Robinson 1965:59:60). This desire was voiced again in 1708 (Wraxall 1915:52). In 1710 these Ojibwa were joined by some Amikwa (P.J. Robinson 1965:69). About 1720, the French, to intercept the Ojibwa and secure their furs, built a post at the mouth of the Humber River and a fort at Niagara (NYCD 5:5888-590). As Ojibwa moved into southern Ontario, others extended their occupation of the Lower Peninsula of Michigan (Kinietz 1940:319). Antoine Laument de Lamothe Cadillac contributed to the southern expansion when in 1701 he brought Ojibwas from the area of Sault Sainte Marie to Detroit (Kinietz 1940:229). Ojibwas in 1723 resided along the Saginaw River (WHC 16:430); in 1737, the River aux Sables, (MPHC 34:151); and in the 1740s expanded in the neighborhood of L'Abre Croche (WHC 17:63; NYCD 10:34).

By the early part of the eighteenth century, Ojibwas were well established in country to the south of their former homeland. Toward the close of the second decade of the eighteenth century an estimated 300 Ojibwa or "about 60 or 80 men" were living in a village at the north end of Lake Saint Clair (NYCD 8:1058, 9:888; WHC 16:370). Others lived along the

north shore of Lake Ontario, some at Quinte (Kent), others at Toronto, and at the Head of the Lake, in all consisting of about 150 able-bodied men (P.J. Robinson 1965:64), perhaps totalling 700-800 people. For 1736 the French gave the following estimates of Ojibwa in southern Ontario: 60 men at Lake Saint Clair and 150 Quinte, the head of lake Ontario, the Humber River, and Matchedash (NYCD 9:1054, 1056-1058), perhaps in all 1,000-1,500 people.

As the period advanced, a generalized Upper Great lakes Indian culture emerged (Quimby 1960:147-157). Groups that formerly had distinctive styles of dress and other customs in time became intermingled, blending into one of their slightly varied ways of life. Furthermore, the adoption of similar European trade goods gave a certain uniformity in the material culture of all the Indians of the area. It was reported in 1718, for example, that the Mississauga of Matchedash Bay had the same customs as the Ottawa (WHC 16:370).

...

[Document No. SS-53]

12. Peter S. Schmalz's article "The Role of the Ojibwa in the Conquest of Southern Ontario, 1650-1751", published in Ontario History, gives details on the Ojibway's acquisition of land in southern Ontario. After disputing the often held assumption that the "power of the Iroquois was destroyed by the French, thus allowing the Ojibwa to fill the vacuum created in southern Ontario" and revealing the extent of the conflicts between the Ojibway and the Iroquois from the 1680's to the early 1700's, Schmalz draws the following conclusions:

...

Territorial acquisition has traditionally been a sign of conquest and the Ojibwa-Iroquois wars are no exception. Although a treaty had been made between the warring parties in 1701, the Ojibwa in the first decade of the 18th century, without the consent of the French, continued to attack the Iroquois in order to keep 'the path to Albany open' and to entrench themselves in southern Ontario. The Iroquois reported the establishment of sixteen new 'castles' of the three Ojibwa nations (including the Saulteurs, Mississagas and the Ottawas). By 1702 some Ojibwa were located at two of the most important trade locations, Toronto and Fort Frontenac. Because the Ojibwa were seasonally on the move throughout the conquered territory, it is not until 1707 that there is direct Euro-Canadian evidence of more substantial settlements; for example, at Chippewa Creek near Niagara. By 1720 they were firmly established throughout southern Ontario. Europeans, by 1736, had located the Ojibwa at Kente, the Toronto River, Matchedach, St. Clair and at the head of Lake Ontario. Undoubtedly they were also north of these points. The first map to designate southern Ontario as the "Country of the Missesagues" was dated as late as 1755 and by 1768 twenty-five Ojibwa villages were located in southern Ontario. In 1784 the British had to pay the Ojibwa 1,180 pounds for land on the Grand River in order to settle the Iroquois displaced by the American Revolution. It was only natural that to the victors went the spoils of war.

...

[Document No. SS-56]

THE CRAWFORD PURCHASE OF 1783

1. At the end of the American Revolution, members of the Six Nations of Indians who had fought along side British soldiers in defence of Canada were to be granted tracts of land in compensation for the losses they had suffered. One of the places in which it was proposed to settle these people was the Kingston area, on land which was claimed by the Mississauga Indians. On August 11, 1783, Sir John Johnson, the Superintendent of Indian Affairs, reported to General Frederick Haldimand, the Governor General of Canada, on the progress that had been made in arranging the new settlements:

I have the honor to transmit herewith the Proceedings of the Several meetings held with the Six Nations, &c., at Niagara, and with the Messasagas at Carleton Island, by the latter your Excellency will observe that some uneasiness has arisen among them in consequence of a Report prevailing that a Number of the Six Nations intended Settling in the Neighbourhood of Cataraqui--they seem to have no Objection to White People settling there, but say that If their Brothers the Six Nations come there, they are so Numerous they will overrun their hunting grounds, and oblige them to retire to New and distant grounds not so good or convenient to them--these objections however may easily be removed by a purchase of such part of their Country as your Excellency may think necessary for the use of the Mohawks and others who may wish to Establish themselves on that Side of the Lake--I should imagine a purchase of the Lands Including the Islands from the Bay of Kenty downwards, and Including the Crown Lands, would be sufficient to Answer every purpose both for Loyalists and Indians.

I beg leave to request that as the Officers and Men of my Regiment were the foremost in opposing His Majestys Enemies and the first that joined his Forces in this Province, they may be Indulged with the first choice of Lands, should any be granted to them they have had reason to expect from the Proclamation Issued at the Commencement of the War.

[Document No. 34]

2. Haldimand replied on September 1, 1783, with the following comments:

...
I purpose [sic], about the latter part of this Week to send off a Surveyor and proper Persons to explore and mark out Lands for the intended settlement at Cataraqui--it will therefore be necessary at the same time agreeably to the opinion expressed in your Letter of the 11th Ultimo, to take the proper Steps to Satisfy the Messessague Indians for the Tract of Country intended to be Settled by the Mohawks and any of the Six Nations who shall wish to accompany them--You will please to give Such directions in this Business as will best tend to give Satisfaction to the Parties concerned, and Make the Purchase as little expensive to Government as possible.
...

[Document No. 36]

3. Two weeks later, Governor General Haldimand informed Major John Ross, the Commandant at Cataraqui, of Johnson's intention to purchase land from the Mississauga Nation in order to settle the Six Nations:

I have received your Letter of the 3d Instant, with the Sketch of Point Henry, &c., and am very much Obligated to you for the Trouble you have taken to examine the Ground near Cataraqui.

I entirely approve of your Idea of changing the Situation of the Town to Point Henry and have given my Orders to Mr. Collins accordingly; Subject however to any Alteration which you may think necessary, and in Case of any future Discovery of Situation proper to be fortified you will preserve such an Extent of Ground round them as you judge proper, and communicate to me your Ideas concerning them.

In a few Days Lieut. French of Major Jessups Corps will leave Montreal with a Party of Loyalists, to examine the great River Ottawa, and when at a proper Distance, to endeavour from thence to fall upon Cataraqui,¹ -- when they arrive, you will supply them with every Thing they may want and provide them with the Means of returning to Montreal as soon as possible,--and in order more fully to accomplish my Intention on this point, I could wish you could send some small Party with Savages somewhere near the same Rout, but they should be accompanied by an Intelligent Person, who would keep a Journal of the Distances and the Course they stear [sic], with every other Necessary Remark--Our Plans of this Country are very imperfect, according to them I should conjecture that due North from Your Post the Great River lies about 150 Miles distant I mention this but have no doubt, but that the Savages are much better acquainted with the Distance than we are.

From the Report of Sir John Johnson I have reason to expect that the Mohawks and some other Tribes of Savages will establish themselves near the Bay of Kintie, and I understand that it is their Wish to have the Loyalists in their Neighbourhood, all which I think will be an Advantage, by rendering the Settlement respectable, and consequently secure--The Only difficulty seems to be, giving uneasiness to the Missisagues, as they claim The Northern Part of Lake Ontario, to avoid which I have directed Sir J. Johnson to treat with them on this Matter and if necessary to make such purchases as the King's Service may require, which he tells me will easily be accomplished.

[Document No. 37]

4. No correspondence or instructions between Sir John Johnson and Captain William Redford Crawford of the King's Rangers, the man who arranged to purchase the required land from the Mississaugas, has been located. Crawford, however, did apparently meet with Mississauga Chiefs and negotiated a treaty. He submitted a report dated October 9, 1783 informing Sir John Johnson of his transactions:

According to your directions I have purchased from the Mississaugas all the lands from Toniata or Onagara River² to a river in the Bay of Quinte within eight leagues of the bottom of the said Bay including all the Islands, extending from the lake back as far as a man can travel in a day³, the Chiefs claiming the land at the bottom of the Bay could not be got together at the present. I believe their land can be got nearly on the same terms I bought this when I see them.

The consideration demanded by the Chiefs for the lands granted is that all the families belonging to them shall be clothed and that those that have not fusee [flint-lock gun] 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. This I have promised they should receive as soon as I could get it and hope you will send the articles mentioned soon as convenient.

¹ A report of this expedition and plans were later sent to Britain under cover of a letter from Haldimand to Lord North dated Nov. 6, 1783. This letter is quoted later in this report. (The account of the exploration covered the period from Sept. 29, 1783, to Oct. 29, 1783.)

² Surtees identifies the Toniata River as Jones Creek near present day Brockville [Surtees, 1984: 16. Doc. No. SS-64]. The toponymy service at Energy Mines and Resources identified Tonianta Creek (formerly called Tonawanda) in two sources. Both sources described the creek as flowing into the St. Lawrence in Yonge Township, Leeds County. Brockville is located about 8 miles east of that location.

³ See Paragraph 15 for more information on the location of the Crawford Purchase boundaries.

The lands below the Fort was claimed by old Menas who commonly resided at Canesadanga⁴. I have agreed for his right with the rest. This man has been of much service to me at this time. He has received a small belt for his family, a large one was delivered for the other Chiefs concerned in the sale, with the usual ceremony, to be kept in the nation a memorial to their children that they may know what their fathers have done at this time, &c.

The Mississaugas appear much satisfied that the white people are coming to live among them. Three Onondaga Chiefs lately from Montreal were present and approved much of what the Mississaugas had done. Not a word was said in regard to the Mohawks. If any written obligation is wanted from them let it be sent up and I will get it executed.

[Document No. 41]

From this account, it would appear that the lands from the "river in the Bay of Quinte within eight leagues of the bottom of the said Bay", likely the Trent River, up to Fort Henry, at present-day Kingston, were purchased from the Mississauga Nation, while the lands "below the Fort", in other words on the north-east side of Kingston, up to the Toniata River in Yonge Township were ceded by Menas or Mynass. The cession was said to go back "as far as a man can travel in a day." The Mississauga Chiefs received a large wampum belt and Chief Menas received a small wampum belt as formal recognition and record of the transaction.

5. On October 18, 1783, Sir John Johnson informed Haldimand of Crawford's purchase, and asked whether a deed would be necessary:

...
I transmit herewith Captain Crawford's Letter relative to the purchase of the Lands from the Messasagas, which I hope will prove agreeable to Your Excellency's wishes, and I shall be glad to receive directions concerning the deed of Cession necessary to be executed upon the occasion.
...

[Document No. 42]

6. The Commandant at Cataraqui, Major John Ross, also relayed the news of Crawford's purchase to Governor General Frederick Haldimand on November 3, 1783:

I had the honor to receive your Letter of the 13th Ultimo. The Lands have been purchased from the Messissagoes, which bargain was much facilitated by an Old Chief of them⁵, whose usual residence is in Canada [Québec], but happened to be here at the Time, his names is Mynass, has been in Europe, is now an Old Man, and expects as he really deserves that his Services on the occasion will be considered by Sir John Johnson, to whom he is recommended.

As soon as the purchase was made which (up the Lake) extends about Forty Five Miles, I sent some Officers of the Garrison to Explore the Country they Report, that the lands in general are of a most excellent

⁴ Canesadanga is another name for the Lake of Two Mountains or Oka settlement. On November 18, 1763, a "Memorandum on Six Nations and Other Confederacies" was prepared, which described "[Canasad]agas" as being "Near the mouth of the Ott[awa] at Lac de du Montagnes". This document also stated that the residents of the village there were "Arundacks, Algonkins, Iroquois, or 6 Nations called Canasadagas". [See Document No. 10.]

In addition, Fenton and Tooker identify Canaghsadagahs or Conasadagahs as an early name used for Mohawks from Oka and its predecessor settlement at Montreal. [See Handbook of North American Indians, Vol. 15: 479. Doc. No. SS-29.]

⁵ Note here that Major Ross identified Mynass as a Messissagoe [Mississauga].

quality, easily cleared and intersected with Rivers on which are several Falls where Mills can conveniently be erected.

...

[Document No. 45]

7. On November 6, 1783, Haldimand apprised Lord North, the British Secretary of State for the Home Department, of the purchase that had recently been made by Capt. Crawford:

I have to express the great regret which I feel at not having received Dispatches from England. There are many things which I could wish to be informed by His Majesty's Ministers for the Rule of my Conduct. I indeed know that the Intention of Government is to do everything in their Power to alleviate the Distresses of the Royalists⁶ and to procure for them and Families a comfortable subsistence; with this view I allow them Provisions, and have been under a necessity to provide many of them with Money and Cloathing. In order to exempt Government from these Expences, I lose no time in preparing a Settlement for them at or near Cataraqui--Since my last Letters I have Received a Report of some Intelligent Persons I sent to examine the Land on the Bank of the River Outawa &c., from Carillon upwards as far as Cataraqui.⁷

I inclose a Copy of the Report and two Plans which will give your Lordship a better Idea of the Country than Words can.⁸ I am happy to find that there are in the Gift of the Crown, Lands of so good a Soil and in a favorable Climate, sufficient not only to settle the Provincial Corps when disbanded, but all such Royalists as may come from the Southward with a view to find an Asylum from the Tyranny and Oppression of their Countrymen. I foresee great advantages from this Settlement. The Six Nations wish it, the Royalists settled together in numbers will form a respectable Body attached to the Interests of Great Britain & capable of being useful upon many Occasions. Their Industry will in a very few years raise in that Fertile Tract of Country great Quantities of Wheat and other Grains and become a Granary for the Lower Parts of Canada where the Crops are precarious and liable to be engrossed by a few designing and interested Traders; An Evil to be apprehended this Year, for Wheat is at present raised to the price of two Dollars per Bushel--Fisheries in Nova Scotia & the Island of Cape Breton considered as a national & Commercial Object are certainly preferable to Settlements where Agriculture is the Sole Prospect, but still Justice and Humanity require that the Loyalists should have a choice, and even advantages with Regard to the Fur Trade may result from the Settlement at Cataraqui. The Lands contiguous to the Fort, I have, to avoid any difficulty purchased from the Messessaga Indians for an inconsiderable Sum. [emphasis added] I have not as yet received Reports in Consequence of the orders which I have given to examine the Land on the North side of Detroit, tho' I am well convinced that there is a Tract of good Land there and which can be easily purchased from the Hurons in case it should be found necessary.

...

[Document No. 46]

⁶ i.e. United Empire Loyalists leaving American territory after the American Revolution.

⁷ The plans produced by the expedition show the area between the St. Lawrence and the Ottawa Rivers including the Petit Nation and the Rideau Rivers. [Plans OTAR SR 7115 and SR 7085 described in Joan Winearls # 411(1) and (2).] The Cataraqui River where it empties into Lake Ontario at Kingston.

⁸ The report and plans referred to were most likely those produced by the expedition undertaken by Lt. G. French, as anticipated by Haldimand in his letter to Major John Ross dated Sept. 15, 1783, and quoted above. French's plan shows the area between the St. Lawrence and the Ottawa Rivers including the Petit Nation and the Rideau Rivers. The report or journal of French's exploration was sent to Lord North with this letter; a copy is in the Public Records Office in London. The journal of the exploration was dated Sept. 29, 1783, to October 29, 1783. The purchase was made by Crawford on October 9, 1783, while French was in the field. This exploration should not be confused with the later party sent out by Major Ross after the cession and reported to Haldimand in his letter dated November 3, 1783, quoted above. [Plans OTAR SR 7115 and SR 7085; see Winearls # 411(1) and (2).]

8. Governor General Haldimand communicated with Sir John Johnson on November 13, 1783, concerning the participation of the Chief Menas in the Crawford Purchase, as follows:

...
Major Ross has strongly recommended an old Indian Mynass as having been very useful in facilitating the Purchase of the Land from the Mississaugues, I wish that Service to be marked by some Gratuity, such as You think will be best received by Him.

[Document No. 47]

9. Johnson responded on November 17, 1783, with the following information on Menas:

...
The Indian Chief Mynass has not only been usefull in facilitating the purchase of the lands from the Missasagas, but has sold his own lands from the River Toniato to Cataracqui, including all the Country between the River St. Laurence and the Grand River⁹, for which he and his family are promised to be Cloathed during his life, he has already received it for this Winter, with some Cash.

...

[Document No. 48]

10. Crawford wrote again to Sir John Johnson on August 14, 1784, as follows:

A few days before Mr. Connelly arrived the indians [sic] above the Bay of Quinté came down for their Presents, for the Lands I purchased last; with some difficulty I satisfied them, except some Arms which we are now able to give them when they call for them, those people were the Last that had or has any demands on us for Lands (the numbers I inclose) the purchase now extends on the Lake thirty six miles above the Head of the Bay of Quinté.

[Document No. 57]

11. No record of a response to Sir John Johnson's question to General Frederick Haldimand of October 18, 1783, concerning the necessity of a deed for the Crawford Purchase, has been located. The following letter of March 25, 1791, from Johnson to Deputy Surveyor General John Collins indicates that the former never received a deed:

I received your letter by Post -- and now send you a Copy of the Deed of Purchase of the land, on the Grand River &c with the best description of the Purchase near Toronto and up to the Rice Lake that I am able at present to furnish you with, as I never received any Deed from Crawford of the Purchase he made about Kingston and the Bay of Quinte, and the

⁹ The land as described would be a very large tract about 40 to 45 miles wide (at the St. Lawrence) by 80 to 90 miles north to the Ottawa River; roughly 3200 to 4100 square miles. The tract would cross the height of land and the Rideau River. It is unlikely that a single chief and his family would have rights to so large a tract divided by a major watershed and a large waterway. If these lands were indeed rightfully held by Mynass [or Menas] and ceded to the Crown, that would likely have included parts of the Leeds and Lanark Counties and possibly parts of Frontenac and Carleton (depending upon the orientation of the boundaries running north to the Ottawa River). Of these areas Lanark and Carleton are within the Ottawa River Watershed. The academic literature on size of hunting territory gives a wide range of sizes of family hunting territories the estimates typically range from 13 to 1716 square miles depending on a large number of factors including population, resource availability, competition, etc. [See Irving Hallowell. "The Size of Algonkian Hunting Territories: A Function of Ecological Adjustment." American Anthropologist, Vol. 51, 1949]. Frank Speck's "Family Hunting Territories and Social Life of Various Algonkian Bands of the Ottawa Valley" documents family hunting territories as ranging from 200 to 400 square miles per family in the main habitat, expanding to 400 to 1600 square miles on tribal frontiers. While these estimates vary considerably they are all well below the size suggested for a tract extending from the St. Lawrence to the Ottawa River [Doc. No. 60].

Deed I had drawn up at the head of the Bay was left in your own hand, to fill up the Courses, since which I have never seen it. [emphasis added]

...

[Document No. 61]

12. A statement made by John Ferguson, late Deputy Commissioner at Cataraqui, received on August 1, 1794, made the following comments on the Crawford Purchase:¹⁰

John Ferguson, late Deputy Commissioner at Cataraqui, says he was present in August 1787 at the Carrying Place at the Head of the Bay of Quinté when Sir John Johnson settled a purchase of Lands on the north side of Lake Ontario with the Mississaugues [the Toronto Purchase]. He adjusted some differences between the Indians and Captain Crawford respecting a former purchase which Ferguson supposed to be from the Head of Bay Quinté as far down as the extent of the Mississaugues claim. At which time it was agreed between Sir John Johnson and the Indians that these purchases should extend as far back as a man could walk or go on foot in a day. John Ferguson further says he saw the Indians sign two Deeds for the Lands in Question, & that Wabicanane was among the principal Chiefs present. Ferguson also says that he heard the late Captain Crawford say the lower purchase was from the River St. Lawrence as far back as the Ottawa River, & which he also heard confirmed by Sir John Johnson.

[Document No. 65]

13. Quite a number of secondary sources provide summaries of the Crawford Purchase of 1783¹¹. Kingston, the King's Town, James A. Roy's 1952 work, describes the transaction almost exactly as in Crawford's own report:

...
Meanwhile the British had regularized their position with the Indians by negotiating for the purchase of part of their lands. In October, 1783, Captain Redfern Crawford [sic], of the Royal Regiment of New York, was able to report to Sir John Johnson, Indian Agent for Upper Canada on Carleton Island, that the business had been settled to the satisfaction of everyone. The Indians had been provided with all the blankets, firearms, ammunition and clothing they wanted, and as much red cloth "as would make a dozen coats and as many laced hats". One old chief, who had been especially helpful, received "an extraordinary gratuity" of rum for his services, with the stipulation, however, that it was to be "managed with economy". For many years the Indians assembled by canoe at what is now Macdonald Park to receive their annual payments from the representative of the Indian Agent. The treaty of purchase is commemorated by the bronze tablet at the gate of the Tête-de-Pont barracks.

[Document No. SS-55]

14. Gerald M. Craig's Upper Canada: the formative years, 1784-1841 makes a brief statement on the Crawford Purchase, noting that it extended from "Cataraqui to the Trent"¹². [See Document No. SS-22.]

¹⁰ There is no indication that Ferguson was indeed present at the Toronto Purchase, which took place in September of 1787, not August, nor that Crawford was present.

¹¹ Caution is advised in examining the secondary sources. Although some of the material contained therein is based on information already included in this report, some of the material does not seem to be based on any documented evidence. Also, this information has not been verified.

¹² Note that, although Crawford does not refer to the Trent River by name, the "river in the Bay of Quinte" is most likely the Trent, as this is the only major river which runs into the Bay.

15. A History of Scarborough, by Robert Bonis, examines both the extent of the purchase and the compensation that the Mississauga Nation received in return:

...
Accordingly, in October, 1783, the Mississaugas of the Cataraqui district were summoned to Carleton Island, and there they were persuaded by Captain Redfern Crawford [sic] of the Indian Department to sell to the British Government the lands extending from Cataraqui to the River Trent, and from the St. Lawrence to the Ottawa River. In return they were given all the blankets, fire-arms, ammunition and clothing they wanted, and as much red cloth "as would make a dozen coats and an many laced hats." One old chief who had been especially helpful in the negotiations also received "an extra-ordinary gratuity" of rum for his services, with the stipulation, however, that it was to be "managed with economy."
...

[Document No. SS-10]

16. A 1966 publication, Men and Meridians: The History of Surveying and Mapping in Canada also describes the Crawford Purchase:

... It was later in the month of October that the historic Crawford Purchase was negotiated. William Redford Crawford of the Royal Regiment of New York, acting for the Crown, purchased for settlement purposes from the Mississauga Indians at Carleton Island land that now comprises the counties of Frontenac, Prince Edward, Lennox and Addington, Hastings, Glengarry, Stormont, Dundas, and Leeds.¹³
...

[Document No. SS-65]

17. The County: The First Hundred Years in Loyalist Prince Edward, by Janet and Richard Lunn, gives details on the purchase price of the Mississauga land intended to be settled by Loyalists:

On October 9, Capt. William Redford Crawford of the Royal Regiment of New York, reported to Johnson that he had held a council with the Mississauga Indians and had purchased lands from them on which a beginning of settlement could be made. The price is interesting: "The consideration demanded by the Chiefs for the lands granted is that all the families belonging to them shall be clothed and that those that have not fusees [flintlock 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. This I have promised they should receive as soon as I could get it and hope you will send the articles mentioned as soon as convenient."
...

[Document No. SS-45]

18. Buckskin to Broadloom: Kingston Grows Up contains a brief anecdotal sketch of the Crawford Purchase, entitled "Indians sell out for a few cents":

Deputy-Surveyor John Collins and his men had a busy time in 1783 And 1784 driving boundary stakes, indicating lots for settlement of American DPs (displaced persons). (The Loyalists by that time would have been reluctant to be called American anything; the term is used geographically.)

¹³ The Counties of Glengarry, Stormont, Dundas and Grenville (not listed) were in whole or part ceded by the Oswegatchie, Onandagas and St. Regis Mohawks in 1784. Lt. Colonel Campbell acted for the Crown in those purchases. Hastings, Lennox and Addington, and Frontenac Counties all extend much farther back from the lake than a man could travel in a day. The County of Leeds, which would comprise most of the front purchased from Menas, is about 20 or 30 miles in depth, and could conceivably be traversed in a day.

It wasn't Collins' job to apportion the land but only to "lay it out."

Before he had more than begun, Major John Ross, new Commandant at Fort Frontenac, raised a problem: "How can we prepare to apportion land that doesn't really belong to us but to the Indians who were here first?"

Joseph Brant and the Mohawks had claimed for a long time that the land around the fort was rightfully theirs, as their long-time hunting grounds.

Meanwhile, the Mississaugas, who had been early on the scene, claimed the area and were displeased that the Mohawks were already being settled on lands to the west.

The Mississaugas were summoned to Carleton Island and persuaded by Captain William Crawford, formerly of the Royal Regiment of New York, to sell the land along the lake to the British government. In the background of the "deal" were Governor-General Haldimand and Indian affairs superintendent Sir John Johnson.

In October of 1783, Captain Crawford reported to Sir Frederick that he had purchased all the lands from the Toniata or Onagara River (a tributary of the St. Lawrence, below Gananoque) to a river in the Bay of Quinte, including all the islands, for a promise that the family of Chief Mynass would be clothed during his lifetime (he was already old!).

Crawford said that three Onandaga chiefs [sic], formerly of Montreal, were present and approved.

[Document No. SS-1]

19. "The Dispossession of the Mississauga Indians: a Missing Chapter in the Early History of Upper Canada", D. B. Smith's June 1981 article, also recounts numerous Upper Canada Indian treaties, including the Crawford Purchase of 1783:

...
The next surrender took place at the eastern end of the Lake. On October 9, 1783, Captain Crawford (a Loyalist officer who had accompanied the Mississauga on several raiding parties during the Revolutionary War) obtained all the lands from "Toniata or Oniagara River [Toniata River, a tributary of the St. Lawrence below Gananoque] to a River in the Bay of Quinte within Eight Leagues of the Bottom of Said Bay including all the Islands ..." The purchase (for which no deed survives) apparently extended back from Lake Ontario, "as far as a man can Travel in a Day." For this vast tract, with its loosely described northern boundary, the Indians asked for and obtained clothing for all of their families, guns for those without them, powder and ammunition for their winter's hunting, and "as much coarse Red Cloth as will make about a Dozen Coats and as many Laced Hats ...".
...

[Document No. SS-57]

20. County of a Thousand Lakes: the history of the County of Frontenac, 1673-1973 also makes reference to the compensation paid to the Mississauga Nation:

...
When Deputy Surveyor John Collins arrived at Cataraqui, he was advised by Major Ross to delay the survey of the township until the lands were purchased from the Mississauga Indians. The purchase of this land was carried out by Captain William Crawford, who met with the Indians on Carleton Island. In a letter to Sir John Johnson on 9 October, Crawford reported that:

The consideration demanded by the Chiefs for the lands granted is that all the families belonging to them shall be clothed and that those that have not fusees shall receive new ones, some powder and ball

for their winter hunting, as much coarse red cloth as will make a dozen coats and as many laced hats.

...

[Document No. SS-54]

21. Kingston: Historic City, a local history of Kingston and environs, provides the following information on Crawford's 1783 purchase:

... Governor Haldimand, meanwhile, instructed Sir John Johnson, Superintendent for Indian Affairs in British North America, to begin negotiations with the Mississauga Indians whose lands had been chosen for the resettlement of some of the Loyalists desirous to leave the United States. The negotiations on behalf of the British government were conducted on Carleton Island by Captain Crawford of the Royal Regiment of New York in October, 1783. A tract of land extending westerly from Gananoque along the St. Lawrence River and the Bay of Quinte was subsequently purchased from the Indians who were paid all the blankets, firearms, ammunition and clothing they wanted in addition to "as much red cloth as would make a dozen coats and as many laced hats". This treaty, known as the "Crawford Purchase", is commemorated by a bronze plaque located on the wall of the Fort Frontenac barracks. Lieutenant John Frederick Holland, son of the surveyor-general, in the winter of 1783 began to lay out the first town lots and streets.

...

[Document No. SS-48]

22. Information Bulletin No. 4, written by R. I. MacKay for the Ad Hoc Committee to Save Algonquin Park, contends that Chief Mynass or Menas was an Algonquin:

... This is an important gain in knowledge¹⁴ because it establishes the limits of the tract of land sold to the government in 1783 by the Oka chief referred to in the Crawford documents as "old Mynass" or "Menas". That land clearly extends into the Ottawa watershed now being claimed by Golden Lake. There were only three tribes resident at Oka in 1783, the Algonquins, the Nipissings and the Iroquois (Mohawks)¹⁵. In our Bulletin No. 1 we interpreted Morris' description of the Crawford Purchase to mean that "old Mynass" was an Iroquois. We therefore speculated, because of the similarity in names, that the present Golden Lake chief, Mr. Clifford Meness, might therefore be of Iroquois origin (not Algonquin or Nipissing). Since then, however, we have discovered a paper by the noted early anthropologist Frank G. Speck that establishes that (in Algonquin oral tradition) "Mine's" (meaning "hawberry") was the name of an Algonquin chief(s) before 1720.¹⁶ We agree therefore that Mr. Meness' name is not of Iroquois derivation but is indeed a genuine

¹⁴ Reference to R. J. Surtees. "Indian Land Surrenders in Ontario 1763-1867" Ottawa: DIAND, 1984.

¹⁵ While Iroquois, Algonquins and Nipissings were habitually attached to the Sulpician Mission at Oka, members of many other tribes were known to have visited and resided temporarily at the mission. Dr. Jean Black's detailed study of mission records from 1721 to 1850 indicates that Mississaugas, Ottawas, Saulteaux, Ojibwa, Abenaki, Têtes de Boule, and Cree all visited the mission and some established "permanent presence" there. [Dr. M. Jean Black. "A Tale of Two Ethnicities: Identity and Ethnicity at Lake of Two Mountains, 1721-1850," presentation at 24th Algonquian Conference. Doc. No. SS-4].

¹⁶ A paper by Frank G. Speck, published in April 1929, notes that for the time "Before the Algonquin had been assembled at the mission at Lake of Two Mountains (1720) ... tradition in the band says the chief's name was Mine's, 'hawberry,'" [See Document No. SS-59, Speck Apr. '29 pg. 107.] Since the various Algonquian language systems are similar in phonetics, it would be difficult to pinpoint the precise language group from which the name Menas or Mynass was derived. For example, in the Anishnaabe (Ojibway, Mississaugas, Chippewas) and Algonquin languages the word for hawberry is Menas, Mynass, or Mecnes or some other similar form of spelling. See Ojibwe Language Speller, Book I, prepared by Lena White, Walpole Island, 1976. See also, for instance, Voyages and Travels of an Indian Interpreter and Trader, by J. Long, 1791, for a comparison between early Algonkin and Chippeway terminology. Dr. Jean Black's study of ethnicity at the Lake of Two Mountains mission indicates that while Algonquins and Nipissings formed the largest communities at Oka during the 18th and early 19th centuries other Algonquian groups such as Mississaugas, Ottawas, Saulteaux, Ojibwa, Abenaki, Têtes de Boule, and Cree also frequented the mission [Doc. No. SS-4].

Algonquin (or Nipissing) name. This also establishes to a high degree of probability, however, that "old Mynass" was also an Algonquin (or Nipissing)--an opinion shared with us by at least one authority on Ontario aboriginal history in a recent Ph.D. thesis¹⁷. This appears to establish, contrary to the contention of the Golden Lake claimants, that the Algonquin nation has evidently participated in at least one land surrender (shaded block of land designated "B" on Map 5). We do not wish to make too much of this fact because, among other things, it appears that "old Mynass" may not have been entitled to speak for all the Algonquins and it has been suggested that only he and his family benefited [sic] from the sale. Nevertheless, the sale did occur and it also appears noteworthy that in the following years, other Nipissing and Algonquin chiefs made numerous other petitions to the colonial authorities but never once complained about the fact or the conditions of the Crawford Purchase involving their old chief. [p. 14]

...

[Document No. SS-46]

¹⁷ Reference to Ian V. B. Johnson's 1986 Ph.D. Thesis (University of Toronto), entitled "The Early Mississauga Treaty Process, 1781-1819, In Historical Perspective", page 151. Recall, however, the primary documentation that suggests Menas was a Mississauga.

THE ST. REGIS AND OSWEGATCHIE PURCHASES OF 1784

1. Another area which was chosen for the settlement of United Empire Loyalists after the American Revolution was the north shore of the St. Lawrence River from Montreal west to where the river meets Lake Ontario. This area was claimed by two groups of Indians, both of Iroquois origin. The region from Long Sault, near present-day Cornwall, east was claimed by the St. Regis (now Akwesasne) Indians, who were and are mostly Mohawks. The land from Long Sault west to the Toniata Creek, the eastern boundary of the Crawford Purchase, was used and occupied by the Onondagas of Oswegatchie.

There are very few historical documents extant concerning the St. Regis and Oswegatchie purchases. No official deeds of surrender were found in either case. The history of the St. Regis Indians' claim was described by Daniel Claus, an Indian Affairs official, in his "Memorandum of what I can recollect relative to the Settlement of St. Regis by the Indians that emigrated from Sault St. Louis", dated March 11, 1784:

Pere Gordon of the Order of the Jesuits was the promoter of that Settlement at the Commencement of the War in 1755. The Occasion as he told me was that on acct. of the approaching War such a continual Drunkenness prevailed among the Caghnawagy Indians that Mission became of little use, when he proposed to the sober & well thinking Inds. to remove out of the Way of Liquor as the only remedy against Debauch, And accordingly prevailed upon some families to follow him, and he in consequence obtained General Vaudreuil's Consent & a promise of a Grant of any Spot or Tract of Land he might pitch upon that were unconceded Lands on St. Lawrence River above Sault St. Louis; Upon which he left Caghnawagy with the families that determined to follow him and fixed upon the Spot St. Regis Village is now established. That the Troubles of the War never afforded him an opportunity to get a Deed executed deferring it to the more leisurable Time of peace besides not expecting the War would end so unfavorable for France. Pere Gordon frequently mentioned to me the Extent of the Tract with his Reasons for the Quantity, which he intended should commence at the River des Raisins & run to the foot of the Long Sault Six Leagues deep¹ on each side of the River, urging me after the Conquest of Canada to procure him a grant for said Tract either from the Governor of the Province or Sir William Johnson as sole superintendant [sic] of Indian Affairs, but I always endeavored to put him off [sic] as well as I could and to my Knowledge he never received any Writing or Title for said Tract.

The Account the St. Regis Indians gave me for claiming the above Tract of Land was when they had a falling out with Pere Gordon about taking too much upon him about their Political affairs in their Village when they demanded of him to deliver them up the Deed of their Lands in his possession which he denied and they insisted upon that he concealed it from them, telling me in Council that he actually was possessed of such an Instrument and they believed his Intention was to act as his Associates did intend at Sault St. Louis to keep the Land for himself. This is what the Indians alledge [sic] as their Claim of these Lands.

It may be probable that the french Governor promised a Grant for the Settlement at St. Regis, for as I learned from a faithfull Canⁿ. Indian it was more a Political Scheme of the french Government to establish a

¹ A league is approximately three miles; therefore, six leagues would be roughly equivalent to eighteen miles. If it can be assumed that the St. Regis purchase took the land from the Long Sault to the River au Raisin, stretching 18 miles back from the St. Lawrence River, this area is, for the most part, not in the Ottawa River watershed.

Settlement of Indians there partly for the Security of that Frontier, as well as the Convenience of Excursions upon the Mohawk River and bringing the Oneida Indians over to the french Interest which was mostly effected during the War.

[Document No. 49]

2. Sir John Johnson, the Superintendent General of Indian Affairs, forwarded Claus's report to General Frederick Haldimand, the Governor of Canada, on March 11, 1784, along with these comments:

Captain Brant and David have desired me to acquaint Your Excellency that their business at this time is to propose a Settlement of the Mohawks and others on the Grand River about twenty Miles from the head of Lake Ontario, their Reasons are Politick, and no doubt good. The Mohawks here are determined to abide by their first resolution of Settling About the Bay of Kenty, the Chiefs John & Isaac preferring the Rule of a few to the Risk of losing their Consequence among the whole.

I Returned from Pointe Matique last Monday Evening too late to Write by Post, or I would have Informed Your Excellency that the Morning after I arrived at the Surveyors Camp Opposite St. Regis, being Sunday, I was Waited upon by a great Number of the Chiefs and Warriors of that Village who had Watched my Arrival. After the usual Ceremony they began by Approving of my endeavours to reestablish those unfortunate People who had followed my Example and my fate in the Service of our King & Country, at the same time they said, they thought it would be unjust in their father to take away from them, who had acted by our desire, in the same cause, the lands they had always looked upon as theirs, to make up the losses, he had been the cause of, to others, without being consulted or our intentions even made known to them. They hoped, as I was appointed for the management of their Affairs, that I would not see any injustice done them, and that I would represent their Claim to your Excellency, which is from the River au Raisin Six Leagues in Depth to a Creek a little above the Long Saut [sic], they say their Deeds or Papers for this tract was burnt in their Church when it was consumed, and that they were promised by my father to have it confirmed to them, that Col. Claus knows their Claim, and that the Canadians and others always conceiving it to be their right, paid them considerable Sums of Money for liberty to Cut Timber thereon. I told them I thought your Excellency would not have sent us up to those lands, were you not well assured they were the property of the Crown, for if they had had a grant of them, it must have been Recorded and Consequently known to you. I asked them in case your Excellency should be induced to think they had some Right to those Lands, and Wished to Indulge them, wether [sic] they would not be willing to relinquish their Claim to two or three Leagues in Depth from the before mentioned River to the Long Saut [sic], for a Reasonable Compensation, they said it was a matter of Weight, and Merited serious consideration and that they would assemble the whole of their People, and send me an Answer as soon as possible, in the meantime the People might [Halt] themselves.

Previous to this Meeting I had sent for Mr. Kotte, who was met by a party that was sent to assist him, the day before at Mille Roche, to come down and fix on one of two places that Mr. McNiff and myself thought would be the most Eligible for the Town, recommending to him at the same time, After the Town Plott was surveyed, and a few Lotts laid out in Front, an immediate Survey of the Townships for five Companies on each Side of the Town, in preference to Running the line along the River from Long Saut [sic] to Point au Baudet, as the land would thereby be ready much sooner for the People to settle on--but least the Indians might stop the Survey, I wrote to Mr. Kotte again, as I came off before he arrived, that I thought it would be best to begin at Mr. Longueil's line, and lay out as many Townships as the space would admit of between that and the River au Raisin, which is indisputable--and in the meantime he might receive your Excellency's further Instructions. Should the claim prove groundless, which I believe will be the Case, they merit a severe Reprimand, and I wish it to be Communicated to them through Colonels

Campbell or Claus, as I am in some measure a party concerned, and they would think my own and People's Interest and not theirs to be the Rule of my Conduct, and to have occasioned it.

...

[Document No. 50]

3. Haldimand responded to Johnson on March 15, 1784, as follows:

I have been favoured with your letter of the 11th Instant by Capt. Brant & David with whom I have fully conversed upon the Subject of the settlement they so much wish to form on the Grand River above the Head of the Lake Ontario. After examining the situation of the Country upon the Map, and considering the Reasons which incline Joseph to this measure I am clearly of opinion that an accomplishment of it, is much to be desired--I have communicated my ideas upon it to Joseph, and have promised Him every encouragement in my Power towards the success of it. He tells me that Col. Butler is persuaded he can purchase the Right of the Lands from the Messissagues for a very trifling consideration--You have therefore my authority to instruct him upon that subject whenever it shall be thought best, after the necessary steps for carrying the matter into execution shall be decided upon with Joseph & his adherents in this Plan--He informs me that altho' the Mohawks, here, have not at first entered into his ideas, they will soon perceive the advantages of extending themselves into so fine a Country, forming a communication with the Delawares, and other Indians who are settled there, and strengthening themselves by the Emigration of some of the Six Nations who it seems are not inclined to remove to the Bay of Quinte. I nevertheless intend to reserve that spot for such of the Indians who may wish at present, or on a future day, to settle there. I am sorry that any Obstacle should occur respecting the Lands opposite to St. Regis, intended for the settlement of your Regiment--I have had the Registere carefully examined and find that no grant was ever made, of the Lands in question, to Indians, Pere Gourdan, or any other Person whosoever in their behalf--Pains must be taken to convince them that such a thing could not possibly have happened without its being Registered in the Books of the Province, & if Pere Gourdan really told them he was possessed of any such Deed, he must have deceived them. Your answer to them was very proper, and altho' they have not a legal right to the Lands as they have been taught to consider them as their Property, and have been in the custom of reaping Advantages from them, together with the consideration of the Americans having encroached so much upon them with their Boundary Line I do not think it would be political or Right to contend the point with them, provided they are to be satisfied on reasonable Terms, they may e're long find it necessary, or wish to cross the River and their settling near the Loyalists might produce a good effect. Your reasons for wishing to decline being the channel of any Intercourse with them painful to them, are very Prudent, & should that be necessary, it will naturally fall to the share of Col. Campbell, under whose direction they have been thro'out the War, I have not yet had an opportunity of mentioning the circumstance to Him, but by the next post I shall write more decisively upon it. You did perfectly right to employ Mr. Kotte in the mean time where no dispute could arise, but I hope he may proceed in the Survey without risk of having any. From every account I have received of David, his conduct merits our good Offices, please therefore to do whatever you think right respecting his pay as Interpreter.

[Document No. 51]

4. Subsequently, Haldimand issued the following instructions to Lt. Col. Campbell, another Indian Affairs official, on March 22, 1784. Note Haldimand's reference to the Chief Menas, and the marginalia concerning him:

Having fully considered the Information you gave me with that I have received from Sir John Johnson, Col. Claus, and others upon the Claim made by the Indians of St. Regis to the Tract of land from the River au Raisine, Six Leagues in depth, to a Creek a little above the Long Sault,

and being desirous to avoid all difficulties with the Indians, I think since they have for so many years considered themselves the Proprietors of that land, and have reaped advantages from it, it will be more Eligible to make them some reasonable Compensation for it either in money, or by an Adjoining Grant, than to insist upon the Right of the Crown in keeping it, altho' that Right is undoubted, for it is certain that the Grant they Pretend to have had was never Issued, as nothing of the kind is to be found in the Register. As this land is Intended for a settlement of Sir John Johnson's Regiment, and other Disbanded Corps, no time must be lost in doing what is needful in the affair, and as the Superintendant [sic] General is a party concerned, and might be considered by the Indians partial to his own Corps, as well as because you have had that Village for many years under your immediate direction it is necessary that you should transact this Business, which I have already communicated to Sir John Johnson, you will please therefore to shew him this letter, and after conferring with him upon the steps necessary to be taken, you will proceed immediately to the execution of them, and report to me what you think will satisfy them before you close with them, you will do well first to convince them that in law they have no right to the land, no Grant for them ever having Existed, and that the Compensation offered is entirely a matter of Indulgence proceeding from my Wish to favour them upon every occasion in my Power.

*There is an Old Indian, Piere Minass at the Lake of the two Mountains who has a Claim of which you are acquainted, by a french Grant of a Tract of Land upon the River towards Cataragui, Which he is willing to relinquish to the Crown for a Small yearly Pension, he is very Old and deserves well from Government. Please therefore While the other business is transacting to Gratify him also.

*--This Tract commences at the River Toniata, and takes in all the land to the River Gananoqui--The Old Man is Dead, but I continue the Bounty or Compensation to the son & family. J.J. [Sir John Johnson]

[Document No. 52]

5. Following Haldimand's instructions, Campbell met with the St. Regis Indians from March 29 to April 2, 1784. The following "Minutes of the Proceedings with the Indians of the Village of St. Regis respecting their Claim to the Tract of Land from a Creek a little above the Long Sault to River Raisine, Six leagues in depth" detail the results:

Present	Lieut. Colonel Campbell Superintendant [sic] &c Lieut. MacDougall, 84th Regt. Mr. Kotte, Deputy Surveyor Messrs. Lorimier & La Mothe, Interpreters
---------	-------------------------------------------------------------------------------------------------------------------------------------------------------------

Monday 29th March 1784. Lieut. Colonel Campbell sent a Message to the Indians of St. Regis to meet him on Thursday following, at Coteau du Lac which they did accordingly.

He first sent in for two of their principal Chiefs in whom he could most confide to gain them over to his measures representing to them that as he always remarked them to have the greatest Share of Sense amongst all his other Children of St. Regis, and so often in use to open the ears of the thoughtless and Young Men of that Village to hear whatever he said, and Knowing it to be for their interest, that he was upon this occasion very glad to see them, least the inexperienced might be alarmed at any proposition from his mouth. Here he explained to the two Chiefs their inadmissable [sic] Claim and demand &c and desired they should communicate it to their different Tribes before it was talked of in Public.

The Two Chiefs returned to the Block House where the rest were lodged.

Colonel Campbell a considerable time afterwards, when he judged his intentions had time to operate, ordered the whole to assemble about Twenty three in number and after all the forms usual on such occasions by

giving them a String of Wampum to open their Ears and clear their understanding, with a little tobacco to light their pipes, He addressed them nearly to the following purport.

Children, "when I was lately at Quebec the great man Your Father there received a letter from Sir John Johnson, which mentioned Your having objected to the Loyalists, settling upon the Lands in Question alledging [sic] that You had a prior right or claim to that tract. I must acquaint You that before he granted these lands to Your Brothers the Loyalists he first searched every place and all the records of the Province, to see if he could find any other person had a right to it but could find none.

Therefore as belonging to the King Your great Father and protector over the Water, He gave to Your Brothers his other Children that were obliged to leave their own property to come to this Country under his protection from the Rebels, at the same time he did not forget You or thought in the least to have encroached on any part of Your Lands.

Now I wish to be made acquainted with Your pretensions to these Lands as it is a matter of indulgence entirely proceeding from Your Great Father below and his wish to favor You upon every occasion in his power, to send me at this time to offer a reasonable compensation in money or goods For Your having been in use to reap some benefit from the Lands as being contiguous [sic] to Your Village and Islands, as these Lands are given away now and I fear cannot be got back. I explained this business a little time ago to some of your Chiefs now present and I expect for Your own interest that You will not ask anything that will make me red, and that You will go about this business with that temper, moderation, good conduct, and fidelity, which so often distinguished You."

Presenting, to them a belt of Wampum. In a Short time afterwards the Chiefs answered"

Father "We have chearfully [sic] obeyed Your call, and come here this day to meet You and to hear Your Words, we are very glad to See You, because we expect you will settle this business with us. When we say numbers of People coming to settle on our Lands and spoke to Sir John Johnson a Cloud covered our Village and great murmurs prevailed amongst our Chiefs, Warriors, women and Children, to see our Lands given away to our Brothers who we Know lost their Property and You cannot but Know that we lost our blood also in this War.

Father, You ask us likewise what pretensions we have to these Lands, we shall tell you the Whole history of it.

When General Du Raine was in this Country these lands were projected by Father Gordon for us, who chose to leave the Village of Caughnawaga because of the ill effects of Rum or Spiritous [sic] liquors at that Place and to Shun it, to which the General gave his consent, and to whom we sent our Belt agreeable to our custom, to be sent to France for a ratification or exchange from the French King. Unfortunately for us, soon after the General went to France, and we never heard any more of it. After the King our great Father got this Country and about Eighteen years ago we went to Sir William Johnson to whom we repeated our case and he confirmed us in our Settlement by this Belt" here they presented a belt which they said he gave them "and the Great King's words sealed by himself" Shewing His Majesty's Proclamation in 1763, Countersigned by Sir William ["]who at the same time told us that we might depend our Property would be safe to the end of the World, and recommended to us to allow no White people to Settle amongst us otherwise they would root us and spread like Oil upon Cloth."

In the last Council General Carleton had with us, he told us never to loose Courage because we defended our own Lands and assisted our great Father and Protector over the Water, and You cannot but remember that as often as You cloathed us and gave these White Ornaments medals, arm bands &c, that we mentioned our wish, that You should Whiten our Trees in like manner," Now Father! do not be sorry that we refuse any consideration in money or Goods for the Land in Question, because no

other Land will answer so well our convenience in maintaining us, and to give us Bread." and here is Your Belt back.

Colonel Campbell. "Children, You seem not to understand my words and what I thought to have explained fully. You must observe that the tract of Land to which You pretend to have a Right is Six times larger than any Seigniorship in the Country. You know Your relations of Caughnawaga Castle, the first in the Country, have but Two leagues and I see no reason why You should be so extravagant and foolish in Your demand, but retire to night and consider properly let reason be Your Guide. I have always done my best as you know to put you to rights when I see you going wrong, and I hope you will not desire me to ask any thing for You that will make me blush. I will hear tomorrow morning what You may deliberate upon this Night.

Chiefs, 2nd April 1784. Father, we thank You for Your good advice last Night, we begin to think about the matter and the Cloud which hangs over us seems greatly dispersed, and we shall endeavour to listen to Your words and we only ask from Island Savote to River Raisine and the rest is all we can spare to our Brothers.

Colonel Campbell. "Children, this will never do, I am exceedingly sorry for Your unreasonable demand and striking so wide of the mark You must only ask moderately and within the bounds of reason, I again earnestly recommend to You, seriously to listen to my words, and to go on with Temper, Your Great Father below will assist you in distress and does not forget Your fidelity. You may rely on his protection, but You are this moment by such extravagant demands going to forfeit his esteem, go again and consider coolly together and do not forget my words and what I have already observed to You.

The Indians retired back to the Block House, and in the Evening the Whole returned and Said

Chiefs--"Father we will do every thing in our Power to satisfy You, and to meet our Great Fathers wishes. Will you ask him then for us from little Point Maligne."

Colonel Campbell. "Children! You are still wrong, the Town for the habitation of Your Brothers, is to be built near to that place, and You say You first left below to Shun Rum."

Chiefs. "Father! We wish then to be some distance from it. We shall go still down and beg the difference or distance, from that Point to the Traverse, and in lieu of all that we give up now, we shall only ask of Our Great Father a Priest to reside amongst us."

Here they passed a handsome Compliment on their great Father, and Sir John Johnson, hoped they were not angry with them, Should any of their Young men have disobliged Sir John Johnson when he was up &c &c.

