

Historical Report

Assessing Métis Historical Claims to Rights in SON territory

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April 2025

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Part 1: Background & Terms

Introduction

We have been asked by Saugeen Ojibwe Nation (SON) to assess claims made by three organizations, the Métis Nation of Ontario (MNO), the Georgian Bay Historic Métis (GBHM), and the Historic Saugeen Métis (HSM), for recognition as Indigenous peoples and to harvesting rights in SON traditional territory. SON are an Anishinaabek people, whose presence in their territory dates back millennia. SON today is comprised of Saugeen First Nation and Chippewas of Nawash First Nation. The Saugeen and Nawash historically comprised a joint council and co-managed the interior land-based resources of this territory. They continue this relationship today. We use the term Joint Council to refer to this deliberative body. These Métis organizations claim section 35 rights in traditional SON territory based upon their assertions of the presence and activities of HSM and GBHM ancestors there. These claims have arisen because of the 2003 Powley decision of the Supreme Court of Canada, which affirmed the existence of a distinct Métis community “in and around Sault Ste. Marie” that existed before the Crown achieved effective control of the region about 1850. The court further found that this community continued to exist and has become a contemporary community which warranted harvesting rights under Section 35 of the Canada Act, specifically the right to hunt for food in the Sault Ste. Marie area.¹ Since that decision other claims and assertions have arisen across the province of Ontario concerning the existence of other asserted distinct Métis communities claiming Section 35 rights.²

The MNO, GBHM and HSM are quite recently formed organizations. Established in 1993, the MNO seeks to use the 1982 constitutional recognition of the Métis as a way to assert the Indigeneity of people who claim a Métis identity on the basis of family history, which can include an Indigenous ancestor, an ancestor or ancestors with some connection to the fur trade, intermarriage with other families which the MNO as identified as Métis and residence in specific places deemed Métis settlements according to criteria which are, as we will explain, their own

¹ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43.

² MNO and the Province of Ontario now recognize seven “historic Métis communities.” “Identification of Historic Métis Communities in Ontario,” 22 August 2017, <https://news.ontario.ca/en/backgrounder/45936/identification-of-historic-Metis-communities-in-ontario>.

modified version of the criteria laid out in the Powley decision.³ The Métis Nation of Ontario (MNO) recognize the Georgian Bay Historic Métis (GBHM) as the rights-holding community which the MNO represents as a governing body. The Métis Nation of Ontario has also created a “community council” for their recognized members who live in SON territory on their website, which includes a community council charter, by-laws and an election code.⁴ The MNO has also identified “Traditional Harvesting Territories” on the map below in Figure 1. Members of the MNO can acquire a harvesting card based on having had ancestors who were part of one of the MNO’s “distinct communities” residing in a particular region. The Historic Saugeen Métis, **whom the MNO itself does not recognize as a distinct Métis community**, began as the Saguingue Métis Council in 2001. It published a *Heritage Atlas* on its history in 2005⁵ and was incorporated as a provincial not-for-profit corporation in 2009.⁶ Today, it maintains an active registry. Their registration page specifically links membership in their organization to asserting section 35 Aboriginal rights. HSM wants its members to be recognized as Métis people with section 35 rights, while at the same time they wish to be “acknowledged rightfully for their contributions to the development of the Lake Huron coastline from the Upper Detroit region to the tip of the Saugeen Peninsula”⁷ or in other words, for the work of settler colonization which resulted in SON’s dispossession of nearly all of their territory, except those held as reserve lands.

³ Métis Nation of Ontario, MNO Chartered Community Councils, <https://www.Métisnation.org/community-councils/>.

⁴ “The *Great Lakes Métis Council Community Charter* “... declares that it represents the citizens of the MNO who live within the specified geographic area described in paragraph 3.10.” Section 3.10 states that “The Community represented by the Community Council is described geographically as follows: 1 North: Starting at Tobermory follow the shoreline of Georgian Bay South/East along the shoreline of Colpoys Bay, continuing to follow the Georgian Bay shoreline to Owen Sound, through Meaford, Craigeleith, and Collingwood until Bowers Beach. East: From Bowers Beach follow Hwy 26 South; continue on Hwy 18 South until Hwy 18 intersects with Hwy 89 at Violet Hill. South: From Violet Hill follow Hwy 89 West through Shelburne, Mount Forest and at Minto continue South on Hwy 87 through Harriston, Wingham until you reach the South/West shores of Lake Huron at Point Clark. West: From Point Clark follow the Lake Huron shoreline North through Port Elgin, through Pine Tree Point and continue to the Northern point at Tobermory. *Métis Nation of Ontario Community Charter Agreement*, 18th September 2004.

⁵ HSM began in 2001 as the Saguingue Métis Council.

⁶ “Historic Saugeen Métis, OCN 1790406, Incorporated January 30, 2009, Head office: Southampton Ontario. Source Ontario Business Information System, <https://www.ontario.ca/page/ontario-business-registry>.

⁷ Historic Saugeen Métis, “Registration,” <https://saugeenMétis.com/registration/>.

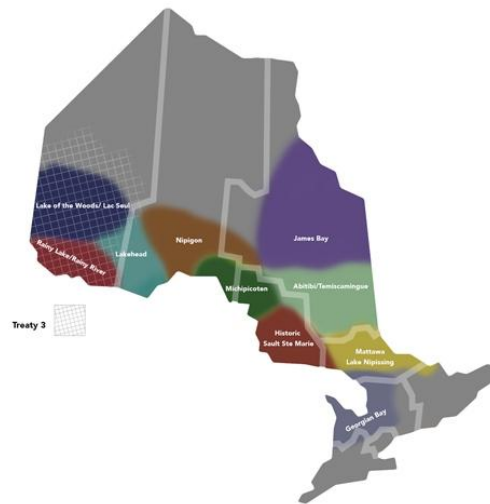


Figure 1: "MNO's asserted Traditional Harvesting Territories" Map, 2024.⁸

To support their assertion that there were other distinct Métis communities in what is now Ontario (aside from at Sault Ste. Marie), both the MNO and HSM have used genealogy to name individuals and families with mixed Indigenous/European ancestry. The existence of these families is used to support claims that descendants have constitutionally protected section 35 Indigenous rights. The MNO also points to family participation in the fur trade, in timbering and fishing occupations as further evidence of a distinct Métis way of life. The MNO recognizes the GBHM as a distinct Métis community that they assert coalesced around Parry Sound and Penetanguishene. The GBHM also asserts that some of these families formed a distinct Métis community at Owen Sound beginning in the 1840s, and that these families had kinship ties to Penetanguishene.⁹ It is with connections to these families (four in total) that the GBHM asserts harvesting rights in a large swath of SON territory for recognized GBHM members.

The HSM has produced publications, a website and made public claims asserting a distinct Métis community of ancestors along the eastern Lake Huron shore, particularly at Southampton and Goderich, a community they say dates back to the 17th century and the

⁸ Métis Nation of Ontario, "Traditional Harvesting Territories," <https://www.Métisnation.org/registry/harvesting/harvesting-map>

⁹ Métis Nation of Ontario, Verified Family Line Assessment Document, Coture-Jones Family Line (FL7017), 2..

beginning of French exploration in the region.¹⁰ HSM describes itself as “an independent, historic Métis community located at Southampton, Ontario,” who “represents the descendants of Métis in the historic Saugeen community prior to settlement.”¹¹ HSM also states that they “assert credible s. 35 aboriginal communal rights in the Métis Saugeen territory. The community has been along the Lake Huron shoreline with continuity for almost two hundred years.”¹² HSM opened a museum in Southampton (Historic Saugeen Métis Interpretive Learning Centre) in 2013 to further promote this narrative and seeks recognition from local businesses and polities that they are an Indigenous people on SON’s territory.¹³

These contemporary Métis organizations assert that their ancestors formed distinct historic Métis communities at Owen Sound in the case of the GBHM, and at Goderich and Southampton in the case of the HSM, all separate from SON. But had there ever been such distinct communities in their territory, SON would have known about them, because SON was an existing Anishinaabe polity with long-established governance practices over its lands, as a joint council comprised of two separate council fires, each led by its own ogimaa (chief or leader) answerable to the entire community, advised by the anike-ogimaag (step-below or deputy chief), heads of families, the council of women and the council of warriors.¹⁴ The Anishinaabe system of governance had clear divisions of responsibility or jurisdictions between local council fires, joint council fires, and regional grand councils at which alliances between local and joint council fires were made and renewed. New polities were recognized and affirmed at these gatherings, and new local leadership was ratified by allies.¹⁵ Such gatherings were also historically important for the renewal of personal relationship, family connections, trade and games.

When the French and later British established forts in the Great Lakes region, they did so with the permission of the nation on whose land they were situated, and post commanders were

¹⁰ We explain in the body of this report this is not a plausible or supportable claim.

¹¹ Landing Page, Historic Saugeen Métis, <https://saugeenMétis.com/>.

¹² Landing Page, Historic Saugeen Métis, <https://saugeenMétis.com/>.

¹³ HSM Interpretive Learning Centre <https://saugeenMétis.com/hsm-interpretive-learning-centre/>

¹⁴ The Anishinaabe system of governance is discussed extensively in Heidi Bohaker, *Doodem and Council Fire : Anishinaabe Governance through Alliance* (Toronto: Osgoode Society for Canadian Legal History and the University of Toronto Press, 2020).

¹⁵ Bohaker, *Doodem and Council Fire*.

recognized as equivalent to Anishinaabe ogimaag (chiefs). Imperial crowns became council fires. Communities gifted post commanders the ceremonial regalia of ogimaag, including headdress and neck ornaments in recognition of this status. Local allied communities met regularly to renew their alliances and exchanged gifts as a reaffirmation of their nation-to-nation relationship.¹⁶ It was this longstanding relationship that the British Crown affirmed in 1763, in the Royal Proclamation, in which it formally acknowledged its alliance relationship with Great Lakes Indigenous nations, and created the context in which the Crown was able, more than sixty to ninety years later, to purchase SON land. There is simply no evidence of any such alliance relationship being established or renewed between any such distinct Métis community on SON territory and SON itself. In other words, there was no distinct Métis community with which whom SON could have had such a relationship. When either of SON's councils (Saugeen or Nawash) granted permission for an individual or family (usually a mixed-ancestry relative) to live on their territory, such an action was analogous to letting a relative move into one's house. The relative did not, by the act of moving in and being given their room, acquire title to the house.

¹⁶ Bohaker, *Doodem and Council Fire*. Cary Miller, 'Gifts as Treaties: The Political Use of Received Gifts in Anishinaabeg Communities, 1820-1832', *American Indian Quarterly* 26, no. 2 (2002): 221-45, <https://doi.org/10.1353/aiq.2003.0024>; Catherine Sims, 'Algonkian-British Relations In The Upper Great Lakes Region: Gathering To Give And To Receive Presents, 1815-1843', *Digitized Theses*, 1 January 1992, <https://ir.lib.uwo.ca/digitizedtheses/2121>;

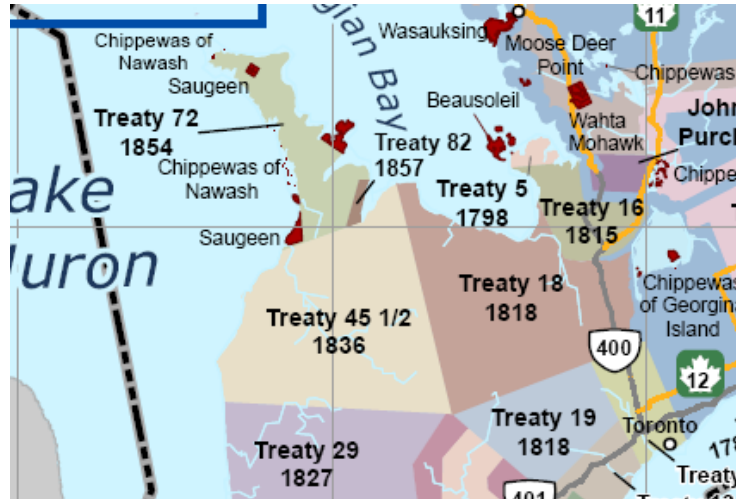


Figure 2: **Excerpt of Ontario Treaty Map showing Crown Purchases of SON territory.**¹⁷

This report analyzes claims only with respect to SON's territory and finds that in the case of SON, the claims made by the MNO, GBHM and HSM do not stand up to scrutiny. Because of SON's long-standing and assertive governance over its own territory from before the time of Europeans' first arrival on SON lands, because of SON's isolation from the freight ways of the fur-trade through the 1700s and into the 1800s, and because of the rapidity by which the Crown seized effective control of SON's territory through purchases of their land in the period 1827 to 1854, there was a neither time nor a place for a distinct Métis community to develop on SON territory before effective European control. To be sure, there were mixed-ancestry individuals present in the region, but as this report will show, prior to the signing of treaties, those individuals were either part of SON itself or they were traders, they either had SON's permission to be living on their territory or they were deeply tied to settler trade networks (for instance, working seasonally for the HBC without establishing a permanent community). Others came after the Crown had achieved what the Supreme Court defines as "effective European control" and benefited from the settler colonization of SON territory.

This introduction discusses SON's long-standing governance practices, lays out our historical analysis of the context in which colonization occurred and discusses the specific claims to SON territory. Because Métis can mean different things, we discuss differing definitions of the

¹⁷ Province of Ontario and the Government of Canada. *First Nations and Treaties Map*, King's Printer for Ontario, 2022, https://files.ontario.ca/treaties_map_english.pdf.

term “Métis” We analyze the criteria in the Powley decision concerning “distinct Métis communities” and “effective European control” with respect to SON’s territory, based on a plain reading of the decision in our capacity as historians rather than as legal experts. In the body of the report, we analyze in detail the specific claims made by these different Métis organizations and examine the genealogical data they put forward concerning their claims to SON territory

About SON

SON¹⁸ is an Anishinaabe people whose ancestors have lived on their territory since time immemorial; archaeological and archival evidence as well as oral histories demonstrate the antiquity of their connection to this homeland.¹⁹ SON is both an independent self-governing people who are interconnected with and who were historically intermarried with other Anishinaabe communities throughout the Great Lakes region, but especially those in the proximity of Georgian Bay, Manitoulin Island and the southern shores of Lake Huron, including Saginaw Bay and in south-western Ontario. Anishinaabeg peoples developed their civilization and political system in the Great Lakes region grounded in a distinctive worldview. Anishinaabe cultural, political, and legal traditions were, and continue to be, derived from their aadizookaanag, or sacred stories.²⁰ In these narratives, lands and waters are simultaneously

¹⁸ Heidi Bohaker served as an expert witness for Saugeen First Nation in Chippewas of Saugeen First Nation and Town of South Bruce Peninsula et al, also known as the Sauble Beach case. (Court File 03-CV-253768). Large portions of this section “About SON” is excerpted from the expert report prepared for that case, “Saugeen First Nation and Sauble Beach: Before and After Treaty 72,” amending where necessary to include discussion of the Chippewas of Nawash or including new or updated references.

¹⁹ Archaeological and historical research has conclusively demonstrated the cultural continuity of today’s Saugeen First Nation on these lands with their ancestors. See: Heidi Bohaker, ““Nindoodemag” The Significance of Algonquian Kinship Networks in the Eastern Great Lakes Region, 1600–1701,” *The William and Mary Quarterly* 63, no. 1 (2006): 23–52; William D. Finlayson, *The 1971 Excavations of the Donaldson Site*, Canadian Museum of Civilization, Library, Archives and Documentation (Archaeological records), MS 1598; Scarlet E. Janusas, “Marine Archaeology and our Coastal Heritage,” *Sources of Knowledge Forum: Sharing Perspectives on the Natural and Cultural Heritage of the Bruce Peninsula*, Conference Proceedings, Report 001, Coastal Heritage, Scott R. Parker, Sean Liipere and J. Gordon Nelson, eds, (Tobermony, Sources of Knowledge Forum, 2009), 21–27.

²⁰ In the two decades since the Powley decision, there has been tremendous increase in the published scholarly research on Great Lakes Anishinaabe history, law, language and culture, led by Anishinaabe scholars working with elders in their communities and drawing on oral histories and material culture as well as the archival record. They have produced works that have greatly deepened our understanding of the sophistication and complexity of Anishinaabe laws, politics and histories, both regional and more local studies. See for example the following from Anishinaabe scholars: John Borrows *Drawing out Law: A Spirit’s Guide* (University of Toronto Press, 2010); Lindsay Borrows, *Otter’s Journey Through Indigenous Language and Law [Electronic Resource]* | University of

spiritual and physical spaces²¹. In the stories that children learned (and now continue to learn) they were schooled:

in the knowledge of the work required to maintain larger political relationships, as the fundamental principal of reciprocity shaped all alliances, large and small.... In other words, the principles and practices that shaped Anishinaabe legal traditions around governance through alliance were grounded in the principles and practices that guided everyday family life in the pursuit of *mino-bimaadiziwin*. This phrase means both life itself and the rules for proper conduct – to live well, to achieve mino-bimaadiziwin, is to fulfil one’s obligations to all one’s relations, in all four directions.²²

SON children were taught not only their own histories, laws and practices, but they also learned what Molly Brant of the Kanien'kehà:ka (Mohawk Nation) described as the “Custom of all the Nations” the broader system of kinship metaphors and diplomatic practices which comprised the inter-societal/international law necessary for the general maintenance of peaceful relations between distinct peoples.²³ Understanding how SON

Toronto Libraries (UBC Press, 2018), Alan Corbiere, *Their Own Forms of Which They Take the Most Notice’: Diplomatic Metaphors and Symbolism on Wampum Belts.*, 2014; Alan Theodore Ojiig Corbiere, ‘Anishinaabe Treaty-Making in the 18th-and-19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms’ (York University, 2020); Karl S. Hele, *Lines Drawn upon the Water: First Nations and the Great Lakes Borders and Borderlands*, Indigenous Studies (Waterloo ON, CA: Wilfrid Laurier University Press, 2008); Cary Miller, *Ogimaag: Anishinaabeg Leadership, 1760-1845* (Lincoln: University of Nebraska Press, 2010); Bimadoshka Pucan, ‘The Anishinaabeg of Chief’s Point’, *Western University*, 18 April 2019; Leanne Simpson, ‘Looking after Gdoo-Naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships’, *Wicazo Sa Review* 23, no. 2 (2008): 29–42; Heidi Kiiwetinepinesiiik Stark, ‘Marked by Fire: Anishinaabe Articulations of Nationhood in Treaty Making with the United States and Canada’, *The American Indian Quarterly* 36, no. 2 (28 March 2012): 119–49; Jill Doerfler, Niigaanwewidam James Sinclair, and Heidi Kiiwetinepinesiiik Stark, eds., *Centering Anishinaabeg Studies: Understanding the World through Stories*, American Indian Studies Series (East Lansing : Winnepeg: Michigan State University Press ; University of Manitoba Press, 2013); Joseph Bauerkemper and Heidi Kiiwetinepinesiiik Stark, ‘The Trans/National Terrain of Anishinaabe Law and Diplomacy’, *Journal of Transnational American Studies* 4, no. 1 (2012); Michael J. Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America*, 1st ed, Early American Studies (Philadelphia: University of Pennsylvania Press, 2012); Madeline Whetung, ‘(En)Gendering Shoreline Law: Nishnaabeg Relational Politics Along the Trent Severn Waterway’, *Global Environmental Politics* 19, no. 3 (27 September 2019): 16–32. This list is not exhaustive and does not include works focused on 19th and 20th century histories. This work has also fundamentally changed how scholars understand the “fur trade” and the political history of the Great Lakes region.

²¹ Bohaker, *Doodem and Council Fire*, 72.

²² Bohaker, *Doodem and Council Fire*, 72.

²³ Barbara Graymont, “KONWATSI^oTSIAIÉÑNI (Gonwatsijayenni) (Mary Brant, Molly Brant),” in *Dictionary of Canadian Biography*, vol. 4, University of Toronto/Université Laval, 2003–, https://www.biographi.ca/en/bio/konwatsitsiaienni_4E.html; Rebecca Kugel, *Making Relatives of Them: Native Kinship, Politics, and Gender in the Great Lakes Country, 1790-1850*, New Directions in Native American Studies Series ; v. 21 (Norman: University of Oklahoma Press, 2023).

governed themselves within this broader community of allies is also essential to assessing Métis claims to have formed a distinct community on SON territory.

How SON Governed Themselves

The Anishinaabe system of governance had two distinct but interrelated parts: the doodem identity, a uniquely Anishinaabe category of kinship, and the council fire, a symbol and a site of deliberative decision making and law. Anishinaabe governance was both fundamentally democratic and decentralized.²⁴ Council fires were long-standing locations where political decisions were made—in other words, council fires were seats of government.²⁵ Their existence was agreed to and ratified by the recognition of other allied Anishinaabe council fires in the broader region. Knowing how these worked together – a kinship category and a constituted place of governance – is key to understanding how the Anishinaabe broadly, and SON specifically, effectively governed themselves before the 1876 Indian Act imposed the requirement of elected band councils on them.²⁶

The doodem identity represents beings the Anishinaabeg consider persons, such as caribou, crane, catfish, otter, bear, beaver, birch tree, thunderbird, pike, whitefish, and many others.²⁷ Members of the same doodem considered themselves as closely related as siblings, with reciprocal obligations to their fellow doodem members. As the late SON (Chippewas of Nawash) elder and writer Basil Johnston noted, “the totem [doodem] was probably the most important social unit taking precedence over the tribe, community and immediate family.”²⁸ Doodem beings are also a source of knowledge about the world and are considered relatives to whom one owes a duty of care. The use of doodem as a category of kinship is also an expression of Anishinaabe philosophy and law—one that places humans in interdependent relationships with other-than-human beings and is “a lived expression of the interdependence of all life in the

²⁴ Bohaker, *Doodem and Council Fire*, 137.

²⁵ Bohaker, *Doodem and Council Fire*, 18–20.

²⁶ Chandra Murdoch, ‘An Act To Control: The Grand General Indian Council, The Department of Indian Affairs, and the Struggle over the Indian Act in Ontario, 1850-1906.’ (PhD, Toronto, University of Toronto, 2023).

²⁷ Bohaker, *Doodem and Council Fire*, xiii–xiv

²⁸ Basil Johnston, *Ojibway Heritage* (Toronto: McLelland & Stewart, 2005 [1976]), 59.

region.”²⁹ These obligations to relations include one’s ancestors, doodem kin (including doodem beings), spousal kin, allied relations, and descendants, including generations yet unborn.³⁰

The formation of interdependent alliance relationships was an Anishinaabe political practice that was also embedded in family formation. Anishinaabe people could not marry someone of the same doodem, so each married couple was an alliance between different doodemag.³¹ Doodem identity is at literal and metaphorical heart of historic Anishinaabe governance: “[a]lliances of marriage partners were lived physically and metaphorically around the fire, in this case the fire of the wigiwaam, or family dwelling. The alliances they made were reinforced through the reciprocal work of caring for and raising children and taking care of the elders.”³² Generally, people took their doodem identity from their fathers,³³ although there were occasions when this was not the case. If a father was not Anishinaabe, there were different strategies for ensuring children had doodem identities and could fully participate in Anishinaabe political life, such as adopting either the child or the father into a doodem in a ceremony.³⁴ Because Anishinaabeg women nearly always had different doodem identities than their children, they “modelled the reciprocal duties of treaty partners in the care of their children from the time of their birth.”³⁵

If doodem describes the ‘who’ of Anishinaabe governance, then councils or council fires describe the ‘where’: the seats of decision-making. Councils governed the territory, the lands and waters, of a place. Before the imposition of elected band councils, Anishinaabe polities were fundamentally alliances between doodemag. Each council fire was led by an *ogimaa* (chief in

²⁹ Bohaker, *Doodem and Council Fire*, xv, 63–65, 197

³⁰ Bohaker, *Doodem and Council Fire*, 71–72.

³¹ Doodemag is the plural form of doodem.

³² Bohaker, *Doodem and Council Fire*, xv, 71.

³³ Bohaker, *Doodem and Council Fire*, 70–72.

³⁴ Bohaker, *Doodem and Council Fire*, 85–90.

³⁵ Bohaker, *Doodem and Council Fire*, 71. See especially Elder Edna Manatowabi’s teaching in Leanne Simpson’s *Dancing on Our Turtle’s Back* that “breastfeeding is where our children learn about treaties, the relationships they encode and how to maintain good treaty relationships.” Leanne Simpson, *Dancing On Our Turtle’s Back: Stories of Nishnaabeg Re-Creation, Resurgence, and New Emergence*, (Winnipeg: Arbeiter Ring Publishing; 2011), 106–8.

English), with an *aanikeogimaa* (deputy chief), and the *gichi-Anishinabek* (councillors).³⁶ These leaders were also the heads of their own *indinaakonigewin* (those with whom one over-wintered, a group of usually twenty to forty people).³⁷ As Cary Miller explains, this last word is understood from the leader's perspective and means: "that which I am in charge of."³⁸ As typically the eldest men in the community, with the most family, they would have "the broadest political influence."³⁹

Although men generally occupied these leadership roles, women were equal partners in governance.⁴⁰ Anishinaabe society was not patriarchal. Women played a particularly important role in the maintenance of alliance relationships, including the identification of suitable marriage partners that would strengthen the alliances between council fires.⁴¹ Women had responsibility for water and managing the resources of water, including fishing, and responsibility for running maple sugar camps.⁴² The council of women was an important separate body that deliberated on issues and advised the ogimaa and council.⁴³ The legitimacy of a particular council fire's claim to a specific territory was established by the recognition granted by one's allied council fires when communities gathered in larger regional or general councils.⁴⁴ In other words, the

³⁶ These political roles are described in detail in Bohaker, *Doodem and Council Fire*. See especially xvii, xx-xxi, 138-9. See also Miller, *Ogimaag*, 76-7. Today the word for councillor is *giigidoowinini* (man) or *giigidoowininiikwe* (woman). See John D. Nichols and Earl Nyholm, *Concise Dictionary of Minnesota Ojibwe* (Minneapolis: University of Minnesota Press, 1994), 161.

³⁷ Miller, *Ogimaag*, 35.

³⁸ Miller, *Ogimaag*, 35.

³⁹ Miller, *Ogimaag*, 35.

⁴⁰ Bohaker, *Doodem and Council Fire*, 141-146.

⁴¹ Bohaker, *Doodem and Council Fire*, xvii.

⁴² Whetung, "(En)Gendering Shoreline Law," 16-32.

⁴³ Several pre-Confederation treaties listed "principal women" along with the chiefs and warriors as signatories to the treaties, and council speeches occasionally mention and acknowledge the advice of the women's council, especially when it was in opposition to the position of the council (in the sense of a dissenting opinion, formally noted). For these treaties, see Indenture for the sale of lands along the Grand River, 23 May 1784, Archives of Ontario, Crown Lands, RG 1-1v2p145-6. True copy of the original deed; Library and Archives Canada (hereafter LAC), Lieutenant-Governor's Office, Upper Canada, vol. 1: 288-309; Minutes of a meeting with the Mississaugas at the River Credit, 1 August 1805, LAC, Indian Affairs, D-10a, Series A, 1, 294-297; Deed of Feoffment - The Messissague Nation to His Britannick Majesty, 7 December 1792, LAC, RG10, vol. 1840, GAD IT005; Captain Brant's purchase near the outlet in Burlington Bay, 24 October 1795, LAC, RG10, vol. 1840, IT008.

⁴⁴ Bohaker, *Doodem and Council Fire*, 11-12.

Anishinaabeg had a constitutional practice for recognizing jurisdictions, and an amending process for when change was required to meet local or regional needs.⁴⁵

However, having influence in an Anishinaabe political context did not translate to authority. Leaders only had the power to persuade. As mid-19th century Mississauga-Anishinaabe *aanikeogimaa* Peter Jones noted, “their authority extends no further than to their own body, while their influence depends much upon their wisdom, bravery, and hospitality.”⁴⁶ And hospitality was critical: “all Anishinaabe leaders (even *gichi-Anishinabek*) were expected to be generous with material wealth; good leaders accumulated wealth in order to give it away, indicating further their ability to lead by being a good provider, and through gifting, creating, and renewing the alliance relationships that ensured security for the community.”⁴⁷

Instead, *ogimaag* (the plural form) were responsible for the people of their council fire, and “the lands and resources that they were entrusted to manage.”⁴⁸ This responsibility extended to presiding over councils, to ensuring that the sacred fire was kindled and stayed lit “during the full course of the meetings.”⁴⁹ The other critical fire was lit in the pipe that was shared and smoked with the other leaders present. The *oshkaabewis*, or ceremonial assistant/helper to the *ogimaa* “filled the pipe bowl with a tobacco mixture used only in ceremonies. The pipe, like the fire, was (and remains to the present) an important step in opening communications between the *manidoog* and the people.”⁵⁰ The “smoking of the pipe was an essential part of every conference, performed before deliberations began in order to induce temperance in speech and wisdom in decision.”⁵¹

This responsibility for lighting the sacred fire and smoking the pipe as being integral to convening the council is part of why “fire” is such a potent metaphor in Anishinaabe law, akin to

⁴⁵ Bohaker, *Doodem and Council Fire*, 11–12.

⁴⁶ Peter Jones, *History of the Ojebway Indians with especial reference to their conversion to Christianity* (London: A.W. Bennett), 108.

⁴⁷ Bohaker, *Doodem and Council Fire*, 139.

⁴⁸ Bohaker, *Doodem and Council Fire*, 28.

⁴⁹ Miller, *Ogimaag*, 108.

⁵⁰ Miller, *Ogimaag*, 108.

⁵¹ Basil Johnston, quoted in Miller, *Ogimaag*, 108.

the Crown in the common law.⁵² When allied council fires wished to establish a new seat of governance, they referred to that metaphorically as a fire.⁵³ A particular doodem at the new site was designated as the keeper of the council fire.^{54,55}

As the doodem of the ogimaa was by extension the doodem of the council fire, subsequent ogimaa of a council fire were also expected to be of that doodem.⁵⁶ It was in this sense that Anishinaabe council fire governments were hereditary. A person of the Caribou doodem was historically the ogimaa at Saugeen First Nation, for the Chippewas of Nawash, and for the Chippewas of Rama.⁵⁷ A Crane doodem was the keeper or ogimaa at Bawating (Sault Ste. Marie), at Rice Lake, and at Sarnia. An Eagle was the keeper of the council fire at the Credit River.⁵⁸

The importance of the doodem identity to SON can be seen on the treaties, petitions, and other documents signed by the leaders of the council from the late 18th through to the mid-19th century. In common with other Anishinabek communities throughout the Great Lakes region, when interacting with the Crown, the leadership of SON, of Saugeen and of Nawash signed documents with their doodem images when the document reflected the outcomes of the council

⁵² Bohaker, *Doodem and Council Fire*, 107.

⁵³ Bohaker, *Doodem and Council Fire*, 103–134.

⁵⁴ Bohaker, *Doodem and Council Fire*, 107. The doodem of the ogimaa for that fire thus became a metaphor used to refer to that polity. For example, as the result of a late seventeenth-century peace agreement between the Haudenosaunee and the Anishinaabe, the parties agreed to establish a new Anishinaabe community at the mouth of the Credit River. This was described through metaphor in the agreement: a new council fire was “placed” at the Credit River: “where a beautiful White-headed Eagle was placed upon a very tall pine tree,” thus establishing the *migisi* (eagle) doodem as the hereditary ogimaa for the Missisaugas. Bohaker, *Doodem and Council Fire*, 104–105; Minutes of a General Council held at the River Credit, 16 January 1840, Paudash Papers, LAC, RG10, Vol. 1011, Part B: 60–92.

⁵⁵ Bohaker, *Doodem and Council Fire*, 104–105; Minutes of a General Council held at the River Credit, 16 January 1840, Paudash Papers, LAC, RG10, Vol. 1011, Part B: 60–92.

⁵⁶ Bohaker, *Doodem and Council Fire*, 138–139. Women occasionally served as ogimaa (in this case as ogimaakwe or chiefly woman) but it was not common (Bohaker, *Doodem and Council Fire*, 141).

⁵⁷ These traditional governments and their doodem connections are discussed in my book: Bohaker, *Doodem and Council Fire*, 153–169.

⁵⁸ Bohaker, *Doodem and Council Fire*, 153–169.

fire's deliberations.⁵⁹ Anishinaabe signatories on Crown treaties represented the leadership of the council fire.⁶⁰

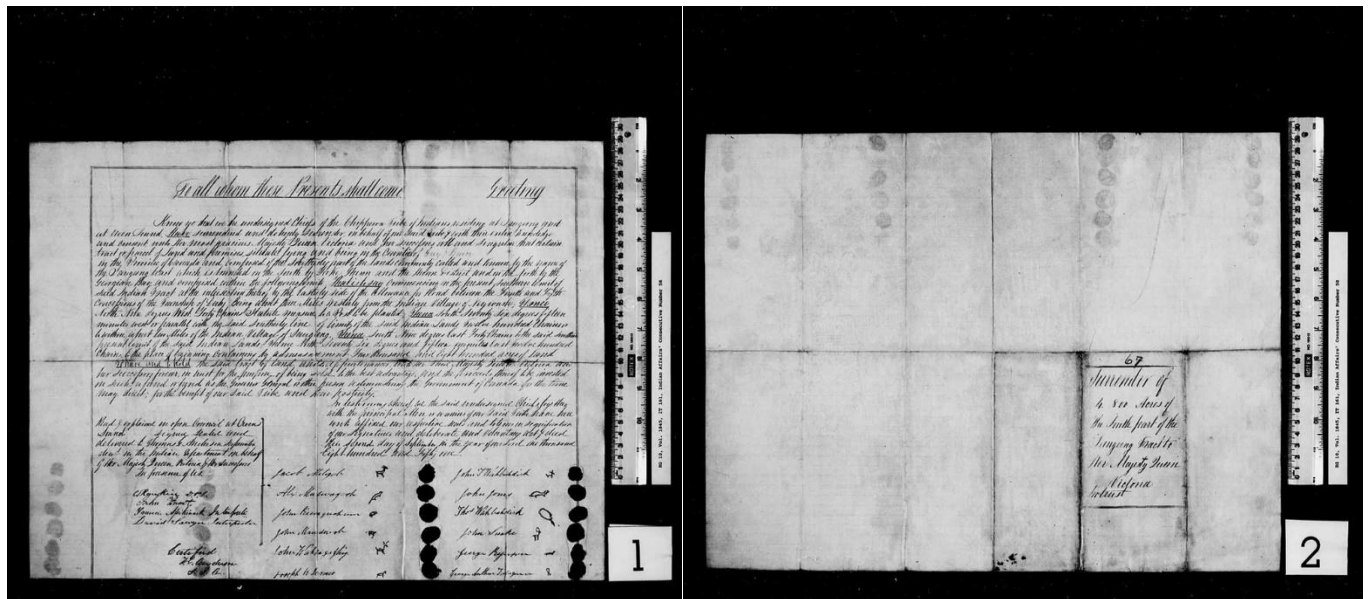


Figure 3: Treaty No. 67 (1851)⁶¹

While members of a particular doodem may be more common in one community than another (Caribou and Otter, for example, are two common doodem identities at Saugeen First Nation), widespread practices of intermarriage meant that communities like Saugeen First Nation also drew on the advice of people representing multiple doodem beings, from the important Anishinaabe categories of the Sky, Land, and Underwater realms.⁶² Such marriages also often created and reinforced ties between council fires throughout the Great Lakes region. Thus, while the ancestors of Saugeen First Nation have lived in the area now known as Grey and Bruce

⁵⁹ Bohaker, *Doodem and Council Fire*, xvi.

⁶⁰ Bohaker, *Doodem and Council Fire*, xvi–xvii.

⁶¹ Treaty No. 67, 2 September 1851, LAC, RG 10, Vol. 1845, IT 161, Reel T-9939. SON members also signed with doodem images on Treaty No. 45 ½, 9 August 1836, LAC, RG 10, Series D-10-a, Vol. 1844, Item IT-121 and Surrender of the Saugeen Peninsula, Treaty No. 72, 13 October 1854, LAC, RG10, Vol. 1845, IT 178, 1–2 however, because of the hurried way in which the Crown conveyed the councils, neither document contains the complete representation of the councils which comprised SON.

⁶² For an excellent discussion of the idea of these realms, see Johnston, *Ojibway Heritage*; and Alan Corbiere and Mikinaak (Crystal) Miigwaans, “Animikii miinwaa Mishibizhiw: Narrative Images of the Thunderbird and the Underwater Panther,” in *Before and After the Horizon: Anishinaabe Artists of the Great Lakes*, first edition, David W. Penney and Gerald McMaster, eds. (Washington, DC: Published by the Smithsonian Institution’s National Museum of the American Indian, 2013) 37–50.

counties for millennia, these ancestors also include many people who came to live in SON territory from other allied council fires.⁶³

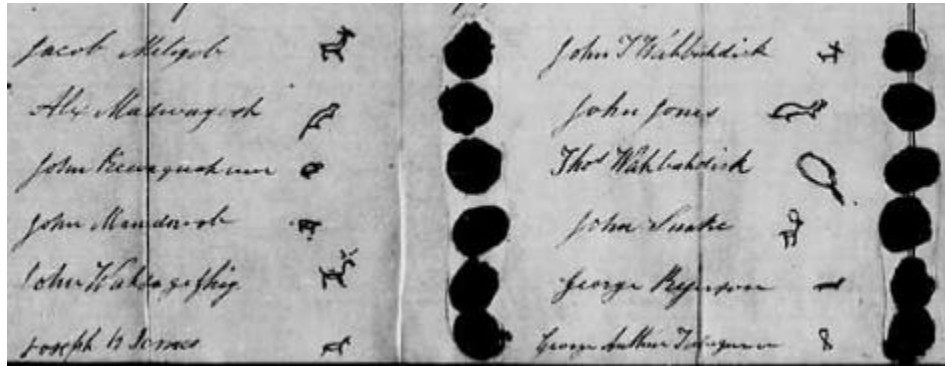


Figure 4: Close-up of Treaty No. 67 doodem signatures. Saugeen council is on the left, Nawash on the right. The ogimaag of both were caribou, the anikeogimaag, otter.

Because of both intermarriage and the principle of alliance between doodemag, Anishinaabe peoples collectively constructed a system of self-government in which decision-making for lands and resources rested in the local council fire or in a joint council such as SON.⁶⁴ However, because people had intimate kin ties through both doodem kin and in-laws throughout the region, they fostered the formation and maintenance of inter-dependent alliance relationships over a large region.⁶⁵ Alliances between council fires were entered into and renewed at grand councils, which were gatherings of allied council fires to discuss issues of common concern.⁶⁶ As Peter Jones noted, “At these councils federal unions are formed, war or peace is declared, treaties are made or renewed, and boundaries of territories established.”⁶⁷

Grand councils of allied council fires were also places where allies affirmed the choice of a council’s local leadership. In *Doodem and Council Fire*, I describe examples of seventeenth century regional gatherings where the allied council fires assembled ratified the leadership choices of one of the member councils. In front of the assembled members of allied council fires,

⁶³ Women from La Cloche, Michigan, Rama in 1851 Census, Canada West, Bruce County, Saugeen Township.

⁶⁴ Jones, *History of the Ojebway*, 106.

⁶⁵ Bohaker, *Doodem and Council Fire*, 72.

⁶⁶ They are also called general councils. We use grand council in this report for consistency, with the 1870-1936 Grand Council. Bohaker, *Doodem and Council*, 18–19. Murdoch, *Act to Control*.

⁶⁷ Jones, *History of the Ojebway*, 105–9.

the new leaders received “marks of office” which included neck ornaments.⁶⁸ This practice continued through the alliance with the British. When Saugeen First Nation wrote to Indian Affairs to advise them of their new leader and ask for their approval, or when the Superintendent of Indian Affairs presented a new Saugeen First Nation ogimaa or gichi-Anishinaabe with a medal, or when Saugeen First Nation wrote to a new Governor General to welcome them, they were continuing an old practice whereby allies recognized the change in leadership.⁶⁹

The Anishinabek understood as a principle of their law that their interdependent alliance relationships were not limited to humans. They were accountable to the animals and plants, to all ensouled life. Anishinaabe law demonstrates “considerable pluralism,” with regional and local variations in custom and practice, but all still under the umbrella of a shared worldview that was particularly notable for extending the legal concept of personhood to other-than-human beings.⁷⁰ Even as members of Saugeen First Nation converted to Christianity beginning in the 1830s and made some changes to their manner of living, their belief in the importance and relevance of their own legal and cultural traditions continued. In so doing, they asserted their understanding of alliance law as the formation and maintenance of interdependent relationships, where each ally had a duty of care to the other, as settlers came into their territories and as SON were ultimately pressured into ceding their lands, the last of the councils in what is now southern Ontario to do so.⁷¹

The Anishinaabe system of governance is visible in the archival record and well predates the arrival of Europeans. SON can point archives of letters, petitions, treaty documents, receipts for annuity payments and many other archival records in which SON leadership (either ogimaa and anike-ogimaag or the full council) signed with their doodem images representing their government.⁷² There are extensive records of council minutes, records of meeting in council with Crown representatives, Governors-General and Lieutenant-Governors on a nation-to-nation

⁶⁸ This ceremony is described in Bohaker, *Doodem and Council Fire*, 10–11.

⁶⁹ Saugeen First Nation Council to Colborne, 8 July 1833, LAC, RG 10, Vol. 119, Reel C-11479, pp. 505–508; Lord Bury distributed medals to Saugeen leaders at the July 19, 1885 council at Allenford, described in *Northern Advance*, Barrie, C.W., Thursday, August 2, 1855.

⁷⁰ Bohaker, *Doodem and Council Fire*, xviii.

⁷¹ Bohaker, *Doodem and Council Fire*, 175.

⁷² Bohaker, *Doodem and Council Fire*, 175.

basis. There are multiple sources which give insight into Anishinaabek law generally, and the local application of that law on SON territory.⁷³ The Crown recognized that SON and other Anishinaabe council fires were distinct polities and entered treaty relationships with them.

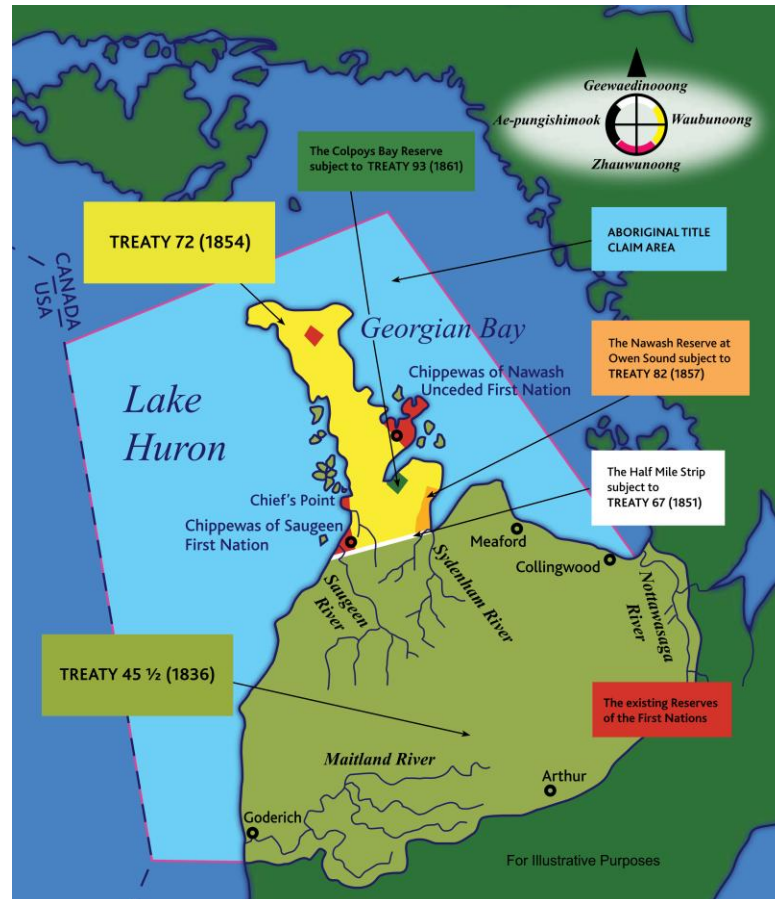


Figure 5: Map of SON territory, showing land described in Crown treaties and present day reserve locations. Credit: SON.