Colonel Campbell. "Children! I am glad that Your ears are a little opened now but You are Still extravagant and Wrong in the principle. I cannot ask all that Ground for You, because observe, You have still Lands on the other Side besides Your Islands where You plant Your Corn, and in the mean time I hope You will not desire me to ask for You but from the Place where you refused the distance lower than to what you call Round Island (here it was explained to the Chiefs, the distance and place not Six miles, before the Deputy Surveyor) and then You will enable me to open my mouth a little in Your behalf," but I cannot promise even that same Tract but Conditionally & as to Your asking a Priest, You are not able to maintain him, he would eat You up in one year, and it will take a little time before You are able to give him a living, On that Subject I would recommend to you Patience."

You'll carry back the Surveyor in one of Your Carriages to go on with this work excepting from the Plan marked B to A on the Sketch, drawn by the Engineer or Deputy Surveyor."

Chiefs "Father! You will please to return us your Belt, that we may shew our people at home that we have done something, and we Know that if you will but ask for us, our Great Father below will grant Our Requests. We shall carry back the Surveyor to go with this work as You have directed.

It was now that they got a little Rum to Clear their throats &c &c

The above is written as explained to me by Lieut. Colonel Campbell, and Mr. Lorimier Interpreter.

(Signed) Dun. McDougall
Lt. 84th Regt.

[Document No. 53]

6. Although Campbell's report on his negotiations has not been located, Haldimand's response, dated April 15, 1784, was found:

I have to acknowledge the Receipt of your letter of the Eight Instant accompanied with the Minutes of your Proceedings with the St. Regis Indians upon their Claim for a Tract of Land Opposite to their Village, and a Sketch thereof. I am sorry to find that Notwithstanding the Pains you have taken these People are Obstinate in Preserving a Certain part of that Tract, as it will certainly be attended with inconvenience to the Settlers, but having come so far with them as to treat upon the Matter, I think it would be Imprudent, in the Present Situation of Indian Affairs, to deprive them intirely [sic] of land which they have so long been allowed to consider as their own. Sir John Johnson Represents however that it will be necessary to fix their lower Boundary at the Western line of the 2d Township about two Miles higher than the letter A (to Avoid Interfering with the spot intended for the Town) from thence to the dotted line between the River Traverse and Point Maline as Marked in the Sketch, I shall permit them to keep for the use of their Village, but they must be made fully to understand and Consider this as an Indulgence during the King's Pleasure, no part of it ever having been Granted to them. And you will Represent to them the great Inconvenience to which I subject the Loyalists & Warriors I mean to Settle there, mainly to Accommodate them who in proportion to their Numbers will still have a Larger Quantity of Land, and much more than they can have use for.

[Document No. 54]

7. On the same day, Haldimand informed Johnson of their progress in obtaining the St. Regis lands:

Since my last letter to you I have considered that part of yours concerning the Claim of the St. Regis Indians together with Lieut. Colonel Campbell's & the Minutes of his Proceedings with the Indians, from which you would perceive their aversion from parting with the land in Question, & that notwithstanding the Colonel's repeated Remonstrances, they persist in Contending for the Tract between the letter A & B marked in the Sketch accompanying the Minutes in preference to any Pecuniary Compensation. Circumstanced as we are at present with the Indians in General and immediately proceeding the great Meeting they are to have with the Commissioners from Congress, I think it would be unsafe to do any thing in the matter that might be Interpreted injurious to the Indians. I therefore think it will be most prudent to let them continue in Possession of the Quantity of land specified in your letter, that is from the Western Boundary of the Second Township to the dotted line between the River Traverse and Point Maline (which I understand will not interfere with the intended Town Plott) but it must not be understood in any other light than as an Indulgence & during the King's Pleasure, no part of it ever having been Granted to them as property. You will please to Communicate my intention to Colonel Campbell to whom I shall also Write upon the Subject.

[Document No. 55]

8. Further information on the St. Regis claim is presented in a letter from Mohawk Chief Joseph Brant to Superintendent General Johnson, dated May 4, 1784²:

When I parted you I promised to write you a letter from Saint Rechis but Whilst I was at the Vilage [sic] I had no good opportunity, and the same time I expect'd to see of your people just above the Vilage there I thought to write from, but we did not saw your people untill a great ways above the long soe, so in short I lost the opportunities of writing to you which I am very sorry for it, be cause it might be some use to you for your new Settlements. I found of those Saint Rechis Indians are reasonable Enough about the lands. I believe they mean to make you a present the Island facing you lott also they mean to allow you the land you wish to have the lower part of their land upper part of Jones, so that means it will fill up you line. But on your part I hope you will please to get writings for the remainder of the Indian land and with all the Island about Except the two above mention'd. I told them after Sir John gets his line fill'd up it will still remain about three miles or little less in front they were very well satisfied [profisie] they get the writings, I hope you will please to use those Indians in easy manner. They complaint very much of Col^l. Campbell & his interpreter of giving them both good words and threatenings my part I would now wish by no means they should be treat in that manner about land matters at this present unhappy times for us, for many reasons in first place it gives the darn Rebels larger mouths for many things against us and it is very good Example for them, to get all our lands from us, if those Saint Rechis Indians was any ways forced a bout lands I therefore wish they should be treated in easy manner, before the Council takes place I mean we and the Rebels, indeed those Indians are very reasonable about the matter. They told me that Col^l. Cample promised them that he would get a pattent for two french miles in front. I told them that I did not believed he could get that. I agree with they very well after all. The two men I lefted to this place when I went down, they have been at Ranowarohara since, the Oneidas told them that they believe the Rebels intents to be intirely be masters themselves all the land within their lines and they intent to makes us agree every thing in their own way other ways they will cutt us off from the fase of the Earth. They likewise said the council will be held at fort Stanwix. The Ship left this place four days ago for Niagara, Major Harris is gone to Cataraque so I dont know how to get off from this as yet. I arrived the 11th day from Lachine I should be exceeding if you could sent me another four laced coats if there is any blue.

[Document No. 56]

9. In 1789, the government was still attempting to gain control of the St. Regis lands, although it is not clear whether the lands referred to in this letter are the entire tract discussed previously, or merely the lands which the Indians had insisted on retaining, the so-called Nutfield Tract on the north shore of the St. Lawrence River. On November 9, 1789, R. McDonell, apparently a priest at St. Regis, wrote the following unaddressed letter:

Knowing Your Sentiments respecting the Indian Lands, and having been given to understand, that You wished I would endeavour [sic] to prevail with the Indians to grant their Lands in Cornwall and Charlottenburg to Government, And send a Satisfactory answer to You relative to that affair, I beg leave to assure You that I lost no time in exerting my endeavour [sic] to promote that business, nor could I think of any argument of which I did not avail myself on the Subject. After holding many Councils & weighing this matter with mature deliberation, they almost consent to grant their lands, but upon such high terms as I believe will not be accepted of by You.

² Spelling and grammar is as in original.

They ask £60 Half. Cury. a Year to be secured to them forever, besides 200 pounds Half. Cury. to be paid in ready cash. They add [illegible word] three more conditions of small importance.

If more reasonable terms cannot be had from them, You may rest assured I would do all in my power to procure them but it is my opinion they never will grant their Lands upon more reasonable terms, unless they are compelled to do so, which is a Mode of proceeding I would by no means approve of particularly in regard of Indians.

The Chiefs themselves, Gray and the whole of the Village will attest what pains & trouble, I have been at, to bring the Indians to terms of agreement, if I have not as Yet Succeeded, it is Intirely [sic] owing to those Stuborn [sic] people, who value exceedingly their Lands, and sem to be inflexible, on the whole of this affair. They repeatedly told me that, their Father Wanochssisson did not seem to care for the Lands, & said that he never spoke to them himself or wrote them on the Subject.

That the Message delivered to them by Mr. Lorrormier some time ago, did not show any great desir [sic] in their Father for having these Lands, as he himself was then in their neighbourhood [sic], but never called them to speak on the Subject, and moreover that he never wrote me on the Subject.

You may freely command me to make mention of any thing You please relative to this affair, and having Authority from You with what influence I may have with them I humbly hope to Succeed more Agreeably [sic] to Your wishes, As I hold it to be my duty as well as Inclination to promote any affair You recommend to me on every occassion [sic].

P.S. The Indians Say That When Colonel Campbell went home, he wrote You to give them a Box of Window glasses, Some potty, and two Barrells, nails, That You promised all this to them, but did not as Yet give it; they therefore beg You will be pleased to order them to the Bearer who is one of the Head Chiefs of the village, as it will oblige them all very much.

[Document No. 59]

10. On August 28 and 29, 1794, Lord Dorchester, then Governor General of Canada, met with the "Seven Villages of Lower Canada" at Montreal "on the Subject of the Rights Claimed by them on the Lands Settled by the Loyalists on the St. Lawrence River, heading to the west from the edge of the Seigneurie of Monsr. de Longueuil and heading upwards [upriver]" [translated from French]. Although it is not clear whether the St. Regis Indians were included, the discussion could easily be taken to pertain to their claims:

My Children:

It is with much pleasure that I heard you declare yesterday your fidelity and attachment to the King your Father, and that you are ready to fight for him when he should be attacked, and consequently I will trust to those statements.

My Children;

The King your Father renders justice to all his Children and never takes anything from them without paying them its price; if General Haldimand has taken your lands without paying for them, it was by mistake. Rather than taking land from his Indian Children to give to the whites, the King your Father has not only bought lands to give to some of your Nation who suffered during the last War, but has furthermore built houses and other commodities on those lands, as one can see at the Bay of Quinte and the Grand River; some of you have been there and have seen them. Ask the Mississaugas if they have not been paid for all the lands they have abandoned, and if they are not happy.

All that which belonged to the King of France belongs to your present Father the King, but no one can give to another that which does not belong justly to him, that is why if you formerly held the rights to these lands and if you have not been paid, the right belongs to you still.

My Children:

As soon as Sir John Johnson returns I will ask him to conduct an enquiry concerning the rights to those lands, if he doesn't return, I will take other measures to obtain the necessary information.

My Children:

I am delighted to hear that you are not impatient for an answer, because that mitigates against the report that you have been pressed to make the present request by people who are envious of the happiness and prosperity of this country and desire to trouble its peace.

On the principle that the King does not take the lands of one group of his children to give them to another, I cannot now give an answer to your question about the Jesuit's lands. I must first find out who has the right to them.

You have asked for [my] word that these things will not be forgotten. I will give this word in writing, and you can be assured that the King your Father takes more pleasure in rendering Justice to his Children, than they can feel in receiving payment for their lands, you can judge this by his conduct toward the Mississaugas.

My Children:

I cannot send you home without thanking you again for your declaration of fidelity and attachment to the King your Father, and that you are to fight for him as you did in the last war, and I trust that you will not forget it, and I must more particularly thank those who never failed to keep their oath of attachment to the King their Father that they gave last year, and I hope the others will follow so good an example.

[Translated from original French]

[Document No. 66]

11. Further correspondence pertaining to the St. Regis purchase was found, dating from the early 1800s. Sir John Johnson, still the Superintendent General of Indian Affairs, wrote to Robert Loring, an Indian Affairs official, on June 19, 1814, as follows:

I inclose herewith a Copy of the Proceedings had with the Indians of St. Regis on the Subject of the land in Question, together with a Copy of a letter to Colonel Campbell, and one to myself, from General Haldimand on the same, All other Papers or Documents concerning it I transmitted to Mr. Claus, and Major General Sheaffe, and the business so long Back as Governor Simcoe, and Governor Gore's Administration was under consideration of your Government and I believe a Draft of a Grant was referred to by Lord Dorchester for Consideration, but of this I never had a Copy, but the Original intention was to give them such a Title as to convey it to them and their Posterity, never to be alienated, but to revert to the Crown if ever the Nation removed, or became Extinct. As to my sanctioning their Leasing it, that could not be further than saying, if the Government would permit it, they might do it, to ease the Minds of the People settled on it, but that they (Leases) would not be Legal, as no Grant had been made to them.

[Document No. 79]

12. Johnson also wrote to Major Foster, the Military Secretary, on June 22, 1815, on the same subject:

I beg leave to inclose herewith a letter from the Principal Chiefs of the Village of St. Regis on the Subject of their lands, near Cornwall, and an Original letter from the late Sir Frederick Haldimand, shewing the tenure on which they hold them, no Grant having since been made to them that I have learnt, Which you will please to submit to His Excellency Lieutenant General Sir Gordon Drummond's Consideration.

...

[Document No. 80]

13. No other correspondence on the St. Regis lands was found prior to the surrender of the Nutfield Tract, Surrender No. 57, taken on June 1, 1847:

THIS INDENTURE, made the first day of June, in the year of Our Lord one thousand eight hundred and forty-seven, between Swasen Teosharakwente, Swasen Satehawennoten, Sak Taratie, Rowi Tawenrate, Antre Karenhoton, Tier Ositakete, Atonwa Sakokete, Rowi Tarakonnente, Roren Taronkowa, Rasar Rotsinhen, Tier Kaientoa, Watias Karenhisen, Atonwa Soratase, Sak Tanonsoukotha, Tier Sakoianenhawi, Regis Katsiraberon, Tier Ahiataratie, Roren Tionatagwente, Wishe Otsitsiakite, Sawatis Kanatsiohare, Watias Aroniatis, Saksarie Terihokte, Sak Gahionwakenra, Sras Tsiniiakoa, Tier Tarakorens, Ari Hakiato-arongwen, Josep Katienontie and Rasar Sotiokwese, Sachems or Chiefs, or Principal Men of the Iroquois Indians residing at St. Regis, in the District of Montreal, and who are possessed of the tract of land hereinafter described, situated in the County of Glengarry, in that part of the Province heretofore constituting the Province of Upper Canada, commonly called the Indian Reserve, of the one part, and Our Sovereign Lady Victoria, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, of the other part.

Whereas his late majesty King George the Third of Glorious Memory, in consideration of the early attachment to his cause manifested by the Chief Warriors and people of the Iroquois Indians and of the loss of their settlement which they sustained, and being desirous of shewing His royal approbation of the same, and of recompensing the losses which they had sustained, was graciously pleased to authorize and permit the said Iroquois Indians to take possession of and settle upon the said hereinafter described tract of land; and whereas the said tract of land, or the greater part thereof, hath for some years past, with the permission of Her Majesty, been let and leased out in different lots and parcels to divers persons for the benefit of the said Iroquois Indians and the whole or very nearly the whole of the said tract of land is now leased out; and whereas it has been resolved by the Iroquois Indians now inhabiting and residing upon the said tract of land, at a meeting in Council of their Chiefs and Principal men, convened and held at the village of St. Regis, Canada East, on the first day of June, one thousand eight hundred and forty seven, that it would be greatly for the benefit of the said Iroquois Indians and their posterity if the whole of the said tract of land were surrendered to Her Majesty for the purpose of being sold, and the monies arising therefrom applied to and for the use and benefit of the said Iroquois Indians and their posterity; and by articles of provisional agreement made and entered into at the said meeting in Council on the said first day of June, one thousand eight hundred and forty seven, between Duncan Campbell Napier, Visitor Superintending Indian Affairs, on the part and behalf of Her present Majesty Queen Victoria, of the one part, and the Chiefs and Principal Men of the said Iroquois Indians residing at St. Regis, of the other part, they the said Chiefs and Principal men did agree, as well on their own behalf as on behalf of the said Iroquois Indians, as aforesaid, to surrender to Her Majesty, Her heirs and successors, the said tract of land for the purpose of the same being so sold by Her Majesty in trust for the said Iroquois Indians and their posterity, as aforesaid.

NOW THIS INDENTURE WITNESSETH that the said Swasen Teosharakwente, Swasen Satehawennoten, Sak Taratie, Rowi Tawenrate, Antre Karenhoton, Tier Ositakete, Atonwa Sakokete, Rowi Tarakonnente,

Roren Taronkowa, Rasar Rotsinhen, Tier Kaientoa, Watias Karenhisen, Atonwa Soratse, Sak Tanonsoukotha, Tier Sakoianenhawi, Regis Katsiraberon, Tier Ahiataratie, Roren Tionatagwente, Wishe Otsitsiakite, Sawatis Kanatsiohare, Watias Aroniatis, Saksarie Terihokte, Sak Gahionwakenra, Sras Tsiniiakoa, Tier Tarakorens, Ari Hakiato-arongwen, Josep Katienontie and Rasar Sotiokwese, Chiefs or Principal Men of the Iroquois Indians, in pursuance of the said resolution and agreement in Council as aforesaid, have and each of them hath, as well on their own behalf as on behalf of the said Iroquois Indians residing on the said tract of land, surrendered and yielded up, and by these presents, do and each of them doth surrender and yield up unto Our Sovereign Lady the Queen's Most Excellency Majesty, Her heirs and successors, the said tract of land--that is to say, all and singular the said tract of land in the County of Glengarry aforesaid, so possessed by the said Iroquois Indians, and which is butted and bounded or otherwise known as follows: Bounded in front by the River St. Lawrence, in rear by Plantagenet Rear, on one side to the east by the Townships of Charlottenburg and Kenyon, and on the other side to the west by the Townships of Roxborough and Cornwall, whatever may be the contents thereof, the contents thereof not being now exactly known, together with all woods, underwoods, ways, watercourses, improvements, profits, commodities, hereditaments and appurtenances thereon lying and being or thereto belonging or in any wise appertaining, and all reversion and reversions, remainder and remainders, rents, issues and profits thereof, with their and every of their appurtenances, and all the estate, right, title, interest, property, claim and demand whatsoever, both at law and in equity, of them the said Chiefs and Principal Men and of the said people of the said Iroquois Indians, and their posterity for ever, in, to or out of the said tract of land hereby surrendered, with the appurtenances, to the end, intent and purpose that the said tract of land so surrendered, as well that portion of it which is now under lease as that portion of it which is not now under lease, shall and may, with all convenient speed, be sold by Her Majesty, Her heirs and successors, and the proceeds thereof applied to and for the use and benefit of the Iroquois Indians and their posterity.

IN WITNESS WHEREOF the said parties to these presents have hereunto set their hands and seals the day and year herein first before written.

Signed, sealed and delivered in)	D. C. NAPIER,
the presence of:)	SWASEN TEOSHARAKWENTE,
FRANÇOIS MARCOUX, <i>Prêtre</i> ,)	SWASEN SATEHAWENNOTEN,
SUTHERLAND COLQUHOUN,)	SAK TARATIE,
EDWARD V. DE LORIMIER,)	ROWI TAWENRATE,
<i>Interpreter Indian Dept.</i>)	ANTRE KARENHOTON,
	TIER OSITAKETE,
	ATOMOA SAKOKETE,
	ROWI TARAKONNENTE,
	ROREN TARONKOWA,
	RASAR ROTSINHEN,
	TIER KAIENTOA,
	WATIAS KARENHISEN,
	ATONWA SORATESE,
	SAK TANONSOAKOTHA,
	TIER SAKOIANENHAWI,
	REGIS KATSIRAKERON,
	TIER AHIATARATIE,
	BOREN TIONATAGWENTE,
	WISHE OTSITSIAKITE,
	SAWATIS KANATSIOHARE,
	WATIAS ARONIATIS,
	SAKSARIE TERIHOKTE,
	SAK GAHIONWAKENRA,
	SRAS TSINUAKON,
	TIER TARAKORENS,
	ARI HAKIATO-ARONGWEN,
	JOSEP KATIEMONTIE,
	RASAR SOTIOKWESE,

[Document No. 311]

14. The following is an excerpt from the diary kept by Theodor de Pincier while engaged in a survey of Marlborough Township on the Rideau River in the fall of 1791. The fact that the area was being surveyed indicates that the Crown believed they had title. Note the two Indians from Lake of Two Mountains protested about the logging activity in the area and informed the surveyor that they had not sold the land. The previous month, one of the surveyor's crew members had an altercation with an Indian at their depot. Unfortunately, the surveyor did not identify the tribal affiliation or language spoken by the people he met.

[pp. 196-199]

...

Monday September 5

Last day of our rations, the poor care of some [of the men] was such that they went without completely today, but to teach them to be more careful another time, and that this will not impede me from working on the last day of the job as well as on the first, I led them to work on the line that we could not finish yesterday, we drew it further after having fastened the instrument. Savanna

to 31 ch: from the boundary there is a group of cedars.

to 35 ch: savanna, some alders, and some ash. to 45 ch: clear forest

to 50 ch: arrived at the River, and planted a landmark 8.9. I cast in intervals.

Then carried to the bound marked 9.10. but the toll was mounting, I had a fire made to wait for good weather until noon, seeing then that it was in vain, we had left for the depot after having occupied the forest during about twenty whole days.

I found the caretaker of the depot, François Dubois, crippled by an axe cut that he gave himself in the foot on the 23. The [seashore?] was still opening up a lot. (I had conceived of the following account from something that had happened to him on the 25 in the afternoon with an Indian. [sic - no end bracket] He, Dubois, had wandered a little from the depot for his business he heard a young dog barking that he had locked up there on purpose. (I will go and see that it was as fast as his crippled foot and his crutch would permit him, found the door forced open and a pouch full of [missing?] togs, perceived at the same time an Indian canoe at the shore where there was a man and a woman inside; he went over there and as the Indian was pushing away at the moment of his arrival he was obliged to throw himself into the water to stop the canoe, the Indian advanced toward him, threatening to kill him, and in the instant that Dubois had put his hand on the pouch that was in the canoe the Indian arrived to stop him. [sic - no end bracket]

(He threw him down with a big swing of his crutch, wet his adversary's gun, and paid him with a good volley, took his pouch and retreated toward the depot [sic - no end bracket].

The canoe pushed away, the Indian calmly dried his gun, recharged and took aim while crying dead man. Dubois lost no more time and at the same moment that the other was taking aim at him, he let out a shot of his pistol such that the whizz of the bullet or something else scared the thief that he immediately withdrew from there but threatened to return to exterminate him. Dubois is an old traveler full of courage, and understands many of their languages, but as this accident could attract some angry sequels, and maybe some danger for the depot during my future absence in the forest, I called him to [the Land Board?].

Received a letter from John Munro [illegible] commissioner, who ordered me to send a description of the quality of the lands of Marlborough.

...

[p. 248]

Saturday October 15

Forgot yesterday to remark that two Indians from Lac des Deux Montagnes [Lake of Two Mountains] came to tell me that it was important to them that we were logging so much in these woods, that this drove away the game and impeded their hunting and that the Government had not purchased these lands from them, I counselled them to make a petition in this regard.

...

[rough translation from original French]

[Document No. 63]

15. On February 2, 1795, Lieut. Governor of Upper Canada John Graves Simcoe addressed the following letter to Lord Dorchester, the Governor General of Canada:

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 involve 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 expence [sic] 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 that the Indians would probably be satisfied by some trifling [sic] Presents. Upon making enquiry He has told Major of Brigade Littlehales that he conceived two batteaux loads of Goods, and one hundred pounds currency, principally appropriated to building of their Church, would satisfy them.

Mr. Lorimier adds that they have not received for ten years past any presents from the King's Stores, and that the principal Chief, Sawengazes or Snow Shoes, who has been wounded in the King's Service, did receive some provisions and some presents till within these five years--on Mr. Lorimier being questioned whether they did not receive presents at Montreal, He replied, they might occasionally some little trifle [sic] when they went thither.

Mr. Lorimier offered the Petition on his own behalf which I enclose to your Lordship, I cannot, therefore, but recommend to your Lordship that as Colonel 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.

[Document No. 68]

16. The speech referred to by Simcoe, made at a "Council of Indians of Oswegatchie to His Excellency Governor Simcoe the 2d Feby, 1795", reads as follows:

Father,

We beg you to give us hearing and to pay attention to what we have to say. Our Brothers, the people of the Village of St. Regis have built a

Church, and these three years past we gave them permission to cut Pine and Oak timber on our lands for the assistance of their building, and they now pretend that this land is their own, and in the time of Our Father the King of France the lines have been drawn by the River at Long Sault, and at present they have brought the boundary 18 miles more West, and as you are powerful we beg you to render us justice.

Father.--It is now about Ten years past that we was called upon by Colonel 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 River³, and promised to recompense us, But we never received one Copper and we ask nothing.

Father.--We see with Grief that we shall fall in a most miserable state, and that the rest of our Land is taking up and the Surveyors are all over the woods--With what Father will you that we shall support our Families, and we beg you to pity us, and 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.

Father.--You see before you a village without a smoak [sic], the reason of which is that we have no church and we beg of your our Father to assist us to make One and to try to get us a Priest, they say that they are not scarce in the Lower Province--You are powerful by Our Father the Bishop, and you can make him give us one.

Father.--We beg of your to write to Col. Campbell to get Our first Contract which Sir William Johnson did give to us, and which the Savages of St. Lewis falls took from us, and we shall pray the Master of Life to *preserve you*.

[sgd] LORIMIER L'AINÉ.

N.B. Father.

We the Indians of Oswegatchie say that we did not receive any presents for these ten years past but a trifle [sic] that we got last year.

[Document No. 67]

17. Other information located on the Oswegatchie claim to lands along the St. Lawrence River comes from "Onondaga", a chapter of the Northeast volume of The Handbook of North American Indians, written by Harold Blau, Jack Campisi, and Elisabeth Tooker:

...
In the 1750s a number of Onondagas and some Iroquois from other tribes especially Oneidas and Cayugas (NYCD 7:90, 278, 6:856) but no Mohawks (Hough 1853:87) went to live at La Presentation, a fort and mission established for them on the Upper Saint Lawrence at what is now Ogdensburg, New York, by Abbé François Picquet, a Sulpician missionary from the Lake of Two Mountains. The site, chosen by Piquet [sic] in 1748, the year King George's War ended, had obvious advantages. Located at the junction of the Oswegatchie River and the Saint Lawrence where the Saint Lawrence channel is narrow ("The League of the Iroquois: Its History, Politics, and Ritual," fig. 1, this vol.), the fort could protect Fort Frontenac and the Upper Saint Lawrence from British control as well as regulate trade on the river. In the seventeenth century after Fort Frontenac had been established, a trading post was established at La Galette, a few miles downriver from La Presentation (Hough 1853:41-42; NYCD 9:384). After La Presentation had been established, it was occasionally referred to as La Galette (NYCD 7:136, 573). However, more often it was called Oswegatchie (variously

³ Unfortunately, no more accurate description of this purchase has been located. As the Ottawa River watershed comes within about 5 to 20 miles of the St. Lawrence between the Toniato River and the Long Sault some of this tract may be within the watershed depending on the depth of the purchase.

spelled including Swegachie and Wegatchi), and the Indians living there came to be known as Oswegatchies.

Picquet began the settlement at La Presentation in 1749. Later that year it was attacked and largely destroyed by some Indians presumed to be Mohawks. Nevertheless, Picquet remained, a fort was built, and the Indian settlement grew. Six heads of families settled there in 1749, a number that increased to 87 the following year and to 396 in 1751. Shortly after there were over 500 families living in several villages there (O'Callaghan 1849-1851, 1:426, 431-433; Hough 1853:71). By 1753 so many Onondagas had moved to Oswegatchie that the Mohawk chief Hendrick observed that the fire at Onondaga had almost expired (NYCD 6:810; Hough 1853:56-57), and the following year Sir William Johnson said that half the Onondagas had gone to Oswegatchie (NYCD 6:887), a figure he had mentioned to Conrad Weiser in 1750. Weiser was also told that year by the Onondagas that Picquet had made about 100 converts among the Onondagas at Oswegatchie (Pa. Col. Recs. 5:475).

By moving to La Presentation, the Oswegatchies had allied themselves with the French, and when war broke out in 1754 they fought on the side of the French. On their part, the Onondagas who had remained in the Onondaga valley attempted to remain neutral but of necessity were drawn into the war although apparently to a limited degree.

After the defeat and death of Louis-Joseph de Montcalm at Quebec in 1759 Picquet saw the war was lost; and in May 1760, three months before Sir Jeffrey Amherst led his army up the Saint Lawrence, he left La Presentation in order not to fall into the hands of the British. Traveling by way of Michilimackinac, Picquet went to New Orleans where he spent almost two years before returning to France (O'Callaghan 1849-1851, 1:438-439; Hough 1853:79-80).

The Indians continued to live at Oswegatchie after the French and Indian War. Eighty warriors were reported dwelling there in 1763 (O'Callaghan 1849-1851, 1:27; NYCD 7:582) and 100 in 1768 (Jefferson 1964:99). During the American Revolution, the Oswegatchies apparently sided with the British (Hough 1853:107). In April 1779 the garrison the British maintained at Oswegatchie was unsuccessfully attacked by a body of Indians under two American officers from Fort Schuyler, as Fort Stanwix was named during the Revolution (Hough 1853:100-101; Stone 1838, 1:410-411).

After the Revolutionary War, the Oswegatchies who had been living at Johnstown on the Canadian side were moved by the British to a village on Indian point in the town of Lisbon. But Americans did not begin to settle in the area until 1796, when by the provisions of Jay's Treaty, the British gave up their Northwest posts. At that time the village had 23 houses. The houses, uniformly built, had been constructed on both sides of a street running parallel to the river. Each house had been built for two families; it had two front doors, a double fireplace with one chimney, and glass windows. The village was occupied mostly in the winter, the Indians spending much of the summer at Black Lake hunting and fishing. About 1806, after the settlers had complained, the Oswegatchies were removed by order of New York State and dispersed. Some went to Saint Regis and others to Onondaga and elsewhere (Hough 1853:108).

...

[Document No. SS-8]

THE RIDEAU PURCHASE OF 1819

1. In 1816 and 1819, the Mississauga Indians consented to two further land surrenders. In preparation for these surrenders the government consulted with the Mississaugas. On February 22, 1816, William Claus, the Deputy Superintendent General of Indian Affairs, wrote to John Ferguson, Resident Agent for Indian Affairs at Kingston, instructing him to discuss the possibility of a surrender with the Mississauga Indians:

It being the object of His Majesty's Government to make a purchase of Four or Five Townships in the rear of those mentioned in the Margin [Crosby, Burgess, Elmsley, Montague, and Marlborough]¹, you will immediately communicate the Same by Wampum to the Chiefs of the Chippawaye and Missisaguay Nations, owners of the said Land, and inform them previous to your making a Provisional agreement with them, that the King their Great Father will make an Establishment on the land described, to which I am confident no objection on their Part will be made.

[Document No. 81]

2. Ferguson replied on March 8, 1816, outlining the questions he discussed with two Principal Men of the Mississauga Nation concerning lands to be surrendered:

Upon receipt of your order of the 22nd ulto, the Indians were immediately sent for; the two Principals came. After making the communication as you directed, their answer was, That there would be no interruption on their parts, either as to the surveying or immediately settling the Lands in question; that they cannot say to a certainty whether these lands were purchased formerly, or not, but they are of opinion they were not; And that no other Indians than themselves (the Missaugas [sic]) have any claim to them, that the claims of the Nippisings and Algonquins do not cross the Ottawa River. [emphasis added] They were informed that in the event of the proving that these lands have not already been purchased and paid for, they will be remunerated by the Government, with which they appear to be perfectly satisfied. There are but very few of them, so that the expence will not be very great.

If my memory serves me right, the lands lying between the [illegible words] that quarter, up the River Trent at the head of the Bay Quinte, which tract embraces what was formerly the District of Micklinburgh as I believe, were all purchased by the agreement made in 1783 or 4, by the late Captain Crawford, from the Saint Lawrence to the Ottawa River. I remember to have heard Captain Crawford say to the then Commanding Officer here, that the lands were purchased from water to water.² I also [illegible word] a large quantity of Provisions upon that occasion. I also recollect that in September, 1787, when Sir John Johnson, Colonel MacDonnell, Mr. Langan and Mr. Collins were at the Carrying Place at the head of the Bay Quinte, making the purchase of the Strip along Lake Ontario from the Trent south of the Waters of the Rice Lake, to the River Credit, the Indians appeared dissatisfied with Capt. Crawford's purchase or agreement, but what was said I do not recollect. However Sir John Johnson found it necessary to give them some more Articles of clothing

¹ South Crosby, South Burgess and South Elmsley are on the south side of the Rideau system in Leeds County. North Crosby, North Burgess, and North Elmsley, and Montague border on the north shore of the Rideau waterway in Lanark County. Marlborough is located in Carleton County. These townships would likely have been included in the Crawford purchase from Menas if his claim extended all the way to the Ottawa. The land in the rear of these townships which was anticipated for purchase in 1816 would also have been included in the purchase.

² Compare this statement made in 1816 to Crawford's 1783 description and subsequent descriptions quoted in the Crawford Purchase section of this report. The phrase "water to water" is an interesting contrast to Ferguson's 1 August 1787 reference to the purchase being from the St. Lawrence to the Ottawa River. From water to water could also mean from the St. Lawrence to the Rideau River system.

&c., than had been given them by Captain Crawford, it therefore appears to me that the tract has actually been purchased, and it appears to be so laid down by the Colored Map of the late Deputy Surveyor General David William Smith, Esquire. This is all the information my memory at present affords me, on the subject.

[Document No. 82]

3. On February 4, 1817, Sir John C. Sherbrooke, the Governor General of Canada, wrote to Francis Gore, the Lieutenant Governor of Upper Canada, referring to lands surrounding the Rideau River which the government wished to open up for settlement:

I have the honor to acknowledge the Reciept [sic] of Your Excellency's letter, on the Subject of the expenditure attending the Survey of the new Townships on the Rideau.

In suggesting to your Excellency, in my letter of the 28th of last December, the Necessity for a Certain quantity of land being Survey'd, and Reserved for the Admission of Settlers in the Spring, I had no wish, that the Estimate for this Service, should be separated from the general Charge for Survey, from July 1st.

I directed, that diligent Search should be made, amongst the Records in the Surveyor General's Office, for the Information required by your Excellency, as to the supposed purchase from the Indians, of the tract of land, laid out in the New Townships, and I have to Inform Your Excellency, that from the Report of the Surveyor General, no Record of this nature is in existance [sic] he also expresses his Opinion, that the Indians have not disposed of this land.

I enclose an Extract of a Letter³, from the Deputy Supt. General of Indian Affairs, the only Information, I am able to furnish Your Excellency with on this Subject.

[Document No. 83]

4. Two years later, on May 31, 1819, the Mississauga Nation of Indians entered into a provisional surrender agreement with the British Crown for approximately 2,750,000 acres of land in eastern Ontario in the Midland and Johnstown Districts in exchange for an annual payment of £642.10 in provincial currency:

ARTICLES OF PROVISIONAL AGREEMENT entered into on the thirty-first day of May, in the year of Our Lord one thousand eight hundred and nineteen, between John Ferguson, of Kingston, in the County of Frontenac and Province of Upper Canada, acting on the part and behalf of His Majesty of the one part, and Nawacamigo, Anteniwayway, Kabiatsiwaybigebe, Wabukeek, Shiwitagan, Kotouche, Nawakeshecom, Shawondais, Kiwaishe, Nibinowinin, Kakekijick, Papewoun, Wobekenense, Nagonseway, Ketchegam, Kamanyouweney, Shebeshe, Nakawagan, Wobasek, Principal Men of the Mississagua Nation of Indians inhabiting the tract of land hereinafter mentioned and described, of the other part.

Witnesseth that for and in consideration of the yearly sum of six hundred and forty-two pounds ten shillings, Province Currency, in goods at the Montreal price to be well and truly paid yearly and every year by His Majesty, His heirs and successors, to the said Mississagua Nation inhabiting and claiming the said tract, which may be otherwise known as follows, that is to say: Commencing at the north-west angle of the Township of Rawdon; thence along the division line between the Midland District and the District of New Castle, north sixteen degrees west thirty-

³ See Paragraph 1, above.

three miles; then north seventy-four degrees east sixty-one miles, more or less, to a division line produced north sixteen degrees west from the north-east angle of the Township of Bedford; then north sixteen degrees to the Ottawa or Grand River; then down the said river to the north-west angle of the Township of Nepean; then south sixteen degrees east fifteen miles, more or less, to the north-east angle of the Township of Marlborough; then south fifty-four degrees west to the north-west angle of the Township of Crosby; then south seventy-four degrees west sixty-one miles, more or less, to the place of beginning; containing two millions seven hundred and forty-eight thousand acres, more or less; and the said Nawacamigo, Anteniwayway, Kabiatsiwaybigebe, Wabukeek, Shiwitagan, Kotouche, Nawakeshecom, Shawondais, Kiwaishe, Nibinowinin, Kakekijick, Papewon, Wobekenense, Nagonsaway, Ketchegam, Kamanyouweney, Shebeshe, Nakawagan, Wobasek, as well for themselves as for the Mississagua Nation, inhabiting and claiming the said tract of land as above described, do freely and voluntarily surrender and convey the same to His Majesty, His heirs and successors, without reservation or limitation in perpetuity. And the said John Ferguson, in behalf of His Majesty, His heirs and successors, does hereby promise and agree to pay to the said Nation of Indians, inhabiting the said tract as above mentioned, yearly and every year for ever the said sum of six hundred and forty-two pounds ten shillings, Province currency, in goods at the Montreal price, which sum the said Chiefs and Principal people, parties hereunto, acknowledge as a full consideration for the lands hereby sold and conveyed to His Majesty, His heirs and successors.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the day first above mentioned, in Kingston aforesaid.

Signed, sealed and delivered in the) presence of:) D. WASHBURN, HENRY MURNEY, BENJAMIN FAIRFIELD, JR.,	JOHN FERGUSON, <i>on behalf of the Crown,</i> PAPIWOM, WOBOKENENSE, NONGONSEWAY, KETCHEGOM, KOMONJEVEWENY, SHEBESHE, NAKAWAGAN, WABOSEK, NAWACAMIGO, ANTENEWAYWAY, ITAWOBENON, KABIATSIWAYBEGEBE, WOBUKEEK, SHIWITAGON, KATOUCHE, NAWAKESHECOM, SHAWONDAISE, KIWAISHE, NITINOWININ, KAKEKIJICK, 159 persons, \$1,590 <u>98</u> do <u>980</u> 257 at 50s., £642, 10s., Province currency.
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Mississaguas of Bay de Quinté do of Kingston Total	159 persons, \$1,590 <u>98</u> do <u>980</u> 257 at 50s., £642, 10s., Province currency.
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[Document No. 85]

5. The above purchase, commonly known as the Rideau Purchase, was confirmed by an indenture dated November 28, 1822. Note that the compensation was expressed as an annuity of £2 10s. payable yearly to each man, woman and child in goods at the Montreal price. The total number of annuitants to receive the yearly payments was limited to 257, the number of members counted at the time of the 1819 provisional agreement:

THIS INDENTURE, made the twenty-eighth day of November, in the year of Our Lord one thousand eight hundred and twenty-two, between

Nawacamigo, Antenewayway, Kabratsiwaybiyebe, Wabakeek, Shewitagan, Kotanche, Nawakeshecom, Shawandais, Kiwaishe, Nibinirinin, Kakekijick, Papewaun, Wabekenense, Naganseway, Ketchegam, Kamenjonweney, Shebeshe, Nacawagan, Wabasek, the Chiefs and Principal Men of the Missisagua Nation of Indians inhabiting and claiming the tract of land hereinafter mentioned, of the first part, His most Gracious Majesty George the Fourth, by the Grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, of the second part, and the Honorable William Claus, of the Town of Niagara, in the District of Niagara, Deputy Superintendent General of Indian Affairs in the Province of Upper Canada, of the third part: Whereas by a certain provisional agreement entered in to the thirty-first day of May, in the year of Our Lord one thousand eight hundred and nineteen, between John Ferguson, of the Town of Kingston, in the County of Frontenac, in the Midland District of the Province of Upper Canada aforesaid, acting on behalf of His late Majesty King George the Third, of Blessed Memory, of the one part, and the said Nawacamigo, Anteniwayway, Kabratsiwaybiyebe, Wabakeek, Shewitagan, Kotanche, Nawakeshecom, Shawandais, Kiwaishe, Nibinowinin, Kakekijick, Papewaun, Wabekenense, Naganseway, Ketchegam, Kamenjonweney, Shebeshe, Nacawagan, Wabasek, the Chiefs and Principal Men of the said Missisagua Nation of the other part, it was agreed that in consideration of an annuity of two pounds and ten shillings of lawful money of the Province aforesaid, payable in goods at the Montreal price, to be well and truly paid by His said late Majesty, His heirs and successors, to each man, woman and child of the said Mississagua Nation and to their posterity forever, provided the number of annuitants at any time should not exceed two hundred and fifty-seven, being the number of persons then composing the said Nation claiming and inhabiting the said tract of land, the said Nawacamigo, Anteniwayway, Kabratsiwaybiyebe, Wabakeek, Shewitagan, Kotanche, Nawakeshecom, Shawandais, Kiwaishe, Nibinowinin, Kakekijick, Papewaun, Wabekenense, Naganseway, Ketchegam, Kamenjonweney, Shebeshe, Nacawagan and Wabasek, the Chiefs and Principal Men of the Missisagua Nation aforesaid, as well for themselves as for the said Missisagua Nation of Indians inhabiting and claiming the said tract of land, did freely and voluntarily agree to surrender and convey a certain tract of land hereinafter more particularly mentioned and described, containing about two million seven hundred and forty-eight thousand acres, more or less, unto His said Majesty, His heirs and successors.

NOW THIS INDENTURE, Witnesseth, that in pursuance of the said agreement, and as well in consideration of the said annuity of two pounds and ten shillings, payable in merchandise at the Montreal price, during the life of each annuitant, to each man, woman or child of the said Mississagua Nation of Indians, who at the time of entering into the said agreement claimed and were inhabiting the tract of land hereinafter described and intended to be hereby surrender to His said Majesty, and to their posterity for ever as aforesaid, as of the sum of five shillings of lawful money of the Province aforesaid to each of them the said Nawacamigo, Anteniwayway, Kabratsiwaybiyebe, Wabakeek, Shewitagan, Kotanche, Nawakeshecom, Shawandais, Kiwaishe, Nibinowinin, Kakekijick, Papewaun, Wabekenense, Naganseway, Ketchegam, Kamenjonweney, Shebeshe, Nacawagan and Wabasek, in hand well and truly paid by His said Majesty, at or before the sealing and delivery of these presents, the receipt whereof the said Nawacamigo, Anteniwayway, Kabratsiwaybiyebe, Wabakeek, Shewitagan, Kotanche, Nawakeshecom, Shawandais, Kiwaishe, Nibinowinin, Kakekijick, Papewaun, Wabekenense, Naganseway, Ketchegam, Kamenjonweney, Shebeshe, Nacawagan and Wabasek do hereby acknowledge; they the said Nawacamigo, Anteniwayway, Kabratsiwaybiyebe, Wabakeek, Shewitagan, Kotanche, Nawakeshecom, Shawandais, Kiwaishe, Nibinowinin, Kakekijick, Papewaun, Wabekenense, Naganseway, Ketchegam, Kamenjonweney, Shebeshe, Nacawagan and Wabasek have and each of them hath granted, bargained, sold, released, surrendered, and for ever yielded up, and by these presents do and each of them doth grant, bargain, sell, release, surrender and for ever yield up unto His said Majesty, His heirs and successors, all that parcel or tract of land situate, lying and being in the Midland and Johnstown Districts of the Province aforesaid, containing by admeasurement two million seven hundred and

forty-eight thousand acres, be the same more or less, which said parcel or tract of land is butted and bounded, or may be otherwise known as follows, that is to say: Commencing at the north-west angle of the Township of Rawdon; then along the division line between the Midland and Newcastle Districts north sixteen degrees west thirty-three miles; then north seventy-four degrees east sixty-one miles, more or less, to a division line produced north sixteen degrees west from the north-east angle of the Township of Bedford; then north sixteen degrees west to the Ottawa or Grand River; then down the said river to the north-west angle of the Township of Nepean; then south sixteen degrees east fifteen miles, more or less, to the north-east angle of the Township of Marlborough; then south fifty-four degrees west to the north-west angle of the Township of Crosby; then south seventy-four degrees west sixty-one miles, more or less, to the place of beginning; together with all woods and waters thereon, and all and singular the rights, privileges, easements, benefits and appurtenances thereunto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereto belonging, or in any wise appertaining; and all the estate, right, title, trust, interest, use, claim and demand whatsoever, both at law and in equity, of the said Mississagua Nation of Indians inhabiting and claiming the said parcel or tract of land. To have and to hold the said parcel or tract of land, hereditaments and premises hereby surrendered and yielded up, or intended so to be, with their and every of their rights, members and appurtenances, unto His said Majesty King George the Fourth, His heirs and successors, to the only proper use, benefit and behoof of His said Majesty, His heirs and successors forever. And the said William Claus, Deputy Superintendent General of Indian Affairs, as aforesaid, on behalf of our said Lord the King, His heirs and successors doth hereby for himself and his successors in the said office covenant, promise and agree to and with the said Nawacamigo, Anteniwayway, Kabratsiwaybiyebe, Wabakeek, Shewitagan, Kotanche, Nawakeshecom, Shawandais, Kiwaishe, Nibinowinin, Kakekijick, Papewaun, Wabekenense, Naganseway, Ketchegam, Kamenjonweney, Shebeshe, Nacawagan and Wabasek, that he, the said William Claus, and his successors in the said office, shall and will well and truly pay, or cause to be paid, unto each man, woman and child of the said Mississagua Nation of Indians who at the time of entering into the said agreement inhabited and claimed the said tract of land, and to their descendants and posterity forever, an annuity of two pounds and ten shillings of lawful money of Upper Canada, in goods and merchandise at the Montreal price, provided always that the number of persons entitled to receive the same shall in no case exceed two hundred and fifty-seven persons, that being the number of persons claiming and inhabiting the said tract at the time of concluding the provisional agreement hereinbefore mentioned.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands and seals the day and year first above written. The Indians not knowing how to write, have made their marks against their respective seals.

Signed, sealed and delivered in the	)	NAWACAMIGO,
presence of:	)	ANTENEWAYWAY,
J. P. HAWKINS,	)	KABRATSIWAYBIYEBE
Major 68th Regt. and Lt.-Col.,	)	WABAKEEK,
WM. SMYTH, Lieut. 68th Regt.,	)	SHEWITAGAN,
JOHN FERGUSON, I.I.D.	)	NAWAQUARKECOM,
		SHAWANDAIS,
		PEJEHEJECK,
		PAPEWAN,
		WABECKENEME,
		NAGANASAWAY,
		SHEBESHEE,
		NAIQUAKAN,
		WABANZICK,

[Document No. 93]

6. Sixteen years later, on September 10, 1838, Lt. Colonel Napier submitted the following material regarding the Algonquin and Nipissing protest of the surrender for the consideration of Lord Durham, the Governor General:

1. Letter from the Superintendent of Indians at Montreal attached, dated 4th September 1838.⁴ Submits a request on the part of the Algonquin and Nipissing Tribes, that this Petition to the late Lieutenant Governor of Upper Canada, relative to their Hunting Grounds, may be Submitted to Your Excellency, with a view to an inquiry into the circumstances therein set forth.

2. Letter from the late Chief Superintendent of the Indian Department at Toronto, dated 26th February 1836, Communicates the remarks of Sir Francis B. Head, on the Claims preferred by the Petitioners, in the Petition above mentioned.

In the month of August 1837 [sic 1836] a Deputation from the Algonquin and Nipissing Tribes proceeded to Toronto to lay their Case before the Lieutenant Governor; but Sir F. B. Head being at this time absent on a Tour, nothing could be done in the matter: It was however intimated to the Deputies by the late Chief Superintendent that the Hunting Grounds Claimed by their respective Tribes had, some years back, been purchased by Government from the Mississauga Tribe of the Bay of Quinte, and upon reference to the Schedule of Indian Deeds in this office it appears that in the year 1819, the latter Tribe did convey and transfer to the Government of Upper Canada, a block of Land Amounting to 2,748,000 Acres, for a perpetual Annuity of 642:10 Currency, payable in Indian Goods, and it further appears, that this Tract has a front of 15 Miles in that part of the Ottawa River Claimed by the Algonquin and Nipissingue Indians as their Hunting Grounds.-

Under the Circumstances represented, I respectfully solicit permission to proceed to Toronto to lay the Subject of the present Application before His Excellency Sir George Arthur with such instructions thereon as Your Excellency may deem it proper to honor me with.-

[Document No. 227]

7. A year and a half later another petition by the Algonquins and Nipissings dated March 9, 1840, complained that the Mississaugas were receiving an annuity for lands forming part of the Algonquin and Nipissing hunting grounds:

...
Lastly Father - We further pray of you to Interest yourself for your children the Nipissings & Algonquins, with the Government of Upper Canada, and order that Justice be rendered us - viz. By the restitution to us of a certain Annuity paid to the Mississaugas for lands on the Ottawa river facing L'Isle aux Allumettes, & which lands form part of our hunting grounds from time immemorial - Which they The Mississaugas have clandestinely sold to that Govt. & for which they receive the above mentioned annuity. The Mississaugas, claimed no hunting grounds whatever on the waters emptying themselves in the Ottawa - Their hunting grounds lying on the south side of the height of land separating the Waters that flow into the St. Lawrence from those that flow into the Ottawa - and as in duty bound we your red children The Nipissings & Algonquins will ever pray.

[Document No. 241]

⁴ The letter referred to requested that the Algonquin and Nipissing petition dated June 6, 1835, be responded to. Among other things, they protested the Rideau Purchase and laid claim to the annuities paid to the Mississaugas and Chippewas. See Document No. 223 and Document No. 195 quoted Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period. The Algonquins and Nipissings also protested the surrender in September 1838. See Documents Nos. 224 and 225. These petitions were passed by Superintendent Hughes to Colonel Napier and Lord Durham the Governor General of Canada.

8. The following extract dated July 12, 1842, is from the record of the proceedings of a council of Algonquins and Nipissings held at Lake of the Two Mountains:

...

Fourthly---We pray our Father not to lose sight of the clandestine manner in which we have been treated by the Mississaugas (as represented in our above mentioned Petition [March 9, 1840]) as reported to us by the late Chief Superintendent of Indian Department at Toronto, Col. Givins, and that our Father will be pleased to enquire into the business.

...

[Document No. 253]

9. The annuity from the 1819/22 Rideau Purchase was capitalized and deposited in Mississauga of Alnwick trust fund about the time of confederation. For capitalization purposes it was calculated at £2 10s for 257 people the maximum yearly payment as specified in the 1822 confirmation of the purchase.

THE WILLIAMS TREATY OF 1923

1. Beginning in the late 1800s, the Mississauga and Chippewa Nations made claims to unsundered lands in central Ontario which included lands on the Ontario side of the Ottawa River watershed. These claims eventually led to the signing of the Williams Treaties in 1923 by the Chippewas of Georgina Island, Christian Island, and Rama and the Mississaugas of Mud (Curve) Lake, Rice Lake, Alderville, and Scugog. No other aboriginal groups took part in the Williams Treaties under which much of central Ontario was ceded to the Crown.¹
2. The claims of the Mississaugas and Chippewas were first presented to the Crown in the period from 1866 to 1878.² The federal Crown conceded that the lands had not been formally surrendered, and brought the issue to the attention of the Ontario Government. In his letter of May 23, 1870, William Spragge, the Deputy Superintendent General of Indian Affairs, stated to the Lieut. Governor of Ontario that the Mississauga Tribe occupied "considerable portions" of the unceded lands:

I have the honor to bring under your notice the circumstance heretofore apparently overlooked, that in the Province of Ontario very important tracts of land exist, concerning which so far as can be ascertained the Indian title has not as yet been extinguished. The tract in question as exhibited in the accompanying traced map lies northwest of the lands surrendered on two separate occasions in the year 1822 westward of the Townships of Blythfield, Admaston, Bromley, Stafford and the Grand River, eastward of the lands ceded by the Robinson Treaty of September 1850 and southerly by Lake Nipissing and the waters flowing from it into the Ottawa River.

The Mississauga Tribe who occupy as their hunting grounds, considerable portions of this unceded lands [sic] would have claims to compensation in some other form, upon executing conveyances to the Crown similar to those to which they were parties in the year 1822, and the subject is accordingly brought under your consideration with a view to receiving due attention at your early convenience and the eliciting such proposals as may lead to a settlement of the Indian claims.

[Document No. 419]

3. Another recommendation for action on the issue was made in a report entitled "Case of Paul De la Ronde, and other Mississauga Indians", written by L. VanKoughnet, who had succeeded Spragge as Deputy Superintendent General. VanKoughnet's report, dated March 9, 1876, is reproduced below:

On the 28th December, 1869, claimant filed a document signed (with their marks) by himself and two other Indians, viz: Hester Wakaonah and Ann

¹ Note that the petitions by Mississaugas and Chippewas which drew government attention to the unceded land in Ontario, for the most part, describe the land they are claiming in fairly vague and indefinite terms. The investigations carried on by the federal Crown conclude that most of the Ottawa Valley watershed was unceded lands. The Crown "married" the general claim of the Mississaugas and Chippewas to the whole unceded territory and proceeded based on that premise. When the provincial Crown became involved in the claim, they maintained a position similar to that of the federal Crown with regard to the extent of the lands in question.

² For example, in September 1866 Paul de la Ronde, said to be a Mississauga, petitioned for the Townships of Sherborne, Stanhope, Livingston, Havelock, Guilford, Lawrence, Eyre and Harburn. He was supported in his petition by Chippewas of Rama. Of the block of eight townships claimed, about two-thirds of Lawrence, one-third of Eyre, and a very small portion of Harburn, are within the lands drained by the tributaries of the Ottawa River. The others are to the west of the Ottawa watershed. In December 1869 the Mississauga Councils of Rice, Mud and Scugog Lakes informed Indian Affairs that lands north of treaty #20 taken in 1818 were not surrendered. This surrender is west of the Ottawa Valley.

Wakaonah, at Rama, Ontario, (which is a Chippewa Reserve) setting forth that he (Paul De la Ronde) as the lawful heir of his uncle Wakaonah, is entitled to certain Townships in Ontario, which formerly composed the hunting grounds of his said Uncle, and the title to which, the document alleges, has never been extinguished.

Accompanying this document was a certificate, dated December 22, 1869, signed (also with their marks) by the Chief and certain other members of the Mississauga band of Rice Lake (to which Tribe Paul De la Ronde claims to belong) to the effect that no land in Ontario north of the 45 degree of North Latitude 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.

The tract claimed by the said Paul De la Ronde is comprised within the Territory claimed by his Tribe (The Mississaugas) and Paul was informed that whatever claim his Tribe might have, his individual interest in the land could not be considered apart from theirs.

The records of the Department fail, upon examination, to shew that the Indian title to the territory in question has ever been extinguished. This claim embraces a large area composed of many Townships in the Ottawa and Huron Territory laid out in survey by the old Province of Canada; as well as much unsurveyed land between the Ottawa River and Lake Huron.

On the 9th February, 1870, the Commissioner of Crown Lands was asked by letter if among the records his Department, any trace of such a surrender could be discovered. No reply has ever been received. But a letter from one of the subordinate officers of the Department dated 17th of the same month, addressed to His Excellency the Governor General States that it would likely be established that no surrender of the territory in question had ever been made.

On the 23rd day of May, 1870, the late Superintendent General, the Honourable Joseph Howe, drew the attention of His Honor the Lieut. Governor of Ontario, to the matter, by official letter, with the request that the subject of the claims of the Indians interested, to annuities, for compensation in some form, upon executing a conveyance to the Crown might receive due attention at His Honor's early convenience. No reply has ever been received to that communication.

On the 17th March, 1870, Paul De la Ronde made another claim to payment of annuity, at the rate of ten dollars (\$10.00) per annum, since the year 1818, being the amount per capital paid the Mississauga Band annually since that year.

If Paul De la Ronde is a Mississauga Indian of any of the Bands resident at Rice, Mud or Scugog Lakes, and had continued to reside with his Band, he would have shared in the annuity payable to them. He appears, however, to have been resident at Caughnawaga for some time and according to the regulations, he is incapacitated from sharing in the annuity of his Band. Paul was informed through his Agent, that his claim was not one the Department could recognize.

The undersigned also verbally explained to the applicant that his non-residence with his people incapacitated him from sharing in their moneys.

In view of the importance of the question to the Bands of Mississauga Indians interested therein the undersigned is of the opinion that the attention of His Honor the Lieutenant Governor of Ontario should be called to the correspondence had with his predecessor as well as with the Commissioner of Crown Lands on the subject and that His Honor should be moved to cause early action to be taken by His Government in the matter, in order that a settlement of the Indian claim may be made as soon as possible.

[Document No. 431]

4. Discussion of the Mississauga and Chippewa claims continued within the Department of Indian Affairs and between the federal and provincial governments for the next few years. The state of affairs was outlined by Deputy Superintendent General VanKoughnet in a memorandum to Sir John A. MacDonald, Superintendent General of Indian Affairs, on March 11, 1881:

The undersigned begs to submit herewith a Fyle of papers containing correspondence and reports relating to certain lands in the Province of Ontario situated north of the 45th Degree of Latitude and bounded on the West by a line running due South & Striking the East Shore of Lake Nipissing and on the East by the Ottawa River, which lands the Indians belonging to the Mississagua Bands of Alnwick, Rice, Mud and Scugog Lakes as well as the Chippewas of Lake Simcoe claim as their hunting grounds, affirming that they were never surrendered by them, although the lands comprised within this tract had been dealt with by the late Province of Canada & now are treated by the Province of Ontario as if the Indian title had been extinguished. There are numerous townships as well as a large area of unsurveyed lands included in the tract.

The attention of the Ontario Government has been called to the matter on more than one occasion and that Government was invited to make a proposition for the settlement of the Indian title but no other reply has been received from that Government than that the records of the Crown Lands Department fail to show, after careful search, that any part of the tract of land referred to was surrendered by the Indians, unless it be that portion which lies to the West of the Bobcaygeon Road line, which is presumed to have been surrendered by the Robinson Treaty of September the 9th, 1850 with the Ojibeway and Nipissing Indians.

In connection with the surrender last referred to, the undersigned begs to state, that there was no defined Eastern boundary of the tract of land covered by it. There is no doubt however, that the Indians who were parties to said Robinson Treaty had no claims to lands East of the East shore of Lake Nipissing nor South of the point on Georgian Bay, known as Moose Deer Point, although the surrender in question states that the lands covered thereby extend southward to Penetanguishine. It may be stated that the Crown Lands Department of Ontario, in correspondence had with that Department some years ago, admitted that the Indians who were parties to the Robinson Treaty aforesaid had no rights to cede in the lands East or South of the points aforementioned.

The tract of land remaining unsurrendered may be stated in round numbers to consist of 18950 square miles [sic should be 10950.]

The Indians who claim said tract are becoming yearly more impatient for a substantial recognition of their rights in the soil, and the undersigned respectfully recommends that, in the arrangement of out-standing matters between the Dominion Government and that of Ontario, the claims of these Indians to compensation for these lands should be recognized and a basis established for satisfying the same.

[Document No. 457]

5. On September 23, 1881, the following letter was sent to Sir John A. MacDonald, by the Chiefs and Councillors of the Chippewas of Christian Island, Georgina Island, and Rama, and the Mississaugas of Rice Lake, Mud Lake, and Scugog. Note that the Chippewa and Mississauga Councils specify that their claim extends only to the Ottawa River watershed:

The petition of the Band of Indians of The Ojebwa and Mississauga Tribe with their Chiefs in General Council assembled.

Humbly sheweth,

That at a general council of the Band of Indians of the Ojebwa and Mississauga Tribe with their Chiefs assembled at the Township of Rama to take into consideration the terms or conditions they would be willing to give up their title to that portion or Territory of Land south of the Water shade of the Ottawa and near that vicinity which they still own and claim and which has never been ceded to the Crown. [emphasis added]

It was resolved to surrender the whole Territory still unceded to the Crown provided the Crown gave them reasonable compensation, therefore with the understanding that each band received an equal share of the compensation for said Territory.

It was also resolved to appoint Joseph B. Nanegisking Chief of the Rama Tribe and M. G. Pahtansh of Rice Lake Tribe to confer and act for us with the Crown and Transact all business in connection with the disposal of our rights to said Territory and we also authorize them to have and to hold all communications in connection with the disposal of said Territory and to sign all documents on our behalf. Your Petitioners therefore pray that you see that the Tribe be liberally compensated as this is the last Territory they have to cede away and your Petitioners as in duty bound will ever pray.

[Document No. 460]

6. An unsigned draft letter dated August 8, 1882, was addressed to Chiefs J. B. Nanningushkung of the Chippewa Band of Rama and N. G. Pahtash of the Mississaugas of Rice Lake:

With reference to the petition of the Ogebawa and Mississagua Bands of Indians, by whom you have been appointed delegates to confer and act for the Indian Bands interested therein in relation to the disposal of their rights in certain Territory which is still unceded, and which the Bands represented by you claim as their hunting grounds and pray that sufficient compensation be given them therefor, I beg to inform you that this important matter has received [sic], & will continue to engage the earnest attention of the Dept. until a solution of the question is arrived at; and that the Dept. will do its utmost to protect the interests of the Indians in the premises.

[Document No. 461]

7. Chief J. B. Nanigishkung sent a letter to Superintendent General MacDonald on August 20, 1883, as follows:

Referring to your letter No. 318, dated 8th August 1882 with reference to Petition of Ogibawa and Mississagua Bands of Indians by whom I have been appointed delegate with Chief Patash, I exceedingly regret that you were absent from Ottawa when we were there, we would have been highly pleased to have met you Sir, because of your Knowledge of this territory, your willingness to do the Tribes interested in this matter justice and especially as the Head or Great Chief of all the Indian Bands of the Dominion we desired very much to meet with you, but we had the pleasure of meeting with Mr. VanKoughnet your Deputy who received us very kindly and promised that this important matter would engage the attention of the Department.

We had a very large meeting of Council last month, at which all the Tribes interested in this territory were fully represented and it was resolved to Surrender the whole of the Territory in question and the prayer of the Council is that this should be accomplished with as little delay as possible.

It is over a year Since we received this Communication and I as delegate have been requested by the Council to write and ask what has been done toward the Solution of this very important matter.

[Document No. 464]

8. A draft letter dated December 4, 1883, and addressed to Chief Nanigishkung, care of W. R. McPhee, the Indian Agent at Uptergrove, reads as follows:

With reference to your letter of the 20th of August last relative to the claim of the Chippewa and Mississagua Bands of Indians to certain territory in the Province of Ontario, I beg to inform you that your letter has been brought under my notice since my recent return from the N.W.T., and I have now to request that you will inform me through Mr. Agent McPhee of the terms on which it was resolved by the Indians who you state met in Council last July to surrender the territory above referred to.

[Document No. 465]

9. Indian Agent McPhee addressed a letter to the Superintendent General of Indian Affairs on January 22, 1884:

Chief J. B. Nanigishkung of the Rama Band of Indians desires me to inform you that the council which he attended last July referred to in your letter No. 318 dated 4th Dec. was not convened for the purpose of surrendering or agreeing to Terms of Surrender, as stated in the letter to the Dept. dated 20th August, but for the purpose of fixing or establishing the boundary line between the North Shore Indians and the Rama, Georgina & Christian Island Indians.

The North Shore Indians claim the Muskosh River, as the boundary between us, while we, the Chippewa Band, claim the Moon River as the boundary, which will bring the Moose Point in our territory and that point is still in dispute, which dispute we pray that the Dept. will settle.

On the second day of January, the chiefs of the different Bands interested in the surrendering of the Territory which they claim held a council in the Rama Indian Village to confer together about the terms on which they will surrender, which terms they could not arrive at, owing to the fact that they do not know the Value of the territory nor yet the extent, and therefore could form no estimate of the value of it, which estimate they would like you to inform them of, and also to send a Commissioner to the Rama Indian Village at which place the different chiefs will meet him, if sufficient notice is sent of his coming and then they will be able to fix the terms of surrender.

At that council it was resolved that Chief Nanigishkung be their representative and all communications be sent to him.

A handwritten note in the margin of the above letter gives the following instructions which are dated "7/2/84":

Mr. McNeill Ack & Say the matter must remain in abeyance until certain matters of claim are arranged between the Provinces of Ontario & Quebec wh. formerly composed the old Province of Canada.

[Document No. 468]

10. As early as 1884, the federal Crown saw the Mississauga and Chippewa claim as an opportunity to gain clear title to all the unsurrendered land in central Ontario. A memorandum dated October 2, 1884, signed by L. Vankoughnet, Deputy Superintendent General of Indian Affairs, reads as follows:

Referring to the memorandum of the undersigned of the 11th of March, 1881, and his subsequent memo of the 22nd of November, 1882, and the Superintendent General's instructions thereon relative to the claims of the Chippewas of Lakes Huron and Simcoe and certain Mississauga Bands in respect of a large section of country which was improperly included in the surrender made by the Ojibeways of Lake Huron in 1850, under what is

generally known as the Robinson Treaty,- the undersigned is informed that the Treasurers of the Provinces of Ontario and Quebec will probably meet in Ottawa about the 20th instant and he has been asked by The Deputy Minister of Finance to submit any claims that the Department may have for consideration previously to the meeting of the two Treasurers.

The undersigned having given the matter of the claims of the Indians above referred to due consideration begs to state as the result that the present number of Indians who would appear to be interested in the lands previously referred to is 1,227, made up as follows³,-

Chippewas of	Beausoleil -----	318
"	" Snake Island, -----	137
"	" Rama, -----	148
Mississaugas of	Mud Lake, -----	158
"	" Rice Lake, -----	94
"	" Alnwick, -----	231
"	" Scugog, -----	41
Total,		1,227.

and the tract of country which they claim to have been their hunting grounds and for which they demand compensation from the Government comprises that portion of the territory included in the Robinson Treaty which is nearest to the great centres of civilization and is therefore, it may be concluded, the most valuable part of the territory covered by that Treaty. Roughly computed the southern part of the tract contains 5,406 square miles and this and the more remote north eastern portions thereof which contain together 10,719 square miles may be discribed [sic] as extending from Moose Deer Point on Georgian Bay inland to the Southern extremity of a right line drawn Northward and touching the Eastern border of Lake Nipissing thence South to the 45th degree of Latitude; from thence East to the Georgian Bay; thence South following the sinuosities of the Easterly shore of that body of water to a point near East Oro, thence Eastward to the shore of Lake Simcoe, thence Northward following the sinuosities of the Westerly shore of Lake Couchiching to the head of that Lake, thence North Easterly through the Townships of Morrison and Muskoka to the North-Eastern corner of the latter Township thence following the 45th degree of latitude Eastward until the same strikes the Westerly corner of the Township of Ashby, thence Easterly along the Southern boundary of that Township and of the Townships of Denbigh, Matawatchan, and Brougham to the South Eastern corner of the latter Township, thence North following the Eastern boundary of the last named Township and of the Townships of Grattan, Wilberforce, Alice, Petawawa, and Buchan to the Ottawa River, thence North Westerly following the Sinuosities of the Western shore of the latter stream to the 47th degree of latitude on Seven League Lake, thence by a line running southward to the angle made by it and the right line previously described drawn from Moose Deer Point Eastward, thence Westward to Moose Deer Point the place of beginning aforesaid.

The undersigned submits that although the territory included in the above boundaries is not so extensive as the remainder of the territory covered by the Robinson Treaty with the Ojibeway Indians of Lake Huron which contains about 18,898 square miles, nevertheless owing to a large proportion of it being much nearer to the large centres of popalarion [sic] it is much more valuable, and it would not be unfair to assume that the Indians interested in this territory are therefore entitled to as much consideration for the relinquishment of their rights therein as the Ojibeways of Lake Huron received in compensation for their rights in a not more valuable tract. The undersigned therefore submits that an annuity of a similar amount, namely; \$4.00 per head should be allowed these Indians for the future, and that they are entitled to arrears of annuity at that rate from the date of the Treaty of 1850 to which they were not parties, although this large and valuable tract was erroneously included therein and has been lumbered over and used for the purposes of settlement ever since without any reference to the claims of these Indians.

³ Note that the federal Crown did not recognize that any aboriginal groups aside from the Mississaugas and Chippewas might have a claim to the territory which they proposed surrendering.

Taking the present number of Indians as a basis for the calculation it will be found that at \$4.00 per head the amount of annuity payable to them will be \$4,908.00 and at this rate the arrears due them for the thirty-four years since the date of the Robinson Treaty of 1850 amount to \$166,872.00. The proportion of this sum which should have been paid previous to the confederation of the Provinces in 1867 should be charged against the old Province of Canada, and the balance against the Province of Ontario. The amount of capital which it will be necessary to invest in Government securities at 4% in order to purchase an annuity of say in round numbers \$5000.00 per annum will be \$125,000.00. This latter obligation the undersigned respectfully submits it is incumbent upon the Province of Ontario to assume by placing the Dominion in funds to enable this Department to pay the Indians annuity at the above rate.

It may be added that these Indians are becoming very impatient for the settlement of their claims and they repeatedly press the same upon the Department. The undersigned respectfully recommends that this matter be brought before the Treasurers of Ontario and Quebec at their next meeting with a view to an arrangement being made for liquidating the liability of the Old Province of Canada and of the Province of Ontario to the Indians above mentioned.

[Document No. 471]

11. On December 20, 1884, the following memo, reviewing the correspondence on the claim, was written by J. G. Scott, a Dept. of Justice lawyer:

Re Claim of Missisaguas of Alnwick Rice Mud and Scugog Lakes and Chippawas of Lake Huron.

CLAIM.

1st Arrears since date of Robinson Treaty \$196.872
2nd Annuity of \$4 per head capitalized at \$125.000

Vide certificate of Indians dated 22nd December 1869 it states that last treaty was in 1818 that it extends 33 miles north until it strikes the line 45' and that north of this the lands have never been ceded.

Where is this treaty to be found, and assuming [sic] the facts to be as above what evidence is there that these Indians held any land north of 45' at the time of the Conquest or even in 1818?

Mr. Kirkwood in a letter of 17th February 1870 says that "it is likely to be established that no surrender of that part of the Ottawa and Huron territory lying of the blue line [sic] on the accompanying map had been made", and what grounds had he for making the statements contained in this letter and where is the original of the map which he enclosed?-

In Mr. Howes despatch of 23rd May 1870 to Lieutenant Governor Howland he speaks of two surrenders in 1822. He says that the Mississagua tribe occupied "considerable" portions of the unceded lands.

Mr. Spraggs memo of 26th May 1870 refers to a communication to Hon. Stephen Richards (Commissioner of Crown Lands) dated 9th Feby 1870 asking for information as to surrenders. This communication is not on the file. What search was made in consequence?

Mr. Kirkwood's letter referred to above was written shortly after. Did Mr. Kirkwood enquire into the matter?

IN a memorandum dated 3rd Jany 1870 a surrender of 1856 is mentioned Where can this be found?

Mr. Eckart 17th July 1878 states that no evidence can be discovered in records of the Crown Lands Department of any surrender of the lands in question 'unless as to the portion west of the Bobcaygeon Road line which is presumed to have been surrendered by the Robinson Treaty of 9th Sept. 1850.' In this letter Mr. Eckart refers to these lands as claimed by the Mississagua Indians of Alnwick, Rice and Mud Lakes as well as as

[sic] those of Lakes Huorn [sic] and Simcoe. This is the first mention of the Indians of Lakes Huron and Simcoe. They may however have been mentioned in the Secretary's of State's despatch of 13th May 1878 to which Mr. Eckart's letter is an answer. No copy of this despatch is on the file.

IN memorandum of Deputy Superintendent Vankoughnet dated 11 March 1881 it is stated that the Crown Lands Department of Ontario in correspondence some years previously admitted that the Indians who were parties to the Robinson Treaty had no Rights to cede in the lands east of the east shore of Lake Nipissing nor south of Moose Deer Point on Georgian Bay. Where is this correspondence? And if this is so why is a claim now made on behalf of the Chippawas of Lakv [sic] Huron. My recollection is that the contention of the Dominion Government was, that the lands between Penetanguishene and Moose Deer Point belonged to the Chippawa of Lake Simcoe and that therefore the Indians of Lake Huron had no right to surrender them.

This is only important in case the Chippawas of Beausoleil should be properly classed as Lake Huron Indians. The other Chippewas included in enumeration (2nd October 1884) are Lake Simcoe Indians.

The Lands claimed cover 10719 square miles. For boundaries vide Mr. Vankoughnet's report dated 2nd October 1884.

[Document No. 472]

12. The following memo, likely written by J. P. MacDonell, dated February 4, 1893, is entitled "This memo to consider whether there is any ground for believing that the claimants owned the Territory in question":

The Treaty of 5 Nov 1818 with Chippewas and Mississaguas does not shew that the grantees had any Land except that which they surrendered & described by metes & bounds £740 @10--say 296 Indians

The Treaty of 28 Nov 1822 with Mississaguas was with 257 persons--(Indians) who became annuitants and it does not shew that they claimed any other Lands than those they surrendered as described by metes & bounds

The Population seems to be small--and it requires explanation to establish that they had rights further North--

This paper proposes for consideration the idea that the Tract claimed, is not put forward by Indians having a proper Title.

1. as above the Chippewas--should be taken to have surrendered all they had--(in the absence of better information--

2. as above the Mississaugas--same remark--

3. then as to Chippewas of Lake Huron--there is the first Treaty B which we have--17 Nov 1815--and in the Text thereof it is stated that the North Eastern part of B, borders on a previous purchase--"Said to have been made in 1785"

This very indefinite information suggests the idea, that the Title had been acquired from these Chippewas between that Boundary and Lakes Simcoe & Muskoka--in other words room to contend that the [sic] had sold their lands

4. that this Territory is also covered by the Robinson Huron Treaty. It has been contended that the Robinson Huron Treaty should have stopped at Moose Deer point and not gone as far as Pentengushene as it affected Land of this other Band of Chippawas of Lakes Huron & Simcoe--

If so--if the Robinson Treaty did not extend below Moose Deer point--then there is room for suggesting that the purchase said to have been made in 1785 covered the claim between L Huron & Lakes Simcoe & Muskoka

[Document No. 489]

13. The following provincial report, dated February 9, 1893, was located in the Irving Papers. The main report, initialled A.E.I. [A. E. Irving], contains several additions and amendments. A marginal note indicates the amendments were made by J. P. MacDonell. MacDonell also prepared the supplements that were attached to the main report. MacDonell's marginal note and amendments to the main report appear in italics. Note that the provincial Crown recognized that portions of the land being claimed, as described by the federal government, was subject to claim by Algonquins and Nipissings:

THE MISSISSAGUAS OF THE RICE MUD AND SCUGOG LAKES.
THE MISSISSAGUAS OF ALNWICK, AND THE CHIPPAWAS OF
LAKES HURON AND SIMCOE.

[marginal note by J. P. MacDonell:]

In going into this matter at length and with greater precision sundry changes have been made and the Pennefather report and map of 186[1?] have for sufficient reasons been discarded for the present as factors in Ontario's case and all reference thereto expunged or suppressed. I made a commencement of striking out such references in this paper; but after that desisted, substituting this general note.

THE Claim is formulated in Mr. L. Vankoughnet's report to Sir John A. McDonald on 2nd October 1884.

There is no reason why these Bands should Claim together--they have Separate interests and inhabit localities widely distant from each other.

The total number of Indians in these Bands is represented to be 1227. and an annuity is claimed at \$4. dollars per head since 1850 on the ground that such was the amount agreed upon under the Robinson Lake Huron Treaty of 1850, and that the Government of the late Province of Canada has assumed and the Ontario Government Since to treat the Lands of these Bands as having been acquired under that Treaty.

To this on behalf of Ontario it is answered- that these Bands are composed of Indians who as Members thereof receive annuities to the amount of 10 dollars a head in respect of Lands Surrendered in October 1818- November 1818- November 1822, and that at the time of such surrenders no right to claim Compensation for any other lands was reserved or proposed, and it is now added on behalf of Ontario that the Lands in respect of which the Mississaguas of the Rice Mud and Scugog Lakes and of Alnwick Claim compensation either belonged to other Bands, the Algonquins and Nipissings, and they have been Compensated or where derelict, subject to no Indian claim, and so waste lands of the Crown; [emphasis added] and in respect of the Lands for which the Chippawas of Lake Huron and Simcoe claim compensation, they appear to have surrendered *such part as they had some semblance of claim to in 1785,* [struck out and amended--*either the whole or part in 1875, and as to the residue, if any, it is doubtful if they ever had any Claim thereto*] and as to the residue, they never had any valid Claim thereto, and other Bands, the Ogibbewas of Lake Huron, claiming such Lands, made Surrender thereof in 1850, denying that the Chippawas of Lakes Huron & Simcoe had rights; [struck out--*and in so far as such lands lie to the northward of the waters of Lake Simcoe & its outlet, the Mississaguas of Rice, Mud and Scugog Lakes, also claiming such lands, made surrender thereof in 1818.*]

The Rice Mud and Scugog Indians by the Treaty of 5th. November 1818- numbering 296 persons were compensated by annuity of \$10. a head £740 being the gross amount Secured by the Treaty 1.951.000 acres surrendered.

The Alnwick Indians by the Treaty of 28th November 1822- numbering 257 persons were compensated by annuity of \$10 a head--£642.10/. being the gross amount by the Treaty secured.--2.748.000 acres surrendered-

The sum of Ten dollars a head seems to have been deemed by the Government a fair--*and was the customary*--annuity.- and surrenders were based on such consideration without reference to the actual acreage of the Territories described in the Limits of claim.

(Authority for this assertion)

Report of 1844--Appendix T. App's Nos. 67-68. and appex. No 68 Lord John Russell to Sir George Arthur.

The above Bands are now demanding for the Territory they Claim another annuity of 4 dollars a head and 40 years arrears

The surrenders of 5th. November 1818 and of 28th. November 1822 covered all Territory held by the above named Bands respectively or to which they had any claim--the present claim is for Lands lying to the North of those Surrenders, which Lands to the North of the Surrenders were, in part, validly claimed by the Ojibeways, who made surrender thereof in 1850, and in part (with some of the lands included in the Surrender of 28th. November 1822). [struck out & amended--as well as parts of the Lands included in the Surrender of 28th November, 1822)] were the hunting Grounds of the Nipissings and Algonquins - or were derelict as aforesaid. [emphasis added]

These last mentioned Tribes complained of the recognition of the claim of the Mississaguas as intruders, and of the intrusion of the *whites* [struck out--tribes], and eventually, under 14 & 15 Victoria Chapter 106 they were allotted, by way of compensation, 45.700 acres on the River Désert.

See Justice Macaulays report. pages 226-326b-326c. and 435.

See Sessional Papers of 1847 Appendix T. Rawsons Report pages 40 & 41 and James Hughes evidence Appendix No. 7. questions 19. 20 and 21, pages 75 & 76; See also Pennefathers Report of 1858, pa. 25. and appendix No. 34.

These Chippawas and Mississaguas were not aboriginal inhabitants of Upper Canada--they were immigrants, and possessed no right to the lands therein, other than such as the Crown, as a matter of Grace of of policy, might choose to recognize.

See Pennefathers Report of 1858 Part ii, Historical Sketch, pp. 15-17;

The Tracts of which they became respectively Occupants were, in the Case of the Mississaguas, bounded on the North *approximately* by the Sources of the Rivers falling into Lake Ontario; In the Case of the Chippawas, bounded on the North-East by Lake Simcoe and the River Severn.⁴

With reference to the claim of the Chippawas of Lake Huron and Simcoe, it does not appear that they had any right north of the River Severn.

These Indians on 22 May 1798 Sold the Penetanguishene Peninsula, including the Islands in the Harbour of Penetanguishene, for £100; on 17th. November 1815-they Sold another Tract of land lying between the Pentanguishene Land and Lake Simcoe for £4000; and the description of Land contained in the conveyance of 17 November 1815, indicates that such land was bounded on the North by a purchase of Land "said to have been made in the year 1785." The terms of that purchase have not been ascertained

⁴ Note that in this memo the provincial Crown recognizes the Mississauga and Chippewa title to lands which they [the Mississaugas and Chippewas] had originally claimed, rather than the lands which the federal government was attempting to have ceded. The author of the memo cites the height of land as delineating the northerly boundary.

The terms used as descriptive of a boundary in the *Instrument* [struck out--*Investment*] of Sale of 17th. November 1815 are as follows:

"being the Western boundary of a purchase said to have been made in the year 1785, thence South along the Western limits of the said purchase eleven miles more or less till it intersects a line produced North Seventy eight degrees West from the Waters of Lake Simcoe, near the carrying place hereinafter mentioned, then South Seventy eight degrees East, along the Southern boundary line of the said last mentioned purchase, to the waters of Lake Simcoe, near to a Carrying place leading to a small Lake distant about three miles westerly-".

This purchase of 1785 is embraced in a "Memorandum of Lands purchased from the Indians so far as the same is known to this office," certified by the Surveyor-General of Upper Canada on 12th September, 1823, and transmitted by him the same day to the "Secretary to H.E. the Lieutenant-Governor," & in which the area surrendered is stated at 150,720 acres. This is practically the precise area of the tract extending from the north-easterly boundary of the surrender of 1815 to the waters of Lake Couchiching and of the River Severn, as shown by the certificate of the Surveys Branch of the Department of Crown Lands and appears to establish conclusively that there remained no lands of these Indians to the southward of the Severn unsurrendered.

On 17th. October-1818, they Surrendered a Tract of 1.592,000 Acres, Situate between the Westerly limit of their previous Sales and the London District, for an annuity of £1200-equal to \$10 per head, the said Tract being so described as to lead to the Conclusion that it comprehended the whole remainder of their "unpurchased lands"

Now, however, these Indians of Lakes Huron & Simcoe claim lands along Lake Huron as far North as Moose Deer Point, extending eastward to the height of land dividing the waters of the Ottawa from those of the Georgian Bay, and Southward, in the inland parts, to the 45th parallel, and, in the westerly parts, to the limit of their Surrender of 1815.

It is to be considered whether the Tract of Land so now claimed has not already been the Subject of Compensation in whole or in part-

IN 1785,

or in 1850,

Or whether it is not within the Limits of the Territory Surrendered by the Mississaguas on 5th. November 1818-

The Northern limit of the Tract so surrendered by the *Mississaguas* is expressed to be the 45th parallel, approximately the Sources of the rivers falling into Lake Ontario. (Report of 1858, pa 90.) This parallel is followed Westwardly "to a bay at the Northern entrance of Lake Simcoe" thence Southerly along the Waters edge to the entrance of the Talbot River, But the 45th. parallel does not strike Lake Simcoe, but produced strikes a Bay on Lake Huron, north of the mouth of the Severn-

See Pennefather's Map for his interpretation of this description; *But see also Supplement D hereto.*

The Robinson Lake Huron Treaty of 9th. September 1850. purported to cover the Shores of Lake Huron as far as Penetanguishene, and is admitted to have extended back to the Sources of the rivers.

At this time the Chippawas of Lakes Huron and Simcoe made no pretence of having any unsatisfied claim other than that mentioned in Mr. Robinson's Report.

ON 24, September 1850- Mr. Robinson wrote to Colonel Bruce, Superintendent of Indian Affairs (See Morris Treaties page 20) to say that Indians from Lake Simcoe and Beausoleil Island had claimed "a small tract of Land between Penetanguishene and the vicinity of the River Severn"; that the Indians at the Sault at the making of the Treaty denied

their claim, but he had nevertheless promised these Simcoe and Beausoliel [sic] Indians to look into their claim; He asks that the necessary information be furnished to him, and thinks if those Indians "have any claim" that he "could get their surrender of it for a small amount" and he seems to have considered that a balance of £75 then in his hands might be sufficient for this purpose.

This small Tract of Land was, presumably, not North of the River Severn, and was probably the same as the small tract marked on the Pennefather [struck out--*Penetanguishene*] map as "apparently unsurrendered" *but hereinbefore shewn to have been embraced in the surrender of 1785*. It does not appear whether Mr. Robinson further investigated the point.

Mr. Laird, when Minister of the Interior in 1876, (See his Report in the Lacloche Book page 88). produces information to the effect that the Parry Sound Indians parties to the Huron Treaty of 1850 State that their Hunting Grounds were not South of Moose Deer Point [nor did they go East of Muskoka Lakes] [square brackets later added] (*See Supplement A hereto.*)

The Claim of the Huron and Simcoe Indians to go northward to Moose Deer point rests therefore on the value of the above assertions--as against the fact that the full annuity has been regularly paid to them; and as against the actual terms of the Treaty of 1850; the opinions of the Ojibbeways of Lake Huron as Stated by Mr. Robinson to Colonel Bruce in Letter of 24th. September 1850; the personal opinion of Mr. Robinson and of Captain Anderson as given in the same letter; the fact that the Huron and Simcoe Bands made no pretence of any such claim in 1850 in Opposition to the Treaty, but limited it to the small tract already referred to South of the Severn; the silence of the Report of 1858; the limitations of the Pennefather Map of 1860; and the other considerations above set forth.

[Document No. 490]

14. "Supplement B", dated February 18, 1893, and bearing the name of J. P. MacDonell makes the following comments on the Mississauga and Chippewa claim to ownership of the area surrendered by the Williams Treaty in the Ottawa River watershed. Again, note the reference to the Algonquin and Nipissing claims:

Notwithstanding that the Commissioners of 1844 deal with the protest of the Nipissings & Algonquins against the recognition of the claim of the Mississaguas to any lands on the Ottawa, under the surrender of 1822, their report contains no suggestion of any further claim of the Mississaguas, whether of Alnwick or of Rice, Mud and Scugog Lakes, to lands Northward of their former surrenders, nor any suggestion of any outstanding claim whatever of the Chippewas of Lakes Huron and Simcoe.

As above mentioned, the only claim put forward by these Chippewas in 1850, in opposition to the Lake Huron Treaty of that year, was in respect of the small tract to the south of the Severn.

When, in 1856, the several Mississagua bands above named surrendered their remaining Islands, the Alnwick Band also purported to surrender "all points and parcels of land claimed by us on the mainland which have not heretofore been ceded to the Crown" and the Rice, Mud & Scugog Bands "all and singular the ... mainland lying and situate in the Newcastle and Colborne Districts ... not heretofore ... ceded to the Crown",--their then reserves being in each case excepted. The language is wide enough to cover every outstanding territorial claim; but the surrenders were in trust, and there was no pretence of claim to any lands to the northward of those surrendered in 1818 or 1822.

The report of the Commissioners of 1858 also deals with the Algonquin and Nipissing claim, and with claims of the Mississaguas in respect of some Islands and Tracts of the front of Lake Ontario; but there is no mention of any such claim as is now made on the part of either Mississaguas or Chippewas.

There was no claim whatever such as the present of these Mississaguas before Mr. Pennefather in 1860. [A handwritten insert completes this paragraph] On the contrary, he informs us in his Memorandum accompanying the Map of 1862 (1) that there was then no question of the lands north of the 45th parallel & west of the easterly limit of the Newcastle District--these lines forming respectively the northerly and easterly boundaries of the surrender of 5 November, 1818, by the Indians of Rice Mud & Scugog Lakes, and (2) that the claim to unsurrendered lands in the Ottawa valley had been disposed of by the granting of other lands in compensation, under 14 & 15 Victoria, cap. 106: Mr. Pennefather thus holding the view that the rightful claimants were the Algonquins and the Nipissings and not the Mississaguas of Alnwick.

As to the claim of these Chippewas to lands south of the Severn, Mr. Pennefather, in his same Memorandum says "The condition in which they stand is marked on the face of the Map itself"; [A hand written insert follows] but it is to be remembered that the suggestion on the map, of a tract south of the Severn "apparently unsurrendered" is shewn by the Certificates of the Surveyor-General and Director of Surveys respectively, quoted in the body of this paper, to be without foundation in fact" [end of insert]. The lands claimed by them to the Northwatd [sic] of Lake Simcoe and the Severn, the Map shews as comprehended, or disposed of, in the Mississauga surrender of 1818.

From 1860, the Chippewas claim appears to have remained in abeyance until 1879, and it seems not to have been formally presented to Ontario before 1884.

The Mississaguas claim was, for the first time, agitated in 1869-70--being an interval of 48 to 52 years from the making of their surrender of 1818 and 1822.

[Document No. 492]

15. Reginald Rimmer and J. A. J. McKenna, submitted a report, dated March 20, 1899, to the Superintendent General of Indian Affairs regarding matters in dispute between the Dominion of Canada and the Province of Ontario. The covering letter to their report and the text of Case No. 5, regarding the Mississauga and Chippewa Indians' claims are reproduced below:

We respectfully submit the result of our inquiry in the matters in dispute between the Dominion and Ontario. The cases number twenty. We have dealt with each case individually; and our recommendations in each case are made for consideration in the event of failure to effect a satisfactory arrangement with the province, which would settle them *en bloc*.

... [comments related to Cases 1 and 4] ...

For convenience we have grouped the cases as follows:--Numbers 1 to 4, good cases; Nos. 5 to 11, untenable or doubtful cases; Nos. 12 to 20, cases disposed of or in train for disposition.

... [comments related to Cases 14 and 20] ...

In respect of the untenable and doubtful cases we would state that, although we do not consider we have sufficient good ground for pressing them individually, we are of opinion that they could with advantage be used as offsets in making any general settlement.

... [comments related to Cases 1, 2, 3, and 20] ...

It has been suggested in previous reports upon proposals for an amicable settlement that the Dominion was not in a position to offset one claim by another, as the Government had to protect the interests of each Indian band irrespective of the interests of other bands. We have not lost sight of this, nor the fact that the Dominion is in the position of a trustee of Indian

rights and that when an Indian claim is found to be good, it lies upon the Dominion to press it; but in the arrangement we suggest there is not involved the sacrificing of any Indian rights. It is, on the contrary, designed for the purpose of securing them by foregoing the doubtful claim made on behalf of the Dominion; and we make it because we are impressed by the consideration that if we continue to press that claim and fail, we shall have nothing to offer Ontario in return for the voluntary acquiescence in the Indian rights which we are endeavouring to assert, and shall be put to litigation, expense and delay in the assertion of them.

We venture to submit that the best way to secure an amicable settlement of the matter in dispute would be for each government to select a person in whom it had confidence and agree to refer to the two persons so chosen the matters in dispute, and to mutually select a third person as umpire to decide on equitable principles all points on which the two persons cannot agree, such decision to be final and the settlement thus arrived at to be formally confirmed.

We have annexed to our joint reports on the several cases a separate memorandum by the Law Clerk on the questions of law discussed in the Hon. Mr. Hardy's memorandum of July 28, 1897 on file 111,834, which treats of the Indian interest in all reserves and unceded land in Ontario, but has particular bearing on the title in reserves under Treaty 3, and the Robinson Superior and Huron Treaties. In all cases except Case 1, our recommendations are based almost entirely upon the findings of fact, our investigation of which has been joint. For investigation and opinion on questions of law necessary to be considered in any case the law clerk acknowledges sole responsibility; but in all cases both facts and law as found have received full discussion between us and we have joined in each conclusion and recommendation.

In making this submission we desire to acknowledge the assistance cheerfully rendered us by the officers of the department upon whose services we had necessarily to make demands.

Rimmer and McKenna's report on Case No. 5 reads as follows:

Case No. 5

Claim on behalf of the Mississaguas of Rice, Mud, Alnwick and Scogog [sic], and the Chippewas of Lakes Simcoe and Huron to compensation for unsundered lands.

This is a claim to compensation for land used for settlement, and alleged to have been hunting-grounds of the said Indians, and not to have been included in any surrender by them. The land may be briefly and roughly referred to as a large tract of land lying south of the Ottawa River, north of the 25th parallel [sic--should be 45th] and west of a line drawn from the N.W. corner of Pembroke Township, Renfrew County, in south by east direction to the 45th parallel, and a neck of land between Lake Couchiching and Sturgeon Bay, Lake Huron. Under instructions Counsel for the Dominion filed case before the Arbitrators on the 6th May, 1895. By letter of the 16th December, 1897, (file 111834 1a) Counsel advised that the claim was not a proper one within the jurisdiction of the Arbitrators. No further steps have been taken. We agree with Counsel's opinion, and we recommend that the case be withdrawn.

We have considered whether this is a claim which can be successfully urged in any way on behalf of the Dominion or the Indians.

As to the large tract of land we find:-

1. That by Surrender of 5th November, 1818, No. 20, and 28th November, 1822, No. 27, the above Chippewas and Mississaguas respectively surrendered to the Crown lands South of the 45th parallel inhabited and claimed by them comprising in the whole 4,699,000 acres.

2. That the Chippewas of Lake Huron who made the Robinson-Huron Treaty of 9th September 1850 (No. 61) were entitled to surrender the land on the north and east shores of Lake Huron as far south as Moose Deer Point (near 45th Parallel) and inland to the height of land, which territory is included in the Treaty.

3. That as to the Chippewas of Surrender No. 20 it has for 22 years been ceded by the Department that they were not entitled to claim rights north of Moose Deer Point.

4. That in as much as we can discover no evidence that the Chippewas and Mississaguas who made surrenders Nos. 20 and 27 respectively had any use of the land north of the one and north and west of the other prior to the surrenders the words "inhabiting and claiming" used in the surrenders may, when the surrenders are read with the treaty, be fairly taken as implying that the parties to the surrenders by them relinquished the whole territory they inhabited and claimed.

5. That the tract of land appears to have been used as a hunting ground generally by the Algonquins (see file 83203) and the Chippewas of Lake Huron afterwards party to treaty 61, rather than by the particular tribes on whose behalf this claim is made. [emphasis added]

As to the neck of land between Lake Couchiching and Sturgeon Bay we find:-

That in the description of the land surrendered by treaty 16 made by the Chippewas on the 17th November 1815, which comprised lands between Lakes Simcoe and Penetanguishene, the boundaries are in part described as "also along the shores of Matchedash Bay x x x x [sic] until it intersects a line at or near the mouth of a small Lake, being the western boundary of a purchase said to have been made in the year 1785."

That from an extract from a letter of the 27th January 1894 to Col. Simcoe it appears that a plan evidently relative to the said purchase had been found in the then Surveyor General's Office to which was attached a blank deed with the names or devices of three chiefs of the Mississaguas nation on papers annexed thereto and duly witnessed.

That from an extract from a letter of the 24th Dec. 1794 from L. S. Dorchester to Alexander McKee then Deputy Superintendent General of Indian Affairs, it appears that goods to the amount agreed upon were paid to the Mississaguas. That at the time of the letters just mentioned the authorities considered the deed invalid for want of form.

That, however, from copies of letters of 13th April 1836 and 3rd May 1836 from the Governor General's Secretary to T. G. Anderson, Superintendent General of Indian Affairs [sic--actually Superintendent at Coldwater], (Departmental letter book No. 3 from 1st Jan. 1855) it appears that at that time it was undoubted that the greater portion of the neck of land in question was covered by the surrender of 1785, and that there was then such reason to consider that it covered the whole tract as to make it undesirable that any belief should be encouraged in the Indians that they had a title to any portion thereof.

That from Report of T. G. Anderson, dated 15th May 1837, embodied in the Return to the Imperial House of Commons in 1839 it appears that "at Coldwater and the Narrows of Lake Simcoe the number of Indians (Chippewas) in the two tribes was nearly 500 souls"; and for the Indians of Coldwater and the Narrows a strip of land extending from the former to the latter place containing about 900 acres [sic--should be 9000] was reserved for them in 1830. This land had originally been purchased from these tribes, and I believe forms part of that tract for which they now receive an annual payment of \$1,200 from the Government. The strip of land referred to was surrendered for sale 26th Nov. 1836 (No. 48). It appears from the same Return that the name "Mississagua" was then applied to a tribe of the Chippewa nation. This reconciles the apparent discrepancy between the 1785 purchase said to have been made from the Mississaguas, and the reference by Superintendent Anderson to the Chippewas.

That although no further record of the purchase of 1785 can be discovered the facts that surrender No. 20 comprised all the land to the east, surrender No. 16 all land south and west, and treaty No. 61 all land north of the neck of land in question, and that the Islands in Sturgeon Bay which bounds it on the west were surrendered on 5th June 1876, No. 76,

strongly supported the assumption that the purchase of 1785 covered the said neck of land.

That notwithstanding the invalidity in form of this purchase, the consideration having been paid, the Crown has been in possession of the land for one hundred and thirteen years without regard to any unextinguished [sic] Indian title.

In view of the foregoing, and of the nature of the evidence forthcoming, we do not consider the above claim of the Chippewas and the Mississaugas to be one which the Department could successfully press, and we are of opinion that it should be dropped.

[Document No. 556]

16. A memo dated April 8, 1903, with reference to the "... claim by Mississaugas of Alnwick and other Indians to certain lands in Ontario ...", was prepared for the Deputy Superintendent General of Indians Affairs by James J. Campbell:

The undersigned understands that what is required is a statement of this claim which will make its nature readily intelligible and enable a judgment to be formed as to whether Mr. J. W. Kerr is justified in his assertion that the Indians have an indisputable prima facie case.

On account of the magnitude of the interests involved, and of the responsibility assumed by the Department in abandoning the interests of its wards specially intrusted to it at its own invitation, the case is treated at some length so far as the existence of a prima facie case is concerned.

Nature of Claim

This claim is by the Mississaugas of Mud Lake, Rice Lake, Alnwick and Scugog- and by Chippewas of Lake Simcoe and Lake Huron (in all some 1227 Indians) for compensation for the appropriation and use by the Government of the late Province of Canada and subsequently by that of the Province of Ontario of certain lands which these Indians say belonged to them as their hunting grounds and to which their title has never been extinguished.

The lands referred to may be roughly defined as being bounded as follows, viz:-

On the North by the Ottawa river, on the East by the surrender of 8th November 1822, or in other words, by a line drawn from the northwest corner of Pembroke Township, Renfrew County in a southeasterly direction to the 45th parallel; on the South by the 45th parallel as far west as the western limit of the surrender of 1818, at which point the tract claimed takes a dip south and is bounded by the boundaries of the said surrender of 1818, and by those of the surrender of 1815, and by Lakes Simcoe and Couchiching; on the West by the Georgian Bay and the land of the Ojibewas of Lake Huron ceded by the Robinson Huron Treaty of 1850.

As they will be particularly referred to hereafter two tracts of land which claimants assert were wrongfully included in the Robinson Huron Treaty surrender should be particularly noticed:-

1. At the extreme southern limit of the Treaty as also of the Indians' claim a small tract variously described as lying between Penetanguishene and the vicinity of the River Severn, or as a neck of land between Lake Couchiching and Sturgeon Bay, Lake Huron.
2. A considerable tract immediately north of foregoing and south of Moose Deer Point, Georgian Bay, and west of the Bobcageon Road.

It may be added that the whole tract claimed embraces many Townships in the Ottawa and Huron Territory laid out in survey by the old Province of Canada, as well as much unsurveyed land between the Ottawa River and Lake Huron.

Case for the Claimants.

The claim appears to have been first brought to the Department's attention in 1869. Search of Department's records failed to show that lands claimed were covered by any surrender--excepting a part included in Robinson Huron Treaty limits.

The Department drew the attention of the Department of Crown Lands, Province of Ontario, to the matter, and it admitted that its records failed to show after careful search [sic] that any part of the tract claimed was surrendered by the Indians "unless it were that portion which lies to the west of the Bobcageon Road line which is presumed to have been surrendered by the Robinson Treaty of September 9th, 1850 with the Ojibeway and Nipissing Indians".

As to that portion, Mr. Vankoughnet in report to the Minister dated 11th March, 1881 says "there was no defined eastern boundary of the tract of land covered by it (the Treaty). There is no doubt however, that the Indians who were parties to the said Robinson Treaty had no claim to lands east of the east shore of Lake Nipissing nor south of the point on Georgian Bay known as Moose Deer Point, although the surrender in question states that the lands covered thereby extend southward to Penetanguishene.

"It may be stated that the Crown Lands Department of Ontario, in correspondence had with that Department some years ago, admitted that the Indians who were parties to the Robinson Treaty aforesaid had no rights to cede in the lands East or South of the points afore mentioned. The tract of land remaining unsurrendered may be stated in round numbers to consist of 1850 [sic] square miles."

A letter from one of the subordinate officers of the Department of Crown Lands, Toronto, addressed to the Governor General on 17th February, 1870 states that it would likely be established that no surrender of the territory in question had ever been made.

In June 1879 Mr. Plummer, Indian Superintendent and Commissioner with headquarters at Toronto, referring to that part of the claim west of Bobcageon Road and between Moose Deer Point and some point in the neighbourhood of Penetanguishene (included in Robinson Huron Treaty) says the Chippewas of Lakes Huron and Simcoe claim the same, deny having been parties to the surrender and the Indians who signed the Robinson Huron Treaty acknowledge that they had no claim to this tract and did not know that it formed part of the surrender. He added "I have carefully looked into these matters and am of opinion that the Indians who were parties to the surrender under the Robinson Huron Treaty had no claim to this land and that it always had been the hunting grounds of these Indians, (i.e. Chippewas of Huron and Simcoe) and that no others had any right to surrender it."

Mr. Plummer, who had been recommended by the Department to call personally at the Department of Crown Lands, Toronto, in March 1881 reported the ready acknowledgment by that Department that no Treaty could be found showing surrender of these lands, but at the same time its denial of responsibility, and its claim that as the lands were handed over to it at the time of confederation, if any payment were required to quiet the Indians' title it must be made by the Dominion Government.

This although not official on the part of the Department of Crown Lands, was the prevailing view.

This Department more than once drew the attention of the Lt- Governor of Ontario to the position and invited some proposition for adjustment but without result.

The Department informed the Indian claimants of the inability of the Department of Crown Lands to find any surrender covering the lands claimed by them, invited them to intrust their interests to it for prosecution, asked the Department of Justice to prepare the case for submission, and it was filed on the 6th May, 1895, with the Secretary of the Arbitrators. After that date the Indians who were getting impatient and kept inquiring as to the

progress of their case before the Arbitrators were assured that although it had not up to that time been overtaken, it would not be overlooked.

Abandonment of prosecution of claim by Department

This (in so far as it has been done) was on the strength of a joint report to the Minister by Messrs. Rimmer and McKenna, dated March 20th, 1899 relative to "matters in dispute between the Dominion and Ontario."

The case under consideration is No. 5 of that report, and copy is attached for convenience of reference, and because it seems only fair to the officers who made it, to let their report speak for itself.

In order, however, to enable a decision to be reached as to the question of the claimants having a prima facie case, it is necessary to examine to some extent the grounds shown by the report for the conclusion that it should be dismissed.

It will be observed that the joint reporters begin by saying that "under instructions counsel for the Dominion filed case before the Arbitrators on the 6th May, 1895. By letter of 16th December 1897 (file 111834-I.A.) Counsel advised that the claim was not a proper one within the jurisdiction of the Arbitrators. No further steps have been taken. We agree with Counsel's opinion and we recommend that the case be withdrawn."