When we refer to Saugeen Ojibway Territory in this scope of work we mean: the area bounded on the south by the Maitland River system from Goderich to past Arthur, on the west by the Canada/USA border in the middle of Lake Huron, on the north by a line along the midpoint of the channel between the Saugeen (Bruce) Peninsula and Manitoulin Island, and on

⁷³ John Borrows, *Canada's Indigenous Constitution* (Toronto: University of Toronto Press, 2010), 23–58; Borrows, *Otter's Journey Through Indigenous Language and Law*; Alan Theodore Ojiig Corbiere, “Anishinaabe Treaty-Making in the 18th-and-19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms” (York University, 2020), <https://yorkspace.library.yorku.ca/xmlui/handle/10315/37402> and especially Darlene Johnson, *Connecting People to Place: Great Lakes Aboriginal History in Cultural Context*, Historical Report prepared for the Ipperwash Inquiry, 2006; Bohaker, *Doodem and Council Fire*, 18–19.

the east by a line down the middle of Mnidoo Gami (Georgian Bay). This includes the areas in yellow, light green, and orange on the map above, which indicate the extent of land ceded by SON to the Crown. SON used the full extent of their territories; hunting in the interior during the winter season and fishing on the islands on either side of the peninsula. SON jointly managed their hunting territories while Chippewas of Saugeen First Nation and Chippewas of Nawash separately managed their own fishing islands, sugar bushes and garden sites. Treaties that ceded land to the Crown were signed under pressure due to increasing colonial settlement. In 1847, SON secured a proclamation from Queen Victoria to protect the area in yellow from further encroachment, but only seven short years later in 1854, the Crown forced SON to sell, threatening to allow their entire territory to be overrun with squatters if they did not accept the treaty to protect their remaining reserved lands.⁷⁴

The Seasonal Round

SON, like other Anishinaabe council fires, made extensive use of their entire territory, by relocating throughout it depending on the season. The Anishinaabeg were not nomadic. As cottagers today would leave their urban dwellings to summer on the shores of Lake Huron, SON members also changed their locations according to the season. SON's reasons for these relocations were different, though. Over the course of the year, they moved between larger and smaller polities, each with their own areas of responsibility.⁷⁵ This seasonal round was an integral part of Anishinaabe governance and the places they moved to and from within their historic territory were essential to SON's way of life.

The smallest Anishinaabe political unit was the indinaakonigewin or winter hunting group, introduced above in paragraph 43.⁷⁶ The indinaakonigewin typically consisted of a gichi-Anishinaabe (or headman), his brothers, their wives and children, and the wives and children of

⁷⁴ Declaration by Her Majesty in favor of the Ojibway Indians respecting certain Lands on Lake Huron, 29 June 1847, LAC, RG 68 Vol LIBER AG, Special Grants 1841-1854, Folio 293-294, Reel C-4158;

Surrender of the Saugeen Peninsula, Treaty No. 72, 13 October 1854, LAC, RG10, Vol. 1845, IT 178.

⁷⁵ Bohaker, *Doodem and Council Fire*, 18–19; John Borrows, *Canada's Indigenous Constitution* (Toronto: University of Toronto Press, 2010), 23–58.

⁷⁶ Miller, *Ogimaag*, 77–78.

their sons. When a couple was expecting their first child, they tended to stay with the woman's family for the birth and for some time thereafter, so during that time the husband would hunt with his wife's family and strengthen ties with them.⁷⁷ Other relatives could be part of an indinaakonigewin as needed.⁷⁸

During the late fall and winter, families hunted, trapped, and engaged in spearfishing and ice-fishing with the members of their indinaakonigewin on their own hunting territories. It is important to note that neither the gendered division of labour nor the seasonal round was rigidly fixed: while some resources were assigned the responsibility of a particular gender or family, the work was done by who was available to do it.⁷⁹ Sometimes women and elders remained fishing while men went off to their winter hunting camps, and sometimes everyone travelled together. Such decisions were made by the indinaakonigewin, "depending on individual circumstances regarding labour or other factors."⁸⁰

Each family exercised jurisdiction over their membership, and who they would allow to hunt on their family lands. However, boundaries between these family hunting territories were negotiated and agreed to at the council fire.⁸¹ As Anishinaabe author and missionary George Copway noted, Anishinaabe land law applied to these hunting groups too: "The hunting grounds of the Indians were secured by rights. No one was allowed to hunt on another's land, without invitation or permission."⁸²

Over the winter, SON members processed hides while socializing with other indinaakonigewin encamped close to them, cooking and drying meat.⁸³ They used "down time" to make household items, making and mending clothing, and making the gifts that would be

⁷⁷ Bohaker, *Doodem and Council Fire*, 145.

⁷⁸ Bohaker, *Doodem and Council Fire*, 145.

⁷⁹ Michael J. Thoms, "Ojibwa Fishing Grounds: A History of Ontario Fisheries Law, Science, and the Sportsmen's Challenge to Aboriginal Treaty Rights, 1650-1900" (PhD Diss., UBC Library Open Collections, University of British Columbia, 2004), 11, 46-47.

⁸⁰ Thoms, "Ojibwa Fishing Grounds," 53.

⁸¹ Bohaker, *Doodem and Council Fire*, 151.

⁸² George Copway, *Recollections of a forest life, or, The life and travels of George Copway, or, Kah-ge-ga-kah-bowh, chief of the Ojibway nation* (London: Henry Lea, 1850), 13.

⁸³ Miller, *Ogimaag*, 58-59.

brought and exchanged at summer gatherings, such as porcupine quillwork.⁸⁴ Winter was also the time for focused teaching through story and intergenerational knowledge transfer, including knowledge of the community's political history, family genealogies, and alliance relationships.⁸⁵ People also engaged in ice-fishing, hiding themselves under a blanket over a hole cut in the ice, and catching one to two-hundred pounds of fish at a time.⁸⁶

Saugeen First Nation members hunted in the interior of what are now known as Grey, Bruce, and Huron counties. Depending on the weather and the needs of the *indinaakonigewin*, the men might form a hunting party and travel elsewhere while women fished.⁸⁷ To move easily through the land regardless of the weather, SON established and maintained trail networks (one such trail is marked clearly, for example, on an 1847 map prepared by Provincial Land Surveyor Charles Rankin ("PLS Rankin") connecting Saugeen with the council fire *Gchi-wiikwedong*, at Owen Sound).⁸⁸ Another critical trail connected the portage route between present-day Wiarton and Chief's Point.⁸⁹

In the early spring, families engaged in maple sugaring at sugar bushes.⁹⁰ Anishinaabe women packed the finished sugar into small birch bark containers they had made in advance of the season. Sugaring was intensive, arduous work for about six weeks. Women were the sap collectors; they oversaw the boiling and packed the sugar. Men and boys collected the firewood necessary to keep the boilers going and fished and hunted to feed the camp.⁹¹ A family could

⁸⁴ Miller, *Ogimaag*, 58–59.

⁸⁵ George Copway, *The traditional history and characteristic sketches of the Ojibway nation* (Boston: Benjamin B. Mussey & Co., 1850), 95–96.

⁸⁶ Thoms, "Ojibwa Fishing Grounds," 55.

⁸⁷ Thoms, "Ojibwa Fishing Grounds," 53.

⁸⁸ Mary Ann Corbiere and Rand Valentine, "Name of Owen Sound: gichi-wiikwedong," in *Dictionary of Nishnabewin Database*, item 15096, gks.grasac.org (2015).

⁸⁹ H.G. Tucker, "Owen Sound as the White Man found It." Unpublished in the possession of the Owen Sound Sun Times; Charles Rankin, "Div. Line of Indian and Crown Lands, Runs from Saugeen Township to Sydenham Township," 1 January 1847, Natural Resources Canada, F4171 CLSR ON.

⁹⁰ A. F. Chamberlain, "Notes on the History, Customs, and Beliefs of the Mississagua Indians," *The Journal of American Folklore* 1, no. 2 (1888): 150–60.

⁹¹ Alan Corbiere, "Ninaatigwaaboo (Maple Tree Water): An Anishinaabe History of Maple Sugaring" (GRASAC/The Great Lakes Research Alliance, 15 July 2015).

produce around 1000 pounds of sugar per season.⁹² Some would be kept for eating, and some traded. As of 1818, there was a French trader at the mouth of the Saugeen, and in 1826, the Hudson Bay Company sent a trader from the post of La Cloche. When the village of Southampton was established in 1848, Saugeen First Nation women brought their sugar there too for sale.⁹³

Following maple sugaring, the spring fishery would begin around the month of April. People moved to the mouths of the Sauble and Saugeen Rivers to set nets on river spawning grounds for the fish species that spawned in the spring, including pickerel, pike, and sucker.⁹⁴ Since fish move into spawning waters only when the lake waters reach their preferred temperature, people used land-based observations to allow for scheduled and orderly planning of these aquatic resources. For example, when pussy willows began to bloom, *namebin* (suckers) moved upstream to spawn on rocky river bottoms.⁹⁵

While engaging in their early spring fishing, women would also gather the cambium, or inner bark, of willow and cedar.⁹⁶ These materials were used to make cordage, mats, and textiles.⁹⁷ Cedar mats, for example, were excellent for floor coverings as they were mold resistant.⁹⁸ Birch bark could be gathered a bit later, once the leaves started to come out in May, without killing the tree, and when the bark was at its most pliable.⁹⁹

Following spring fishing, people returned with their *indinaakonigewin* to their council site around June where they would also plant their gardens.¹⁰⁰ As Anishinabek did around the

⁹² Fr. Pierre Chazelle, Letter #10 to Jesuit Scholastic at Laval, from Sandwich [Windsor], 8 September 1844, in *Letters from the New Canada Mission 1843-1852, Part 1*, eds. Lorenzo Cadieux, S. J. Trans. William Lonc S. J. and George Topp, S. J. (Hamilton, ON: Published by William Lonc, Distributed by Steve Catlin), 166–76.

⁹³ La Cloche - Report 1827-1828, John MacBean to the Hudson's Bay Company, LAC, MG 20, File B.109/c/1, Reel 1M779.

⁹⁴ Thoms, "Ojibwa Fishing Grounds," 57.

⁹⁵ Thoms, "Ojibwa Fishing Grounds," 59–60.

⁹⁶ Thoms, "Ojibwa Fishing Grounds," 57.

⁹⁷ Wendy Djinn Geniusz, *Our Knowledge is not Primitive: Decolonizing Botanical Anishinaabe Teachings* (Syracuse, N.Y.: Syracuse University Press, 2009), 153.

⁹⁸ Geniusz, *Our Knowledge is not Primitive*, 153.

⁹⁹ Geniusz, *Our Knowledge is not Primitive*, 153, 183.

¹⁰⁰ Thoms, "Ojibwa Fishing Grounds," 55, 59.

Great Lakes, Saugeen First Nation and Nawash councils could then meet to discuss issues of local concern.¹⁰¹ As discussed in paragraph 43, the leadership of the council was comprised of the ogimaa, an aanikeogimaa, and gichi-anishinaabeg, but also taking advice from the women's and warrior's councils.¹⁰² As the ogimaa and aanikeogimaa were also gichi-anishinaabeg of their own indinaakonigewin, each council may have had five to ten or more leaders, comprising that same number of indinaakonigewin, for a typical community population of anywhere from 300 to 600 people.¹⁰³

These social and political gatherings were supported by the garden crops, berries, and the summer fisheries, first of black bass, and then in August, of lake sturgeon (which grew up to two metres in length and were harvested with grapples),¹⁰⁴ that ensured everyone would be well fed.¹⁰⁵ The late summer brought the wild rice harvest, which was typically preserved as a crucial grain staple for the winter months.¹⁰⁶ During the late spring to early fall, some members also travelled to visit other council fires for regional gatherings to renew their alliances.¹⁰⁷ Grand councils were generally held during the summer, when local food was not only abundant but long-distance travel on the lakes was easiest.¹⁰⁸ Runners sent from council fires along maintained trails in the fall and spring carried invitations to gatherings.¹⁰⁹ Astronomical and ecological observations provided the calendar dates by when people knew to begin their travels.¹¹⁰

¹⁰¹ Jones, *History of the Ojebway*, 107.

¹⁰² Bohaker, *Doodem and Council Fire*, xvii.

¹⁰³ For a discussion of leadership roles, see Bohaker, *Doodem and Council Fire*, 137–141. For population, see enumerations and returns, for example, see [Unknown] to Higginson, 30 September 1844, LAC, RG 10, Vol. 508, Reel C-13344, pp. 437–438. This document indicates that when the Saugeen received their annuity for Treaty 45 ½ signed in 1836, their population was 500.

¹⁰⁴ Thoms, “Ojibwa Fishing Grounds,” 60.

¹⁰⁵ Thoms, “Ojibwa Fishing Grounds,” 59.

¹⁰⁶ Thoms, “Ojibwa Fishing Grounds,” 60.

¹⁰⁷ Bohaker, *Doodem and Council Fire*, 16–17.

¹⁰⁸ Bohaker, *Doodem and Council Fire*, 16–17.

¹⁰⁹ Bohaker, *Doodem and Council Fire*, 4.

¹¹⁰ Evidence of and details of these processes are in Chapter 1 of Bohaker, *Doodem and Council Fire*. See also Thoms, “Ojibwa Fishing Grounds,” 59.

Early to mid-fall brought the fall fishery, which was crucial to winter survival as the fish were generally dried or smoked, or sometimes powdered and mixed with berries, and stored for later consumption.¹¹¹ These runs, first of lake herring and lake trout, and finally whitefish, meant that families would be fishing for about six weeks, from around late September/early October to mid/late November.¹¹² Saugeen First Nation participated collectively in the fall fishery.¹¹³

In the late fall, the council would meet to discuss winter hunting territories and confirm who was hunting where before people headed out to their winter hunting camps, both as a game management strategy and a safety measure, so that members of each *indinaakonigewin* would know where to seek help should they need it.¹¹⁴

Before settler colonists moved into Anishinaabe territories, Anishinaabe peoples regularly travelled in large numbers across Georgian Bay, Lake Huron and elsewhere to attend grand councils, and allied council fires took turns hosting these much larger gatherings of several thousand people. These gatherings meant that regional governance happened transparently in full view of all attending, not just a few appointed representatives. Such gatherings also provided opportunities for socializing, games, dancing, feasting, and mourning those who had died. By the 1830s, travelling through areas with settlers was becoming increasingly difficult, especially in southern Ontario. However, Anishinaabe leaders continued to travel to meet with other council fires, and from 1870 to 1936, they participated in a reinvigorated version of this tradition known as the “Grand Council.”¹¹⁵

Gatherings for grand councils were a critical part of the economy too, allowing for regional trade in food, goods, and medicines. Council fires therefore were located in places that could comfortably sustain anywhere from one to three thousand people gathering for up to

¹¹¹ Thoms, “Ojibwa Fishing Grounds,” 45–53.

¹¹² Thoms, “Ojibwa Fishing Grounds,” 45–53.

¹¹³ Thoms, “Ojibwa Fishing Grounds,” 45–53.

¹¹⁴ Miller, *Ogimaag*, 34.

¹¹⁵ Norman D. Shields, “Anishinabek Political Alliance in the Post-Confederation Period: The Grand General Indian Council of Ontario, 1870-1936,” MA thesis, 2001

several weeks while the business of regional governance was underway, as the host council fire was responsible for providing food for the attendees.

Before SON entered into Crown Treaty, and before Canada passed legislation restricting their exercise of government, Saugeen First Nation was a self-governing council fire, whose members and leaders met in larger grand councils with other Anishinabek council fires to deliberate on matters of broader concern.¹¹⁶ They exercised effective management of their lands, waters, and fisheries with clearly defined jurisdictions.¹¹⁷ The importance of the seasonal round went far beyond subsistence. SON members continued to prioritize the importance of being on the land, and living with the land, even as missionaries and Indian Affairs officials worked to eliminate these “wandering habits” over the 19th and 20th centuries.¹¹⁸

In the two weeks of January 1852 when the Province of Canada undertook its first official census, and two years before the signing of Treaty 72, SON were continuing to practice their seasonal round over their lands. Census taker Hugh Johnson came to the Saugeen Village on the ridge overlooking the Saugeen River, but found no one at home. As he described it, “The Indians taken here reside when at home on the North Side of the River Sahgeeng [*sic*] on what is called the Indian ascent, but at this season of the year they are encamped all over, so I have taken their names wherever I found them. They Farm, Hunt, Make Sugar and fish; and have very good frame and hewn log Houses to live in.”¹¹⁹ Johnson’s note reveals that in 1852 the Saugeen had adapted to the presence of settlers to the south of them and were choosing which aspects of settler culture to adopt. When the Superintendent General of Indian Affairs Laurence Oliphant and Mr. James Ross, M.P.P., arrived on October 12, 1854, to pressure the cession of the Saugeen Peninsula, he had to wait for twenty-four hours, as Saugeen was away at the Fishing Islands and the Sauble River, fishing for lake herring during that species’ annual run, as their ancestors had

¹¹⁶ Bohaker, *Doodem and Council Fire*, introduction.

¹¹⁷ Bohaker, *Doodem and Council Fire*, chapter 4; Thoms, “Ojibwa Fishing Grounds,” 62–67.

¹¹⁸ This concern with “wandering” will be discussed in sections 2, 3, and 4.

¹¹⁹ 1851 Census, Canada West, Bruce County, Saugeen Township, LAC Reel C-11715.

been doing for centuries.¹²⁰ Likewise, the Nawash community was also out fishing, and member were unable to arrive in time before Oliphant forced the sale.

A Brief History of the Great Lakes Region

The Great Lakes region has been a home to Indigenous peoples for millennia, people speaking languages from three distinct language families called the region home: Iroquoian speakers in the south-east (Wendat, Attawandaron, Tionontate, Haudenosaunee), Siouan speakers in the south-west (Lakota, Dakota) and the Anishinaabemowin-speaking Anishinaabek over the largest extent. Understanding the complex history of this region is critical for being able to assess the conditions in which a distinct Métis community or communities could have emerged. The Great Lakes region was home to many distinct polities of Indigenous peoples. What is now Southern Ontario has long been a multinational and multilingual space, even before the arrival of Europeans.. Anishinaabemowin, spoken by SON and their Anishinaabe neighbours is as distant from the language of their historic neighbours, the Attawandaron (Neutral), Tionontate (Petun), and the Wendat (Huron), as English is from Arabic.¹²¹ And yet these diverse polities developed a distinct practice of inter-societal law and diplomatic practices to maintain peaceful relations and to restore those relations when conflict broke out, known as the “Customs of All the Nations.”¹²²

Neither was intermarriage between ethnically and politically distinct people something that only happened with the arrival of Europeans. The ancestors of Saugeen First Nation and Chippewas of Nawash First Nation routinely intermarried with their allies, including with other Anishinaabe communities throughout the Great Lakes, and with other First Nations. When the

¹²⁰ Oliphant Report to Elgin, 16 August 1854, Despatches from the Governor-General of Canada, Enclosure No. 1, Accounts and Papers - Twenty-Six Volumes - 7 - Colonies - Emigration - Vol. XLIV - Session 31 January-29 July 1856, 4.

¹²¹ Attawandaron towns stretched from the present-day locations of Niagara and Hamilton to the Grand River and London, the Tionontate were located near Collingwood; their principal village at the base of today’s Blue Mountain Ski Resort; and Wendat Confederacy, by the 15th century, had moved north from the north shore of Lake Ontario to the Penetanguishene peninsula. SON, the Tionontate, Wendat and other Anishinaabe council fires around Georgian Bay were in alliance relationships with each other. The Attawandaron, Tionontate and Wendat were particularly devastated not only by a series of epidemics but also by war with the Haudenosaunee Confederacy.

¹²² Rebecca Kugel, *Making Relatives of Them: Native Kinship, Politics, and Gender in the Great Lakes Country, 1790-1850*, New Directions in Native American Studies Series ; v. 21 (Norman: University of Oklahoma Press, 2023), 1-5. This inter-societal law is the subject of Kugel’s book.

French began to arrive in the region in the 17th century, Anishinaabe peoples intermarried with them as well. As discussed above, intermarriage was a foundational part of alliance-making, and alliance was a foundational concept and practice of Anishinaabe governance. The arrival of Europeans brought new ideas, technologies and ideologies, but these were introduced to people who already significant experience and expertise in negotiating difference.

In the early 17th century, visitors from France came from the east and established a tiny base at Quebec, with twin projects of establishing commercial trade and converting people to Christianity.¹²³ Part of a broader wave of exchange between the American and European continents, these new arrivals also brought disease, both animal and human, and new invasive species that upset and profoundly altered the ecosystem.¹²⁴ Beginning in the late 1630s, a particularly virulent strain of smallpox, that was causing significant mortality in European towns and cities as well, reached the Americas with devastating consequences.¹²⁵ While the Great Lakes Anishinaabek council fires did continue their seasonal round and practice of regular

¹²³ The founding of New France is covered in Marcel Trudel, *Introduction to New France* (Toronto ; Holt, Rinehart and Winston of Canada, 1968). For a more recent discussion of the merchant venture, see Helen Dewar, *Disputing New France : Companies, Law, and Sovereignty in the French Atlantic, 1598-1663* (Montreal-Kingston: McGill-Queen's, 2022). For the missionary project, see Bronwen McShea, *Apostles of Empire: The Jesuits and New France*, *France Overseas: Studies in Empire and Decolonization* (Lincoln: University of Nebraska Press, 2019). As Luca Codignola points out, the commercial enterprise came first. Missionaries were originally sent to take spiritual care of ships' crews. And there were other Catholic orders besides the Jesuits, including the Sulphicians and Recollets. Luca Codignola, 'Competing Networks: Roman Catholic Ecclesiastics in French North America, 1610–58', *The Canadian Historical Review* 80, no. 4 (1999): 539–84.

¹²⁴ This process is described as the “Columbian exchange,” a term coined by historian Alfred Crosby. Alfred W. Crosby, *The Columbian Exchange: Biological and Cultural Consequences of 1492*, (Westport, Conn: Greenwood Press, 1972). Crosby's work sparked much research into the ecological and environmental impacts of ongoing contact between continents, including William Cronon, *Changes in the Land: Indians, Colonists, and the Ecology of New England*, 1st rev. ed., 20th-anniversary ed. (New York: Hill and Wang, 2003).

¹²⁵ Helen Hornbeck Tanner, *Atlas of Great Lakes Indian History* (Norman: Published for the Newberry Library by the University of Oklahoma Press, 1987), Map 32 “Epidemics.” It is a common and widely repeated error to state that Indigenous peoples of the Americans somehow had weaker immune systems than Europeans. As the world found recently with SARS-CoV-2, the virus that causes COVID, humans globally have the same response to new pathogens. The high death rate in the 17th century Great Lakes region was caused not only by viral disease, but also by secondary infections, and death or illness caused by the breakdown in social fabric and the lack of capacity for surviving community members to provide the supportive care needed to those who were sick, or to continue with food production activities, causing weakness through hunger. David S. Jones, a historian and medical doctor, argues that the “simplistic assertions of no immunity” must be rejected and replaced with a more complex understanding of how epidemics affected Indigenous peoples in different ways, building on immunological resource that has shown “how different mechanisms can compromise human immunity,” including the impact of malnutrition and social stress, 705. Individuals who had acquired immunity, for example, from surviving a less virulent wave of smallpox, did not fall ill when the deadly 1630s strain spread across north-eastern North America. See David S. Jones, “Virgin Soils Revisited,” *The William and Mary Quarterly* 60, no. 4 (2003): 703–42, 705.

regional meetings, the illnesses took their toll. In the spring of 1637, the Nipissing Anishinaabe, for example, after overwintering with the Wendat on the Penetanguishene peninsula, travelled back to Lake Nipissing with the bodies of 70 people in their canoes so the deceased could be buried at home.¹²⁶ The Anishinaabek and Wendat of Georgian Bay and Penetanguishene, who had formed the first major trading alliance with the French were greatly affected by this virulent illness (and other pathogens) as were the Dutch-allied Kanien'kehà:ka (Mohawk) and other member nations of the Haudenosaunee Confederacy. The social instability caused by mass death sparked warfare, and the Haudenosaunee began attacking other Great Lakes nations to take captives to replace their numbers. By the 1660s, approximately two-thirds of the Haudenosaunee were adoptees. The Haudenosaunee also attacked the French colony, believed to be the source of the contagion.¹²⁷

The tragic loss of so many lives and the upheaval in this period dramatically changed the political landscape. The large Wendat Confederacy of 30,000 had lost two-thirds of its people to war and disease in a decade, and the survivors dispersed in 1650. Some who had converted to Christianity moved to Quebec, while others went west with their Anishinaabe allies.¹²⁸ The Attawandaron ceased to exist as a distinct polity, and its survivors adopted into the Haudenosaunee.¹²⁹ It was nearly a decade before the Anishinaabek people were willing to bring their furs to Montreal. Meanwhile, the settler colonial presence began to expand in the east. The tiny colony of New France, which in 1663 had a population of only 3000 along the St. Lawrence River, became a Royal Province in 1665. Louis IX sent military support to attack the Haudenosaunee, single women to improve the gender balance, horses and other supplies. In 1664 the English defeated the Dutch and took over the colony of New York, and in 1666, the English

¹²⁶ le Mercier, "Relation of 1637," in Thwaites, *Jesuit Relations*, 14:37.

¹²⁷ For the French as a source of disease, see *Marie de l'Incarnation, Ursuline (1599–1672): correspondance.*, Guy Oury, ed, (Solemes: Abbaye Saint-Pierre, 1971), 117–118, quoted in Natalie Zemon Davis, "Polarities, Hybridities: What Strategies for Decentring?," in Podruchny and Warkentin, eds., *Decentring the Renaissance*, trans. Zemon Davis, 17–32, 25.

¹²⁸ Kathryn Magee Labelle, *Dispersed but Not Destroyed: A History of the Seventeenth-Century Wendat People* (Vancouver: UBC Press, 2013); Daniel K. Richter, *The Ordeal of the Longhouse: The Peoples of the Iroquois League in the Era of European Colonization* (Chapel Hill: Published for the Institute of Early American History and Culture, Williamsburg, Virginia, by the University of North Carolina Press, 1992).

¹²⁹ Some Anishinaabek were captured and adopted as well and given the pattern of attacks, could have included SON ancestors.

of the New York colony entered into a major treaty agreement with the Mohawk, known as the Covenant Chain, which was an alliance relationship in which the parties agreed to peace and to respect the independence of each other.¹³⁰ For a twenty-year period from 1666 to 1686, the Haudenosaunee expanded into southern Ontario, but attacks on them by the French sent them back south of Lake Ontario.¹³¹ Complicating life for Indigenous peoples in this period was the fact that their respective European allies expected them to fight proxy wars when there was conflict in continental Europe.

Eventually, in 1700, the allied council fires of eastern Lake Huron, Georgian Bay and the Haudenosaunee Confederacy came to a peace agreement.¹³² As part of this agreement, the Anishinaabek fully moved into southern Ontario. Some, like the Anishinaabek in eastern Ontario in places like Rice Lake, were moving back to original territories they had been forced to move away from during the mid-17th century period of mass epidemics and warfare. But new Anishinaabe council fires were also established in what is now southern Ontario, including the Mississaugas at the Credit River.¹³³ SON, with its two main council fires each led by an ogimaa of the caribou doodem, were doodem kin of the council at Rama, which was charged with keeping the wampum belt of this peace agreement.

Throughout the 17th century, Indigenous peoples including SON brought their furs and other goods to trade to Montreal and Albany, New York. There were only a few isolated mission posts in the Great Lakes and no military establishments. England and France were both however seeking to expand their interests into the region. Following the achievement of a regional peace in 1701 at Montreal, which the French organized, the French were able to open a new trade post at Detroit, and in 1726, the Seneca gave them permission to open another at Niagara, ringing in

¹³⁰ This relationship is discussed extensively in Jon Parmenter, *The Edge of the Woods: Iroquoia, 1534-1701* (East Lansing: Michigan State University Press, 2010).

¹³¹ This history is thoroughly covered in Robert von Bitter and R. F. Williamson, *The History and Archaeology of the Iroquois Du Nord*, Mercury Series (Gatineau, Quebec: Canadian Museum of History, 2023).

¹³² For a history of this conflict, see D. Peter MacLeod, 'The Anishinabeg Point of View: The History of the Great Lakes Region to 1800 in Nineteenth-Century Mississauga, Odawa, and Ojibwa Historiography', *The Canadian Historical Review* 73, no. 2 (1992): 194–210; for the peace negotiations see "Propositions of the Five Nations to the Commissioners of Indian Affairs," 30 June 1700, in DRCHSNY, 4:693–95, 694. The peace was renewed multiple times as late as 1840. See Minutes of General Council Meeting held at the Credit River, 16–24 January 1840, LAC, RG10, Paudash Papers, Volume 1011, Reel T-1456, 69–104.

¹³³ Minutes of General Council Meeting held at the Credit River, 16–24 January 1840, LAC, RG10, Paudash Papers, Volume 1011, Reel T-1456, 69–104.

the westward expansion of English colonists, who were seeking to expand their settlements. Great Lakes Indigenous nations worked to keep the intrusion of settlements at bay. While the English had better quality trade goods; the French were content to keep their colonization projects confined to the St. Lawrence River valley. All eastern Great Lakes nations walked the delicate line of offering military support to their respective French and English allies as was the obligation expected of allies, while trying to resist efforts by the French and English to drag them into the ongoing cycle of conflicts between these two imperial powers.¹³⁴

It is important to define what is meant by the terms fur trade and beaver hunting territory. In an earlier generation of scholarship, the “fur trade” was a shorthand for what was perceived as commercial transactions between Indigenous peoples and Europeans, the exchange of French and English manufactured items for peltries intended for the European luxury market and particularly the production of hats. The trade itself was bidirectional: beaver pelts and deer hides to Europe, and wool and other cloth to the Americas.¹³⁵ While Indigenous women worked to make clothing from cloth, using metal needles and pins, the beaver pelts they were trading in return were not the pristine pelts one might imagine. Europeans wanted something they called ““castor gras” or “greasy beaver.” Beaver fur consists of two layers, the outer guard hairs and the inner pelt of tightly woven fur that is completely waterproof. European hat makers wanted this inner pelt for the luxury hat market. To get it, they had to manually remove the guard hairs in a labour intensive and costly process. When Europeans arrived in north-eastern North America, they found Indigenous peoples used beaver pelts as clothing, wearing the fur on the inside, and painting the hide on the outside (or using pelts as bedding, in which case people would sleep on the furry side of the hide). After more than a year (around 12–15 months), the guard hairs would

¹³⁴ See W.J. Eccles, “The Fur Trade and Eighteenth-Century Imperialism,” *The William and Mary Quarterly* 40, no. 3 (1983): 342–362; Jon Parmenter, ‘After the Mourning Wars: The Iroquois as Allies in Colonial North American Campaigns, 1676–1760’, *The William and Mary Quarterly* 64, no. 1 (2007): 39–76. Western Great Lakes Anishinaabe council fires charted their own independent relationships with the French. See Michael J. Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America*, 1st ed, Early American Studies (Philadelphia: University of Pennsylvania Press, 2012).

¹³⁵ The North American fur trade has been a subject of both significant scholarly and public interest during the 1970s to the 1990s, beginning with Harold Innis’ groundbreaking study, *The Fur Trade in Canada*. The most recent published summary of all the works produced since is in Daniel Robert Laxer, *Listening to the Fur Trade: Soundways and Music in the British North American Fur Trade, 1760–1840*, McGill-Queen’s Studies in Early Canada 3 (Montreal & Kingston: McGill-Queen’s University Press, 2022), 12–13. Cory Willmott, “Beavers and Sheep: Visual Appearance and Identity in Nineteenth-Century Algonquian-Anglo Relations,” *History and Anthropology* 25, no. 1 (2014): 1–46.

wear off, and the robe would become supple, greased by the sweat of its human wearer. The felt side would have a “downy” texture. Just when a robe had reached the end of its useful life as clothing, it was desirable for use in hat making.¹³⁶ Hat makers preferred above all hides taken from beavers killed in the winter, in northern climates, as these were the thickest and greasy beaver dominated French and English fur inventories.

Of course, producing coat beaver required more than simply having access to sufficient beaver to hunt and the time to clean off the flesh and tan the hide, but people actually had to wear the beaver or sleep on it for at least a year in order to transform a fur into the product hat makers craved. A single community could only produce so many depending on their population. The only way to increase the production of greasy beaver was to expand the network of people who could provide it. Initially both French and English looked to Indigenous trade networks to access those interior markets, and they eventually ventured inland themselves, especially when the demand for coat beaver pelts increased in the 1720s. France also used the expansion of fur trade posts into the interior as a way to assert its claims to the continent over Britain’s. The alliance relationships that France was able to sustain throughout the northwest thwarted English ambitions. As fur trade historian Jacqueline Peterson observed, “the fur trade may have been one of the more benign forms of the European invasion of North America, but it masked its exploitative fist most cleverly.”¹³⁷ It was both in the service of commercial enterprise and imperial policy and its employees worked to achieve these goals. However, both these entities “needed Native allies if they were to maintain their colonies and fend off imperial rivals.”¹³⁸ As discussed above, intermarriage was integral to the way SON and other Anishinaabe council fires understood alliance.

The period from 1701 to 1744 was relatively peaceful. The French expanded further into the interior. If there were children born of relationships between Indigenous peoples and French traders, the children would stay in the Anishinaabe community of their mothers. Smaller conflicts between France and England broke out in 1744. In 1756, the outbreak of the Seven

¹³⁶ Innis, *Fur Trade in Canada*, 14.

¹³⁷ Jacqueline Peterson, “Red River Redux: Métis Ethnogenesis and the Great Lakes Region,” in *Contours of a People: Metis Family, Mobility, and History*, eds. Nicole St-Onge, Carolyn Podruchny and Brenda Macdougall (Norman: University of Oklahoma Press, 2012), 33.

¹³⁸ Kugel, *Making Relatives of Them*, 3.

Years War which saw fighting in the Caribbean and North American colonies as well as in Europe also drew in SON when the conflict spread into the Great Lakes. In the end, France was defeated and without consulting their Indigenous allies, ceded their claims to the Great Lakes region and beyond to Britain in the 1763 Treaty of Paris. This was a shocking blow. The Treaty of Paris also fundamentally changed the fur trade as American merchants rushed to Montreal to establish operations. In the summer of 1763, organized Anishinaabe and allied nations attacked the now British-held posts in the region, capturing all but two in an event known as Pontiac's War, named after the Ottawa leader who led the attack at Detroit. They pushed back against British claims that they now owned the Great Lakes region. In July of 1764, Sir William Johnson convened a massive gathering at the now British-held Fort Niagara with representatives of all the former French-allied Great Lakes nations, and formalized a new alliance with them, extending them into the Covenant Chain treaty relationship they had long established with the Haudenosaunee and promising to not expand settlement any further into their territory. Johnson could point to the King's Royal Proclamation of 1763 (now also part of the Canadian constitution), which recognized that Indigenous peoples were allies of the King, not his subjects, protected their lands west of the height of the Appalachian Mountains from colonial expansion, and furthermore, laid out the terms under which any future land sales could occur.¹³⁹

The outbreak of the American Revolution in 1776, prompted in part by Britain's efforts to block westward expansion past the 1763 "Proclamation line," drew both the Haudenosaunee and Anishinaabek into the conflict to support their British allies.¹⁴⁰ Military reports frustratingly do not always reveal who fought where, but SON, classed under the heading of "Lake Indians" or "far Indians" in government reports were very likely participants as well. To cope with the challenges of growing crops for garrisons whose supplies were threatened by American naval action, the Crown began its first two purchases of Great Lakes land – a strip from the Mississauga along the Niagara River, and Michilimackinac Island, where plots were specifically

¹³⁹ Jon William Parmenter, 'Pontiac's War: Forging New Links in the Anglo-Iroquois Covenant Chain, 1758-1766', *Ethnohistory* 44, no. 4 (1997): 617–54; Corbiere, 'Anishinaabe Treaty-Making in the 18th-and-19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms' (York University, 2020).

¹⁴⁰ Robert S. Allen, *His Majesty's Indian Allies: British Indian Policy in the Defence of Canada, 1774-1815* (Toronto: Dundurn Press, 1992).

to be surveyed at the instruction of the Anishinaabek for those of their relatives who had married traders and soldiers.¹⁴¹

After 1783, there was shock and disbelief among the Covenant Chain allies that the British had conceded to the Americans the southern half of the Great Lakes region, drawing an imaginary line through the waters of the lakes.¹⁴² The Crown now turned to the problem of resettling its Loyalists who had fought on its side during the conflict and to the Haudenosaunee, especially the Mohawk, who were being forced from their land. The Crown envisioned the rapid settler expansion of the remaining portion of British North America, and initially General Haldimand asked the Indian department to purchase the entirety of southern Ontario from the Anishinaabek. It is not known whether this proposal was ever put to them, but the agent who was charged with this task, John Butler, knew it had no hope of initially succeeding.¹⁴³ The purchases of the 1780s to 1790s were along the lake front of Ontario and Erie, and Loyalists were granted free land on them.¹⁴⁴ This marked the beginning of settler colonization of southern Ontario and the start of the land purchase period.

Great Lakes nations did not rest after the American Revolution, and continued to push back against American expansion. Those Anishinaabek living north of this new line continued to work with their allied council fires now living to its south, and collectively they were encouraged by Britain refusing to hand over the “Western Posts” including Detroit and Michilimackinac to the Americans. This was from the Crown’s perspective work which it undertook to protect its fur

¹⁴¹ Copy of Sale of Tract of Land by the Chiefs of the Chipewighs and Missisagas Indians, of a Tract of Land on the West Side of the Straits leading from Lake Erie and Lake Ontario To the Crown,” Cession of Title (Niagara, May 9, 1781), LAC, Indian Treaties and Surrenders, RG 10, Vol. 1851, IT 403, Indian Affairs’ Consecutive Number 404, “Indian Deed of Sale for the Island of Michilimackinac,” 12 May 1781, LAC, RG 10, Vol. 1840, IT 001, Indian Affairs, Consecutive Number 1, See also Deed to Mackinac Island, Chippewa Chiefs to George III; [Mackinac Island], 12 May 1781, Michigan Collection, Clements Library, Consulted online copy: <https://clements.umich.edu/exhibit/american-encounters/nah-case-5/signatures-from-mackinaw-island/>. atrick Sinclair, “Sinclair to Brehm,” July 8, 1780, B97-2, p.403. Transcripts of Haldimand Papers, H-1445, Library and Archives Canada

¹⁴² This history is discussed in Allen, *His Majesty’s Indian Allies*.

¹⁴³ See especially Butler to Matthews, 8 May 1784, LAC, British Library, Haldimand Papers, Correspondence with Officers at Niagara and Papers, n.d., 1777–1784, MG 21, Add. Mss. 21765, volume B 105, Microfilm reel number: H-1448, A-682, 412–15.

¹⁴⁴ These purchases are discussed in Robert J. Surtees, *Indian Land Surrenders in Ontario, 1763-1867* (Ottawa: Research Branch, Corporate Policy, Indian and Northern Affairs Canada, 1983) and Gwen Reimer, ‘British-Canada’s Land Purchases, 1783-1788: A Strategic Perspective’, *Ontario History* 111, no. 1 (2019): 36–72.

trade interests. In 1796 however, the Crown concluded the Jay treaty with America and handed the posts over. The British at Detroit moved across the river to Amherstburg, those at Michilimackinac Island moved to St. Joseph's Island near Sault Ste. Marie in 1796, and the Crown conclude the purchase of St. Joseph's Island from the Anishinaabek at Bawating in 1798.¹⁴⁵ Their mixed-ancestry civilian employees, and the community that had grown up around the fort, moved with them.

By 1791, the settler population in what is now Ontario had grown to 10,000 and it continued to grow rapidly. At the outbreak of the War of 1812, when America invaded in the hopes of capturing Upper and Lower Canada, the settler population was already 95,000. It would then double every decade until 1851, when the population reached almost 1 million.¹⁴⁶ When conflict broke out SON answered the call of the British for military aid, as did the other Anishinaabek and Haudenosaunee communities. Scholars now recognize that without that aid, Upper Canada likely would have fallen to the Americans.¹⁴⁷ Nawash, of SON, was a highly regarded military leader and decorated veteran, after whom the British named a naval vessel. When the War ended in 1815, the subsequent peace agreement called for a significantly demilitarized Great Lakes. The War's end also coincided with the end of the more than 20 years of the Napoleonic wars in Europe. Facing the need to transition to a peace time economy and with a large number of now surplus military members to "retire," the Crown began to develop an emigration scheme in which Upper Canada figured prominently. A second round of land purchases concluded in 1818 and 1819 across the province was undertaken to provide these new arrivals with land, placing further pressure on the Anishinaabek. SON, more remote than others, was better able to carry on with its way of life, but that would soon change. After the War, Americans came into the mid-west "like a flood" and soon put tremendous pressure on SON's allies and kin at Saginaw Bay and in the Michigan peninsula.¹⁴⁸

¹⁴⁵ These struggles are described in Allen, *His Majesty's Indian Allies*.

¹⁴⁶ Statistics Canada, Censuses of Canada 1665 to 1871, <https://www150.statcan.gc.ca/n1/pub/98-187-x/4064809-eng.htm>. The first official enumerated census of British North America was approved in 1851 and undertaken in January of 1852

¹⁴⁷ Carl Benn, *The Iroquois in the War of 1812* (Toronto, Ontario ; University of Toronto Press, 2004); Allen, *His Majesty's Indian Allies*.

¹⁴⁸ Peterson, "Red River Redux," 33.

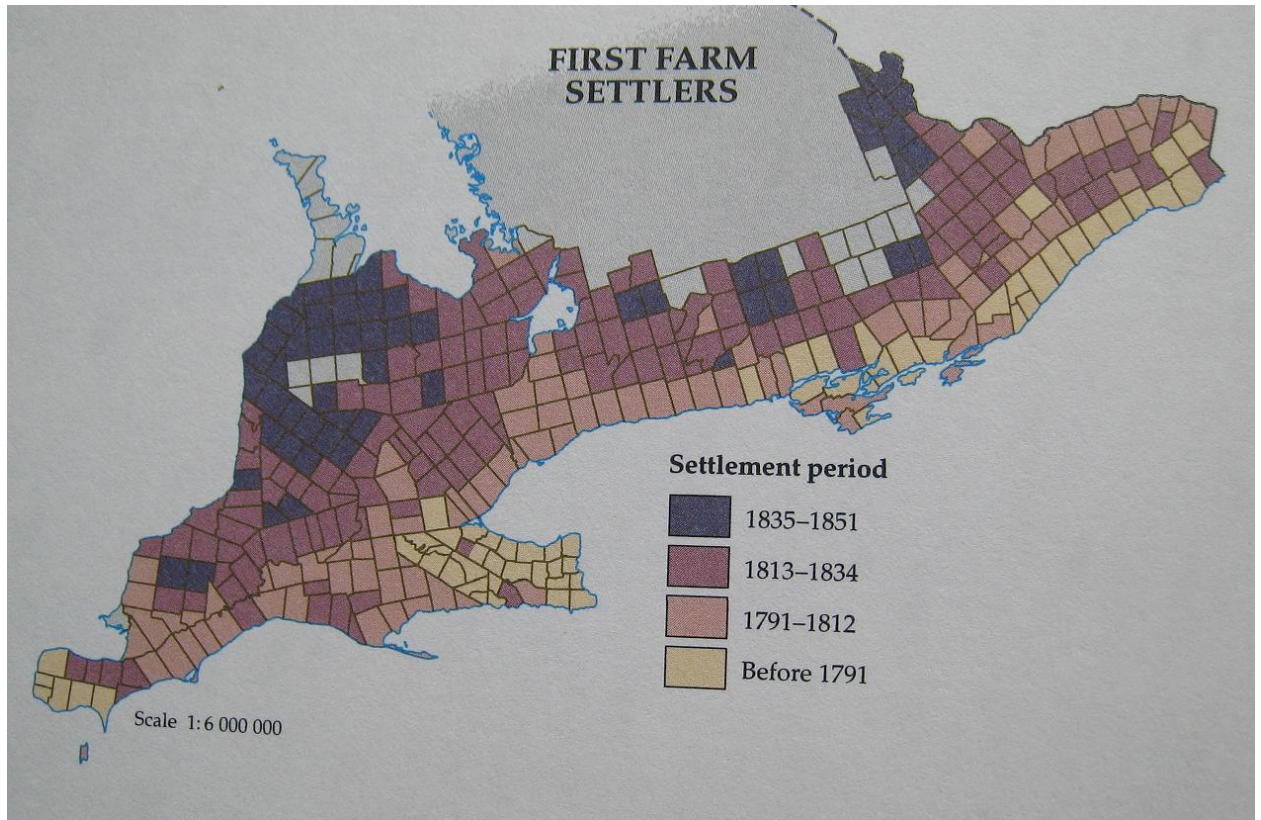


Figure 6: **From the Historical Atlas of Canada: Map Showing "first farm settlers" after land purchase and surveying was completed.**

The Crown also looked to transform the Indian Department and to shift from its practice of maintaining alliance relationships with the Anishinaabek and others under their law, to a policy of assimilation, with the intention that this would also release reserve lands for sale. The military base at Drummond Island, which is where Upper Great Lakes nations had met with the British in council since 1815, was closed, and its military and civilian staff moved to Penetanguishene. In 1830, the Crown also reorganized the Indian Department, moving it from under the management of the War Office to civil control and it encouraged the development of an Anishinaabe farming settlement at Coldwater on the road to Penetanguishene. From 1828 to 1858, the Province of Canada would undertake six different investigations into determining the best course of action for its management of Indian Affairs, ending with the Pennefather

Commission of 1858 which recommended the extinction of tribal governments.¹⁴⁹ The reasons for the multiple commissions and recommendations was that Haudenosaunee and Anishinaabek peoples, including SON, firmly resisted settler plans for their elimination, and repeatedly met in councils with Governors and Lieutenants-General, calling on the British to uphold its treaty obligations. They quoted Crown officials speeches made by Imperial leadership from the Seven Years' War forward, in which the British promised much when needing their military support including protecting their right to continue to exist, and repeatedly asked how it was that this could be forgotten.¹⁵⁰

However, the rapid growth in the settler population meant that Indigenous leaders were only able to delay, not stop, settler possession of their lands, and by the 1850s, the Province of Canada, having achieved responsible government and a greater measure of independence from Britain, was looking to further its own development and behaved in increasingly coercive ways towards SON and other Anishinaabek. As the settler population of Upper Canada/Canada West (as it was called after 1840) swelled to 400,000 in 1840, and more than doubled to 950,000 by 1851, there was increasing pressure to force the Anishinaabek the surrender their remaining land.¹⁵¹

In Britain, there was some sympathy for what was happening, coinciding with the end of slavery in the British empire. The Aborigines Protection Society was created in 1833, in recognition of the cost of colonial expansion on Indigenous peoples globally, and it did lobby the imperial government for some ameliorating policies.¹⁵² The rebellions of 1837/1838 provided another opportunity to demonstrate the strength of the alliance. But not all participated. While

¹⁴⁹ John F. Leslie, *Commissions of Inquiry into Indian Affairs in the Canadas, 1828–1858 Evolving a*

Corporate Memory for the Indian Department (Ottawa: Treaties and Historical Research Centre Research Branch Corporate Policy Indian Affairs and Northern Development Canada, 1985),

¹⁵⁰ Alan Theodore Ojiig Corbiere, 'Anishinaabe Treaty-Making in the 18th-and-19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms' (York University, 2020).