Copy of Counsel's letter referred to is attached, and will show what has to be carefully noted, viz:--that the merits of the Indians' claim are in no way pronounced upon, but that for reasons given, their case was not considered one which could properly be referred to the Arbitrators.

The report proceeds to deal with the claim separated into two parts, viz:-- that for a "large tract" and that for a "neck of land between Lake Couchiching and Sturgeon Bay".

For convenience the latter may be here considered first and it seems at the present juncture unnecessary to remark more than that a fairly strong prima facie case is made out for questioning the validity of the Indians' claim to the small tract of lands referred to.

This view seems, moreover, to be strengthened by what has apparently been overlooked by the reporting of the officers, but is referred to by the Assistant Secretary, Mr. Stewart in his memorandum (on the file) dated 27th December 1898 in which he says that the Indians concerned brought a claim to a small tract of land between Penetanguishene and the vicinity of the River Severn before the Hon. W. B. Robinson in 1850, who in his report stated that he was aware of their intention to make such a claim and took the precaution of asking the Chiefs assembled in Council at the Sault whether it was well founded; and they emphatically declared that those Chiefs had no claim on Lake Huron, and had long since ceded their lands and were in the receipt of a large annuity. This Mr. Robinson said he believed to be the case and that Capt. Anderson was of the same opinion.

This neck of land, however, is but a small fraction of the whole territory now claimed by the Indians.

The main question is as to the dismissal of the claim to the large tract, and the grounds shown in the report for the recommendation of such course.

Apparently reliance is placed in the cumulative force of certain minor findings to justify the main one, and as their collective must depend upon their individual weight, they require to be considered separately.

The minor findings have been numbered by undersigned in copy of report attached, and it will be most convenient to take Nos. 2 and 3 and consider them first and together. They are as follows:

No. 2. That the Chippewas of Lake Huron who made the Robinson Huron Treaty of 9th September 1850 (no 61) were entitled to surrender the land on the north and east shores of Lake Huron as far south as Moose

Deer Point (near 45th parallel) and inland to the height of land, which territory is included in the Treaty.

No. 3. That as to the Chippewas of surrender No. 20 it has for 22 years been conceded by the Department that they were not entitled to claim rights north of Moose Deer Point.

The latter of these seems to be the Department's admission that the parties to the Huron Robinson Treaty had no rights south of Moose Deer Point stated conversely, and it may be noted in passing that in any case the admission would not affect the claim of parties to surrender no. 20 to lands south of Moose Deer Point, nor of the parties to surrender No. 27 to lands north of that point.

Therefore the whole force of the contention relative to the claim taken as a whole is in the apparent assumption (no. 2) that the parties to the Huron Robinson Treaty were entitled to and did surrender lands on the east shore of Lake Huron (as far south as Moose Deer Point and) inland to the height of land.

Apparently one admission on the part of the Department is entitled to as much weight as another, in the absence of anything to the contrary, and reference to extract from Mr. Vankoughnet's memo of 1881 (herein before embodied) will show that not only this Department but also the Provincial Department of Crown Lands conceded that the parties to the Huron Treaty had no claim to surrender lands south of Moose Deer Point nor east of the eastern extremity of Lake Nipissing.

If then a line be drawn from the eastern extremity of Lake Nipissing due south until it meet another extended due east from Moose Deer Point, the whole of the tract now claimed is excluded from surrender by the parties to the Treaty, and the area claimed remains intact with the exception of the small neck of land herein before referred to.

Therefore minor findings Nos. 2 and 3 would not appear to contribute any ground for the dismissal of the claim.

Minor findings 1 and 4 may now be considered together.

The contention is somewhat obscure [sic] and as the declaration that parties to surrenders Nos. 20 and 27 inhabited and claimed lands clearly defined therein and relinquished thereby cannot of itself be taken as evidence that the parties to these surrenders had not other lands outside of the tract ceded, the contention can only be that the words inhabited and claimed when taken in connection with the Robinson Huron Treaty show that they had no other lands to surrender because the parties to that treaty were entitled to and did surrender all the lands as far east and south as the boundaries of these surrenders.

But it has just been demonstrated that by admission of both this Department and that of Crown Lands, Ontario, the parties to the treaty had no rights to surrender in the lands which are now claimed to the east and south of Lake Nipissing.

Finding No. 5

Much weight would doubtless attach to this contention if there were any truth in it. As to statement that the tract appears to have been used generally by the Algonquins and the reference to file No. 83,203⁵ to support it.--this may be dismissed with the remark that the hunting grounds said to have been used by the Algonquins, Nipissings and

⁵ It is difficult to understand how Campbell arrived at the conclusion that the lands claimed by the Algonquins and Nipissings were exclusively to the east and north east of surrender 27 based on an examination of file 83,203. The cited file was reviewed and used extensively in this research. The file in question is entitled "Golden Lake Agency - Correspondence regarding movement of Algonquin Indians on and off the Golden Lake Reserve." While the outside dates of the file are listed as 1888-1897, the file contains correspondence from the early 1860's. The file includes claims to lands watered by the Madawaska, particularly the townships of Lawrence, Nightingale and Sabine, which are north west of the Rideau Purchase and within the lands being discussed in the memo as outlined in third paragraph under "Nature of Claim." With the exception of the western one-third of Lawrence the lands discussed in file 83,203 are within the Ottawa River watershed.

Iroquois are to the east and north east of surrender 27 [Rideau Purchase] and entirely distinct from the tract now claimed and under consideration.
[emphasis added]

As to statement that these lands were used by the Chippewas of Lake Huron, afterwards parties to the Robinson Huron Treaty, this seems to be another phase of the apparent assumption that the parties to that treaty were entitled to and did surrender the lands east of Lake Nipissing.

Mr. Rimmer in his memorandum of 27th February last (on the fyle) says:- "The point upon which Mr. McKenna and I considered the claim should be dismissed was that there was no evidence forthcoming which any tribunal of justice would consider established that the Indians ever had a claim to the alleged hunting grounds and that the evidence pointed rather to the conclusion that no surrender was taken from them because the land was not their hunting ground but that of other Indians. I refer to case No. 5, page 27 of our joint report".

The latter part of that assertion in so far as the use of the lands by the Algonquins, has just been disposed of and as to that of their use by the Chippewas of the Robinson-Huron Treaty, as all other assertions to the like effect in the report it does not seem entitled to any weight until some reason can be shown for ignoring the admission of this and the Provincial Crown Lands Department, already referred to.

There only remains, therefore, to consider the question as to the production of positive evidence such as would satisfy any tribunal of justice that the claimants ever had a claim to the lands concerned. As to this it may be remarked on the threshold that in the opinion of Mr. Hogg (vide attached letter) the case is one for construction by the Dominion and Ontario Governments.

As to positive evidence it may fairly be asked what evidence was ever required of parties to any of the surrenders of their title to the lands ceded by them beyond that they were either inhabited or claimed by them as hunting grounds without dispute on the part of other Indians.

The respective limits of such hunting grounds were well understood and recognised by the various tribes and bands, and the facts are still preserved by tradition, one proof of which is that in the case in point the claimants clearly recognise the particular portions of the whole tract claimed which are asserted to have been used by the respective forefathers of the bands now claiming through them.

The lands are adjacent to those surrendered on the south and east by parties to surrender Nos. 20 and 27, and would naturally have formed their hunting grounds and until it can be shown that those hunting grounds were surrendered or claimed by others, the evidence would seem to be prima facie in favour of their claim.

It may be added that a petition of one Paul De la Ronde (one of the earliest documents on the fyle) claiming individually a specified part of the whole claim now made, asserts that important documentary evidence had been filed in the office of the Superintendent of Indian Affairs corroborating his claim and this suggests that if necessary at a further stage, other than traditionary proof might be forthcoming.

As to the lands ceded in 1856 with respect to which Mr. Kerr in his letter of 20th ultimo says that the Indians should have their money and a full clear and satisfactory account of the dealings of the Government with such lands, since this appears to be a matter of routine not involving any complication nor dispute, the undersigned does not understand that it was intended to refer it to him for report and presumes that it will be dealt with by the Lands Branch in the usual way.

[Document No. 572]

17. On May 15, 1903, a number of affidavits were taken from elders and submitted to the Department of Indian Affairs to support the claim of the Mississaugas and Chippewas to unceded lands and back annuities.
18. The following declaration of George Blaker was declared before J. W. Kerr, in Cobourg, on May 15, 1903:

In the Dominion of Canada, Province of Ontario.

In the Matter of a claim of the Massassaga Indians to certain unceded Territory lying South of Lake Nipissing, East of the Bobcaygeon Road and West of the River Ottawa.

1. George Blaker of the Township of Alnwick in the County of Northumberland, Farmer, make oath and say.
2. That I am a member of the Indian band in the Township of Alnwick, and am now 79 years of age.
3. I can remember well when Elder Case was at work in our band in the Bay of Quinte 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 on 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 and our band has always claimed that the Territory North of the ceded Territory to the Ottawa River still remained the hunting ground of the Massassaga Indians made up of the two bands known as the Bay of Quinte or Grape Island Indians and the Kingston Indians.
4. Since ny [sic] boyhood days claim has never ceased to be made and has constantly been passed upon the attention of the Government, and several generations have passed away without the claim being settled. In all these years our claim to this land was not disputed but one reason after another was given for delaying the matter.
5. That the older Indians in my younger days belonging to these bands always said that the line of the Western side of the Township of Rawdon going North but bending somewhat to the west until it reached the Ottawa River was the Western boundary of their territory.
6. I am the oldest member of the Alnwick Indian band and none of the others are as familiar with what was preserved among our people as to the recollection of their rights excepting Mr. Thomas Marsden who is slightly younger than I am.
7. 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 flowing into the Ottawa River from the Rivers and streams which flow into Lake Ontario and the Bay of Quinte.
8. That the old people in our band claimed that our land went East to a line running North from between Brockville and Prescott to the Ottawa River; and I make this solemn declaration conscientiously believing same to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the Canada Evidence Act 1893.

[Document No. 573]

19. Thomas Marsden also swore a declaration before J.W. Kerr on May 15, 1903:
- In the Dominion of Canada, Province of Ontario.

In the Matter of a claim of the Massassaga Indians to certain unceded Territory lying South of Lake Nipissing, East of the Bobcaygeon Road and West of the River Ottawa.

1. Thomas Marsden of the Township of Alnwick in the County of Northumberland, Farmer, do solemnly declare.

2. That I am a member of the Alnwick band of Indians and that I was born in the County of Prince Edward, a few miles from Grape Island in the Bay of Quinte.

3. That I am now 78 years of age, and next to George Blaker am the oldest Indian in the Alnwick band with the exception of the Reverend Allen Sale of Parry Island who is older than either of us by some ten or twelve years.

4. I have heard read the declaration of Mr. George Blaker made herein this day and I say that the said declaration is correct and is borne out by my recollection of what I heard the old people of our band say in my youth, and during my whole life.

5. That a year ago last fall I was at the Village of Mattawa on the Ottawa River and I met an Indian of that part of the Country who had formerly come from Oka in the Province of Quebec, and I asked him where they claimed their territory extended to, and he informed me that they did not claim further South than the Mattawa and said "This is the extreme to which we come" and that all South of that point belonged to the Mississauga Indians; and I make this solemn declaration conscientiously believing same to be true and knowing it to be of the same force and effect as if made under oath and by virtue of the Canada Evidence Act 1893.

[Document No. 575]

20. Peter Crowe made a declaration before J. W. Kerr on May 15, 1903, to the effect that the statements made by George Blaker and Thomas Marsden above were correct. [See Document No. 574.]

21. On January 26, 1904, Allen Salt, an 85 year-old, formerly a Member of the Alnwick Band, signed a declaration verifying the truth of George Blaker's declaration of May 15, 1903. This declaration was forwarded to Frank Pedley seven months later. [See Document No. 591.]

22. Sixteen statutory declarations were taken from Chippewa elders in 1911 and 1912. All of the hunting grounds described by these people were outside of the Ottawa River watershed. The hunting grounds closest to the height of land were around Canoe Lake at the headwaters of the Muskoka River and the town of Wilberforce in Monmouth Township.⁶ One of the elders, James Ashquabe of Georgina Island, whose family hunting grounds were near Sand Lake in Proudfoot Township, specifically mentioned the boundary between the hunting grounds of the Georgina Island Band and Algonquins:

...
9. Our established boundary between my bands and the Algonquin Indians was at the very height of lands, no blaze was made but the regulations were made that we hunt in the reverse and Creeks that running down towards our ground which is this side of the height of lands.
...

[Document No. 648]

⁶ These testimonies are on NAC RG 10 Vol. 2328 File 67,071 pt.1 and File 67,071-2. [See Document No. 739.]

23. Nine additional statutory declarations were taken from Chippewas of Lakes Huron and Simcoe in 1915. One of the declarations, signed by eight Chippewa elders, described the eastern boundary of their tribe's hunting limits according to the lessons of their elders the eastern boundaries "were established by using the very extreme points of the Heights of Lands extending from Smoke Lake, in the Township McLaughlin [actually Peck Township] which is our South eastern corner, to the South Bay of Lake Nipissing being our North Eastern corner. This is our Eastern boundary." The height of land in this area lies just east of a straight line drawn between South Bay and Smoke Lake. Thus the elders stated that their traditional territory was outside of the Ottawa River watershed. [See Document No. 671.]
24. Two statutory declarations were made by Mississauga elders in 1915. George Goose, an elder from Scugog described his family hunting grounds as lying outside the Ottawa River watershed in Peterborough County. Thomas Marsden of Alnwick explained that the residents of his reserve were a combination of Mississaugas from the Bay of Quinte or Grape Island and Kingston.⁷

...
6. That our Band on this Reserve is a combination of the Bay of the [...] of Quinte or Grape Island Indians and the Mississauga Indians of Kingston and they never ceded nor never received compensation for this Territory, which lies North of the height of land which separates the rivers and streams which flow into the Ottawa River from the rivers and streams which flow into Lake Ontario and the Bay of Quinte and I make this solemn declaration conscientiously believing same to be true and knowing it to be of the same force as if made under oath and by virtue of the C. E. A. 1906.
...

[Document No. 675]

25. R.V. Sinclair submitted his report on the claim of the Chippewas of Lakes Huron and Simcoe and the Mississaugas of Rice, Mud and Scugog Lakes to E. L. Newcombe, Deputy Minister of Justice, on November 23, 1916:

The accompanying files of the Indian Department Nos. 67071 and 67071-2, were referred to me for a report as to the validity, or otherwise, of the claims made by the Chippewas of Lakes Huron and Simcoe and by the Mississaugas of Mud, Rice and Scugog Lakes for compensation for their unsundered hunting grounds.⁸

These claims have been before the Department for many years.

Since the reference to me I have under instructions from the Indian Department gathered such evidence as seemed available and have made enquiries respecting the claim at various sources and have examined a number of records at the Archives.

⁷ The 1819/1822 Rideau Purchase was taken from the Mississaugas of Kingston and the Bay of Quinte. Note as well that by the 1840's Algonquins residing at Bedford were said to be living with Mississaugas of Alnwick.

⁸ Note that Sinclair has examined the correspondence, reports, etc. in the cited files. These files were all researched for this study. They include most of the correspondence on the Mississauga and Chippewa claims including the above cited statutory declarations. The files do not contain detailed material on the Algonquin and Nipissing claims, such as the numerous petitions quoted and referred to in Vol. 2 - Aboriginal Use and Occupation of the Ottawa River Watershed During the Historic Period. In addition, Sinclair states in his report that he did not examine any files prior to 1870. Thus Sinclair based his opinion on incomplete information regarding the history of use and occupancy of the Ottawa Valley and aboriginal claims to the area.

I have included in the accompanying brief copies of all the documents on the files having material relation to the claim and copies of declarations relating thereto, the originals of which I also forward.

I also forward a map on which are located the various hunting limits referred to in the declarations.

A careful search of the records referred to and those of the Crown Lands Department at Toronto has failed [ILLEGIBLE] disclose any document or treaty showing that the Indian title claims to a large tract of land in Ontario lying west of the Ottawa River and east of the Georgian Bay and the Eastern bounds of the land surrendered by the Robinson Treaty of 1850, ___61, and approximately north of the 45th parallel of latitude to where the eastern boundary of the Treaty of 1850 strikes the Ottawa River has been extinguished.

The question then to be determined is whether the present claimants occupied this territory as hunting limits.

This unsundered tract is described by Mr. [ILLEGIBLE] D.L.B. of the Indian Department as follows, "All that tract of land in the Province of Ontario contained approximately ten thousand seven hundred and nineteen square [miles] (10719) bounded on the North by the Ottawa River, on East by the surrender of the 8th Nov., 1822, on [south] by the said surrender, by the surrenders of 5th Nove., and 18th November, 1815, and by Lakes Simcoe and Cou[chiching] and on the West by the Georgian Bay and the lands of Ojibewas of Lake Huron ceded by them on the 9th Sept., and which lands may be more particularly described as follows commencing on the Georgian Bay at the North-eastern angle the surrender to the Westerly shore of Lake Simcoe thence Northerly following the said Westerly shore of Lake Simcoe and the Westerly shore of Lake Couchiching to the foot of the said Lake Couchiching thence Northerly and Easterly along the boundaries of the surrender of the 5th Nov., 1818, to the North-eastern angle of the said surrender thence easterly and northerly along the boundaries of the surrender of the 8th November, 1822, to the Ottawa River, thence up the said Ottawa River to the point where it crosses the 47th parallel of Latitude, thence southerly and easterly along the boundaries of the lands of the Ojibewas of Lake Huron ceded by them on the 9th September, 1850, to Moose Deer Point on the Georgian Bay, thence southerly following the Easterly shore of the Georgian Bay to the point of commencement excepting thereout and therefrom certain Islands at the foot of Lake Couchiching and in the head waters of the Severn River that are claimed by the Indians as their property.

It seems doubtful however whether their [sic] should have been included in this description any land lying north of the Height of Land and quite clear that it should not have included any land north of the Mattawan River.

The final clause of the Robinson Treaty of 1850 reads as follows:

"The said William Benjamin Robinson of the first part further agrees on the part of Her Majesty and the Government of this Province that in consequence of the Indians inhabiting French River and Lake Nipissing having become parties to this Treaty the further sum of One Hundred and Sixty pounds provincial currency shall be paid in addition to the two thousand pounds above mentioned."

This view is strengthened by the fact that the declaration claim compensation only for hunting grounds lying north of the 45th parallel to the Height of Land. There is no evidence that the claimants ever hunted south of the Height of land.

The area of the land described by Mr. Bray is 10,719 square miles. The area of the lands covered by Mr. Bray's description lying north of the Height of Land is 960 square miles and that of the area to the south of the Height of Land 9759 square miles.

In support of the claims of the Mississaugas the declaration of Allan Salt, George Blaker, T. Marsden and George Goose have been fyled. The remaining declarations set out in the index to the Brief are fyled in support of the claims of the Chippewas and are made by 33 Indians. The declaration fyled by John Millar while it supports the general claim of the Chippewas apparently places the hunting limit used by his father and himself in the territory surrendered on the 9th September, 1850.

One of the hunting limits used by James Nanigishking, as well as that claimed by Frank Joe, and part of that claimed by Joe Cousin appear to be in the territory surrendered on the 5th November, 1818.

The limit claimed by Mrs. James Ashquabe and that claimed by Peter Kadegegwon appear to be in territory surrendered on the 17th day of October, 1818.

In the correspondence, though unsupported by declaration, a claim is made and apparently admitted by The Department of Crown Lands of Ontario - See page 21 - to a piece of land supposed to have been covered by the Robinson-Huron Treaty, lying west of the Bobcaygeon Road to the Georgian Bay and between Moose Deer Point and a point in the neighbourhood of Penetanguishene.

The claim is made on the ground that the lands in question form part of the hunting grounds of the Chipewas of Lakes Huron and Simcoe, that they were not parties to the Treaty above referred to, that the Ojibeway and Nipissing Indians who signed the Treaty had no rights to cede in the land south or east of the points referred to, and that the Indians who signed the Treaty acknowledge that they had no claim to these lands and did not know that they formed part of the surrender.

The accompanying map shows that the Robinson-Huron Treaty as now understood by the Indian Department does not cover the piece of land in question, the southern boundary of the land covered by that Treaty being on a line approximately running east from Moose Deer Point. If this interpretation of that Treaty is correct there is no evidence that the lands referred to have ever been surrendered and except as already stated, there is no evidence on the fyle to show that these lands formed part of the hunting grounds of the Chippewas of Lakes Huron and Simcoe.

If the present interpretation placed by the Indian Department is incorrect, and if the lands in question really were included in the lands surrendered by the Treaty the principle deducible from the following cases,

Foster v Neilson, 2 Peters, p. 314
City of Berne v Bank of England, 9 Vesey, 347,
Hoyt v Gelston, 3 Wheaton, 321,
The Kansas Indians, 3 Wall, u.3.3.Ot. 737,
Rx. v. Reynolds, 5 Dillon, 394,
Cherokees v Georgia, 5 Peters, 1,
Cherokee Trust Fund, 117, U.S., 288,
Thobe v Chactaws, 66 Fed. R. 372,
Graham v U.S. 30 Ct. of Claims, 318,
Fellows v. Blacksmith, 19, How, 366,
Leighton v. U.S. 20 Ct. of Claims 288,
Maiden v Ingersoll, 6 Mich. 373.

seems to be that when the status and rights of Indians have been recognized by the Political Department of the Government for generations the Courts follow the Political Department and to the extent to which it impresses a capacity on aboriginal population they are assumed to possess it which would mean that if the Courts had jurisdiction to consider this claim they would reject it since the title to the lands if covered by the Treaty has been recognized by the Robinson-Huron Treaty to have been in the Ojibeway and Nipissing Tribes who signed the Treaty.

On the other hand it has been frequently laid down that the rules applicable to controversies between the Government and the Indians are not so strict as those which govern guardian and ward, but doubts are to be resolved

in favour of the Indians who are not to be prejudiced by technical construction. *Chichasaw v U.S.* 22 Ct. of Claims, p.222. If it is admitted that the evidence on the fyle raises a prima facie claim on the part of the Chippewas it would be a matter of policy on the part of the Government to determine whether it should insist on a strict observance of the terms of the Treaty and a strict construction as to the land surrendered or whether it would direct an investigation for the purpose of affording the Chippewas an opportunity of endeavouring to establish that the land in question originally formed part of their hunting grounds. The evidence so far as it goes seems to me to support the claim.

With regard to the claim to the rest of the territory embracing about 9759 square miles it is to be observed that no claim to any defined portion 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 fyle go back to 1870.

Unfortunately the fyles 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 fyles would show that the claim was originally made prior to 1870.

Messrs. Rimmer and McKenna in a report on this claim published in 1901 state "as to the large tract of land we find:-

"That by Surrender of November 5, 1818, No. 20 and November 28, 1822, No. 27, the above Chippewas and Mississaguas respectively surrendered to the Crown Lands south of the 45th Parallel 'inhabited and claimed by them' comprising in the whole 4,698,000 acres.

"That the Chippewas of Lake Huron who made the Robinson-Huron Treaty of September 9, 1850, (no. 61) were entitled to surrender the land on the north and east shores of Lake Huron as far south as Moose Deer Point (near 45th parallel) and inland to the height of land, which territory is included in the treaty.

"That as to the Chippewas of Surrender No. 20, it has for twenty-two years been conceded by the department that they were not entitled to claim rights north of Moose Deer Point.

"That inasmuch as we can discover no evidence that the Chippewas and Mississaguas who made surrenders Nos. 20 and 27, respectively, had any use of the land north of the one and north and west of the other prior to the surrenders, the words 'inhabiting and claiming' used in the surrenders may, when the surrenders are read with the treaty, be fairly taken as implying that the parties to the surrenders by them relinquished the whole territory they inhabited and claimed."

I do not think that the inference drawn by Messrs. Rimmer and McKenna from the use of the words "inhabited and claimed by them" is warranted and it is contradicted by the declarations now on fyle.

The further statement in the report of Messrs. Rimmer and McKenna that the lands in question "appear to have been used as a hunting ground generally by the Algonquins" is based on a statement contained in a report made by the late Wm. Spragge in 1866 (file 83203) upon a petition presented in 1863 by the Indians of the Village of Two Mountains described therein as hunting on the Head Waters of the Madawaska and other rivers of Central Canada in which for the reasons therein set out the Petitioners ask that they be given a reserve in the Township of Lawrence in the County of Peterboro⁹ stating that the encroachment of the whites upon their original hunting grounds on the Madawaska River had compelled them to travel westward, and that the Reserve asked for would be near their hunting grounds which statements is as follows:-

"The Algonquins claimed as their hunting grounds territory in the Upper Canada side of the Ottawa River. It is quite certain that they have used it

⁹ Note that Lawrence Township is in Haliburton County, not Peterborough County.

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."

The reserve asked for was not given to these Indians and I understand they were ultimately settled at Golden Lake in the County of Renfrew. Their petition does not in any way define the hunting grounds referred to therein other than to say that a reserve in the County of Peterboro would be near such hunting grounds and there is nothing on file to indicate the grounds for the statement contained in Mr. Spragge's report.

It must also be observed that no claim has ever been made by the Algonquins to the hunting grounds now claimed by the Chippewas and Mississaguas and further that it appears from the declaration of Thomas Marsden, p. 86, that the Algonquin Hunting Territory did not extend south of the Mattawa River. If this is correct, the statement contained in the report of Messrs. Rimmer and McKenna "that the tract of land appears to have been used as a hunting ground generally by the Algonquins" is incorrect. The hunting limits claimed by the Chippewas of Lakes Huron and Simcoe are shown in the accompanying map within a brown border, they overlap the lands covered by the Robinson Treaty of 1850, and also those surrendered on the 5th November, 1818. Excluding the portions so overlapping the area claimed by the Chippewas is about 3367 square miles. The area claimed by the Mississaguas is 6392 square miles.

In a return of correspondence respecting the Indians in the British North American Colonies between Sir F. B. Head and Lord Glenelg published in the British Parliamentary Papers, 1839, Vol. 34, at p. 147, Captain Anderson under date 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 situate on the south side of the Rice Lake, 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 Hunting grounds 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."

I forward also a tracing of a map published in the Legislative Council Sessional Papers for 1847, No. 1, Vol. 6 showing the different surrenders made by the Indians in Upper Canada to the Crown at that date, from which it appears that the lands in question were not then surrendered.

It appears to me that the declarations fyled establish a prima facie case of the actual user by individual members of the Claimant Bands as hunting grounds of a large and defined portion of the 9759 square miles of the territory shown on the accompanying map and set up a claim to the whole territory as having been acquired by the ancestors of the claimants by conquest and as having after such acquisition been used by their ancestors and themselves as the hunting grounds of the Bands in question. It may be objected that as large an area as 9759 square miles of territory could not have been possessed by these Indians, but actual continued physical occupation of the whole territory is not necessary. As was said by the Supreme Court of the United States in *Mitchell vs. U.S.* 9 Peters - "Indian possession or occupation was considered with reference to their habits and modes of life; their hunting grounds are as much in their rights to its exclusive enjoyment in their own way or for their own purposes were as much respected until they abandoned them, made a cession to the Government or an authorized sale to individuals."

The claim to the whole territory as hunting grounds is asserted by the declarations of 27 Indians in terms so positive and explicit as to render it extremely difficult to disregard the evidence.

The Indian title to these lands has never been extinguished and I am of the opinion that some arrangement should be made for quieting the title by the payment to the claimants of compensation in the same way that the Crown has dealt with other Indians whose title has been extinguished by Treaty.

I have not in this report considered the question as to whether the monetary obligation resulting from the quieting of the Indian Title to these lands should be borne by the Dominion or by the Province of Ontario - that question not having been referred to me. It may however not be improper for me to remark that the delay in settling this claim seems from the files largely to have resulted from a controversy between the Dominion and the Province of Ontario on this point; the - as typed [sic]

Dominion contending that inasmuch as the lands when free from the Indian Title will belong to Ontario absolutely while at present under the 109th Section of the British North America Act they belong to that Province "subject to any interest other than that of the Province in the same" the duty to assume the monetary obligation incident to the quieting of the Title should fall on the Province, while the Province has taken the position that inasmuch as the right to legislate with respect to "Indians and lands reserved for the "Indians" comes within the exclusive jurisdiction of the Dominion it is the duty of the Dominion to assume this obligation and hand over the lands to the Province free therefrom. It seems clear that the lands in question are "lands reserved for Indians" within the meaning of the Proclamation of the 7th October, 1763, and that the Indian Title is "an interest other than that of the Province in the same" and also that although it was left undecided in *The St. Catharines Milling & Lumber Co. vs The Queen*, 14 App. Cas 46, whether a province could of its own motion and power extinguish the Indian Title and notwithstanding that Mr. Justice Burton in 13, O.A.R.p.167 considered that the Province would undoubtedly have such power apparently the power to do so rests with the Dominion alone, to permit a Province to exercise such power would be to permit a direct interference with the powers of legislation expressly conferred on the Dominion by Section 91 of the British North America Act.

The effect of the decision in the *Dominion of Canada vs. Province of Ontario*, L.J.P.O. (1911) p. 32, is to determine that unless the Dominion quiets the Indian Title under an express arrangement with the Province, the Province is not liable to recoup from the Dominion the expenditure to which it is put nor to assume the future payments included in the Treaty.

I would recommend that an endeavor be made to obtain an agreement from the Province to assume the monetary obligation which may be incurred in the quieting of the title.

[Document No. 681]

26. After many delays and partial investigations of the Mississauga and Chippewa claims, in April 1923, Canada and Ontario entered into a Memorandum of Agreement. Charles Stewart, Superintendent General of Indian Affairs, signed on behalf of Canada and Beniah Bowman, Minister of Lands and Forests, signed on behalf of Ontario. The Memorandum of Agreement provided for the appointment of a commission to investigate the validity of the claims, and read as follows:

WHEREAS certain Indians of the Chippewa and Mississauga tribes claim that the said tribes were and are entitled to a certain interest in lands in the Province of Ontario to which the Indian title has never been extinguished by surrender or otherwise, the said lands being described as parts of the counties of Renfrew, Hastings, Haliburton, Muskoka, Parry Sound and Nipissing, and being bounded on the south and east by the lands included in the surrender of the Indian title made on the 18th of November, 1815, the 5th of November 1818, and November, 1822; on the north by the Ottawa and Mattawa Rivers and Lake Nipissing, and on the west by the lands included in the surrender of the Indian title made in 1850, known as

the Robinson-Huron surrender, and by the Georgian Bay, the area in question including about 10,719 square miles.¹⁰

AND WHEREAS a departmental enquiry made by the Department of Indian Affairs indicates that the said claim has such probable validity as to justify and require further investigation, and if found valid to be satisfied on such just and fair terms as may be settled by a treaty of surrender.

NOW THEREFORE THIS AGREEMENT made in pursuance of certain statutes of Canada and of the Province of Ontario both intituled [sic] "an Act for the settlement of certain questions between the Governments of Canada and Ontario respecting Indian Lands", the Statute of Canada having been passed in the 54th and 55th years of the reign of Her Majesty Queen Victoria and chaptered 5, and the statute of Ontario in the 54th year of Her Majesty's said reign and chaptered 3.

WITNESSETH THAT the Governments of Canada and of the Province of Ontario have agreed as follows:-

1. The Government of Canada will, pursuant to Part I of the Enquiries Act, R.S.C. 1906, c. 104, and amendments, appoint three persons as commissioners to enquire into the validity of the claim of the Chippewa and Mississauga Indians aforesaid, and will empower the said commissioners, in the event of their determining in favor of the validity of the said claim, to negotiate a treaty with the said Indians for the surrender of the said lands upon payment of such compensation as may be fixed by such treaty.
2. Of the three commissioners so named, one shall be selected by the Government of Canada, who shall be Chairman of the Commission, and the remaining two shall be selected by the Minister of Lands and Forests for the Province of Ontario and notified to the Superintendent General of Indian affairs.
3. The question of the validity of said claim may be determined by any two of the said Commissioners and it shall be necessary that at least two of them of whom the chairman shall be one shall concur in any treaty which may be negotiated.
4. The expenses of the said commission, including the remuneration and expenses of the commissioners and any expenses incurred for securing the attendance of witnesses or otherwise, shall be payable by the Government of Canada, but the rates of remuneration of each of the commissioners selected by the Minister of Lands and Forests for the Province of Ontario shall be agreed upon between him and the Superintendent of Indian Affairs before the Constitution of the Commission.
5. In the event of the commissioners negotiating a treaty with the Indians the compensation to be paid to such Indians shall be payable to the Dominion of Canada by the Province of Ontario from time to time in accordance with the terms of the treaty of surrender, and shall be applied by the Dominion of Canada in accordance with the said terms.
6. In the event of provision being made by such treaty of surrender for the setting apart of reserves for the Indians, the Dominion of Canada will bear the expense to be incurred in the location and survey thereof, and the Province of Ontario will concur in the setting apart of such reserves.

¹⁰ Note that this description of the land to be dealt with by the Commission includes the Golden Lake Indian Reserve No. 39, as well as Magnetawan 1, Henvey Inlet 2, Dokis 9, French River 13, Parry Island 16, Shawanaga 17 and 17B, Naiscoutaing 17A, Moose Point 79, Gibson 31, Indian River (unnumbered), and Chippewa Island (unnumbered), although the last two named reserves were not set aside until the 1970's, well after the signing of the Williams Treaty. The above reserves from Magnetawan through to Naiscoutaing were all established under the Robinson-Huron Treaty of 1850. The Indians who have historically resided on these reserves are of the Ojibway Nation, and were not parties to the Williams Treaty. Also, none of these Bands have laid any claim to the Ottawa River watershed. Moose Point Indian Reserve was set aside in 1917; none of its members signed the Williams Treaty. The reserve at Gibson, established in 1881, is inhabited by the descendants of Mohawks and some Algonquins who migrated from Oka; therefore, these people are in part descended from Algonquins who traditionally used the Ottawa Valley. Gibson was not represented by the signatories of the Williams Treaty.

7. All such reserves shall be administered by the Dominion of Canada for the benefit of the band or bands of Indians to which each may be allotted; portions thereof may, upon their surrender for the purpose by the said band or bands, be sold, leased or otherwise disposed of by letters patent under the Great Seal of Canada, and the proceeds of such sale, lease or other disposition applied for the benefit of such band or bands, provided, however, that in the event of the band or bands to which any such reserve has been allotted becoming extinct, or if for any other reason such reserve or such portion thereof as remains undisposed of is declared by the Superintendent General of Indian Affairs to be no longer required for the benefit of the said band or bands, the same shall thereafter be administered by and for the benefit of the Province of Ontario, and any balance of the proceeds of the sale or other disposition of any portion thereof then remaining under the control of the Dominion of Canada shall, so far as the same is not still required to be applied for the benefit of the said band or bands of Indians, be paid to the Province of Ontario, together with accrued unexpended simple interest thereon.

[Document No. 726]

27. Ontario passed an Order-in-Council approving the Memorandum of Agreement on May 22, 1923:

Upon consideration of the annexed memorandum of the Deputy Minister of Lands and Forests, having reference to the claim of the Chippewa and Mississauga Indian Tribes for compensation for unsurrendered lands, and a copy of the draft agreement between the government of the Dominion of Canada and the Government of this Province attached thereto, and upon the recommendation of the Honourable the Minister of Lands and Forests, the Committee of Council advise that in accordance with the suggestions contained in said memorandum, he be authorized for the Province of Ontario to enter into and execute said agreement.

The Committee further advise that the Government of the Province of Ontario shall be bound by said agreement and shall concur in such Treaty as shall be negotiated by said Commissioners.

[Document No. 727]

28. W. C. Cain, provincial Deputy Minister of Lands and Forests, forwarded the Memorandum of Agreement along with the Ontario Order-in-Council to D. C. Scott, the Deputy Superintendent General of Indian Affairs:

Under date of the 22nd of May last an Order-in-Council was passed and approved by His Honour, the Lieutenant-Governor in Council, providing for the approval of draft agreement between the Government of the Dominion of Canada and the Province of Ontario, in respect of the settlement of this question concerning which I have had more or less negotiations, both verbal and written with Mr. O. M. Biggar, with whom I understand you have been discussing the matter more or less.

I transmit herewith copy of the said Order-in-Council along with two copies of the draft agreement.

The Honourable Mr. Bowman who will execute the agreement on behalf of the Province, is out of the city and has been for some time, but I expect him home next week when his signature to the execution of the agreement will be secured.

That the matter may be expedited, however, I am sending you as herein stated, two copies of the agreement to enable you, through your Minister, if you have received approval to the agreement by Order-in Council, to get the agreement executed in so far as the Dominion Government is concerned, and transmit the same in duplicate here for the signature of Mr. Bowman, when he comes back to the office.

In accordance with the provisions of the agreement there are three Commissioners to be named, -one shall be selected by the Dominion Government of Canada, who shall be the Chairman of the Commission, and two others to be selected by the Minister of Lands and Forests for the Province of Ontario.

The two Commissioners named by the Minister to represent Ontario are, first, F. E. Titus, Solicitor of the Department of Lands and Forests, and J. J. Murphy, former Chief Clerk of Lands in the Department, with which he was connected for fifty years, during which time he became most conversant with affairs pertaining to Indian matters.

...

[Document No. 728]

29. Charles Stewart, Superintendent General of Indian Affairs, submitted the following report to the Governor General in Council, requesting approval of the agreement:

The undersigned has the honour to report that for many years there has been a claim outstanding on the part of certain Indians of the Chippewa and Mississagua Tribes that their usufructuary rights in a certain area in the province of Ontario, extending northwards and eastwards from lake Simcoe and comprising some 10,719 square miles of territory, have never been surrendered to the Crown, and that they are entitled to compensation for such unsurrendered rights.

The said claim having been enquired into and appearing to be prima facie well-founded, negotiations were entered into by the Government of Canada with the Government of the province of Ontario pursuant to certain statutes of Canada and of the province of Ontario in that behalf, and in consequence the attached draft agreement was settled, and on the 22nd of May, 1923, was approved by the Executive Council of the province of Ontario.

The undersigned has accordingly the honour to recommend that Your Excellency in Council approve the said agreement and authorize the same to be executed by him on behalf of the Dominion of Canada.

[Document No. 729]

30. The Committee of the Privy Council passed an Order-in-Council dated June 23, 1923, authorizing the Superintendent General of Indian Affairs to sign the Memorandum of Agreement between Canada and Ontario:

The Committee of the Privy Council have had before them a report, dated 11th June, 1923, from the Superintendent General of Indian Affairs, submitting that for many years there has been a claim outstanding on the part of certain Indians of the Chippewa and Mississagua tribes that their usufructuary rights in a certain area in the Province of Ontario, extending northwards and eastwards from Lake Simcoe and comprising some 10,719 square miles of territory, have never been surrendered to the Crown, and that they are entitled to compensation for such unsurrendered rights.

The said claim having been enquired into and appearing to be prima facie well founded, negotiations were entered into by the Government of Canada with the Government of the Province of Ontario pursuant to certain statutes of Canada and of the Province of Ontario in that behalf, and in consequence the attached draft agreement was settled, and on the 22nd. May, 1923, was approved by the Executive Council of the Province of Ontario.

The Minister accordingly recommends that the said agreement be approved by Your Excellency in Council, and that he be authorized to execute the same on behalf of the Dominion of Canada.

The Committee concur in the foregoing and submit the same for Your Excellency's approval.

[Document No. 730]

31. Subsequent to the Order-in-Council being passed, the Superintendent General of Indian Affairs signed the memorandum of agreement and forwarded duplicate copies to the Province of Ontario. [See Document No. 731.] The Provincial Minister of Lands and Forests signed the agreement as well, and returned one copy to the Department of Indian Affairs under a covering letter dated July 6, 1923. [See Document No. 732.]
32. On August 16, 1923, the Minister of Lands and Forests wrote to D. C. Scott, Deputy Superintendent General of Indian Affairs, submitting new names for the provincially appointed commissioners:

In perusing the departmental files in connection with this matter I observe that under date of the 8th June last a letter was addressed to you by the Deputy Minister Mr. Cain, intimating that the Solicitor of the Department, F. E. Titus and one J. J. Murphy had been suggested as representatives of the Province in connection with the Inquiry about to be instituted under the Agreement entered into between the Province and the Dominion in respect of the claims of the Indians.

For your information I desire to say that the present Government has selected in lieu of the names heretofore mentioned as its commissioners, R. V. Sinclair, K.C. Ottawa and Uriah McFadden, K.C., Sault Ste Marie.

It is desired that the work of the Commission be initiated as early as possible and the only matter to be dealt with prior to their beginning work, as I understand it, is the question of remuneration.

The Agreement does not settle the amount of compensation but because of the importance of the matter to be considered, I am of the firm opinion that the remuneration of at least One hundred dollars (\$100.) per diem in addition to travelling and other necessary expenses should obtain.

Will you be good enough therefore to acknowledge the receipt of this letter and advise me if the Dominion authorities will agree to my suggestions.

[Document No. 733]

33. Charles Stewart, Superintendent General of Indian Affairs, wrote to J. A. Lyons, Minister of Lands and Forests, on August 20, 1923, approving the suggested remuneration for the Commissioners. A note from A. S. Williams, a Department of Indian Affairs law clerk and the head of the newly established commission, to Secretary of Indian Affairs J. D. McLean, written in the margin of this letter, states that "We should now have an Order-in-Council appointing the Commissioners and giving them the necessary authority to carry out the terms of the agreement." [See Document No. 734.]
34. On August 22, 1923, Charles Stewart, Superintendent General of Indian Affairs, submitted the following report to the Governor General in Council, recommending the appointment of commissioners to investigate the Mississaugas' and Chippewas' claim to unsurrendered land. This submission also requests that the Commission be given the power to take a treaty for the lands described:

The undersigned has the honour to report that certain Indians of the Chippewa and Mississauga tribes having claimed that the said tribes were and are entitled to a certain interest in lands in the Province of Ontario to which the Indian title has never been extinguished by surrender or otherwise the said lands being described as parts of the Counties of Renfrew, Hastings, Haliburton, Muskoka, Parry Sound and Nipissing, and being bounded on the south and east by the lands included in the surrenders of the Indian title made on the 18th of November, 1815, the 5th of November, 1818, and November 1822; on the north by the Ottawa and Mattawa Rivers and Lake Nipissing, and on the west by lands included in the surrender of the Indian title made in 1850, known as the Robinson-Huron surrender and by the Georgian Bay, the area in question including about 10,719 square miles.

The undersigned has the honour to further report that as the result of a departmental enquiry made at the instance of the Department of Indian Affairs, the said claim appeared to be prima facie well founded and thereupon negotiations were entered into by the Government of Canada with the Government of the Province of Ontario pursuant to certain Statutes of Canada and of the Province of Ontario in that behalf, and an agreement dated the day of April, 1923, was entered into between the Government of Canada and the Government of the Province of Ontario providing that the Government of Canada would pursuant to Part I of the Inquiries Act, R.S.C. 1906, c. 104, and amendments appoint three persons as commissioners to enquire into the validity of the said claim of the Chippewas and Mississaugas aforesaid, and would empower the said commissioners, in the event of their determining in favour of the validity of the said claim, to negotiate a treaty with the said Indians for the surrender of the said lands upon payment of such compensation as might be fixed by such treaty.

The said agreement provided that one of the said commissioners who should be the chairman of the Commission should be selected by the Government of Canada and that the remaining two Commissioners should be selected by the Minister of Lands and Forests for the Province of Ontario who should notify such selection to the Superintendent General of Indian Affairs.

The said agreement provides that the expenses of the said Commission including the remuneration and expenses of the commissioners and any expenses incurred for the securing of attendance of witnesses or otherwise should be paid by the Government of Canada but that the rates of remuneration for each of the commissioners selected by the Minister of Lands and Forests for the Province of Ontario should be agreed upon between him and the Superintendent General of Indian Affairs before the constitution of the Commission.

The remuneration to be paid to the commissioners to be selected by the Province of Ontario has been agreed upon between the undersigned and the Minister of Lands and Forests for the Province of Ontario at the sum of \$100.00 a day to be paid to each of the said commissioners selected by the Province of Ontario while they are engaged in this matter.

The undersigned has been informed by the Minister of Lands and Forests that the said Minister has selected as two of the said commissioners, Mr. R. V. Sinclair, K.C., of Ottawa, Ontario, and Mr. Uriah McFadden, K.C., of Sault Ste. Marie, Ontario.

The undersigned has the honour further to report that he has selected Mr. A. S. Williams, Departmental Solicitor of the Department of Indian Affairs, Ottawa, Ontario, as the commissioner to act herein on behalf of the Government of Canada.

The Minister accordingly recommends that Mr. A. S. Williams, Mr. R. V. Sinclair, K.C., and Mr. Uriah McFadden, K.C., be appointed as commissioners to enquire into the validity of the said claim of the Chippewa and Mississauga Indians aforesaid and be empowered in the event of their determining in favour of the validity of the said claim to negotiate a treaty with the said Indians for the surrender of the said lands upon payment of such compensation as may be fixed by said treaty, the

said appointment being made in pursuance of the Inquiries Act, R.S.C. 1905, c. 104, and amendments.

[Document No. 735]

35. J. D. McLean wrote to Indian Agents J. C. Picotte (Christian Island), Wilson Gerrow (Scugog), John W. Kay (Sutton West), Robert McCamus (Keene), W. R. Coyle (Hastings), and A. S. Anderson (Longford Mills) on August 27, 1923, asking for their cooperation in the commission's work:

As you are no doubt aware the Chippewa Indians of the Christian Island, Georgina Island and Rama Bands and also the Mississauga Indians of the Rice, Mud, Alnwick and Scugog Bands have for many years asserted a claim that they should be compensated for their title to a large tract of land comprising parts of the counties of Renfrew, Hastings, Haliburton, Muskoka, Parry Sound and Nipissing, which has been opened up for settlement but with respect to which no release of the Indian title of occupation has ever been taken by the Crown from the Indians as was done in respect of all other lands within the province. Recently this claim has been renewed and in support of it various Indians of the said bands have submitted to the Deputy Superintendent General of Indian Affairs declarations setting forth certain facts in support of the claim. It is considered that the allegations warrant an investigation of the claim. The Department accordingly has taken the matter up with the Ontario Government with the result that an agreement has been entered into between the two Governments for the investigation of the claim by a joint Commission. The Commission has been appointed and is ready to proceed with the inquiry.

The Commissioners will hold a meeting on each reserve as soon as those members who are prepared to give any information in support of this claim can be assembled for the purpose.

I am enclosing copies of declarations which have been furnished by various Indians of your Agency showing the nature of the evidence submitted by them and which may be supported by other members. It is desired that you take up the matter of this investigation immediately with the Chief and Councillors of the band and have them make inquiry among their members as to who may be able to give any evidence before the Commissioners in this matter and as to what the facts are that each witness is prepared to swear to, which go to show that the territory in question was formerly their hunting ground. As this matter is most important it should be taken up seriously and promptly.

In order to enable the Commissioners to arrange for a suitable date for holding the inquiry on each reserve, I would be glad to have you advise the Department as soon as possible as to how many days' notice is ordinarily given for a band meeting in your Agency and as to whether such length of notice will be sufficient in this case. The order in which the various reserves will be visited has not been finally determined but it is probable that the beginning will be made at Christian Island.

I shall be glad to hear from you at your earliest convenience with any observations that you may have to make in respect of this matter.

[Document No. 736]

36. An Order-in-Council dated August 31, 1923, appointed A. S. Williams, R. V. Sinclair, and Uriah McFadden as Commissioners to investigate the validity of the Mississauga and Chippewa claims and reach a settlement:

The Committee of the Privy Council have had before them a report, dated 22nd August, 1923, from the Superintendent General of Indian Affairs, stating that certain Indians of the Chippewa and Mississauga tribes having claimed that the said tribes were and are entitled to a certain interest in lands in the Province of Ontario to which the Indian title has never been

extinguished by surrender or otherwise, the said lands being described as parts of the Counties of Renfrew, Hastings, Haliburton, Muskoka, Parry Sound and Nipissing, and being bounded on the south and east by the lands included in the surrenders of the Indian title made on the 18th of November, 1815, the 5th of November, 1818, and November 1822; on the north by the Ottawa and Mattawa Rivers and Lake Nipissing, and on the west by lands included in the surrender of the Indian title made in 1850, known as the Robinson-Huron surrender and by the Georgian Bay, the area in question including about 10,719 square miles.

The Minister further states that, as the result of a departmental enquiry made at the instance of the Department of Indian Affairs, the said claim appeared to be prima facie well founded and thereupon negotiations were entered into by the Government of Canada with the Government of the Province of Ontario pursuant to certain Statutes of Canada and of the Province of Ontario in that behalf, and an agreement dated the day of April, 1923, was entered into between the Government of Canada and the Government of the Province of Ontario providing that the Government of Canada would, pursuant to Part I of the Inquiries Act, R.S.C. 1906, c.104, and amendments, appoint three persons as commissioners to enquire into the validity of the said claim of the Chippewas and Mississaugas aforesaid, and would empower the said commissioners, in the event of their determining in favour of the validity of the said claim, to negotiate a treaty with the said Indians for the surrender of the said lands upon payment of such compensation as might be fixed by such treaty.

The said agreement provided that one of the said commissioners, who should the the [sic] Chairman of the Commission, should be selected by the Government of Canada, and that the remaining two commissioners should be selected by the Minister of Lands and Forests for the Province of Ontario, who should notify such selection to the Superintendent General of Indian Affairs.

The said agreement further provided that the expenses of the said Commission including the remuneration and expenses of the commissioners and any expenses incurred for the securing of attendance of witnesses or otherwise should be paid by the Government of Canada, but that the rates of remuneration for each of the commissioners selected by the Minister of Lands and Forests for the Province of Ontario would be agreed upon between him and the Superintendent General of Indian Affairs before the constitution of the Commission.

The remuneration to be paid to the Commissioners to be selected by the Province of Ontario has been agreed upon between the Superintendent General of Indian Affairs and the Minister of Lands and Forests for the Province of Ontario at the sum of \$100.00 a day, to be paid to each of the said commissioners selected by the Province of Ontario while they are engaged in this matter.

The Minister has been informed by the Minister of Lands and Forests that the said Minister of Lands and Forests has selected as two of the said commissioners, Mr. R. V. Sinclair, K.C., of Ottawa, Ontario, and Mr. Uriah McFadden, K.C., of Sault Ste. Marie, Ontario.

The Minister further states that he has selected Mr. A. S. Williams, Department Solicitor of the Department of Indian Affairs, Ottawa, Ontario, as the commissioner to act herein on behalf of the Government of Canada.

The Minister, accordingly, recommends that Mr. A. S. Williams, Mr. R. V. Sinclair, K.C., and Mr. Uriah McFadden, K.C., be appointed as commissioners to enquire into the validity of the said claim of the Chippewa and Mississauga Indians aforesaid and be empowered in the event of their determining in favour of the validity of the said claim to negotiate a treaty with the said Indians for the surrender of the said lands upon payment of such compensation as may be fixed by said treaty, the said appointment being made in pursuance of the Inquiries Act, R.S.C. 1904, c.104, and amendments.

The Committee concur in the foregoing recommendation and submit the same for approval.

[Document No. 737]

37. The Commission, assented to on the same day as the above Order-in-Council, reads as follows:

Commission appointing A. S. Williams, et al to investigate into the validity of claims made by certain Indians of the Chippewa and Mississauga Tribes re certain interest in lands in the Province of Ontario.

George the Fifth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas,
KING, Defender of the Faith, Emperor of India

To all to whom these Presents shall come, or whom the same may in anywise concern, Greeting.

WHEREAS in and by an order of Our Governor General in Council bearing date the thirty first day of August in the year of Our Lord one thousand nine hundred and twenty three (copy of which is hereto annexed) provision has been made for an investigation with respect to a claim made by certain Indians of the Chippewas and Mississauga tribes who have claimed that the said tribes were and are entitled to a certain interest in lands in the Province of Ontario to which the Indian title has never been extinguished by surrender or otherwise as well more fully and at large appear upon reference to the said Order in Council, the said lands being described as parts of the Counties of Renfrew, Hastings, Haliburton, Muskoka, Parry Sound and Nipissing and being bounded on the south and east by the lands included in the surrenders of the Indian title made on the 18th of November 1815, the 5th November, 1818, and November 1822, on the north by the Ottawa and Mattawa Rivers and Lake Nipissing, and on the west by lands included in the surrender of the Indian title made in 1850, known as the Robinson-Huron surrender and by the Georgian Bay, the area in question including about 10,719 square miles.

Now know ye that by and with the advice of Our Privy Council for Canada, We do by these Presents nominate constitute and appoint A. S. Williams, of the City of Ottawa in the Province of Ontario, Esquire, Barrister at law and Departmental Solicitor of the Department of Indian Affairs, R. V. Sinclair, of the said City of Ottawa, Esquire, one of His Majesty's Counsel learned in the law and Uriah McFadden, of Sault Ste-Marie in the said Province, Esquire, one of His Majesty's Counsel learned in the law to be Our Commissioners to conduct such inquiry, and should the said Commissioners determine in favour of the validity of the said claim We do hereby empower them to negotiate a treaty as provided in the said Order-in-Council.

To have, hold, exercise and enjoy the said office, place and trust unto the said A. S. Williams, R. V. Sinclair and Uriah McFadden together with the rights, powers, privileges and emoluments unto the said office, place and trust, of right and by law appertaining during pleasure.

And We do hereby further constitute and appoint the said A. S. Williams to be Chairman of such Commission.

And We do hereby, under the authority of the Revised Statute respecting Inquiries concerning public matters, confer upon Our said Commissioners, the power of summoning before them any witnesses and of requiring them to give evidence on oath or on solemn affirmation if they are persons entitled to affirm in civil matters and orally in writing and to produce such documents and things as Our said Commissioners shall deem requisite to the full investigation of the matters into which they are hereby appointed to examine.

And Our said Commissioners are hereby authorized to engage the services of such accountants, engineers, technical advisers or other experts, clerks, reporters and assistants as they may deem necessary or advisable, and the services of Counsel to aid and assist in such inquiry and Our said Commissioners are hereby clothed with all the other powers specified in Chapter 28, 2 George V.

And We do hereby require and direct Our said Commissioners to report to Our Superintendent General of Indian Affairs the result of their investigation together with the evidence taken before them and any opinions they may see fit to express thereon as well as the result of their negotiations (if any) as to a treaty with the Indians.

In testimony whereof We have caused this Our Letter to be made Patent and the Great Seal of Canada to be hereunto affixed.

...

[Document No. 738]

38. The Williams Commission traveled to the Chippewa Nation's reserves at Christian Island, Georgina Island, and Rama between September 14 and 21, and the Mississauga Nation's reserves at Scugog Lake, Rice Lake, Mud Lake, and Alderville between September 24 and 27, 1923. The full testimony taken is far too extensive to be included here. [See Document No. 739.] Some of the key information is to be found in "Appendix A--Williams Testimony", following this report. In particular, the Commission seemed to be concerned with whether or not the Mississaugas and Chippewas had hunted above the height of land.

It is interesting to note that the witnesses at the Chippewa reserves, when referring to the northern boundaries of their hunting grounds, most often stated that they went up to the height of land and no further. This Chippewa testimony is consistent with declarations made by Chippewas in the early 1900's and quoted above. It is also consistent with settlement pressures. Settlement advanced much more slowly in the Chippewa region, sparing the Chippewas the necessity of ranging further and further from their homes to find hunting grounds.

The Mississauga witnesses, on the other hand, seemed to be split into people who believed that the hunting grounds only went to the height of land, and those who believed that they went as far north as the Ottawa River. There are a number of possible explanations for this discrepancy. First, it is probable that some Mississauga families had traditional hunting grounds inside the Ottawa River watershed, while others did not. It is instructive to recall that Superintendent Anderson reported in the 1840s that some of the Algonquins he was delivering presents to in Bedford Township were actually Mississaugas of Alnwick. The likelihood of merging bands and traditional areas is possible in this situation. Declarations taken from Mississaugas of Alnwick in the years preceding the inquiry claimed hunting grounds to the Ottawa. Lastly, after taking evidence at the Chippewa reserves which did not exactly fit the mandate given to the Commission in terms of the northern extent of territory used as hunting grounds, it is possible that the Commissioners' questioning style became more directive as they searched for what they thought were the correct responses to the questions they were sent out to answer.

39. James Lyons, Minister of Lands and Forests, received a report on the proceedings of the Williams Treaty Commission on October 10, 1923:

The joint commission appointed by the Government of Canada and the Province of Ontario to inquire into the claims preferred by the Chippewa Indians of Lakes Huron and Simcoe, and the Mississauga Indians of Rice Lake, Mud Lake and Lake Scugog for compensation in respect to an area of land extending from the forty-fifth parallel of latitude north of Lake Nipissing and from the Georgian Bay east to the Ottawa River, alleged by the claimants to be the ancient hunting grounds of their ancestors, visited the reserves of the Chippewa Indians at Georgina Island on Lake Simcoe, at Christian Island on the Georgian Bay, and at Rama, and the reserves of the Mississauga Indians at Rice Lake, Mud Lake, Lake Scugog and Alderville, between the 12th and 26th days of September, for the purpose of taking such evidence as the claimants might desire to present in support of their respective claims.

The Commission found that these Indians were very suspicious of the attitude which would be assumed by the Commission towards their claims, having unfortunately become imbued with the idea that the object of the Commission was to minimize the claims and to require such strict legal proof of them as would be required by a Court of Justice in a contest between litigants.

The Commission being aware that it was not the desire of either of the Governments to have the Commission approach the consideration of the claims in any such attitude, sought to impress the Indians with a view that any evidence, whether it might be direct or whether it might be only the relation of the traditions of the nation or of statements made to individual Indians by their ancestors, would be received and considered, and the Commission is glad to be able to state that the attitude of doubt referred to was entirely dissipated and that beyond any question when the Commission left each of the reserves it had secured the entire confidence of the Indians.

It is the opinion of the commission that the claimants have submitted ample and satisfactory proof of the occupation by them of the land referred to as the ancient hunting ground of the ancestors of the claimants. These hunting grounds cover an area of over 10,000 square miles of territory, the value of which is almost incalculable.

A claim was put forward by the Chippewa Indians that a large area of land, approximately 1,000 square miles, was included in the Robinson-Huron Treaty of 1850, to which the Ojibways had no claim, the territory in question being alleged to have belonged to the Chippewas, and this fact is stated to have been admitted since the making of the treaty by the Ojibways, who say that the territory in question was included in the treaty by error. The territory extends northward along the shore of the Georgian Bay from Moose Deer Point, north to the French River and west possibly to the Spanish River.

It was claimed by the Mississauga nation that seven townships lying immediately south of Lake Simcoe, belonging to them, had never been surrendered. A moderate estimate of the value of these townships alone would be \$30,000,000.00. The area comprised in these townships alone is somewhat over 355,000 acres. The Commission has not been able to find that a surrender of the townships in question has ever been made. It was further discovered that the lands lying between the Bay of Quinte and the County of York, and extending north a day's journey from the shore of the Lake, commonly supposed to have been surrendered by what is known as the Gun-shot Treaty are not described in any treaty. The Gun-shot Treaty, which was made on the 23d day of September 1787, and which was intended to cover the area in question, unfortunately does not contain any description whatever of the land covered by it. It is suggested by the Commission in the event of a surrender from the claimants of the large tract of hunting grounds above described to include in the surrender the lands intended to be covered by the Gun Shot Treaty and the seven townships lying immediately south of Lake Simcoe, and the Commission is of the opinion that the surrender should be extended to cover the 1,000 square miles claimed by the Chippewa Indians to have been improperly

included in the Robinson-Huron Treaty, if upon examination the Commission should come to the conclusion that the claim of the Chippewas in this respect is well founded.

The Commission desires to point out that it has been the invariable practice to make a cash payment to the Indians at the time of taking a surrender, which payment has varied, but so far as the Commission is aware has never been less than \$8.00 per head, that being the sum paid when Treaty Nine was executed in 1905. The Claimants in the present case number about 1,350, and in view of the diminution in value of the dollar the Commission is of opinion that a payment of \$15.00 a head to-day would be about equivalent to a payment of \$8.00 a head in 1905, and the Commission therefore suggests that in order that it may have sufficient funds to enable it to negotiate with respect to the cash payment, it should be provided with the sum of \$30,000.00 for that purpose, any balance of which will of course be returned.

After the best consideration which the Commission has been able to give to the evidence and taking into consideration the contiguity of the large portion of land in Northern Ontario which will be surrendered to the settled portions of Ontario, and considering its immense value, and also the value of the seven townships lying to the south of Lake Simcoe, the Commission has come to the conclusion that the sum of \$700,000.00 will be a fair and equitable compensation for the rights which these Indians will be called upon to release.

In arriving at this sum the following additional facts are proper to be considered, namely: That the claim made by these Indians has been continuously pressed for the last seventy years; that for over fifty years the claimants have practically been deprived of the use of the lands as hunting grounds because of the encroachment of the whites, both settlers and trappers, so that the view which is to be found in the files of the Indian department, that these claimants should be now compensated for the deprivation of use which they have suffered for fifty years, is one which must be considered in arriving at a sum.

If one were to approach the question of compensation from the foregoing point of view, and were to settle with these claimants on the basis of the settlement which is provided for under the Robinson-Huron treaty, the capitalization of the amount which would be required to be paid at the present day would be \$840,000.00, in addition to which the claimants would be entitled to 156,600 acres of land as reserves. If, however, the claimants should be dealt with on the basis which prevailed with respect to Treaty Nine, the capitalization of the amount required would be \$1,372,800.00, in addition to which the quantity of land required to be set aside for reserves would be 320,000 acres.

For the foregoing reasons the Commission recommend that it be given authority to negotiate for surrenders of the land referred to, with the right to pay up to \$700,000.00 for such surrenders, and in addition such cash payment as may be necessary to procure the signing of the surrenders. The latter payment, however, it is believed will not exceed \$30,000.00.

[Document No. 740]

40. After reviewing the Williams Commission's report, the Ontario Minister of Lands and Forests, James Lyons, submitted the following to the Executive Council of Ontario on October 30, 1923:

The undersigned has the honour to report for His Honour, the Lieutenant-Governor in Council as follows:

The Chippewa and Mississauga Indian Tribes have made claim against the Crown for compensation for unsurrendered lands within the Province of Ontario, comprising approximately 11,000 square miles, this territory comprising parts of the counties of Renfrew, Hastings, Haliburton and the Districts of Muskoka, Parry Sound and Nipissing.

Under date of the 22nd May, 1923, an Order-in-Council was approved whereby the Minister of Lands and Forests was authorized on behalf of the Province of Ontario to enter into and execute an agreement with the Government of Canada, represented by the Superintendent General of Indian Affairs, providing for the appointment of three Commissioners, one to be named as Chairman by the Dominion Government, and the remaining two to be selected by the Province of Ontario, who were authorized to enter into the question of the validity of the claim of the Indians, and to negotiate a treaty with them for the surrender of the said lands upon payment of such compensation as might be fixed by such treaty.

The Commissioners were duly appointed,- A. S. Williams, representing the Dominion Government, being Chairman,- R. V. Sinclair, K.C. of Ottawa, and Uriah McFadden, K.C., Sault Ste. Marie, having been selected by the Province of Ontario.

The Commissioners have, after careful inquiry, reported upon the evidence taken that a substantial claim has been established which would warrant the Province in making provision for the payment of compensation and as it is the desire of the Commissioners to effect an early settlement whereby a surrender of the lands may be secured and a treaty entered into, they ask that partial compensation to the extent of some \$400,000.00 be paid immediately and that the balance of the compensation be paid after the making of the treaty.

The undersigned therefore, having regard to the circumstances and to the information received from the Commissioners, recommends to His Honour that pursuant to Clause B. subsection 1, section 14 of the Audit Act, Cap.23, R.S.O.1914, a Special Warrant for the sum of \$400,000.00 be issued in favor of the Honourable, the Provincial Treasurer, to be placed by him to a Special Account against which a cheque or cheques may issue to the Dominion Government, represented by the Superintendent General of Indian Affairs, as part compensation for the surrender of the lands in question and the negotiation of a clean-up treaty, there being no legislative provision for this expenditure and the same being urgent and necessary for the public good.

[Document No. 743]

41. The Executive Council of Ontario passed an Order-in-Council the following day:

Copy of an Order-in-Council, approved by His Honour the Lieutenant-Governor, dated the 31st., day of October, A.D., 1923.

The Committee of Council have had under consideration the report of the Honourable the Minister of Lands and Forests, dated October 30th, 1923, wherein he states that The Chippewa and Mississauga Indian Tribes have made claim against the Crown for compensation for unsurrendered lands within the Province of Ontario, comprising approximately 11,000 square miles, this territory comprising parts of the counties of Renfrew, Hastings, Haliburton and the Districts of Muskoka, Parry Sound and Nipissing.

Under date of the 22nd May, 1923, an Order-in-Council was approved whereby the Minister of Lands and Forests was authorized on behalf of the Province of Ontario to enter into and execute an agreement with the Government of Canada, represented by the Superintendent General of Indian Affairs, providing for the appointment of three Commissioners, one to be named as Chairman by the Dominion Government, and the remaining two to be selected by the Province of Ontario, who were authorized to enter into the question of the validity of the claim of the Indians, and to negotiate a treaty with them for the surrender of the said lands upon payment of such compensation as might be fixed by such treaty.

The Commissioners were duly appointed,- A. S. Williams, representing the Dominion Government, being Chairman,- R. V. Sinclair, K.C. of Ottawa, and Uriah McFadden, K.C., Sault Ste. Marie, having been selected by the Province of Ontario.

The Commissioners have, after careful inquiry, reported upon the evidence taken that a substantial claim has been established which would warrant the Province in making provision for the payment of compensation and as it is the desire of the Commissioners to effect an early settlement whereby a surrender of the lands may be secured and a treaty entered into, they ask that partial compensation to the extent of some \$400,000.00 be paid immediately and that the balance of the compensation be paid after the making of the treaty.

The Minister therefore, having regard to the circumstances and to the information received from the Commissioners, recommends that pursuant to Clause (b), subsection 1, section 14 of the Audit Act, Cap. 23, R.S.O. 1914, a Special Warrant for the sum of \$400,000.00 be issued in favor of the Honourable, the Provincial Treasurer, to be placed by him to a special account against which a cheque or cheques may issue to the Dominion Government, represented by the Superintendent General of Indian Affairs, as part compensation for the surrender of the lands in question and the negotiation of a clean-up treaty, there being no legislative provision for this expenditure and the same being urgent and necessary for the public good.

The Committee concur in the recommendation of the Honourable the Minister and advise that the same be acted on.

[Document No. 744]

42. The Commissioners signed the following treaty with the Mississauga Indians on November 15 at Mud Lake, November 16 at Rice Lake, November 19 at Alderville, and November 21 at Scugog. The same treaty was signed by the Chippewas at Georgina Island, Christian Island, and Rama on October 31, November 3, and November 7, 1923, respectively:

ARTICLES OF A TREATY made and concluded on the fifteenth day of November in the Year of Our Lord One thousand nine hundred and twenty-three, between His Most Gracious Majesty, George the Fifth, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, Emperor of India, by His Commissioners: Angus Seymour Williams, of the City of Ottawa, in the Province of Ontario, Esquire, Barrister-at-law, and Departmental Solicitor of the Department of Indian Affairs; Robert Victor Sinclair, of the said City of Ottawa, Esquire, One of His Majesty's Counsel, learned in the law, and Uriah McFadden, of the City of Sault Sainte Marie, in the said Province, Esquire, one of His Majesty's Counsel learned in the law; the said Angus Seymour Williams, Chairman of the said Commission, representing the Dominion of Canada, and the said Robert Victor Sinclair and Uriah McFadden, representing the Province of Ontario, of the One Part; and the Members of the Mississauga Tribe, inhabiting, as members of bands thereof, reserves at Rice Lake, Mud Lake, Scugog Lake and Alderville, all in the Province of Ontario, by their chiefs and headmen, of the Other Part.

WHEREAS, the Mississauga Tribe above described, having claimed to be entitled to certain interests in the lands in the Province of Ontario, hereinafter described, such interests being the Indian title of the said tribe to fishing, hunting and trapping rights over the said lands, of which said rights His Majesty through His said Commissioners, is desirous of obtaining a surrender, and for such purpose has appointed the said Commissioners, with power on behalf of His said Majesty, to enquire into the validity of the claims of the said tribe, and, in the event of the said Commissioners determining in favour of the validity thereof, to negotiate a treaty with the said tribe for the surrender of the said rights upon the payment of such compensation therefore as may seem to the said Commissioners to be just and proper:

AND WHEREAS the said Commissioners, having duly made the said enquiry, have determined in favour of the validity of the said rights.

AND WHEREAS the Indians belonging to the said tribe, having been duly convened in council, at the respective places named hereunder, and having been requested by the said Commissioners to name certain chiefs and headmen to be authorized on their behalf to conduct negotiations with the said Commissioners for a surrender of the said rights and to sign a treaty in respect thereof and to become responsible to His Majesty for the faithful performance by the said tribe and by the respective bands thereof inhabiting the said reserves, of such obligations as shall be assumed by them under such treaty, the said Indians have therefore appointed for the purpose aforesaid the several chiefs and headmen who have subscribed to this treaty:

AND WHEREAS the said Commissioners, acting under the powers in them reposed as aforesaid, have negotiated the present treaty with the said tribe:

NOW THEREFORE THIS TREATY WITNESSETH that the said tribe and the Indians composing the same, occupying as members of bands the said reserves by their chiefs and headmen, duly authorized thereunto, as aforesaid, do hereby cede, release, surrender and yield up to the Government of the Dominion of Canada for His Majesty the King and His Successors forever, all their right, title, interest, claim, demand and privileges whatsoever, in, to, upon, or in respect of the lands and premises described as follows, that is to say:

FIRSTLY: All that parcel of land situate in the Province of Ontario and described as commencing on the northeasterly shore of Georgian Bay at that mouth of the French River which forms the boundary between the District of Parry Sound and the District of Sudbury; thence southerly and easterly along the shores of Georgian Bay to that point on Matchedash Bay where the land included in the surrender of the eighteenth day of November, 1815, of record in Book of Surrenders, Volume I, is reached, and including all the islands in the Georgian Bay waters in which the Indians making this treaty have any interest; thence along the easterly limit of the said lands purchased in 1815 to the Narrows between Lake Couchiching and Lake Simcoe; thence due east across the said Narrows; thence southerly and easterly following the east side of the Narrows and the north shore of Lake Simcoe to the foot of McPhee Bay off the northerly part of Lake Simcoe; thence by a straight line easterly to a point thirty-three miles north of the northwest corner of the Township of Rawdon measured along the division line between the Counties of Hastings and Peterborough, which point is the most western northwest corner of the parcel surrendered on the twenty-eight day of November, 1822 (noted in Volume I of the Book of Surrenders as number twenty-seven and one-quarter, 27 1/4); thence following the north and west boundaries of the last mentioned parcel to the Ottawa River; thence westerly along the interprovincial boundary to the mouth of the Mattawa River; thence westerly by the waters of Mattawa River, Talon Chute and Talon Lake, Turtle Lake, and Trout Lake to the westerly point of Trout Lake; thence to the shore of Lake Nipissing at North Bay; thence by the north shore of Lake Nipissing to the French River; thence by those waters along the division line between the Districts of Parry Sound and Sudbury to the place of commencement: Excepting thereout and therefrom those lands which have already been set aside as Indian Reserves. The parcel hereby surrendered contains seventeen thousand, six hundred square miles, more or less.

SECONDLY: All that parcel of land situate in the Province of Ontario and described as parts of the Counties of Northumberland, Durham, Ontario and York, commencing at the point where the easterly limit of that portion of the lands said to have been ceded in 1787, which was confirmed on the first day of August 1805 of record as number thirteen, in Volume One, of the Book of Surrenders, intersects the northerly shore of Lake Ontario; thence northerly along the said easterly and northerly limits of the confirmed tract to the Holland River; thence northerly along the Holland River and along the westerly shore of Lake Simcoe and Kempenfelt Bay to the Narrows between Lake Couchiching and Lake Simcoe; thence southeasterly along the shores of Lake Simcoe to the Talbot River; thence easterly along the Talbot River to the boundary between the Counties of Victoria and Ontario; thence southerly along that boundary to the northwest

angle of the Township of Darlington; thence along the northerly boundary line of the Townships of Darlington, Clarke, Hope and Hamilton to Rice Lake; thence along the southern shore of said lake to River Trent along the River Trent to the Bay of Quinte; thence westerly and southerly along the shore of the Bay of Quinte to the road leading to Carrying Place and Weller's Bay; thence westerly along the northern shore of Lake Ontario to the place of beginning: Excepting thereout and therefrom those lands which have already been set aside as Indian Reserves. The land hereby conveyed contains two thousand, five hundred square miles more or less.

AND ALSO all the right, title, interest, claim, demand and privileges whatsoever of the said Indians, in, to, upon or in respect of all other lands situate in the Province of Ontario to which they ever had, now have, or now claim to have any right, title, interest, claim, demand or privileges, except such reserves as have heretofore been set apart for them by His Majesty the King.

TO HAVE AND TO HOLD the same to His Majesty the King and His Successors, forever:

AND THIS TREATY FURTHER WITNESSETH that in consideration of the aforesaid surrender, His Majesty, through His said Commissioners, hereby agrees, upon the execution of a treaty similar to this treaty by the Chippewa Tribe inhabiting as members of bands, reserves at Christian Island, Georgina Island and Rama, in the Province of Ontario, to pay to each member of the said Mississauga Tribe, being also a member of one of the said bands, the sum of twenty-five dollars, to be paid through the Indian agents for the respective bands, with a reasonable time after the execution of the said treaties, and a further sum of -233,425.00 dollars- to be administered for the said tribe by His Majesty's Department of Indian Affairs under and pursuant to the provisions of the Indian Act, Revised Statutes of Canada, 1906, Chapter Forty-three and its amendments; making together the sum of 250,000.00 dollars.

AND THE UNDERSIGNED chiefs and headmen, on their own behalf and on behalf of all the Indians whom they represent, do hereby solemnly covenant, promise and agree to strictly observe this treaty in all respects and they will not, nor will any of them, nor will any of the Indians whom they represent, molest or interfere with the person or property of anyone who now inhabits or shall hereafter inhabit any portion of the lands covered by this treaty, or interfere with, trouble, or molest any person passing or traveling through the said lands or any part thereof, and that they will assist the officers of His Majesty in bringing to justice and punishment any Indian, party to this treaty, who may hereafter offend against the stipulations hereof or infringe the laws in force in the lands covered hereby:

AND IT IS FURTHER UNDERSTOOD that this treaty is subject to an agreement dated the day of April, A.D. 1923, made between the Dominion of Canada and the Province of Ontario, a copy of which is hereto attached.

IN WITNESS WHEREOF, His Majesty's said Commissioners and the said chiefs and headmen have hereunto set their hands and seals at the places and times hereinafter set forth, in the year herein first above written.

SIGNED AND SEALED at Alderville on the nineteenth day of November, A.D. 1923, by His Majesty's Commissioners and the undersigned chiefs and headmen in the presence of the undersigned witnesses, after first having been interpreted and explained.

Witnesses:

Kathleen Moodie
W.R. Coyle
A.S. Williams, Chairman.
R.V. Sinclair.
Uriah McFadden.
Robert Franklin.

Norman Marsden.
Frank Smoke.
Ernest Crowe.
John Lake.
Wm. Loukes.

SIGNED AND SEALED at Mud Lake on the fifteenth day of November, A.D. 1923, by His Majesty's Commissioners and the undersigned chiefs and headmen in the presence of the undersigned witnesses, after first having been interpreted and explained.

Witnesses:

Kathleen Moodie.
R.J. McCamus.
A.S. Williams, Chairman.
R.V. Sinclair.
Uriah McFadden.
Chief D.E. Whetung.
Alfred McCue.

Joseph Whetung.
George Taylor.
Samson Fawn.
Bertram McCue.
George Coppaway.
Albert Whetung.
L.D. Taylor.

SIGNED AND SEALED at Rice Lake on the sixteenth day of November, A.D. 1923, by His Majesty's Commissioners and the undersigned chiefs and headmen in the presence of the undersigned witnesses, after first having been interpreted and explained.

Witnesses:

Kathleen Moodie.
R.J. McCamus.
A.S. Williams, Chairman.
R.V. Sinclair.
Uriah McFadden.
Geo. Paudash.

Hanlon Howard.
J. Paudash.
Henry Cowie.
Wm. Anderson.
Alfred Crowe.
Madden Howard.

SIGNED AND SEALED at Scugog Lake on the twenty-first day of November, A.D. 1923, by His Majesty's Commissioners and the undersigned chiefs and headmen in the presence of the undersigned witnesses, after first having been interpreted and explained.

Witnesses:

Kathleen Moodie.
R.J. McCamus.
A.S. Williams, Chairman.
R.V. Sinclair.
Uriah McFadden.
Thos. Marsden.
Austin Goose.
Isaac Johnson.

David Elliott.
Chas. McCue.
John W. Marsden.
John H. Marsden.
Norman Marsden.
Chas. F. Marsden.
Elijah Marsden.

[Document No. 747]

43. On December 1, 1923, the Commissioners who negotiated the Williams Treaties reported to the Superintendent General of Indian Affairs and the Ontario Minister of Lands and Forests, as follows:

For upwards of 70 years the Chippewa Indians of Lakes Simcoe and Huron, and the Mississauga Indians of Rice Lake, Mud Lake, Scugog Lake and Alderville, have constantly pressed upon the attention of the government a claim to compensation in respect of their ancient hunting limits situated in the northern part of the Province of Ontario and lying between the Georgian Bay and the Ottawa River, and bounded approximately on the North by the French River, Lake Nipissing and the Ottawa River, and on the South by the 45th parallel of latitude.

In April of this year an agreement was made between the Dominion of Canada and the Province of Ontario for the appointment of Commissioners to investigate the foregoing claim, and, if satisfied as to its validity, to negotiate with the Indians in question for a surrender of their rights and subsequently, by an Order of His Excellency in Council of the 31st August, 1923, the undersigned were appointed Commissioners for the purposes above set forth.

On the 13th of September last the Commission met at Sutton West, Ontario, for the purpose of taking evidence at Georgina Island in Lake Simcoe. The Commission travelled by automobile from Sutton West to Jackson's Point, and from thence by motor boat to the Island. On

September 14th and 15th such evidence as could be adduced by the claimants was taken in shorthand by the Secretary of the Commission, Miss Kathleen Moodie.

Addresses were delivered by the Chairman and the members of the Commission at Georgina Island, and at all the reserves which were visited, designed to instruct the Indians as to the nature of the claim which, in the event of its being established, they would be asked to surrender, and especially for the purpose of disabusing the Indians of the idea that they owned the lands and would be entitled to compensation as owners, an idea which the Commission found to be extremely prevalent.

On the 17th of September the Commission proceeded to Penetanguishene, and on the morning of the 18th travelled by automobile to Cedar Point and thence by motor boat to Christian Island, where evidence was taken during the day. The Commission returned to Penetang at night and remained there until mid-day on the 19th for the purpose of enabling the Indians to produce at Penetang further evidence which it seemed probable they would be able to procure. No further evidence, however, having been brought to the attention of the Commissioners, they left Penetang and proceeded to Orillia for the purpose of taking evidence at Rama, which was done on September 20th and 21st.

On September 24th the Commission went to Port Perry and took evidence at Lake Scugog, reaching Peterborough the same night, and on the 25th took evidence at Mud Lake, on the 26th at Rice Lake, and on the 27th at Alderville, from the members of the Alnwick Band, returning to Ottawa on the 28th.

A very large volume of evidence was taken at the seven reserves above referred to, and many documents were filed with the Commissioners as exhibits, and between the date of the Commissioners' return to Ottawa and the 6th of October the evidence was extended and carefully considered by the Commission.

The Commissioners took with them on their first trip a large map of the Province of Ontario, on which was depicted within a boundary, the area said to represent the ancient hunting limits of the Tribes in question. This map was placed upon the wall in the several Council Houses so that the Indians and the Commission might more fully understand the purport of the evidence as it was adduced, and during the time that elapsed between the return of the Commission to Ottawa, and the 6th of October, the Commission plotted upon the map the various hunting limits which the evidence established had been occupied and used by the several families of the different Tribes, in addition to which, however, evidence was obtained at all the reserves of a more or less general user by the members of the Bands of the area in question.

The Commission having received an intimation from the Honourable the Minister of Lands and Forests that he desired it to wait upon him in Toronto for the purpose of advising him as to the views which the Commission had formed as to the validity or otherwise of the claim, the Commission went to Toronto, arriving there on Sunday, October 7th, the appointment with the Minister having been fixed for October 8th. Owing to the arising of unforeseen circumstances, however, the Commission was unable to see the Minister until October 9th, when, after having explained to the Minister the purport of the evidence, the Commission was desired to remain in Toronto until the 12th of October, as the Prime Minister had stated that he desired to interview the Commission before further proceedings were taken. During the interval between the 9th and 12th of October, the Commission were engaged in examining the files and the archives in the Parliament Buildings in Toronto, where it obtained a considerable quantity of evidence bearing directly upon the claim.¹¹

¹¹ While it is not known what files and information the commission examined, there is nothing in their report or conclusions that would suggest they had any more knowledge of the conflicting claims to the Ottawa Valley than had been considered by Sinclair in his 1916 report.

On October 12th the Commission had an interview with the Prime Minister of Ontario, in which a report was given as to the evidence and the general aspects of the claim.

The Commission re-assembled at Ottawa on the 18th of October, and obtained some evidence of importance by an examination of various files in the Department of Indian Affairs, and having, after a careful consideration of the evidence and exhibits, come to the conclusion that the claim of the Indians had been established, the Commission had a careful description of the lands forming the ancient hunting limits, and intended to be included in the Treaty, prepared by the Surveys Branch of the Department of Indian Affairs.

During the course of the taking of evidence at Rice Lake, the Commissioners were informed by one of the witnesses that the Indian title to seven townships lying immediately south of Lake Simcoe had never been extinguished, and an investigation of the records in the Department of Indian Affairs satisfied the Commissioners that the assertion so made was correct.

On the 13th of September, 1787, a Treaty, commonly called "The Gunshot Treaty" was made by the Honourable Sir John Johnston, Baronet, on behalf of the King, with the Principal Chiefs and War Chiefs of the Mississauga Nation. This Treaty was intended to cover the land bordering on the north shore of Lake Ontario, and extending back therefrom as far as a gunshot could be heard, and covering the land lying between the Bay of Quinté and the Tobicoke River. The Commission, in the course of its researches, discovered that this Treaty was signed without a particular description of the lands intended to be surrendered having been included therein, the intention being, as appeared from the files, that the surveyor was to write into the Treaty a proper description of the lands intended to be covered thereby. It is quite clear that the surveyor failed to complete the Treaty in this regard, and the Gunshot Treaty as printed in the Volume of Indian Treaties and Surrenders published in 1905, contains no description of the lands, the title to which was intended to be surrendered. A few years after the signing of this treaty the omission in question was discovered, and a subsequent confirmatory Treaty was signed on August 1st, 1805, but by error only a portion of the land intended to be included in the Gunshot Treaty was included in the confirmatory surrender. This portion is now commonly known as the "Toronto Purchase", and included only the townships of Tobicoke, York and Vaughan, and parts of the townships of King, Whitechurch and Markham in the county of York.

In view of the foregoing, the Commissioners determined to include in the new treaty that portion of the lands originally intended to be covered by the Gunshot Treaty, but which had not been included in the confirmatory surrender of August 1st, 1805. The Commission having therefore obtained from the Surveys Branch a proper description of the lands south of lake Simcoe, already referred to, and of the lands intended to have been included in the Gunshot Treaty, prepared two Treaties, one to be signed by the three Bands of Chippewas, and the other to be signed by the four Bands of Mississaugas, each of which Treaties covered all the ancient hunting grounds of both nations, the townships south of Lake Simcoe, and the Gunshot Treaty lands, it being felt that grave difficulty might arise particularly with respect to the ancient hunting grounds, if an attempt were made to define a boundary between the hunting limits of the Chippewas and those of the Mississaugas, as the evidence disclosed that neither of these Tribes had any very definite idea as to the actual sites of such boundary.

When the Commissioners were taking the evidence at Christian Island it was asserted that an area of land approximately bounded on the east by a line drawn from the west end of Lake Nipissing to Moose Deer Point, and bounded on the West by the shore of Georgian Bay and on the North by the French River, had been improperly included in the Robinson-Huron Treaty of September 9th, 1850, it being alleged that the Indians who signed that Treaty did not have an exclusive right to hunt and fish in the area in question, but that a joint right existed between the signers of that Treaty and the Chippewas of Lakes Simcoe and Huron to use the area in

question as hunting grounds. The Commissioners, for the purposes of setting any question at rest as to title over these latter lands, had this area included in the description prepared by the Surveys Branch.

When the Commission was in Toronto for the purpose of a conference with the Honourable the Minister of Lands and Forests, a letter was brought to the attention of the Commissioners from a solicitor at Lindsay, Ontario, in which he stated that, acting for some of the Mississauga Indians, he desired to place before the Commission some evidence on their behalf, and the Commission arranged to meet the solicitor in question in Toronto on the 25th day of October, on which day the Commission heard the representations which the solicitor desired to put forward, and on the 26th left Toronto for Parry Sound for the purpose of taking evidence from some Christian Island Chippewas residing on Parry Island, which evidence was presented to the Commission on the 27th, and, it being expected that further evidence bearing upon the claim might be available on the 29th, the Commission remained at Parry Sound until noon of that day. Having then been informed that no further evidence could be adduced, the Commission proceeded to Sutton West, to negotiate a treaty at Georgina Island.

On the 30th of October, the Commission was unable to proceed to Georgina Island owing to stormy weather on Lake Simcoe, but the weather having abated, the Commission proceeded to that Island on October 31st, where they found a very large number of Indians awaiting them.

The Commission having heard that notwithstanding the addresses delivered during the first trip, the Indians still believed themselves to be the owners of the lands in question and entitled to upwards of ten million dollars compensation, the Commissioners felt it was incumbent upon them to make a very special effort for the purpose of disabusing the minds of the Indians of this idea, and therefore lengthy addresses were delivered by the three members of the Commission, which convinced the Indians of the unfounded nature of their view and resulted in the Treaty being signed.

The Commission desires to express its satisfaction with the general condition of the reserve at Georgina Island, and was particularly impressed with the stock on the several farms, consisting of well-bred horses, cattle, sheep and hogs. Ex-Chief Charles Big Canoe, now in his 91st year, entertained the Commission at his house. He has a large and well-improved farm, a well-furnished house, and has great authority and weight amongst the Band, and the Commission feels that the task which devolved upon it in the endeavour to induce the Indians to take a reasonable view of the amount of compensation to which they were entitled, was greatly lightened by the influence exerted by this venerable and most excellent Ex-Chief, and his son, John E. Big Canoe, who is at present Chief of the Band. The Agent for this Band, Mr. William Kay, appears to have the affairs of the Band well in hand, and has the confidence and liking of the Indians, in whom and in whose welfare he evidently takes a very great interest.

There is an excellent school on Georgina Island, the teacher being also the Missionary. The children appeared to the Commissioners to be bright, intelligent, and diligent, and the teacher, Mr. Ward, evidently takes a great interest in the progress and advancement of his pupils.

On the 1st November the Commission arrived at Penetang, and on the 2nd and 3rd were at Christian Island. On the 2nd of November some slight additional evidence was taken, and after addresses by the members of the Commission, similar in character to those delivered at Georgina Island, the Commission returned to Penetang, with the understanding that it would again be at Christian Island on the following day for the purpose of executing a Treaty should the Band in Council have determined to accept the offer made by the Commission. Accordingly, on November 3rd the Treaty was signed. After the signing of the Treaty a very pleasing incident took place, in which Mr. R.V. Sinclair was made Honorary Chief of the Chippewa Tribe, and given the Indian name "Pa-yah-bee-dwa-we-dong", which means "Man Bringing Good News". Mr. A.S. Williams,

Mr. Uriah McFadden and Miss Kathleen Moodie were formally adopted as members of the Tribe, with Indian names. That bestowed upon Mr. Williams was "Showh-nah-ko-om", which means "Thundering from the South"; upon Mr. McFadden, "Now-wuak-gee-sig", which means "Bright Noon Day"; and upon Miss Moodie, "Wah-sa-yah-bun-no-wua", which means "Lady of the Dawn". Several addresses were given by different members of the Band, and suitable replies were made by Mr. Sinclair and the other members of the Commission and Miss Moodie.

Chief Henry Jackson, Mr. Walter Simons, who acted as Interpreter, and Messrs. J. Monague and R. Marsden exerted their influence with the members of the Band for the purpose of bringing about an execution of the Treaty, thus materially assisting the Commission in its labour.

The Commission had the pleasure of meeting Father Cadot, the French Missionary Priest, who was at the meeting on November 3rd and made a very wise and eloquent address to the Indians.

On November 4th the Commission again visited Christian Island, having been requested to make a special report for the Department of Indian Affairs upon the agricultural aspects of the Island.

The School on this Island is under the direction of Mr. Lorenzo Big Canoe, grandson of Ex-Chief Charles Big Canoe of Georgina Island. He is a young man of striking appearance, and seems to have the affection of his pupils and the esteem of the members of the Christian Island Band.

The Christian Island Indians have a very creditable brass band, which played for the Commissioners on the occasion of each of their visits to the Island.

On Christian Island the government has supplied the Agent with a farm having a good brick house and large modern barn. The farm bears evidence of being well cultivated by the Agent, who resides in the house and who has some well-bred stock.

On November 5th the Commission went to Orillia for the purpose of visiting the reserve at Rama, which it did on the 6th and 7th. Here too the Commission found that the Indians considered that they were entitled to receive a large sum of money for a surrender of their rights, and the members of the Commission made a very special effort in their addresses to convince the Indians that the amount which the Commission was prepared to offer would be a full and ample compensation for such rights as they were being asked to surrender. One of the difficulties which arose at this reserve resulted from the fact that under the Indian Act, where a reserve or part of a reserve is surrendered for sale, the Band surrendering it is entitled to receive up to 50 per cent of the purchase price, and the Indians at Rama suggested that in the present instance their right to share in the compensation should be governed by the section of the Indian Act above referred to. It being quite impossible for the Commission to agree to the payment in cash to the Indians of any very large sum of money, since the compensation which would be paid would represent the patrimony of the releasing Indians, it behooved the Commission to satisfy the Indians that the surrender of aboriginal rights which belonged to the Tribe in perpetuity and would therefore, if not surrendered, afford hunting grounds for future generations, stood upon a different basis from a sale of a reserve. This view as presented by the Commission finally prevailed, and the Treaty was signed on November 7th.

This reserve originally consisted of 5000 acres and was purchased by the Rama Indians in 1833. Since then some of it has been sold, and its present area is 2200 acres, of which about one-quarter is cleared, and 750 acres cultivated. The Commission was informed that a very considerable portion of this reserve consists of rough, rocky, and swampy land, and that such farms as are worked do not exceed 25 acres in area, and portions of these, owing to the character of the ground, are not cultivable. The policy of the Indian Department being to induce the Indians to turn their attention to agricultural pursuits, the Commission suggests that this object would be more easily attained if it were possible to acquire in contiguity to

the reserve a further area of land free from swamp and reasonably free from rock, which might be cultivated to advantage.

The Commission were invited by Chief Alder York to a supper and concert which was to be held in the Council House on the evening of November 6th. Some very excellent music was performed by the brass band, and a number of songs and recitations were given by several talented Indians. The Commission desires particularly to refer to the singing of some Indian songs by Mr. David Simcoe, and a historical address made by Mr. Bigwin, who was dressed in Indian costume. Miss Bowman, one of the school teachers, sang and recited most excellently.

The Commission had the pleasure of visiting the School on this reserve, which is presided over by Mrs. Coleman and Miss Bowman, and of hearing the children both read and sing. There is an excellent, modern school building, well-ventilated and well equipped, having living quarters for the staff on the second story.

The Agent at Rama, Mr. A. S. Anderson, a returned man, impressed the Commission with his energy, ability, and intelligence. The Indians are more than satisfied with the attention he gives to the affairs of the Band, and he appears to have won their confidence and respect.

When the Commissioners were at Parry Sound, some of the Indians from Parry Island who appeared, asserted that under the Robinson-Huron Treaty of September 9th, 1850, the Chippewa Indians now residing on Parry Island were entitled to a reserve on the mainland opposite Sandy Island, as described in the Treaty, which the Indians in question asserted to be a misnomer for Parry Island, and that such reserve covered the site of the present town of Parry Sound, and had never been surrendered by them or their forefathers. On November 8th, the Commission went to Toronto and was occupied on that day and on the 9th in investigating the claim of the last-mentioned Indians to a reserve at the town of Parry Sound. It appeared that although the Indians in question were given a reserve by the Robinson-Huron Treaty as stated by them, the Province of Canada, in April, 1867, issued a patent to Beatty et al for a tract of land which might include the reserve in question. The Commission laid these facts before the Honourable the Minister of Lands and Forests, who instructed the Commission to make some further investigation into this claim. The result of these enquiries will form the subject of a separate report.

The Commission adjourned on Friday, the 9th, to meet again on the 13th, on which day it left for Peterborough for the purpose of negotiating with the Indians at Mud Lake, which it did on November 14th and 15th. On the latter day the Treaty was signed.

The Indians at Mud Lake have an excellent brass band, which met the Commissioners at some distance from the Council House and escorted them thereto. A visit was made to the school on this reserve, which is in charge of Miss Harris. The pupils appeared to be bright and diligent, and the Commissioners enjoyed hearing the children sing. It would appear that an additional teacher is required at this school as the number of children is too large to be properly instructed by one teacher.

The Mud Lake Band consists of 265 persons, and the reserve is composed of 1664 acres. Of this, only about 500 are cultivable, the rest of the lands being rough and extremely rocky. The work of cleaning the land is so great that it is impossible to induce the Indians to do it, and consequently only a very limited number of them are engaged in farming. If better land in the vicinity could be obtained, the Commission is of the opinion that many more members of this Band could be induced to turn their attention to agriculture.

On the 16th of November the Commission went to the Hiawatha reserve, situate on the shore of Rice Lake, where, after a full explanation of the object of the visit, and some addresses by the Chief and other members of the Band, the Treaty was signed during the afternoon.

A new Council House is in course of erection on this reserve, which is composed of excellent farming land. The Agent for this reserve and for

the reserve at Mud Lake, is Mr. Robert McCamus, who accompanied the Commission to both reserves and made at each a very excellent address to the assembled Indians. Mr. McCamus evidently enjoys the confidence of the Indians upon these reserves and takes a great interest in the affairs of the Bands and the welfare of the Indians who are under his charge.

At the Hiawatha reserve complaint was made by the Indians that owing to the leasing to whites of muskrat trapping privileges upon the borders of the lake, they had been deprived of the right formerly enjoyed by them of trapping muskrat, upon the avails of which trapping many of the Indians are largely dependent for support. This question will be further referred to in another report to be made by the Commission.

At this reserve after the Treaty was signed, the members of the Commission were made Honorary Chieftains of the United Bands of Mississaugas of Rice, Mud and Scugog Lakes, and Miss Moodie was made Honorary Chieftainess, and each member of the party was thereby made a member of the United Bands and given an Indian name.

After the execution of the Treaty, the Commission returned to Peterborough, and on the 19th of November went to Alderville for the purpose of obtaining the execution of a Treaty by the Indians residing on the Alnwick reserve. The Treaty was signed on that day, in the presence of a large gathering of Indians composed both of the men and women of the Band. These Indians have an excellent brass band which at the conclusion of the proceedings played a number of pleasing selections.

This Band of Indians is prosperous, and is fortunate in occupying a reserve which appeared to the Commissioners to be more adapted to agriculture than any of the reserves visited by them, with the possible exception of the reserve at Lake Scugog, which, however, is very limited in area. The Agent for the Alnwick reserve, Mr. W. R. Coyle, is highly thought of by the Indians, is himself a practical farmer, and appeared to the Commission to be active, energetic and greatly interested in the performance of his duties as Agent.

On the 20th of November the Commission went to Port Perry for the purpose of meeting the Indians at Lake Scugog reserve on the 21st, to place before them the proposals for a surrender. This took place on the latter date, when the Treaty was signed. This execution of the Treaty completed the work of the Commission so far as the Chippewa and Mississauga Indians were concerned.

The reserve at Lake Scugog consists of 800 acres, half of which is leased and operated by whites and the remainder is practically unused. The Agent here, Mr. Wilson Gerrow, informed the Commission that he had been quite unable to persuade the Indians to engage actively in farming, although the land is practically all cleared and capable of being worked to great advantage. Mr. Gerrow suggested that a solution of the difficulty, as it occurred to him, would be to pool the entire reserve and operate it as one farm, employing the Indians thereon as laborers and turning over the net profits yearly derived from the operations for the use of the Band. The Commission thinks well of this suggestion.

Before the Commission left Ottawa on October 24th last for the purpose of negotiating for the execution of the Treaties referred to in this report, their very careful consideration had been given to the evidence and exhibits which had been obtained on its earlier visits to the reserves, for the purpose of arriving at a sum of money which would be a fair, just and equitable compensation for the rights which these Indians would be asked to surrender. In arriving at the amount upon which the Commission finally determined, consideration was given to the several treaties which had been made between the Crown and the Indians of Ontario during the last century, and the area covered by the several surrenders were compared with the area which would be affected by this Treaty and some comparison made between the relative situation of the surrendered tracts, and this tract, as regards their contiguity to the settled parts of Ontario. Consideration was also given to the sums agreed to be paid under former Treaties, and after exercising the best judgment which the Commission was able to bring to bear, it was decided to offer these Indians as

compensation for a surrender of all their rights, the sum of \$500,000.00, which the Commission deemed it would be equitable to divide equally between the Chippewas and Mississaugas, the evidence having disclosed that the areas of hunting limits surrendered by each of these claimants would be about equal and that the population of the Chippewas exceeded that of the Mississaugas very slightly. This equal division of the proposed compensation was satisfactory to the claimants, none of whom raised any objection thereto.

By the execution of these treaties, the Indian title which formerly covered all the lands in the old Province of Ontario has been finally released, and the taking of Treaty 9 in 1905 extinguished the Indian title up to the northern boundary of the Province of Ontario as the same existed at that date.

[Document No. 748]

44. The Ontario Deputy Minister of Lands & Forests sent the following report to Charles McCrea, Ontario Minister of Mines, on December 3, 1923, summarizing the Williams Commission's activities and the Williams Treaty:

The Chippewa and Mississauga Indian tribes have made claim against the Crown for compensation for unsurrendered lands within the Province of Ontario, comprising approximately 11,000 square miles. This territory comprises parts of the counties of Renfrew, Hastings, Haliburton and the Districts of Muskoka, Parry Sound and Nipissing.

Under date of the 22nd May, 1923, an Order-in-Council was approved whereby the Minister of Lands and Forests was authorized on behalf of the Province of Ontario to enter into and execute an agreement with the Government of Canada, represented by the Superintendent General of Indian Affairs, providing for the appointment of three Commissioners, - one to be named as Chairman by the Dominion Government and the remaining two to be selected by the Province of Ontario, - these Commissioners to be authorized to enter into the question of the validity of the claims of the Indians and to negotiate a Treaty with them for the surrender of the said lands upon payment of such compensation as might be fixed by such Treaty.

The Commissioners were duly appointed, A. S. Williams representing the Dominion Government, being Chairman, R. V. Sinclair, K.C., Ottawa, and Uriah McFadden, K.C. Sault Ste. Marie, having been selected by the Province of Ontario.

Under date of October 10th the Commissioners presented their report to the Department wherein they suggested the sum of \$700,000.00 as an equitable compensation to the Indians.

After consideration the Minister advised the Commissioners that a sum of approximately \$500,000.00 must be the basis of settlement. On the suggestion of the Commissioners and approval of the Department of Indian Affairs, the sum of \$400,000. was paid into the Department of Indian Affairs, being a payment on account of the compensation of the claim of Indian tribes.

This amount was paid on the distinct understanding that the final settlement must not involve a sum in excess of approximately one-half million dollars, and that [sic] on failure to conclude an agreement the above cheque would be returned to the Department, or a covering cheque for like amount. The payment of the \$400,000.00 was approved by Order-in-Council dated the 31st of October, 1923. Formal surrenders from, and a treaty with the Indians will be executed.

[Document No. 749]

45. A. S. Williams, Chairman of the Commission, wrote the following letter to G. Howard Ferguson, the Premier of Ontario, on December 4, 1923:

The Commission appointed to negotiate a treaty between the Crown and the Chippewa Indians of Lakes Simcoe and Huron and the Mississauga Indians of Rice Lake, Mud Lake, Scugog Lake and Alderville for a surrender by them of their ancient hunting limits situated in the northern part of the province of Ontario and lying between the Georgian Bay and the Ottawa River, and bounded approximately on the north by the French River, Lake Nipissing and the Ottawa River, and on the south by the 45th Parallel of Latitude, have the honour to transmit to you herewith a copy of its report.

The Amount agreed to be paid by the Commission to the Indians in question is \$500,000.00 divisible equally between the Chippewas and the Mississaugas, out of this sum the cash payment of \$25.00 per head is to be made and until that has been done the exact balance which will remain in the hands of the Dominion Government be administered for the Indians cannot be inserted in the Treaty but as soon as the exact balance has been determined a copy of the Treaty will be sent to you.

[Document No. 750]

46. After receiving a copy of the commission's report, D. C. Scott, the Deputy Superintendent General of Indian Affairs, wrote a letter to James Lyons, the Ontario Minister of Lands and Forests, requesting that the Province of Ontario forward the outstanding balance of \$100,000 to the Federal Government. [See Document No. 751.]
47. The Deputy Minister of Lands and Forests for Ontario prepared a memo for his Minister dated February 22, 1924, in which he commented on the terms of the Williams Treaty as follows:

These Indian tribes made claim against the Crown for compensation for unsurrendered lands within the Province of Ontario, comprising some eleven or twelve thousand square miles in territory within the counties of Renfrew, Hastings, Haliburton and the Districts of Muskoka, Parry Sound and Nipissing, and in April 1923 an Agreement was entered into between the Dominion Government, represented by the Honourable Charles Stewart, Superintendent General of Indian Affairs, and the Government of Ontario, represented by the Honourable Beniah Bowman, Minister of Lands and Forests, providing for the appointment of three Commissioners, - one to be named by the Dominion of Canada as Chairman and the other two by the Province of Ontario, to determine the validity of the claim of the Indians, the expenses of said Commission, including the remuneration and expenses of the Commissioners, and any other expenses incurred for securing attendance of witnesses, to be paid by the Government of Canada, same to negotiate a Treaty with the Indians for the surrender of the lands on payment of compensation to be fixed by such Treaty.