¹⁵¹ Statistics Canada, Censuses of Canada 1665 to 1871, <https://www150.statcan.gc.ca/n1/pub/98-187-x/4064809-eng.htm>. The first official enumerated census of British North America was approved in 1851 and undertaken in January of 1852

¹⁵² James Heartfield, *The Aborigines' Protection Society: Humanitarian Imperialism in Australia, New Zealand, Fiji, Canada, South Africa, and the Congo, 1836-1909* (New York: Columbia University Press, 2011).

some settlers formed positive relationships with their indigenous neighbours, others wanted them eliminated.¹⁵³

In Upper Canada SON was part of the network of Anishinaabe council fires who met regularly to push back against Crown and settler encroachments and to map out ways in which their people could adapt to this new settler world while remaining distinct peoples. Conversion to Christianity was one such approach, and many became Methodist, in particular because Anishinaabe leaders, like Peter Jones of Credit River and John Sunday of Alderville, were also missionaries. They spoke their language, and advocated both in Upper Canada and in England for Anishinaabek peoples.¹⁵⁴ By the 1830s, SON was sending some of its youth to schools to become literate in both English and Anishinaabemowin, and to acquire the financial and business skills necessary to manage the commercial harvesting of their own resources collectively.¹⁵⁵ They had youth trained as coopers to prepare the barrels needed for the storage and transportation of their fishery, and by 1852, had mapped out a plan for the opening of a cooperative store as well as a commercial fishery, which the Indian Department blocked them from undertaking by not authorizing the release of their own band funds to invest in the project.¹⁵⁶ The project would have competed with settler businesses at Southampton.

The Crown however, was looking to completely repudiate its treaty relationships. It wanted to stop the annual renewal of alliance relationships, the gatherings at which parties exchanged gifts, renewed their commitments to one another and discussed problems as peers. The 1850s also saw the Province of Canada pass new legislation to both define and restrict Indigenous peoples. The 1850 Protection of Property Act was a weak effort to prevent squatter trespass on reserves and the illegal taking of Indigenous timber. Its only real impact was the

¹⁵³ Nathan Ince, “‘As Long As That Fire Burned’”: Indigenous Warriors and Political Order in Upper Canada, 1837–42’, *The Canadian Historical Review*, 2021, <https://doi.org/10.3138/chr-2020-0039>.

¹⁵⁴ Their work as missionaries is discussed in Donald B. Smith, *Sacred Feathers: The Reverend Peter Jones (Kahkewaquonaby) and the Mississauga Indians, Second Edition* (Toronto: University of Toronto Press, 2013) and Roxanne L. Korpan, ‘Scriptural Relations: Colonial Formations of Anishinaabemowin Bibles in Nineteenth-Century Canada’, *Material Religion* 17, no. 2 (2021): 147–76, <https://doi.org/10.1080/17432200.2021.1897279>.

¹⁵⁵ Hope MacLean, ‘A Positive Experiment in Aboriginal Education: The Methodist Ojibwa Day Schools in Upper Canada, 1824-1833’, *Canadian Journal of Native Studies* 22, no. 1 (2002): 23-63.

¹⁵⁶ Saugeen Band Council Resolution, 30 October 1852, LAC, RG10, Volume 201, pp. 118610-118612,

Reel C-11519; Anderson to Bruce, 29 January 1853, LAC, RG10, Vol. 201, pp. 118606; Anderson to Wood, 28 January 1853, LAC, RG10, Vol. 201, pp. 118613-118614.

beginning of Crown legislation to define who was an Indigenous person.¹⁵⁷ The 1857 Gradual Civilization Act was a more targeted law, aimed at ending the treaty relationship and eroding First nations governance capacity by allowing individual band members to not only leave the community but also to take their “share” of the band’s resources with them.¹⁵⁸ Another critical piece of legislation, given royal assent the same day as the Gradual Civilization Act, was the Fisheries Act, which required everyone, Anishinaabek included, to pay for a fishing license in order to harvest fish.¹⁵⁹ In the 1854 treaty, SON had specifically reserved their fishing islands and fish to their own use, and now the Crown was requiring them to pay to harvest, and after many appeals, they would only grant a license for the small lake herring. SON and other Anishinaabe council fires met with the Haudenosaunee in 1858 to protest against this new legislation and the findings of the Crown’s most recent proposal on the management of Indian Affairs, the Pennefather Report, which advocated the extinction of tribal governments among many other recommendations.¹⁶⁰

The Crown’s repudiation of its alliance relationship was evident at Manitowaning on Manitoulin Island in 1858, the site of the last renewal ceremony.¹⁶¹ And then in 1860, when the Crown learned of the planned tour of British North America by the Prince of Wales, Queen Victoria’s eldest son and the future monarch, it worked to encourage delegations of Indigenous peoples to meet with the Crown representative, so that the “special relationship” could be acknowledged.¹⁶² Seeing an opportunity to speak directly to imperial leadership about the

¹⁵⁷ Province of Canada, *An Act for the protection of the Indians in Upper Canada from imposition, and the property occupied or enjoyed by them from trespass and injury*, 10 August 1850, 13 & 14 Victoria c.74; Leslie, *Commission of Inquiry into Indian Affairs in the Canadas*, 83–84.

¹⁵⁸ Canada (province). *An Act to encourage the Gradual Civilization of the Indian Tribes in this Province, and to amend the Laws Respecting Indians*, 20 Victoria (1857) c. 26;

¹⁵⁹ Canada (Province). *The Fishery Act*, 20 Victoria (1857) c. 21

¹⁶⁰ Richard Pennefather et al, “Report of the Special Commissioners appointed on the 8th of September 1856 to investigate Indian Affairs in Canada,” *Appendix to the Sixteenth Volume of the Journals of the Legislative Assembly of the Province of Canada*, (Toronto: Queen's Printer, 1858), Part III); David Thorburn, “Minutes of a Great Council held with the Six Nations & a Deputation of Chiefs from 15 different Bands from the 20th to the 29th September 1858,” LAC, Department of Indian Affairs: Office of the Civil Secretary in the Province of Canada, 1844–1861, RG 10, Vol. 245, pt. 1, 145508–145583

¹⁶¹ Catherine Sims, ‘Algonkian-British Relations In The Upper Great Lakes Region: Gathering To Give And To Receive Presents, 1815-1843’, *Digitized Theses*, 1992.

¹⁶² On the Prince of Wales’ visit to Sarnia, see Radforth, *Royal Spectacle*, 221–232

challenges they were facing, SON hosted a grand general council, which met at Saugeen.¹⁶³ Their petition, reproduced here, explains what they were facing:

Through fraud & carelessness several hundred thousand dollars of monies received by them in payment for our lands have been lost to us & we have no redress.

The valuable fisheries in all the great lakes are claimed by government. Some of the fisheries along the shores of our unsundered lands & islands are leased by government for purposes of revenues & we are prohibited under pains of penalties from supplying our wants from this source in the undisturbed possession of our forefathers for generations uncounted. In other instances we have been told by the government Agent that we must pay for the fish we might take before our own doors. These fisheries were not included in the surrender of the land. We therefore claim their restoration.

We complain that large tracts of unsundered lands have been surveyed & sold without our consent & without any compensation being made to us. Some of our reserved lands also have been sold without our consent or knowledge even – it is said by mistakes & we cannot obtain their restoration or compensation therefor. In other instances much larger tracts have been claimed under treaties than we designed to surrender. Other large tracts have been obtained by threats of forcible dispossession, & without adequate compensation: thus nearly driving our people to desperation.

We all along supposed that the titles by which we held our reserved lands were good & valid. But we have been alarmed by a recommendation of the Indian Department that government would grant authority to alienate our reserved lands without obtaining our consent, & even against our will & remonstrance. Thus destroying in our minds all the sacredness & validity we formerly attached to solemn treaties. This state of things agitates the minds of our people & retards their improvement. We pray that something may be done speedily to set the question of title at rest forever. There are many local & minor grievances besides the above mentioned.¹⁶⁴

That same year, the imperial Crown had formally transferred all of its responsibilities for the management of relations with Indigenous peoples and their land to the Province of Canada.¹⁶⁵

¹⁶³ Memorandum of the proceedings of an Indians Council held at Sarnia on the 12th September 1860, LAC, RG 10, Vol. 256, Reel C-12645, pp. 153967-153973

¹⁶⁴ Petition of the Chiefs and Principal men, Rama, Cape Croker, Mud Lake and Rice Lake Band), LAC, MG 11, Series CO 42, Vol. 624, Reel B-446, pp. 454-456 (there were 50 signatories, including delegates from Bawating, St. Clair, the Wyandot, Colpoy's Bay, Cape Croker, Snake Island, Mud Lake (Curve Lake today), Rama, Rice Lake, Chippewas of the Thames, Delaware, Manitoulin, and Muncey.

¹⁶⁵ As of 1860, the British Parliament declined to fund any further expenses for the "Indian Office" in Canada as of 1860, requiring the Province of Canada to pass legislation "to provide for the transfer of the management of such

There was now no recourse or appeal. After Confederation, the new Dominion shifted focus to the rapid development and settlement of the Northwest, which is when the Crown confronted the Plains Métis people as a political force, and began the process of purchasing land from western nations, known as the Numbered Treaties, to clear the plains for more settlement.¹⁶⁶ The new federal government then passed the Indian Act of 1876, intended to create a single policy for the “management” of Indigenous polities across the country. One key component of the Act was it defined only the children of white women and Indigenous men as Indian under the Act. Anishinaabe women who married out of their community lost their “status” as Indigenous peoples, creating a large population of non-status Indigenous people who were nevertheless related to reserve communities.

Understanding the history of the Great Lakes region and its Indigenous polities is essential to understanding contemporary claims to the existence of distinct Métis communities in the Great Lakes region. Until the rush of settlers after the War of 1812 forced the SON and other Anishinaabek council fires to cede their lands to their ally the Crown, these Anishinaabek council fires determined, under their own system of governance, who could have access to their lands and resources. Only when the British had such numerical dominance in the region, and no more need of Anishinaabe peoples as military allies, did they pull back from their responsibilities under their treaty relationships. Not until the late 1850s did they pass laws to interfere directly with and work for the elimination of tribal governments. Until that time, Anishinaabe council fires, including SON, met with and dealt with Crown officials as allies, and they managed their own internal affairs, including deciding who was a member of their own communities, and who could live on their land and access their resources. In the balance of this report, where we discuss claims to SON territory, these claims need to be assessed against the overwhelming body of evidence of SON’s long-standing history in its territory, its alliance relationships and its continuous practice of self-government.

office to the hands of some officer responsible to the Colonial Parliament.” Head to Duke of Newcastle, 30 April 1860, No. 12 in *Copies of Extracts of Correspondence between the Secretary of State for the Colonies and the Governor General of Canada respecting Alterations in the Organization of the Indian Department in Canada (in continuation of Parliamentary Paper, No. 247, of Session 1856)*, 24 August 1860, 30

¹⁶⁶ James W. Daschuk, *Clearing the Plains: Disease, Politics of Starvation, and the Loss of Indigenous Life*, New edition., Canadian Plains Studies, 65. (Regina, Saskatchewan: University of Regina Press, 2019).

The Specific Métis Claims to SON Territory

There are two sets of overlapping claims by present-day Métis organizations directly affecting SON territory, concerning harvesting in SON territory and the right to recognition as an Indigenous people: claims by the MNO and Georgian Bay History Métis specifically around harvesting and the right of recognition on SON territory as a recognized Indigenous body, and the efforts of the Historical Saugeen Métis organization to achieve recognition and status as Indigenous.

The MNO recognizes the Georgian Bay Historic Métis as a distinct Métis community located in Penetanguishene. The MNO has established the process by which people who are members of the GBHM area can claim the right to hunt and harvest in SON territory based upon their documented genealogical connection to one of the “Verified Métis Family Lines” (VFML) recognized by the MNO as part of the Georgian Bay Historic Métis Community. This “Georgian Bay” harvesting area claimed encompasses all of SON’s traditional territory as well territories of the Robinson-Huron treaty nations and the Chippewa Tri-Council. The GBHM’s claims to a historic distinct Métis community are centred in the Penetanguishene peninsula on the traditional territory of the Chippewas of Rama and Chippewa tri-council, and of some of the Robinson-Huron treaty signatory councils, dating from after the establishment of a Crown military post in 1813 (the land had been purchased by the Crown in 1798). Only four GBHM Verified family lines have a specific connection to SON territory. However on the basis of these four family lines, GBHM asserts that ALL members of its present-day organization have s.35 aboriginal rights, including harvesting rights, on SON territory.

The Historic Saugeen Métis (HSM) are a present-day organization of people who claim Métis ancestry and the continuous use of the lands along the eastern coast of Lake Huron by their ancestors. They are not recognized by the MNO as a distinct Métis community. For a member of the HSM to qualify for a harvesting card in SON territory under the MNO’s regulations, a member of HSM would have to prove descent from one of the GBHM family lines and apply to hunt or harvest in the Georgian Bay district. Nevertheless, HSM have been making many claims to their Indigeneity in SON territory, including seeking recognition in land acknowledgements and funding from corporations on the basis of a history they have constructed. They have

produced publications to assert their status as a distinct rights-bearing community, including an atlas purporting to place the ancestors of their different family lines on various locations throughout SON territory.¹⁶⁷ The Province of Ontario contributed to the funding of this Atlas. Discussed in greater detail below, this publication is in two parts: part one is broad overview of the history of the fur trade and European settlement in eastern North America and the Great Lakes region into which the HSM inserts itself as a distinct community of people “hiding in plain sight.” Part two consists of family genealogies offered as evidence of this distinct community occupying the eastern Lake Huron coast line and centered largely at Southampton.

To further their historical argument, the HSM have built an interpretative learning centre in Southampton, Ontario, which, in their words, “features a variety of artifacts and displays that highlight the unique culture and heritage of the local historic Métis community.”¹⁶⁸ Their website asserts the following:

“Historic Saugeen Métis, an independent, historic Métis community located at Southampton, Ontario, represents the descendants of Métis in the historic Saugeen community prior to settlement. HSM assert credible s. 35 aboriginal communal rights in the Métis Saugeen territory. The community has been along the Lake Huron shoreline with continuity for almost two hundred years.”¹⁶⁹

On this website, they describe themselves as a “distinctive Indigenous community with roots in the Northwest. With a unique Métis history and culture who lived, fished, hunted, trapped, and harvested the lands and waters of the Bruce Peninsula, the Lake Huron proper shoreline and their traditional Métis territory.”¹⁷⁰ The goal of the HSM, in their statement of prime purpose is the “inherent right of self-government,” and to exercise what they high-light as their “most fundamental right,” the right “to their identity as Aboriginal people and their continuing use of the land – whether it be for hunting, fishing, trapping, gathering food and medicines or for any of

¹⁶⁷ Patsy Lou Wilson McArthur et al, *Historic Saugeen Métis: A Heritage Atlas* (Belleville, Ont: Essence Publishing, 2013), hereafter cited as McArthur, *Heritage Atlas*.

¹⁶⁸ Landing Page, “Historic Saugeen Métis,” <https://saugeenMétis.com/>, Last accessed June 16, 2024.

¹⁶⁹ Landing Page, “Historic Saugeen Métis,” <https://saugeenMétis.com/>, Last accessed June 16, 2024.¹⁷⁰ Historic Saugeen Métis, Landing Page, “Historic Saugeen Métis,” <https://saugeenMétis.com/>, Last accessed June 16, 2024.

¹⁷⁰ Historic Saugeen Métis, Landing Page, “Historic Saugeen Métis,” <https://saugeenMétis.com/>, Last accessed June 16, 2024.

their traditional pursuits.”¹⁷¹ HSM specifically asserts that it has continuously existed as a distinct community on SON territory for “almost 200 years,” and that on the basis of this, its present day members are entitled to assert Section 35 Aboriginal rights in what they call “the Métis Saugeen territory” which entirely overlaps SON traditional territory.

Specifically, in the publication *Historic Saugeen Métis: A Heritage Atlas*, co-authors David McNab and Paul-Emile McNab describe the “Historic Métis Saugeen Territory (hereafter HMST)” as follows: “given the very large area in the present-day counties of Grey, Bruce, Huron, part of northern Lambton, and parts of Dufferin, Wellington and Waterloo Counties. This Territory includes lands and waters and specifically Lake Huron and adjoining rivers, most notably the Saugeen, the Mennesetung (known by the Métis community as the Red River, not the Maitland River), the Mukwa (Ours, Bear, now known as the Grand) River and inland lakes.”¹⁷² In addition to SON territory, the HSM claims in this book extend into the historic territories of Walpole and Amjiwaanang Anishinaabek, the Chippewas of the Thames and as far east as the Six Nations of the Grand River.

Defining Métis:

A significant challenge to understanding and analyzing the claims put forward by different Métis organizations in Ontario is the multiple different ways in which the word has been used in the past and in the present. The word has been applied to people who have mixed Indigenous-European ancestry, people of mixed Indigenous-European parentage, or people who are descendants of the distinct polity which coalesced in the mid-19th century in the interior Great Plains. Who are the Métis apart from their clearly distinct society which emerged at Red River in the mid 19th century? Historians and sociologists continue to debate to whom the Métis should apply.¹⁷³ Even the spelling is contested – there is not even agreement on which

¹⁷¹ Historic Saugeen Métis, “Statement of Prime Purpose,” <https://saugeenMétis.com/about/statement-of-prime-purpose/>,” Last accessed June 16, 2024. ¹⁷² McArthur, *Heritage Atlas*, 11.

¹⁷² McArthur, *Heritage Atlas*, 11.

¹⁷³ There is a large scholarly literature on fur trade and Metis histories. The field owes its origins to Harold A. Innis *The Fur Trade in Canada: An Introduction to Canadian Economic History* (New Haven : London: Yale University Press ; Humphrey Milford, Oxford University Press, 1930), and interest in the field grew rapidly. In 1965, the first of multiple international conferences on the North American Fur Trade hosted by the Minnesota Historical Society and continued meeting and publishing proceedings into the 1990s. E.E. Rich’s contribution to the Centennial Series: *The Fur Trade and the Northwest to 1857* (Toronto: McClelland & Stewart, 1967) brought the history to larger audience.

capitalization (upper case or lower case) or spelling (with or without the accent over the e) to use. The terminology question is also political. The Métis Nation of Ontario and Historic Saugeen Métis use the accented form, the spelling used in Section 35 of the Canada Act but also an acknowledged reference to French ancestry and, and yet the Red River community, and many of the ancestors put forward by the HSM had Scottish ancestry or parentage.

Historians familiar with fur trade and colonial governmental archival records also know that mixed-ancestry people are described variously at different times and places, including the terms half-breed, half-blood, mixed, French Indian, bois-brûlé (burnt wood) and others, and that to apply the term “Métis” in this earlier contexts is to mis-read history, to use a word that people did not use at the time to describe themselves and therefore to create a sense of unity and identity that was not present at the time..¹⁷⁴ These labels also came to mean different things over time, especially as by the mid-19th century, racial thinking began to pervade Western thought and profoundly shaped the categories by which people described each other.¹⁷⁵ This thinking is clearly evident in the Indian Act of 1876, which constructed a firm boundary between Indian and

Arthur Ray, one of the expert witnesses in the Powley case, provided the first economic history to take Indigenous participation seriously. Ray, Arthur J, and Donald B Freeman. *“Give Us Good Measure”: An Economic Analysis of Relations between the Indians and the Hudson’s Bay Company before 1763*. Toronto: University of Toronto Press, 1978. Sylvia van Kirk and Jennifer S.H. Brown are credited with turning a social history lens to the role of indigenous women in the fur trade and the family ties they made. See Sylvia Van Kirk, *Many Tender Ties: Women in Fur-Trade Society, 1670-1870* (Winnipeg: Watson & Dwyer, 1980) and Jennifer S. H. Brown, *Strangers in Blood: Fur Trade Company Families in Indian Country* (Vancouver: University of British Columbia Press, 1980). Brown also established a research consortium known as The Centre for Rupert’s Land Studies at the University of Winnipeg. Carolyn Podruchny produced the first real labour history of fur trade employees: Carolyn Podruchny, *Making the Voyageur World: Travelers and Traders in the North American Fur Trade*, France Overseas (Lincoln: University of Nebraska Press, 2006). The explosion in Metis studies today grew out of this work, separate from earlier scholarship that only focus on the Northwest Rebellions of 1870 and 1885, without considering the Metis Nation behind them and their histories. Metis scholars have brought considerable depth to this field, layering in analysis of material culture as sources and oral and family histories. See especially Sherry Farrell Racette, ‘Tuft Life: Stitching Sovereignty in Contemporary Indigenous Art’, *Art Journal* 76, no. 2 (2017): 114–23; Heather Devine, *The People Who Own Themselves: Aboriginal Ethnogenesis in a Canadian Family, 1660-1900* (Calgary: University of Calgary Press, 2004) and Brenda Macdougall *One of the Family: Metis Culture in Nineteenth-Century Northwestern Saskatchewan* (Vancouver: UBC Press, 2010). ; There is simply not space here to list this expansive historiography and the reader is referred to the bibliographies of St. Onge, Podruchny & Macdougall *Contours of a People* as well as the recently published Daniel Robert Laxer, *Listening to the Fur Trade: Soundways and Music in the British North American Fur Trade, 1760-1840*, McGill-Queen’s Studies in Early Canada 3 (Montreal ; Kingston ; McGill-Queen’s University Press, 2022).

¹⁷⁴ Jacqueline Peterson, “Red River Redux: Métis Ethnogenesis and the Great Lakes Region,” in *Contours of a People: Métis Family, Mobility and History*, Macdougall, Podruchny & St. Onge, eds., (Norman, University of Oklahoma Press, 2012), 24-29.

¹⁷⁵ Jennifer Hayter, ‘Racially “Indian”, Legally “White”: The Canadian State’s Struggles to Categorize the Métis, 1850-1900.’ (Ann Arbor, ProQuest Dissertations & Theses, 2017).

not-Indian, determining that Indian status was something that passed down only through the male line.¹⁷⁶ Women who married white men, and their resulting children, were considered to be no longer “Indian” which over time created a category of mixed-ancestry/parentage Indigenous people known as “non-Status” Indians – people with family ties to First Nations communities but with no political rights, treaty rights, or right to live on reserves. The federal government routinely policed band lists to remove mixed-ancestry or parentage individuals from them.¹⁷⁷ Until the 1985 amendment to the Indian Act, which restored status and in many cases band membership to women who had married “out” and their descendants, there were many people in this “in-between” category.¹⁷⁸

Despite these complications, there is general agreement among scholars that simply being of mixed Indigenous-European ancestry or parentage does not automatically make one Métis. In their 2012 edited collection of essays on Métis history, Brenda Macdougall, Carolyn Podruchny and Nicole St. Onge consciously drop the accent from Métis because of the “patrilineal diversity of heritages beyond French Canada...Orcadian [from Scotland’s Orkney Islands], Scottish, English and so on.”¹⁷⁹ They acknowledge that mixed ancestry alone does not make a distinct people:

in countless situations in history all over the world, trade between groups has led to sexual encounters and even intermarriage, including dual-heritage offspring. This circumstance became common in the North American fur trade but this does not mean that Métis people can be found all over North America. Usually, dual-heritage offspring would join either their mothers’ or their fathers’ communities and adopt their heritage and culture.

But in specific situations, when the dual-heritage children begin to intermarry and create families and communities with one another and to develop a distinctive culture based on novel practices—such as a new language, artistic

¹⁷⁶ *The Indian Act, 1876*, SC 1876, c 18 (39 Vict.).

¹⁷⁷ See for example the Government of Canada’s own description of the registration process under the Indian Act. Canada, Background on Indian Registration,” 28 November 2018. <https://www.rcaanc-cirnac.gc.ca/eng/1540405608208/1568898474141>

¹⁷⁸ Peterson, “Red River Redux,” 29.

¹⁷⁹ Brenda Macdougall, Carolyn Podruchny, and Nicole St. Onge, “Introduction: Cultural Mobility and the Contours of Difference,” *Contours of a People: Métis Family, Mobility and History*, Macdougall, Podruchny & St. Onge, eds., (Norman, University of Oklahoma Press, 2012), 6.

productions, or economic activity – and especially when a shared sense of identity is expressed, ethnogenesis, or the birth of a new people, occurs.¹⁸⁰

These scholars (and many others) see a distinct society forming in the late 18th and early 19th centuries “on the Great Plains, in the boreal forests, and in the subarctic scrublands when successive generations of dual-heritage children intermarried and created communities,” but not in other places.¹⁸¹ As fur trade historian Jacqueline Peterson notes, the evidence of Métis ethnogenesis on the northeastern plains “is both incontrovertible and stunning...it is important to recall the sheer force of Métis numbers and ethnic and political consciousness manifested at Red River after 1815.”¹⁸²

Further complicating the definitional challenges is the fact that in 1982, the word was given constitutional weight in Section 35 of the Canada Act, which defined Aboriginal peoples of Canada as being “Indian, Inuit or Métis” and all Aboriginal people receiving in Section 25 protection for Aboriginal Rights and Treaty Rights in Section 25. The Supreme Court of Canada issued a ruling in 1996 known as the Van Der Peet decision, in which it defined an Aboriginal rights and created a “test” for courts to assess claims that an Aboriginal peoples had that right.¹⁸³ That test provides constitutional protection for cultural and economic activities of Indigenous peoples which they were undertaking at the time of contact with Europeans.¹⁸⁴ In 2003, the SSC drew on the Van Der Peet decision when it determined the Powley case, a case which involved a man who identified as Métis from Sault Ste Marie who shot a moose in October of 1993 without a provincial license to do so. In that decision, the court recognized that the Van Der Peet decision would have to be modified because Métis people could not have logically existed before contact with Europeans.¹⁸⁵ And unlike the clear and distinct polity of diverse people at Red River, who negotiated Manitoba’s entry to Confederation, the people Powley was descended from had no

¹⁸⁰ Brenda Macdougall, Carolyn Podruchny, and Nicole St. Onge, “Introduction: Cultural Mobility and the Contours of Difference,” *Contours of a People: Métis Family, Mobility and History*, Macdougall, Podruchny & St. Onge, eds., (Norman, University of Oklahoma Press, 2012), 3.

¹⁸¹ Macdougall et al, 3.

¹⁸² Jacqueline Peterson, “Red River Redux: Métis Ethnogenesis and the Great Lakes Region,” in *Contours of a People: Métis Family, Mobility and History*, Macdougall, Podruchny & St. Onge, eds., (Norman, University of Oklahoma Press, 2012), 22-58, 30.

¹⁸³ R. v. Van der Peet, [1996] 2 S.C.R. 507.

¹⁸⁴ R. v. Van der Peet, [1996] 2 S.C.R. 507.

¹⁸⁵ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43

such a clear and politically independent existence. The court found that the community at Sault Ste Marie came into being during the fur trade, through marriages between traders and Anishinaabe women.¹⁸⁶ Clearly, the Anishinaabek at Sault Ste. Marie permitted this settlement. These people were, after all, their kin, however kin who wished to live apart and differently, in a place had some elements of European society and elements of Anishinaabe cultural traditions and practices.

The Supreme Court of Canada upheld the trial judge's decision because there was evidence about the existence of a mixed-ancestry community at Sault Ste. Marie by 1850, and evidence that it had been there for multiple generations. In 1850, when the Crown sent W.B Robinson to negotiate the purchase of the north shores of Lakes Huron and Superior, leading negotiators, Shingwaukonse and Nebanagoching, spoke up for their mixed-ancestry kin and asked the Crown to recognize them in the treaty, suggesting that the Anishinaabe there also saw this community as distinct from the other council fires from the north shore of Lake Huron and eastern shore of Georgian Bay.¹⁸⁷ Robinson, representing the Crown, refused, on the grounds that it was only obligated to enter into treaty with Indians (under the terms of the Royal proclamation) and that if the Anishinaabek wanted to provide for these kin, they would have to do it out of the payments the Crown made solely to the Anishinaabek. Robinson further refused to recognize the property rights of those who were not members of the Anishinaabe signatory council fires.¹⁸⁸ The court found on reviewing the historical record that Mr. Powley was a descendant of these people who were related to the Anishinaabek and who had been refused the right to enter into treaty by the Crown at the time. The Court then developed a novel framework for explaining the criteria by which they understood Mr. Powley to have an Aboriginal right to hunt moose alongside the Anishinaabek who had that right by virtue of their treaty relationship with the Crown and obvious pre-contact Indigeneity. This framework, as we will discuss in detail below, was composed of multiple parts, requiring the community to have existed before "effective European control," to have evidence of distinct cultural practices separate from their

¹⁸⁶ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43

¹⁸⁷ Jim Morrison, 'The Robinson Treaties of 1850: A Case Study', Royal Commission on Aboriginal Peoples, 31 August 1996, 4-6. Note that some of the people whom Robinson called "half-breeds" were also involved supporting their Anishinaabek kin in the treaty process.

¹⁸⁸ Morrison points out that some did choose then to become recognized as band members, as the subsequent pay lists showed.

fore bearers and to show continuity, and identity with a present day Métis community. The decision also located this community in a particular place, around Sault Ste. Marie, and indicated that any future such communities would also be place-based.

Those who research Métis/Métis histories and communities today have found particular fault with the sited-ness of the Powley decision's implications that a Métis community must by definition have a specific location. These scholars argue that this misreads the mobility which was a defining characteristic of Métis communities. St-Onge and Podruchny, while continuing to focus on the northeast plains, evocatively describe Métis communities as "scuttling along a spider's web," arguing that their very networks of kin connections over a large area is part of the defining characteristic of their distinctiveness.¹⁸⁹ As we will see below in the report, these arguments concerning mobility underpin the idea of the more expansive territories claimed by the MNO and the HSM; they point in their materials to the movement of people between places as additional evidence of their Métis identities. Of course, many Indigenous peoples were mobile too, including the Anishinaabeg, and relocated seasonally. Settlers in the 19th century also demonstrated great mobility across kin networks in their search for land work. St. Ogne and Podruchny acknowledge this, but focus instead on what they see as a "particular twist" that makes the Métis distinct, how they "used webs of kinship to succeed in an ever-expanding mercantile economy."¹⁹⁰ They write:

Métis are distinct from neighbouring communities because of the sheer size of the area over which they travelled, lived and worked; their emergence out of the fur trade; their close economic relationship to mercantile capital; their reliance on fur trade networks in the eighteenth and nineteenth centuries; and cultural practices passed down over generations."¹⁹¹

The problem with this definition, however, is that it unintentionally undermines the supposed Indigeneity of distinct Métis societies. The fur trade was as Peterson describes it concisely, a "transitional extractive economy."¹⁹² Mixed ancestry or parentage employees working in the fur

¹⁸⁹ Nicole St. Onge and Carolyn Podruchny, "Scuttling Along A Spider's Web: Mobility and Kinship in Métis Ethnogenesis," 59-92, in *Contours of a People: Métis Family, Mobility and History*, Macdougall, Podruchny & St. Onge, eds., (Norman, University of Oklahoma Press, 2012), 62-63.

¹⁹⁰ St. Onge and Podruchny, "Scuttling Along a Spider's Web," 81.

¹⁹¹ St. Onge and Podruchny, "Scuttling Along a Spider's Web," 81.

¹⁹² Peterson, "Red River Redux," 33.

trade in the Great Lakes region were part of these commercial enterprises that were encouraged and supported by French and English empires. This is a significant contrast with Anishinaabe economies, for example, that were redistributive. Wealth was accumulated locally, and then gifted away at regional gatherings in support of making and renewing alliance relationships.¹⁹³ The commercial exploitation of the Great Lakes and its lands and resources century profoundly disrupted and ultimately displaced this Indigenous economy.

This brings us to another critique of the Powley decision in defining “Métis.” The decision is silent with respect to Indigenous and specifically law. Prior to the arrival of Europeans, the Great Lakes region was not a giant Indigenous commons; resource use rights were tied to the specific polity to which one belonged. As discussed previously, Anishinaabe council fires managed their local lands and resources. Women’s councils managed their own sugar bushes, fisheries and water plant resources. Hunting territories were managed and boundaries between them discussed and negotiated. Councils managed these resources as communal resources but they most emphatically were not simply open to anyone. During the treaty era, Anishinaabe peoples specifically reserved for their exclusive use particular fisheries and sugar bushes.¹⁹⁴ Anishinaabe peoples also travelled great distances to visit their kin, attend regional councils, trade and harvest. And yet each Anishinaabe person knew the council fire of their birth, the location of the council fire where they were living, their hunting territories and ancestral burial grounds. Simply visiting relatives living at other council sites did not grant one political rights or hunting rights over that council’s land and resources. Furthermore, the Anishinaabek and other nations had existing methods and protocols for recognizing and entering into treaty agreements with other peoples. As Steven Russell, a member of the Manitoba Métis Federation notes that today: “First Nations are justifiably calling for us to approach the recognition of our rights with humility, accountability, and due regard for the historical legal, political, and social relationships to which those rights owe their existence (or non-existence),

¹⁹³ Bohaker, *Doodem and Council Fire*, 15-17.

¹⁹⁴ SON specifically reserved their fishing islands in the 1854 Treaty (#72). Surrender of the Saugeen Peninsula, Treaty No. 72, 13 October 1854, Library and Archives Canada (hereafter LAC), Indian Treaties and Surrenders Collection, Treaties and Surrenders, 1680-1956, RG10 Vol. 1844, GAD IT 178.

and valid exercise... Métis rights unquestionably exist in Canada, but they exist despite *Powley*, not because of it.”¹⁹⁵

In the two decades since the 2003 *Powley* decision, new research has now challenged the earlier histories about the emergence of a distinct Métis people in the Great Lake region. Most notably is the new work Jacqueline Peterson herself. Her 1985 chapter “Prelude to Red River” was cited by the trial judge and the Supreme Court decision in *Powley* because of the argument she made that there were Metis communities in the Great Lakes region prior to the emergence of a Metis nation at Red River by the mid-19th century. Indeed, in her own contribution to Macdougall, Podruchny and St. Onge’s 2012 book, Peterson retracts this earlier work. After a career of additional research in the field, she now sees that she “erroneously conflated Métis with metis” in other words, that she assumed that people of mixed ancestry identified as a distinct people or formed separate communities.¹⁹⁶ She pointed to the archival gap, the lack of records written “by women and fur trade employees at the lower ranks” making it “impossible to discern how most Great Lakes people of mixed French Canadian and Indian descent viewed themselves...from what can be gleaned from the Great Lakes documentary record, mixed-descent residents did not call themselves Metis or see themselves as a separate people.”¹⁹⁷ She postulates that after 1815, there might have been the possibility for such a separate people to form, drawing on the extensive kinship networks that were already in place, but this could not and did not happen, in the treaty era, as the settler colonial state disposed the Anishinaabek of their lands (and fish).

Citing Peterson’s original 1985 work, other scholars continued to assume that interior French posts such as Detroit with large French-speaking populations were in fact really mixed-ancestry people. However, historian Guillaume Teasdale, who undertook detailed genealogical research at Detroit, found that Detroit was primarily a French agricultural colony during the 18th century. Confounding expectations and critical of Peterson’s assumptions, his study shows that while Indigenous people did occur at Detroit, it was much less common than previously

¹⁹⁵ Mussell, Stephen. “*Powley*, Rights Recognition, and the Rise of “Métis Denialism”: A Métis Response to First Nations’ Calls for Accountability”. Yellowhead Institute. 7 December 2023. <https://yellowheadinstitute.org/2023/12/06/Métis-response-to-first-nations-calls-for-accountability/>.

¹⁹⁶ Peterson, “Red River Redux,” 30.

¹⁹⁷ Peterson, “Red River Redux,” 30.

thought.¹⁹⁸ Extensive church records of marriages and baptisms as well as a detailed archive of land records made it possible for Teasdale to reconstruct this community. He found there were several thousand French Canadian people farming around Detroit by the time of the Seven Years' War in 1756. They did practice endogamy (marrying among themselves) this was a case of French people marrying each other. These patterns persisted well after the Seven Years' War ended and even after the American Revolution. This French settlement did not support local Indigenous communities in their struggles to protect their land, but rather worked first with the British after the Seven Years War, and the Americans after the Revolution, to protect their own farm titles. As Teasdale noted, visitors to Detroit in the 1790s observed that the French language was still predominant, houses built in the French Canadian style and lots laid out as in New France. These visitors did not see "a fur-trading post inhabited by Frenchmen and métis people, but a French colony."¹⁹⁹

Teasdale found that there were a still few French men at Detroit, as there was in Lower Canada, who chose to enter the fur trade, and married into Indigenous communities, and an even smaller number "chose to settle in the Detroit River region, either within the fort or on farms," when their fur trade career ended.²⁰⁰ Teasdale makes it clear that at the turn of the nineteenth century, "the presence of mixed ancestry people in the [Detroit] area was demographically insignificant."²⁰¹ This is critically important research for assessing the claims of the Historic Saugeen Métis, as we will discuss below, as Detroit's French traders are assumed by HSM to be of mixed ancestry, when in fact they were more likely to be French colonists.²⁰² Teasdale explains instead that "for the Frenchmen of the Detroit River region who lived on farms with their French spouses and children, trading in furs with their Indian neighbors had always been an

¹⁹⁸ Guillaume Teasdale. "Old Friends and New Foes: French Settlers and Indians in the Detroit River Border Region," *The Michigan Historical Review* 38, no. 2 (2012): 35–62, 35-36.

¹⁹⁹ Teasdale, "Old Friends and New Foes," 37.

²⁰⁰ Teasdale, *Old Friends and New Foes*, 61.

²⁰¹ Teasdale, *Old Friends and New Foes*, 61. Teasdale does not discount the importance of studying these mixed-ancestry families! Rather his point is that they comprised a much smaller percentage of the population of Detroit than previously assumed.

²⁰² Teasdale, *Old Friends and New Foes*, 61

important constituent of their economy. However, their way of life was first and foremost based on holding a tract of land” and farming it.²⁰³

The Métis Nation of Ontario has pushed back against those who point to this new research by Peterson and others, saying “To now suggest there is only one small Métis community in all of Ontario, with its many fur trade routes and waterways, denies the facts of history. The credible and overwhelmingly historic and genealogical research that supports Métis claims is available for all to see.”²⁰⁴ Certainly with respect to SON territory (which was not on the fur trade freight ways) we respectfully disagree. In this report, we have focused only on SON territory and the claims made by the MNO, GBHM, and HSM to it. We do not seek deny people’s understanding of their family histories or dispute the fact that there were indeed mixed ancestry and mixed parentage individuals living on SON territory at different points in time. But we do not think it unreasonable to evaluate these historical and genealogical claims, to point out where there are factual errors in the assertions, to assess what new research bring to bear on our understanding of this region’s history and to identify gaps that remain.

For example, in addition to ignoring Indigenous law, both the Powley decision and Métis/Métis focused historical research to date are missing any real engagement with how Anishinaabe and other Indigenous peoples themselves conceptualized their family members who had dual ancestry or any consideration of what kind of political rights these family members had within Anishinaabe communities. As discussed above, intermarriage was not a new phenomenon for Great Lakes Indigenous nations when Europeans arrived in the communities; rather, it was a long-standing part of the practice of alliance formation. In a region where people already spoke multiple languages from different language families, having individuals who could speak the other’s language fluently was a valuable asset in both trade and diplomacy. Indeed, Rebecca Kugel’s new book, *Making Relatives of Them: Native Kinship, Politics and Gender in the Great Lakes Country, 1790-1850*, just published in 2023, demonstrates how at the height of the fur trade era, and on the eve of settler colonization of the Great Lakes, mixed-ancestry individuals rose to positions of leadership within Anishinaabe communities with great frequency, and at

²⁰³ Teasdale, “Old Friends and New Foes,” 61

²⁰⁴ Statement from the Métis Nation of Ontario, Responding to First Nation Attacks on Ontario Métis and Métis Denialism,”19 June 2023, <https://www.Métisnation.org/news/responding-to-first-nation-attacks-on-ontario-Métis-and-Métis-denialism/>.

younger ages than before because of their language and literacy skills, as well as their bicultural competencies.²⁰⁵ Colonial leaders also preferred working with them for the same reasons, and often preferentially acknowledged them. Of course, most of these individuals did not consider themselves “Métis or Métis” but rather full members of their Indigenous communities, even if they lived or dressed in more European style.

Kugel explored the ways in which Great Lakes nations managed difference, acknowledged dual ancestry and created space for new peoples and polities to emerge. Her research revealed how allied western Great Lakes Anishinaabe who intermarried into the Dakota co-created a “new exogamous clan or kin-group as a lasting and visible reminder of the new relationship they had created.”²⁰⁶ In other words, they used their own societal laws to create a new people with “dual nationality as Ojibwe-descended Dakotas or Dakota-descended Ojibwes...that would forever remind their parent tribes that the Dakotas and Ojibwes shared kinfolk in common.”²⁰⁷ Kugel’s research into the south-western Great Lakes at the height of the fur trade places helps us to understand the inter-societal law that Indigenous nations used to generate new political and ethnic identities, including the ways in which different Anishinaabek council fires would recognize dual nationality Ojibwe-descended French or French-descended Ojibwes. We need to look to where and when different Anishinaabe council fires may have created the type of “exogamous clan or kin groups” described above, and how and why they used their own kinship categories to do so. It may be that some of the ancestors the MNO point to as “Metis” on the basis of dual parentage/nationality are better described and understood in this way. It will however take some time for the implications of Kugel’s thesis to be tested by scholars.

Rather than looking through a social history lens which focuses on occupation, or a genealogical lens which focuses on family history, Kugel’s work asks how new research will

²⁰⁵ Rebecca Kugel, *Making Relatives of Them: Native Kinship, Politics, and Gender in the Great Lakes Country, 1790-1850*, New Directions in Native American Studies Series ; v. 21 (Norman: University of Oklahoma Press, 2023). For an example of such a younger leader, see the biography of the mixed-ancestry Kakwequonaby, who became anike-ogimaa (deputy chief) in his mid-20s because he was both bilingual and bicultural. Donald B. Smith, *Sacred Feathers: The Reverend Peter Jones (Kahkewaquonaby) and the Mississauga Indians, Second Edition* (Toronto: University of Toronto Press, 2013), <https://doi.org/10.3138/j.ctt5hjwjb>.

²⁰⁶ Kugel, *Making Relatives of Them*, 90-91.

²⁰⁷ Kugel, *Making Relatives*, 91.

need to consider Great Lakes history through a political and legal lens – how, where and by whom were new clan groups created and recognized? How and where did the Anishinaabek create space for such kin? What practices and protocols, what law, did Anishinaabe council fires draw from when determining how to do so? What were the rules for resource sharing? In the case of families where one spouse was Anishinaabe and the other European, there certainly emerged cases where people wished to live close to their Anishinaabe families and yet because of their European spouse, wished to live slightly apart. Such accommodations were clearly resolved by the Anishinaabek at Bawating who granted their relatives a place to live and permission to hunt, likely in the way described by Kugel above which allowed people to acknowledge their dual nationality.

A type of “setting apart, but keeping close by” occurred at Michilimackinac Island during the American Revolution which provides not only some additional insight into how the process might work while also helping to explain the origins of some of the families who ended up at Penetanguishene after 1828. By 1780, British forces were concerned about provisioning troops in the Upper Great lakes region as the war ranged on. They were farming on the shores of the straight between Lakes Huron and Michigan but this was interfering with Anishinaabe use of the land. Ogimaag of eight different council fires met with the British Commanding Officer to negotiate a solution. The Crown purchased the island from them, for £5000 and in return agreed that agriculture to grow crops for the garrison would be limited to the island.²⁰⁸ They also negotiated different zones or spaces of shared use. The fort itself would be limited to Europeans, “no Indians would be allowed to enter.” But the island would be surveyed and that “all of the White people who were married amongst them were called in, and would have lotts [sic] of Land on the Island.”²⁰⁹ This was a vision of Mackinac Island as a shared space which allowed for a close but separate community of relatives to exist. Had the war not ended shortly thereafter with an American victory, the decision made could potentially could have over time formed the kind of exogamous clan or kin group that Kugel describes, and which might have met the Powley decision criteria as a “distinct Métis community.” However, in 1796, just 15 years later, those

²⁰⁸ Indian Deed of Sale for the Island of Michilimackinac,” 12 May 1781, IT Reference 001, Indian Treaties and Surrenders Collection, LAC.