This agreement was duly approved by the Province of Ontario under an Order-in-Council dated the 22nd May, 1923, and by the Dominion Government under an Order-in-Council dated the 23rd June, 1923.

The Commissioners were not appointed by the former Government but were appointed by the present Government, - the Commissioners for Ontario being R. V. Sinclair, K.C. Ottawa, and Uriah McFadden, K.C., Sault Ste. Marie, while the Chairman of the Commission was A. Williams of the Department of Indian Affairs, Ottawa.

The per diem allowance of the Commissioners was \$100.00, which, as above stated, is borne by the Dominion Government.

It was found that further claims were put forward showing that an additional 1,000 square miles had by mistake been included in the Robinson-Huron Treaty in 1850, this area extending North along the shore of Georgian Bay from Moose Deer Point to the French River.

Furthermore it was discovered that seven townships lying immediately South of Lake Simcoe, belonging to the Mississaugas, had never been surrendered, and a moderate estimate of the value of these townships alone would be \$30,000,000.

It was also discovered that an area supposed to have been surrendered by what was known as the "Gun-Shot" Treaty, lying between the Bay of Quinte and the County of York, had never been included in the Treaty and it was therefore deemed advisable that all these claims should under the Commission vested be absolutely cleaned up so that there be no remaining area in the whole Province unsurrendered to the Crown.

The Commission, after a number of sittings, and the hearing of much evidence, succeeded in securing surrenders and drafted a Treaty on the basis of a compensation of \$500,000.00 and urgent request was made by the Commission on the 18th of October, 1923, that at least \$400,000.00 be immediately furnished the Commission to be applied in part satisfaction of the compensation in respect of the surrender.

This was done and there is a further \$100,000.00 payable for which provision is made in the Supplementary Estimates. This amount when the Estimates pass may be paid over in as much as the Treaties have been duly executed on the basis of the said amount, \$500,000.00.

The basis of settlement is considered a very fair one because it has been pointed out by the Commissioners that if settlement were to have been made on the basis of the settlement provided for under the Robinson-Huron Treaty of 1850, the capitalization of the amount which would be required would be some \$840,000.00, in addition to which the claimants would be entitled to some 156,000 acres reserves, whereas if the basis which prevailed with respect to Treaty No. 9 was taken the capitalization of the amount required would be over one and one-quarter million dollars, in addition to which some 320,000 acres would be set aside for reserves.

The present Government, however, did not consider a sum in excess of \$500,000.00, which was finally decided upon.

There are some 1328 Indians involved and under the terms of the surrender each member of the tribes is to receive the sum of \$25.00 in cash, and the balance is to be placed at the credit of the tribes to be held in trust by the Department of Indian Affairs.

Attached hereto find copy of the Agreement which was the basis of the appointment of the Commissioners, - this Agreement being made in pursuance of certain Dominion and Provincial Legislative enactments, the Statute of Canada being passed in the 54th and 55th years of the reign of Queen Victoria, Chap. 5, and the Statute of Ontario in the 54th year of Queen Victoria's reign being Chap. 3.

[Document No. 755]

48. A memo dated July 25, 1924, from a Department of Indian Affairs accountant to D. C. Scott showed the amounts payable pursuant to the Treaty:

As requested in your memorandum of the 24th instant, I beg to submit the following statement showing the amount payable to individual Indians of each tribe and the amount placed to the Capital accounts of the Indians interested in the Chippewa and Mississauga Treaty money:-

<u>Mississauga</u>	<u>Band</u>	<u>Population</u>	<u>Paid</u>	<u>Credited to</u> <u>Capital Account</u>
	Alnwick	267	\$6,675.00	\$94,003.73
	Rice Lake	104	2,600.00	36,615.69
	Mud Lake	265	6,625.00	93,299.39
	Scugog	37	675.00	9,506.00

<u>Chippewas</u>	Christian Island	274	6,860.00	96,002.85
	Rama	272	6,800.00	95,302.10
	Georgina Island	<u>120</u>	<u>3,000.00</u>	<u>42,045.0</u>
		1329	\$33,235.00	\$465,775.00
				<u>33,225.00</u>
				\$500,000.00

[Document No. 769]

49. Subsequent to the signing of the Williams Treaties, disputes in relation to resource harvesting in the Ottawa Valley resulted in correspondence regarding the impact of the Williams Treaties on the Algonquins residing within the surrendered territory. The following summary of this correspondence gives insight into the intent of the Williams Treaties as interpreted by the federal and provincial crowns.
50. About six months after the Williams Treaties were signed, the Ontario Deputy Minister of Game and Fisheries, D. McDonald, made the following statement regarding application of fisheries and game regulations to Indians off-reserve in the Williams Treaty area, in an April 17, 1924 letter to J. D. McLean, Assistant Deputy & Secretary of Indian Affairs:

I am enclosing herewith confirmation of a telegram forwarded to you to-day. I am also enclosing herewith a copy of an Order-in-Council dated the 28th day of September, 1923, giving special privileges to Indians for taking beaver and otter in the Northern part of the Province.

In view of a recent Treaty entered into, and as the Statutes or Regulations do not provide special privileges to Indians while off of their Reserve, beyond the provisions of the enclosed Order-in-Council, the Department is of the opinion that it is necessary for Indians to procure trapping licenses in the usual way. Objections to securing licenses by Indians only exist in a few places, and I trust that you will see your way clear to support the Department in the enforcement of the Statutes and Regulations as are now in existence.

[Document No. 765]

51. On November 24, 1926, D. C. Scott wrote to McDonald, regarding the impact of the Williams Treaties on other Indians in the province:

I have to acknowledge the receipt of your letter of the 12th instant with reference to the application of the Ontario Game and Fisheries Act to the Indians of Parry Island. I note your reference to the recent Treaty and would point out that the Indians of Parry Island were not a party to this Treaty which was made with seven bands of the Mississaugas and Chippewas, namely:-

Mississaguas of
Alnwick
Rice Lake
Mud Lake
Scugog

Chippewas of
Georgina Island
Christian Island
Rama

It should be understood that this Treaty applies to these seven bands only and in no way affects the status of the other Indians of the province.

[Document No. 797]

52. In 1931, a meeting of the Special Game Committee was held, and attended by members of the legislative assembly, Indian Affairs officials (Canada), representative of the Hudson's Bay Company, and the Deputy Minister of Game

and Fisheries (Ontario). The discussion included a consideration of the impact of the Williams Treaties on Indian wildlife harvesting rights. Relevant sections are quoted below:

THE CHAIRMAN: ... One point on which we would like to have some information on, Mr. MacInnes [Dept. of Indian Affairs], is as to what the Indian rights are as regards the taking of fur and fish.

MR. MACINNES: That is a very complicated subject, and it varies territorially. I have brought with me a map in the hope that it may assist you in this matter. ...[discusses rights under 1850 Robinson Treaties and Treaty #9]

MR. MACDONALD: In 1923 a settlement was made with the Indians, and they surrendered all their rights?¹²

MR. MACINNES: They were Chippewas and Mississaugas, they were not Robinson Treaty Indians.

MR. MCLEAN: Does that give the Robinson Treaty Indians the right to trap in Algonquin Park¹³?

MR. MACINNES: Unless that is termed 'Territory' that is occupied.

[Document No. 862]

53. In a letter dated February 18, 1935, the Deputy Minister of Game and Fisheries (Ontario) informed the Indian Agent at Golden Lake that, under the 1923 Williams Treaties, "Indians of Ontario south of the French and Mattawa Rivers have no legal rights other than those enjoyed by a white man so far as game and fish are concerned, and not only will this Department refrain from returning these deer to those who shot them, but we shall make every effort to see that the law is meted out to those individuals as their case deserves." [See Document No. 943.]

54. The Secretary of the Department of Indian Affairs disputed this interpretation of the 1923 Treaties in a letter dated February 19, 1935, as follows:

...
In perusing your letter to the Indian Agent, I note a reference to a Treaty of 1923; presumably the Chippewas and Mississaguas [sic] Treaties of that year. These treaties related to compensation to the Chippewas of Christian Island, Georgina Island and Rama, and the Mississaguas of Rice Lake, Mud Lake, Scugog and Alnwick, in respect to their hunting territories described therein. The application of the treaties is restricted to particular bands and particular areas. I merely mention this as your comments on the subject would imply that the treaties were of general application to all Indians and all areas south of the French and Mattawa Rivers, which is not the case. This observation is simply explanatory as to fact, and I may add that it is not intended to suggest that any Indians south of the French and Mattawa Rivers are not subject to the game laws in the same manner as other people.

[Document No. 945]

¹² The importance of this exchange is that it implies Indians other than those who signed the 1923 Williams Treaty may retain rights in the area.

¹³ The significance of Algonquin Park in this discussion is that it is crown land and Robinson Treaty Indians retained the right to hunt and fish on unoccupied crown land under the terms of their treaty. Note, however, McLean's following comment indicating that a provincial park may be considered occupied land.

55. A week later, on February 27, 1935, the Assistant to the Deputy Minister of Game and Fisheries followed up the Secretary's letter, requesting to be informed "whether or not the Township of Algona North is included in the lands covered by these Treaties and to what tribe of Indians and particular band thereof the offender in this case belongs." No response to this request has been located. [See Document No. 946.]
56. Several letters concerning hunting and fishing matters state that Golden Lake Algonquins are not under any treaty. See for example, a letter from the Secretary of the Department of Indian Affairs dated March 8, 1935 [See Document No. 1045] and another from the Acting Secretary of Indian Affairs dated December 27, 1938 [See Document No. 1045].
57. In November 1939 the Ontario Deputy Minister of Game and Fisheries wrote to the Member of Parliament at Eganville regarding hunting and fishing rights for the Golden Lake Band. Among other things, the Deputy Minister asserted that the Ontario government had paid half a million dollars to Indian Affairs "in lieu of any special privileges the Indians might have claimed under ancient treaties." His statement was an apparent reference to the Williams Treaties under which \$500,000.00 had been paid to the Chippewas and Mississaugas. The Director of the Indian Affairs Branch responded to the Provincial Deputy Minister in a letter dated November 9, 1939 stating that the Golden Lake Indians did not benefit from the 1923 Williams Treaties and "were not concerned with them in any way." [See Document No. 1087.]
58. Some years later, the Indian Affairs Fur Supervisor made the following remarks on the position of the Algonquins of Golden Lake in regard to the impact of the Williams Treaties on hunting and fishing rights. Fur Supervisor H. R. Conn's letter, dated May 27, 1948, is quoted in part below:

...
My opinion after perusal of these two Treaties [1923 Williams], is that the Christian Island, Georgina Island and Rama Indians, as well as those of Rice Lake, Mud Lake, Scugog and Alderville [Alnwick], have surrendered all their special rights and are, therefore, insofar as the mainland of the province is concerned, not entitled to special consideration of preferential treatment on account of their Indian status.

If the tract of land described in these Treaties is plotted on a map it will be noted that the area covered takes in all of the Province between the French and Mattawa Rivers and the lands ceded to the Crown by the various surrenders prior to the negotiation of the Robinson-Huron Treaty. This includes the Ottawa Valley between the western boundary of Nepean Township and the mouth of the Mattawa River. Further, it will be noted that each of these bands who were considered to have hunting and fishing rights were located on reserves actually outside the area described in the Treaty.

Therefore, if these "non-resident bands" were deemed to have hunting and fishing rights in the area it follows in my humble opinion that the Golden Lake Band, who were actually resident in the area, should have had their claims considered and decided upon at the same time. While it is quite true that the Golden Lake Indians never resided in what is now the province of Ontario prior to the purchase of their reserve from the

Province¹⁴ their occupation of hunting land in the Province can be traced back to the time of Louis XIV under the French regime and there does not seem to be any justice in considering them as Quebec Indians simply because the Reverend Fathers of the Jesuit Society¹⁵ in securing their grant from the King of France selected an area on the north side of the Ottawa River instead of the south.

It would appear to me that careful consideration should be given to the claims of the Golden Lake Indians in the same manner that was accorded to the Christian Island Indians and other bands which are the subject of this memorandum and that the case of the Golden Lake Band's almost total exclusion from the benefits of the registered trapline program should be re-opened and carefully examined in the light of this additional information.

[Document No. 1219]

59. In a 1969 letter regarding charges against a Robinson-Huron treaty member, J. W. Churchman, Director of Indian-Eskimo Economic Development Branch, made the following comments on the 1923 Williams Treaties. His comments reflect the Crown's attitude regarding the intentions of the treaties and the parties affected by them:

...The Treaty of October 31, 1923 concerned only the Chippewa Bands at Christian Island, Georgian Island and Rama, while the Treaty of November 15, 1923 concerned only the Mississauga Bands at Rice lake, Mud Lake, Scugog Lake and Alderville. Under these Treaties the seven Bands surrendered their aboriginal [sic] right to hunt over the area south of the French and Mattawa Rivers.

... The broad wording used in the 1923 Treaties was to provide for the surrender of any residual hunting rights, retained by the seven Bands concerned, which may have been recognized by Indian Bands covered by the Robinson-Huron Treaty. ...

[Document No. 1250]

¹⁴ See evidence presented in Vol. 4, Part A - The Establishment of Reserves in the Vicinity of the Ottawa River Watershed: Golden Lake, Maniwaki, and Timiskaming regarding the establishment of the Golden Lake reserve. The evidence strongly supports the view that Algonquins were residing in the area of the Golden Lake Reserve for many years prior to the establishment of the reserve at Golden Lake.

¹⁵ Conn is referring to the mission at Lake of Two Mountains. His reference should be to the Sulpician Order, not the Jesuits.

APPENDIX A--WILLIAMS TESTIMONY

The Williams Commission, which consisted of Commissioners A. S. Williams, Uriah McFadden, and R. V. Sinclair, visited the Chippewa and Mississauga Reserves to gather evidence regarding the validity of their claim to unsundered territory in Central Ontario. The Chippewas were interviewed from September 14 to 21, and the Mississaugas between September 24 and 27, 1923. Seventy-three witnesses gave testimony which was recorded in a 283 page report. The following are excerpts from that report which indicate the extent of the territory claimed by the Chippewas and Mississaugas. The entire record of the testimony is contained in Document No. 739. The passages that refer clearly and specifically to the height of land, the Ottawa River and/or the division between Algonquin and Mississauga/Chippewa land are indicated in boldface.

TESTIMONY BY CHIPPEWAS OF GEORGINA ISLAND

The first of the Hearings of the Joint Commission appointed by the Dominion of Canada and the Province of Ontario, was held in the Council House of the Georgina Island Band of Chippewa Indians, at Georgina Island, Ontario, on Friday, September 14th, 1923, Commissioners Williams, Sinclair, and McFadden being present to take evidence in the matter of the claim for compensation for the unsundered Northern Hunting Grounds, which has been made by the Lake Huron and Simcoe Chippewas located at present at Georgina Island, Rama and Christian Island, in the Province of Ontario, and more fully described as the Hunting Grounds lying North of line 45 to the height of land near Lake Nipissing.

THE CHAIRMAN: (Mr. A. S. Williams) Members of the Georgina Island band, you are aware that the Chippewas of Huron and Simcoe, (which comprise now principally the Indians on Reserves at Christian Island, Rama, and Georgina Island) and the Mississaugas of Scugog, Rice, and Mud Lakes of Alnwick, have for many years asserted the claim that they are entitled to compensation for a large tract of territory comprising parts of the Counties of Renfrew, Hastings, Muskoka, Parry Sound and Nipissing, in the Province of Ontario, which they allege comprised in earlier days the Hunting Grounds of the tribes mentioned, and which apparently was never surrendered to the Crown.

During the last few years declarations have been made by various members of these Bands, setting forth the facts on which they rely in making this claim. The Department of Indian Affairs, upon consideration of the facts therein set forth, decided that the claim should be formally investigated. The Department then took this matter up with the Ontario Government and asked that Government if they would join with the Dominion Government in investigating this claim, and whether, in the event of the claim being established, the Ontario Government would be disposed to provide a suitable compensation for this claim in view of the fact that the beneficial interest in those lands is now in the Province. The Provincial Government replied to the Dominion Government that they were prepared to acquiesce in that suggestion. An agreement was therefore entered into between the Dominion Government and the Provincial Government for the appointment of a Commission, two members of which were to be designated by the Province and one by the Dominion, the latter to be Chairman. Under this Agreement, these Commissioners are authorized to investigate the claims of the Indians in regard to this territory, and if the claim are established, to negotiate a Treaty of Surrender and arrange for such compensation as seems to be reasonable and proper.

The gentleman on my right, Mr. McFadden, King's Counsel, of Sault Ste Marie, and the gentleman on my left, Mr. Sinclair, King's Counsel, of the city of Ottawa, are acting with myself in investigating this claim. I may say that both these gentlemen have had considerable work and experience among

the Indians, and they are both very kindly disposed toward you. You may therefore be sure that any statements you have to offer in support of this claim will have most sympathetic consideration. We are now prepared to hear whatever you have to say in support of your claim. You understand, of course, that what you need to establish is that the territory in question was formerly the Hunting Ground of this tribe.

[p. 1-2]

Extract of testimony of ex-chief Charles Bigcanoe

Q. ... Did each family in the Band have its own limit, which descended in the family?

A. Yes, oh yes.

Q. And when all the limits were put together, you had the limits of the Band as a whole? A. Yes.

[p. 3]

A. Yes, we were there between the waters that run to the Ottawa and to the Georgian Bay. We were on the height of land.

[p. 5]

Q. What was your Southern Boundary?

A. Well, we were just on the boundary between the Algonquins and the Chippewas Hunting Grounds,- on the south side of Canoe Lake -- and then we were right to the end of our Hunting Grounds, where the water divides to a little lake called Otter Slide, and that was the end of our limits---that was our north boundary.

Q. What was the east boundary? A. Potters Lake.

Q. But you said that Potters and Brulé were the Western boundary.

A. Oh, you mean the East? Well, that Canoe Lake was on the boundary. The lake was running North and West.

Q. Do you mean northwest and southeast? Then that was practically your eastern boundary.

A. Yes, but we daren't go on the other side. When we got to Otter Slide we were right on the division of the boundary. Oh yes, and the Algonquin Tribe belonged the other side of the river, but we daren't go on the other side to hunt but on the West side until we came to the little lake---I forget the name of it---it has an Indian name.

[p. 6]

A. The Yellowheads were south of us, and Jim Ashquabe is on the West of our limit, and on the East the Algonquins. Of course we don't know them. They are different people. We could not understand them even.

[p. 8-9]

Q. Well, when you lived at Snake Island, did the members of the Band make regular hunting trips every year?

A. Oh yes, away back north to the grounds where we hunted up to, but we were the furthest north.

[p. 9]

Q. Are you able to say from your own knowledge whether or not the land which is shown between these red lines, starting at Moose Deer Point and going up Northeast to the East end of Lake Nipissing and coming Southeast down to the township of McLachlan and following down through Lawrence, Harbord and Monmouth and crossing over due west to Lake Couchiching

and through Orillia to Penetang and up again to Moose Deer Point, enclosed the lands that were the Hunting Grounds of your tribe? Are you able to say whether that is correct?

A. I cannot say it, I don't remember all of it.

Q. I'll ask you again. Do you see this red line? A. Yes.

Q. Did you have it put on? A. Yes, pretty much.

Q. Why?

A. Because the Mississaugas ran their line over us. We claim it. It's ours, but we were bothered and I got the man to put it on.

Q. Then listen: Starting at Moose Deer Point and going up Northeast to the East end of Lake Nipissing and coming Southeast down to the township of McLachlan and following down through Lawrence, Harbord and Monmouth and crossing over due west to Lake Couchiching and through Orillia to Penetang and up again to Moose Deer Point---that line enclosed the land your Band hunted over?¹

A. Yes, the three Bands---Rama, Christian Island and Snake Island.

Q. Do you know, of your own knowledge, that that was the territory hunted over? A. Yes.

[p. 10-11]

Extract of testimony of Chief John Elliott Bigcanoe

Q. Then your father's old Hunting Grounds are in the boundaries of Algonquin Park?

A. Yes, right in the park, in the centre of it.

[p. 18]

Extract of testimony of Thomas Port

A. ...They said one time there was Chippewa Indian went there, and there was another man came. He was Mississauga. They were old men, and they met right near the Burnt river, and this Chippewa ask this Mississauga "Where are you going". "I am going to hunt" he say. Then the Chippewa, he say "Well, I am going to hunt on that river" and he say too "You hunt on that side and I hunt on this side,--- hunt and trap" and they kept that up always and that is how it was. They have the one side and we have the other.

[p. 29]

Extract of testimony of Ex-Chief Bigcanoe

Q. Chief, your son mentioned that he believes there is a tract of land lying South of Lake Simcoe and North of established Treaties, which has never been surrendered.

A. Yes, that is right.

Q. And that it belonged to your Bands of Indians?

A. Yes, my grandfather's hunting grounds.

Q. Do you know the townships covered by it? A. Well, pretty near.

Q. Will you let us have the names of them?

¹ The eastern boundary described here borders on the height of land.

A. Well, there would be West Gwillimbury from the river that runs into Lake Simcoe, called Muskillonge Creek---it goes through it.

Q. What other townships would be included in it?

A. Georgina Township and part of Scott Township, and North Gwillimbury also.

Q. Does this map indicate in green the part that is not surrendered? (Pointing to map)

A. Yes, it shows a part of it.

Map filed as Exhibit A.

Through Ex-Chief Bigcanoe's evidence, tracing showing cessions from the Indians on the North Shore of Lake Ontario, 1785, 1787 and 1788, the portion marked in green being the lands claimed by the Chippewas and said never to have been surrendered.

MR. McFADDEN:

Q. How did you come to get this Island, Chief?

A. It was ours always---from the long ago before the white men. It was always reserved by the old Chiefs of our Tribe.

Q. Then this was an Island which was never surrendered?

A. Yes, it was always our own.

CHIEF J. E. BIGCANOE: There are Islands in this Lake surrendered in 1856, I think, but Georgina, Snake and Fox Islands were always reserved by us.

MR. McFADDEN: But do you get annuities under the Treaties covering Southern Ontario?

CHIEF BIGCANOE: Yes, we do.

EX-CHIEF CHARLES BIGCANOE recalled:

MR. WILLIAMS:

Q. Now, is there anything further at all, Chief---any old stories or traditions which you can think of and which might help to prove your claim to the Hunting Grounds we have been discussing?

A. Well, I remember, long time ago, I was with the old Chief and some others, and we were in our Hunting Ground. The old Chief, my father-in-law, and us---we were in his big canoe on **Canoe Lake**² (that's call after me like I told you) and he see, long piece off, a little canoe and one man, not of our people, and we bring the big canoe 'long-side the one-man canoe, and we see in the bottom of it three beaver, taken from our Hunting Grounds, and the old Chief, he don't say nothing, he reach over and he take the biggest one of all, and he put it in our canoe, and the Algonquin he say "Take them all, for I have been do very wrong to come to your Hunting Ground" and the old Chief he say "No, I am honest, I will take but my due. You have killed these three beaver, two small and one big, but I take only the big one because it is my right, for you have hunted on my Hunting Ground" and the Algonquin he go away and he hunt no more there, and he have admitted to the old Chief that the land was his. Is not that a proof? This land I tell you of, it was our Hunting Ground---our own---and the Algonquin knows that.

MR. WILLIAMS: That is very fine, Chief, and most interesting. Thank you very much.

² Canoe Lake in Algonquin Park is just outside of the Ottawa River watershed.

The Hearing of the Georgina Island Indians of the Chippewa Tribe was closed, Saturday, September 15th, 1923.

[p. 32-33]

TESTIMONY BY CHIPPEWAS OF CHRISTIAN ISLAND

The members of the Joint Commission appointed by the Dominion of Canada and Province of Ontario, met the Indians of the Christian Island Band of Chippewa Indians in their Council House on Christian Island on the morning of September 17th, 1923, for the purpose of investigating their claim for compensation for the unsundered Northern Hunting Grounds, and more fully described as the Hunting Grounds lying North of line 45 to the height of land near Lake Nipissing.

The Chairman, Mr. A. S. Williams, made a short address explaining the object of the Commission, and the desire of its members to give the Indians every opportunity for submitting evidence in regard to their claim.

Extract of testimony of Thomas Ka-de-geg-won

Q. Speaking generally, whereabouts were the Hunting Limits of the Band?

A. Up north, towards the heights of land, and southwest of here at Christian Island.

Q. Now, about the entire hunting limits of the band as a whole---what, speaking generally, was its western boundary?

A. The western boundary is from Cape Rich to a place called---I don't know the English name of it---but near Sans Souci.

Q. What would be the approximate length of the boundary?

A. I cannot name the distance. The length of the Hunting Grounds was great, but I can only state that it goes from Cape Rich to Sans Souci, and from thence to heights of lands.

Q. From Cape Rich. Is that north or south of Sans Souci?

A. I could not very well say what direction.

Q. But Cape Rich must have been in some direction from Sans Souci? I just want to know the general trend of the line.

A. It would be like West from Sans Souci.

Q. Now, was it northwest? A. Between west and south.

Q. Then Sans Souci was north of Cape Rich? A. Well, northerly from there.

Q. Did the western boundary follow the line of the Georgian Bay shore? What was the line of it?

A. From Cape Rich towards South, not along the shore.

Q. How many days would it take to travel from Cape Rich to Sans Souci?

A. About two days paddling with a canoe.

Q. How many miles would you make a day?

A. I never made any calculations when I used to travel in a canoe.

Q. Do you not know how many miles you would go in a day?

A. Oh, perhaps what you would call 20 miles in a day.

Q. Then what was the northern boundary of the whole limits. Where did it start from?

A. The boundary from Sans Souci is from there to Lake Nipissing.

Q. What part of Lake Nipissing?

A. I could not describe what part of Lake Nipissing. I can only say Lake Nipissing.

Q. Do you mean to the east or the west end of Lake Nipissing?

A. I think it is towards the east end of Lake Nipissing.

Q. Did it run on the north or south side of the lake?

A. The line would strike on the southwest side of Lake Nipissing.

Q. Then, starting at Nipissing, where did the eastern boundary go?

A. The line runs from Lake Nipissing to the height of lands.

Q. Does that mean the line runs north and south?

A. The line runs more towards northerly.

Q. Well, how far north did the line go?

A. It was between east and north.

Q. Is it correct that the boundary ran northwest from Cape Rich to Sans Souci? A. Yes.

Q. Is Cape Rich on Georgian Bay?

A. On Georgian Bay, and Sans Souci also.

Q. What is the general boundary of the limits?

A. The western boundary of the general hunting grounds of the Band extend from Cape Rich to the eastern end of Lake Nipissing.

Q. Well now, where was the northern boundary, starting at the eastern end of Nipissing. Did the northern boundary go east or west?

A. The northern boundary---the line runs from the east end of Lake Nipissing to the heights of land.

Q. Do you know where the Ottawa river is?

A. Yes. The line it went to the heights of land where the Ottawa River is---where the Ottawa River flowed away.

Q. Did it go to the Ottawa River?

A. Yes, it went there, and along the shores of the Ottawa River.

Q. What was the eastern boundary. When you followed the Ottawa river as a bit of the northern boundary, which way did the boundary go then?

A. It runs towards where the sun come up---it runs towards east.

Q. Did it follow the western shore of the Ottawa River?

A. On this side of the river.

Q. That is the western shore? A. Yes, it would be.

Q. How far along the river did the boundary go, as nearly as you can tell, say 20, 50 or 100 miles?

A. I did not travel around the border of the old Hunting Grounds and could not give the length of the boundary there.

Q. Did you ever hear from the older members of the tribe how far the eastern boundary went along the Ottawa?

A. I don't remember of any information from the older people about the distance of that boundary.

Q. Well then, where did the southern boundary start from the Ottawa River to come back to Cape Rich?

A. That is all I can tell, what I have told. There are others in our tribe who know the other boundaries, those who made declaration years ago.

Q. You do not know the Southern Boundary? A. No.

[p. 34-37]

Q. ...(TO INTERPRETER) The Chief made a declaration some years ago in which he said the Tribe won the Hunting Grounds in question from other tribes, by conquest. From what Indians did they win these Grounds?

A. The different tribes of the Ojibway Nation who now inhabit the Lakes Superior, Huron, Simcoe, Erie, Ontario and other parts, have a tradition current amongst them that they originally came from the Great Western Lakes, the Lakes Superior and Huron. The former tribes who resided on the shores of these lakes were called "Hurons", and then came "Iroquois", whom the Ojibways dispossessed of their country by conquest, and the mounds that cover their bones are still pointed out by the Ojibways in differenc [sic] locations. After this, the Iroquois acknowledging they were conquered, freely gave up their country, at the same time entering into a treaty of friendship with the Ojibways, both agreeing ever after to call each other "Brother", and this Treaty is still observed between our two nations, and so, ever since we can remember, we have always been in peaceable and unmolested possession of the said hunting grounds referred to, and our fathers before us---with the Indian race---until the time when the white people came into our country, who became very numerous, and as the country became thickly populated, the Government took up our territory without negotiation with the claimants of this territory referred to, and settled its subjects thereon, in its usual course of procedure, without negotiation as aforesaid, and also enacted laws prohibiting the taking of game, which molested the rights and deprived the claimants of the territory of their sustenance. I know that my tribe won this hunting ground from other Indian Tribes by reason of victory over them, and that ever since I can remember, we were in peaceable and unmolested possession of said hunting grounds, and our fathers before us. That is, with the Indian race.

[p. 37-38]

Q. ...Where was your father's hunting limit situated? Describe it by lakes or rivers, or if you can give the township, wherever it is today?

A. It is at the head of Nottawasaga river.

Q. Is it near the height of land of the Grand River or the Ottawa River?

A. At the height of lands---we used to portage into the other river that runs the other way, and that would be the Grand River, flowing south.

[p. 38]

Extract of testimony of Walter Simon

Q. Do you remember singing [sic] a declaration yourself with a number of others? A. Yes.

Q. Well, in this declaration, the men who signed it told where the eastern boundary of the general group of limits was. Do you remember that being in the declaration? A. I remember about it.

Q. I'll read you the paragraph, its so long since you read it. At the top is:
(reads)

"In the matter of the claim for compensation for unsundered northern Hunting Grounds claimed by the Lake Huron and Simcoe Chippewas located at Christian Island, Rama, Georgina Island, in the Province of Ontario, and more fully described as the Hunting Grounds lying north of Line 45 up to the Height of Lands and South Bay of Lake Nipissing."

Is there a South Bay in Lake Nipissing? A. Yes.

Q. Well then it goes on: (reads)

"With reference to the above Claim, we know that our tribe won said Hunting Grounds from other Indian tribes by reason of our victory over them, and that ever since we can remember, we were in peaceable and unmolested possession of the said Hunting Grounds and our fathers before us."

Is that the tradition of the tribe? A. Yes, that is the tradition of the tribe.

Q. Then it says:

"That about the year when we made our hunting trips in the Territory referred to, accompanied by our parents who were the owners of the said Hunting Limits, they gave us to understand that the established Boundary of the Eastern extremity of said Hunting Limits owned by our tribe were established by using the very extreme points of the Heights of Lands extending from Smoke Lake, in the Township of McLaughlin, which is our southeastern corner, to the South Bay of Lake Nipissing, being our northeastern corner. This is our Eastern boundary."

Now this "they gave us to understand", what do you mean by that? Did they tell you?

A. Yes, they told us. They were talking about the Hunting Grounds. They did not mention townships of course, but they were talking and we listened.

Q. And you remember their mentioning what I have read to you? A. Yes.

Q. Well, all that would be some considerable distance West of the Ottawa River. A. Yes.

Q. You will remember that the witness this morning seemed to think the boundary ran from the eastern end of Lake Nipissing to the Ottawa River, and down the Ottawa. Now, this declaration seems to make the line run pretty well south from the east end of Lake Nipissing, and west of the Ottawa river. Well now, which of these statements is correct?

A. Well, I would say that the usual way the old people have been saying is that these hunting grounds of theirs run to the extreme heights of the height of lands, and of course we gave the declaration as you read it there, and signed it, and I myself would go by that.

Q. Tell me, Mr. Simon, are there several heights of land in this territory shown on the map, marked in red here (indicating) See, here is Nipissing. Well, you see this dark line from South Bay, running down to what is probably Smoke Lake would be the line you mentioned in the declaration.

A. That line between South Bay of Nipissing, and Smoke Lake, would be the northern boundary, sir.

Q. Then the declaration is wrong, apparently. Oh---that line from South Bay to Smoke Lake would be the eastern boundary. Are there several heights of land there?

A. No. The old people say there is a rise of land---a height of land there and the rivers flow to the north and to the south.

Q. And the old people followed a height of land from Lake Nipissing until it led down to Smoke Lake?

A. Yes. The reason they used the heights of lands was that those heights used to be the original boundary between the Ojibways and the Algonquins.

Q. The Algonquins had the land east and north of you? A. Yes.

Q. Then where did the Mississaugas hunt?

A. Well, I think on the southeast.

Q. Who has the territory formerly claimed by the Algonquins? What became of that?

A. Well, the Algonquins should know that. We cannot know.

Q. Where are they now?

A. They are along the Ottawa. One reserve is at Golden Lake I know.

Q. Do you know any others? A. No sir. [p. 43-45]

Extract of testimony of Solomon Marks

Q. Where was this height of land?

A. The head of all the rivers that flow into Georgian Bay.

Q. You heard the old people talk about the height of land, and did they say they were hunting there?

A. Well, that was the boundary.

Q. Would that be the northern boundary? A. Yes. [p. 48]

Extract of testimony of George Copegog

Q. Did your father have a hunting limit?

A. No, not up there. Only along the north shore of Georgian Bay and as far as Moose Point.

Q. Your father's hunting limit was on the north shore, near Moose Deer Point? A. Yes, it was.

[p. 55]

Extract of testimony of Chief Jackson

Q. Did none of the elder members of the Band talk of this claim against the Crown for unsurrendered land? A. Yes.

Q. Did they say how much was claimed?

A. Well, they say they have somewhere in the neighborhood of eighteen or nineteen thousand square miles.

Q. Where was that? Did they give any general boundary of it?

A. Well, my only recollection is from Moose Deer Point, pointing direct north---all that piece in the neighborhood of north.

Q. That would take the whole of lake Nipissing. How far did they seem to think it went?

A. Well, I never was told they went beyond the end of the Nipissing river.

Q. Is that towards Georgian Bay? A. Yes.

Q. What would be the northern boundary, coming east?

A. They said they have a claim along the Ottawa river.

Q. Along the height of land and down to the Ottawa river, and did they say how far down they went? A. No.

Q. How about the south? A. They claimed the county of York.

Q. That has all been surrendered. A. I don't remember any more than that.

Q. Did you hear any talk of part of the land which was surrendered that should not have been surrendered?

A. That was the Robinson Treaty. The Indians claimed that the Ojibway claim today is for some of that land---that the Indians living on Christian Island should have been included in that Treaty.

Q. What did you understand them to mean by that?

A. Well, the Indians themselves living there admit that the members of the Christian Island Band have just as much right to be in on that surrender. They admit that the Christian Island Indians occupied that land, some of it, and were not in the Treaty.

Q. Then how much of the land covered by the Robinson-Huron Treaty is claimed by the Chippewas.

A. The lands south of French river and up to Lake Nipissing.

Q. You say the land up there should not have been included in that Treaty because it did not belong to the Indians who surrendered it?

A. Last year I went and attended meetings at Manitoulin, and the Robinson-Huron Treaty Indians passed a Resolution and sent it to the Department, calling attention to the fact that those lands included in that Treaty---that part of those lands belonged to the Christian Island Indians, and they asked that we should be granted the same compensation and paid the back annuity. That was passed by the Robinson-Huron Treaty Indians themselves.

Q. Did it describe the piece that was included? A. No, it was just a general Resolution.

Q. When you gave me this boundary---that land south of French River and up to Lake Nipissing---is that the result of conversations with Indians signing the Treaty and with members of the Christian Island Band, and do the statements of both parties agree?

A. The members of the Pickereel River Band also admit that the Pickereel River was part of the land belonging to the Christian Island Indians.

Q. Where are those Indians who signed the Robinson-Huron Treaty?

A. Manitoulin---part at Shawanaga. (Parry Agency)

Q. Is that a station on the C.P.R.? A. It is a reserve.

Q. Was Manitoulin included in the Treaty?

A. Well, most of the Indians living there are Robinson Treaty Indians.

Q. Are there any Indians living up here (pointing to map)---would those be Hurons? A. They are Chippewas.

[p. 62-64]

Q. Now, apart from the fact that these Indians may say that they did not have the right to surrender that land alone, is there any further evidence to show that you used and occupied that land?

A. It should have been investigated fifty years ago.

Q. Yes, we realize that, and therefore we are willing to take evidence from the witnesses on hearsay, as it were, and we are asking them what they were told by their parents. Are there any members of your Band who can tell us anything at all? So far we have only evidence of three people who had limits up there in that Robinson-Huron Treaty District. Now, this piece of land extends many miles along the shore line. What evidence have you to show that you people ever used that as a limit?

A. I have nothing to add to what I have said, sir.

Q. But how are you going to establish a title to it?

A. Well, the Indians themselves living in those territories at present---the Robinson-Huron Treaty Indians---would give evidence that we have always occupied and used that district and they didn't. At least, they would say that we did so hunt with them, because we did.

Q. You mean that you had as large a use and occupation of the land as they had? A. That is the point, that is what I mean.

Q. Is there anything else you would like to tell us?

A. This visit got me unaware. If I had known I would be called on I would have thought more ahead of time.

Q. Would you like to think it over and tell us more tomorrow?

A. Yes, If I had the privilege.

Q. Well, we did not want to come back, but if you want us to come, I suppose we could. We don't want any of you to feel that we did not get every bit of evidence obtainable.

A. The Indians would appreciate it much if you would come back.

MR. WILLIAMS:

Q. What is there you could give us tomorrow you could not give us today?

A. That is what I want to find out. We want to think about it and talk it over.

Q. When did you hear of our coming? A. Day before yesterday.

Q. I mean to say the first intimation you had. Our letter from the Department must have reached here some two weeks ago, and I suppose, Mr. Jackson, you were advised of that at the time?

A. Yes, about a week ago, but the nature of the visit we did not know.

Q. Well, it was made clear in the letter what the nature of the business would be, and we also sent the declarations.

A. But this territory we speak of last was not mentioned at all.

Q. It is with regard to the Robinson-Huron Treaty then that you want to get evidence about? A. Yes.

Q. Of course that did not appear in the declarations. A. No.

MR. MCFADDEN: But I suppose that comes within the scope of our duties.

MR. SINCLAIR:

Q. Are there any old ladies, besides the one we heard of who would know anything about this question?

A. I don't know. But I would like to know whether you will look into the matter a little more. I would like to be given the opportunity of talking to the Band here and we would be in better shape tomorrow.

MR. WILLIAMS:

Q. What hope have you of getting any material in connection with this matter?

A. Well, I could get evidence from those people that are living within the limits of the Robinson-Huron Treaty.

Q. When could you get that? You could not get it tomorrow.

A. No, not within a week or so.

Q. Well, we would not like to come here tomorrow and be told there was nothing to be said, but if you have reasonable ground for thinking you can get evidence to help us to show usage of that piece of ground up north, or to establish the claim here south of it, we will stay over. We don't want to pile up expense for nothing, you understand.

MR. MCFADDEN:

Q. Is there any old member of the Band who is not here today outside of the old lady mentioned? A. No.

MR. SINCLAIR: I think then that we had better leave it this way then---that if you find you can get evidence and want us back tomorrow, you can phone us at the hotel in Penetang around eight o'clock. If we don't hear from you we'll leave tomorrow morning, and if we do hear from you we'll come out and take your evidence.

Chief Jackson: Thank you very much, sir, that suits me all right.

WITNESS RETIRED.

[p. 65-67]

TESTIMONY BY CHIPPEWAS OF RAMA

Extract of testimony of Chief Alden York

Q. You made a declaration, Chief, with others, in which you made a statement as to the boundary of the general hunting limits of your Band. Do you remember that? A. Yes.

Q. On what did you base the statements made in that declaration?

A. Well, the Indians---there were three Bands here the time they made the declarations---and my father used to tell me what used to be the boundaries over in Balsam Lake.

Q. But this does not come near Balsam Lake you know. I will read you what was said, because it was a long time ago. You said---I will read what is at the top of the declaration first--

"In the matter of the claim for compensation for unsurrendered northern Hunting Grounds claimed by the Lake Huron and Simcoe Chippewas located at Christian Island, Rama, and Georgina Island, in the Province of Ontario, and more fully described as the Hunting Grounds lying north of Line 45 up to the Height of Lands and South Bay of Lake Nipissing."

Then you said that your parents gave you to understand

"that the established boundary of the eastern extremity of said Hunting Limits owned by our tribe, were established by using the very extreme points of the Heights of Lands extending from Smoke Lake, in the Township of McLaughlin, to the South Bay of Lake Nipissing, being our northeastern corner."

Now, you said that was your eastern boundary. Did your father tell you of Smoke Lake?

A. No, just the boundary at Balsam lake.

Q. But you signed this declaration. Did he tell you what was in this declaration?

A. No, he tell me the boundary from the mouth of Talbot River up to Balsam Lake. He said that was the boundary line of the Rama Indians.

Q. But that is not what is in the declaration.

A. Well then, they put it there wrong.

Q. Then what you tell us would be the south boundary? A. Yes.

Q. But it is the eastern boundary I read you.

A. Well, I don't know nothing about that.

[p. 70-71]

Q. Have you ever heard your people, or any of the older Indians made any reference to the height of land as being the boundary of this northern hunting ground? A. Yes.

Q. Who did you hear say that?

A. Yellowhead said it. He is about 75 years of age.

Q. And is that the tradition of your Band, that the height of land forms the northeasterly boundary of your tract of hunting ground? A. Yes.

Q. Have you ever heard them say what was supposed to be the northern limit? A. Yes, I have heard them.

Q. What is reported to be the northern limit?

A. Well, the line running from Moose Deer Point up to the height of lands.

Q. Then to what point?

A. Well, to Lake of Bays---Sandy Lake I think they mentioned too.

Q. How far north does that western boundary run? Could you say what the northwestern corner of your hunting ground would be? A. From Moose Deer?

Q. Yes. A. I forget. I did hear them.

Q. Then from there toward the Ottawa, about what location would that northern boundary be in?

A. Well, from there it runs south to what they call Crooked Lake.

Q. From the northwestern corner in an easterly direction to Crooked Lake. Where is that? A. Near Burnt River.

Q. Did you ever hear Lake Nipissing mentioned?

A. Yes, but my people did not go to hunt that far. They went as far as Skeleton Lake, near Rosseau.

Q. That is in the Muskoka District? A. Yes.

Q. But other Bands of the Chippewas hunted in those regions in the north?

A. Well, as far as I understand, these Rama Indians never seen anybody else there but themselves.

Q. But the Indians now at Christian Island and Georgina Island were located here at one time? A. I guess so, here and at Beausoleil.

Q. Well, speaking not only regarding your own Band, but with regard to other Chippewa Bands, what was the northern boundary of the Chippewa Tribe---from tradition, I mean.

A. I don't know.

Q. Well then, the eastern boundary---you say the eastern boundary of your Band touched Balsam Lake on the South?

A. Yes, through Crooked Lake and Burnt River on the south.

Q. That was the southerly point of your eastern boundary?

A. Yes, and from there to Lake of Bays.

Q. Among the Chippewas of different Bands, have you ever heard what they consider generally to be the eastern boundary of the Chippewa Tribe of Indians? How far north would the easterly boundary run from Crooked Lake?

A. Well, from there to Lake of Bays.

Q. Yes, but I mean the boundaries for the Chippewas generally.

A. No, I don't know.

[p. 72-74]

Extract of testimony of Joseph Yellowhead

Q. You have known of the existence of this claim for many years?

A. Oh my yes. We have been crying about it for 70 years or more. I don't know if you are going to settle it now or not. Are you?

Q. I suppose men of your age and their fathers often talked of it? A. Oh yes.

Q. I suppose you have a general idea of the whole area that belonged to the Band? A. Oh yes.

Q. How far north was your general boundary of the Tribe?

A. I don't know---not quite to Nipissing for our Band.

Q. Well now, there are three Bands in the Tribe. Do you remember the Northern Boundary for the whole tribe?

A. I don't remember. My cousin has a map of the whole Band tho'.

Q. What is his name? A. 'Lige.

Q. Is he here? A. Yes.

Q. Then we will get him. Do you know how far west the limit went? Did you go to Georgian Bay, your limits for the three Bands? Was that the western boundary of the limits?

A. I heard them say we have a boundary from Talbot River to Haliburton and to heights of lands, and then back in---above there to what they called South River.

Q. Where does that flow? A. Into Lake Nipissing. I have been there.

Q. At which end? A. The northwest end of Nipissing.

Q. Did the boundary run along South river when you got there? And how far East did it go, out to the Bay? A. I don't remember.

Q. Did the limits of the Band go to the Ottawa river, or were they west of the Ottawa River? A. Oh, west.

Q. Well, had any Indians hunting limits between the eastern boundary and the Ottawa? A. I don't remember.

Q. Did any of your acquaintances [sic] in your early days, or your parents, ever tell you about the hunting trips they made up into the North? Did they not talk of where they hunted and say about where they got this beaver and that otter?

A. Yes.

Q. Can you recall any of the tales they told you about where they went? A. I couldn't remember.

Q. Do you remember any other members of the Band except those you have mentioned, who had limits up there?

A. You might ask Nanigishkung. He might remember.

Q. Are there any others? A. I can't just remember any more.

WITNESS RETIRED.

MR. TUDHOPE, Barrister, of Orillia, made a statement regarding the claims of the Indians, suggesting to them that they should make only reasonable demands. MR. MCFADDEN replied to this address.

[p. 78-80]

Extract of testimony of Elijah Yellowhead

Q. Did you ever hear anyone talking of the boundaries of the limits of the whole tribe?

A. Yes, I heard the Rama Indians belongs to that territory for hunting.

Q. But how far did they go? A. They go to the height of land.

Q. Near lake Nipissing? A. Oh no, about half way.

Q. Did it run east and west? A. Yes.

Q. Who hunted on the other side? A. I could not say.

Q. How far east did it go? A. To Crooked Lake, in Haliburton.

Q. And how far West---up to the Bay?

A. You know where Deer Lake is, just below the Magnetewan river?

[p. 86]

Extract of testimony of John Bigwin

Q. Can you tell me what you know about the mode or way in which the Chippewas got their hunting limits?

A. We got it in 1587, through fights, through loss of our blood. Columbus landed in Canada but we were here first.

Q. That is the tradition of your tribe? Well, who had it before you got it?

A. Them Mohawks.

Q. Did you take it from the Mohawks?

A. Yes, and I got it yet. The white men did not get my hunting ground from me yet.

Q. And you got it through battles?

A. Through loss of our blood. Yes, and we kill them the same as you did with the Germans. We kill them off like pups. We got our hunting grounds by loss of our life and our blood, but they lost more. See?

Q. Tell me, did the Mohawks have all the land to the Ottawa River? How far did they go to the east?

A. Well, up here at Beach City (?) and at Angustown and down to Georgian Bay and up to Severn River to Washago, where the King of the Mohawks was living. There was a fort of this big tribe of Indians where the soldiers live and you can see the mark of that place yet.

Q. How far east did their land go? A. That is as far as I know, right around here.

Q. That was the western boundary, but how much land did they claim to have? Did they go over that land to Lake Nipissing and further than that?

A. The land we won just went down to the height of land. You know the rivers, some come this way and some go that way? The ones going the other way are not belong to us for hunting.

Q. Then the Mohawks had from Georgian Bay to the height of land, and you dispossessed them, where the rivers flow some to the east and some to the west?

A. Yes, and the Algonquins were east of that.

Q. How far north did that land go?

A. Up to the waters of Canoe Lake.

Q. That is the northern boundary?

A. That is the north branch of the Muskoka river---the waters divide at Bracebridge.

Q. We don't understand each other. Now let us see. Here is Bracebridge---no, we'll start here at Couchiching. There is Lake Simcoe, and Canoe lake is up there north of it, and this is Georgian Bay (indicating on map). Now then, this was the boundary, then, up as far as Washago. Is that near Moose Deer Point?

A. Yes.

Q. Well then, from Moose Deer Point where did the West boundary go?

A. It didn't. Just to Moose Point.

Q. There must have been a western line. There were other Indians and they came a certain distance, and then you went a certain distance west, now, what was the line that separated you from, say, the Hurons. Were they up toward Sudbury?

A. No, all I know is about the Rama Indians.

Q. Now, did your boundary go to Nipissing?

A. Oh no, just to about Whitney.

Q. Well then, was there a boundary from Washago over toward Canoe Lake?

A. Yes, in Haliburton.

Q. Then how far toward the Ottawa river from Canoe Lake?

A. Well, the rivers go into this Lake of Bays.

Q. Then that was where you went?

A. We don't go over the lines like you people do, we keep our own hunting grounds. With our hunting grounds we are like the farmers with their fences, we would not think of going over our boundary any more than they would plow up another fellow's field.

Q. Now, how about the southern boundary. Where would you come down---where would that come to?

A. To Haliburton.

Q. That is the township?

A. Yes. There is five counties---from Moose Point about half ways is Joseph's lake, and then we go down this river---the north Branch of the Muskoka River.

Q. Didn't you go by Canoe Lake? A. Oh yes.

Q. Did you strike Huntsville? A. Huntsville is another place.

Q. I want to find out how much land there is in the ground you hunted over. You see, that is the boundary of the piece of land, is it not (indicating on map)? Well now, you had a limit like this (indicating), and we want to know how you go around the outside of it.

A. Yes.

Q. You start at Moose Deer Point, and you went by Lake of Bays, by Rosseau, and to Canoe Lake, traversing the country around Whitney, or Haliburton---and then where?

A. Down to the mouth of the Canal there.

Q. What canal? A. I don't know. You ought to know, sure you made it yourself.

Q. I didn't make it, but is that the Trent Valley? A. Yes.

Q. And back to Couchiching? A. Yes.

Q. Do you know the townships?

A. I know the counties: Haliburton, Victoria, Ontario, Simcoe, and Muskoka. That piece---five counties, belong to the Rama Indians.

Q. And that is what you got from the Mohawks by driving them away?

A. Yes, and they kill us off in bunches.

Q. East of you were the Algonquins?

A. Yes, and they had hunting grounds there, between us and the Ottawa.

Q. Where did the Mississaugas come in, where did they hunt?

A. The Mississaugas come down that big river that goes through Montreal--you know that St. Lawrence river---they hunt from there to Rice Lake and Mud Lake.