²⁰⁹ Patrick Sinclair, “Sinclair to Brehm,” July 8, 1780, B97-2, p.403. Transcripts of Haldimand Papers, H-1445, Library and Archives Canada

living around the garrison were forced to relocate with the British as the British finally handed over the fort to the Americas. The other option for these families was to choose to move in with their Anishinaabe relatives. Those who left went to St. Joseph's Island in 1796, then to Drummond Island in 1815, and then to Penetanguishene in 1828. They became, in less than a generation, a diasporic community. The treaty/land purchase era, as Jacqueline Peterson points out, brought a rapid and abrupt close to the possibility of the type of ethnogenesis of a distinct Metis nation that clearly occurred on the northeastern plains. This was because of the rapid transition from Anishinaabe control of their lands to British control, a very different trajectory than had happened on the plains. The rising influx of white settlers, as Peterson noted, then "exposed the voyageur class and their mixed-descent families to impoverishment and rising Anglo-American race prejudice."²¹⁰ But as we will show below, it also allowed some of them to benefit from settler colonialism and secure land from which the Anishinaabek had been disposed.

Kugel's work ultimately challenges the legacy of fur trade era scholarship which says that Métis ethnogenesis was a creation or by-product of the trade between Europeans and Indigenous peoples. Kugel's work suggests that we need to rethink the role of fur traders or "Indian traders" as necessarily generative of dual-nationality exogamous clan or kin groups. William B. Robinson, for example, a member of the legislative assembly and the Province's negotiator for the Robinson Huron and Superior treaties in 1850, was an "Indian trader" himself on Georgian Bay in the 1830s, which is where and how he learned some Anishinaabemowin. Robinson at some point was close enough to the Georgian Bay Anishinaabek to be gifted the regalia of an ogimaa, which he wore in a portrait taken in late 1849 with the two key treaty negotiators, Shingwaukonse of Garden River and Nebanegoing of Batchewana. Shingwaukonse was of mixed-ancestry, but was clearly Anishinaabek: that was his political and cultural identity.²¹¹ Similarly, Robinson's regalia did not make him Métis or Anishinaabek or mean that the Anishinaabek saw him as such. He was an agent of the Crown; the gifted clothing a recognition of his status though as a Crown representative within a broader Anishinaabe-Crown alliance.

²¹⁰ Peterson, "Redux," 43.

²¹¹ Cory Willmott, "Anishinaabe Doodem Pictographs: Narrative Inscriptions and Identities." In *Together We Survive*, 130–66 in Long, John, Jennifer S. H. Brown, and Richard J. Preston. *Together We Survive: Ethnographic Intuitions, Friendships, and Conversations*. McGill-Queen's University Press, 2015, 140.



Figure 7: **William B. Robinson, Shingwaukonse, and Nebanegoching, circa 1849-50. Courtesy Shingwauk fonds, Algoma University Archives.**

The 1833 Petition for a Bilingual Priest at Goderich and the 1840 “Half-Breed” Petition

In contrast with the above scholarship which calls for a much more nuanced and contextualized understanding, both the MNO and HSM rely at times on a single document as evidence of Metis identity. The HSM point to a petition submitted in 1833 from Goderich requesting a bilingual priest in the Catholic church to be established there²¹² The signatories were indeed French-speaking, but the genealogical data that HSM presents suggests they were in fact simply French. For example, of the signatories identified in the Heritage Atlas, Francis Deschamps was born in Port Huron, Michigan, part of the French community that historian Guillaume Teasdale has demonstrated was overwhelming French Canadian in origin and

²¹² McArthur, *Heritage Atlas*, 96. ##

ethnicity, not Metis.²¹³ Louis Belhumeur, another signatory of the petition, was born in Quebec.²¹⁴ The MNO places a great deal of confidence in the Penetanguishene Half-Breed Petition of 1840. In this petition, the twenty-two signatories, who all marked with an “X” indicating that they were not literate, asked the Governor General to allow them to participate in the distribution of the presents gifted annually to the Anishinaabek and other peoples in the renewal of the alliance.²¹⁵ The MNO takes this document seriously as evidence of Metis identity and refers to these individuals as “Document Metis” (with capitalization) in their publications and sources.



Figure 8: Treaty gift Pipe bowl, Awbonwaishkum, Anishinaabeg (Ojibwa) or Ottawa to artist Paul Kane, 1845, Royal Ontario Museum.²¹⁶

The petition is a curious document. The text makes actually no mention of the alliance renewal. Instead, the wording reads “your petitioners are generally speaking in poor

²¹³ Teasdale, “Old Friends and New Foes,” 35-36

²¹⁴ MacArthur, *Historical Atlas*, 96.

²¹⁵ For a history of this relationship, see Catherine Sims, ‘Algonkian-British Relations In The Upper Great Lakes Region: Gathering To Give And To Receive Presents, 1815-1843’, *Digitized Theses*, 1 January 1992, <https://ir.lib.uwo.ca/digitizedtheses/2121>. For the significance of such presents, see Miller, Cary. “Gifts as Treaties: The Political Use of Received Gifts in Anishinaabeg Communities, 1820-1832.” *American Indian Quarterly* 26, no. 2 (2002): 221–45

²¹⁶ Pipe bowl, Awbonwaishkum, Anishinaabeg (Ojibwa) or Ottawa, 1845, Royal Ontario Museum, 920.110.1.

circumstances, and that they do not share in any advantage in Presents issued to the Indians as a number of the half breeds from the Sault Ste. Marie and other places on the shores of Lake Huron have done for the last two years.”²¹⁷ This is particularly curious because the alliance renewal ceremonies took place at Coldwater, near Penetanguishene, from 1828 to 1836, and yet there is no indication that a Metis community at Penetanguishene petitioned for or participated in an alliance renewal with the Crown or any seeming awareness on the part of the petitioners about what the ceremony was for. From 1836 to 1858, the alliance renewal took place at Manitowaning on Manitoulin Island, and in addition to receiving presents from the Crown, the assembled Anishinaabe renewed the alliance by gifting them in turn with valuable items including elaborately carved treaty pipes which are now in the collections of the Royal Ontario Museum and other institutions. These gifts reflected the alliance.

The petitioners on the other hand, seem to understand the presents as a form of economic support that had recently been extended (in the previous two years only) to “half-breeds” from other communities in the Great Lakes who must have attended the ceremony at Manitowaning. Superintendent Jarvis responded a few days later to the petition’s author, J.B. Harrison, noting that the petitioners were in error, that it was not the government’s intention to do so, but that it is possible that “some few of them did, for it is extremely difficult to decide in many cases who were and who were not of that caste.” Jarvis suggests that it was the Crown who was determining the distribution of presents, but at Manitowaning the presents were distributed to the ogimaag, who then in turn distributed to their headmen who were responsible for their families. In other words, the distribution process was governed by Anishinaabe law. Jarvis’ response reveals that the previous August, in 1839, the “Head Chief” Shingwaukonce as Jarvis described him brought forward “between twenty and thirty of them” who declared they were all his relations and descendants in order that I might see the abject state of poverty to which they were reduced.”²¹⁸ Although Jarvis saw all those of “caste” of half-breeds as the same, there was rather a material difference in how their cases for inclusion were presented to the Crown. Shingwauk of Bawating (Sault Ste Marie) brought forward people he claimed as his (community’s) relations and descendants. He pled their case on a nation-to-nation basis with their ally, the Crown (and was

²¹⁷ Petition to His Excellency the Governor General, 27 January 1840, LAC RG10 vol. 72, pp. 67089-90.

²¹⁸ Jarvis to Harrison, 1 February 1840, LAC RG 10 vol 72, 67103-7.

unsuccessful) but the Penetanguishene petition suggests that Shingwaukonse may have included them in the distribution in any case, with everyone getting a little less. The community at Penetanguishene on the other hand, had no such Anishinaabe ogimaa to speak for them or claim them as relations.

A shift in focus to recognize the existence and exercise of Anishinaabe alliance law will, we feel, help to distinguish communities who were recognized as the relatives of Anishinaabe council fires and those who were not. The fact remains though that despite the new research of the past thirty years (twenty since Powley and thirty since the year when Powley shot his moose), the criteria which define whether or not a distinct Métis community existed on SON territory for the purposes of exercising Section 35 rights are determined by that decision alone. The new research and the redaction of prior research suggests flaws in the Powley decision that ultimately, we suppose, must be addressed through another court decision. However, at the moment the Powley decision is the basis upon which the MNO and HSM assert Section 35 rights. Accordingly, we have undertaken a plain language reading of Powley to enumerate the criteria that the Supreme Court developed to determine that SSM's present day Métis community has an Aboriginal right to hunt for food in that area. With that criteria, we then evaluate the claims of Métis organizations to SON territory. We will use the spelling Métis when referring to the criteria of Powley decision and of course when describing the MNO, GBHM or HSM, to respect their preferred spelling. When assessing genealogical claims to SON territory, we will refer to people as mixed-ancestry or of mixed-parentage where appropriate.

The Definition of “Distinct Community”

To meet the test of a “distinct Métis community” for the purposes of Section 35 rights, the Supreme Court in the Powley decision laid out the qualities such a community should reasonably possess. The MNO has used a variation of the Powley wording for its own purposes, describing such communities in Ontario as “historic Métis communities.” The Saugeen Métis also uses the word community, describing itself as a an “independent, historic Métis community located at Southampton, Ontario.”²¹⁹ It further claims to assert “credible s. 35 aboriginal

²¹⁹ Landing Page, Historic Saugeen Métis, <https://saugeenMétis.com/>.

communal rights in the Métis Saugeen territory.”²²⁰ This section of the report identifies the criteria the Supreme Court used in the Powley decision to establish the existence of a “distinct Métis Community, discusses the potential differences in the MNO’s criteria and examines HSM’s use of the phrase “independent, historic Métis community.” We then discuss the criteria necessary to meet the Powley decision test on SON territory.

The Supreme Court’s Definition of a “distinct Métis community.

The Powley decision opens with the Court’s constitutional definition of Métis for the purposes of Section 35 rights:

The term “Métis” in [s. 35](#) of the [Constitution Act, 1982](#) does not encompass all individuals with mixed Indian and European heritage; rather, it refers to distinctive peoples who, in addition to their mixed ancestry, developed their own customs, and recognizable group identity separate from their Indian or Inuit and European forebears. A Métis community is a group of Métis with a distinctive collective identity, living together in the same geographical area and sharing a common way of life.²²¹

The Supreme Court upheld the trial judge’s “findings of a historic Métis community and of a contemporary Métis community in and around Sault Ste. Marie.” The Powley decision lays out the requirements “to support a site-specific aboriginal rights claim”: an identifiable Métis community with some degree of continuity and stability must be established through evidence of shared customs, traditions, and collective identity, as well as demographic evidence.²²² There are important guidelines in the Powley decision for establishing the criteria to determine whether or not such a historic Métis community ever existed within SON Territory.

The court makes an important distinction between being recognized as a distinct people and a distinct community, saying that a distinct community was sufficient for a section 35 right to exist (provided it met the other parts of the tests). It says that for a Section 35 right to exist:

A Métis community can be defined as a group of Métis with a distinctive collective identity, living together in the same geographic area and sharing a common way of life. The respondents here claim membership in the Métis community centred in and around Sault Ste. Marie. It is not necessary for us to decide, and we did not receive submissions on, whether this community is also a

²²⁰ Landing Page, Historic Saugeen Métis, <https://saugeenMétis.com/>.

²²¹ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43, preamble.

²²² R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43, preamble.

Métis “people,” or whether it forms part of a larger Métis people that extends over a wider area such as the Upper Great Lakes.²²³

The Court noted that instead of one Métis people, the Section 35 use of the word “peoples” leaves open the possibility of distinct Métis peoples across the country, each with their own distinct cultures and traditions. Therefore within SON territory, one would need to locate a “site specific” community or communities of Métis people.

The Court indicated clearly that the Sault Ste. Marie Métis community was of long standing, flourishing after the establishment of a fur trading post along the St. Mary’s River. One expert witness (Ray, cited by the trial judge and emphasized in the decision) reported that by 1849, “the people of mixed ancestry living there had developed a distinctive sense of identity and Indians and Whites recognized them as being a separate people.”²²⁴ The Court stressed the multi-generational connection to place in its findings, noting the long-standing history of a community at Sault Ste. Marie. Another expert witness quoted in the decision (Lytwyn) also stressed the intergenerational characteristic of this community. With respect to resource harvesting, he noted “The Métis engaged in these activities for generations and, on the eve of the 1850 treaties, hunting, fishing, trapping and gathering were integral activities to the Métis community at Sault Ste. Marie.”²²⁵ Such a community in SON territory would need to be multi-generational *before* the achievement of effective control by Europeans (see section Date of Effective European Control below).

The Court also described another key feature for the establishment of a distinct community: the practice of endogamy (marrying within). In its decision, the Supreme Court quoted directly from historian Jacqueline Peterson’s description of the population composition of a Métis community or settlement, that over time they: “were increasingly dominated by the offspring of Canadian trade employees and Indian women who, having reached their majority, were intermarrying among themselves and rearing successive generations of Métis.”²²⁶ In

²²³ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43, Para 12.

²²⁴ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43, Para 22.

²²⁵ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43, Para 43.

²²⁶ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43, Para 42, quoting Jacqueline Peterson, “Many Roads to Red River, Métis Genesis in the Great Lakes Region: 1680-1815,” in Jacqueline Peterson, Peter Foote, and Jennifer S. H. Brown, *The New Peoples: Being and Becoming Métis in North America*, Manitoba Studies in Native History (Winnipeg, CA: University of Manitoba Press, 1985).

addition, the Powley decision specific named the Ojibwe (Anishinaabe) as being one of the two cultural traditions or peoples shaping the Sault Ste. Marie Métis community, and specifically that the Aboriginal peoples of the area were both Ojibway and Métis. The claiming of a section 35 right in the SSM area depends on descent with the Anishinaabek. By this reasoning, in SON territory, one would expect to see initial marriages between SON members and Europeans, and then following that, in order for a distinct Métis community to develop, intermarriage to continue in subsequent generations between Métis families in SON territory, not marrying Indigenous or settler partners, but choosing partners from among themselves. To be sure, this would not be required in every case but some real evidence of endogamy over time as a general pattern would be expected to meet the criteria for a distinct community.

Finally, if someone moved into SON territory claiming Indigenous ancestry from some other nation, they would be a guest in that territory. In other words, given the specificity in the Powley decision, a Métis person with Nehiyawak (Plains Cree) ancestry moving to SON territory would not then automatically be able to claim a right to being part of a Métis community in SON territory simply by virtue of having mixed Nehiyawak/European ancestry. The Powley decision clearly allows for the existence of multiple and distinct Métis communities. In paragraph 11, it states:

The Métis of Canada share the common experience of having forged a new culture and a distinctive group identity from their Indian or Inuit and European roots. This enables us to speak in general terms of “the Métis”. However, particularly given the vast territory of what is now Canada, we should not be surprised to find that different groups of Métis exhibit their own distinctive traits and traditions. This diversity among groups of Métis may enable us to speak of Métis “peoples”, a possibility left open by the language of s. 35(2), which speaks of the “Indian, Inuit and Métis peoples of Canada”²²⁷

In other words, what the Sault Ste. Marie shares with the Red River Métis is the experience of being formed from shared “Indian ...and European roots.” However, the Sault Ste. Marie community is distinct from the Red River community, because the origins of mixed ancestry, and therefore the source of its distinct Indigenous cultural traditions and practices which influenced the local Métis community, were grounded instead in its Ojibwe (Anishinaabe) heritage.

²²⁷ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 43, Para 11.

So from the Powley decision, the criteria for forming a distinctive Section 35 rights bearing historic Métis community is long-standing multi-generational residence in a place prior to the establishment of effective European control, initial intermarriage with the Indigenous nation of a place as the basis of forming that distinct Métis community, the practice of endogamy, in which subsequent generations in the community were engaged in intermarriage with one another, and some evidence of co-management of resources with the Indigenous peoples on whose lands they were living. To be consistent with the Powley decision, these are the characteristics of a distinct Métis community we would expect to see having developed on SON territory.

The MNO's Definition of "distinct Métis community"

In the MNO's own published fact sheet on its recognition of the Georgian Bay Historic Métis (GBHM), the MNO sets out the following criteria for granting harvesting rights to its members, drawn from the Powley decision:

- The Métis within section 35 refers to distinctive peoples or communities who, in addition to their mixed First Nation and European ancestry, developed their own customs, way of life, and recognizable group identity separate from their forebearers.
- In order for a contemporary Métis community to possess section 35 rights it must have its roots in an identifiable historic Métis community that emerged prior to the time when Europeans established effective political and legal control in the area. It is therefore crucial to identify such historic Métis communities.
- Identifying a historic Métis community requires demographic evidence that the population was identified as distinctive, evidence that the community had its own collective identity, and, evidence that the community had its own shared customs, practices and traditions.²²⁸

This set of criteria are less developed than those present in the Supreme Court's decision, although it does preserve the requirement that these communities be formed of people of mixed First Nation and European ancestry. It also requires them to have their own "customs, way of

²²⁸ Métis Nation of Ontario "Joint Fact Sheet HISTORIC MÉTIS COMMUNITIES IN ONTARIO THE HISTORIC GEORGIAN BAY MÉTIS COMMUNITY, 19 August 2017, <https://www.Métisnation.org/wp-content/uploads/2017/08/joint-fact-sheet-georgian-bay-18-august-2017-final.pdf>.

life, and recognizable group identity.” It does not speak of the need for the community to have existed for multiple generations prior “to the time when Europeans established effective political and legal control.” Unlike the Powley requirement, it does not ask the historic Métis community to demonstrate that it engaged in communal hunting on traditional territories or, for the Great Lakes region, to demonstrate how such a community might have co-managed those resources with the Anishinaabek on whose lands they were living. There is no mention of a requirement to demonstrate even some endogamy, despite the fact that the Powley decision clearly highlights that characteristic as important for the formation and recognition of such communities.

HSM’s Definition of a “historic Métis community”

The HSM has not been recognized by the Métis Nation of Ontario. Nonetheless, this organization asserts the following on its website:

Historic Saugeen Métis, an independent, historic Métis community located at Southampton, Ontario...represents the descendants of Métis in the historic Saugeen community prior to settlement. HSM assert credible s. 35 aboriginal communal rights in the Métis Saugeen territory. The community has been along the Lake Huron shoreline with continuity for almost two hundred years.²²⁹

While nowhere on their site do they provide a definition of what they mean by community, they do assert the following:

The Historic Saugeen Métis (HSM) are a distinctive Aboriginal community – descended from unions between our European traders and First Nations Women. We are the Lake Huron watershed Métis – with a unique Métis history and culture who lived, fished, hunted, trapped, and harvested the lands and waters of the Saugeen-Bruce Peninsula, the Lake Huron proper shoreline and its watersheds, their traditional Métis territory.

The HSM traded in a regional network since the early 1800s as far as the north shore of Lake Huron and have kinship with the Wikwemikong First Nations community and Killarney Métis community.

There are some “Powley-like” references in these paragraphs which suggest the source of the criteria that HSM is using to define itself. HSM says that its members’ ancestors were located in the Southampton area “prior to settlement.” It says its members are those “descended from

²²⁹ Landing Page, <https://saugeenMétis.com/>

unions between our European traders and First Nations women,” without specifying from which First Nations.

HSM makes no reference to the practice of communal harvesting or the communal management of harvesting, just that its ancestors “fished, hunted, trapped, and harvested the lands and waters of the Saugeen-Bruce, the Lake Huron proper shoreline and its watersheds, their traditional Métis territory.” Since all of these subsistence activities were equally undertaken by settlers, especially in the early years of farm development when people were still clearing the land an acre or two at a time, these activities are not uniquely “Métis” in any sense.²³⁰ The Supreme Court in *Powley* was careful to distinguish that an Aboriginal right to hunt was different. *Powley* specifically mentioned traditional territories, and the management of resources following Anishinaabe (Ojibway) practices. HSM provides no real information about how such traditional territories were managed or governed. The entirety of the territory they claim is overlain on SON’s territory but there is no indication of where those hunting territories or harvesting territories would have been, and how they would have been allocated and/or governed communally.

The HSM accept new members who are descendants of “historic Saugeen Métis families.” Unlike the *Powley* case, in which the plaintiffs were able to demonstrate to the trial judge the existence of a long-standing multigenerational community with Anishinaabe ancestry and significant endogamy, HSM use a much broader definition to accept new members, broader even than the MNOs. Their members simply need to prove two things: 1) that one ancestor descended from a relationship between a European trader and a First Nations woman (from any First Nation) and 2) that an ancestor lived in the “historic Saugeen community prior to settlement.” Note that this Historic settlement is also defined broadly. It is not site specific but covers an expansive region. In the passive voice, their website notes “The geographic scope of the community is described as covering over 275 kms of shoreline from Tobermory and south of Goderich, and includes the counties of Bruce, Grey and Huron.”²³¹ To become a member, one fills out an application form making a sworn statement that the applicant identifies as a historic

²³⁰ For an excellent overview of the process of farm-making, see David Wood, *Making Ontario: Agricultural Colonization and Landscape Re-Creation Before the Railway* (Montreal, CA: McGill-Queen’s University Press, MQUP, 2000).

²³¹ Our Community, <https://saugeenMétis.com/>.

Saugeen Métis, completes a genealogical chart showing the applicant's parents and grandparents, and submits their birth certificate. A caution on their registration page has a passing reference to the tests of the Powley decision: "We only register descendants of families that were part of the historic community in Saugeen region prior to effective control."²³² If the applicant's family is connected to one of the many families that HSM recognizes, the applicant can receive membership in HSM. What the HSM requires is well below the bar set by the Powley decision for recognition a distinct Métis community. As we will demonstrate in the genealogy discussion below, HSM appears to be building a present-day "Métis" community and accepting into its membership people with little or no historic connection to SON territory.

Quantifying Distinct Communities

Although none of the definitions above quantify the number of individuals or families who would be needed at any one point in history to form a distinct community, one or two individuals or families would clearly be insufficient. For comparison purposes, an Anishinaabe family group of related individuals and visitors who hunted together (an *indinaakonigewin*) comprised anywhere from 20 to 40 people of all ages.²³³ This social group would not be considered an Anishinaabe community. The smallest Anishinaabe community was the local or common council fire, which typically had anywhere from several hundred to about a thousand members. Four to five *indinaakonigewin*, each lead by a *gitchi-Anishinabe* (headman) and each comprising roughly twenty or so people, would have been a small Anishinaabe community.²³⁴ Likewise, this is roughly the number of people who would live in a settler hamlet. In assessing whether there were sufficient numbers of people to form such a distinct community in SON territory, using the genealogies published by these organizations, we looked for numbers of people living together who might comprise such a community.

²³² Registration, <https://saugeenMétis.com/registration/>.

²³³ Bohaker, *Doodem and Council Fire*, xvii; Cary Miller, *Ogimaag*, 76–7.

²³⁴ Cary Miller, *Ogimaag*, 76–7.

The Difference between a Community and a Polity

While the Powley decision provides much clearer criteria for what constitutes a distinct Métis community for the purposes of Section 35 rights than either the MNO or HSM, the use of the word community in the decision is challenging because of its ambiguity in both contemporary and historic use. In contemporary usage, a community is a term with multiple meanings; it can be a group of people who live in proximity to one another, as in a neighbourhood or area within a city, or a group of people who share certain broad lived experiences or ethnic or religious identity, such as “the Black community” or “the Catholic community.” Its historic use is contested and complex as well.

From its beginnings as a settler colonial space, Upper Canada was a province of diverse peoples and the diversity only increased with a rising population. Loyalists settled with families from their own regiments, and subsequent generations of settlers created all manner of distinct communities with migrants drawn together by common language, common religion and kin ties. Early block settlements encouraged this practice. After the War of 1812, immigration from America slowed significantly whilst immigration from Britain spiked, promoted by colonization schemes to settle retired military members after the end of the Napoleonic Wars. Low Scotch, Highlands Scots, Protestant and Catholic Irish, English, Dutch and German immigrants all made their way to Upper Canada and formed communities, some of which still bear names which give a clue to their origin: “Scotch settlement” or “Scotch line.”²³⁵ Distinct African American communities formed as well, some of Black Loyalists and others of freed blacks who migrated north before the American revolution.²³⁶ There was an early French settlement at Detroit, but beginning in 1834 French Canadians began moving in larger numbers to Upper Canada, looking to escape poverty and obtain land. These French Canadians were not fur traders (as most French Canadians were not) but farmers, fishers and those who worked in the timber trade.²³⁷ In their

²³⁵ Jane Errington, *Emigrant Worlds and Transatlantic Communities: Migration to Upper Canada in the First Half of the Nineteenth Century*, McGill-Queen's Studies in Ethnic History 24 (Montréal: McGill-Queen's University Press, 2007). David Wood, *Making Ontario: Agricultural Colonization and Landscape Re-Creation Before the Railway* (Montreal, CA: McGill-Queen's University Press, MQUP, 2000).

²³⁶ Donald George Simpson, *Under the North Star: Black Communities in Upper Canada before Confederation (1876)* (Trenton NJ: Africa World Press, 2005).

²³⁷ Gaétan Gervais, “L'Ontario français, 1821-1910,” in *Les Franco-Ontariens*, sous la direction de Cornelius J. Jaenen (Ottawa, Ont. : Presses de l'Université d'Ottawa, 1993), 52-53.

diversity, these were all members of the Upper Canadian polity (and those who were male, over 21 and with sufficient property rights could actually vote in elections).

By the early to mid-19th century (1820s to 1850s) when the Métis organizations claim that distinct Métis communities were forming or had formed on SON territory, the settlement of Upper Canada was already a collection of diverse, diasporic communities who had colonized to Indigenous land. Just as today, these newcomers preferred to settle near those who spoke their same language, practiced the same religion, moved in the same social circles or where at the same social rank, and perhaps people who were even kin in the old country. When the fur trade began slowing down after the War of 1812, and especially after the merger of the HBC with the North West Company in 1821, some fur traders retired to Upper Canada.²³⁸ Even those originally from Lower Canada had to balance returning home with fewer prospects for their economic futures than could be found in Upper Canada, where there was the opportunity for free land or inexpensive land from the Crown or Canada Company.²³⁹ HSM even acknowledges this reality on their website, saying that they are “are a distinctive Indigenous community with roots in the Northwest,” a reference to traders who migrated to the area in the wake of the fur trade’s decline with their Indigenous or Metis wives of Nehiyawak (Plains Cree) ancestry. As we will show later in this report when we shift to detailed examination of specific genealogical claims, there were a cluster of fur trade family retirees who settled at the southern end of SON territory (at Goderich) beginning in the late 1820s. These cannot, for the reasons stated above, be considered to be forming a distinct Métis community in SON territory with section 35 rights. They were instead migrants, and colonists, and like their fellow settlers in Upper Canada, enjoyed the company of those with common interests, language and occupations and formed local connections on these bases.

A polity, on the other hand is distinct from a community. The Powley decision does not require that a distinct Métis community show evidence of being a distinct polity. A polity is an organized society that has its own government or system of governance. However SON is and historically was a distinct polity, a joint council first formed of two historic Anishinaabe council

²³⁸ Jacqueline Peterson, “Red River Redux: Métis Ethnogenesis and the Great Lakes Region,” *Contours of a People: Métis Family, Mobility and History*, Nicole St. Onge, Carolyn Podruchny, and Brenda Macdougall, eds., (Norman, University of Oklahoma Press, 2012), 22-58.

²³⁹ Peterson, “Red River Redux,” 42.

fires, which managed its shared hunting territories. As discussed above, SON was historically and is still today in alliance relationships with other Anishinaabe council fires and with another distinct polity, the Crown. The Anishinaabek had a long-standing system of regional governance in which new communities received formal recognition and territorial rights at gatherings of allied council fires. The Crown became part of this system when it entered the Covenant Chain alliance relationship with former French-allied Anishinaabek peoples at Niagara at the end of the Seven Year's War.²⁴⁰ While the GBHM do not point to a specific treaty relationship as evidence supporting their claims to territory and to indigeneity, the HSM do. They claim that a string of wampum was given to a French fur trader shortly after the War of 1812 by the Chippewas of Saugeen, and that this is evidence of a treaty relationship, specifically to "to share and protect the resources of the land and jointly inhabit the traditional Saugeen territory."²⁴¹ Later in the report we assess this claim in detail, and explain why in the context of Great Lakes Indigenous diplomacy a single strand of wampum given between two individuals does not make or renew a nation-to-nation or council-fire to council fire alliance relationship.

In short, while the Powley decision does use the vague word community in reference to the type of rights-bearing Métis group the decision recognizes, there is still greater specificity in the Powley decision than in the definitions deployed by either the MNO or the HSM for the purpose of validating members. These include intergenerational residence in a place prior to effective European control, endogamy, and distinct cultural practices including the communal management of resources as described above. There needs to be a minimum number of people as well – the Powley decision refers to Métis towns, but for comparison purposes in SON territory we can reasonably use the population size range of a typical Anishinaabe council fire. . Note that the Powley decision found there was a significant and distinct Métis settlement already established by 1815 and still in existence some 35 years later at the time of treaty signing. An 1826 observer recorded at Sault Ste. Marie a population of about 150 persons, who "enjoyed the

²⁴⁰ John Borrows, "'Wampum at Niagara: The Royal Proclamation, Canadian Legal History, and Self-Government', in Michael Asch, ed., in *Aboriginal and Treaty Rights in Canada: Essays on Law, Equity, and Respect for Difference* (Vancouver: UBC Press, 1997), 155–72; Alan Theodore Ojiig Corbiere, 'Anishinaabe Treaty-Making in the 18th- and-19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms' (York University, 2020), <https://yorkspace.library.yorku.ca/xmlui/handle/10315/37402>.

²⁴¹ Rob Gowan, "Historic Saugeen Métis celebrate their history," *Owen Sound Sun Times*, 12 August 2018, <https://www.owensoundsuntimes.com/news/local-news/historic-saugeen-Métis-celebrate-their-history>.

services of a cooper, tailor, baker and blacksmith, as well as two groceries and three retail stores.”²⁴² The settlement had no institutions of settler government, no schools or churches, and its inhabitants lived in “one-story bark-covered cabins.”²⁴³ Again, these are the characteristics of a distinct Métis community we would expect to see on SON territory to be consistent with the Powley decision.

The Date of Effective European Control

In its 2003 Powley decision, the Supreme Court determined that the date of “effective European control” was key to determining whether a distinctive Métis rights bearing community existed in a particular place for the purposes of recognizing Section 35 rights. The justices noted that for the Section 35 recognition of the Sault Ste. Marie Métis as a distinct community, the date of effective European control was in 1850, just before the signing of the Robinson-Huron and Robinson-Superior Treaties. The Court also noted that the “customs and traditions that were historically important features” of these communities, and which were visible prior to effective European control, must also demonstrate continuity, and “persist in the present day.”²⁴⁴ The Court recalled that at the trial level the parties agreed that effective European control at Sault Ste. Marie occurred over the years 1815-1850, with the signing of the treaty coming at the end of that range. By the time the Crown was in a position to negotiate the treaty, it had achieved “effective European control.”

The MNO has built its test for recognition of distinct Métis communities in Ontario and for the issuance of harvesting cards on this Powley test, with some key differences. Specifically, it refers simply to “Effective Control,” using capital letters and dropping the word European, for reasons that are not clear. It re-states the court’s definition of “effective European control” as “the period of time when the Crown likely effected on-the ground legal and political control within a given region of Ontario” without explaining what that looks like or what the criteria for

²⁴² Peterson, “Red River Redux,” 42.

²⁴³ Peterson, “Red River Redux,” 42.

²⁴⁴ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 4, para 18.

“on-the ground legal and political control” actually are. The Powley decision does not use the phrase “on-the-ground.” Finally, the MNO provides date ranges for “Effective Control” for all the distinct Métis communities that it recognizes. It requires that either the “Forebearers” (that is, those individuals who represent the initial marriage between an Indigenous and a European person) or the “Métis Root Ancestors” (the children of that first marriage) “needed to be present within the Identified Historic Métis Community” prior to the last year of the range given.²⁴⁵ There is no mention or discussion of the existence of Crown treaties with Anishinaabe peoples or the dates of their signing covering the territories claimed in the MNO’s harvesting areas map. The MNO provides no dates of “Effective Control” for SON territory, but does for two places within the “Georgian Bay” Harvesting area they have defined that overlaps SON territory: for Penetanguishene, the date range is 1840 to 1860, and for Parry Sound, the date range is 1869 to 1877.²⁴⁶ These date ranges put forward as “Effective Control” for the MNO-defined Georgian Bay region still have implications for SON as these dates are used for the entirety of the “Georgian Bay” region, which includes SON territory. To receive a harvesting card for SON territory then, someone would need to prove that their Métis ancestor came from one of these Georgian Bay family lines that the MNO had verified, and that this ancestor was “present” either in the Penetanguishene area before 1860 or Parry Sound before 1877, the two distinct Métis communities the MNO has recognized in this region.²⁴⁷

We are not aware of cases where the MNO’s stated date ranges of “effective European control” have been tested in court. The only court-defined date range used by the MNO is from the Powley decision, for the Sault Ste. Marie area, from 1815 to 1850. We find however, that the date ranges provided by the MNO for Penetanguishene (1840 to 1860) and Parry Sound (1869 to 1877) are much later than we would expect, given our knowledge of settler colonial history in

²⁴⁵ Métis Nation of Ontario, “Registry Policy for Identifying and Documenting Verified Métis Family Lines for the Purposes of Issuing Harvesters Certificates to Citizens,” March 2024. Source: <https://www.Métisnation.org/wp-content/uploads/2024/05/Registry-Policy-for-Identifying-and-Documenting-VMFLs-for-the-Purposes-of-Issuing-MNO-Harvester-Certificates-to-Citizens-Amended.pdf>.

²⁴⁶ Appendix B, Métis Nation of Ontario, “Registry Policy for Identifying and Documenting Verified Métis Family Lines for the Purposes of Issuing Harvesters Certificates to Citizens,” March 2024. Source: <https://www.Métisnation.org/wp-content/uploads/2024/05/Registry-Policy-for-Identifying-and-Documenting-VMFLs-for-the-Purposes-of-Issuing-MNO-Harvester-Certificates-to-Citizens-Amended.pdf>.

²⁴⁷ Métis Nation of Ontario, “MÉTIS NATION OF ONTARIO - FACT SHEET: Identification of Historic Métis Communities in Ontario,” <https://www.Métisnation.org/wp-content/uploads/2020/12/fact-sheet-identification-of-historic-communities.pdf>

the 19th century. By examining the Supreme Court’s definition of “effective European control” in Powley, we see that there are key criteria which include an area being open to European settlement, the action of direct European governance and the ability to exercise and enforce settler law in the area. From this, as we discuss below, we can see that effective European control was achieved at Penetanguishene and Parry Sound many years before the dates given by the MNO; these MNO dates are historically inaccurate.

In addition to reviewing the Penetanguishene and Parry Sound dates, we can clearly identify dates for “effective European control” within SON territory, specifically for Goderich, Owen Sound and Southampton, based on the Powley criteria defined above. As in Powley, the dates of Indigenous-Crown treaties are critical markers of the assumption of effective European control. The treaty for lands on which Goderich sits, Crown Treaty #29 also known as the Huron Tract Purchase, was signed on July 10, 1827. The lands on which Owen Sound (Sydenham township) and Southampton (Saugeen township) are located were ceded to the Crown through the instrument of the Saugeen Treaty (Crown Treaty no 45 ½).²⁴⁸ But further evidence that overwhelmingly meets this test for “effective European control” is the completion of the Crown surveys, which made areas open to European colonization, and the subsequent establishment of European settlement based upon those surveys. Survey work was complete at Goderich in 1827, at Owen Sound (Sydenham Township) in 1840, and at Southampton (Saugeen Township) in 1846, and settlers of European origin and ancestry immediately began taking up those lots, including, as we will show, individuals the HSM claims formed a “distinct Métis community.”²⁴⁹ A more complete discussion of the Supreme Court’s definition, the MNO’s interpretation and our assessment for the dates of “effective European control” within SON territory are discussed below.

²⁴⁸ This treaty was not properly executed but after a ten-year battle by the affected Anishinaabek council fires, including Saugeen and Amjiwanang First Nations, was upheld by the Colonial Secretary Lord Glenelg. Details of what transpired are discussed in the section “Assessing Effective European Control for Southampton (HSM).”

²⁴⁹ Survey dates from Louis Gentilcore and Kate Donkin, *Land surveys of southern Ontario: an introduction and index to the field notebooks of the Ontario land surveyors, 1784-1859*, ed. C.E. Heidenreich, Supplement No. 2 to the *Canadian Cartographer*, Vol. 10, 1973, (Toronto: York University, for Cartographica, 1973), 58 (Goderich), RG 1-59: Crown Land Survey Diaries, Field Notes, and Reports - MS 924 Reel 25 - Sydenham - C. Rankin – 1840 – Archives of Ontario (Sydenham) and Gentilcore & Donkin, *Land Surveys*, 76 (Saugeen).

The Supreme Court's Definition of "effective European control."

In its historic ruling on the Powley decision, the Court explained the rationale for creating a test based upon the idea of "effective European control" in an area. Specifically, the Court explained that "Section 35 requires that we recognize and protect those customs and traditions that were historically important features of Métis communities prior to the time of effective European control."²⁵⁰ In paragraph 10, the court noted "Métis communities evolved and flourished prior to the entrenchment of European control." The court then provided several examples and explanations in its decision that refine this place-specific definition of "effective European control" which are that:

1. effective control in site-specific areas is "when the influence of settlers and political institutions become pre-eminent (para 10)"
2. "the constitutionally significant feature of the Métis is their special status as peoples that emerged between first contact and the effective imposition of European control." (para 17)
3. "distinctive Métis cultures...grew up in areas not yet open to colonization;" (para 17)
4. in discussing the adjustment of the Van der Peet test needed for Powley case, the Court stated, "This unique history can most appropriately be accommodated by a post-contact but pre-control test that identifies the time when Europeans effectively established political and legal control in a particular area. The focus should be on the period after a particular Métis community arose and before it came under the effective control of European laws and customs. This pre-control test enables us to identify those practices, customs and traditions that predate the imposition of European laws and customs on the Métis. (paragraph 37)
5. effective European control is the time period when Europeans are actively encouraging commercial exploitation of resources, settlement and developing urban spaces such as establishing towns. For example, in paragraph 39, the SCC pointed to the trial judge's findings that the purpose of William B. Robinson being sent to negotiate the Robinson

²⁵⁰ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 4, para 18.

Treaties was “to obtain land in order to allow mining, timber and other development, including the development of a town at Sault Ste. Marie.”²⁵¹

Following the Powley decision then, the test for effective European control in SON territory would be the dates encompassing the time when Crown treaty was signed, the dates when the land was surveyed, the opening of that land to settlement or commercial resource exploitation by Europeans, and the establishment of new urban spaces such as villages and towns. From Powley we can see that the conditions for the development of “those customs and traditions that were historically important features of Métis communities” cannot occur *after* the test of effective European control is met, when the community was “*under* the effective control of European laws and customs.” in specific areas in order for a Métis community to have constitutionally protected Aboriginal rights.

The MNO’s Definition of “Effective Control”

The MNO has used the Powley decision’s tests as the basis for its concept of “Effective Control” which it uses both for the purpose of recognizing distinct Métis communities and for issuing harvesting cards for one of the ten harvesting territories it has defined. For the latter, MNO uses the date ranges it has assigned to each one of these territories as the date range for “Effective Control” in order to validate a family line as having been in the area for the purposes of issuing a harvesting card. The definition of Effective Control for the MNO is:

the period of time when the Crown likely effected on-the-ground legal and political control within a given region of Ontario. In order to be an Identified Historic Métis Community, the community needed to exist, use and be on the land in that region prior to Effective Control. For the purposes of this Policy, the Forebearers or Métis Root Ancestors within a Verified Métis Family Line needed to be present within the Identified Historic Métis Community *prior to the last year* [emphasis in original] of the Effective Control range for a specific region as set out in Appendix B.”²⁵²

²⁵¹ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 4.

²⁵² Métis Nation of Ontario, “Registry Policy for Identifying and Documenting Verified Métis Family Lines for the Purposes of Issuing Harvesters Certificates to Citizens,” March 2024, 2. Source: <https://www.Metisnation.org/wp-content/uploads/2024/05/Registry-Policy-for-Identifying-and-Documenting-VMFLs-for-the-Purposes-of-Issuing-MNO-Harvester-Certificates-to-Citizens-Amended.pdf>.

What is particularly striking are the multiple differences in definition between the Powley decision and the MNO's. The MNO's definition above makes no mention of Indigenous-Crown treaties, although it does use the signing of a treaty as the *beginning* date for effective control in the ranges given in its Appendix B.²⁵³ Recall that the Supreme Court sees the achievement of effective European control as occurring just before the treaty was signed and gives a specific year for when that occurred in the case of Sault Ste. Marie (1850), not simply because of the treaty itself, because of the intention to develop a town site at Sault Ste. Marie, and to open area around it to commercial exploitation.

The MNO instead states that Effective Control is when the Crown *likely* effected “on-the-ground legal and political control,” without providing specifics about what that control would look like. The Powley test is more geographically focused; it refers to these claims as “site specific;” the MNO instead broadens the test when the Crown *likely* achieved “legal and political control within a given region,” regions that it itself has defined regions without attention to the varied histories of Crown-Indigenous treaties that impacted these areas. The Georgian Bay region of the MNO, for example, encompasses the traditional territories of SON, the Chippewa Tri-Council (Rama, Georgina Island and Beausoleil), the Robinson-Huron council fires of Wasauksing, Shawanaga, Magnetawan, and Henvey Inlet, and multiple Anishinaabe-Crown treaties signed between 1795 and 1854. In none of these treaty negotiations were there discussion of a distinct Métis community as a potential party to the treaty, as was the case at Sault Ste. Marie in 1850.²⁵⁴

²⁵³ Appendix B, Métis Nation of Ontario, “Registry Policy for Identifying and Documenting Verified Métis Family Lines for the Purposes of Issuing Harvesters Certificates to Citizens,” March 2024, 2.

Source: <https://www.Metisnation.org/wp-content/uploads/2024/05/Registry-Policy-for-Identifying-and-Documenting-VMFLs-for-the-Purposes-of-Issuing-MNO-Harvester-Certificates-to-Citizens-Amended.pdf>.

²⁵⁴ Janet E. Chute, *The Legacy of Shingwaukonse: A Century of Native Leadership* (Toronto: University of Toronto Press, 1998), <https://doi.org/10.3138/9781442681637>; James Morrison, ‘The Robinson Treaties of 1850: A Case Study’, Royal Commission on Aboriginal Peoples, 31 August 1996, 21-25.

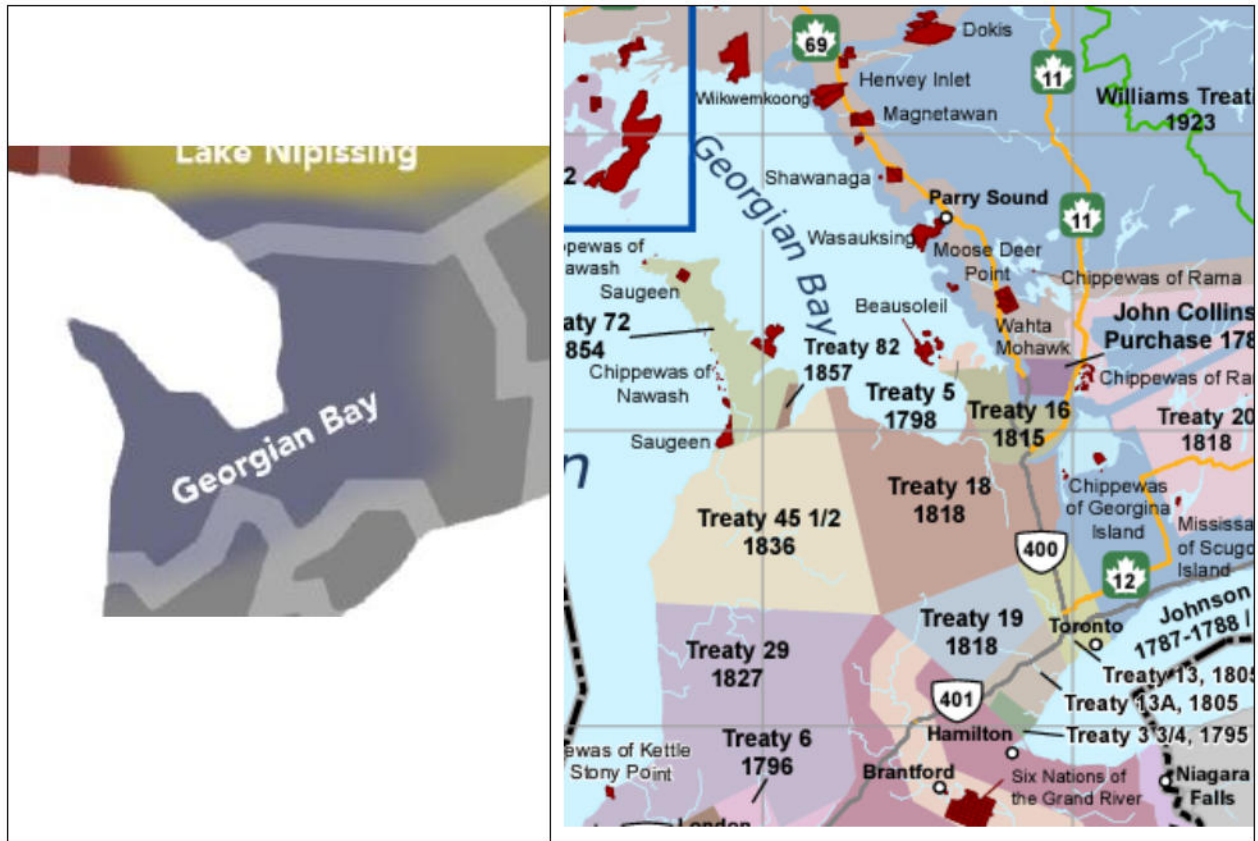


Figure 9: Comparison of the area claimed by the GBHM as their harvesting territory on left, with map showing Anishinaabe-Crown treaties on the right. SON's treaties include Treaty 45 ½, Treaty 72 and Treaty 82.