Q. Did they hunt on the east side of Haliburton?

A. Some. But I don't care nothing about that. I want to tell you something else. I want to tell you all about it---about our own hunters. York was the first, next comes Kenice. Kenice, and then Me-nah-do-nah-be.--I think that is old Captain Joe--and George Young, and Chief James Bigwin and Yellowhead. That is all lying between Canoe lake and Ox-tongue Lake, and then there is Joe Shilling and Elisha Sandy, and one of them there is John Wesley and James Goose, all away up at Nanigishkungs.

Q. Above Canoe Lake?

A. That is the same waters. That is all the Indians-- all my Indians sitting here come down from them. That is all hunting grounds. They are the head ones I mentioned.

Q. And from Moose Deer Point, over to Lake of Bays around Whitney and back to Couchiching---all that belongs to whom?

A. Nobody else can come there but Rama Indians. I find it all out at Ottawa. I go there and I am respect. I find out all about it. Those Christian Island Indians they sell the Island and they get \$20,000 for what they sell---I guess it was the trees, for they still live there, and my people they sent me to get that money for the three Bands and we have as much right as they have, but that McLean he won't give it to us. Sometimes that fellow ain't no good.

Q. What do you mean, did they sell an Island or did they sell timber or what?

A. They sell Beckwith Island and there is timber on it.

Q. Where is that? A. Near Christian Island.

Q. Did the Rama Indians think they had a title to Beckwith Island?

A. Yes we think so but we find out there ain't. That is when I find out we have just this land, and now they want some of it too and they have no business. Only us Rama Indians.

Q. Well, are you satisfied that is correct?

A. Yes, we find this Penetang runs in our boundary, and we find that Beausoleil Island runs in our boundary too.

Q. Then Beausoleil Island belongs to Rama, you think?

A. Oh yes, that is where my grandfather was raised, and three sisters.

Q. At Beausoleil? Have you any claim against the government for Beausoleil Island? A. We never were paid anything.

[p. 87-91]

Extract of Testimony from John Bigwin:

... A. I want to ask you questions now. Its my turn. It is about my hunting. Why do they make these game laws and say you can't do this and you can't do that and take my game away from me. I want to have that back again. Now they have made laws all over my hunting grounds and I want them to stop it.

Q. Well, we will make a note of this and see if any representations can be made that would be of benefit to you.

A. All right. you [sic] do that.

[p. 96]

Extract of testimony of Sampson Ingersoll

Q. Did you recognize any of the land you passed over as land that formed part of the limits of your nation?

A. It all belonged to Rama Indians, all from here to the heights of land.

Q. Well, where would that be?

A. Northeast from Muskoka, at Bracebridge. The northeast direction on the south branch of the Muskoka river.

Q. How far did you go east?

A. We went past Lake of Bays, and then the North Branch of the river that comes into Canoe Lake.

Q. So you went to Muskoka and Bracebridge, through Lake of Bays, and up the Ox-tongue and through into Canoe Lake?

A. We went in northeast of Canoe lake into White Trout Lake.

Q. Through Otter Slide? A. Yes.

Q. And then you went east? That is the real height of land, where the waters flow east and west?

A. Where they flow both ways, and we come to a great big cedar tree on the east side of the height of land, and it has been blased there, and we saw a man and a canoe on the east side, and that is the Algonquins side.

Q. You saw a man and a canoe on the Bay?

A. His name is No-John. I never saw this man, just it is on the blase, and he is Algonquin.

Q. Is it your recollection that this route went along through your limits---the limits of the Nation?

A. I was just hired.

Q. Yes, but in going there did you recognize the lands as being lands your nation hunted over?

A. Yes.

Q. And you tell me the land which lay east was Algonquin land?

A. Where the waters flow east and west, the Chippewas hunt where the waters flow west.

Q. You never west [sic] east of that height of land?

A. We daren't, it is theirs.

[p. 103-104]

Extract of testimony from Sampson Yellowhead:

THE WITNESS: Well, you fellows, you sell my timber and you not ask Chief Bigwin could you do so. When you sell my animals, my deers and my ducks and everything, you get for yourselves enemies, and I have to quit my hunting over there on my own grounds because I was pretty near shot when I was there last. That white man over there near shot me when I was there and I guess that's time to quit, eh?

MR. SINCLAIR:

Q. Well now, we are going to try to get this whole thing fixed up now you see? A. MIXED up? Its mixed up now.

Q. No no, fixed up, sir, fixed up. Do you know any more about this whole claim for hunting grounds? A. No sir.

[p. 111]

Extract of testimony of Sam Snake

Q. Did you ever hear what the general boundaries were for the Tribe, say on the North?

A. The boundaries were from Moose Deer Point, then you strike about northeast until Canoe Lake, up to the height of land, and from that point south along height of lands until you strike somewhere in Balsam Lake, not in the lake but on the mountain, and then westward along Talbot river, until it strikes somewhere in Oro township, which I think is the line of what was surrendered in 1818, and along that line toward the Penetang point, and from there until it strikes Moose Deer Point again, and these were the boundaries of the Rama Band of Indians.

[p. 113]

The testimony continued at Rama on September 21, 1923.

Extract of testimony of Sampson George

Q. Do you know anything about the way these hunting limits were first aquired [sic] by the Chippewas? Did you ever hear anything about that?

A. Well, I hear a little about it. You know the Mohawks lived here in this country, and the Chippewas live here too, and then these two Nations they live sort of together all through the land but no particular nation own it. They hunt together, and then they get a little trouble over this and over some marrying, and the other Nation starts to kill the Chippewas. Sometimes they go off to hunt and they never come back, and so the Chippewas took counsel what they will do, and they make big battles, and they won it and they defeat the Mohawks, and that is how we have these lands.

Q. Then the Chippewas became the sole possessors of the land and drove the Mohawks off? That is the story of your Tribe?

A. Yes, you see there is an inscription---a story, on a rock here, where a Chippewa stands and the Mohawk is sitting down. That has been wrote over 300 years ago, and the Chippewa stand up and the Mohawk is down and it shows he has been beaten. That rock has been turned over now, but it is there and it could be turned back, and that is convincing proof our Nation drove the Mohawks out of here. It is big, it is perhaps 50 ton. That's the big Falling Rock over at Geneva Point. I have seen it.

[p. 122]

Q. Do you know anything about the general boundaries of the hunting grounds of your Nation?

A. Yes, pretty close.

Q. Tell us where it started---say from Moose Deer Point?

A. From Moose Deer point it goes and it runs to Canoe Lake, then it runs to the centre of Haliburton County, near Algonquin park, and then from there it comes straight to Balsam lake on the east side, and then from there it comes along Kirkfield. Then the Talbot river along here to Coldwater Road on the south side of Orillia, and then to Penetang and then from there back to Moose Deer Point, and it includes all the 30,000 Islands.

Q. Where are they?

A. On the Georgian Bay.

Q. Whose general hunting limits have you described? The limits of the whole Chippewa Nation or the Rama portion?

A. The whole Nation.

Q. And that would include Christian Island, Georgina Island and Rama?

A. Well, I suppose they had hunting grounds somewhere, but that what I gave you is what I remember.

[p. 123]

Extract of testimony of David Simcoe

Q. Now, give us the boundaries of the hunting grounds for the Nation.

A. There was trouble here with the Mississauga and Chippewa Indians about the hunting grounds. They could not agree. Some says, "We own this", the Mississaugas say they own this place too and other people---people who live in the North, they say "We own it" and the government could not agree with them, so Sir John A. Macdonald, he made a boundary from Moose Deer Point to height of McLaughlin township, thence to Balsam lake and from thence to outlet of the Talbot river into lake Simcoe, and then from County Simcoe across here to what they call Midland City, and connect into Georgian Bay and through there to Moose Deer Islands, and that counted in 10,000 miles, more or less, and that is the hunting grounds of the Chippewa Nation of Rama.

Q. Do you mean by that that the Rama Band of the Chippewa Nation claim 10,000 square miles as hunting grounds, or do you mean that it belongs to the Chippewa Nation, made up of the three Bands?

A. In 1850---I am not going to tell crooked, I say true what I know---there were one Band in a reservation living. That is Rama Indians, and the Chief of that Band was in Orillia and he was Mis-kwah-ke---Chief Mis-kwah-ke.

Q. He was living in Orillia?

A. That is his reserve at that time but that is not then the name.

Q. In 1850?

A. Yes. That was when they get together, the Head Men and Head Warriors, and Aissance parted with Mis-kwah-ke and went away to the Lake Huron, he and his Band. Then another Chief, Chief Snake, he went to the Lake Simcoe and settle there on that Snake Island, and then again Chief Yellowhead, William it was, came here and settle here in what we call Rama now, and the Indian Department purchased this land from Chief William Yellowhead, from his land, and bout this 2,000 acres then, and we are separate. How is it that if they part from me, part from dealings with me, and leave it all and go away and say "Never mind with it all", how is it when men is parted then they can come back and claim it like these Indians are doing now? I ask you that question.

Q. Well, it would not necessarily mean that if a man leaves his partner, say, that he gives up his property because he goes away. Suppose you and I owned a house together and I said "I will live in Ottawa for a while", that would not give you my half of the house, would it?

A. Well, if you leave anything with me that would be mine.

Q. But it doesn't make it yours unless I give it to you.

A. That is what I want to know. This land is ours.

Q. You gave us the general boundary of the hunting limit starting from Moose Deer Point, going around a big piece of land and back to Moose Deer Point again, and you say it contains 10,000 square miles?

A. More or less.

Q. Do you know how many acres that would make? A. No. A lot.

Q. It would be nearly seven million acres. Now, what I want to find out is whether that is claimed by the Rama Indians---your 60 families,---or whether it was the hunting grounds of the whole Nation, even if some of them did go to Christian Island and Georgina Island. Was it not the original hunting ground of the whole nation before this split occurred? You must remember that a few families would be lost in a great area like that.

A. I told you what I know.

Q. Not exactly, you said it was the hunting grounds of the Rama Band.

A. Yes, that is the hunting ground of the Rama Indians of the Rama reservation.

Q. Then your view of it is that the Chippewas of Christian Island and Georgina Island have no claim over it at all?

A. I could not say, I want you to deal with that matter.

Q. But what is your view of it?

A. When Yellowhead and Chief Mis-kwah-ke parted, and Chief Aissance and Snake, his Councillors were parted, they ask Mis-kwah-ke what is the reason of living in this country and they leave this country and go there.

Q. Then you think they gave up their claim? A. That is what they say.

Q. That is your view of it. Do you remember about this stone we heard of today?

A. Yes, I have seen it.

Q. What they told us of the picture on it was correct?

A. I might tell you this. In the olden time, before ever the white people knew America, there were people living here. These white people think they are first, but we were here before then, Mohawks and Chippewas and all. There was like a city, a Mohawk city, right across from Couchiching---place called Lake St. John, and they have fort built all around it, and that is where the Mohawk city was. By and by the Mohawks and the Chippewas make bad friend, like you people and the Germans and the Russians is bad friend. Then they get into fights, and that rock were painted in crimson colour---Indian colour---and likeness of Mohawk was put there, and they fight and the Chippewas killed them all pretty near, and that is the time the Chippewa nation holds this land.

Q. That was put there to commemorate the defeat of the Mohawks?

A. Yes, it is so.

[p. 130-133]

Extract of testimony of Jonas George

Q. Do you know the outside boundaries of Rama alone?

A. From Barrie to the heights of land at Crooked Lake, then North from that along the height of land, and still north, somewhere around Canoe Lake. Thence west of Canoe lake a little bit west of Huntsville. The line used to draw to a Lake Rosseau --- that is the centre of it, and from that Lake Rosseau in to Moose Deer Point, then Penetang at Cedar Point, and then back to Barrie.

Q. Well, whose hunting ground was that? A. The Rama Tribe.

Q. Where did the Christian Island Indians hunt? A. I don't know but I never saw them here.

Q. Or Georgina Island? A. They have no hunting grounds inside of these limits.

Q. But did they have hunting grounds to the east or north of those limits you describe? A. I forget about them.

[p. 137]

Extract of testimony of Gilbert Williams

Q. Did your father ever tell you what the general boundary of the hunting limits of the Tribe were?

A. Yes. He told me this big boundary is from Penetang, Moose Deer Point, all the way up to Nipissing, but he never tells me about the other ways, I never was there myself tho'. I hunt more in Congo Township.

[p. 146]

Extract of testimony of Fred Benson

Q. Did your father ever tell you where the eastern boundary of the limits of the band lay?

A. I have heard him mention it.

Q. The eastern boundary was where?

A. I have heard him talk of the territory but I can't just remember.

Q. Don't you remember anything at all?

A. Well, I think it starts from Moose Deer Point, and hits the height of lands and goes southward, and then Talbot river and back again westwards to Lake Simcoe, and then cross over the township of Oro and Point of Penetang and north to Moose Deer Point. I have heard him tell of it. He has talked of it for years, and often at the Council too they talk of it and he says it will be some item for the people in future.

Q. Did you ever year of the Chippewas having any claim to the land surrendered in the Robinson-Huron Treaty? A. No.

[p. 151]

Extract of testimony of Alfred Williams

Q. Did you ever hear how your Nation, or the Chippewa Tribe obtained their hunting grounds? How did your Nation come to get all this territory?

A. In battles with the Mohawks.

Q. You heard one man here describe the tradition of your Tribe today, saying that your Tribe drove them out. Is that a matter of history and have you heard that?

A. Yes.

[p. 152]

Q. Did you ever learn from your father what the eastern boundary of the hunting limits owned by the Tribe were? A. No.

Q. We have received evidence about these limits, now, would you know what the eastern boundary would be? A. Well, I don't just know.

Q. I will read you this declaration, you say that when you made hunting trips accompanied by your father, he gave you to understand that

"The established boundary of the eastern extremity of said hunting limits owned by your tribe were established by using the very extreme points of the Heights of Lands extending from Smoke Lake, in the Township of McLaughlin to the South Bay of Lake Nipissing, being your northeastern corner".

You see you say you were told that your land went from the South Bay of Lake Nipissing, to Smoke Lake. Is that right?

A. Yes. I just forget for a minute and I did not quite get you, what you meant.

Q. You were told this by your father? A. Yes.

Q. Were you told by your father of any of the other boundaries? A. No.

Q. Or by any other old people? A. No.

Q. Is there anything else you can tell us? A. No.

[p. 152-153]

Extract of testimony of J. B. Stinson

MR. J. B. STINSON: Its my turn now. I want to ask some questions. I understand some parts of our hunting grounds have been surrendered, I suppose by those Mississaugas, and I don't think it is fair for them to come over our boundaries the way they did. According to what my grandfather told me---him who was Chief of this reservation a good many years and who has been to Ottawa several times in connection with these Indian claims---he used to tell me that they had a definite fixed boundary between the Mississauga Bands and the Chippewa Bands. This boundary extends from the mouth of the Talbot river through Balsam lake and up to the heights of land, and the reason I ask this question is this, can't you see that we are so near to this boundary---we are only about 17 or 18 miles north of this boundary I speak of---and the other side of this boundary there is no Mississauga reservation or village nearer than I suppose about 70 miles. It looks unreasonable that they should claim this portion of our hunting grounds when we live right here. I ask the Commission to investigate more closely to this particular question, and do justice in the matter.

MR. WILLIAMS: Well sir, we will certainly consider all you say when we are going over all this evidence we are getting.

MR. SAM SNAKE: About this here Surrender that was made by the Mississaugas in 1818: I was always told by the old people that that land was wrongly surrendered by the Mississaugas. Under the olden laws of the Indians, they used to only [g]o as far as the height of lands, and the other Tribe---if they were Algonquins or Mississaugas, they had to stay on their own side, but when they make this Surrender of 1818, the Mississaugas just stepped right over the boundary line, or height of lands, and surrendered this territory that don't belong to them at all.

MR. SINCLAIR: What height of land is it. Did it run east and west?

MR. SNAKE: Yes, east. The Mississauga boundaries are the south side of our claim now that you mentioned, but that there height of land is far south-er than that yet. But when they surrender that there 1818 Surrender, they come west too far, because they are on the east side of the boundaries of that height of lands. They should not come north of Balsam lake. They have wrongly surrendered this part (pointing to map--south of lake Simcoe) Now, if that surrender is going to stand the way it is given here, it is hardly any use for the Chippewas of Rama to claim any rights ever at all. Anyway, when I was in Toronto, I find they have established a line from Moose Deer Point, northeast until it reaches the height of land, thence south along the height of land or dividing of waters between the Georgian Bay and the Matawa waters---the height of land until it reaches the other height of land at Balsam Lake, and west from that until lake Simcoe, then across until it

reaches Oro Township and then up to Moose Deer Point. I saw that map in Toronto and in Ottawa too when I was there.

MR. SINCLAIR: Well now, do you consider that to be correct?

MR. SNAKE: It is supposed to be correct from the declarations.

MR. SINCLAIR: That is your view of it?

MR. SNAKE: That is correct, and I wish to ask this Commission to draw close attention to that, because if the 1818 Surrender stands I suppose it will be useless for the Rama Band to claim anything in that ground.

MR. DAVID SIMCOE: I want to ask one question. When the great Queen Victoria sent out Benjamin Robinson in 1850 to deal with the Indians in Georgian Bay and in Lake Huron and Lake Superior---now I ask you, when that Benjamin Robinson make Treaty with the Indians in Lake Nipissing and the head waters of the Georgian Bay and they received that money---why not we too? I have come to conclusions with myself in this matter. Benjamin Robinson makes agreement about the Height of Georgian Bay waters, and I am going to make a statement. He say all Indians about all those waters and connecting waters are in the Treaty that Robinson Treaty of 1850. Well then. I tell you this. I would say there is Honey Harbor, Gloucester Pool---that is the outlet of lake Simcoe. The Lake Simcoe joins down here into Couchiching, thence to Washago, and connect Black River and goes down to its outlet, and when Robinson say all those Indians of all those waters that flow from that heights of lands---what's the matter with him We are here but we do not get paid. And I ask you that all those Indians from the heights of lands should be dealt with and paid.

MR. SINCLAIR: Do you mean that district from Moose Deer Point up to Nipissing and North of that was surrendered under the Robinson Treaty and that it belonged to the Chippewas?

MR. SIMCOE: It is so.

MR. SINCLAIR: But that is not the land we are here to investigate today.

MR. SIMCOE: But I can tell you, can't I? That is our land, but we have nothing to do with that Treaty, and we got nothing for that---our land.

MR. WALTER SIMON (Interpreter-Christian Island)
I would like to support Mr. J.B. Stinson's statements about the Mississauga Surrender of 1818, and I would also like to endorse Mr. Sam Snake's statements. It is all so.

MR. SINCLAIR's address follows:

MR. BIGWIN: My grandfather was great warrior in that war of 1812 right where we live. My grandfather, he was a powerful Chief, him and another officer called Kenice. You see this lady was sitting here? That is Annie King, and he is her grandfather, that Kenice. We are the only two people that were marked on this territory on this map. In the fight of 1812 at little York they call it then, but it is not now, for they call it Toronto, these two have big names for themselves for they are great warriors. Once I was perhaps to sleep, but I ain't sleepy now. I woked up like white men now, and I fight all I can for your rights like big warrior too, for all is my family here. It is all my family and I call them my childrens, that is my people there, and I have find out all about this big territory. First I seen Gossage, the first surveyor at Lake of Bays, 1862. That is where I used to have a big piece of pork to drag on the portage, and we kill the deer and we go to the camp and I have big tump line on my head and big load on my back and we go to the camp and take venison to the surveyors and I take one side of a great big pork. Lots of wild meat then too. I can hardly get my wild meat now. I just go and get some rabbits and procupine [sic] and raccoons and there is the groundhogs that stand up and I kill them and shoot them.

I am big chief and go to Ottawa, and that J. D. McLean he walks me around that office with his hand on my arm, and he ask what is my expenses, and he makes the man there pay my way down and back here again, and a great big

dinner too. One Dollar! And every time I go they do that, and I must be great big chief, because they give me big moneys for dinners too. J. D. McLean he say last time, "You come back and fetch your war club" and I tell him its 100 years old. Mr. McLean he says he is work there for 48 years now and this is the first Indian from Rama, and we must treat you right, and he take me down and they give me money to go home. That's all. Good-bye.

No, I ain't through yet. I got to say about the first white man at Dorset. Before that bridge was made there were no white men at all over there. We had lots of music, the wolves and the owls they sing well when it is going to be a storm, they all sing. One day I was playing, a very small boy I was then. Oh yes, I was young once. Now, I was playing there and I seen a paleface come and I look at him and I turn right in the camp and run and I was go under the bed and I missed the bed and I slip on the top and near went through the birch bark. I thought the man was been sick for good many years and was frightened. That was the first white man. Good-bye.

The Indian Agent, Mr. Anderson, made a short address, which was replied to by the Chairman, Mr. Williams.

The HEARING of the Rama Band of Chippewa Indians was closed.
[p.154-159]

TESTIMONY BY MISSISSAUGAS OF SCUGOG

The Chairman, Mr. A. S. Williams, made a short address explaining the purpose of the visit of the Commissioners.

[p. 160]

Extract of testimony of Isaac Johnston

Q. Did your Uncle ever tell you where they went?

A. They went up the Gull river way---Wilberforce way.

Q. Did your Uncle sometimes go over as far as the Ottawa River? A. Yes, it was Jim and John went there.

Q. The Chief John Johnson and Jim went there? How do you know?

A. They tell me about being out there, but I myself never was a hunter.

Q. Do you remember any other members of the Band who used to go off regularly hunting every year?

A. The only persons who went were the four brothers of the Johnsons. I don't remember any others.

[p. 161]

Q. You know why we are here today, don't you? A. Not exactly.

Q. Well, I suppose you do know the Mississaugas have made a claim for a long time that their hunting grounds were taken away by the white settlers, and that they have never been paid for them, and we have been sent up here by the Government to find out where these hunting grounds were. That is why I ask you these questions. I want to find out from you where these grounds were so we can tell the government where they were. Now, have you been told by any members of the Tribe, by your grandfather or any of the old men, what the boundary of the whole hunting ground of the Tribe was? It would have to have a line around it, and we want to find out what all the hunting grounds put together were---the boundary of the whole hunting ground of the Tribe.

A. I only know about the rivers. Since they commenced to look after them hunting grounds I have been talking about it. They run the straight line from this Lake Simcoe, straight north, and from Quinte, straight north to heights of land, and all in between them lines is what they claim.

Q. The boundary on the north would be the northern height of land and they claim what is in between?

A. That is what I have heard the Mississaugas claim.

Q. Is there anything that you can tell us now, that you can think of which would be of help to us?

A. Just what I told you. That is what I know about the hunting grounds, that is what they have talk about for many years. They always say the end of Lake Simcoe, that is ours, and the line straight north from the Bay of Quinte, straight north up to heights of lands.

Q. You don't mean by that that it was the hunting ground owned only by the Mississaugas of Balsam Lake? It was the grounds of those Indians at Rama and other places too. A whole nation hunted on that ground?

A. Yes, on that territory.

Q. Do you know if the Chippewas hunted in that territory?

A. I don't know much about them at all. They hunt up at Parry Sound I suppose.

[p. 162-163]

Q. How did your people get this country in the first place?

A. They fought for it.

Q. Who did you fight? A. The Mohawks.

Q. That was long ago? A. Oh yes.

Q. Did you ever hear your grandfather or grandmother speak of that battle?

A. She say there was war with them, and they were mound builders, them Mohawks. They came from the States I believe, and then along by the Mississauga river, and she said that they fought right through on Couchiching lake, and there were mounds built on the other side. They were all killed I guess. She said that when the many Mississauga Indians shouted, the others tumbled down, and then they were killed. There was a place with a big rock and there was a picture of the Indians, and I used to ask her what it meant. But I saw that rock.

Q. When did you see it last? A. In about 1875 I saw it.

Q. The rock with the picture of the man with the tomahawk in his hand?

A. Yes, and the picture of the woman was there.

Q. What about the woman? A. She was there.

MRS. JOHNSON; She was mocking the Chippewa across the lake.

Q. What nation defeated the Mohawks?

A. The Chippewas and Mississaugas together, but one nation backed out and left the Mississaugas alone.

Q. The two nations fought together? A. Yes, but one nation quit.

Q. Have you heard how long ago that was?

A. Oh it was long, long ago. The reason they have the fights is that the Chief of the Mohawk nation killed his son-in-law because he was a Chippewa, and then he cooked him and asked the father of the son that was killed to come and eat, and that is how the war start. That was years and years ago.

Q. Have you any idea how long ago it would be, in hundreds of years?

A. Oh more than ten or fifteen generations.

Q. How long would a generation be? A. Perhaps 20 years. But that war must be four or five hundred years ago.

Q. Is there anything else you think might help us any in this investigation?

A. That was all she used to tell me. She was from Port Hope, a Mississauga from Port Hope.

WITNESS RETIRED:

[p. 165-166]

Extract of testimony of Charles McEwan

Q. How did they come to get those hunting rights? A. I can't tell you that.

Q. Did you ever hear it said that the father would have his hunting limits and would give them to his son when he was through with them?

A. That is what they used to say.

Q. Well, that is a matter of general knowledge? A. Yes.

Q. Did you ever hear of the height of lands? Did any of your tribe go up to the height of lands near Lake Nipissing? A. No.

Q. You are of the Mississauga Tribe, and your Tribe had hunting grounds---different bands and individuals would have their private hunting grounds and these would make up the tribal limit

A. I don't know.

Q. Did you ever hear anything about it? A. I never heard.

Q. How did they come to get the hunting limits, who did they get them from or how did they get them in the first place? What is the story that your father told you and his father told him and so on?

A. I don't know how they got the limits. It would be from the old people I guess. That is where they used to hunt long ago.

Q. Did you ever hear of the Mohawks? A. No sir.

Q. Did you never hear how your people united together with the Chippewas to fight the Mohawks?

A. I heard of that.

Q. What did you hear?

A. All I hear is they have been fighting the Mohawks, the Chippewas and the Mississaugas. That is all I know. I don't know what they were fighting about.

Q. There is a tradition that the Mississaugas and the Chippewas fought the Mohawks? Who won?

A. The Chippewas and the Mississaugas, they won.

Q. Did they parcel out the lands between themselves? A. I guess that's right.

Q. But did you ever hear that? A. I did.

[p. 169]

Extract of testimony of Mrs. Johnson

Q. You wanted to tell us something. What was it?

A. Well, I forgot to tell you the line runs across Scugog. It is 26 miles from Lake Ontario to the end of Lake Scugog, and there are five or six townships north of that line drawn parallel with lake Ontario, and they are not surrendered and they never have been.

Q. Can you give me the names of the townships?

A. Reach, part of it at least, and Scott, Brock, Georgina, North Gwillimbury and Uxbridge. These were reserved as hunting grounds granted by Governor Simcoe.

Q. But how long is it since the Indians hunted there?

A. They could not hunt, because the white people is settled there.

Q. Is there anything else you want to tell us?

A. That is what I heard the old people say. This piece we surrendered ran from Ontario up to near Lake Simcoe.

Q. The west boundary would be a line from Lake Ontario to some point near lake Simcoe. And then which way did it run?

A. It run from a place on the north shore of Lake Ontario to the northern entrance of Lake Simcoe.

MR. WILLIAMS:

Q. Did you people hunt there?

A. Long ago, before anybody settled there.

Q. Do you know of anyone who hunted there, or is it just the story of the Tribe[?]

A. Just the story, but it was all over Brock Township.

WITNESS RETIRED:

[p. 170]

Extract of testimony of Ex-Chief David Elliott

Q. Have you been told by your forefathers what the general boundaries of the Mississauga Tribe were? Anything about its north or south or east boundary?

A. The North boundary, I don't know much about the north boundary.

Q. Do you know the eastern boundary? A. I never go there.

Q. But have you heard? A. I have heard about it.

Q. Well, what did they tell you?

A. Well, they tell me they hunt over those districts for a long time.

Q. But that is very vague. Did they tell you what territory the Mississaugas won by conquest of the Mohawks---what the extent of it was?

A. No, they didn't.

Q. Did they mention the eastern boundaries of the tribe?

A. Yes. All I can tell you is they go there to hunt in the Fall of the years and in the Spring of the years.

Q. You don't know what boundaries they had?

A. They didn't have boundaries like now. They did not ever see maps.

Q. But were there no divisions by rivers or lakes or heights of land?

A. I suppose they have some boundaries, where they went to hunt and where they claim their hunting grounds, but I have no knowledge of them.

[p. 174]

Q. But did he never tell you how wide the territory was they got from the Mohawks? Say from Lake Ontario to Lake Nipissing or from Georgian Bay to the Ottawa River, or anything like that?

A. I hear, and as near as I can say it must be about 10,000 square miles.

Q. And where was it?

A. It lies along lake Ontario and up away from it.

Q. Where to, how far north would it go? Would it go to Lake Nipissing?

A. Yes.

Q. Is that your recollection of what you were told?

A. From what I am told I believe our claim should lie from Lake Ontario to Holland Landing and Lake Simcoe.

Q. But your claim went further north than that?

A. But this is not north, it is west, what I speak of.

Q. Then where did it go beyond Simcoe? Would it go up to the Georgian Bay? A. I don't think so.

Q. What was the east boundary?

A. I think it goes in the Talbot river some where, if I am not mistaken. That is what I used to hear about.

MR WILLIAMS:

Q. Did you ever hear your father tell of hunting along the Madawaska? A. No.

Q. Or of any other Indians of this Tribe in the early days hunting along the Madawaska river?

A. Where is that river?

Q. Have you heard the name at all? A. Yes, I have heard it.

Q. But have they mentioned hunting there? A. Well, some Indians, but not from this Reserve.

MR. SINCLAIR:

Q. What reserve did they come from? A. I could not give any names, I don't know.

WITNESS RETIRED:

[p. 176-177]

Extract of testimony of Chief Thomas Marsden

Q. What can you tell us regarding the Hunting Grounds in regard to which this claim is made?

A. Well, all I know is there is a claim back north. I have heard the Indians tell of the grounds that used to belong to them.

Q. What did they say?

A. That they never got any compensation for them grounds they have lost.

Q. Did they tell you where the grounds were?

A. All the grounds back North up this way---County Victoria and Peterboro and part of Hastings.

Q. Any in Nipissing? A. No, not there.

Q. Is Algoma Park in the territory?

A. It is on the ground our forefathers used to hunt. They used to hunt where Algonquin Park is.

Q. How far north did they say these limits went? As far as Nipissing, or where?

A. Near Nipissing I suppose.

Q. How far north?

A. As far north as they could go up and come down the creeks and the rivers.

Q. How far west? A. That is what I don't know.

Q. Did they say how far east?

A. As far east as the north of Hastings County.

Q. What was the southern line of the hunting grounds?

A. South? Well, all the grounds north of the settled part of the country, this we called our hunting grounds---all north of the settled part of Hastings and Victoria and Peterborough.

Q. How far up would that go, how far north?

A. I suppose Bobcaygeon, Kinmount and Coboconk. I have hunted in Pine lake in the township of Glenora. That is where Gooderham is.

Q. Well, is there anything now that you know which would help us in coming to some conclusion about this claim?

A. I heard my grandmother. She used to go out selling baskets, and she say about the grounds they lost up North without any compensation from the white men. Her husband, Goose, used to own this part when it was wild. It was his hunting ground out across here.

Q. Did the old lady say where the hunting grounds were? A. What I have told you, that is all.

Q. Now, is there anything else you can tell us that would throw any light on this subject?

A. I don't know unless you ask me. My father taught school, he never hunted much. He taught school in St. Clair Indian Reserve up there, and he taught school in Saugeen and Rice Lake and Scugog. That's where he married.

[p. 183-184]

Q. Did you ever hear of any members of the Tribe hunting on Madawaska? A. No.

Q. Or on the height of land? A. We have been there but not to hunt.

Q. Have you ever heard of any of the old members of your Tribe hunting in that region?

A. No, my grandfather lived there one time though.

Q. You are aware the Mississaugas and Chippewas are claiming as hunting grounds a large territory to the north of here?

A. Yes.

Q. Do you know how far north that territory went? Could you mention lakes or rivers or roads, where it went at the North?

A. I have attended Councils about this territory, and they say they are entitled to compensation for hunting grounds, but I never heard how far north the claim goes. I have heard of Moose Point and Lake Nipissing.

Q. Any place else? A. That's the Chippewa claim, but ours does not go that far.

Q. How far would your claim go?

A. About along Burnt River and the boundary line of County of Ontario and Simcoe, but there was disputed ground between the Chippewas and the Mississaugas.

Q. Could you show me on the map where you consider the northern boundary of this ground should be? A. I don't know.

Q. You say the hunting ground of the Mississaugas did not go as far north as that of the Chippewas? A. No.

Q. How far north would you say your claim went? You say it went to the Black river is it?

A. Well, northeasterly from the Black river.

[p. 185-186]

Q. Did you know anything about the claim that there are lands south of Simcoe unsundered?

A. No, only the Islands in Simcoe. My grandfather---a man by the name of Simcoe---claims the Islands. He lived at Rama.

Q. But are there any lands south of the lake that have not been surrendered?

A. No sir.

[p. 187]

Extract of testimony of Mrs. Johnson

Q. Where was it they claimed these hunting grounds?

A. At the end of Lake Simcoe, the northern entrance there, and up past there.

Q. How far up?

A. As far as Nipissing and Lake Superior. Away up there.

Q. That was one line, now where was the other?

A. That was here, starting at the head of lake Simcoe (indicating on map) and going north to the height of land and further, then going East. He did not say how far.

Q. Where to? A. Well, from Rodden straight north.

Q. Where is Rodden? A. That is on the east side.

Q. What was the southern boundary?

A. It was the Talbot river, from that post, down to the shore of lake Simcoe and then straight east I think. That is the boundary line.

Q. But you told me that before in your evidence.

A. Well I forgot and wanted to make sure.

[p. 188-189]

The testimony ended with the following remarks:

MR. SINCLAIR made a short address regarding the claim of the Mississaugas and Chippewas, requesting the Indians to make only reasonable demands in order that the work of the Commission would not be nullified and the claim "hang fire" for another 70 years.

The Chief gave a short talk, thanking the Commissioners for coming to investigate the claim.

Mr. Johnson Paudash also gave a short address, which ended: "I hope to see the time when we will get some compensation. It may not be much, but whatever it is I know we will be thankful."

MR. MCFADDEN: It would be interesting to us all to know how many young men went to the Great War from here, could you give us a list of their names?

List of names submitted by Chief.

Indians who volunteered from Scugog to go with Canadian Expeditionary Forces, Overseas to fight for Canada:

J. H. Marsden	James Russell
Chris Ashkwee (wounded)	Isaac York (wounded) now at Rama
Johnson Paudash	Isaac Taylor (killed)
Joseph Elliott	Franklin Edgar (killed)
D. H. Marsden	Ed Johnson
Dan Elliott (killed)	

The Hearing of the Indians at Scugog Reserve was closed.

The Agent, Mr. Gerrow, submitted the following information, in response to a request from Mr. McFadden:

800 acres of land in Scugog Reserve,
400 acres rented
150 acres in crop
Only one farmer with a good stock of cattle, etc.
27 names on the pay-list. 11 men went overseas.

[p. 189-190]

TESTIMONY BY MISSISSAUGAS OF CHEMONG (MUD LAKE)

THE CHAIRMAN, Mr. A.S. Williams, gave a short address explaining to the Indians the purpose of this visit of the Commissioners.

[p. 191]

Extract of testimony of Joseph Whetung

Q. Now look at this map, Chief. Here is lake Simcoe and here is Balsam lake, now all the land around Balsam lake and a considerable distance up and all around Simcoe has been surrendered, but what we understand the Mississaugas say is that the land which is north of this dark red line on this map, is the land they or their forefathers hunted in, and that it extends, as you see, from Couchiching up through the Muskoka region and goes away

north up to the lake Nipissing. Now, look at this. All this land between the dark red lines is the land we are to talk of this morning. Now, what do you know about this particular land? Do you, of your own knowledge, or from what you have heard from the older members of the Tribe, feel able to show me any places on the map where you have been told they went to hunt? Do you know anything about Kennisis lake, for instance?

A. Yes.

Q. Have any members of the Band gone up there to hunt? A. Yes.

Q. Give us some of the names? A. Well, some here have been there.

Q. You don't remember the names?

A. George McHugh, William Knott, Alfred McHugh, and Joe Whetung. That is all I know.

Q. Do you know of the Lake of Bays? A. Those men have been there.

Q. Kawagama lake? A. I have heard them speak of it. I never went.

Q. Have they gone as far as Canoe Lake? A. Yes, I have heard of them going there.

Q. And the Madawaska River, did you hear of them hunting there? A. I have heard they did.

Q. Did you hear them talking of White Trout Lake? A. No.

Q. Or Stoney Lake? A. Yes.

Q. Doe Lake? A. Yes.

Q. Lake Vernon? A. No.

Q. Skeleton Lake? A. Yes, I have heard of that.

Q. Did any of them tell you how they went up there? A. Yes, fishing, river driving, guiding and trapping.

Q. Yes, but I mean the way they went. A. In a canoe, but I cannot say what water.

Q. Did you ever go up into this northern territory? A. No.

Q. What is the story of your Tribe as to how thevMississaugas [sic] got this land as hunting grounds?

A. Well, I suppose they used to get it anyway. They went up there and got hold of those documents.

Q. But documents are recent, comparatively. Have you ever heard any of the stories as to how they got them originally? Did they ever belong to any other Indians?

A. No, never. I used to hear those Chippewas come from Lake Superior and come in here to hunt and try to claim our territory, the same as those Six Nations.

Q. The Chippewas tried to get this territory?

A. Yes, and we claim it is ours.

Q. How much land does your Tribe claim?

A. 1, 951,000 acres,- that's 10,719 square miles.

Q. Show me on the map where it is.

A. The boundary line runs from Hastings County up to the Ottawa River.

Q. Along the north boundary of Hastings county over to the Ottawa River? A. Yes.

Q. Where did it go then? A. It stayed there.

Q. But it had a boundary on the other sides. Which way would it travel then?

A. I suppose North and east.

Q. That would take you over into Quebec. Did your line go northwest following the river?

A. Yes, that was it.

Q. How far? A. I could not tell you.

Q. To lake Nipissing? A. I heard it went to lake Nipissing.

Q. When you got to lake Nipissing, where did it go---what were you told?

A. I could not say.

Q. What is your own notion as to where it went from Lake Nipissing?

A. I got no notions.

Q. Can't you remember anything?

A. We got one line here from Whitby, what they call the fourth line.

Q. Now, here is Whitby (indicating on map) right on Lake Ontario. Where did it go then?

A. It went straight to lake Simcoe.

Q. And where then?

A. Right---well, I could not say, but the line is in the lakes, straight to Arthur Junction near Orillia, and then straight northwest from there.

Q. Where to, Georgian Bay or Nipissing?

A. It goes North from there, up past Couchiching.

MR. MCFADDEN:

Q. What is the furthest point North that you were ever hunting within those lands circled by the red line on that map?

A. I could not say.

Q. Were you ever up there yourself?

A. Not further than Balsam Lake.

WITNESS RETIRED:

[p. 193-195]

Extract of testimony of John Taylor

Q. What do you know about the claim to these hunting grounds? Do you know why the Mississaugas say these northern grounds here are their hunting grounds?

A. I don't remember any further than the height of lands.

Q. You did not understand the question. Do you know the Mississauga Tribe claims a large quantity of land up towards Nipissing? A. No.

Q. Do you know anything about this claim to hunting grounds in the North?

A. I never heard anything of it.

Q. Then you do not know that there is a claim?

A. I have heard there was some more hunting ground not surrendered, but I don't know where it is.

[p. 197]

Extract of testimony of Alfred McHugh

Q. Well now, is there anything you know about these hunting grounds that we are talking of that would help us to come to a conclusion?

A. Well, I suppose you remember Captain Anderson, one of the early Agents in the whole of Ontario. He was asked by the Government where the Mississauga hunting ground was and he says the hunting ground of the Mississaugas was from Newcastle district up to the lake Nipissing and the Ottawa river, and down east that way.

Q. But where is Captain Anderson's statement to be found?

A. I had that, but it went through my hands. It was copied from his original letter in England. It could be found in the Colonial Office in England.

Q. You say that Captain Anderson made some statement that the hunting grounds were in what boundaries?

A. From Newcastle District to Nipissing and the Ottawa river, and there was a cetailed [sic] description given in his statement.

Q. You have read that yourself? A. Yes, I read a copy of it.

Q. You know of a surrender the Mississauga Indians made in 1818, I suppose, of this large territory around here? A. Yes.

Q. That pretty well covered all the lands they had any claim to, did it not?

A. I can't say.

WITNESS RETIRED:

[p. 204]

Extract of testimony of Daniel Whetung, Senior

Q. Now is there anything at all you want to tell us?

A. Well, I want to tell you of the meeting we had, two or three Bands, Scugog and Rice Lake and here, to talk of where the claims lie, and when they were here they found out they claimed what they call Hastings and through to what they call 45 degrees, and they claim it run from that line up to the Ottawa River, and they told the Government that that was the claim and the government did not deny it, so those two Governments, the Dominion and the Ontario, correspond on who's to pay, and it went to England and England says the Dominion Government had took the cream off the land and hand the skim-milk to the Ontario Government so the Dominion has a right to pay the Indians, and when the Agent come to pay us here he says, I have not got your money yet for your land, and anyway, it never did come.

MR. SINCLAIR:

Q. Were you present at this meeting of the three Bands?

A. Yes, it was here.

Q. When was it held? A. In 1889.

Q. And you remember what took place? A. Yes.

Q. There was discussion about these grounds at the meeting? A. Yes.

Q. Did anyone say on what ground the Mississaugas claimed these lands as their hunting grounds?

A. Well, I couldn't tell you that, but we found out at that time the claim was as I told you.

Q. But you see, I might go out on the street and say, this is my piece of land, and if I am asked why and say, "It is mine because I have the deed" or "I have lived here many years and have title" or "My father gave it to me" then people would recognize my claims, but if I simply said, "Well, it is mine", they would not do so. Now, if the Mississaugas say, "Here are so many miles of hunting grounds, they are ours" they must have some reason for claiming them. Now why do the Mississaugas claim these hunting grounds, do you know?

A. Because they were here and owned them before ever the white people came.

Q. Well now, how many Indians are there here? A. About 240.

Q. And at Scugog? A. About 40.

Q. And Rice Lake? A. 105.

Q. That is 385 people, which would be I suppose about 70 families. Now, you say that the 70 families had over 10,000 square miles of hunting grounds---why, if you put all the Indians there you would not see one another for five years. If you were a nation of a million, that would be different, but to say 60 families have a claim that they ought to be compensated for over a million acres of land, do you think that is right?

A. We used to be many. The lands were ours then, and it is right the way I look at it.

Q. Then the theory is that just because you were here before the white people, you ought to be compensated for the whole of North America, providing you were the only bands here?

A. Yes sir, that's it. Why not.

Q. Was there anything said as to the division of this land by the Mississaugas, at this meeting? Did they say, I went here, you went there, or just, these were our grounds?

A. That is all, only when I was talking of where we go to hunt, I got a lawyer, Wickham, in Toronto. I got him to write to the government to give me what is my own because my grandfather and my father hunt on that creek between Bobcaygeon and Lindsay, and he wrote to the government and the answer he got was "We would be glad to give it to Mr. Whetung but another party has come and said they own that creek too", and I never got it.

Q. But the answer to that is that it was surrendered in 1818. A. Yes, but we never got the pay.

Q. Oh yes, I think so. A. No, only the front part of it, we never got all of it.

Q. Under that Surrender you were to get so much a year, and I think you are getting it every season. The people who surrendered the land then were satisfied and that is the reason you could not get the concession there---because it now belongs to somebody else. You can't have your apple and eat it at the same time you know. Is there anything further you want to say?
A. No.

WITNESS RETIRED:

[p. 206-208]

Extract of testimony of Chief Daniel Whetung:

Q. Where did your people originally come from?

A. As far as I have read, the Mississauga tribe seems to be a roving Tribe. They have not any particular place to camp, just here and there, until some time in the long ago past the New England Company got hold of these roving people and had them settled.

Q. Well, prior to coming to Mud Lake, where were they located?

A. Some between Cobourg and---well, down there on Lake Ontario, but I have never heard that part, I could not say about that.

[p. 211]

Q. Do you know any member or have you heard any members of the Band here in Mud Lake, saying they had hunting grounds away to the North?

A. I must have, because my grandfather---they must have hunted up there because my grandfather got his wife in that part of the country.

Q. Do you know, or have you heard it from your grandfather, or anyone else, that any of the ancestors of any of the present members of this band had definite hunting grounds up north in the vicinity of Lake Nipissing or the rivers that flow into the Ottawa river?

A. Well, I never heard it.

Q. How about Lake of Bays? A. I don't know.

Q. So far as your knowledge and information goes then, the members of this tribe hunted in the territory around this vicinity? A. Yes.

Q. What is your information regarding the right of the Mississaugas to occupy their present territory?

A. I don't know what the grounds are but I know they claim all that territory up north.

Q. I mean, take this Band right here, what is your information regarding their right to occupy this present territory. We have received in other places historical data with reference to that point. Do you know anything about the war between the Chippewas and Mississaugas and Mohawks?

A. I have heard the old people say that about 1 1/2 miles from here there is a battle ground where they dig up skulls and bones and there was a fort there.

Q. What do you call it?

A. It is just an Island, they call it Wa-go-sho-we-gong, and it means "Soil the colour of Fox".

Q. What nations fought there? A. The Mohawks and the Mississaugas.

Q. What year would that be? A. I don't know, but it was long, long ago.

MR. SINCLAIR:

Q. Did you ever hear the ground or reason for the Mississaugas putting forward this claim to this large piece of land as hunting ground?

A. I never heard the reason, only just my own idea that they were a roving Tribe, and were driven out.

Q. But you know of no reason why they should claim the tract of ground between Simcoe and Nipissing, Georgian Bay and the Ottawa?

A. I have heard them say those are our hunting grounds.

Q. But you don't know of any of them who went there to hunt?

A. No.

Q. I suppose you agree with the other witness that even today he can get all he wants right around here?

A. No, at present all the marshes are leased where the Indians used to trap. They are all placarded telling us to keep off.

Q. Have you not the right to trap without taking a license anywhere as long as you trap in season.

A. Yes, but you can't go where they have those placards.

Q. But where it has not been leased? A. They say we can go everywhere it is not leased, but we find everything is taken up, so that don't do no good.

MR. MCFADDEN:

Q. If I had a farm with a creek going through it, would you want to go and trap there?

A. Oh that isn't it, its the shore lines we want.

Q. Well, if I leased a game preserve, could you come on it?

A. No, I could not. I'd like to mention that before these dams were built for the raising of the water, the game was out further on the lakes and creeks, and we were free to hunt then, altho' not right on what was then the shores, but now the game is pushed back into the private property and we can't get at it. The water is raised and what used to be marsh is deep water, and that's all the place we can go.

Q. Of course all this land has been surrendered---but you can prevent me from trapping on this reserve, can't you? A. Yes.

Q. Well, is it not tit for tat? A. It may be tit for tat, but just the same it has been handed down to us from our fathers and grandfathers that they did not surrender the game or the hunting rights.

Q. There is only one Treaty where I know it was reserved, and that is the Robinson-Huron Treaty. Is there anything more that you can tell us that would help us?

A. Not about that part that you are talking of now.

MR. WILLIAMS:

Q. Is there anything you would like to say or any representations you would like to make?

A. Well, what we have worried about is this hunting business. They are closing in on us and we can't get out of the Reserve to hunt. That is our worry. There are only about 1200 acres in our reserve, and of that only four or five hundred acres that it would be possible to cultivate, and if we can't hunt, what are we going to do?

Q. How much marsh is there around your Reserve?

A. There must be about 600 acres of marsh, because our Reserve used to be 1800 acres, and since the raising of the water it was reduced to 1200 acres.

Q. You would like to get some other rights about trapping? A. Yes.

Q. What is it you would like to have?

A. Well, if our fathers and fore-fathers did not give up the game, as they tell us always they did not, we want the privilege to hunt around these waters, but it seems we can't do that no more.

Q. You mean that regardless of leases you should have the right to hunt and trap? A. Yes.

Q. But suppose you have given up the right, what do you want then?

A. Well, at the time that Treaty was signed, the Indians were not advanced enough to read it. The Treaty would be written out, and they would believe what they were told and just put their mark---

Q. I know. You see its difficult to say to whom a beaver belongs at any particular time, or a fox, because he is here today and he may be somewhere else tomorrow, and 100 miles away the next day. No one has any property right in game or fish until he has killed or caught them---they are wild. So while there would not be, and was nothing in these Treaties which said the Indians gave up the right of hunting or fishing, still, that was the effect of the Treaty, unless there was a special clause reserving the right, because in the absence of a clause reserving the right, the Indians would be subject to the general law governing the white man and the Indian. Now, what is the remedy you want---taking for granted that the Treaty of 1818 took away your right to hunt and fish except in the waters of your Reserve?

A. We would like the privilege of following up our game, when we get it up, even to private property. The government did not buy our land, they just paid the damages. It put the marshes on private property tho'.

Q. If you put up game, you want the right to follow it and kill it?

A. Yes, in the open season, we don't want it in the closed season you know.

MR. WILLIAMS:

Q. Did you ever have any difficulty about trapping until the waters were raised?

A. No, it is just about ten years now we have had trouble.

Q. Would you be satisfied if you were entitled to follow your game to the edge of the water without going up on dry land? A. Yes.

Q. Then the difficulty is the patent of the land came down to a point up to which the water comes now, but to which it did not formerly come? A. Yes.

WITNESS RETIRED:

[p. 212-216]

Extract of testimony of Alex Knott

Q. You know we are here as a Commission to determine what rights your Tribe here had to hunt in certain territory north of the 45th parallel and east of Georgian Bay over to the Ottawa River and up as far as Lake Nipissing. You have heard the evidence given here by different members of the Band, now, is there anything you can add to that? Anything you know that those witnesses have not told us?

A. All I have is the maps to show.

Q. Well, here is your Reserve (pointing to place on map) Now, the land we are concerned with is here (indicating). Can you tell us anything of the right of your Tribe to hunt up there?

A. I hear my Dad say they were here years and years ago---the other nations that were through this territory, that is the Mohawks and the Hurons and

they have great battles along these waters as to who should dominate the hunting here and the Mississaugas and the Chippewas won, and that is the reason we have this territory.

Q. The Mississaugas and the Chippewas drove the Mohawks from what section? A. From here.

Q. Right around here---but how about Nipissing?

A. Well, as you go along the shores---as you go along the French river and the shores of Georgian Bay you will find mounds where they have had battles.

Q. The Mohawks were originally the mound builders?

A. I never hear that, but I hear my Dad say there was a mound back at Young's Point, at a place called Henderson's Narrows, and he told me they used to dance around this and play the kettle.

Q. What Indians built it? A. I could not say.

Q. Chippewas or Mississaugas or Mohawks? A. All we know is we drove them out of here.

Q. Well now, the Mississaugas and the Chippewas together drove the Mohawks away, and up here at Rama there is a stone commemorating that---a picture of a Chippewa with a tomahawk and the fallen Mohawk. Now, you are familiar with this, but so far as your tribe is concerned, have you evidence to show your people ever hunted up in this Territory?