With the exception of the court-defined range of 1815-1850 given for the Métis community at Sault Ste. Marie recognized in Powley, the ranges the MNO provides for all of the other regions vary as to whether they include the date a treaty was signed. For the Rainy River district, the MNO range is 1873-1880. Treaty 3 was signed in 1873. For the Abitibi Inland region, the date given for effective control is Treaty 9, signed in 1905. For others, the effective date ranges are *years after* the treaty was signed. For the Killarney Historic Métis Community, the “Killarney and environs” range for “Effective Control” is the mid-1870s to the mid-1880s, despite the fact that this area is part of the Robinson-Huron treaty of 1850. For Michipicoten, part of the Robinson-Superior treaty area, the date range the MNO gives is 1850 “or potentially as late as 1880” and for the “Mattawa/Ottawa River region” the dates given are 1870 to 1890.²⁵⁵

²⁵⁵ Appendix B, Métis Nation of Ontario, “Registry Policy for Identifying and Documenting Verified Métis Family Lines for the Purposes of Issuing Harvesters Certificates to Citizens,” March 2024, 2.
Source: <https://www.Métisnation.org/wp-content/uploads/2024/05/Registry-Policy-for-Identifying-and-Documenting-VMFLs-for-the-Purposes-of-Issuing-MNO-Harvester-Certificates-to-Citizens-Amended.pdf>.

The later date of these ranges are all after European commercial exploitation in the region, including timbering, was well underway. The MNO applies the date of Indigenous-Crown treaties inconsistently and with no clearly stated criteria in reference to the Powley decision.

Assessing the GBHM “Effective Control” Dates for Parry Sound and Penetanguishene

Because members of the GBHM community can apply for a harvesting card for the “Georgian Bay territory,” which includes SON territory, a detailed examination of “Effective Control” provided by the MNO for this region is required. The date range provided by the MNO for Parry Sound for when the Crown “likely effected on-the-ground legal and political control” are 1869 to 1877. We are left to reason why. The Powley “effective European control” test is met nearly two decades earlier than the MNO claims. Parry Sound is built on lands that are in the traditional territory of Wasauksing First Nation, signatories to the Robinson Huron treaty of 1850. Their coastal waters were mapped by naval surveyor Henry Bayfield in 1822.²⁵⁶ The reserve was surveyed and surrounding lands assessed for their commercial value by J.W Keating in 1852.²⁵⁷ A saw mill opened at Parry Sound on the Sequin River in 1857.²⁵⁸ The Province’s Crown Land’s commissioner from 1862-64 was William McDougall, who pushed for the opening of a road to Parry Sound and had the township in which Parry Sound is located named after him.²⁵⁹ By 1865, the road had been started, and regular steam boat service to Collingwood began, on the steamship Waubuno.²⁶⁰ By 1867, a significant portion of the survey for McDougall Township had been completed as well as the town survey.²⁶¹ The surveyor’s report conveys the

²⁵⁶ H.W. Bayfield, *Lake Huron, Sheet III*, 1822, Natural Resources Canada, F4195 CLSR ON. Also available online at the University of Wisconsin library: <https://collections.lib.uwm.edu/digital/collection/agdm/id/1010>.

²⁵⁷ Keating, “Report on the Indian Reserves,” 12 December 1852, Archives of Ontario, RG 1-2-2, Vol. 66, Reel MS.7444 (pages 47-58). Keating’s description of the reserve choice (Parry Island) is on page 48. Wausauking selected Parry Island for their exclusive use “on account of the abundance of fish caught there during the season.”

²⁵⁸ Waubeno is a word from Anishinaabemowin which refers to a historic Anishinaabe medicine society prominent in the eastern Great Lakes. The source of the ship’s name is *Guide book & atlas of Muskoka and Parry Sound districts* (Toronto : H.R. Page, [1879?]), 31.

²⁵⁹ Suzanne Zeller, “McDOUGALL, WILLIAM,” in *Dictionary of Canadian Biography*, vol. 13, University of Toronto/Université Laval, 2003, http://www.biographi.ca/en/bio/mcdougall_william_13E.html.

²⁶⁰ *Guide book & atlas of Muskoka and Parry Sound districts* (Toronto : H.R. Page, [1879?]), 31.

²⁶¹ *Remarks on Upper Canada surveys and extracts from the surveyor’s reports*, Ottawa, 1867, 28-29 (<https://www.canadiana.ca/view/oocihm.92445/44>).

extent of the settlement there and Parry Sound's connection to major urban centres. As the surveyor noted, at the mouth of the Seguin River,

is situated the nucleus of the town of Parry Sound, and lumbering establishment of Messrs J & W. Beatty & Co. There is a church, a post and customs offices, a hotel and two stores and several mechanics. There are about 20 houses, principally occupied by the employees of Messrs. Beatty & Company...As a steamer weekly plies between Parry Sound and Collingwood, and thence by rail to Toronto, so that Parry Sound, in the summer season is in direct communication with all the civilized world. Besides the route is both cheap and expeditious, leaving Parry Sound in the morning and reaching Toronto in the evening, about 180 miles for \$4.85 cents."²⁶²

All of this commercial and settlement activity, which did not spring up overnight, was happening before 1869, the "beginning date" for the MNO's range of effective control in Parry Sound. By 1874, the Department of Indian Affairs was sending agents to actively surveil the Georgian Bay Anishinaabe communities, including Wausauking, collecting data on everything from demographic data, to the education status of members, sources of income and their "moral status."²⁶³ It then established an Indian Agent at Parry Sound in 1875.²⁶⁴ The Wausauking Anishinaabek, like SON and other Anishinaabek nations, were politically active, engaged in continuing to press the Crown to uphold its treaty responsibilities and engaged in working to ensure their continuation as distinct peoples.²⁶⁵ By 1879, Parry Sound had a population of 800 settlers and its three major commercial saw mills were reportedly producing and shipping 25 million board feet of lumber from its ports to Canadian and American markets.²⁶⁶

The dates of effective European control at Penetanguishene were also much earlier than the dates 1840-1860 provided by the MNO.²⁶⁷ Immediately after the American Revolution

²⁶² *Remarks on Upper Canada surveys and extracts from the surveyor's reports*, Ottawa, 1867, 28-29 (<https://www.canadiana.ca/view/oocihm.92445/44>).

²⁶³ *Indian Affairs Annual Report*, 1874, especially the Division 2 answers which follow circular, 1874.

²⁶⁴ Canada, *Indian Affairs Annual Report*, 1876.

²⁶⁵ Petition to Lord Dufferin, 1874. Address to Lord Dufferin. Library and Archives Canada, 1978-049 PIC 00172. The Dufferin Addresses are comprised of 3 volumes of bound addresses presented to His Excellency the Right Honourable the Earl of Dufferin, while Governor-General of Canada from 1872-1878.

²⁶⁶ *Guide book & atlas of Muskoka and Parry Sound districts* (Toronto: H.R. Page, [1879?]), 31.

²⁶⁷ Appendix B, Métis Nation of Ontario, "Registry Policy for Identifying and Documenting Verified Métis Family Lines for the Purposes of Issuing Harvesters Certificates to Citizens," March 2024, 2. Source: <https://www.Métisnation.org/wp-content/uploads/2024/05/Registry-Policy-for-Identifying-and-Documenting-VMFLs-for-the-Purposes-of-Issuing-MNO-Harvester-Certificates-to-Citizens-Amended.pdf>

formally ended in 1783, both the British military and fur traders looked for alternative routes to the Upper Great Lakes. Crown surveyor John Collins was sent to scout such a route and meet in council with the Mississaugas and Chippewa tri-council (Rama, Beausolei and Georgina Island) to secure permission for the Crown to control this route.²⁶⁸ In 1793, Upper Canada's first Lieutenant-Governor, John Graves Simcoe, travelled to Matchedash Bay at Penetanguishene to further plans for the development of a naval base.²⁶⁹ Simcoe's surveyor, James Aitken, completely surveyed the harbour.²⁷⁰ At Penetanguishene, Simcoe met a Scottish-born fur trader, George Cowan, whom he hired as an Interpreter.²⁷¹ Cowan interpreted for the Crown in the negotiations of the 1795 provisional agreement and 1798 purchase of Penetanguishene.²⁷²

The present-day Moon River Métis Council claims Cowan as one their own, as a trader part of a "Métis" network along eastern Georgian Bay and as evidence of Métis claim to Penetanguishene, but from 1797 he worked for the Crown.²⁷³ In the letter of instructors from the Administrator of Upper Canada, Peter Russel, Cowan was told to "use every Exertion to retain the Lake Indians in their attachment to Great Britain & communicate constantly by letter with Lieut. James Givens of the Queens Rangers at York, whom I have appointed Asst. SuperIntdt of Indian Affairs under the Superintendent, Capt. Claus." Particularly Cowan was to observe "of every movement of the Indians," and report to Claus through Givens "your Ideas of their Views

²⁶⁸ No. 2 Mr. Collins' Treaty with the Mississaga [*sic*]Indians," 9 August 1785, Archives of Ontario, Simcoe Papers, Correspondence, Reports and Returns, F 47-1-1.

²⁶⁹ Alexander MacDonnell, Sherriff of the Home District, "Diary of Lieutenant Governor Simcoe's Journey from Humber Bay to Matchedash Bay in 1793, in E.A. Cruikshank, ed., *The Correspondence of Lieut. Governor John Graves Simcoe*, 5 vols., (Toronto: The Ontario Historical Society, 1923), 1:70-79.

²⁷⁰ Alexander Campbell Osborne, *Old Penetanguishene: Sketches of its Pioneer, Naval and Military Days*, Pioneer Papers, Simcoe County Pioneer and Historical Society, No.5 (Barrie: Simcoe Pioneer and Historical Society, 1912), 8.

²⁷¹ Provisional Agreement for the Harbour at Penetanguishene, IT019, 19 May 1795, LAC RG10, Volume number: 1840/IT019, Microfilm reel number: T-9938; Conveyance of the Harbour of Penetanguishene by the Chippewa to the King with Inventory, [?] schedule and plan annexed, 22 May 1798, LAC, RG10, Volume number: 1840/IT017, Microfilm reel number: T-9938.

²⁷² "Proceedings of a Meeting with the Chippewaw Indians of Matchidash and Lake Simcoe at Gwillembury on the 8th and 9th of June, 1811," Great Britain, Colonial Office: Canada, formerly British North America, original correspondence (CO42), LAC, "Q" Series, Acting Governor L. Brock and Miscellaneous, 1811, MG 11, CO42Q, vol 314, 157-163, 158-59.

²⁷³ Micheline Marchand, in association with Daniel Marchildon, "From the Straits of Mackinac to Georgian Bay: 300 years of Métis history, Report on the origins and evolution of the Penetanguishene area Métis community, (Moon River Métis Council: December 2006), <https://www.Métisnation.org/wp-content/uploads/2011/07/mno20report20-20penetanguishene20report.pdf>.

and Intentions, that I may be able to explain and do away whatever offence they may have taken against this Government, or be prepared to meet any Hostilities they may meditate.”²⁷⁴ In other words, Cowan was a Crown agent, a spy.²⁷⁵ He was rewarded for his service with a town lot in York, “on the north side of Russel Square,” and he remained in the Crown’s service until his untimely death in 1805, when he was lost in a shipwreck on his way to serve as an interpreter for an Anishinaabe defendant in a murder case.²⁷⁶

Through the agent James Givens and interpreters like Cowan, the Indian Department was in regular communication with their Anishinaabe treaty partners of the Chippewa tri-Council from 1793 through the war of 1812 and after. The Crown made another major land purchase in 1811 from them, and in 1817, opened a naval base there.²⁷⁷ Survey work on the township around the base to facilitate colonization began shortly thereafter, in 1820.²⁷⁸ Historical archaeology on the base, which was active from 1817 to 1834, describes how over this period, the society at the naval base at Penetanguishene was

composed of military officers and their wives, children, and servants; naval, officers and their families; regular British army soldiers; civilian laborers or artificers, some with their wives; native men with wives and children; Métis, fur traders, and several notable people: e.g., John Galt, Lt. Henry Bayfield, and John Franklin. At any given time, members of the above sectors of the population were part of distinct, culturally defined social groups, living together within the larger Anglo-European class-defined culture.²⁷⁹

When Britain closed the military base at Drummond Island in 1828, it formally transferred the entire staff to Penetanguishene. Thirty-five soldiers from the 68th Regiment of Foot accompanied

²⁷⁴ E. A. Cruikshank and A.F Hunter, editors, *The Correspondence of the Honourable Peter Russell* (Toronto: The Ontario Historical Society, 1932), 1:232-3.

²⁷⁵ The argument against Cowan being a “double agent” or working for the interest of the Anishinaabek is that the Crown would not have compensated him for his work with a town lot at York had Cowan been suspected of any disloyalty to the King’s interest.

²⁷⁶ Brendan O’Brien, *Speedy Justice: The Tragic Last Voyage of His Majesty’s Vessel Speedy*, (Published for The Osgoode Society by the University of Toronto Press, 1992), 5.

²⁷⁷ Provisional Agreement to Purchase from the Chippewa Indians a certain Tract of their Land between the Lakes Simcoe and Huron, 8 June 1811, RG10, Volume number: 1842/IT062, Microfilm reel number: T-9938; John R. Triggs, “Social Flux at the Naval Establishment at Penetanguishene, Lake Huron, 1817-1834.” *Historical Archaeology* 39, no. 2 (2005): 105–35, 105.

²⁷⁸ <https://taytownshipheritage.wordpress.com/>

²⁷⁹ John R. Triggs, “Social Flux,” 108.

by other military officers and personnel, including a staff assistant surgeon, deputy assistant commissary general, clerk, and issuer, together with an officer, interpreter, and blacksmith attached to the Indian Department.”²⁸⁰

The civilians who came, including people with mixed-ancestry, established themselves on land already surveyed by the Crown and where an existing naval base had been operating for more than a decade. They were later joined in the 1840s by French Canadians from Lower Canada who themselves had no connection to the fur trade or Métis ancestry, but who migrated to the region to acquire land and have the benefit of an existing linguistic community.²⁸¹ While the French-speaking Drummond Islanders who came to Penetanguishene first remained somewhat apart from the later arrivals in terms of occupational classes (preferring timbering, guiding and fishing) according to one study, the Drummond Islanders still cannot be said to have a distinct Métis community at Penetanguishene for the purposes of section 35 Aboriginal rights.²⁸² Rather than a new distinct Métis community, they were a diasporic community, one that benefited from the existing Crown colonization of the Penetanguishene area. The date for effective control of Penetanguishene is arguably as early as the 1798 purchase agreement and employment of George Cowan as an interpreter and agent of the Crown, but definitely and conclusively by the establishment of a naval base in 1817.

Assessing Effective European Control for Owen Sound (GBHM)

The Métis Nation of Ontario now operates a regional office in Owen Sound, offering programs “to meet the socio-economic needs of its citizens and communities.”²⁸³ The focus of GBHM’s historic claims to SON territory is a French settlement at Owen Sound. This French settlement however did not begin until after the Crown purchased the land, surveyed its lots and founded Owen Sound. Survey work on the Owen Sound-Garafraxa Road began first in 1839 to open the region for settlement (the current Hwy #10). Surveyor Charles Rankin recorded hiring

²⁸⁰ John R. Triggs, “Social Flux,” 111.

²⁸¹ Gaétan Gervais, “L’Ontario français, 1821-1910, » in *Les Franco-Ontariens*, sous la direction de Cornelius J. Jaenen.(Ottawa, Ont. : Presses de l’Université d’Ottawa, 1993), 52-53.

²⁸² Gervais, “ L’Ontario français, 1821-1910.”

²⁸³ **Métis Nation of Ontario - Grey Owen Sound:**
<https://www.southwesthealthline.ca/displayservice.aspx?id=172635>.

his initial survey crews mostly from Penetanguishene.²⁸⁴ At least one member of his crew, all with French surnames, was identified by the MNO as being Métis: Alexis Beausoleil of the Beausoleil-Giroux family.²⁸⁵ In his field notebooks, surveyor Charles Rankin recorded coming across the location of multiple Anishinaabe (SON) sugar camps and the summer bark house of ogimaa James Newash but no mention of any Métis settlement.²⁸⁶ In 1840, Rankin undertook the survey of the town plot of Owen Sound, and between 1842 and 1846 he completed the survey of Sydenham Township proper, to open these lands for European settlement.²⁸⁷

A.M. Stephens, one of the first white settlers at Owen Sound, recalled in his memoir the state of the village site in the spring of 1842, when he first arrived to take up his lot. Owen Sound at that time was named Sydenham; it was, according to Stephens “an opening in the bush about an acre in extent, partially cleared, one house occupied by the Crown Lands agent and his family, one for the accommodation of emigrants, and the third kept as a tavern by Hugh Gunn Campbell; about half-mile of Street now called Union Street, with the timber chopped down but not cleared off.”²⁸⁸ At least 30 settler families had arrived already, and in that summer of 1842, four new town buildings went up, including a two-story frame building for a residence and store. A tanner arrived but was denied permission to set up in town by the land agent and was sent out farther away.²⁸⁹ In 1847, the Crown Surveyor was tasked with surveying the line between Crown Lands and SON lands.²⁹⁰ Charles Rankin’s plan (excerpted) below shows the town plot, and the SON

²⁸⁴ RG 1-59: Crown Land Survey Diaries, Field Notes, and Reports - MS 924 Reel 25 - Sydenham - C. Rankin - 1842 – Archives of Ontario.

²⁸⁵ Beausoleil-Giroux Verified Métis Family Line, Métis Nation of Ontario.

²⁸⁶ RG 1-59: Crown Land Survey Diaries, Field Notes, and Reports - MS 924 Reel 19 - Owen Sound, Garafraxa Rd. - C. Rankin – 1837 - Archives of Ontario.

²⁸⁷ Louis Gentilcore and Kate Donkin, *Land surveys of southern Ontario: an introduction and index to the field notebooks of the Ontario land surveyors, 1784-1859*, ed. C.E. Heidenreich, Supplement No. 2 to the *Canadian Cartographer*, Vol. 10, 1973, (Toronto: York University, for Cartographica, 1973), 78.

²⁸⁸ A.M. Stephens, *The Early Days of Owen Sound*, Owen Sound, 1892?.

²⁸⁹ A.M. Stephens, *The Early Days of Owen Sound*, Owen Sound, 1892?.

²⁹⁰ Charles Rankin, “Div. Line of Indian and Crown Lands, Runs from Saugeen Township to Sydenham Township,” 1 January 1847, Natural Resources Canada, F4171 CLSR ON. The Saugeen received a formal declaration from Queen Victoria in July of 1847 guaranteeing to them their Peninsula in perpetuity: Declaration by Her Majesty in favor of the Ojibway Indians respecting certain Lands on Lake Huron, 14 July 1847, NAC, RG68, Volume LIBER AG. SPECIAL GRANTS 1841-1854, Folio 293-294, Reel C-4158.

village site known as Nawash, as well as the well-travelled path between the SON village sites at Owen Sound and Saugeen. There is no distinctive Métis settlement indicated.

Owen Sound grew quickly. In 1853, the supplement to the *Canada Directory* reported that the population of Owen Sound was now “over 1000 and rapidly increasing.”²⁹¹ It was within this context of control over land sales by the Crown Surveyor and rapid settlement of this area that the MNO claimed that the Métis forebearers and root ancestors of this community arrived. These families could not and did not establish a distinct community at Owen Sound prior to the establishment of European settlement as settlement was already underway when they arrived. The “French settlement” at Owen Sound, which predominantly focused on fishing, sprang up *after* the survey to supply fish to a growing new settler town on what was already expected to be an important harbour. The Métis family lines with a claimed interest in SON territory came from Penetanguishene, which as we have discussed above, was another diasporic community, arriving after effective European control that was itself rapidly achieved between 1836 and 1842.

²⁹¹ Mackay, Robert *A Supplement to the Canada Directory*, Montreal, R.W.S.Mackay, 1853, 136.



Figure 10: **1847 Rankin Survey of Boundary Line.**

Assessing Effective European Control for Goderich (HSM)

Goderich, located on the shores of Lake Huron has the earliest date of effective European control within SON territory, by 1827. The Huron Tract treaty, signed 10th of July, 1827, was for some 2,200,000 acres in south-western Ontario. The Crown did not undertake to sell these lands directly, but rather transferred the lands to a private company, the Canada Company, which had been incorporated by Royal Charter the year before to manage their sale and settlement²⁹². The township of Goderich, in which the town sits, was surveyed immediately following the treaty signing.²⁹³ Goderich's first settlers arrived shortly thereafter. Among them was Augustine Gonneville, a former fur trader from the XY company, who the Historic Saugeen Métis points to

²⁹² For a history of the Canada Company see, Roger Denis Hall, "The Canada Company, 1826-1843," (Unpublished Phd Thesis, Cambridge University, 1973).

²⁹³ Louis Gentilcore and Kate Donkin, *Land surveys of southern Ontario: an introduction and index to the field notebooks of the Ontario land surveyors, 1784-1859*, ed. C.E. Heidenreich, Supplement No. 2 to the *Canadian Cartographer*, Vol. 10, 1973, (Toronto: York University, for Cartographica, 1973), 58.

as forming part of a “distinct Métis community” there. In 1829, Gonneville, born in Quebec, secured two lots for himself, his mixed ancestry wife Margerite Longe, and their growing family.²⁹⁴ Gonneville and others including Louis Belhumeur, Francis Andre, and Francis Tranchemontagne (all classified as “Métis” families in HSM materials despite some being French Canadian with Indigenous wives) came to Goderich as part of the process of establishing effective European control, and benefited from the lands now made available for settlement. They were tied into the early settler economy, as many of the families named in HSM materials were traders for the W.F. and J. K. Gooding Merchants and Ship-owners firm of Goderich, established by brothers from New York. While some of these French Canadian men had wives who were born in the North West, or were tied to trading families around Detroit and Michigan, their presence in SON territory at Goderich can be linked to the development of settlement there. Returning to the definition of effective control in the Powley decision, “effective European control is the time period when Europeans are actively encouraging commercial exploitation of resources, settlement and developing urban spaces such as establishing towns.” Their acquisition of properties, and their work for the Goodings of Goderich both fit this description.

By 1831, the Canada Company was advertising widely including in the United Kingdom to prospective immigrants, noting that the town of Goderich had already been laid out and “which promises, from its local advantages, to become one of the most important and flourishing settlements in the Province.”²⁹⁵ Pointing to more concrete evidence of development, the company cited that Goderich already had in these few short years, established “a grist-mill, saw-mill, brick-kiln, tavern,” & and that the first settlers who had already arrived are “old American settlers, who have between fifteen and twenty years in the Province.”²⁹⁶ The Harbour, which could accommodate large ships (up to 200 tons burthen)²⁹⁷, had already been established has a Port of Entry for customs.²⁹⁸ Roads were already under construction to connect Goderich to

²⁹⁴ McArthur, *Heritage Atlas*, 134.

²⁹⁵ *Lands in Upper Canada to be disposed of by the Canada Company*, (London, 1831), 1.

²⁹⁶ *Lands in Upper Canada to be disposed of by the Canada Company*, (London, 1831), 1.
<https://www.canadiana.ca/view/oocihm.59601/1>.

²⁹⁷ Burthen refers to the amount of weight a ship can carry as cargo. For the ships at Goderich, see *History, statistics and geography of Upper and Lower Canada* (London : Whittaker, 1838), 118.

²⁹⁸ *Lands in Upper Canada to be disposed of by the Canada Company*, (London, 1831), 1

London.²⁹⁹ By 1838, the *History, Statistics and Geography of Upper and Lower Canada*, reported that Goderich Harbour was visited by the ten steamboats regularly travelling between Goderich, Detroit, and Sandwich, Chippewa and Buffalo on Lake Erie.³⁰⁰ Development proceeded rapidly and Goderich quickly became a local seat of prominence. Its rail connection opened in 1858.³⁰¹

Assessing Effective European Control for Southampton (HSM)

Saugeen Township, in which the town site of Southampton sits, is on lands ceded to the Crown under Treaty 45 ½ in 1836, the same treaty included the lands for Owen Sound. Owen Sound and environs, with its potential for an important harbour, was surveyed first. The present-day site of Southampton is across the Saugeen river from the historic council fire seat of Saugeen First Nation and on lands they used for gardens and planting. As European settlement pressure increased at Goderich by the late 1820s, SON, and especially Saugeen found themselves dealing with an increasing number of squatters on their land. To help manage their relationship with these new peoples, Saugeen reached out to Methodist missionaries in 1829, who they heard would be willing to help them and teach them English. They learned particularly of a young Mississauga Anishinabek man, Peter Jones,³⁰² who was a convert and now a missionary himself, and other Mississauga-Anishinabek who were also forming alliances with the Methodists.

The Saugeen sent delegations to the Credit River mission asking for teachers but there were no funds to support them; however, by April of 1831 the Superintendent of Indian Affairs had agreed to sponsor two Methodists (John Simpson, an Anishinaabe from Grape Island, and John Benham), who then founded the Saugeen mission.³⁰³ The missionary reports do not indicate the presence of any distinct Métis community at the mouth of the Saugeen or in its vicinity. The

²⁹⁹ *Lands in Upper Canada to be disposed of by the Canada Company*, (London, 1831), 1

³⁰⁰ *History, statistics and geography of Upper and Lower Canada* (London : Whittaker, 1838), 327.

³⁰¹ M. L. Bladen, "Construction of Railways in Canada to the Year 1885," *Contributions to Canadian Economics* 5 (1932).

³⁰² For a biography of Peter Jones and his missionary work among other Anishinaabe council fires, see Smith, *Sacred Feathers*.

³⁰³ John Benham, "Sahkeeng Mission. To the Secretary of the Canada-Conference Missionary Society," *Christian Guardian* (Toronto, 28 May 1831), 4, Column 3–4

missionaries did note abundance of fish the Saugeen relied upon for food: “sturgeon, salmon trout, pickerel, herring, white fish, bass, and suckers.”³⁰⁴ Details of the missionaries’ reports from this time also reveal that the Saugeen were anticipating the need for instruction in English to be able to manage their affairs in the face of increasing numbers of settlers, particularly learning to read. None mentioned the presence of any distinct Métis community in the proximity.³⁰⁵

While the missionaries were concerned primarily with religious instruction, Methodists also prioritized helping Anishinaabe deal with encroachments on their fishing rights and deal with squatters.³⁰⁶ They assisted with writing on behalf of SON and became important advisors on how to communicate with the Crown. For example, in 1833, the Saugeen First Nation council were able to have their bilingual and literate missionaries compose a letter to the Lieutenant Governor in lieu of travelling to meet in person. In keeping with Anishinaabe law, they asked their ally to ratify a new gichi-Anishinaabe (councilor) with a medal, as his father had passed away, requested to have their children learn to read, sought to obtain tools and equipment for a sawmill, and asked to have help building houses so they “will not cost so much and we shall be learning to build for ourselves.”³⁰⁷

In this 1833 letter, the Saugeen also expressed interest in selling part of their land (1000 acres) to pay for the supplies they needed to build a sawmill, school, and houses.³⁰⁸ The land they were willing to part with was located south of the Saugeen River next to the Huron Tract, discussed above.³⁰⁹ In so doing, they hoped to forestall more encroachment of White settlers “who cut Pine upon our land without our consent, and build houses without our liberty.”³¹⁰ They also asked Lieutenant Governor Colborne to “give us a writing which will secure to us and our children forever this tract of land where our fathers have lived, and died unmolested, and where

³⁰⁴ John Benham, “Sahkeeng Mission. To the Secretary of the Canada-Conference Missionary Society,” *Christian Guardian* (Toronto, 28 May 1831), 4, Column 3–4

³⁰⁵ John Benham, “Religious Intelligence,” *The Christian Guardian*, (Toronto, 28 June 1831), 146, Column 1; “Religious Intelligence. Sah-Geeng Indian Mission. Mr. Case’s Notes continued,” *The Christian Guardian* (Toronto, 31 July 1833), 23, Column 3–4; “Sahgeeng Mission,” in Wesleyan-Methodist Church in Canada, Missionary Society, *11th Annual Report* (1835-36), 18.

³⁰⁶ Leslie, *Commission of Inquiry into Indian Affairs in the Canadas*, 15.

³⁰⁷ Saugeen First Nation Council to Colborne, 8 July 1833, LAC, RG 10, Vol. 119, Reel C-11479, pp. 505-508.

³⁰⁸ Saugeen First Nation Council to Colborne, 8 July 1833, LAC, RG 10, Vol. 119, Reel C-11479, pp. 505-508.

³⁰⁹ Saugeen First Nation Council to Colborne, 8 July 1833, LAC, RG 10, Vol. 119, Reel C-11479, pp. 505-508.

³¹⁰ Saugeen First Nation Council to Colborne, 8 July 1833, LAC, RG 10, Vol. 119, Reel C-11479, pp. 505-508.

we wish to lay our bodies in peace when done with this life.”³¹¹ By “this tract of land,” the Saugeen meant their remaining lands, including the entire Saugeen Peninsula. The help the Methodists provided by translating council deliberations and decisions into written petitions was important, as in so doing the Methodists directly helped the Saugeen protect their political autonomy and negotiate with newcomers.

In the summer of 1836, members of Saugeen First Nation travelled to a grand council at Manitowaning on Manitoulin Island to renew the Covenant Chain alliance with the Crown.³¹² By this time, the Saugeen were actively engaged in trying to secure a future for their children on the lands their ancestors had lived and were buried on. They continued to hunt and fish, but now they were also learning English, building frame houses, and coming to understand the importance of having documents in writing to protect their lands and resources—whether those were title deeds or fishing leases.³¹³ At the grand council, the new Lieutenant Governor, Sir Francis Bond Head, made a proposal that Manitoulin Island should become a reserve for all Indigenous peoples in Upper Canada.³¹⁴ Head’s removal policy has been described as an aberration in Indian Affairs’ policy, based on his personal observations from his visits to Indigenous village in Upper Canada and his view of Indigenous peoples as a “dying race” and recommendation for a removal policy.³¹⁵ The reality is that the policy of removal had broader imperial support, most notably from Britain’s Commissary General R.J. Routh. Routh felt that bringing Indigenous people together to settle in one or two places would be a cost-saving measure for the Imperial treasury,

³¹¹ Saugeen First Nation Council to Colborne, 8 July 1833, LAC, RG 10, Vol. 119, Reel C-11479, pp. 505-508.

³¹² This was the first year that the Crown had “lit its fire” at Manitowaning. From 1830 to 1836 presents the annual renewal ceremony had been conducted at Penetanguishene as the Lieutenant-Governor had hoped to encourage more Anishinabek to make Coldwater their permanent settlement. Sims discusses the changes in Imperial policy that led to this decision, Sims “Algonkian-British Relations,” 198–208

³¹³ Saugeen First Nation Council to Colborne, 8 July 1833, LAC, RG 10, Vol. 119, Reel C-11479, pp. 505-508. For another example of seeking written proof, see Jones, *History of the Ojebway Indians*, 243: “[I]t would have a beneficial tendency were titles given to the Indians by the Government, securing their reserved lands to them and their posterity for ever.... At present they hold no written documents from Government, and they frequently express fears that they will, at some future period, lose their lands.”

³¹⁴ Treaty No. 45 ½, 9 August 1836, LAC, RG 10, Series D-10-a, Vol. 1844, Item IT-121

³¹⁵ Theodore Binnema and Kevin Douglas Hutchings, “The Emigrant and the Noble Savage: Sir Francis Bond Head’s Romantic Approach to Aboriginal Policy in Upper Canada, 1836-1838,” *Journal of Canadian Studies* 39, no. 1 (2005): 115–38.

especially since their remaining reserve lands could be sold to create a perpetual annuity for them.³¹⁶

A further challenge for Saugeen First Nation, Nawash and other Anishinabek on the eastern/British North American shore of Lake Huron was the American *Indian Removal Act* of 1830.³¹⁷ This Act forced many Anishinaabe residing in Michigan off their lands, in order to make those lands available for White settlers.³¹⁸ The impact on Saugeen First Nation's allied council fires (and therefore relatives) on the American side of the border was felt in July of 1836. These Anishinabek living now in Michigan were informed by their Indian Agent, Henry R. Schoolcraft at a council at Sault Ste. Marie that they would soon be forced to re-establish themselves "southwest of the Missouri River."³¹⁹ At the beginning of August 1836, many of those then travelled on to Manitowaning to meet with their relatives on the Canadian side and to renew their own alliance with the British. Some would come to settle on SON territory.

The talk at the council was about the incessant push of settlers and the impact this would have on the Anishinaabe way of life.³²⁰ The gathering was enormous; about 7000 Indigenous people attended as well as Roman Catholic, Methodist, and Anglican missionaries, in addition to the agents for the Crown.³²¹ Head renewed the Covenant chain alliance relationship with the assembled leaders, and then asked them to sign a document creating Manitoulin Island as an Indian reserve. A delegation from Saugeen First Nation was in attendance but they did not sign this Manitowaning Treaty (Crown Treaty No. 45) as their territory did not include Manitoulin Island. However, Head in a departure from long-established treaty protocol then asked the

³¹⁶ Leslie, *Commission of Inquiry into Indian Affairs in the Canadas*, 4; Binnema "The Emigrant and the Noble Savage," 115–38; Sims, "Algonkian-British Relations," 206. Routh suggested removal as it "might offer a refuge to those Tribes who are averse to the advantages of civilized life, who now occupy valuable tracts of land in the midst of the British Settlements, where they cannot be Indians, and where they will not be English. The sale of those lands would secure a permanent annuity, and the progress of religious instruction and the march of improvement would be germs of reform, to bear fruit for another generation." See Routh to Head, 4 June 1836, LAC, RG 10, Vol. 91, Reel C-11468, pp. 37266-37273.

³¹⁷ United States of America. *An Act to provide for an exchange of lands with the Indians residing in any of the state or territories, and for their removal west of the river Mississippi*, May 28, 1830." U.S. Congress, 28 May 1830; For a history of this movement, see Clifton, *A Place of Refuge for All Time*.

³¹⁸ Clifton, *A Place of Refuge for All Time*, 24

³¹⁹ Sims, "Algonkian-British Relations," 229.

³²⁰ Sims, "Algonkian-British Relations," 239.

³²¹ Sims, "Algonkian-British Relations," 241.

delegates from Saugeen First Nation to sign a separate cession of their own for lands south of the Saugeen River, Crown Treaty No. 45 ½. There was no advance request for this land and the treaty texts contained no reference to a consideration, the land was to be simply gifted to the Crown.³²²

From what transpired afterwards is very likely that those in attendance from Saugeen thought this cession was for the 1000 acres that they proposed to the Crown. It was not. This cession was instead for a vast tract of land that stretched all the way to Owen Sound, and furthermore stated that the Saugeen would remove either to Manitoulin to the northern parts of the peninsula.³²³ However, when Saugeen First Nation ogimaa Jacob Metigwob returned home and realized that as far as the Crown was concerned, all their lands to the south of the Saugeen River were sold for no consideration, he acted quickly to correct the error.³²⁴ At a council held at the St. Clair River on September 13, 1836, with Saugeen First Nations allied council fires at what is now Sarnia, Metigwob explained how he and the others had been pressured into signing. Metigwob reported that Head had effectively said that he would “remove all the white people who were in the habit of fishing on their grounds. That it would be much better for them to comply with his wishes, as it would be all in vain for them ever to attempt to hold their Territory, for the white people would come on their lands in spite of all they could do, and they could not be prevented.”³²⁵ The complaints about the irregularity of this treaty expressed by both Saugeen First Nation and the Methodists reverberated in petitions and letters all the way to the Colonial Secretary, Lord Glenelg, who in the end upheld Treaty 45 ½.³²⁶ The Saugeen turned next to

³²² The instructions required for negotiating legal land surrenders were described in the original Proclamation of 1763, and the Additional Instructions, Indian Department, 26 December 1794. Ontario Lieutenant-Governor Simcoe, *The Correspondence of Lieut. Governor John Graves Simcoe: With Allied Documents Relating to His Administration of the Government of Upper Canada* (Toronto: Ontario Historical Society, 1923), 3:241. See also Surtees, *Indian Land Cessions in Ontario, 1763-1862: The Evolution of a System*, Department of History, Carleton University, Ottawa, 1983, 218–219.

³²³ Sims, “Algonkian-British Relations,” 288; Treaty No. 45 ½, 9 August 1836, LAC, RG 10, Series D-10-a, Vol. 1844, Item IT-121.

³²⁴ Metigwob was a new ogimaa. He had been raised to the role in 1834 and recognized by Givins on behalf of the Crown at the alliance renewal ceremony at Coldwater. See Jones to Givins, 17 January 1835, LAC, RG 10, Vol. 57, Reel C-11019, p. 59036.

³²⁵ Statement of Metigwob on the Surrender of the Sahgeeng [sic] Territory, 13 September 1836, LAC, RG 10 Six Nations/New Credit, File 123-1836.

³²⁶ Surtees, *Indian Land Cessions in Ontario*, 220.

lobbying for compensation for lands taken and for protection for the remainder of their territory, a task that took nearly a decade to complete.³²⁷

By 1836, the Crown was in sufficient control of the Ontario peninsula, and confident of the ever-increasing settler population to force the Saugeen to accept Treaty 45 ½. There is no evidence in any of the letters or correspondence around this treaty that there was a distinct Métis community whose land base were also threatened by this settlement or who should also receive compensation. Surveying began around Saugeen in 1846. The surveyor was the same who had undertaken the earlier work at Owen Sound, Charles Rankin. Once the survey was complete, the lands were immediately snapped up. By the 1851 census, all 400 lots were reported as sold, however only 39 had occupiers. Of the 2728 acres those 400 lots comprised, the new settlers had only managed to clear 2.8% of them and had only 76½ acres under cultivation.³²⁸ However, many of the lots were purchased by speculators and the uptick in actual settlement was slower at first than it was in Owen Sound and Goderich. It soon accelerated as the population of Upper Canada continued to grow. The town plan of Southampton was surveyed in 1851 by assistant provincial surveyor, Archibald McNab, including waterfront properties and town “park” lots.³²⁹ As we will discuss below, many of the individuals and families claimed by HSM as comprising a distinct Métis community were in fact beneficiaries of colonial development and of SON’s dispossession of their lands.

Research Methodology

To assess the specific claims made by the MNO, the GBHM and the HSM, we evaluated them using the historical evidence that HSM, GBHM and the MNO provided, reviewed their various publications, websites and public statements, and assessed these claims against the significant body of historical research on Indigenous and settler histories of the eastern Great Lakes region. As we demonstrated above, this context is critical for both determining whether a

³²⁷ Metigwob and Council wrote repeatedly to the Superintendent General about their land and compensation, as did leaders from Samia’s council who also hunted in the lands surrendered by Saugeen in Crown Treaty 45 ½. Unknown to W. Jones, 31 October 1836, LAC, RG 10, Vol. 501, Reel C-13342, p. 206; J.G. to [Unknown], 1837, LAC, RG 10, Vol. 501, p. 240; Jarvis to Arthur, 14 May 1838, LAC, RG 10, Vol.127, Reel C-11483, pp. 71854-71857; and finally a request for government action: Jarvis to Morrison, 24 September 1839, Indian Affairs, RG 10, Volume 711.

³²⁸ Province of Canada, 1851 Census, Canada West, Schedule B Agricultural Census for Saugeen Township, LAC, Census of 1851.

³²⁹ Gentilcore and Donkin, *Land surveys of southern Ontario*, 76.

distinct Métis community or communities existed in SON territory and if so, whether those communities existed prior to “effective European control.” We note that claims of these Métis organizations are founded on two key premises: first, that there did exist distinct Métis community or communities of in what is now southern Ontario, and second, that the descendants of individuals belonging to these historic Métis communities should be able to exercise Section 35 Aboriginal rights on these lands because of their proven genealogical connection to one or more of these communities. We examined each premise in turn, beginning with the genealogical research that underpins both GBHM and HSM’s claims and assessing the claims of each family line.

We did not repeat the genealogical research that either MNO or the HSM had gathered, nor did we authenticate their documents. We assumed and accepted that they undertook their research in good faith. We do not deny that these family genealogies as presented in the MNO’s Verified Métis Family Lines or the HSM’s *Heritage Atlas* located individuals or families who had a long-standing connection to the fur trade, or who had an Indigenous relative or relatives, or had intermarriage with other families connected to the fur trade.

While genealogical research is helpful in identifying family connections across time, if those families are studied in isolation from the larger historical context in which they lived, it can be too easy to draw incorrect conclusions about a person’s life experiences and identity. To give just one example which will be discussed in greater detail below, the Couture family was identified as Métis at Owen Sound on the basis of living near or at the “French settlement” at a time when, according to the MNO, the “non-Aboriginal populations in the area were not present in significant numbers.”³³⁰ But as this report has demonstrated above, **effective European control had already been well established at Owen Sound by 1842, five years before the time French-speaking Joseph Couture, who was born in Upper Canada, arrived in Owen Sound as a single 23 year-old.** Owen Sound was already under Crown control, with a Crown Land agent present, the lots surveyed and a bustling and rapidly-increasing settler population. If one simply looks at claims through a genealogical lens, the fact that there were eight French speaking families identified as living in close proximity to one another at Owen Sound in the 1851 census, especially when several of those families moved to Owen Sound from

³³⁰ Métis Nation of Ontario, Verified Family Line Assessment Document, Couture-Jones Family Line (FL7017), 2

Penetanguishene, could suggest the presence of a distinct Métis community that could potentially meet the Powley decision test. However, the larger historical context exposes the fault in this reasoning.

Following our review of these family lines, we then considered the Verified Family Lines for the GBHM and the families listed as part of the claimed historic community in the HSM *Heritage Atlas* to study the formation of such communities and the extent to which each formed a distinct Métis community or communities in what is now SON territory. We applied the definition in the Powley decision, discussed in the previous section. To see if any distinct Métis communities existed or could have existed according to the criteria above, we looked at the genealogical data presented, by historical period. In other words, instead of tracing a single family through time as genealogies do, we asked, at each moment in time, where were the various different members of these separate families living? Were they in fact forming a distinct community before “the time when Europeans established effective political and legal control?” Is there “demographic evidence that the population was identified as distinctive, evidence that the community had its own collective identity. Shared customs, practices and traditions?” Because as discussed in the previous section, Upper Canada’s diverse ethnic settlements also meet this last criterion, a distinct Métis community must by definition have people who had a distinct way of life “separate from their forebearers”

NOTE: Dr. Murdoch, who undertook the genealogical assessments, relied on the claims made by HSM in her analysis. In other words, if HSM cited a particular document in the Hudson Bay Company archives to support a claim to mixed ancestry, Dr. Murdoch took it at face value and did not seek to validate or verify it. It is also important to note that in HSM materials any individual of mixed European and Indigenous descent is classified as “Métis,” but there is no clear explanation in these materials around what this means or whether individuals identified this way historically. As the detailed review below indicates, even when these documented genealogical claims are accepted at face value, the claim that these families formed a distinctive Métis community in SON territory are not substantiated as the evidence presented shows very few families who remained in SON territory, and nearly all of those arrived after effective control the Crown..

Part 2: Assessing Claims Made Concerning a Distinct Métis community or communities in SON territory

The remainder of this report analyzes the specific details of the evidence put forward by SON, GHBM and HSM concerning their claims to forming distinct Métis communities in SON Territory. Recall that the criteria that the MNO use themselves to define a distinct Métis community are derived from the Powley decision, discussed previously.

We assess the claims of GBHM and HSM separately below. There are clearly mixed-ancestry families and families with ancestors who intermarried with Indigenous communities and/or who were connected with historic fur trade, had kin ties to one of the noted Upper Great Lakes fur trade families such as Cadottes or Nolins or Laframboise, or who were employed at British posts in a variety of civilian roles. What the GBHM and HSM fail to do is explain how, where and when these individuals and families formed a distinct Métis community or communities in SON territory, in either Owen Sound or Saugeen/Southampton, or anywhere in the larger historic SON territory, that would justify their descendants claiming the right to harvest in SON traditional territory without SON's permission and consent. When we analyze the evidence for each family, what we find is not distinct Métis communities forming but individuals living in and moving out of SON territory at different times. and in the case of HSM, four families claimed as members of HSM who never actually lived on SON territory.

As discussed above, the War of 1812, and Peace of Ghent in 1815 created a demilitarized zone in the Great Lakes region, and opened the American west to settlement. By the 1830s, Detroit was a bustling hive of commercial activity, Chicago and Milwaukee were booming, and the Great Lakes fur trade, which had never operated on SON territory, was in serious decline.³³¹ The traders who first came to Saugeen after 1815 were funded by the “side hustle” of military surgeon David Mitchell based out of Sault Ste Marie. Nearly all of the employees at Drummond island migrated to Penetanguishene at the invitation of the Crown because of the closure of the base there in 1830. As fur trade historian Jacqueline Peterson explains “In the backwash of the fur trade,” these former company employees – fur traders, voyageurs, engages, labourers and interpreters “and their families patched together new livelihoods and new identities on a rapidly

³³¹ Peterson, “Red River Redux,” 31-33.

vanishing frontier or physically migrated north and west to northern Michigan, Wisconsin, Minnesota, and the Red River valley.”³³²

Indeed, some of those who came to and chose to stay in Upper Canada made use of the new opportunities presented to become part of settler society. Many bought or received free land from the government. As we show, with the notable exception of a few individuals who married SON community members and became part of SON, these mixed-ancestry, fur trade history families patterns of mobility, migration and occupation were quite similar to settler colonists from the British Isles. They became commercial fisherman, boatmen, labours, sailors, and farmers. In contrast with the distinct endogamy (marrying in) practices so well documented among the Red River Métis for example, the genealogical research presented by both MNO and HSM show much more diverse marriage practices with siblings of the same family marrying in to different settler communities. As Jacqueline Peterson notes, after 1810, “Great Lakes fur trade society members of mixed descent did not prefer one another as marriage partners. Rather, mixed descent sons were encouraged to marry native women so as to enlarge the family’s economic relations with Indian bands, daughters were encouraged to marry incoming white traders or business partners.”³³³ But even this pattern, which held true in actual fur trade communities like Sault Ste. Marie or in the Western Great Lakes, was not followed by the families the MNO and HSM point to as forming a Métis community on SON territory.

As detailed discussion of these genealogies below shows, no such consistent pattern is discernable. Moreover, marriage partners were more likely to be from the local settler community. Even language and faith practices are not a reliable indicator of commonality. If individuals and families did not live together or in proximity to one another on SON territory, intermarry with one another, have shared experiences together or share common language and spiritual practices, it is difficult to see how these organizations meet the criteria defined in Powley:

In addition to demographic evidence, proof of shared customs, traditions, and a collective identity is required to demonstrate the existence of a Métis community that can support a claim to site-specific aboriginal rights. We recognize that different groups of Métis have often lacked political structures and have

³³² Peterson, 36.

³³³ Peterson, 36.

experienced shifts in their members' self-identification. However, the existence of an identifiable Métis community must be demonstrated with some degree of continuity and stability in order to support a site-specific aboriginal rights claim.³³⁴

Site-specific aboriginal rights claims require “shared customs, traditions, and a collective identity” as well as “some degree of continuity and stability” in the period before “Effective Control” by the Crown. These tests are not met Goderich, Southampton or Owen Sound, or anywhere on SON territory, as the analysis of the evidence presented by the MNO and HSM, discussed below, demonstrates.

A. Assessing Genealogical Claims made by GBHM in SON territory

The GBHM specifically claim harvesting rights over SON territory. Any member of the GBHM and MNO member who can establish that they belong to one of the Verified Métis Family Lines said to comprise the historic Georgian Bay Métis community can apply for a harvesting card for lands that include SON territory. This is a large area of millions of acres and covering the traditional territories of multiple Anishinaabe council fires, including Robinson Huron treaty signatories, the territory of the Chippewa Tri-Council (Rama, Beausolei and Georgina Island) and SON.

Our evaluation of these VMFLs, the MNO's own data reveals that of the thirty GBHM VFMLs, only **four** demonstrate any connection to SON territory (Couture-Jones, Desjardins-Lavallée, Payette-DeValley and Jones-Blette dit Sorrelle) and the connection is that an ancestor lived in the Owen Sound area, all arriving after the Crown's Effective Control in 1841, and all choosing to settle on surveyed Crown reserve land on Owen Sound Bay, less than a mile from the town proper. All of these four families moved to SON territory (specifically to Owen Sound) after the signing of Crown Treaty No. 45 ½ and after the establishment of white settlement at Collingwood in 1835, the surveying of Sydenham township in 1840, and the establishment of white settlement in Owen Sound in 1841. All four worked in fishing – until 1857 was unregulated by the Crown, and there was a ready market with the new town.

³³⁴ R. v. Powley, [2003] 2 S.C.R. 207, 2003 SCC 4, para 23.

The Desjardins-Lavallée VFML established a connection to SON due to family members marrying into the Chippewas of Nawash. However, intermarriage could only confer SON membership or harvesting rights to the spouse and/or children of the person who married in, and then only at the discretion of chief and council (rather than, as through the MNO's framework, confer these rights to all descendants of the "root ancestor"). The other three VMFs have more tenuous claims to mixed race identity, discussed below. Moreover, none of these families practiced the kind of endogamy one would expect.

Of the four MNO's "Verified Family Lines" which indicate that an ancestor was present in SON territory at Owen Sound, there is no evidence that there was a pattern of intermarriage between "Métis" families in this area or in any area. In the family genealogical charts compiled by the MNO, any marriage to another "Métis" individual is noted. Viewing this data for these four families, it is abundantly clear that there was little preference for intermarriage, and that it dropped off rapidly to effectively nothing by the third generation.

Family Name	First Generation	Second Generation	Third Generation
Desjardins-Lavallée	Descendants (born 1836-1861): 9 Intermarriages with other "Métis" families: 2	Descendants (born 1864-1901): 27 Intermarriages with other "Métis" families: 2	Descendants (born 1898-1921): 34 Intermarriages with other "Métis" families: 0
Coture-Jones	Descendants (born 1855-1874): 9 Intermarriages with other "Métis" families: 0	Descendants (born 1879-1920): 17 Intermarriages with other "Métis" families: 0	Not included in MNO VFL documentation
Jones-Blette Dit Sorelle	Descendants (born 1833-1848): 11	Descendants (born 1859-1895): 27	Descendants (born 1879-1921): 50

	Intermarriages with other “Métis” families: 3	Intermarriages with other “Métis” families: 1	Intermarriages with other “Métis” families: 1
Payette-DeValley	Descendants (born 1841-1860): 7 Intermarriages with other “Métis” families: 0	Descendants (born 1861-1888): 12 Intermarriages with other “Métis” families: 0	Not included in MNO VFL documentation

Assessment of GBHM’s MNO Verified Métis Family Lines in SON territory

Of the four MNO Verified Métis Family Lines, the root ancestors of three (Desjardins, Payette-DeValley & Couture-Jones) arrived at Owen Sound in the late 1840s/early 1850s, some 20 years before the Jones-Blette dit Sorrelle ancestor. Three of the four families are identified as Métis solely on the basis of having signed the “half-breed petition” in 1840 at Penetanguishene discussed above, which requested the right to a share in the presents given to Indigenous nations as part of the annual alliance renewal.³³⁵ All signatories signed this petition with a x mark, indicating that they were not literate. Many of the names indicate that they were connected to families who had moved to Penetanguishene from Drummond Island.³³⁶ But even setting aside Métis ancestry or whether the signature on this document is the question of Métis identity, each of the four moved into SON territory following the establishment of effective Crown control, so they could not have formed a distinctive Métis community for the purposes of Section 35 rights.. What follows is a presentation and discussion of the evidence for each family offered by the MNO.

³³⁵ Petition to Jarvis, 27 January 1840, RG 10, vol 72, p. 6695-7. Jarvis’s response, denying the claim, was dated the 1 February 1840, which indicates he moved quickly to respond. RG10, vol 72, 66, 596.

³³⁶ A. C. Osborne, *The Migration of Voyageurs From Drummond Island to Penetanguishene in 1828, Reprinted from “Papers and ‘Records of the Ontario Historical Society,” Vol. HI., 1901.*

Desjardins-Lavallée

One member of this family, Louis Desjardins, was born in Owen Sound in 1847 and he seems to have been the earliest documented member with a connection to SON territory. His brother Peter had been born earlier two years earlier at Penetanguishene. His parents, identified by the MNO not as Métis but as “Métis forebearers” were Charles Desjardins, a French-Canadian man born in Montreal around 1795 and Angelique Lavallee, born in St. Joseph, Ontario (St. Joseph Island) around 1821. This couple were living in Penetanguishene by 1836, when their eldest child, Angelique was born, and then they moved to Owen Sound before 1847. They are not, however, listed in the Migration of Voyageurs as one of the families who relocated from Drummond Island to Penetanguishene in 1828 although their move is consistent with this relocation.³³⁷ The following account of the Desjardins-Lavallée family’s presence in SON territory from the VMFL is as follow:

"Métis Root Ancestor Peter Desjardins was born in Penetanguishene around 1845. By 1871, Peter was earning a living as a fisherman in Owen Sound with his family, which is where he eventually married his second wife in 1892. Another Métis Root Ancestor, Louis Desjardins, was born in 1847 in Owen Sound, and married there in 1874. His only child, Henry, was born in Owen Sound in 1876. Louis died in Owen Sound in 1902. Another Métis Root Ancestor, Catherine Desjardins, was born in Owen Sound in 1851, had ten children there, and was enumerated with her family there in 1901, and again in 1911. She died there in 1919. A daughter of Métis Root Ancestor Peter, named Florence Elizabeth Desjardins, married in Owen Sound in 1903, and had five children there between 1906 and 1915. Another Métis Root Ancestor Descendant, named Henry Desjardin, the son of Métis Root Ancestor Louis Desjardins, married in Owen Sound in 1898, and was recorded there in the 1901 Census. He died there in 1902."³³⁸

While this family did stay in Owen Sound, this family also had a Cape Croker connection, in that Peter Desjardins was given permission by the Cape Croker band council to occupy a lot of land on the reserve by a band council resolution in 1883 as his first wife was from there. However, in 1892, Peter remarried Abigail Anna Johnson from Owen Sound and relocated back. Rutherford’s 1892 Directory of Owen Sound describes Peter Desjardins, occupation fisherman,

³³⁷ A. C. Osborne, *The Migration of Voyageurs From Drummond Island to Penetanguishene in 1828*, Reprinted from “*Papers and Records of the Ontario Historical Society*,” Vol. HI., 1901.

³³⁸ Métis Nation of Ontario, Verified Family Line Assessment Document, Desjardins-Lavallée Family Line (FL7031),.

as living on Bay St, while his brother Louis Desjardins, a labourer, was living on Victoria St.³³⁹ Bay Street was renamed in 1903 to Third Avenue which runs north out of town towards the French settlement, so it is likely Peter was living in that neighbourhood, although he was still within the town limits proper. Louis however, was living in town. The Desjardins family arrived with young Peter at Owen Sound in 1845, five years after the town was already established, a land agent in place, and by every measure, effective European control achieved. The children of these siblings overwhelming married into the settler community.

Payette-DeValley

According to the MNO's documentation, Louis Payette is another early GBHM ancestor documented in SON territory. He was born in 1818 likely on Drummond Island, and moved to Penetanguishene as a child around 1828-1830.³⁴⁰ There he married "Catherine Devalley" (no date mentioned in MNO materials) and their first child was born in 1841. The claim to a connection to SON territory comes with the family's move to Owen Sound by 1850. Payette is one of the individuals who signed the 1840 Penetanguishene Half-Breed Petition to Governor General.³⁴¹

The following information is the account of this family's presences in SON territory according the MMO document:

"Root Ancestor Louis Payette married Catherine Devalley sometime before their first child was born in 1841, in Penetanguishene. The family moved to Owen Sound, on the southern shore of Georgian Bay, by 1850, when Alexander Payette was born. The family was recorded in Sydenham, just outside of Owen Sound, in the 1851 Census, and in the 1871 Census in Owen Sound itself, and again in 1881. Root Ancestor Descendant David Payette had 12 known children between

³³⁹ *Rutherford's Directory of the Town of Owen Sound: 1892*, (Owen Sound, Ontario: Art. M. Rutherford, 1892), 27.

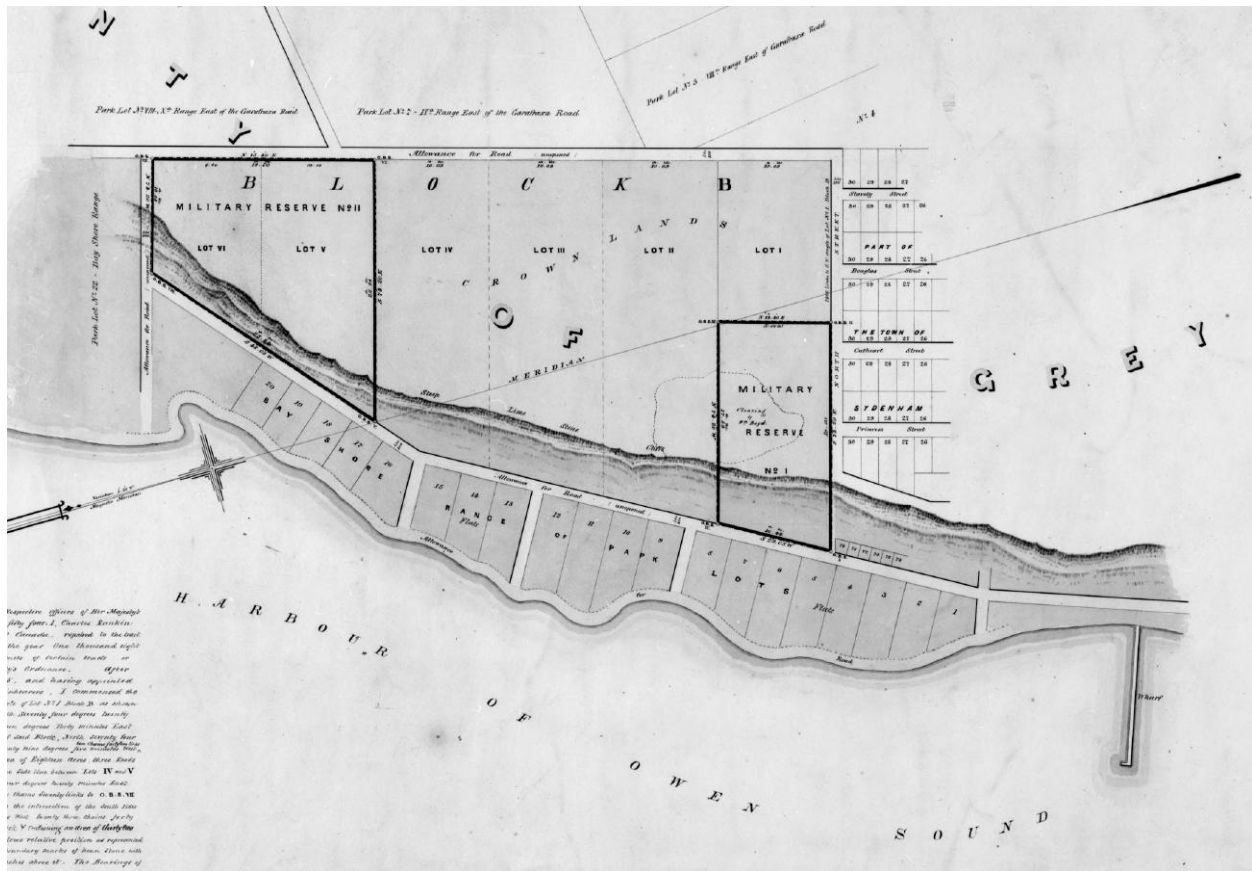
³⁴⁰ A. C. Osborne, *The Migration of Voyageurs From Drummond Island to Penetanguishene in 1828, Reprinted from "Papers and Records of the Ontario Historical Society," Vol. HL., 1901*. This is a collection of oral family histories and personal narratives collected from community members still living in the Penetanguishene area. Those interviewed were either born on Drummond Island as children or were born in the Penetanguishene area. No Payettes are interviewed. This source only contains the information that two Payettes were at Drummond Island (Eas and Louis) and that both relocated to Penetanguishene. In this source, Eas is married to a Katrine Lavaelle and moves to Owen Sound; Louis remains in Penetanguishene. The 1851 Census indicates that it was Louis who moved to Owen Sound.

³⁴¹ Métis Nation of Ontario, Verified Family Line Assessment Document, Payette-DeValley Family Line (FL7011), 2.

1861 and 1888. He was a fisherman who worked out of Owen Sound and Tehkummah (on the southern side of Manitoulin Island). David's brother, John Pyette, married in 1895 and had 12 known children, at least five of whom were born on the southern shores of Manitoulin Island. The family was recorded in Tehkummah in 1901, and John died on Manitoulin Island in 1942."³⁴²

Louis Payette and Catherine DeValley arrived in Owen Sound a decade after the town was established. In the 1851 census, Payette was actually enumerated as French, Roman Catholic and seems to be one of eight French families the census taker identified as such living in close proximity to one another, including Joseph Coture (discussed below). The census does not provide their exact location. Five of the eight heads of households were actually born in Canada East. Only one family of Payette's neighbours was identified as Indigenous on the census (as well as Roman Catholic and French-speaking), a man named Wabose (23), Therese (43) and three children ranging in ages from 17 to 9. In contrast to the others who were living in log houses, Wabose and his family were described as living in a "bark hutt," which from the description sounds like an Anishinaabe wiigwam. Wabose (Waabooz), which in Anishinaabemowin means rabbit, or more specifically a snowshoe hare, is the only head of household for whom no occupation was given; the others are described uniformly as fishermen.

³⁴² Métis Nation of Ontario, Verified Family Line Assessment Document, Payette-DeValley Family Line (FL7011), 2.



In 1851, Payette does seem to be living in what A.W. Rose, described in his 1849 travel memory, *An Emigrant Churchman* describes as “the houses of sundry French-Canadian half breeds, who have squatted on or near the military reserve, and who chiefly live by fishing and maple syrup making.”³⁴³ This community would have been on the land visible in Charles Rankin’s 1854 plan of the harbour and military reserve lands, complete with the wharf visible which Rose describes sweeping up to once just past the French settlement on the shore.³⁴⁴ Payette and neighbours were living just on the outskirts of this fast-growing community. On the same page that the MNO cites from Rose’s memoir about the location of the French settlement, Rose also comments on how developed the country is. He notes that the woods on the approach to Owen Sound at water’s edge give the impression of “great loneliness” but this is “only the back ground to an uninterrupted succession of cleared farms, in high state of productiveness, and

³⁴³ Rose, *Pictures of Canadian life, or, The emigrant churchman*, (London : R. Bentley, 1850),221.

³⁴⁴ Canada, Owen Sound, Plan shewing the Boundaries as marked on the Ground of the Military Reserves at Owen Sound, Township of Sydenham, County of Grey, Canada West; as surveyed by Mr. Charles Rankin, Provincial Land Surveyor during the month of July. 1854, Library and Archives Canada.

rapidly rising in value. The farms at present are all cleared to the roads, which run at a distance of a mile or more from the shore.”³⁴⁵ The water front lots in front of the military reserve were between 800 metres and 1.8km from the edge of Owen Sound proper.

While the Payettes may have lived in the French settlement early on, the 1871 census tells a different story. The lives of the next generation of Payettes suggests that they integrated quickly into English settler society. By this time, Louis had passed away, and the widow Catherine (54) now headed a household of six nearly all adult children still at home. Her eldest David, had married by about 1860. By 1871, David was recorded in the census as living in Sarawak township in North Grey county. Sarawak Township is on west side of Owen Sound, on the lands ceded by the Chippewas of Nawash to the Crown in 1857. He was 29, described as being born in Canada West, David Payette himself is listed in the census as being born in Canada West, 29 years old in 1871, ethnically French, Roman Catholic, and married to Mary, also 29, who was ethnically Scottish and had been born in Scotland. By 1871, David and Mary had six children ranging in age from 10 to 2 months old, suggesting a marriage about 1860.³⁴⁶ While David’s occupation was given as a fisherman, they were enumerated along with their farmer neighbours in Sarawak. He was the only fisherman in the group, and was away at the time of the census. David was also enumerated as the only ethnically-French person in this overwhelmingly Scottish neighbourhood. The 1871 enumerator counted 680 people in comprising 117 distinct families and living in 113 different dwellings. The township also contained people of Irish and German ancestry, at least one mixed-race African-American/English married couple, and three identified “Indian” families. Only one household, consisting of 63 year old Mary Kayak and presumably her grandson, Moses Kayak, 19, appear to have any connection to the Chippewas of Nawash and no obvious connection to David and his family. Mary and Moses were enumerated as Methodists; Moses worked as a labourer.³⁴⁷

³⁴⁵ Rose, *Picture of Canadian Life*, 221.

³⁴⁶ Canada, Census of 1871, Sarawak Township, Grey North, Ontario, Reel C-9955.

³⁴⁷ Two other Indigenous families were from Quebec: the Montours and Jacobs and appear to have no connection . They were Roman Catholic. The Montours likely arrived first, as their 19 year old son Angus was born in Quebec, while their 17 year old daughter Margaret was born in Ontario, putting their arrival around 1852-3. The Jacobs’ had a ten-year old son born in Quebec and an 8 year old son born in Ontario, putting their arrival around 1862-63. The Montours and Jacobs were neighbours.

The Widow Payette seemed to be living with her children in different neighbourhood of Owen Sound, not in the French settlement. She was now living among a predominately Irish Catholic neighbourhood. On the 1871 census, only the eldest Catherine (26) and youngest, Peter (11) had no listed occupation.. For the others, 23 year-old Louis was a sailor, Alex was working as a laborer (21), Henry (19) was a teamster and Mary at 16 was employed as a servant.³⁴⁸ Again, the Payettes are identified as French in this census, not Indigenous or “half-breed.” Their neighbours were Irish Roman Catholics. By 1881, Alex had moved to Vespra Township in Simcoe County (today’s Flos township) and married an Irish woman.³⁴⁹ By 1892 David Payette’s younger brother, Louis Payette was the only male Payette still living in Owen Sound. He lived at 63 Violet Street in Owen Sound (now 13th Street West), close to the downtown, on the west side of the river and a short walk to the harbour. He was employed as first mate on the S.S. Manitoba, plying the Upper Great Lakes.³⁵⁰

The VMFL of the Payettes-Lavavelles also discussed the next generation of only one of David’s children, his son John born in 1865, as the one continuing in the trade of fishing and eventually settling at Manitoulin Island. John was actually born after the 1862 Cession of Manitoulin Island, and by the time he moved there, the Anishinaabek communities were living in reserves, heavily regulated by the Indian Act, while lands with agricultural potential had long been surveyed and sold to white settlers.³⁵¹ His move to Manitoulin Island occurred well after any “Effective Control.” John may have been the third generation fisherman following his father David and his grandfather Louis, but inter-generational occupational patterns occurred among Scottish, Irish and French-Canadian families also. And his other siblings and aunts and uncles had married into settler society.

Couture-Jones

Another “Métis Root Ancestor” listed as establishing the community at the Owen Sound French settlement was Joseph Couture, or Cotor. The following information is presented in the Verified

³⁴⁸ Canada, Census of 1871, Owen Sound, Grey North, Ontario, Reel C-9954.

³⁴⁹ Canada, Census of 1881, Vespra, Simcoe County, Ontario, C-13251, 21.

³⁵⁰ “*Rutherford’s Directory of the Town of Owen Sound: 1892*, (Owen Sound, Ontario: Art. M. Rutherford, 1892), 55.

³⁵¹ Chandra Murdoch, ‘An Act To Control: The Grand General Indian Council, The Department of Indian Affairs, and the Struggle over the Indian Act in Ontario, 1850-1906.’ (PhD, Toronto, University of Toronto, 2023).

Family line documentation about this family's long-standing presence in SON territory, specifically in Owen Sound:

They were repeatedly documented in a separate Métis population near Owen Sound, which is inter-connected to the Métis population at Penetanguishene, at a time when non-Aboriginal populations in the area were not present in significant numbers. Moreover, this family was never identified as "Indians", but were repeatedly documented as living with and amongst an externally identified Halfbreed population, which was separate and apart from the First Nation population as well as the non-Aboriginal population in the area. The Root Ancestor was enumerated as a fisherman in 1851 in Owen Sound. At this time, he was living in the household of fisherman Charles De LaRonde, who was a trader. Charles De LaRonde was also a witness to the marriage of John Corbiere and Marie Madelaine Nolin, the Métis Root Ancestors of the Corbiere-Nolin Verified Métis Family Line (FL4020). The Root Ancestor was recorded on Census records as a fisherman in Owen Sound from 1861 to 1901, always living in close proximity to other fishermen.

The Historic Records document that the Root Ancestor and his family lived in "French Village," near Owen Sound. "French Village" was considered the same place as "Squaw Point." Squaw Point was described, in 1848, in the following manner by a travelling Anglican cleric: "Squaw Point, where a light-house is to be erected, you begin to see the houses of sundry French Canadian half-breeds, who have squatted on or near the military reserve, and who chiefly live by fishing and maple sugar making."

This quotation supports the reasonable inference that the Root Ancestor, as a part of the "French Canadian half-breeds" living at French Village/Squaw Point, was Métis. A daughter of the Root Ancestor, Margaret Coture, was enumerated in Owen Sound in 1871, 1881 and 1911. She died in 1926 in Owen Sound. Four of the Root Ancestors sons were recorded in Owen Sound in various combinations of the 1881, 1891, 1901, 1911, and 1921 Censuses, and were all identified as fisherman. Three of these sons were recorded to have children, born in Owen Sound between 1881 and 1920. The family demonstrates and overwhelming and sustained presence—both before and after Effective Control—as a part of the "French Canadian half-breeds" living at French Village/Squaw Point who made their living through fishing.³⁵²

We disagree with the MNO's assertion that Joseph Coture was Métis. Significant context and data are missing from this summary. Joseph Couture (Cotor) was enumerated in the 1851 census living at Owen Sound. Inspection of the manuscript census indicates he was born somewhere in Canada West around 1828. He was 23 years old at the time of the census, living in the household of Charles de La Ronde (38) and his wife Catherine de la Ronde (36) and three other individuals, a Joesette Loup (12) whose occupation is listed as fisherman, an Alex Poron, age 3, Joseph

352 Métis Nation of Ontario, Verified Family Line Assessment Document, Coture-Jones Family Line (FL7017), 2.

Restool (18), also listed as a fisherman. The enumerator also identified everyone in the household as French. Although Couture would remain in the Owen Sound area for the rest of his life, there is no indication he had any Indigenous connection to SON territory, to the fur trade or ever identified as Métis. Indeed, the research report on the MNO family lines submitted to the Robinson Huron Waaeiindamaagewin finds that the Couture-Jones family was enumerated in 12 instances as being European, and in no cases enumerated as Métis or First Nations.³⁵³ The MNO concludes that Couture must be Métis because of where and with whom he was living. However, it is just a likely or even more reasonable, since Couture was both young and a recent arrival to the Owen Sound area, that he would have chosen to take lodging with people who spoke his language. This French-Canadian man who could have easily been born into one of the French speaking settlements along the Ottawa River or in eastern Ontario.

As the Robinson Huron Waaeiindamaagewin report notes, “Couture was also consistently identified as “French” in four subsequent censuses (1871, 1881, 1891, and 1901) and as “white” in his 1909 death Record.” Owen Sound’s directory of 1892 shows that Joseph Couture and his son Frank were still living at the site of the old French settlement and were both listed as fisherman.³⁵⁴ However, their neighbours had changed. No longer was this a “French settlement.”³⁵⁵ Several other fisherman and a farmer were squatting on the North Ordinance Reserve, farther out than Couture’s location. Others, clearly working class labourers and farmers, were living on the “Bay Shore Range” Park Lot No. 22 of Crown Land located to even further out of town, (the Bay Shore Range is visible on Rankin’s 1847 plan of Owen Sound above). None of the evidence provided in the MNO documentation suggests that Couture identified as “Métis.” By 1871, the Payette and Desjardin family members discussed above were already integrating into the colonial settler society, and the obituary for Joseph Couture likewise suggests that his descendants did not consider themselves as part of a distinct community of mixed-race heritage.

353 An Exploratory Study of Métis Nation of Ontario’s “Historic Métis Communities” in Robinson -Huron Treaty Territory, Submitted to Robinson Huron Waawiindamaagewin, March 14, 2023. Table 2, section 3.1.

354 *Rutherford’s Directory of the Town of Owen Sound: 1892*, (Owen Sound, Ontario: Art. M. Rutherford, 1892), 35.

355 Such as John Hall, a labourer, “squatter on Pleasure Grounds,” 35.

An article on his death in 1909 appeared in the *Owen Sound Sun Times*. The author noted “Very little is known about Couture’s history...However, inhabitants of this town, who by the way, were not here earlier than 1842, refer to him as an early settler, and he was probably one of the original inhabitants of what was known as the French village, a hamlet which was strung along the shore of the bay, from where the Imperial Cement works now stand and the Carney mills. But the older ones of this settlement have long since passed away, and what few remain are of the second, third and fourth generations, and apparently know little or nothing about Couture’s antecedents.”³⁵⁶ His obituary did claim that his mother was a “squaw” but this may have been conjecture as Couture was an Owen Sound French-speaking “old-timer” who had spent his entire life living at a place called “Squaw Point.” What of the remaining VMFL with a history in SON territory?

Jones-Blette dit Sorrelle

The Indigenous ancestry of the Jones-Blette dit Sorelle family is also questionable. Thomas Jones was born in Canada West in 1803 and was in Penetanguishine by 1840 as he signed the 1840 petition asking for half-breeds to receive presents from the Crown. He and his wife Mary Blette dit Sorelle had 11 children (Francis, Mary, John, Charles, Charlotte, Esther, Angelica, Joseph, James, Rosemira, and William) between 1833-1848.³⁵⁷ However, this family appears to have moved Owen Sound even later than the others. The earliest record is of Thomas and Mary’s son marrying in Owen Sound in 1862, more than two decades after effective European control. Others married in Owen Sound in the 1870s.

The MNO provides the following explanation of this family’s connection to historic SON territory at Owen Sound:

"The Jones-Blette dit Sorelle was also repeatedly documented in Owen Sound over multiple generations, where they worked primarily as fishermen. A son of the Métis root ancestor, John married in Owen Sound in 1877 and died there in 1891. Another son of the Métis root ancestor, Charles, married in Owen Sound in 1877 and died there in 1891. Another son of the [MRA] Charles, also married in Owen Sound in 1862, worked as a fishermen in Owen Sound and died there in 1904. His brother, William, also worked as a fisherman in Owen Sound, and died there in

³⁵⁶ Owen Sounds Sun Times. Owen Sound Sun Times, September 12, 1909, Article on death of Joe Couture: cited in McArthur

³⁵⁷ Métis Nation of Ontario, Verified Family Line Assessment Document, Jones-Blette dit Sorrelle Family Line (FL7034), 1-3.

1919. John Jones, a grandson of the [MRA], was born in Owen Sound in 1888. A great-grand daughter of the [MRA] Ida Florence Coture, was born in 1881 in Owen Sound and married there in 1898. She died in Owen Sound in 1900."³⁵⁸

The Owen Sound Directory of 1892 indicates that a Charles Jones was indeed living on the North Ordinance Reserve (Crown lands) and was working as a fisherman as was his brother William who was living a little closer to town but still near the old French settlement on Bay Street. William Jones lived near Peter Desjardins, above. It is very likely that Charles and William were French-speaking. Their mother, Mary Blette dit Sorelle, was likely related to Pierre Blette dit Sorelle who came from Drummond Island to Penetanguishene, although information about Mary is limited in the MNO VMFL report. Pierre apparently died in Owen Sound. By 1892, no one named Blette dit Sorelle, Blette or Sorelle was still in the town.

The research report on the MNO family lines submitted to the Robinson Huron Waaeiindamaagewin finds that in the case of the Jones-Blette dit Sorrelle family was enumerated in 108 instances as being European, and in no cases enumerated as Métis or First Nations.³⁵⁹ Additionally, the first documented instance of any member of this family being in the Owen Sound area that the MNO presents is 1862, which is decades past the 1836 Treaty that established Crown control in the area, as discussed above.

Section A Conclusion

Our findings confirm what Gwen Reimer and Jen-Phillipe Chartrand reported to the Ontario Ministry of Natural Resources in 2000, that: “There is an almost complete lack of historical data regarding the development of a population of mixed Aboriginal and European descent in the Owen Sound area...There is a mention of voyageurs from Penetanguishene having moved to the Owen Sound are, but no indication that any community of Métis developed as a result. Data which were collected suggest that individuals of mixed descent either joined the Saugeen or Cape Croker Bands, or identified with the local European settler populations which

358 Métis Nation of Ontario, Verified Family Line Assessment Document, Jones-Blette dit Sorrelle Family Line (FL7034), 2.

³⁵⁹ An Exploratory Study of Métis Nation of Ontario’s “Historic Métis Communities” in Robinson -Huron Treaty Territory, Submitted to Robinson Huron Waawiindamaagewin, March 14, 2023. Table 2, section 3.1.

began to arrive in the 1840s.”³⁶⁰ We concur with their findings. In each of these four cases, the arrival in Owen Sound occurred after effective European control was achieved by 1840. There do seem to be some family and occupational ties between certain families, but of the sort of intergenerational occupational ties that are common in settler families too.

Reimer and Chartrand also find that the extent of connection to the voyageur community was that half a dozen individuals are reported to have died at Owen Sound. As of 2000, when they wrote their report, they also noted none of the organizations representing Métis in Ontario had local offices or councils in the Owen Sound area..³⁶¹ Far from being disposed by the settler colonial state, these families appeared to have benefited from the transformation of land into property. Even Jones, who continues to live on Crown land, wasn’t chased off or bothered as he squatted on Crown land. David Payette, the only one of his siblings to continue fishing, married into a Scottish family and moved in to a Scottish community, in Sarawak township, the first group of settlers after Nawash was forced to cede their last land at Owen Sound in 1857. It is really hard to see how this individuals could have formed such a distinct Métis community at Owen Sound such that their descendants would be entitled to exercise a Section 35 right in SON’s historic territory.

B. Assessing Genealogical Claims made by HSM in SON territory

As stated above, the HSM have not been recognized by the MNO as a distinct Métis community, despite their assertion of that fact. In addition to their website, they have produced two books detailing their history and the genealogical evidence that they say supports the conclusion that they formed a distinct Métis community in SON territory: the *Historic Saugeen Métis: A Heritage Atlas* (2013) and *Historic Saugeen and It’s Métis Peoples* (2005).³⁶² Patsy Lou

³⁶⁰ Historic Métis in Ontario: Georgian Bay. By Gwen Reimer and Jen-Phillippe Chartrand for PRAXIS Research Associates, Submitted to Valerie J. Stankiewicz, Native Affairs Unit, Ontario Minister of Natural Resources, April 14, 2000): 130.

³⁶¹ Historic Métis in Ontario: Georgian Bay. By Gwen Reimer and Jen-Phillippe Chartrand for PRAXIS Research Associates, Submitted to Valerie J. Stankiewicz, Native Affairs Unit, Ontario Minister of Natural Resources, April 14, 2000.): 146.

³⁶² The latter book was published by HSM under its previous name, the Saguingue Métis Council. Patsy Lou Wilson McArthur, ed. *Historic Saugeen and its Métis People* (Belleville, Ontario: Epic Press for the Saguingue Métis

Wilson McArthur is the primary genealogist who has researched the history of the fur trade in SON territory at Goderich and Southampton, and the mixed-race descendants of these early trading families. David McNab is a professor in the Faculty of Liberal Arts and Professional Studies at York University and is also heavily involved in the writing of HSM materials in these publications. The Historic Saugeen Métis present this history as if there were a longstanding presence of a distinct Métis community in SON territory. They name over fifty families that they consider to be a part of the Historic Saugeen Métis historical community.³⁶³ But their criteria for inclusion is a broad one indeed – any individual or family that was in SON territory for even one winter of work in the fur trade is included in this “community.”

These claims to community can be assessed by looking at the families claimed by HSM through different historical periods and activities. Dr. Murdoch reviewed the materials produced by HSM and grouped these families by historical period, as well as topically (e.g. Families who were never present in SON territory). Doing so reveals two things. First, nearly every trader who were present in SON territory prior to effective control did not remain in the area. They were there for work in the fur trade (for instance, working for the HBC post at Saguingue/Saugeen or supported by Dr. David Mitchell of Mackinac). After their contracts were complete they moved elsewhere. Secondly, this analysis demonstrates a wider pattern of movement and migration of the families named by the HSM out of SON territory in later periods as well. Of all of the families named families in the Heritage Atlas, we find only six that remain in the area over many generations. What HSM materials do demonstrate is that while there were families that were of mixed descent (primarily fur traders with wives from the North West and of Cree, Saulteaux or Ojibwe descent), some of whom intermarried with each other, there was only a very small group of these families who remained in SON territory, particularly in the Southampton area. If we take the Powley’s emphasis on requiring the presence of a multi-generational community present in a region before effective European control, the few families who form longstanding connections to SON territory do not meet this requirement

Council, 2005), Patsy Lou Wilson McArthur, David T. McNab and Paul-Emile McNab, eds. *Historic Saugeen Métis: A Heritage Atlas* (Belleville, Ontario: Essence Publishing for the Saugeen Métis Council, 2013).

³⁶³ Patsy Lou Wilson McArthur, David T. McNab and Paul-Emile McNab, eds. *Historic Saugeen Métis: A Heritage Atlas* (Belleville, Ontario: Essence Publishing for the Saugeen Métis Council, 2013): 15.

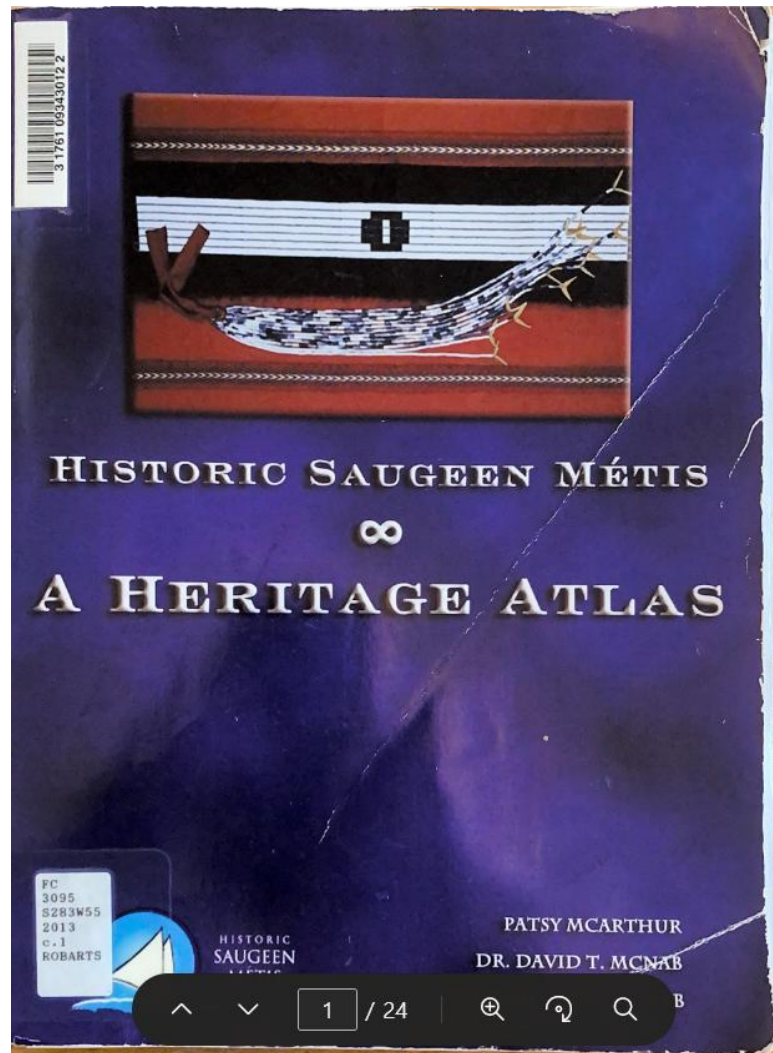


Figure 11: Cover, HSM's Heritage Atlas showing a replica of the "Piché wampum" strings and a replica "dish" wampum belt

In terms of the question of "effective control" by the Crown, it is helpful here to review the dates we find to be the basis for effective European control in SON territory. HSM focuses on the Southampton and Goderich area as the core of their "historic community" in the *Historic Saugeen Métis: A Heritage Atlas* and on their website.³⁶⁴ As discussed above in our assessment of when effective European control occurred in these areas, for Goderich this would have occurred with the signing of the Huron Tract treaty in 1827 and subsequent survey, and for Southampton, SON signed treaty 45 ½ in 1836, which the Crown used as the basis for transferring the lands

³⁶⁴ <https://saugeenMétis.com/about/upper-detroit-to-historic-saugeen/>.

south of the Saugeen River to Crown control. Therefore, many of the families who are included in HSM materials would not qualify as forming a community before effective European control, as they arrived in SON territory after this point or were closely integrated into the first wave of European settlement at Goderich and Southampton. They did not form a multi-generational community prior to the advancement of European settlement. The first generation of families of mixed-descent born in SON territory were born around the 1830s.

Certain traders included in HSM materials were of mixed descent themselves, and were born to fur trading father and Indigenous mothers in the Northwest. This connection to Indigeneity elsewhere does not mean that they would have rights as Indigenous peoples in SON territory. The existence of a multi-generational mixed ancestry community that emerged locally prior to European settlement did not happen on the eastern shores of Lake Huron. Additionally, there is no evidence at all that the families identified by the HSM ever formed a polity in the area. They were never recognized by either SON or the Crown as a group with separate political interests aside from those of settlers. Finally, of the families who remain in SON territory, there is a pattern of intermarriage with settler families after a generation or two (as we also saw with the families at Owen Sound), rather than with Indigenous or other families named as “Métis” in HSM materials.

The following is an account of claims made by the HSM regarding the existence of an historic Métis presence in SON territory structured chronologically and topically. In each section, we discuss why we do not see a “distinct Métis community” forming in SON territory based on the criteria outlined above for both effective European control and for criteria we would expect to see if a distinct Métis community was present on SON territory. The sections below are structured as follows:

Before Effective European Control:

- Métis Presence in SON territory Prior to 1818
- Pierre Piché and early traders supported by David Mitchell at Saugeen River (1818-1837)
- The Hudson’s Bay Company Post at Saguingue (1826-1832)

After Effective Control:

- Early Traders in the Goderich Area
- Retirees from the Hudson's Bay Company (ca. 1840)
- Families who stayed in SON territory

Other Families claimed by HSM that do not meet criteria for forming a "Distinct Métis Community" in SON territory:

- Uncertain or Non-existent claims to Mixed Ancestry
- Families connected to Reserve Communities
- Families cited by the HSM who never lived in SON territory
- Families who leave SON territory

Information on families claimed to be part of a Métis community in SON territory are also included in Appendix B in tabular form.

Before Effective European Control

"Métis" Presence in SON territory Prior to 1818

HSM argue that their distinct community dates to before 1818 (the date when Pierre Piché, the first documented trader in the area arrives). However, these early claims to the presence of Métis in the area rely only on conjecture. For instance, David McNab and Paul-Emile McNab in *Historic Saugeen Métis: A Heritage Atlas* claim that:

"the Three Fires Confederacy and the Historic Saugeen Métis continued to reside in the Saugeen territory in the early 17th century. The fur trade increasingly became a significant adjunct to the Indigenous economy in the Great Lakes. This change did not alter the sovereignty of First Nations. The same was true for the Historic Saugeen Métis Nation, who continued to reside in their territory."³⁶⁵

The McNabs also claims that going back to "the 17th century, the Historic Métis of Saugeen also provided the backbone of this Montreal/Detroit trade as voyageurs, guides, and independent

³⁶⁵ Patsy McArthur, David McNab and Paul-Emile McNab, *Historic Saugeen Métis: A Heritage Atlas* (Belleville, Ontario: Essence Publishing) 24. By "Three Fires Confederacy" McNab is referring to the SON Anishinaabek.

traders.”³⁶⁶ However, the historical materials presented by the HSM provide no evidence to support this claim that there was a Métis community at Saugeen during this time. And as we discussed earlier in this report, the French community at Detroit was just that, French. Intermarriage with Indigenous peoples was rare.³⁶⁷ The earliest documented trader who arrives in the area was Pierre Piché, arriving in 1818.

Claims to a distinct Métis community on SON territory during the 17th and 18th century are unsubstantiated and historically inaccurate. There was a small Jesuit mission at Michilimackinac as of 1671, not noted for obvious reasons as the foundation of a mixed-ancestry community, and a small military outpost established in 1690. The French founded Detroit in 1701 and put a new stockade up on the south shore of the straight between Lakes Michigan and Huron in 1715. Small mixed communities sprung up in these locations because of the presence of the forts, and were confined to the areas around them.³⁶⁸ This was still overwhelming an Indigenous place, and the French conformed to Great Lakes inter-societal law in order to be able to operate in this space.³⁶⁹

The McNabs explains the lack of evidence for Métis people in SON territory in this earlier period on the disinterest of French and British Imperial officials. McNab writes “The French explorers and traders of the 17th century did not record that there were families, communities, and settlements at the mouths of the Red River (later Goderich or the Saugeen River), as they had with the communities of Detroit or Makinac. In the French and British imperial perspectives, these places and their Métis families were not significant to record on their maps or in their writings.”³⁷⁰ This is simply not true. France’s imperial ambitions in this period was dependant upon their relations with Indigenous nations³⁷¹. Mixed-ancestry people who were

³⁶⁶ McArthur, *Heritage Atlas*, 24.

³⁶⁷ Teasdale, “Old Friends and New Foes,” 35-36.