A. I have nothing about that.

Q. If you can add anything to what we have heard we want to hear it.

A. My dad said he used to go through to Gull lake.

Q. When did your father die? A. Three years ago January.

Q. Did he go up in that territory to hunt?

A. I have been back as far as the Mud lake that is in Rama County with him.

Q. You have been at Mud Lake South of Lake St. John and east of Lake Couchiching?

A. I have been there with my father.

Q. Did he go there every year?

A. We went there time and again, four or five different times.

Q. Any further north than that?

A. I was not but he was with my other brothers, the other way towards this Gull river and Koshog lake.

Q. Then he was as far as Koshog lake? With whom? A. With John.

Q. Where is he? A. At Buckhorn.

Q. How many times did he go? A. Two times, about 15 years ago.

Q. With your brother John? A. Yes.

Q. Where did he do his hunting, for the most part? A. Down at Katchiwano, near Lakefield.

Q. He had his regular hunting grounds in that vicinity? A. Yes.

Q. And he only went to Koshog two or three times? A. Just twice.

Q. Did you know your grandfather? A. No.

Q. Well, you have already told me you don't know any member of this Tribe who had certain definitely located hunting grounds in this territory.

A. No.

Q. You have some documents you would like to show us? Just tell me about them, will you?

A. If the documents is good I suppose our hunting is still good. I have places here where it says we can hunt 100 miles and more.

Q. Where do you live? A. Here, but I am a Chippewa.

Q. How is it you are here with the Mississaugas?

A. Well, my grandfather---in his time when the Bands were united---the Mississaugas and the Chippewas that makes them all the same. See, here's another thing I got.

Q. (reads)

"Legislature of Upper Canada. When George III sent out Simcoe as his representative to govern Canada, he made a Treaty with the Indians at the Bay of Quinte, called the Gunshot Treaty. Thousands of Indians were present, including the Principal Chiefs of the different Tribes. The Government stated that although the Government wanted the land, it was not intended that the fish and game rights were to be excluded or that they were to be deprived of the privileges of hunting and fishing, as it is the source of their living and sustenance. These provisions were to hold good as long as the 'grass grows, and water runs, and as long as the British Government is in existence'."

Who printed this anyway, and where did you get it--this little notice?

A. Well, Jerry Monague has the original papers. A man named McClurg came from Moraviantown. He had done work for the Indians, and he went to England and he brought this back. He was with Hunter & Hunter, but another fellow is in that firm now, and he is holding our papers.

Q. Yes, but what do you refer to this Treaty for? We have nothing on earth to do with it. We don't know a thing about it.

A. Well, According to the Gunshot Treaty we ought to be able to hunt and not be stopped.

Q. But that is another matter entirely.

WITNESS RETIRED:

[p. 216-219]

The Commission's visit to Chemong Village concluded with the following remarks:

MR. WILLIAMS: Now is there anyone else in this audience who would like to make representations to this Commission in connection with this claim? We don't want to go away without making every effort to get all the evidence there is available in this connection. If not,---if no one has any evidence to give, perhaps we might have a word or two from Chief Whetung.

CHIEF WHETUNG: This all was a surprise to us, we hardly knew what the Commission was until they arrived. We thought it was some of the other Surrenders mentioned. We have heard in the past there were other territory not compensated for and we all thought all the time we were connected with this claim. The reason I guess the Mississauga Indians thought he had also a claim in those territories is that the Mississaugas and the Chippewas fought side by side against the Mohawks, and the Mississaugas and the Chippewas have the Mohawks where they can't hunt so they have to farm, and the Chippewas and the Mississaugas they have the hunting grounds. Mr. Sinclair said the few people of the Mississaugas claim this big territory, but we do not claim it all alone. There are the Chippewas also, and they all have the general opinion that they have a claim to this in the past. For years we have heard our

forefathers claim more money should be paid the Indians about this claim and they used to say it was getting blue-moulded by this time, our money.

I thank the Commissioners for coming here and using us the way they did. They were patient about asking questions and sometimes we do not answer the right questions but they tried to dig out all the evidence we have. We have not much now, because our grandfathers died so long time ago, but I hope if the government sees we should be compensated for some of this territory we will be able to get it some day soon.

Mr. WILLIAMS: I would like to ask the Agent if he brought before the Band what the claim was and that it was to be investigated.

MR. MCCAMUS: Yes, I did, and I talked with several.

THE CHIEF WHETUNG: Yes, he sent me the letter.

THE HEARING of evidence of the Mud Lake Reserve Indians was closed.
[p. 219-220]

TESTIMONY BY MISSISSAUGAS OF RICE LAKE

THE CHAIRMAN, Mr. A. S. Williams, gave a short address explaining the purpose of this visit of the Commissioners.

[p. 221]

Extract of testimony of Jeremiah Crow

Q. I suppose you know the land we are talking of this morning that the Mississauga Tribe claims as its old hunting ground? Do you know where it is? A. No.

Q. Well, you have heard of it? A. Yes, I have heard about it.

Q. You have heard that the Mississaugas claim the hunting grounds up north? A. Yes.

Q. But you don't know where the hunting grounds are? A. No.

Q. Did you never hear where it is, that land? A. Away up at Paudash Big Lake, Mr. Paudash will tell you.

Q. Did you ever hear that the grounds went away up to Lake Nipissing?

A. Yes, but they are gone now, those who went there are gone to the Happy Hunting Grounds.

Q. What was the story in your Nation as to where you got these grounds?

A. They reserved them, I suppose.

Q. Did you never hear who had them before you got them? A. No, I don't know.

Q. Well, what did you hear as to how far they went over to the east?

A. I can't tell you that, I don't remember.

Q. Or the West? A. I think Mr. Paudash might remember.

Q. Is there anything about this claim you would like to tell us which I have not asked you, anything you know or were told by your father or grandfather or anything you have heard from any of the older members of the Band, as to where those old hunting grounds were?

A. Well, they were talking, every once in a while, about that claim they have there, but they sent down petitions and that was the last of it, no money came. That's all I know.

Q. But did none of them ever tell you where the land was?

A. Somewhere up North, that's all I know.

Q. You never were up yourself at all? A. Oh no.

Q. Did you ever hear of the Mohawk Indians? A. I never heard of them there.

Q. Did you ever hear of the war between the Mohawks and the Mississaugas?

A. Oh yes, we had great fun here one time in the long ago, and we won, and we got this place from the Mohawks.

Q. They had it first and you had a battle and drove them away? A. Yes.

Q. Do you mean this place at Rice Lake, or all the lands, all the way North?

A. I think that they had all that land away to the North, up towards the lake Nipissing.

Q. And all down through here? And did anybody help you in the battles?

A. The Chippewas fight with us.

Q. You united and fought the Mohawks and drove them out and took their land, and have had it ever since?

A. You bet.

Q. They never came back to take it away? A. No sir.

Q. Did your father or grandfather fight in the War of 1812? A. I think so.

Q. You have no recollection of their telling you? A. No.
[p. 223-224]

Extract of testimony of Robert Paudash

Q. Were there other lakes that you can remember?

A. There were little ones, but I cannot remember the names. That was the height of lands, and the rivers ran from there into the Madawaska---York Branch from Madawaska, and we hunted on that Branch.

Q. You have been quite a hunter. A. Well, my grandfather was a great hunter. He done nothing but hunt, and he took me back with him and he show me everything, how to trap and hunt and hold the old flint-lock.

Q. You went down the York into the Madawaska? A. I didn't go any further than Hollow Lake.

Q. Did you not go down the York river?

A. Just about ten miles down some of the creeks.

Q. Would that be ten miles away from Hollow Lake? A. Someone else had the next ground.

Q. Were any other members of this Band beyond there? A. Some but I don't know who.

Q. Did you ever meet any hunters up there at the furthest point you reached---any hunters of Algonquins or Chippewas?

A. Yes, the Algonquins and the Frenchmen and the other people, they come and trespass, and we make a complaint to the

government and say that is our ground. Them Lake of Two Mountain Indians come up there and their ground was on Quebec side.

Q. I suppose you had the chance to go further---if you had wanted to take the time you could have gone to the Madawaska?

A. We could have gone to what is now Algonquin Park.

Q. Was there anything to prevent you from going further?

A. No, but it was too far from home. They did go there hunting moose before my time.

Q. Were you ever stopped from going further north?

A. No there never was anybody stop us and we stay for three months. We paddle here with birch bark canoe and we come back with snowshoes.

Q. Did you go up there more than once?

A. I live there when I was young, more than half the time. We come out after the New Years time.

Q. Do you know any members of the Tribe who had hunting grounds further North than you went?

A. That was a public ground that every Mississauga could go out there. Over here every family have limits---Crow, Cow, Paudash---all up past Mud Lake and Sturgeon Lake and heights of land where the Madawaska runs---from that heights of land to Georgian Bay, and we claim on one side and the Chippewas claim on the other.

MR. SINCLAIR:

Q. Your claim is on the South and the Chippewas on the North?

A. Yes.

MR. WILLIAMS:

Q. I understood you meant your claim was on the easterly side and the Chippewas claim on the west of the height of land going up to Nipissing.

A. That is it, I have heard the old people talk of it, my grandfather and Mr. Kopway and Crow and all those old ones---Cow too. There used to be hundreds of them here. You should have come then.

Q. Did any of these persons you have named hunt north of you where you went?

A. I don't know about that, but they used to go to Gull river and Gull lake and Burnt river too. It runs away up to the heights of land, and that is where these people hunt, the Mud Lake Indians and the Scugog Indians.

Q. Where did you sell your furs? A. At Keene and Peterborough.

Q. I suppose the Scugog Indians and the Mud Lake Indians went up in that territory too? A. Of course, that is their hunting grounds. They went up to the Mud Lake.

Q. Do you think the Indians from Mud Lake had the right to go as far up as you went? A. Well of course, if their hunting grounds went up there. They never came to our hunting grounds at all, we all mind our business.

Q. Was there anything to prevent them from going if they wanted to go?

A. Oh no.

Q. Do you recognize that the Mud Lake Indians and the Scugog Indians as having the same rights as the members of this Band to hunt up in the northern regions? A. Oh yes---that is our hunting grounds.

MR. SINCLAIR:

Q. Then you had family hunting grounds and grounds belonging to the Nation, and the national hunting grounds were further north than the family hunting grounds?

A. Yes. When they sold this in 1845, they make treaty that we should hunt on the creeks, but the land is not ours. The white men have the dry land, but we have the wet land. Mr. Simcoe say that. He did not take our land we live on, but now they want to take it away.

Q. Tell me, do you know where we would find anything that would show that that was the understanding? A. The government must have the agreement.

Q. It is not in the Surrender. A. It must be somewhere.

Q. Have you seen any letter or correspondence or document that contains that statement? Have you ever seen it in writing? What surrender is it you refer to?

A. It is in 1788, and that is when the Dominion have its government in England, and that writing is in England I guess.

Q. Do you mean the Home Government in England had charge of it all?

A. I can't say it. That is not my language and you must excuse me.

[pp. 226-229]

Q. Well, in your recollection, was this right of hunting reserved to you in the Treaty of 1788? A. Yes, with Simcoe.

Q. And that if it is not here it is in England? A. Yes, I suppose it would be there. Maybe there was a mistake in the writing, but that was a bargain. The white people say that, and if they did not put it down it was mistake and would not have been mistake if we could read that white writing. The Indian has a good head you know. And south of Simcoe, there was a reserve there for hunting---seven or eight townships not ever surrendered.

Q. Do you know the names? A. No, but I find them on the map.

Q. The townships south of Simcoe? A. From Toronto Island to Barrie, the line strikes right up to Orillia, and then they took around the lake instead of going straight, so we don't get the Islands.

Q. You say some land south of Simcoe was not surrendered?

A. Seven or eight townships, that is our hunting ground.

Q. Was it reserved to you for hunting? A. It was reserved it [sic] Treaty with Simcoe.

Q. We have that book, and will look it up. What is your recollection of the way the Mississaugas got these grounds?

A. Oh, them Mohawks is bad men. He massacre the Hurons and took up the country, and we were living at Nipissing then, and we went down the Mississauga river along the land to Mississauga, yes.

Q. You say the Mohawks came? A. Yes, and they massacre our women too. They want to take all the country like the Germans, but the Mississaugas would not let them. We got ready our tomahawks and war club and we come along and finish him.

Q. Did the Chippewas fight too? A. Well, of course we are really Chippewas, we marry with them, but we are Mississaugas and come from States.

Q. But is it the Mississauga Tribe of the Chippewa Nation?

A. Something like that. Better ask my boy.

Q. What does the word Mississauga mean? A. It means "Mouth of the River" Indians.

Q. What happened when you fought the Mohawks? Did you hunt them?

A. We drive them out, you bet we did.

Q. Since then they have not made any attempt to get the hunting grounds?

A. We drove them right through here, all down Otonabee river and this lake and all along there are bones and tomahawks. You can see them all at Roches Point. Them Mohawks bury their dead in mounds like their totems, and they are all over the place those mounds, and the bodies are buried. Right here is where we broke the back of the Mohawk nation---we Mississaugas.

Q. How long ago was this, when you broke the back of the Mohawks?

A. It was in the 16th century, when we fought the Mohawks---somewhere about there.

Q. About 400 years ago? A. Yes.

Q. Did the Mississaugas live at Nipissing then? A. Yes, and at the Mississauga river.

Q. Where did they come from? A. New York State.

Q. How did they come? A. Oh, both ways. They come from Picton county and from Niagara way.

Q. They sure were ambitious! A. You bet, and we are yet.

[pp. 230-231]

Q. Is there anything more you can tell us about this enquiry?

A. I don't think so, except Sir John A. Macdonald told the Indians of the Mississaugas that they have a hunting ground up there, and nothing came of it. I hope we get it some time. Sir John A. Macdonald was the best man ever was in Ottawa

Q. Had any other prominent men anything to do with your hunting Grounds?

A. My father was Chief, and it was to him Sir John Macdonald said so.

Memo. found in Vol. of 1866 - filed as EXHIBIT C.

Note: The Gunshot Treaty was in 1784 between the Chippewas and Mississaugas, and Sir John Johnston.

MR. PAUDASH: At the time of that Gunshot Treaty the white people tell the Indians they will buy the land in a straight line, so far as the gun could be heard---that would be the lines, and the Indians say yes, for guns don't be heard such an awful piece, but the white people got a cannon and fired it off and you can hear it clean to Toronto, and they took our land from us. That's all I got to say.

WITNESS RETIRED.

[p. 234]

Extract of testimony of Johnson Paudash

Q. And you have interested yourself in Indian lore and Indian affairs?

A. Yes, for many years.

Q. You have collected a lot of information? A. Yes, evidence in different forms.

Q. Now, this map---

EXHIBIT D filed by Mr. Paudash. Map showing certain unsundered lands which are the lands in question---coloured red.

Q. What are the lands coloured yellow on Exhibit D---I see they were surrendered or ceded in 1784-- under what treaty would that be? A. That was the Gunshot Treaty.

Q. Confirmed in 1788? A. Yes.

Q. That extends from Toronto on the west to Trenton on the East. A. Yes sir.

Q. Now the lands coloured blue were surrendered in 1818?

A. On November 5th, 1818, at Smith's Creek in the Township of Folk, Treaty No. 20.

Q. You have further lands marked red to the west of the lands surrendered in 1818, and north of land surrendered in 1784. What does that represent?

A. That is the northern hunting ground and---

Q. But I mean south of Lake Simcoe. What is that red stuff?

A. The Western hunting grounds reserved for the Indians in 1792 by Governor Simcoe.

Q. Have they been surrendered? A. No sir.

Q. Why do you say unsundered?

A. Why because they never were surrendered. The Treaty said, that one on the 5th of November 1818, it states that a tract of land lying between the western boundary line of the home district, northerly to a bay at the north entrance of lake Simcoe, and it says commencing at the northwest corner of the township of Rodden running North 33 miles, 14 degrees west to line 45 degrees of latitude, and west along said line to bay of the northern entrance of lake Simcoe.

Q. That is the blue stuff.

A. But it follows the eastern shore of lake Simcoe to Talbot river and to the eastern boundary line of the home district, then south to the northwest corner of the township of Darlington. Well, that had intended to be conveyed to the Crown but was omitted at the time of the Surrender, but the Royal Proclamation of Lt.-Governor Simcoe says that belongs to the Mississaugas. It says it here: (Reads from the Proclamation, July 16th, 1792)

Q. You surrendered from the Bay of Quinte to Scarboro?

A. Yes, we surrendered that tract of land from Tobegog river, 28 miles north, then east 14 miles, south 28 miles to Scarboro along the shore of the lake, that was in 1788, that strip along the shore of the lake.

Q. You say the Mississaugas surrendered from the Bay of---

A. You must know that one Treaty was defective, and that Treaty was made at the "Carrying Place" by Sir John Johnson, but it was defective, and in 1806 they made a confirmatory surrender and it gives a full description of the land intended to be surrendered in 1787. In 1784 they surrendered from the Bay of Quinte along the lake to Scarboro. That was the Gunshot Treaty, and in 1788, four years later, they surrendered that confirmatory surrender from Scarboro up to Lake la Clie, but it was supposed to cover the lands surrendered in 1784. They added in that additional piece tho', that piece that runs to the southern point of Lake la Clie, which is now Simcoe. They went 14 miles at right angles, then 14 miles south to the northern boundary of Pickering, thence east to those two townships (indicating on map) leaving this piece unsundered South of lake Simcoe.

Q. How many townships in this unsundered piece?

A. Seven townships---Reach, Brock, Thora, North Gwillimbury, Georgina, Scott, Uxbridge, and a part of Scugog township. Those were unsundered.

Q. You coloured this map? A. Not all, the Indian Department did most of it in May 1901.

Q. Then you got this on May 23rd, 1901? A. Yes.

Q. Did you assist in the colouring of this map? A. Yes, I was down there and they showed me the map, but they did not colour the townships I spoke of above. I coloured that myself.

Q. You coloured the red? A. Yes.

Q. Who did the blue? A. The Indian Department.

Q. The yellow? A. That marked them down with a pencil and showed the unsundered lands and showed it to me, and the surrendered parts too, and I put the colours on.

Q. Now let me understand: they marked out in pencil at the Department the boundaries of those lands, and they coloured the Surrender of 1818 in blue? A. Yes sir.

Q. You did the rest? A. Yes, the late Mr. Orr did the pencil marks.

Q. You think this correctly indicates the situation at present?

A. No sir, I don't, for this reason---

Q. You say this does not correctly indicate the situation and wish to point out where it is wrong?

A. The Treaty of 1818 says: "Commencing from the northwest corner of the township of Rodden, north 33 miles, 16 degrees west to line 45 degrees of latitude". Then my contention is ---then it says: "West along said line to bay at the entrance of Lake Simcoe". Now there is the line 45 on that map, but you don't find Simcoe up there, do you? See, there is that line 45 right along from Bracebridge to Moose Deer Point.

Q. Then I suppose that was just a mistake? A. Sure, it was, for them, and it was a mistake for us we don't know a cannon sounds further than a gun too.

Q. Now, the Treaty gives line 45 degrees as the northern boundary.

A. It says "West along said line to a bay at the northern entrance of Lake Simcoe".

Q. Would that be McFee Bay? A. Yes.

Q. So your point is that taking into consideration the two given points, the northern boundary of the Surrender of 1818 could not possibly follow the 45th parallel of latitude?

A. That's it, sir.

Q. That is quite evident. I guess I have that through my head now. I couldn't get that before.

MR. SINCLAIR:

Q. Where is the proclamation that excludes this small red piece south of Simcoe? A. Here is the Proclamation: 16th of July, 1792, made by Lt.-Governor J.G. Simcoe.

Proclamation filed as Exhibit E (see page 9)

Q. In that Proclamation it refers to what?

A. The lands belonging to the Mississaugas--they are the 12th and 13th and 14th of those counties referred to. As I understand the Treaty of 1818 from the description of that land it starts on the South shore of Cook Bay in Lake Simcoe, thence to the Bay at the northern entrance of Lake Simcoe near the Narrows. The description then starts at Rodden, the northwest corner, going north to line 45 degrees of latitude, it says 33 miles on to 45th degree, thence along the 45th degree of latitude to a Bay at the North end of Lake Simcoe, then follow the shore of Lake Simcoe on the east side of Talbot river, then the Talbot river to the eastern boundary of the home district, then the eastern boundary of the home district to the northwest corner of the township of Darlington, thence following the north boundaries of Darlington, Clark, Hope and Hamilton to Rice Lake, then the south shore of Rice lake and the River Trent to the northwest corner of Rodden, or place of beginning. It was intended to convey that to the Crown, but they make that mistake and that surrender did not give that land. The Proclamation of Simcoe gives us that.

Q. No, the Royal Proclamation says while describing certain counties that you go up to the lands owned by the Mississaugas, but that would not control the Treaty.

A. The Royal Proclamation was before the Surrender. It was in 1792 and the Surrender was 1818

Q. You say those lands were recognized as belonging to the Mississaugas, and they were not surrendered? A. Yes, that is what I mean.

MR. MCFADDEN:

Q. Now, you have another map here. A. Yes, I will put it in.

Map showing Surrenders of the Mississaugas
Filed as EXHIBIT F.

Q. Where did you get this map? A. At the Indian Department from the late Mr. Orr.

Q. When? A. Some 15 years ago.

Q. Was it marked as it is now? A. Yes, and I have had it ever since.

Q. Are there any points of information you can give us about those maps?

A. Well yes, here is a letter to the Superintendent of Indian affairs, written by my great grandfather, George Paudash, and dated June 21st, 1847. This is the original letter and it was among our files. I mean it is a copy of what is in the Indian Department.

This is page 1 of EXHIBIT E, which is a file of documents and correspondence.

It mentions our northern hunting grounds in there.

MR. MCFADDEN:

Q. Now are there any more documents you would like to submit? A. Yes.

Witness filed:

EXHIBIT G, 1818 Treaty, copy to Rice Lake Band.

EXHIBIT H, 1818 Treaty, copy to Scugog Lake Band (Letter I not used in marking Exhibits)

EXHIBIT J. Certified copy of letter from Mr. Butler.

Witness referred to page 20 of Exhibit H, second paragraph, underlined in red.

EXHIBIT K, containing copy of petition regarding intruders on Grounds, 1829.

Q. Just put them all in and we will look over them after.

Witness filed: EXHIBITS L, M, N, O, P, Q, R,
and many other documents and books.

Q. Now, is there anything else you would like to tell us?

A. I guess you got it all now.

WITNESS RETIRED:

[p. 235-240]

Extract of testimony of Dan Muskrat

Q. How long is it since your father died? A. He died in 1911.

Q. How old was he when he died? A. I suppose between 75 and 80.

Q. What did he tell you about going hunting in the North?

A. He said he was around Madawaska and right out to the Ottawa.

Q. Do you remember his going hunting himself? A. I remember his going to the Burnt river and up there.

Q. Did you ever go to the Madawaska or the Ottawa? A. No, but he told me he went there.

[p. 244]

Q. It comes down to this, then, that on one occasion you went up to the Madawaska river, and you have heard from your father that he went up to that territory, and from your mother that she had been in that direction with hunting parties too?

A. I did not say that she had been in that direction. She went towards Loon Lake.

[p. 245]

Extract of testimony of James Howard

Q. Did you ever hear Muskrat's father speak of the South river? A. Yes sir.

Q. What did he say about it? A. Well, that he went back there hunting.

Q. And what impressed that on your mind? A. He told me he found a little child drowned in the water up there.

Q. In the South river? A. Yes sir.

Q. And this river flows into lake Nipissing? A. Yes.

Q. Do you know any other member of your Tribe who hunted on South river? A. Well, yes, my brother went back there, and Dannie Cowie---my brother is Madden Howard down there.

Q. They also hunted on the South river which flowed into the lake Nipissing? A. Yes.

Q. But you were never there? A. I lumbered through there, about eight years ago.

WITNESS RETIRED.

[p. 246]

Extract of testimony of Madden Howard

Q. We understand that you have hunted up on the South river?

A. Yes sir.

Q. Did you have any special hunting ground there? A. No, we just hunted generally.

Q. How many miles up and down the river would you go, about?

A. Oh, About fifteen.

Q. And how far on each side? A. Just about a mile.

Q. How many years ago did you go there---or we'll put it this way---how many years did you go?

A. Goodness. Once was enough. When we went back North once we never went back again because the white people lifted all our traps up, so I think once was enough.

[p. 246]

Q. Now, how about anybody else?

A. John Muskrat was the only man I know who went all back through there. Well, I heard Paudash's grandfather talking of the hunting grounds, he say how far our hunting grounds went. He said to go away back of lake Nipissing and go straight east, and he said those were our old hunting grounds.

Q. Would that include the Mud Lake Band and Rice Lake and Scugog?

A. We are all in one, that would be all of us.

Q. Mr. Paudash's grandfather told you the hunting grounds went from as far north as Nipissing, over on the east to---well as far as the Ottawa river?

A. He did not say Ottawa, but he say "away east".

[p. 248]

Extract of testimony of Johnson Paudash

Q. We have some evidence today about the traditions of the Mississauga Nation. Now have you looked into these stories at all? A. Yes.

Q. Tell us briefly what you heard your grandfather or any of the other old people say about the traditions of the Mississauga nation, as to the boundaries of their hunting grounds, or as to the lands themselves.

A. Well, we came from the Mississauga river, up north of Manitoulin and east of Sault Ste. Marie, and some of our Mississaugas came from Lake Nipissing. When the Mohawks exterminated the Hurons, at the same time they drive the Chippewas North to Lake Superior. Then the Mississaugas come down from the Mississauga River and the Lake Nipissing. Under the leadership of O-ge-mah-be-nah-ke, or Bald Eagle, came down 1500 warriors of the Mississauga Nation. He was my great grandfather's grandfather. That is a long time back. He came down with these warriors and the first big battle was at the mouth of the Severn River at a place called Skull Island. Then they came up the Severn River and down the Black river and down to the Narrows of Lake Simcoe, and then they came up the Talbot river and over the heights of lands into Balsam Lake and down the chain of lakes to what is called Sturgeon Lake. From that point they separated, and one party went East, up the Scugog way, and portaged into lake Ontario and they followed a party of Mohawks to Burlington Bay, where they had a great battle. The other party came this other way, towards Mud Lake, and portage where Chemong Park is, over to O-mah-ga-ning (that means portage) and then they had a battle at Cemetery Point

at Peterborough, and drove the Mohawks down to Campbellton, where there was another battle at the mouth of the Otonabee river, at Hatterick's Point. They had another battle at Ghost Island in Rice Lake, where there are a lot of Mohawk bones. Two Tribes come down, the Snake and the Turtle, and the totem they have on the chest, and the dead warriors they bury according to the totem, so as their children will know where they are buried. Then they went to another point down here---fighting along---down to Roche's Point, and they have great battle, and the Serpent Clan must have been just about finished, for there is a Serpent Mound about 190 feet long and about 16 feet wide and 8 feet high, and it has a head and tail, and it winds, and the men of the Snake totem are buried there, and the inside of it is filled with human bones---Mohawk bones. That was the Serpent Clan. On the side are seven or eight Turtle mounds full of bones of the warriors of that clan. That is four miles from here. The Ontario Government did some digging there and found the skeletons and they were pierced with arrows.

Then they went to the River Trent, and over the lake and to the foot of lake Ontario, where the Mohawks had to make a Treaty of Peace with our people.

And all those hunting grounds---we occupied it up there you know.

Q. You had this war with the Mohawks and drove them out?

A. Yes.

Q. You were at Nipissing before the Mohawks came? A. Yes.

Q. Then the Mohawks could not have come here first? A. They were in York State, they came there even from south of that again.

Q. But how did they get here? They came up here, fighting, and drove the Hurons out.

Q. Are the Chippewa Indians Ojibways? A. Yes.

Q. Well, the Chippewas and the Hurons had this hunting ground we talk of?

A. No, their ground was Southwest of the Georgian Bay.

Q. That would be a pretty small piece, would it not? A. No, a great big piece.

Q. But I want to know on what you found your title to hunt from Georgian Bay across to the Ottawa River, North of Line 45, and South of Nipissing. Did that belong to the Mohawks?

A. No, never.

Q. Then you did not conquer it?

A. Yes, we did. They came to drive the Hurons out and thought they would get it but they didn't count on us---we drove them back before they got a chance to live there.

Q. When you drove the Mohawks out, was there anybody there to contest your right to hunt there?

A. Nobody there but us.

Q. How large was your Nation when you came from the States and settled around Lake Nipissing?

A. Well, it was pretty big I guess. You see the Shawnee Indians, that we come from originally, long ago they separated, and one Sachem took one half the people with him and the other Sachem took the other half to be with him, and one half come to Nipissing:

Q. How many came to Nipissing?

A. Can't say exactly, but our traditions say there were many, many. It must have been great numbers when that Chief who was my ancestor came down with 1500 warriors---fighting men.

Q. I agree with you. Then your view is that this territory you claim as Hunting Grounds was not occupied by anyone else?

A. Not previous to the Great Mohawk War.

Q. You say the Mohawks drove the Hurons out of the territory lying Southwest of Georgian Bay, but that is not the district we are talking of.

A. But the Mississaugas lived at Lake Nipissing.

Q. Originally you were from Ohio, and ultimately got to Nipissing and lived there? A. Yes.

Q. Then the Mohawks came up and drove the Ojibways and Hurons away from the territory southwest of Georgian Bay?

A. And around Penetang.

Q. Did the Mohawks then occupy this land and use it, or were they prevented from doing that by the Mississaugas driving them out?

A. Yes, that's it.

Q. Then your title does not rest upon defeating the Mohawks, because they never had any title to it?

A. They hunted right here though.

Q. Yes, but we want to find out about the title to the northern ground.

A. Well, if our people lived here they would go north to hunt.

Q. Yes, but you infer that, you don't know they hunted there. However, the result of the war was there was no one left to occupy it except yourselves and the Chippewas.

A. Yes, and the Chippewas went to the heights of lands from the Georgian Bay, that is near Algonquin Park.³

Q. They travelled east from Georgian Bay to the height of land, and that was their hunting ground?

A. Yes, and we had the other side of the height of land.

Q. How far east did your right of occupation go?

A. My grandfather said to the great river on the east, that would be the Ottawa, and he has spoken of the Madawaska too.

Q. He indicated to you that the grounds lay around the Madawaska and as far over as the Ottawa? A. Yes.

Q. Are you people Algonquins?

A. Well, there are Algonquins, Hurons and Iroquois. Those are the three great divisions.

Q. Well, what division do the Shawnees belong to?

A. They are Algonquins.

Q. Did the Hurons come from the States?

³ It is not entirely clear that the witness is referring to the height of land for the Ottawa River watershed. It is possible that he is referring to a height of land between the Georgian Bay and Lake Ontario, running in a north-south direction.

A. No, they were always here.

Q. But the Mohawks were Americans?

A. Yes, and the Mississaugas were too.

Q. How many years ago did you have these battles with the Mohawks and drive them out?

A. Over 350 years ago.

Q. Now, is there anything else you could tell us?

A. Well, my grandfather said that they used to all live away up in the North, like Lake Superior way, but that they gradually came down from the northern lakes, conquering anything that stopped them, and that the Mississaugas and the Chippewas came South gradually and occupied all this land where we are today, but that they never gave up their north country, that they kept it too.

Q. And that they always exercised the right to hunt or live there until they were interfered with by the white men, who bothered them and lifted their traps?

A. That is it exactly.

WITNESS RETIRED:

[pp. 253-357]

The inquiry at the Hiawatha Reserve was closed with the following comments:

CHIEF GEORGE PAUDASH said a few words of thanks to the Commissioners for the way in which they had gone about taking the evidence.

MR. SINCLAIR gave a short address regarding the claim of the Indians, etc., and the desire to give fair compensation. Chief Paudash replied, saying that when the Commissioners came back to take a Surrender, he knew the Indians of Rice Lake would try in every way to make only reasonable demands.

JOHNSON PAUDASH ... Gratification over visit of the Commissioners, etc. ... The government had made mistakes no doubt in some things, but it has honestly tried to do its duty in giving us an education. The schools the Department has erected throughout Canada and all the appliances they have given us shows that the Government are interested in our welfare. This claim has been before the Government for more than 70 years, and our forefathers have so long waited patiently and now we hope the waiting is over, for if we wait as they waited we will be dead and gone too before it is settled. We are all well pleased that something is being done now to settle this matter forever, and I hope when the Commissioners come again we will be able to meet them half-way, like they want us to. We will do our best.

MR. PAUDASH Senior:

I am no good at the talking, and now my children all beat me but I am so glad the Government has sent these men who want to help us. I'm hoping now I will live to see all this settled and know that the Indians to come will have something from them that fought for them hundreds of years gone. Long ago, the old people tell me that before the white people came---when they just heard there were palefaces in our land, all the great Chiefs met together and took it all up in the Councils, and they decide that when they meet the white people they will meet them in friendship, that they will make treaty of friendship with the white people, and that has been handed down to us and I think we have kept it, for always have we been willing to meet your people in friendship.

The Hearing of evidence at the Hiawatha Reserve, Rice Lake, was closed.
[pp. 257-258]

TESTIMONY BY MISSISSAUGAS OF ALNWICK

COMMISSIONER SINCLAIR made a few remarks explaining to the Indians the purpose of this visit of the Commissioners.

Extract of testimony of John Comeco

Q. Have you ever heard any of the old men of the Tribe talk of this claim for a hunting ground?

A. Yes. I was quite a chunk of a boy and I used to hear them talk at the Council Meetings about it. They said they had hunting grounds and I don't know whether they surrendered the land at that time or not, but they hold their hunting rights, the fur, and the deer. That was all ours, that was our living, and the old men long gone did not surrender that. That have made a surrender of land only, some time ago I believe, our forefathers did.

Q. But they did not surrender the hunting? A. No.

Q. Did you hear of them saying you had a hunting ground in Georgian Bay district and around Lake Nipissing?

A. Yes, we had the hunting grounds up as far as Lake Nipissing and all through, down to the Ottawa river.

Q. Over to the Ottawa river?

A. Yes, and the streams that run to the Ottawa, all through this country.

Q. Did you ever hear any of them say how your nation obtained these hunting grounds? A. No.

Q. You don't know?

A. I guess we were the first ones that was here in Canada. I guess that is how they come to claim it.

Q. Did you ever hear anything of a great war between your nation and the Mohawks? A. Yes.

Q. Did you hear about that in reference to the hunting grounds?

A. I could not tell you much about that at all.

Q. Do you know anything more that could throw any light upon the title of these grounds? A. No.

[p. 259-260]

Extract of testimony of Robert Gray, Senior

Q. Did they [old men] ever talk to you about any hunting grounds away up north from here?

A. I don't know, they used to talk about hunting grounds below here, but I never heard about up the other way.

Q. You never heard of them hunting up around Lake Nipissing or out towards the Ottawa? A. I couldn't tell you.

Q. Now, this last witness said he heard your Tribe had hunting grounds near lake Nipissing and along the rivers that run into the Ottawa river.

A. That is what they used to claim, that our hunting grounds were away back, but I don't know where.

[p. 261]

Extract of testimony of Chief Robert Franklin

Q. Did you ever hear your father talk of these limits we are speaking of today?

A. All I ever heard was his talking of hunting grounds and lands this Band never surrendered.

Q. What did he say? A. Well, our Band never claimed land in Nipissing District, I never heard of Nipissing or Muskoka at all, because we came from the east and our claims were that way.

Q. You are a Mississauga, of the same nation as the Mississaugas of Mud Lake and Scugog?

A. Well, there were three Bands, the Kingston, Chippewa and Gananoque. Of course we are really all the same tongue, but there are three bands amalgamated on this reserve here.

Q. You of course know that the Mississaugas have been pressing a claim with the government in respect of unsurrendered hunting land. Now, have you any idea where those lands are said by the Mississaugas to be?

A. Not any more than that I was hired to take the old men to Cobourg and I heard them give their affidavits before William Kerr, and I also heard them talking in Council here several times, and they claimed from Hastings county east, and north to the Ottawa river, and up that river---run north on the dividing line between Hastings and Northumberland. It ran east again and then North to Baptiste and east over to Carleton County, and I would understand from Carleton County back to the St. Lawrence River, but we never touched Lake Nipissing, and I never heard the old hunters mention anything about lake Nipissing. Here is a letter to Mr. Pedley at the Indian Department, and it tells it all. It is dated February 2, 1903.

Q. (After reading letter) But you misunderstand the letter. This is a letter from Mr. Kerr, the lawyer at Cobourg, at one time acting for you, to Mr. Pedley, then Deputy Superintendent General of Indian Affairs. What he says is that this land which he describes is the furthest land north which the Mississaugas surrendered to the Crown. That is that land described by going up the west line of Hastings over to Carleton and back. He says that is the piece you surrendered and that that line is the extreme limit north that your people did surrender. He says also that the Mississauga Indians claim this tract was the furthest north they surrendered but that all territory lying north of that land remains their property, insofar as the unextinguished Indian title makes it their property. That is what we are here to enquire about. We know from the Treaty Book what has been surrendered, but there is this bit north of that territory surrendered, and it is in respect of that we are making this investigation. Now, what do you know about those old hunting grounds, or what did your grandfather or father or any of the old members---the old hunters---tell you about them. Do you remember anything about that?

A. No, I do not.

Q. Well, do you know your father went to Nipissing? A. Yes.

Q. What did he say about it? A. Just that it was good hunting.

Q. When did he go? A. About 35 years ago.

Q. Did he ever say why he didn't go again? A. No.

Q. He did not say he was interfered with? A. No.

Q. Do you know any other members of the Tribe who went up there to hunt? A. No.

[pp. 264-265]

Q. Is there anything else you would like to tell us?

A. Well, A Commission something the same as yourselves came here and asked what we would take for our share we had not surrendered, and we set a price.

Q. Was it you people set \$80,000 as a price?

A. Yes, but there was nothing more said, and we thought it was this land that you say we misunderstood about.

MR. MCFADDEN:

Q. Did that mean \$80,000 for this Band alone? A. Yes.

MR. SINCLAIR:

Q. I never heard of this Commission. I have seen correspondence with Mr. Plummer.

MR. COMEGO: He was our Agent at that time and there were two men came from Ottawa.

MR. SINCLAIR: Now is there anything else bearing upon this question of your claim to that northern territory that you can think of, Chief?

THE WITNESS: No.

Q. You said this Band was an amalgamated Band of Mississaugas of various places?

A. Yes, in Eastern Ontario, and we understood it was the Mohawks bought this township they live on down east from us, that is what they bought from us, at Thayendenaga Reserve near Belleville. They claim that King George III bought this township from us for them.

Q. But is there anything else about the northern territory?

A. I can't think of anything but there might be some others.

Q. And if you have any documents or declarations you wish to present, now is the time to do it. A. No.

WITNESS RETIRED:

[pp. 267-268]

Extract of testimony of John Lake

Q: And you have heard the old men talking. Did they ever say anything about your Tribe having hunting grounds up North.

A. They used to say they had hunting grounds back north of Belleville, extending up here somewhere about Sterling and running a line north to the Ottawa River, and they said several people used to go there from this Tribe, and trapped each and every year.

Q. That is to say, they would have regular grounds to which they went every year? A. Yes.

Q. Did they mention Lake Nipissing? A. They never went as far west as that.

Q. And they were more in the eastern strip along the rivers that run into the Ottawa? A. Yes, and they went every year.

MR. SINCLAIR:

Q. Did they speak of the Madawaska? A. No, they never named the rivers at all.

Q. Did they say how far north they went? A. Well, they went pretty nearly to the Ottawa River.

Q. And how far up the Ottawa did they go? A. I could not say.

MR. MCFADDEN:

Q. Did they ever mention Round Lake or Golden Lake? A. No, there were no names then.

Q. Or Petawawa or Grand Lake? A. No, never heard them mention names of lakes at all.

Q. Nor Bark lake? A. No.

Q. Cedar Lake? A. If they mentioned it, it would be in different names--- in our language.

Q. Well, did they tell you they went far north? A. Yes.

Q. How many days' journey? A. Sometimes four or five days canoeing and portaging.

Q. About how many miles would they make in a day? A. Perhaps 20 or 25 miles.

Q. Then they would go about 100 miles, from where? A. From Kingston and the Bay of Quinte and places along there.

MR. SINCLAIR:

Q. You said they went to the Ottawa. A. But not to hunt or trap, just with people who wanted to go, guiding.

MR. MCFADDEN:

Q. Did they talk of the height of land?

A. Yes. they said they had claims ranging from the river here, the river Trent, to the height of land of those rivers that flow into the Ottawa.

Q. That is right, eh? A. Yes, that is what I was led to believe.

Q. Then according to that, these old people had hunting grounds in the territory up to the height of land? A. Yes sir.

MR. SINCLAIR:

Q. Is there anything else you can think of at all? A. No sir.

WITNESS RETIRED:

[pp. 268-270]

Extract of testimony of Norman Marsden

Q: Did you ever hear any other old men talk of the northern hunting grounds?

A. Yes, several old men. I have heard Mr. Crow, he is dead now, and old Mr. Chase, he is dead too, and Holbert Smoke.

Q. These have all passed away. Do you know what they said about going North to Hunt? A. They all had the same story.

Q. Did you ever hear Smoke or Chase or Crow speak of the height of land? A. Yes sir.

Q. What did they say. A. Well, they didn't just mention hunting at the height of land.

Q. In what connection did they mention the height of land then?

A. Well, that it was unsundered land, just as Mr. John Lake said.

Q. That was what they spoke of more than the hunting? They spoke of those old hunting grounds and said they had unsundered lands at the height of land? A. Yes.

Q. Did they mention the Ottawa river? A. Yes sir.

MR. SINCLAIR:

Q. Do you remember Mr. George Blaker? A. He would be over 80 I guess.

Q. What was his general reputation as a truth-telling man?

A. He was a good man. He was a preacher you know.

Q. If he told you something, would you believe it? A. Yes sir.

Q. Well, if he said the hunting grounds of the Mississaugas were north of the 45th degree of latitude, would you believe that? A. He would know I guess.

Q. Well, he says here (p. 64 of Brief) that he remembers the aged members of the Band in his boyhood days speaking of certain territory, which they claim was unceded, lying south of lake Nipissing, East of Bobcaygeon, and West of the Ottawa River. He says they always claimed they had never ceded their rights to the government. Now, if Mr. George Blaker were here today and said that, would you believe him?

A. Yes sir.

Q. Did you know Mr. Thomas Marsden? A. Yes sir.

Q. He made a declaration in 1903, and said he was then 78. He has been dead some years I believe? A. Since about 1915.

Q. Well, he says he has read the declaration of Mr. Blaker and he says it is true and is borne out by his own recollection of what the old people of the Band said when he was a young man. Now---

A. He was my father you know.

Q. Oh, well, did you know Peter Crow? He made a declaration in 1903. How long is it since he died? A. Three years.

Q. Had he a good reputation as a truthful man? A. He was my father-in-law. I would believe him all right.

Q. He says he has read both these statements and that they are true. Now, did you know the Reverend Mr. Allan Salt? A. Well I have seen him.

Q. They say he was a member of your Band, but did not live here.

Q. Not that I remember. I have just met him at Parry Island.

Q. Is there anything at all you want to tell us?

A. Well, my grandfather has a place up on [Kesheewagama]---an Island. Could he not hold that? He has not had papers, but he always hunted and fished there all his life.

Q. Your grandfather did? A. And my father too.

Q. He got it from his father? A. Yes.

Q. And you got it from him? A. My father is living.

Q. How big is this island? A. 12 or 15 acres.

Q. Why did he value this, did he hunt there? A. Oh, for the hunting, and we camped there.

Q. Well, that at least is in the territory never surrendered.

A. Yes sir. That is all I got to say.

WITNESS RETIRED.

[p. 273-275]

Extract of testimony of Moses Smoke

Q: Did you ever hear about the Mississaugas having a claim away up north for unsundered land that was their hunting ground?

A. Yes sir, I heard that too.

Q. You heard that from the old men? A. My grandfather, he had the papers to show but they are all burned up.

Q. What did he say?

A. All about Christopher Columbus, that was the first man that found the Indians, and that our forefathers come from Grand Island and Mississauga Point, and the Kingston Indians met with them other Indians together and decided what to do, but now the old folks are ended up in the graveyard and we are the only ones left and can't remember very well. The white man when he bought the country from the Indians, that Christopher Columbus, when he come he bought all this from the Indians I guess, and he say, "I will keep you as long as the sun hang in the sky and the river run and the grass grow, that long will I keep you, " and he promised, and the Indian say "All right" and Christopher Columbus he bought this land, and after a while they paid us with guns and goods and needles and that was all right, but then they start paying with money instead of goods, and that ain't right, but even then they don't take this game you try to take off of us. They know that as long as we live we can kill game when we like, but the government now says we can't, after they said to us long ago "We are not buying your furs or your animals, just your country". You men had better settle up with us Indians what you owe us, and that is nothing but right. And I tell you this game is ours, and we will kill it if we like, because long ago the white man when he take our land say he does not take our game.

WITNESS RETIRED:

[p. 276-277]

Extract of testimony of Miss Crow

MR. MCFADDEN:

Q. You have lived here all your life? A. Yes.

Q. You remember when your father died? A. Yes, just three years ago.

Q. He often talked to you about the traditions of your tribe, and the old times, perhaps more than to the boys? A. Oh yes.

Q. And you would listen to him patiently? A. Oh, I did.

Q. Did he say where the Mississaugas came from originally?

A. He thought they were divided into two nations. There was a company from Kingston, and then there were the Bay of Quinte Indians, and those two mingled with each other in course of time and were got together by the Old Chiefs and they were at that time living at a place called Grape Island on the Bay of Quinte.

Q. Did he say how they got here?

A. Yes, he said the old Chiefs from up North got talking and coaxed our people to move up north and settle here. They would rather have lived by the lake shore, our Indian people naturally would, but the man who brought us here, the Reverend Elder Case, wanted us to come here and wanted the rising generations for agricultural purposes, and of course other Indians now claim this place, that we don't own this place, but we do, right from the Bay of Quinte on to Nipissing.

Q. Did your father mention lake Nipissing? A. Yes he did.

Q. He had not been up there? A. Yes, with people that were hunting.

Q. Did he go himself? A. Only with those people.

Q. And he said your nation had hunting rights right up to the lake Nipissing? A. Yes.

Q. Did he say the Mississaugas at one time lived at Nipissing?

A. That is what he said.

Q. Did he mention the battles with the Mohawks? A. Of course.

Q. The battles between the Mississaugas and Chippewas and Mohawks, and that you drove the Mohawks out? A. Yes.

Q. Did your father go hunting every year?

A. The latter part of his life he didn't, but when I was small he went up Apsley way and Haliburton and right on to Coehill. That way.

Q. Did you ever hear other old men talking of the hunting grounds at the height of land? A. Oh yes, but they are all gone now.

Q. What are the names of these old men?

A. Mr. Marsden, and old Mr. Smoke and Mr. Chase.

Q. And you have heard them talk with your father?

A. Yes, they would get together and be smoking and talking about the hunting.

Q. What impression did you get from listening to your father talking about the hunting grounds? Where do you think they would be?

A. Well, I would think they would be a long ways back.

Q. As far as Nipissing? A. Yes.

Q. And how far along the Ottawa? A. A long way down the Ottawa it went.

Q. You believe it went down the Ottawa?

A. I do fully believe that, because they hunted down that river. I have heard them say so often.

WITNESS RETIRED:

[pp. 277-279]

Extract of testimony of David M. Crow

Q: Did your father or uncle have a hunting limit in the northern territory we talk of?

A. My uncle used to speak of them going back around Apsley and Coehill.

Q. Did he mention the height of land? A. Yes.

Q. Or the Madawaska river? A. Not that, but they spoke of Paudash river.

Q. Did they go toward the Ottawa? A. Yes, down it as far as Bancroft.

Q. And how far north? A. That is right at Ottawa I think.

Q. How far toward lake Nipissing did they go? A. I suppose as far as Apsley.

Q. Did they speak of going to Nipissing at all? A. No.

Q. Did they hunt regularly when they were young? A. Well they didn't have to go far back to hunt at that time because game was plentiful.

Q. Then you have heard the old men speak of hunting grounds to the north belonging to the nation?

A. I have heard of the boundary that is the river Trent and back to Prescott and down here.

Q. Not north? A. No.

Q. Did they ever speak of the Gunshot Treaties? A. No.

Q. Did you ever hear them say they owned the lands north of the Gunshot Treaties?

A. Yes, we had quite a Council here one time about the Gunshot Treaty. We didn't think at that time it was a very good idea because they claim that one day you could hear a gun much further than another day, and they decided the Gunshot Treaty was not a good way.

Q. Still, there are such Treaties? A. Yes.

Q. You heard them talk of lands north of the Gunshot Treaties?

A. Up as far as the heights of land.

Q. Did they speak of the east or the west boundaries of it?

A. The west would be like from River Trent down here back towards Prescott.

Q. I would call that South, but I suppose the south boundary would be the north boundary of the Gunshot Treaty. Now, the other land north of the Gunshot Treaty would be bounded by the height of land running east and west, is that it?

A. Yes.

Q. Did any of the old men go to that territory to hunt?

A. Old Francis Beaver used to speak of going further back for the big game.

Q. Do you remember anything else that would throw light on this enquiry, as to other members of the Band going there or the stories in the Tribe as to their hunting grounds?

A. No, I can't remember. I have heard the old men talking among themselves, but whether it was hunting grounds or not I don't know.

WITNESS RETIRED.

[p. 280-281]

Extract of testimony of John H. Chase

Q: Did you ever hear the old members of the Tribe talk of having hunting grounds away back?

A. I have heard them say they had, but where I don't know.

Q. Did they say they went up the Ottawa? A. Oh yes, some of them, and to the height of land.

Q. And did they say their hunting grounds were between the height of land and the Ottawa River? A. No, they did not. They never had to go very far to hunt.

Q. But was the hunting ground they had, say 400 years ago---did they say where they were? A. No, I don't remember.

Q. Did you ever go up into these lands we speak of, up near the Madawaska? A. Never.

Q. You heard about the fighting between the Mohawks and the Mississaugas? A. I hear the old people talk of that.

Q. You heard, I suppose, that the Chippewas and Mississaugas drove out the Mohawks? A. Yes.

Q. Did you hear the Chippewas or the Mississaugas lived up near lake Nipissing? A. Yes, and they fight for the hunting grounds, I heard that.

Q. Did you hear where the Mohawk Hunting Ground was that they got by the fights? A. No, but our people won them anyway.

WITNESS RETIRED:

[p. 282]

The Inquiry at Alnwick Reserve was closed with the following remarks:

MR. CROW, Junior: Mr. Parker came up here from the Department and he told us at Alderville that we had no right to gather rice in Rice Lake. Haven't we got as much right as they have from the Hiawatha Reserve to take that rice?

MR. MCFADDEN: That is a different matter entirely, sir. we [sic] have nothing whatever to do with that.

MR. SINCLAIR gave a short address, explaining the position of the government in the matter of this claim, and requesting the Indians to think the matter over carefully and make only reasonable demands if the Commissioners returned with a view to making a Treaty.

CHIEF FRANKLIN: I am sure we have enjoyed those men's visit. We are kind of suspicious I guess and we were wondering what was coming, and we wonder if it is for good or for bad, but I think it will be for good. The words those gentlemen spoke at the last is very satisfactory, and I think by the way things are shaping likely they will use us as best they can and put the