³⁶⁸ See Jacqueline Peterson’s discussion of mixed-ancestry families in Jacqueline Peterson, Peter Foote, and Jennifer S. H. Brown, *The New Peoples: Being and Becoming Métis in North America*, Manitoba Studies in Native History (Winnipeg, CA: University of Manitoba Press, 1985).

³⁶⁹ See for example, Gilles Havard, *The Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century* (Montreal: McGill-Queen’s University Press, 2001).

³⁷⁰ McArthur, *Heritage Atlas*, 24.

³⁷¹ Richard White, *The Middle Ground: Indians, Empires, and Republics in the Great Lakes Region, 1650-1815*, 20th anniversary ed, Studies in North American Indian History (Cambridge: Cambridge University Press, 2011);

bicultural and bilingual were crucial to their success. Officials not only enumerated French subjects but Indigenous allies, especially those who could be counted on to fight in wars against the English, and missionaries documented communities of potential converts but also any French Catholics considered to have lapsed.³⁷²

However, the fact of the matter is that SON territory was not on the main fur trade route from Montreal up the Ottawa River to the north shore of Lake Huron and Sault Ste. Marie and furthermore, SON members would have had opportunities to trade with the French at Detroit and at Sault Ste. Marie when they visited these forts to renew alliance relationships. It is possible that there were some traders who came into SON territory, but they would have been there at the invitation of SON. This transitory presence would not establish these traders as “Indigenous” to the area.

The McNabs then point to the period after the fall of Quebec in 1760 and the establishment of British control of forts in Lake Huron as a time when “Métis communities” in SON territory were “emerging,” with:

the voyageurs, independent traders, and, later, ‘factors’ required to establish trading posts throughout Lake Huron and beyond. These smaller commercial trading towns, villages and hamlets, sometimes known as ‘jack-knife posts,’ were small outlets where one trader of a few trading families directed activities—consisting of small networks of brothers, cousins, fathers and sons and their Métis families.³⁷³

The McNabs are extrapolating here from what occurred at known, established posts, and as discussed below this was during a later historical period in SON territory after 1818. The following are also descriptions of what David McNab labels the “Formation of the Métis Community on Lake Huron,” although there are no dates included in his two descriptions of these communities:

The Métis had come up the river in canoes from the lower Detroit region with their wives and families for the purposes of forming a settlement. [*Note: he does not say*

Michael J. Witgen, *An Infinity of Nations: How the Native New World Shaped Early North America*, 1st ed, Early American Studies (Philadelphia: University of Pennsylvania Press, 2012); Michael A. McDonnell, *Masters of Empire: Great Lakes Indians and the Making of America*, First edition (New York: Hill and Wang, a division of Farrar, Straus and Giroux, 2015).

³⁷² Dénombrement des nations sauvages, 1736, Archives nationales de France (ANF), fondes des colonies, Série C11A, vol. 66, fol. 236–256v. For Jesuit concerns about lapsed Catholics see the 71 volumes of the *Jesuit Relations*.

³⁷³ McArthur, *Heritage Atlas*, 27.

when or to where] They had first lived among the Anishinaabe at Black River (now in the USA), a river that emptied into the St. Clair River near its mouth and ran parallel to Lake Huron northward. Before long two communities developed on either side of the Black River, on one side the Anishinaabe communities and on the other side a community of mainly French and then mixed-blood families. This community would serve as a staging point for the establishment of jack-knife posts along the eastern shore of Lake Huron. It was from such a Métis regional network trade- south from Mackinac, and north from Detroit—that the HSM community emerged.³⁷⁴

And:

This independent Métis trade grew outward into network regions and the continual creation of new trading hamlets stretching from the upper region of Detroit river system to the north shore of Lake Huron, near the Killarney area. This network of outposts, which included wintering sites and trading posts, allowed the Métis communities to develop a region cohesion and to maintain significant trade and family kinship connections throughout their territory.³⁷⁵

The McNabs' claims are particularly striking in that he is asserting that there was a regular fur trade route running along the eastern shore of Lake Huron between Michilimackinac and Detroit that was established after the Seven Years War. There was not. The main fur trade route was down the north channel of Manitoulin Island to Lake Nipissing and the Ottawa River. Ship and canoes travelling north and south between Detroit and Michilimackinac on Lake Huron preferred the western side of the lake, with its harbours and safer conditions.³⁷⁶ The route from Tobermory south past Saugeen was noted on Gother Mann's 1788 map as particularly hazardous. "The whole Coast of this great projecting Point being a steep Rock Cliff without any Camp Ground or Landing Place, is exceedingly dangerous for Boats or Canoes to go round and is therefore rarely attempted. Of those who have ventured several have perished."³⁷⁷ Furthermore, Mann marked the south-eastern side of the Lake Huron coast as not having any safe harbour. Besides cliffs, there were only three rivers entering the lake, and Mann commented that they were not to be "depended upon even as a Harbour for canoes, the entrance being generally shut in Westerly winds." Bayfield's 1822 naval survey shows the clear difference in coasts, which the western

³⁷⁴ McArthur, *Heritage Atlas*, 32.

³⁷⁵ McArthur, *Heritage Atlas*, 32.

³⁷⁶ Recall that in 1822 the coast line Lake Huron was surveyed in its entirety W. Bayfield, *Lake Huron*, 1822, Natural Resources Canada, F4195 CLSR ON. Also available online at the University of Wisconsin library: <https://collections.lib.uwm.edu/digital/collection/agdm/id/1010>.

³⁷⁷ Gother Mann, "Sketch of Lake Huron," 1788, LAC, National Map Collection 18558, H2/410/Huron/1788.

shore having a number of beaches where notations indicate that it is possible to pull a boat ashore.³⁷⁸

The only limited evidence presented by the HSM of any traders present in SON territory prior to Piché arriving sometime around 1815-18 is the following account of a vessel owned by John Askin that foundered at the Saugeen River in 1798. The McNabs state that “Historic Saugeen’s earliest written record of possible trading activity dates back at least to 1798, when a Detroit boat, the Weasel” owned by John Askin Sr. is documented as foundering at the mouth of the Saugeen River.³⁷⁹ The McNab’s words are a near direct copy from Askin’s entry in the Dictionary of Canadian Biography.³⁸⁰ Missing from their writing, though, are two other important pieces of information. By the 1790s, the entire Great Lakes fur trade was producing very little and Askin was primarily a Anglo-Irish merchant based out of the Detroit/Windsor area supplying garrisons. Askin was on the District Land Board for Essex.

McNab then recounts how Pierre Jean Marie Beaubien (1763-1841) of Detroit was likely to be the “Jn. Marice Bobien” mentioned at Saugeen about 1800-1805 who finds the anchor of Askin’s Weazel.³⁸¹ In the HSM materials, this episode is used to speculate that traders from Michilimackinac or Detroit could have been in the area at this time.³⁸² How this connects to a distinct Métis community is never explained. Bobien was most likely French and he certainly did not settle on SON territory. Bobien/Beaubien made nine claims for land in 1808 in Michigan.³⁸³ Beaubien’s Métis connection (not ancestry) as presented in the HSM materials is that his *nephew* purportedly married a Métis woman, although with no connection to SON territory and no evidence that they lived in Upper Canada at all³⁸⁴ Askin and Beaubien were European traders.

³⁷⁸ H. W. Bayfield, *Lake Huron, Sheet III*.

³⁷⁹ McArthur, *Heritage Atlas*, 41. See also *Heritage Atlas*, 93: “From 1788 when private vessels were allowed on the Great Lakes, trader John Askin had a shipping business, and beginning in 1793 Askin’s vessels were contracted to supply corn and flour about the lakes to the NWC.”

³⁸⁰ David R. Farrell, “ASKIN, JOHN,” in *Dictionary of Canadian Biography*, vol. 5, University of Toronto/Université Laval, 2003–, accessed June 20, 2024, http://www.biographi.ca/en/bio/askin_john_5E.html.

³⁸¹ McArthur, *Heritage Atlas*, 93.

³⁸² McArthur, *Heritage Atlas*, 93.

³⁸³ *Heritage Atlas*, 93.

³⁸⁴ *Heritage Atlas*, 93.

None of the claims that the McNabs make in this section of their Atlas are even remotely credible.

Pierre Piché and early traders supported by David Mitchell at Saugeen River (1818-1837)

Pierre Piché was the first trader who became established at the mouth of the Saugeen River, arriving anywhere between 1815-1818³⁸⁵ after the war of 1812. At this point Upper Canada had a population of around 95,000 settlers, with settlement well established all along Lakes Ontario and Erie. By this time, allied Anishinaabe council fires had ceded nearly all the land along Lakes Ontario and Erie, as well as the lands around Penetanguishene, and the government was building new roads to connect communities. Piché features heavily in HSM materials as the original bearer of the “Piché wampum” described in detail in its own section of in this report below. Piché was an “independent” trader (ie. he did not work for the Northwest or Hudson Bay companies at the time, although he previously had worked for North West Company).³⁸⁶ However, his “independent” status did not mean that he worked for himself. He was an employee of Dr. David Mitchell, a surgeon from Scotland based out of Mackinac. Mitchell had married Elizabeth Bertrand, described in HSM materials as a “Métis woman” at Mackinac Island. Mitchell also became involved in the Great Lakes trade and stayed on at Macinac Island after the withdrawal of the British regiment in 1796. He remained until 1815 when the island was ceded to the US and he then moved to Drummond Island.³⁸⁷

After Piché left this post on the Saugeen River in 1827, he was replaced by a succession of other traders, all supported by Dr. David Mitchell. They were Achille Cadotte, Regis Loranger, Henry Sayer, and Joseph Normandin. Josphe Longe Sr. is also a trader listed as working for Dr. David Mitchell “in the later 1820s”³⁸⁸ **None of the traders employed by David Mitchell remained in SON territory after their employment, with the exception of Joseph**

³⁸⁵ In the HSM materials, there are different dates listed for Piché’s arrival in SON territory but they align with these dates.

³⁸⁶ McArthur, *Heritage Atlas*, 38.

³⁸⁷ McArthur, *Heritage Atlas*, 181-182.

³⁸⁸ McArthur, *Heritage Atlas*, 159.

Longe (discussed below in the “Families who stay in SON territory” section). As such, we do not see a “distinct Métis community” developing in SON territory from the end of the War of 1812 to 1830 in relation to these traders. These traders were in SON territory for work, not to establish a permanent place to live with their families.

Pierre Piché (1787-1837) was born in Quebec of French-Canadian parents. He married Monique Deslauniers at Detroit. Deslauniers was the daughter of Louis Desaulniers a fur trader and Marie Charlotte Bourassa, (a woman described simply as “Métis” without further explanation or citation in HSM materials), who had extensive kin networks in trade on both side of her family.³⁸⁹ Piché traded at Saugeen between 1815 (at the earliest) and 1827. He moves away from the region after this latter date and died in the Detroit River area.³⁹⁰ He also formed a relationship with a woman from the Chippewas of Saugeen, but no children were born of this relationship.³⁹¹

In the case of Achille Cadot (1814-1867), his presence in SON territory is not longstanding or well documented. He was enumerated at Sault Ste. Marie in 1839 and Wisconsin in 1840.³⁹² His daughter was baptized at St. Peters (Goderich) in April, 1844.³⁹³ He died at Mackinac in 1867.³⁹⁴ In the *Heritage Atlas*, McArthur writes that Cadot is “believed” to be descended from Jean Baptiste Cadotte (his grandfather) and a Nipissing woman Athanasie (Anastasie) but the source of this claim is not substantiated in the HSM materials.³⁹⁵

Another trader posted to Saugeen as Regis Loranger Dit Rivard (1807-1887), also from Quebec. He worked for both Dr. Mitchel and the HBC. Rivard wintered at Saugeen in 1832-1833. Rivard married Marie-Adelaide de Lamorandiere (daughter of Etienne Stephen de

³⁸⁹ McArthur, *Heritage Atlas*, 187.

³⁹⁰ McArthur, *Heritage Atlas*, 182.

³⁹¹ Ontario, *Annual Archaeological Report* (s.n.], 1905, 48.

³⁹² McArthur, *Heritage Atlas*, 114.

³⁹³ McArthur, *Heritage Atlas*, 114.

³⁹⁴ McArthur, *Heritage Atlas*, 114.

³⁹⁵ McArthur, *Heritage Atlas*, 114. Cadotte was an important figure in the fur trade and Great Lakes history. David A. Armour, “CADOT, JEAN-BAPTISTE,” in *Dictionary of Canadian Biography*, vol. 5, University of Toronto/Université Laval, 2003–, accessed June 20, 2024, http://www.biographi.ca/en/bio/cadot_jean_baptiste_5E.html.

Lamorandiere of Montreal and Josette Sai-Sai-Go-No-Kwee “Falling Snow” from Odawa villagea, Kalamazoo Michigan)³⁹⁶. He and his family left Saugeen in 1837 for Penetanguishene and Killarney. The family eventually relocated to Ontonagon, Michigan.³⁹⁷

In the case of Edward Sayer, he was born in the Northwest was possibly the son of Henry Sayer and Obemauunaqua, Lake Superior Chippewa woman. The *Heritage Atlas* suggests he relocated to the Mississauga area on Lake Huron after 1871.³⁹⁸ In the case of Joseph Normandin, he was another trader from Quebec, who married Marguerite Solomon, a “Métis woman” according to the *Heritage Atlas*.³⁹⁹ Normandin works for Mitchell in Saugeen in the 1820s, before relocating and settling in Killarney.⁴⁰⁰

To summarize, while HSM puts forward these traders as part of a distinct Métis community, the early traders in SON territory who were supported by Dr. David Mitchell of Mackinac/Drummond Island could not have formed such a community. In each case they remained only briefly at the post at Saugeen and did not remain in SON territory afterwards. The sole exception to this was Joseph Longe Sr., whose family is discussed below. These traders were stationed in SON territory for their employment through Dr. David Mitchell, and were stationed there individually rather than in a community group. These individuals and their families moved to Detroit, Mackinac, Ontonagan and Killarney after their period of employment in SON territory.

The Hudson’s Bay Company Post at Saguingue (1826-1832)

After their merger with the North West Company in 1821, the Hudson’s Bay Company created a trading district for Lake Huron. The main post was at Lacloche, on the North shore of Lake Huron, and there were several outposts in the region, including one on the Saugeen River,

³⁹⁶ McArthur, *Heritage Atlas*, 122-123.

³⁹⁷ McArthur, *Heritage Atlas*, 171.

³⁹⁸ McArthur, *Heritage Atlas*, 199.

³⁹⁹ “Before 1825, Joseph Normandin married Marguerite Solomon, a Sault Ste. Marie Métis woman, daughter of Indian Department interpreter William Solomon and Marguerite Johnson, a Métis woman.” McArthur, *Heritage Atlas*, 185.

⁴⁰⁰ McArthur, *Heritage Atlas*, 185 and 202.

called “Saguingue” at the time.⁴⁰¹ Patsy McArthur has reviewed the records of the district headquarters (at Lacloche) but the outpost records, including for the post at Saugeen, are no longer in existence.⁴⁰² This trading post was not a permanent settlement; the traders would arrive in late August and leave in the spring. Due to this, and because any traders who are known to have been at the post did not settle in the area after their employment, we do not consider that this history of the HBC post at Saguingue represents an establishment of a “distinct Métis Community” in SON territory.

The Saguingue outpost operated from (at least) 1826 until 1832, a period of six years.⁴⁰³ During these years, from the Headquarters at Lacloche, an “outfit” of men would be sent to Saguingue in August and they would remain at the post until the spring when they would return to Lacloche with the returns of the trade,⁴⁰⁴ which would have included any furs acquired over the winter from SON and surplus maple sugar for sale. The post masters for Saguingue were Alexander William McKay and Mansfield Wallace. They did not remain the area and only McKay is described as having mixed ancestry.⁴⁰⁵ Alexander William McKay, according to HSM materials, was described by HBC Governor Simpson as “a half breed of the Chippewa nation;” after his tenure at Saugeen he was moved to the post at Whitefish River and traded for a time in the 1840s for the Goodings of Goderich (discussed below).⁴⁰⁶ McKay and his family eventually move to Sault Ste. Marie.⁴⁰⁷ The other traders present at Saguingue are only known for one winter, the year of 1828-29 because not all records from this post survived. These are Louis Chevette, Peter McFarlane, and Michel Frechette.⁴⁰⁸ None of these traders remain in the area

401 Historic Saugeen and Its Métis People, Ed. Patsy Lou Wilson McArthur (Belleville, Ontario, Epic Press for the Saguingue Métis Council: 2005): 54. Hereafter “HSMP” in footnotes. Other posts include Mississauga, Green Lake, Lacloche, Whitefish Lake, Nipissing, French River, Isle Aux Sables, and Shawanaga.

402 HSMP, “Saguingue, Hudson’s Bay Post ‘Across the Lake’” by Patsy McArthur, p. 56

403 HSMP, “Lake Huron in the 18th and 19th Centuries” by Patsy McArthur, p. 55

404 HSMP, *ibid.* 54

405 HSMP, p. 59, McArthur, *Heritage Atlas*, 206. Wallace is included in the Heritage Atlas, but there is no mention of him having mixed ancestry. McArthur, *Heritage Atlas*, 207.

406 Heritage Atlas, 179-180.

407 *Ibid.*

408 HSMP, p. 59.

after their contract ended and they relocate to Simcoe County, and Sault Ste. Marie, Michigan.⁴⁰⁹

Details of these individuals are included in Appendix B, table “Families who Leave SON territory.”

McArthur notes that the only person working in the Lake Huron District who eventually settled at Saugeingue (Saugeen) was Augustin Gonneville (perhaps stationed at Saugeingue in 1828).⁴¹⁰ The Gonneville/Grandville family is discussed further below as one of the five families with longer-standing connections to SON territory.

Because all these traders (with the sole exception of Augustin Gonneville) had such transitory connections to the Saugeen post, it does not seem plausible that a distinct Métis community existed at Saugeen by 1832, when the post closes. Similar to the independent traders supported by Dr. David Mitchell discussed above, the traders associated with the HBC post were stationed in SON territory for short stints of work, and did not establish a community of people who remained in SON territory.

After Effective European Control:

Other Early Traders in the Goderich Area

The HSM materials also point to the presence of traders in SON territory who competed with the HBC during the time that the Saugeingue post operated. These traders were largely based out of the Goderich area, which was first surveyed after the treaty in 1827. These traders are described as being previously employed by the North West Company and after the merger between the HBC and the NWC in 1821 end up relocating to the Goderich area. Many worked as traders for the W.F. and J. K. Gooding Merchants and Ship-owners firm of Goderich. The firm was owned by Jasper K. Gooding (1808-1869) and William Fisher Gooding (1799-1844), brothers from New York who first came to the area in 1820s, outfitted traders and sent outfits to Saugeen and Lake Huron’s north shore.⁴¹¹ According to McArthur, William Gooding (himself a

409 HSMP, p. 59.

410 HSMP, p. 59-60.

411 McArthur, *Heritage Atlas*, 132.

non-Indigenous merchant deeply tied to the settler economy) hired Frank Deschamps of Port Huron, Michigan to guide him to the Mennechetung (later Maitland) River.⁴¹²

However, the arrival of the Gooding traders at what would become the town of Goderich was happening at the same time as the treaty was signed for the lands there in 1827 (known as the Huron tract), and surveying started immediately thereafter. William “Tiger” Dunlop and “renowned surveyor” Mahlon Burwell arrived to complete the first survey of the area for the Canada Company in May of 1827.⁴¹³ William Gooding and Frank Deschamps were reportedly already present when he arrived.⁴¹⁴ Dunlop had immediately established a log structure as “the first house of the town” known as ironically as “The Castle.”⁴¹⁵ Neither Dunlop nor Burwell were Indigenous; this was a commercial trading company looking to establish itself on the planned site of the new Canada Company’s land settlement operation. A crew of sixty surveyors and road workers arrived in 1828, as John Galt of the Canada Company funded the completion of a road from Guelph.⁴¹⁶ Most of the families identified in the HSM materials and discussed below arrived at Goderich after effective European control and acquired lands that were sold by this Company; they did not exist as a distinct community apart from the development of European settlement. The trading families listed here also were tied to both the settler land economy as well as the trade established by settler interests such as the Goodings, rather than forming a distinct “Indigenous” community in SON territory.

Despite these facts, early surveys and historical accounts from the nineteenth century are enlisted as evidence in HSM materials to present these traders as a “Métis” presence in the area. The HSM points to the fact that naval surveyor Henry Wolsley Bayfield noted “Indian traders” on his map at the mouth of the Mennechetung River at Goderich. By this Bayfield meant a trading

⁴¹² McArthur, *Heritage Atlas*, 132.

⁴¹³ Local historian David Yates in “Settling the Frontier of Huron,” *Huron County Focus*, February 19, 2005. Published on the website of Ontario Ancestors: The Ontario Genealogical Society Huron County Branch website, <https://huron.ogs.on.ca/pre-settlement/>. Accessed July 18 2024. See also Robina and Kathleen McFarlane Lizars, *In the Days of the Canada Company: The Story of the Settlement of the Huron Tract and a view of the social life of the period, 1825-1850* (Toronto: W. Briggs, 1896), p. 67. It is likely Yates used this work for his account.

⁴¹⁴ Robina and Kathleen McFarlane Lizars, *In the Days of the Canada Company: The Story of the Settlement of the Huron Tract and a view of the social life of the period, 1825-1850* (Toronto: W. Briggs, 1896), p. 67.

⁴¹⁵ Ibid.

⁴¹⁶ Clarence Karr, *The Canada Land Company: The Early Years, An Experiment in Colonization 1823-1843* (Ottawa: Ontario Historical Society Research Publication, 1874): 31-32.

post. This reference could possibly have been to Goodings, or to other traders from the Detroit area, especially given the context above. A significant source for the HSM is the 1896 publication by sisters Robina and Kathleen McFarlane Lizars' of the early settlement of Goderich in *In the Days of the Canada Company*. It claimed the presence of:

“... some half dozen log cabins constituted Goderich (about 1828) French and half-breeds, and the few Europeans belong to the Company, made up of the inhabitants. Louis Belmore, Frank Tranch, Frank Kneshaw, Peter Andrews, Feltie Fisher, Jasper Gooding, were some of the early names.”⁴¹⁷

Remember that Tiger Dunlop had established a residence in 1827, and these other “half dozen log cabins” were a part of the Canada Company establishment of the town. While there were individuals of mixed-descent and French men who had Indigenous wives present here, this nascent community of Goderich was part of the establishment of the Canada Company, not a separate “Métis” community. It should be noted that the Lizar sisters work was not a first-hand account: according to the archival description of their fonds at the Western University it was published in 1896, and was “Written more for entertainment than as a factual historical narrative, the book was based, in part, on researched anecdotes and reminiscences.”⁴¹⁸

A petition for a bilingual priest for Goderich in 1833 is also presented in HSM materials as evidence of a distinct community present in Goderich and possibly “the first communal action by the Métis within the environs of Saugeen.”⁴¹⁹ However, the signatories are also described by McArthur as signing as “French” alongside Irish and Scots, which supports the idea that these signatories were in fact integrated into the settler community rather than maintaining a separate social and political identity.⁴²⁰

The names included in HSM materials for this period include the following families:

- Deschamps
- Andre

⁴¹⁷ McArthur, *Heritage Atlas*, 127, Quoting Robina Lizar and Kathleen MacFarlane Lizar, *In the Days of the Canada Company* (Toronto, Montreal: W. Briggs, C. W. Coates, 1896), 91.

⁴¹⁸ Description of Fonds AFC 143, Kathleen and Robina Lizar Family Fonds, held at Western University Archives and Special Collections, available at: <https://www.archeion.ca/kathleen-and-robina-lizars-family-fonds>.

⁴¹⁹ *Heritage Atlas*, 51.

⁴²⁰ Patsy Lou Wilson McArthur, *Historic Saugeen and its Métis Peoples*, p. 73.

- Tranchemontagne
- Cameron
- Belmore/Bellhumeur
- Gonneville/Granville
- Longe/Lange

These families can be considered in three groups. First, the Cameron family became incorporated into the Saugeen First Nation and lived as part of that community. For information on the Cameron family see Appendix B, table “Families connected to Reserve Communities” and a short description below. Secondly, the Deschamps, Andre, and Tranchemontagne families remain in the area for some time, but ultimately relocate to Michigan and to Killarney. As described below, the Deschamps and Andre families were originally connected to Michigan trading families. While they traded for the Goodings, and aquired lots in Goderich and Hay townships, they ultimately return to Michigan by the 1860s and 70s. The Tranchemontagne family relocates to Killarney by 1861. For information on the Deschamps, Andre, and Tranchemontagne families see Appendix B, table “Families connected to Reserve Communities” and the short descriptions below. *Only descendants of three family lines, the Bellmore/Bellhumeur, Gonneville/Granville and Longe/Lange families have a longer history of remaining in the area and are discussed in the “Families that Stay in SON territory” section of this report.*

Francis Deschamps/Dishaw (b. Port Huron Michigan) was the guide who brought Gooding to the Mennesetung. He was also one of the signatories on a petition to have a bilingual priest sent to the Goderich area in 1834. In 1833, he bought a Canada Company lot in Goderich and in 1847 was enumerated in Hay Township (which was further south in the Huron tract and not in SON territory). He married Marie-Jeanne Dushesne (described in HSM materials as a Métis woman, daughter of Michel Dushesne and Marie Jeanne Petit of a prominent Michigan trading family the Beaulieu-Itagisse dit Chretienne family).⁴²¹ They had 9 children. When she died, he married Catharine (Ducharme) Boucher Des Roches. In HSM materials, all listed

⁴²¹ McArthur, *Heritage Atlas*, 126.

members of this family relocated to Michigan by 1870.⁴²² While Francis Deschamps lived in SON territory at Goderich, and in Hay township (again, not in SON territory) between the 1820s and 1870, due the fact that his family relocates to Michigan we would not consider this family to be a part of a continuing Métis presence in the area.

Francis Andre was a fur trader born in Manitoba (1818). It is not clear when he arrived in SON territory but likely after 1838 (which would make him 20). He married Jeanne Duschene, sister of Marie-Jeanne mentioned above (described in the HSM materials as a Métis woman, daughter of Michel Duschene and Marie Jeanne Petit of a prominent Michigan trading family the Beaulieu-Itagisse dit Chretienne family). Francis traded for the Goodings, although clear dates for this are not evident in HSM materials.⁴²³ His brother-in-law, Francis Deschamps was the Goodings main trader, and they had lots across from each other in Hay township (not in SON territory).⁴²⁴ Andre died before 1861. His widow remarried and relocated to Michigan.⁴²⁵ See also “Duchene” in the “Families that leave SON territory” table in Appendix B.⁴²⁶ The Andre family, like the Deschamps family, lived in SON territory for some time, but but eventually all members of this family listed in HSM materials also relocated, primarily to Michigan in the 1860s, with some moving to Sarnia.⁴²⁷

Francis Tranchemontagne was born in Quebec in 1784 and worked for the Northwest Company. HSM describes his wife a Marie Makingani (b. Fort William area (Thunder Bay)).⁴²⁸ He held a contract with the HBC in 1826, but was also engaged by the Goodings of Goderich in 1826. His wife Marie may very likely have been of mixed-ancestry or Anishinaabe. They were living in Goderich by 1847, after effective European control. At some point, they relocated to Killarney where they were enumerated in 1861. Most of their five children remained in the Killarney area. One granddaughter Anne returning to the Goderich area when she married the

⁴²² McArthur, *Heritage Atlas*, 126-128.

⁴²³ McArthur, *Heritage Atlas*, 87-88.

⁴²⁴ McArthur, *Heritage Atlas*, 88.

⁴²⁵ McArthur, *Heritage Atlas*, 88.

⁴²⁶ McArthur, *Heritage Atlas*, 87-89.

⁴²⁷ McArthur, *Heritage Atlas*, 87-89.

⁴²⁸ McArthur, *Heritage Atlas*, 205.

physician there. Because the Tranchemontagne family relocated to Killarney, we do not consider them to have formed a longstanding Métis community in SON territory.⁴²⁹ The granddaughter's move back to Goderich and her marriage to a physician would have placed her in the company of the town's society, and not as part of a distinct community.

Another early family in Goderich were the Camerons. This family married into Saugeen and became part of the Saugeen First Nation. According to the HSM, John D. Cameron was born in the Northwest to a Scottish father and his Indigenous wife. He came to Saugeen in the 1820s and had a son, John Cameron Jr., with an unknown woman, born about 1823. This son married Thais Wanabanokwe of Saugeen and their son is also named John Cameron Jr. (b. 1846). The elder John Cameron Jr. died at Saugeen Indian Village in 1873. The younger John Cameron Jr. married Mary Wennokwe at Saugeen in 1868; he resided on the Saugeen reserve and was a farmer there. They had five children, all baptized at Saugeen.⁴³⁰

Beyond the fact that with the exception of the Camerons, these families largely relocate out of SON territory, there are two other aspects of these histories to note. The first is that they were integrated into the European settlement of the area through their acquisition of properties at Goderich and elsewhere such as Hay township south of SON territory. They were not a "community" of people who existed in the region for generations separately and prior to European control, but were directly tied to the settlement of the area. If a community can be understood to have developed in relation to these families, then it was a diasporic community of workers with multiple heritages (French Canadian, some of mixed-descent from the Northwest) who worked for different trading companies, not one with a site-specific ethnogenesis as was the case in the Métis community that was recognized by the Powley decision at Sault-Ste. Marie that existed for generations before effective European control.

Retirees from the Hudsons Bay Company (ca. 1840)

In there *Heritage Atlas*, the HSM also includes in their 'distinct Métis community' a group of primarily Scottish traders, who after working for the HBC, retired to the Southampton area. This cluster of relocations began in the 1840s. They arrived in Saugeen territory AFTER

429 McArthur, *Heritage Atlas*, 205-206.

430 HSMP, p. 127, McArthur, *Heritage Atlas*, 115-116.

SON signed Treaty no. 45 ½ in which these lands were ceded to the Crown and so none of these families should be considered as establishing a distinct “Métis” community in SON territory prior to effective control by the Crown. Some families discussed by the HSM arrive considerably later, including the Bell, McClaren, and Gillies families who arrive in 1860, 1870 and 1914 respectively. Even without this temporal consideration, another important factor is that many of the retirees from the Hudson’s Bay Company ended up leaving Southampton and so did not form a longstanding presence in the area. The families who leave include those of John Kennedy, John MacLean and Robert Reid. Other families mentioned by the HSM do not have Indigenous ancestors, and so should not be considered part of a “Métis community.” These include the families of John Spence, John McLean, and Robert Reid. These men and their families are discussed below. Again, the evidence here is taken from HSM’s own material. When we view these family histories, it is clear that they did not form a distinct Métis community in SON territory prior to effective control.

John Kennedy (1814-1890) was the son of Chief Trader Alexander Kennedy and Aggathas a Cree woman.⁴³¹ The HSM describes his wife as a Métis woman, Sarah Stevens. They raised their family in Guelph (these descendants are not mentioned as ever being in SON territory).⁴³² After first retiring from the HBC to Kingston, Kennedy bought land “on the Saugeen”⁴³³ river and established a fishery at the mouth of the river in 1846.⁴³⁴ His trade was successful and expanded in 1849-51. Quoting from his obituary, McArthur notes: “He had over twenty-eight men employed, owed [sic] a small trading vessel which carried his barrels of fish to Goderich, and he set up his own sail and cooperage works.”⁴³⁵ However, Kennedy left in 1851 to go on a voyage to find the Franklin expedition. He eventually moved permanently to Manitoba.

431 “HBC Retirees Who Ventured to Saugeen” Patsy Lou Wilson McArthur. In *Historic Saugeen and its Métis Peoples*, 79.

432 HBC Retirees Who Ventured to Saugeen” Patsy Lou Wilson McArthur. In *Historic Saugeen and its Métis Peoples*, 79.

433 McArthur cites his obituary here: Free Press, Winnipeg, February 17, 1923. “HBC Retirees Who Ventured to Saugeen” Patsy Lou Wilson McArthur. In *Historic Saugeen and its Métis Peoples*, 80.

434 “HBC Retirees Who Ventured to Saugeen” Patsy Lou Wilson McArthur. In *Historic Saugeen and its Métis Peoples*, 79-80.

435 HBC Retirees Who Ventured to Saugeen” Patsy Lou Wilson McArthur, In *Historic Saugeen and its Métis Peoples*, 80.

This means that Kennedy was only in SON territory for five years as part of his business venture and did not settle permanently in the area.

John McLean (1789-1800) was born in Scotland on the Island of Mull. He worked for the NWC and then the HBC after the 1821 merger. At Norway House he married Marguerite Charles (daughter of John Charles and Jane Auld, whom the HSM describes as “mixed blood”). This couple had one son, John Charles McLean. John McLean then remarried Clara Evans (daughter of Reverend James Evans) in 1845 and retired from HBC in 1846. He was only in Saugeen according to the HSM “a short while” before settling in Guelph and Elora where he worked for the Bank of Montreal and he retired to Victoria, BC.⁴³⁶ This family did not stay in the area, and (other than his first son who is not ever mentioned as being in SON territory) there does not appear to be any connection to Indigenous ancestry.

John Spence (born in the Orkney Islands off the northern coast of Scotland in 1813) was also a retired trader who accompanied Kennedy to establish a fishing business at the mouth of the Saugeen. He settled in the Southampton area and married Jane Harold, with whom he had seven children. McNab claims that Spence is “Métis” (despite being Scottish) because of “family ties,” a vague and unsubstantiated claim.⁴³⁷ However, from the accounts in the HSM materials, there is no mention of either Spence nor Jane Harold having Indigenous ancestry.

Robert Reid is also listed in the *Heritage Atlas* as being one of these retirees who comes to Southampton around 1850. He established a general store. There is no mention of his “Métis” heritage, and he likely died in Hamilton according to HSM materials.⁴³⁸

Families who arrived later include the Bell, McClaren, and Gillies families. HBC Chief trader John Bell (born in 1799 on the island of Mull), worked for the NWC then the HBC in 1821. In 1860 John Bell retired from the HBC, and settled “on a farm on Concession 4, Lot 17, Saugeen Township.” In this respect, he was no different from any settler who acquired land from

436 McArthur, *Heritage Atlas*, 181.

437 McArthur, *Heritage Atlas*, 47.

438 McArthur, *Heritage Atlas*, 197.

the Crown. Bell died in 1868 in Saugeen leaving his wife Nancy,⁴³⁹ two sons and five daughters.⁴⁴⁰ David McClaren (the son of Neil McLaren in charge of Fort Chicoutimi and Christine Williams b. 1819 at Equimaux Bay, Labrador) settled on a farm during the 1870s in Saugeen Township. His adult son James and wife Caterin (of French descent) also came with their two children; a daughter was then born in 1880 in Saugeen township. McClaren's other daughter Edna stayed in Quebec with her husband Miles Spencer.⁴⁴¹

Finally, another HBC trader who retired to Southampton was Donald Gillies (1859-1925). He was a Scottish man, married to Margaret McLaren (d. of chief Trader David McLaren and a "Métis" woman). He retired to Southampton in 1914.

When we examine the evidence put forward by HSM, these retirees and their spouses cannot have been said to form a distinct Métis community whose descendants should have Section 35 Aboriginal rights in SON territory. These individuals and families arrived in Southampton area after effective European control, many had no Indigenous ancestry or kin, and quite a few left again. Those who took up lots benefited from SON's dispossession.

Families who stayed in SON territory

Of all the genealogical lines that the HSM assert as being part of their "historic community" in their materials, we find only the following six have any lasting, multi-generational connection SON territory: Belhumeur/Belmore, Gonneville/Granville, Longe/Lange/Beausoleil/Focher, Cazelet, Martin and Sorrell. Some of these families intermarried with each other. These connections, however, *all began after significant settler encroachment colonization of SON territory beginning in the 1830s*. While some, like the Gonneville/Granville family eventually had at least one member intermarry with a SON member,

⁴³⁹ "While in the McKenzie District he married Nancy Ann Dease, daughter of Peter Warren Dease and Elizabeth Chouinard. Peter Warren Dease, a HBC Chief Factor and and Artic explorer, was born in Mackinac in 1788, the son of Dr. John B. Dease of the Indian Department."HSMP "HBC Retirees who Ventured to Saugeen" by Patsy Lou Wilson McArthur, p. 83.

⁴⁴⁰ HSMP "HBC Retirees who Ventured to Saugeen" by Patsy Lou Wilson McArthur, p. 83.

⁴⁴¹ HSMP "HBC Retirees who Ventured to Saugeen" by Patsy Lou Wilson McArthur, p. 85. McArthur notes that "Miles Spencer's father, John Spencer originally came from England to Manitoba and married a mixed-blood Cree woman, thus linking the Spencers to another famous fur trading family, the Sinclairs. The McLarens were also a fur trade family with mixed-blood heritage." However, this claim does not appear to affect families in SON territory.

others, like the Belhumeur/Belmore family, only traced their Indigenous ancestry to a Neyiwak (Plains Cree) mother or grandmother, and neither had, nor developed, any relationship to SON. This means that they were diasporic families, not a community of Métis that emerged over multiple generations in SON territory before effective European control. The first generation of these families born in SON territory was at the earliest in the late 1820s (in the Goderich area) to the 1860s (in the Southhampton area). While some, such as the Augustin Gonneville and the Longe/Lange families (who Gonneville was related to by marriage) had a family connection to the fur trade as an employee of Dr. David Mitchell or the trade at Goderich, at this point they were French men with Indigenous wives of Cree descent and young families. They were not a part of an pre-existing Métis community that had emerged in the region over generations. As with the “French settlement” at Owen Sound, many of these families also benefited from the dispossession of SON Anishinaabek by acquiring Crown patents to their land.

Belhumeur/Belmore (Goderich)

The Belhumeur/Belmore family was a trading family present in Goderich in the 1830s whose descendants remain in SON territory today. The claim to their “Métis” heritage is through a single ancestor, Catherine Leblanc, who married Louis Belhumeur of Quebec. Louis Belhumeur was born in Quebec before 1800. Catherine was born in the 1810s in the North West of unknown parentage (although she is described as “Métis” in the HSM materials, and described as an “Indian princess” or “daughter of a Chief” according to “local accounts”). Most branches of this family relocate to the United States. Of those who remain, there is no other mention of any other individual with Indigenous ancestry except Catherine Leblanc. Belhumeur worked for the HBC, but by the 1830s, was an independent trader operating out of Goderich. Louis and Joseph Belhumeur (Belmore) were definitely in Goderich by 1834 as they were signatories to a petition for a bilingual priest to establish a Roman Catholic church. As with many of these other families presented by the HSM as “Métis,” the Belhumeur family also bought land. Joseph, for example, purchased his lot in Goderich 1831.⁴⁴² Louis became the first titleholder of lot 108 on Lighthouse street Goderich, and by 1842, he and Catherine had family of four sons and two daughters. Catherine died in 1848.⁴⁴³ Some of their six children remained in the area, as

⁴⁴² McArthur, *Heritage Atlas*, 96.

⁴⁴³ McArthur, *Heritage Atlas*, 96.

discussed below. The first generation that could be considered “Métis” were not born until settlement had already begun at Goderich, and the family were landowners themselves.

However, they did not stay at Goderich. When Huron Township to the north was opened for settlement in the late 1840s, “Louis Belhumeur was credited with being its first settler.”⁴⁴⁴ He remarried to Judith Days, and they had two daughters. In Huron Township he had his second wife were squatters; they moved to a second free fifty-acre plot and begins to clear it. Belhumeur also operated a tavern. However, he was not able to get a patent for his land, and so he relocated to Michigan with Judith in 1872.⁴⁴⁵ The two children from the second marriage are also listed as leaving to reside in Michigan.⁴⁴⁶ Due to the fact that no Indigenous parentage is listed for either Judith Days nor Louis Belhumeur and the fact that this family relocates to Michigan, this branch of the family could not have established or been part of a Métis community in SON territory.

Of the six children of Louis’ first marriage with Catherine, many remained in the area, and as the *Heritage Atlas* describes it, became “boat builders, steamship captains, fishermen, sailors, and guides. Descendants are found today throughout the Bruce Peninsula and Grey Counties.”⁴⁴⁷ Again, it is important to recognize that this first generation of mixed descent individuals were born at the time that settlement had already begun at Goderich. They do not constitute a “distinct Métis people” that existed in the area prior to effective control. Nonetheless, the following provides a short summary of these descendants, some of who leave SON territory. Of those who stay, there is no other mention of Indigenous ancestry referred to in HSM materials, and so a pattern of endogamy with other “Métis” families is not evident for this family either.

One son of Louis and Catherine, Lawrence (1828-1909) married Julia Anne Devine, and they raised a family of fourteen at Southampton and are buried in St. Patrick’s cemetery. Many of their descendants remain in the area. However, in the accounts of the descendants of Lawrence

444 HSMP, 128.

445 McArthur, *Heritage Atlas*, 97.

446 McArthur, *Heritage Atlas*, 102.

447 McArthur, *Heritage Atlas*, 97.

and Julia, we did not find any other references to Indigenous descent. This means that the sole claim to “Métis” heritage is through Catherine Leblanc, whose parentage is unknown.⁴⁴⁸

Another son of Louis and Catherine, Louis Jr. (1833-1901) married a Scottish woman, Catherine McKenzie. They migrated to Minnesota.⁴⁴⁹ Another son of Louis and Catherine, Charles (1841-1918) married Marie Adeline St. Germain of Quebec. In 1872, this family relocated to Michigan. They had ten children, all of who remain in Michigan.⁴⁵⁰

Another son of Louis and Catherine, Joseph (1842-1916) married Marie Mathilda Abbot, born in Pennsylvania. They had a family of nine, and some of their descendants remain in the Bruce Peninsula area.⁴⁵¹ However, none of their descendants mentioned in the Historic Saugeen Heritage Atlas are listed as marrying anyone of Indigenous descent or belonging to SON..⁴⁵²

Gonneville/Grandville

While this large family figures prominently in many of the HSM materials, the claim for Indigenous heritage is only through one person, Marguerite Longe, and so this family should technically be considered another branch of the Lange/Longe family.

Augustin Gonneville Sr. of Maskinongé Quebec (1785-1840) was an XY company employee who worked as a voyageur, and later worked for the HBC as a trader at LaCloche and Saugeen in 1827, as well as the Goodings of Goderich. He married Marguerite Longe when he was in the Red River area (Marguerite’s mother was Cree, see Longe/Lange family below.) He and Marguerite were stationed at Saguingue for the 1827-28 trading season, and their eldest son was born there.⁴⁵³ When the Canada Company opened land for sale in the Huron Tract in 1829, Gonneville acquired two properties in Goderich. Gonneville was a French Canadian man who married a woman of from Red River who had Indigenous ancestry, and then he bought land that

⁴⁴⁸ McArthur, *Heritage Atlas*, 98-99.

⁴⁴⁹ McArthur, *Heritage Atlas*, 99.

⁴⁵⁰ McArthur, *Heritage Atlas*, 99-101.

⁴⁵¹ McArthur, *Heritage Atlas*, 101.

⁴⁵² McArthur, *Heritage Atlas*, 101-102.

⁴⁵³ McArthur, *Heritage Atlas*, 134.

had already been ceded to the Crown. The first generation of this family was born around the same time as those of the Bellhumeur family discussed above. The eldest, Augustin Gonneville Jr., was born in 1827 and would have been a two year old child when his father first bought property from the Canada Company. This means that this first generation of children of mixed descent were not established as a “distinct Métis community” before effective control in Goderich.

Of their eight children, three relocated to Michigan (Alexander b. 1829, Scholastique b. 1830, Julia b. 1833), one died with no children (Joseph b. 1834). Mary (b. 1837), married Frederick Lamorandiere, a member of Cape Croker First Nation. This is the one branch of the family with a connection to SON.⁴⁵⁴ (For further information on this family line see Appendix B, table “Families connected to Reserve communities”).

The other two children Augustin Jr. (b. 1827) and Gabriel Gilbert (b. 1836) remained in the area. Augustin Jr. Gonneville/Grandville married Marie-Adeline “Delina” Ducharme of Quebec and had seven children. Gabriel Gilbert Grandville married Mary Higgins, and became a cooper in Southampton. They had eleven children. In the biographies of these children presented in the *Heritage Atlas*, no other intermarriage with Indigenous people is mentioned.⁴⁵⁵ Thus, a pattern of endogamy with other Métis families in the area is not evident for these families.

Other branches of this family move out of the region. Of the children of Augustin Jr. and Marie-Adeline discussed in the *Heritage Atlas*, the following information is provided. Marguerite Granville (b. 1851) married in Southampton in 1867 and had two children there but this family then relocated to Michigan.⁴⁵⁶ Francis Granville (b. 1856) married Marguerite Sorrell (see Sorrell family below). They had four sons and lived on the waterfront lot at Southampton that was patented by his father in 1873, but eventually he moved to Chatham.⁴⁵⁷ Joseph (b. 1860) remained in Southampton and was married twice with children from both marriages. Delina (b. 1865) married William Hazzard of Parry Sound and lived in Southampton and had a large family

⁴⁵⁴ McArthur, *Heritage Atlas*, 143-146.

⁴⁵⁵ McArthur, *Heritage Atlas*, 143-146.

⁴⁵⁶ McArthur, *Heritage Atlas*, 136.

⁴⁵⁷ McArthur, *Heritage Atlas*, 137.

of eight children, many of who have descendants in the Parry Sound area.⁴⁵⁸ Alexis (b. 1869) died young in a boating accident.⁴⁵⁹ Catherine (b. 1876) moved to live with her older brother in Chatham and eventually moved to Chicago. For this entire family line, their connection to Indigenous ancestry is through Marguerite Longe of Red River. Only Mary, Marguerite's youngest daughter, has a different story. She is the only person in this family with a connection to SON, through her husband, Frederick Lamorandiere.

Longe/Lange/Beausoleil/Focher

The Longe family were traders. Joseph Longe Sr. was born in Quebec, and had a country marriage to Isabelle Colin, a Cree woman from an unknown First Nation in the North-West. He worked for the XY and North West companies.⁴⁶⁰ They had six children born before they arrived in SON territory. Three children, Angelique (b. 1816) Julie (b. 1819) and Madeleine (b. 1821) do not appear to have lived in SON territory.

One of their daughters Marguerite (b. 1810 in the Northwest) married Augustin Gonneville (discussed above) while still at Red River and it is through this connection that HSM claims the Gonneville/Grandville family is Métis. Since Marguerite married Augustin at Red River, the earliest they would have arrived in SON territory would be around the mid 1820s, assuming a marriage at 15. The Longes worked for both Dr. David Mitchell in the "late 1820s" as well as the Goodings of Goderich in the 1830s.⁴⁶¹

Another daughter Maria Longe (b.1823) married Leonard Causley/Cazelet of Port Huron and they resided between 1840s to 1860 along Lake Huron in Hay, Huron county, Bosanquet, and Lambton. In the 1870s, they lived on Front Street in Southampton. They had ten children, and some of their descendants remain in the area.⁴⁶² (See also Causley/Cazelet family below.)

⁴⁵⁸ McArthur, *Heritage Atlas*, 139.

⁴⁵⁹ McArthur, *Heritage Atlas*, 140.

⁴⁶⁰ McArthur, *Heritage Atlas*, 159-161.

⁴⁶¹ McArthur, *Heritage Atlas*, 159.

⁴⁶² McArthur, *Heritage Atlas*, 117-118.

Their son Joseph Longe Jr. (b. 1817) was born in the Northwest and came with his parents to the area when his father traded for David Mitchell and the Goodings of Goderich. He married Christine Plante (b. 1822 daughter of Edward Plante and Mary Jeanne Cloutier of Assumption, Sandwich). They lived in Goderich and Hay township. They had twelve children, some of who married into the Sorrell and Causley families and remained in the SON territory.⁴⁶³

After the death of Isabelle Colin, Joseph Longe Sr. remarried Marguerite Prisque. They had three children, who ended up in Killarney and Wikwemikong, married to Proulx, Shigwadja and Kinoshameg families (For information on these families, see Appendix B table “Families Connected to Reserve Communities”).

While the Longe family was a long-standing family of mixed descent in Southampton, we do not find that they formed a Métis community drawing on the aspects of the Powley decision that we describe above. Most importantly, they were not in SON territory as a part of a multi-generational community before effective European control. However, as a prominent trading family, they had ties throughout the Great Lakes region and their family members did marry into other reserve communities in the later half of the 19th century.

Cazelet/Causley/Focher/Foche

The Causley Family was also connected to the Longe family through marriage. Leonard Causley was born in 1818 at the mouth of the St. Clair River to Ignatius Causley/Cazelet and Mary Ann Huyet Dit Champagne, considered to be one of Sarnia’s founding families with roots in Black River, Michigan. He married Mary Longe (see Longe family above) in 1838 and they resided from the 1840s to the 1860s in Hay township, Huron County, and Bosanquet Township. They settle at Southampton in the 1870s where they resided on Front Street. They had ten children. These children named in the HSM materials were born between 1839 and 1863, some of who stay in Southampton and have families there.

Focher is another name mentioned in the HSM materials, although this is also another branch of the Longe/Lange/Causley family. Peter Foche was born in 1861 in Port Franks, Ontario to Albert Foche and Isabella “Caslet” daughter of Leonard Cazelet and Mary Lange of

⁴⁶³ McArthur, *Heritage Atlas*, 163.

Southampton. He was orphaned and cared for by relatives, living with the Beausoleil, Causley, Granville families. He married Margareta Kalbfleisch, she is buried in Wiarton⁴⁶⁴

*Martin*⁴⁶⁵

Stephen Martin (1801-1874) was born in France, and had a child with unknown woman in the North West. He was also married to Mary Pischiot Monyo, born in the North West and listed in the Heritage Atlas as “Chippewa Métis.” They settle in the Huron Tract, Ashfield township, where they lived beside the Longe family. The Martin family does not appear to have intermarried with other “Métis” families in the area, such as the Longes, the Granvilles, or the Sorrells. Many of the children of Stephen and Mary relocated out of the area to Michigan and other parts of Ontario, although other descendants remain in the area. They have no known connection to SON.

Sorrell

The Sorrell Family came to the Southampton area in the 1870s, well after effective control by the Crown had been established in the area. Charles Sorrell (1828-1878) was born in Quebec, and married a woman described as “Métis,” Marguerite Richard, in Quebec. No further information is presented in the HSM materials about her heritage.⁴⁶⁶ They had 7 children. Some of their children or grandchildren married members of the Granville or Longe families. Some other descendants moved to the Lake Erie area. More research is needed to substantiate why Marguerite Richard was considered “Métis” but regardless of this ancestry, the family arrives in SON territory later than others and should not be considered to have established a “distinct Métis community” prior to effective control. Marguerite Sorrell married Francis Granville (b. 1856), of the Granville family discussed above.⁴⁶⁷

The families who remain in SON territory, including the Lange/Longe and Gonneville/Grandville and Sorrell families are described as continuing to participate in the boatbuilding, guiding, fishing and coopering professions. The following account is presented of properties that these families claimed at Southampton on the lakefront in *Historic Saugeen and*

⁴⁶⁴ McArthur, *Heritage Atlas*, 130

⁴⁶⁵ McArthur, *Heritage Atlas*, 173-174.

⁴⁶⁶ McArthur, *Heritage Atlas*, 202.

⁴⁶⁷ McArthur, *Heritage Atlas*, 136.

its Métis People. These families had been present in the area before the 1851 survey, and were seen to be “squatters” by the surveyors in 1851:

Upon completion of the 1851 survey the Métis Granvilles, Beausoleils, and Longes, found themselves on the new “Front Street,” much sought-after lakefront property. Immediately, they were labelled “squatters” by the Crown, a derogatory term given to Métis in similar situations about the Great Lakes. In ensuring their fight for patents on their long-held property, they found themselves hindered in their fight by language, culture, and an increasingly negative attitude towards the Métis as a people. It took over twenty years, and a third survey in 1870 by Charles Rankin, before Augustin Granville Jr., born at Saugeen in 1827, received a patent (December 12, 1873). It is said that boat builder, Ed Longe, never did live to see his rights respected, but that a patent was issued finally to his widow, Esther, following his death in the 1920s.⁴⁶⁸

While the HSM claim that the term squatters was a derogatory term for Métis, this was not the case in Upper Canada at this time. The term was used for anyone who occupied a surveyed lot or Crown land without a location ticket or permission or occupied Indigenous land without permission. At times, squatters petitioned the Crown for lands they had “improved” and at times the Crown made accommodations for squatters to acquire their properties.⁴⁶⁹ Squatting on Crown lands as a way of pre-empting property happened in multiple locations around the Great Lakes and so the example of the Longe property is not unique, and should not be understood to be evidence of “Indigeneity” to the area prior to Crown control.⁴⁷⁰

468 Historic Saugeen and its Métis People, p. 76.

⁴⁶⁹ See a case from Manitowaning, where squatters petition the Secretary of State for their land. Petition from a Public meeting at Manitowaning sent 30 June 1873, Library and Archives Canada, RG10, vol. 1902, file 2097. See also a case where the Department of Indian Affairs allowed for Edward Young to purchase his property at Tobermory in 1895 after building a house prior to purchasing the land. The Department also arranged for the resurvey of the Bury road to accommodate properties that had been developed by squatters. Deputy Superintendent General of Indian Affairs to William Simpson, 25 June 1895 and Instructions for the Re-survey of the Bury Road through the Town Plot of Bury, August 26 1895, Library and Archives Canada, RG10, Volume 2807, File 162, 590. Squatters who were found occupying lands during a resurvey of Laird township in 1876 were given notice that they would be required to pay for their lands “when requested” rather than asked to leave. Library and Archives Canada, RG10, vol. 1988, file 6524.

⁴⁷⁰ Squatters were a serious problem for all First Nations, one that the 1850 *Protection of Property Act* was supposed to help address. SON had dealt with squatters who moved in to settle on their land without permission, as well as people who fished and cut timber. In 1854, the Superintendent General of Indian Affairs, Laurence Oliphant, characterized these squatters near Owen Sound as “gangs” who “collected at the door of every backwood tavern ... disappointed in their search for land, inveighing against the alleged dishonesty of Crown land agents” threatening “to settle upon the Indian reserve.” Oliphant used the argument that he could not protect SON from squatters in order to force SON to accept the 1854 surrender. The day after SON signed the 1854 treaty, Oliphant issued an order he had said was not possible for him to do lawfully the day before: to eviction unauthorized squatters flooding on to

Part B Conclusion

In summary, the HSM has presented genealogical evidence that there were families of mixed descent in SON territory. After reviewing all of their evidence, we see only a few who both have indigenous ancestry and stay on SON territory. Many of the families cited by HSM as forming part of their community were simply traders retiring to Upper Canada, clearly well after the achievement of “effective European control” to benefit from living in the Province. Only two of these families (the Longes and their son-in-law Augustin Gonneville) had both indigenous ancestry and actually remained in SON territory. They began with French Canadian men and their Indigenous wives (the “fore bearers”) and young families moving into the region during the early years of the fur trade as employees of Dr. David Mitchell. However, the first generation of these families was born after European settlement had been established in the region by 1827 and these families and their descendants acquired properties as settlements at Goderich and Southampton were opened for sale. They did not exist as a multi-generational Métis community prior to effective European control and they were able to acquire land like other settlers from the Crown. The genealogical evidence does not support HSM’s claims.

C. Assessing HSM’s Historical Claims to SON Territory

In addition to their genealogical claims, the Saugeen Metis *Heritage Atlas* makes several historical assertions to support HSM’s claim to a Section 35 Aboriginal Right and to demonstrate that their distinct community had a long-standing treaty relationship with SON. The authors point to the history of a string of wampum that was in the Royal Ontario Museum’s collections by the

Saugeen First Nation land. Oliphant issued a notice to PLS Rankin, the surveyor, on October 14, 1854, forbidding any squatters on the now Crown land, and directing and empowering the Grey County Sherriff to remove those who may, in defiance of the notices already issued, intruded upon the property of the Crown. Meanwhile, the Crown continued to do little to protect SON interests. Within 3 months of the treaty, Madwayosh was already writing the Indian Department to protest further intrusion on reserve lands, including the unauthorized cutting of timber. Province of Canada, *An Act for the protection of the Indians in Upper Canada from imposition, and the property occupied or enjoyed by them from trespass and injury*, 10 August 1850, 13 & 14 Victoria c.74; Leslie, *Commission of Inquiry into Indian Affairs in the Canadas, 1828-1858 Evolving a Corporate Memory for the Indian Department* (Ottawa: Treaties and Historical Research Centre Research Branch Corporate Policy Indian Affairs and Northern Development Canada, 1985), 15; Despatches from the Governor-General of Canada, enclosure No. 1, 16 August 1854, 3; Oliphant to Sheriff Schneider, County of Grey, 14 October 1854, LAC, RG 10, Vol. 117, Reel C-11479, p. 169198; Madwayosh and Kaduhgekwin to Anderson, 18 September 1855, LAC, RG10, Vol. 220, pp. 130379-130381.

turn of the 20th century as evidence of a treaty relationship, which would further their claims to Indigeneity and Section 35 rights in SON territory. The HSM commissioned a replica of the strings and it is this replica which graces the cover of the Atlas. We assess these claims in this section. According to the accession record in the ROM, the strings were the gift from a Saugeen Ojibwe woman (known as Mrs. Piché because of her marriage to fur trader Pierre Piché) to a Mrs. Augustine Gonneville (Grandeville), the daughter of a white trader and a Neyiwak (Plains Cree) woman. Recall that Augustin Gonneville's daughter Mary married Frederick Lamordarie from Chippewas of Nawash. So there was kinship connection between this part of the Gonneville family and SON which explains the custody of the strings. As we will show though, the authors of the *Heritage Atlas* have greatly expanded the meaning beyond any reasonable interpretation and added elements to the story to transform a string of wampum gifted to an individual into a nation-to-nation relationship that did not exist.

The Piché Wampum Strings

The wampum strings came into the Normal School collection (the museum which preceded the ROM) as the gift of F. Rocher de Lamorandiere, who was an interpreter for the Indian Department at Cape Croker (Chippewas of Nawash). The strings are discussed in the accession report that was published by the Province of Ontario in 1905, and then the text of Lamorandiere's letter was reprinted in a later section. The report on their accession reads as follows:

Twelve strings of cylindrical wampum, European make, presented by F. Lamorandiere of Cape Croker, Ojibwe Reserve, per H. Tucker, Barrister, Owen Sound. Two of the strings consist wholly of white beads, the others of purple and white, arrange four and five of the former and two or three of the latter. Mrs. Lamorandiere formerly Mrs. Benoit, received these from her mother, Mrs. Gonneville, to whom they were given by Mrs. Piché, an Ojibwa woman of Saugeen or Sauging. The beads were regarded by the family as entitling the holder to a' portion of land, in what is now the County of Bruce. The strings are twelve inches long, but were probably much longer at one time. See description elsewhere.⁴⁷¹

⁴⁷¹ Ontario, *Annual Archaeological Report* (s.n.), 1905, 15.

Later in the report, in a section where the Provincial archaeologist was discussing wampum, he included the text of Mr Lamondiere's letter providing the history of the strings“ nearly fully”⁴⁷²

about 1816 when the voyageurs and adventurers from Lower Canada began to be attracted to the upper country (les Pays d'en haut) to engage in the fur trade with the Indians, one M. Piché took himself to Sauging, (Saugeen). About 1818 Piché married a woman of the Chippewas (Ojibwas) of Sauging. They had no family, and when he died his widow was taken care of by Mrs. Augustine Gonneville, (more frequently called Grandeville), who was the daughter of Joseph Lange and a Cree woman. She married Gonneville, or Grandeville in the Red River country, and the two removed to Goderich, and Sauging. Mrs. Grandeville cared for her till she (Mrs. Piché) died. Mrs. Piché in gratitude for all the care bestowed on her, presented Mrs. Grandeville with these strings of wampum, saying that they would entitle Mrs. Grandeville to her (Mrs. Piché's) portion of land in the Sauging country. Augustine Grandeville died after raising a very large family, and his youngest daughter got married to Francis Benoit, who died near Sarnia. Mrs. Benoit took charge of her mother until she (Mrs. Grandeville) died, having bequeathed to Mrs. Benoit the strings of beads, repeating the words of Mrs. Piché, that the wampum would entitle her to one share of land in Sauging territory.

"Mrs. Benoit became Mrs. F. Rocher de Lamorandiere.

The land claim was never acted on, as there was no need of doing so, because land was then cheap.

It may be well to remark, however, that the gift of these beads from one tribe to another, or an individual to another, was regarded as very solemn and binding, and a compact made that way was never broken.

Having no use for the beads except in remembrance of my late wife, and as a memento of the old times, I freely donate them to the Department of Education to be placed in the Provincial Museum, or any other place, as the Curator may think fit.

Here then is the story of the Piché wampum. The French trader married a member of the Saugeen First Nation but had no children. Piché's widow gave the strings to a woman who took care of her, a Mrs. Augustine Gonneville, stating that they would allow her to claim “one share of land in Sauging territory.” Gonneville/Grandville then passed the strings to her daughter with the same statement, that the strings entitled Grandville's daughter, Mrs. Benoit to a share of land. Mrs. Benoit later married Mr. Lamorandire, the Indian Department's Anishinaabe interpreter at Cape Croker. It was Lamorandiere who sent the strings to the Normal School museum. As Lamorandiere notes “the land claim was never acted upon.” He described it as claim to land but

⁴⁷² Ontario, *Annual Archaeological Report* (s.n.], 1905, 48.

does not indicate where that land was to be. In other words, it was not a claim to a specific place. Mrs. Benoit would still have had to seek permission from the council, who would then determine what was appropriate. The right to even make a claim to council for the land died with Mrs. Benoit, which Mr. Lamorandiere knew, as he had no more “use for the beads except in remembrance of my late wife, and as a memento of the old times.” Lamorandiere was certainly aware of Anishinaabek governance practices, as he was a longstanding delegate from Cape Croker/Chippewas of Nawash to the Grand General Indian Council of Ontario, a cross-reserve organization of Indigenous leaders who met roughly every two years between 1870 and 1886 to respond to the federal government about law and policy affecting them.⁴⁷³ What Mrs. Piché gave to Mrs. Benoit was a bequest or a gift to an individual, and in Anishinaabe governance practices as in the common law, it is simply not true that a bequest or gift to an individual could create some sort of binding obligation on SON to share their territory with any other peoples.

Furthermore, nowhere in Anishinaabe or even broader Great Lakes Anishinaabe legal or diplomatic tradition did or could a set strings of wampum hold something title to a share of land. They were not title deeds. The records we do have of Anishinaabe peoples from other bands requesting land at reserves not their own show that indeed, Anishinaabe leadership very much recognized that land decisions were the responsibility of the local council. In 1860, for example, Catherine Sutton and David Sawyer of the Mississaugas of the Credit approached the general council, asking for the 1860 council to support a petition to the Crown because Indian Affairs had denied them recognition of the land that the Chippewas of Nations had granted to them at Owen Sound before the treaty, and once the treaty was signed, the Crown refused to recognize their claim. Catherine Sutton was a Mississauga woman who had married a white farmer. As much as the general council listened thoroughly to their concerns, in the end they firmly concluded that a local land matter must be dealt with by the local council, that the general

⁴⁷³ Lamorandiere participated as a delegate from Cape Croker in 1882, 1884, 1894, 1900, 1904, and 1906. Chandra Murdoch, ‘An Act To Control: The Grand General Indian Council, The Department of Indian Affairs, and the Struggle over the Indian Act in Ontario, 1850-1906.’ (PhD, Toronto, University of Toronto, 2023): Appendix 1, p. 326-346.

council could not take on the work of a local land matter.⁴⁷⁴ Mrs. Benoit's claim would have been handled no differently.

Lamorandiere also knew that strings could be exchanged either between "one tribe or another" or between individuals. While both were and are binding, as he noted, there is a rather large material difference between wampum exchanged between tribes or council fires and between individuals. Anishinaabe council fires regularly gave wampum strings to post commanders and to Governors and Lieutenants-General, to mark their arrival and their departure from their positions.⁴⁷⁵ They also exchanged strings in council for a variety of purposes, to condole people for their losses, to refer to specific terms of an agreement, to ask for an action such as the recognition of a new chief.⁴⁷⁶ They also exchanged belts. Wampum was a regular part of Great Lakes diplomacy.⁴⁷⁷ These were meant to underscore the solemnity of the alliance between the Crown and the First Nation. Anishinaabe ogimaag and councils knew who the representatives of the Crown were and they dealt with them on a nation-to-nation council-fire-to-council-fire basis. Mr. Piché was a trader and not a representative of any alliance relationship with any nation. The wampum strings given to him were clearly given to him as an individual. Within the broader Great Lake diplomatic tradition, alliance relationships between nations or council fires were recorded in wampum belts, not a single wampum string or set of strings. Strings by themselves are not a record of a treaty between nations.

⁴⁷⁴ Memorandum of the proceedings of an Indians Council held at Sarnia on the 12th September 1860, LAC, RG 10, Vol. 256, Reel C-12645, pp. 153967-153973

⁴⁷⁵ Address of the Mississauga Tribe of Indians residing at the River Credit, [ca. 1838], Library and Archives Canada, R6436-0-5-E, MG19-F15, Volume number: 1-2.

⁴⁷⁶ See for example Patrick Selby (Asst. Secretary), "1 August 1805, Minutes of a Meeting with the Mississagues at the River; 'Proceedings of a Meeting with the Chippewa Indians of Matchedash and Lake Simcoe at Gwillembury on the 8th and 9th of June, 1811,' Great Britain. Colonial Office: Canada, formerly British North America, original correspondence (CO42), Library and Archives Canada, MG11-CO42Q, vol 314, (pp 155-159), 156.

⁴⁷⁷ Alan Corbiere, 'Their Own Forms of Which They Take the Most Notice': Diplomatic Metaphors and Symbolism on Wampum Belts., 2014 in In *Anishinaabewin Niiwin: Four Rising Winds (2013)*, edited by Alan Ojiig Corbiere, Mary Ann Naokwegijig Corbiere, Deborah McGregor, and Crystal Migwans. M'Chigeeng, ON: Ojibwe Cultural Foundation, 2014, 47-64

The “Piché Wampum Treaty” as a Basis for HSM’s Claims to a Treaty Relationship with SON.

In the Saugeen Métis *Heritage Atlas*, authors David McNab and Paul-Emile McNab build on the existence of the Piché wampum strings and make a claim that it was in fact a treaty which bestowed ongoing treaty rights on the HSM:

The HSM entered into a treaty with the Council of Three Fires in 1818 based on the Treaty of the Dish with One Spoon and the Two Row Wampum Treaty. This treaty has been known as the Pierre Piché Wampum Strings of 1818. It allowed the Historic Saugeen Métis to share their territory (including both lands and waters) based on the Indigenous knowledge principle of a “dish with one spoon” framed by the two row wampum, which dated at least to 1664, with that of the Council of Three Fires in its territory. The First Nations gave the HSM the wampum as a mark of this treaty of peace, mutual respect, and trust. This treaty was not with the British imperial or the Upper Canadian Governments who were not parties to it.⁴⁷⁸

To a reader not familiar with the history of Great Lakes Indigenous diplomatic history, this might sound authentic. However, the statement contains so many inherent contradictions and improbabilities it proves itself false. The quote positions the HSM as a polity entering into a treaty with the “Council of Three Fires” to share SON territory. The Council of Three Fires was an alliance of Anishinaabe council fires in the Lake Huron area.⁴⁷⁹ It had no jurisdiction over land as that was, as discussed in the introduction, the responsibility of each common council to determine, or in the case of SON, its joint council. Because Anishinaabe council fires made decisions about land and access to resources at the local council fire, the “Three Fires Confederacy” was not a body that could decide on the use of its individual members’ lands and resources.⁴⁸⁰

David McNab and Paul-Emile McNab, the authors of this quote and the historical narrative in the *Heritage Atlas*, claim this Treaty is based on “the Indigenous knowledge principle of a “dish with one spoon” framed by the two-row wampum, which dated at least to

⁴⁷⁸ McNabb, *Heritage Atlas*, 38.

⁴⁷⁹ Bellfy, Phil. *Three Fires Unity: The Anishnaabeg of the Lake Huron Borderlands*. Lincoln: University of Nebraska Press, 2011.

⁴⁸⁰ Heidi Bohaker, *Doodem and Council Fire : Anishinaabe Governance through Alliance* (Toronto: Osgoode Society for Canadian Legal History and the University of Toronto Press, 2020).

1664.”⁴⁸¹ David McNabb is a Professor at York University who teaches “Indigenous and Canadian Studies in the Departments of Equity Studies/Humanities in the Faculty of Liberal Arts and Professional Studies.”⁴⁸² But in his telling of HSM history, he mixes together several distinct treaties and treaty concepts from two distinct cultural traditions and multiple time periods. The concept of a “dish with one spoon” (or sometimes expressed as a dish with multiple spoons) was in widespread use throughout the northeastern part of North America in treaty negotiations and agreements between Indigenous peoples and between Indigenous peoples and Europeans. When conflict ended, people referred to eating from a common pot or dish as a metaphor for peace as people literally sat down to a feast to conclude these agreements. This metaphor shows up in very early 17th century treaty councils in eastern North America and it was clearly then already a standard part of diplomatic protocol. People with a surface understanding of this history and lack of familiarity with the primary sources assume that there was one Dish with One Spoon treaty and that it involved simply sharing access to resources in a common area. However, this is not true. The metaphor was used in different contexts. In 1645, for example, at the conclusion of a peace between the eastern Anishinaabek, French and Five Nations, the French as the host council fire gave the feast. In response, the guests said: “Things are going well,” said all the guests; “we eat all together, and we have but one dish.”⁴⁸³ There was no agreement to share lands because of this treaty (and indeed, the peace itself did not last).

Passing familiarity with the phrase “a dish with one spoon” in a single record of a treaty can falsely give the impression that the Anishinaabek regarded their lands as some sort of giant commons, and that as long as people were at peace with one another, they could simply hunt, fish and use resources where they wished. This is also not true. SON, like other Anishinaabek council fires (which included SON’s ancestors) and the nations of the Haudenosaunee Confederacy, regulated access to their own lands and waters within their own legal traditions, and they did so long before there were any Métis or settlers in their territory. For example, in the peace agreement made between eastern Anishinaabe council fires and the Five Nations in 1700,

⁴⁸¹ David McNab and Paul-Emile McNab, “Heritage Atlas” in *Historic Saugeen Métis: A Heritage Atlas*, 38.

⁴⁸² D.T. McNabb, Faculty Profile, York University, <https://profiles.laps.yorku.ca/profiles/dtmcnab/>. He has also worked for Walpole Island First Nation as Claims advisor and Walpole Island was and is a member of the Three Fires alliance.

⁴⁸³ Barthlemy Vimont, *The Jesuit Relations and Allied Documents*, ed. Reuben Gold Thwaites [1896–1901] repr. (New York: Pageant Book Company, 1959), 27 (1642–45), 281–305, 303.

the council minutes at Onondaga record that when the peace was concluded the parties said “our hunting places to be one, and to boil in one kettle, eat out of one dish and with one spoon, and so be one.”⁴⁸⁴ However, the full minutes of the council and subsequent renewals explain that no territorial concession was in fact granted. Indeed, in this peace and alliance agreement, which was renewed multiple times between 1700 and 1847, specified that the right of hunting on Anishinaabek lands to the Five Nations was limited to when they were hunting together with Anishinaabek and only when they came to peace negotiations. In turn, the Haudenosaunee Confederacy “made a path” (granted permission) for their Anishinaabe allies to travel to Albany through their territory. The dish with one spoon. metaphor was used in multiple different treaty negotiations, including the Great Peace of Montreal, which did not include *any* territorial shared use.⁴⁸⁵

Moreover, SON, like other Anishinaabek council fires, regulated access to their own hunting. As discussed above, each indinaakonigewin (an extended family) exercised jurisdiction over their membership, and who they would allow to hunt on their own family’s hunting territory. Locations of and boundaries between family hunting territories were agreed to the level of the local council fire.⁴⁸⁶ Boundaries between the territories of council fires were agreed to regional gatherings. The Anishinaabek also co-managed shared territories through joint councils, and SON is just one example. As Anishinaabe author and missionary George Copway noted, Anishinaabe land law applied to these hunting groups too: “The hunting grounds of the Indians were secured by rights. No one was allowed to hunt on another’s land, without invitation or permission.”⁴⁸⁷

McNabb also claims that this “Piché Wampum Treaty” is also “framed by the two row wampum, which dated at least to 1664, with that of the Council of Three Fires in its territory.” The date 1664 refers to the establishment of the Covenant Chain relationship between the

⁴⁸⁴ John Romeyn Brodhead, Berthold Fernow, and Edmund Bailey O’Callaghan, eds., *Documents Relative to the Colonial History of the State of New York.*, 15 vols (Albany: Weed, Parsons, & Company, 1853), vol 4:

⁴⁸⁵ Gilles Havard, *The Great Peace of Montreal of 1701: French-Native Diplomacy in the Seventeenth Century* (Montreal: McGill-Queen’s University Press, 2001).

⁴⁸⁶ Bohaker, *Doodem and Council Fire*, 151.

⁴⁸⁷ George Copway, *Recollections of a forest life, or, The life and travels of George Copway, or, Kah-ge-ga-kah-bowh, chief of the Ojibway nation* (London: Henry Lea, 1850), 13.

Mohawk and the English, following the latter's capture of New York. Unlike the two-row, the Covenant Chain does refer to a distinct treaty relationship between certain Indigenous nations and the British Crown. However, former French-allied Anishinaabe council fires, including SON did not formally ratify their entrance into this Covenant Chain relationship until the Treaty of Niagara in 1764 (a preliminary agreement was reached in 1761). Further, there is no mention of or recognition of any Métis polities or indeed, to use the language of the time entering into or receiving the twenty-four nations belt at Niagara.⁴⁸⁸ Ogimaag from council fires entering the Covenant Chain received a King George medal as evidence of the alliance. These medals still exist, and some are in community collections.⁴⁸⁹ There is no evidence of any member of HSM receiving such a medal from the Crown as part of this treaty relationship at Niagara.

The Covenant Chain was renewed multiple times between the Crown and Great Lakes Indigenous Nations between 1764 and 1858, when the last presents were exchanged at Manitowaning (and which SON attended).⁴⁹⁰ In 1860, there was a major gathering of allied Anishinaabek peoples at Sarnia to meet the Queen's son, Prince Albert.⁴⁹¹ Queen Victoria medals bearing the Prince's crest were distributed to ogimaag of Anishinaabe council fires. Furthermore, Saugeen of SON hosted the Anishinaabek council fires from across southern Ontario held a council to discuss their significant concerns with the Indian department prior to meeting the Prince. As a result of their deliberations, they produced a petition with their grievances with the Province of Canada, including the violation of treaty rights and the theft of their land, which was then given to the Colonial Secretary who was travelling with the Prince, the Duke of Newcastle.⁴⁹² Newcastle was the head of Britain's office for managing the affairs of all its overseas colonies. Henry Madwayosh, the ogimaa of Saugeen, was the host of this gathering and the lead signatory. There was no "HSM" community represented at this council or at earlier

⁴⁸⁸ I have and can cite from a lengthy list of documents related to the council at Niagara.

⁴⁸⁹ See for example this medal at the Gilcrease Museum in Oklahoma.

⁴⁹⁰ Including at the 1836 council at Manitowaning.

⁴⁹¹ The visit to Sarnia is discussed in Chapter 5 of Ian Walter Radforth, *Royal Spectacle: The 1860 Visit of the Prince of Wales to Canada and the United States* (Toronto: University of Toronto Press, 2004).

⁴⁹² Henry Madwayosh and 49 others to the Duke of Newcastle, 14 September 1860, LAC, RG 10, vol. 266: 163, 326-163, 329 (Civil Secretary's Office, General Administration Records), (microfilm reel C-12,652); Radforth, *Royal Spectacle*, 230-232;

Grand General councils in 1840, 1846 or 1858 engaged in the work of regional alliance renewal.⁴⁹³

The HSM have also made some effort to connect principles of Haudenosaunee and Great Lakes treaty law around mutual respect for the autonomy of parties to treaties to the “Two-Row Wampum” belt. But this specific belt design does not appear until around the mid-19th century. This is not to say that the concepts embedded in the mid-19th century two-row were not embedded in earlier treaties, but a belt representing these ideas does not appear until after the supposed “Piché wampum treaty of 1818.”⁴⁹⁴ Moreover, the “two-row” really is an idea that emerges from Haudenosaunee treaty law. The concept is not one that we have seen expressed in Anishinaabek treaty councils.

It is true that Anishinaabe peoples had a definition of treaty that was much broader than European conceptions of agreements between nation-states, and the concept of treaty could and did embrace the work required to maintain relationships between individuals, families and non-human persons, including spiritual beings.⁴⁹⁵ However, this does not mean that individuals could enter into a treaty relationship with one person and then somehow use that relationship to

⁴⁹³ [1840] Minutes of a General Council Held at the River Credit, 16-23 January 1840, Paudash Papers, LAC RG10 Vol 1011, Part B:60-92; [1846] *Minutes of the General Council of Indian Chiefs and Principal Men, Held at Orillia, Lake Simcoe Narrows, on Thursday, the 30th, and Friday, the 31st of July, 1846, on the Proposed Removal of the Smaller Communities, and the Establishment of Manual Labour Schools*. Montreal, Canada Gazette Office, 1846, Canada Gazette Office [1858] David Thorburn, “Minutes of a Great Council holden with the Six Nations & a Deputation of Chiefs from 15 Different Bands from the 20th to the 29th September 1858, Department of Indian Affairs : Office of the Civil Secretary in the Province of Canada, 1844-1861, RG10 vol 245 pt 1, 145508-145583, https://heritage.canadiana.ca/view/oocihm.lac_reel_c12638/1344; [1860] Memorandum of the proceedings of an Indians Council held at Sarnia on the 12th September 1860, LAC, RG 10, Vol. 256, Reel C-12645, pp. 153967-153973;

⁴⁹⁴ Starna, William A. “Sir William Johnson’s Seal or Rufus Grider’s Imagination?: A Short Story on Historical Authenticity.” *Pennsylvania history* 90, no. 1 (2023): 35–47 discusses the most recent iteration of this controversy. For a discussion of the “two-row” as a concept in Haudenosaunee diplomacy prior to the 19th century, see Jon Parmenter, ‘The Meaning of Kaswentha and the Two Row Wampum Belt in Haudenosaunee (Iroquois) History: Can Indigenous Oral Tradition Be Reconciled with the Documentary Record?’, *Journal of Early American History* 3, no. 1 (2013): 82–109, <https://doi.org/10.1163/18770703-00301005>. For a discussion of the belt’s historical context see Kathryn V. Muller, ‘Holding Hands with Wampum: Haudenosaunee Council Fires from the Great Law of Peace to Contemporary Relationships with the Canadian State’ (ProQuest Dissertations Publishing, 2009), <https://search.proquest.com/docview/287981775> and

⁴⁹⁵ Leanne Simpson, “Looking after Gdoo-Naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships,” *Wicazo Sa Review* 23, no. 2 (2008): 29–42, www.jstor.org/stable/30131260. Aaron Mills (Waabishki Ma’iingan), ‘What Is a Treaty? On Contract and Mutual Aid’, in *The Right Relationship: Reimagining the Implementation of Historical Treaties*, ed. John Borrows and Michael Coyle (Toronto: University of Toronto Press, 2017), 41, <https://books-scholarsportal-info.myaccess.library.utoronto.ca/en/read?id=/ebooks/ebooks3/utpress/2017-07-05/1/9781442630222#page=219>.

expansively claim rights throughout a territory that was governed by a council fire. SON territory was already governed, not only by the ancestors of today's Chippewas of Nawash and Chippewas of Saugeen, but by the joint council itself. Only councils could enter into nation-to-nation alliances, and only then with the consent of the community.

Claims to Fishing Rights

The HSM also uses the existence of the “Piché” wampum string and their assertion that it represented a treaty to further claim a treaty right to SON (specifically Saugeen's) fishing islands. It is reasonable and expected that the Saugeen council would have had to approve the establishment of Piché's trading post after the War of 1812. McNabb refers to this as a “Métis trading post” but recall that Piché himself was French and was part of a group of independent traders supplied by Dr. Mitchell, a Scottish surgeon based at Drummond Island . Following Anishinaabe scholars Simpson and Mills, it is reasonable to use the word “treaty” to refer to the agreement that Piché and the Saugeen would have come to in order to permit Piché to establish himself there.⁴⁹⁶ However, such a treaty was between the Saugeen council and Piché himself. Saugeen may even have agreed to allow him to fish on their Fishing Islands. But such permission was not transferrable. But any permissions granted to other fishers would have been independent of the agreement made with Mr. Piché. Recall from the genealogy above, that the strings made their way to Cape Croker. They were not used as the basis of any HSM claim to fish.

David McNab writes the following in the Heritage Atlas about these fishing claims:

This treaty sanctioned the Métis trading post established in 1815-1816 on the north shore of the Saugeen River and also granted a “portion of land in the Sauging country” and, among other considerations, the right of fishing in the Fishing Islands in Lake Huron, which was part of the “Sauging country” these considerations have always been part of the oral traditions of the HSM. This post was within the Saugeen territory as well as being within the HSM Territory and was a free trade zone or area.

⁴⁹⁶ Aaron Mills (Waabishki Ma'iingan), ‘What Is a Treaty? On Contract and Mutual Aid’, in *The Right Relationship: Reimagining the Implementation of Historical Treaties*, ed. John Borrows and Michael Coyle (Toronto: University of Toronto Press, 2017), 41, <https://books-scholarsportal-info.myaccess.library.utoronto.ca/en/read?id=/ebooks/ebooks3/utpress/2017-07-05/1/9781442630222#page=219>. Leanne Simpson, ‘Looking after Gdoo-Naaganinaa: Precolonial Nishnaabeg Diplomatic and Treaty Relationships’, *Wicazo Sa Review* 23, no. 2 (2008): 29–42.

In addition to that post, the First Nations and the HSM permitted the Métis traders Captains William Kennedy and (his nephew) John Spence to establish their Niagara Fishing Company at Southampton in 1847, including 1,000 acres of land (including the Longe House and the park lots in Southampton), a timber lease, and a fishery lease to the Fishing Islands in 1849.⁴⁹⁷

All of these activities flowed from and were part and parcel of the Piché Treaty and Wampum of 1818. These facts explain why the Historic Saugeen Métis have always recognized in their oral traditions that they have always been ‘free and independent’ as well as having lands and resources in their territory.”

He describes this as a joint grant of the “the First Nations and the HSM” who “together permitted” Kennedy and Spence “to establish their Niagara Fishing Company at Southampton in 1847.” McNabb cites himself in a “Spirit memory and Piché wampum” speech for Saugeen Métis as evidence for this claim.

Another claim that the HSM make to the Fishing Islands is through Alexander McGregor. In 1831, Captain Alexander McGregor establishes a seine net fishery and a stone building on the Fishing Islands.⁴⁹⁸ McGregor is included in the HSM materials as being a part of the Métis community. However, he was a trader from Detroit⁴⁹⁹ married to Nancy Chisolm of Glengarry Ontario. He later left his non-Indigenous family and has several relationships with Anishinaabe women in the region (see **Families with Connections to Reserve Communities** Section for a description of these family histories)⁵⁰⁰ He was one of the earliest to establish a commercial fishery on the Fishing Islands, and Tiger Dunlop of Goderich opposed his exploitation of the fishery. After being shut out of the fishery because of this, as the *Heritage Atlas* describes the situation, McGregor became involved in the trade with the “local natives at Saugeen, although his record is somewhat sullied by government reports of his activity being laced with ‘rum and whiskey’ and his uninvited presence on reserve land.”⁵⁰¹

⁴⁹⁷ Local historian Robin R. Hilborn writes that Spence and Kennedy bought the exclusive lease to fish at the Fishing Islands from the Niagara Fishing Company of Goderich. Robin R. Hilborn, *Southampton Vignettes: A Brief History of a Lake Huron Town* (Southampton, Ontario: Family Helper Publishing, 2010): 21.

⁴⁹⁸ “The Fishing Islands” by Patsy Lou Wilson McArthur in *Historic Saugeen and its Métis People*, p. 77.

⁴⁹⁹ McArthur, *Heritage Atlas*, 177.

⁵⁰⁰ McArthur, *Heritage Atlas*, 178.

⁵⁰¹ McArthur, *Heritage Atlas*, 178.

These claims must be understood in the historical context of how the Saugeen in this period were engaged in a decades long struggle with the Crown and settlers to manage their fishing grounds on their own terms. In 1834, Saugeen First Nation entered a lease with the Huron Fishing Company, a non-native group. The Saugeen continued to fish themselves, and indeed during the fall fishery purchased salt from the Huron Fishing Company for their own use.⁵⁰² However, by 1839 they were unhappy with the plans of the Huron Fishing Company's proposal for an exclusive lease and the right to deny others use of the Fishing Islands, which the Saugeen were opposed to.⁵⁰³ Saugeen First Nation brought a petition to ask the Lieutenant Governor to return the Fishing Islands to them and in 1844, the Superintendent General acknowledged that the Fishing Island "belong to the Indians of Saugeeng."⁵⁰⁴ The Superintendent of Indian Affairs, Samuel was frustrated with this decision. He noted in a subsequent letter to Ogimaa Jacob Metigwob "I have received information of no less than three parties preparing at Niagara to proceed to these Islands to fish, and I have no doubt there will be others before the fishing season sets in. You must be aware that the Indians by themselves cannot prevent such parties taking possession of the Islands."⁵⁰⁵ While SON were dealing with a serious problem of people seeking their fish without their permission and without benefit to them, Saugeen and Chippewas of Nawash remained vocal defenders of their fishing grounds, and they protested vigorously against those who fished without their permission.

One strategy the Saugeen followed was to negotiate their own arrangements with settlers to harvest fish and then to ask those fishers to help defend Saugeen claims against further encroachment. For example, in 1845, Saugeen First Nation entered into a fishing lease with William Cayley of Toronto (who was a member of the Legislative Assembly).⁵⁰⁶ But by 1850, they had decided to reassert their jurisdiction over the fishery completely and manage it as

⁵⁰² Jacob Metigwob, receipt signed on behalf of Alexander the Chief for one barrel of Salt from the Huron Fishing Company, 10 October 1837, LAC, RG 10, Vol. 68, Reel C-11023, pp. 64516-64517. They also purchased 100 lbs of flour from the company in February of 1838: Receipt from Chief of Saugeen, February 6, 1838, LAC, RG 10, Vol. 68, pp. 64510-1.

⁵⁰³ *Report of the Huron Fishing Company 1839* (Tower Hill, London: Printed by Smith and Ebbs)

⁵⁰⁴ Jarvis to Keefer, 15 April 1844, LAC, RG 10, Vol. 508, Reel C-13344

⁵⁰⁵ Jarvis to Metigwob, 8 May 1844, RG 10, Vol. 508, C-13343, pp. 244-245

⁵⁰⁶ Lease agreement between Saugeen and Wm. Cayley, 29 April 1845, LAC, RG 10, Vol. 189, no. 5201-5300, Reel C-11512, pp. 110288-110291.

business. In October of 1850, Saugeen First Nation again petitioned the Governor General asking for an end to the leasing of the Fishing Islands, pointing out that “the proceeds of the fisheries would be far in advance of the amount paid for them when rented by our white friends.”⁵⁰⁷ In other words, the Saugeen had decided that the solution was for them to enter commercial fishing. In the petition, the Ogimaa Metigwob explained that the decision to repossess their entire fishing grounds was reached at “a council held by the chiefs and warriors of Sahgeeng October 4th, 1850” where “it was unanimously agreed that for the benefit of the tribe it is necessary that we reobtain possession of our fishing Islands.”⁵⁰⁸ Not only did the Saugeen feel that they were “in possession of means for carrying on the business with success” but also they had young men trained in the art of coopering “and we can thus be supplied with barrels without any additional expense.”⁵⁰⁹ Saugeen First Nation was proposing to develop a commercial fishery, collectively, on their own terms. Metigwob signed with his caribou doodem.

In his cover letter enclosing the petition, though, the Indian Agent, Anderson, rejected the proposal, and explained why he thought it would be better for the Saugeen to let Indian Affairs manage the leases. Anderson pointed out how in the past:

the Indians had been in the habit of letting out these Islands for £25 per annum, the Chiefs receiving the Rent, which of course was of little, if any, real benefit to the tribe generally, and in my opinion their object on the present occasion is to resume the control of the Rent. It is also probable that they have been excited to the adoption of their Petition by some interested white parties. It therefore appears to me it would cause much inconvenience to deviate from the arrangements which I believe were entered into with Mr. William Webster, the present lessee, particularly as Mr. Webster only occupies three of the many Islands at the mouth of the Saugeeng and the adjacent neighbourhood.”⁵¹⁰

Anderson’s subtext here was clear: he felt that Saugeen First Nation was not competent to manage its own affairs. However, he was also misrepresenting the facts: the £25 per annum amount he mentioned was what the Saugeen first charged their original lessee in 1832,⁵¹¹ before they really began to engage fully with the cash economy. His suggestion that because “the Chief

⁵⁰⁷ Mittigwaub to Lord Elgin, Governor General, 18 October 1850, LAC, RG10, Vol. 410, pp. 316-318.

⁵⁰⁸ Mittigwaub to Lord Elgin, the Governor General, 18 October 1850, LAC, RG10, Vol. 410, pp. 316-318.

⁵⁰⁹ Mittigwaub to Lord Elgin, the Governor General, 18 October 1850, LAC, RG10, Vol. 410, pp. 316-318.

⁵¹⁰ Anderson to the Governor General, Lord Elgin, 19 November 1850, LAC, RG10, Vol. 184, pp. 107219, 107250.

⁵¹¹ Anderson to the Governor General, Lord Elgin, 19 November 1850, LAC, RG10, Vol. 184, pp. 107219, 107250.

received the rent” also seemed to imply that Metigwob was keeping the rental income himself. However, this would have been contrary to Metigwob’s obligations as the ogimaa to provide for his community members and to distribute the funds.⁵¹² Anderson also failed to explain to the Governor General the significance of a unanimous decision taken in council of the entire community. A unanimous decision signified that the matter was carefully deliberated over a period of time in order to reach consensus. Anderson intimated that in fact the Saugeen were overreaching by intending a commercial fishery, as the current lessee was only using three “of the many Islands,” presumably leaving sufficient fish for Saugeen First Nation for their personal use. Anderson also ignored the capacity that Saugeen First Nation were developing to enter the commercial fishery: the fact that young Saugeen men had already been trained in the art of barrel making.⁵¹³

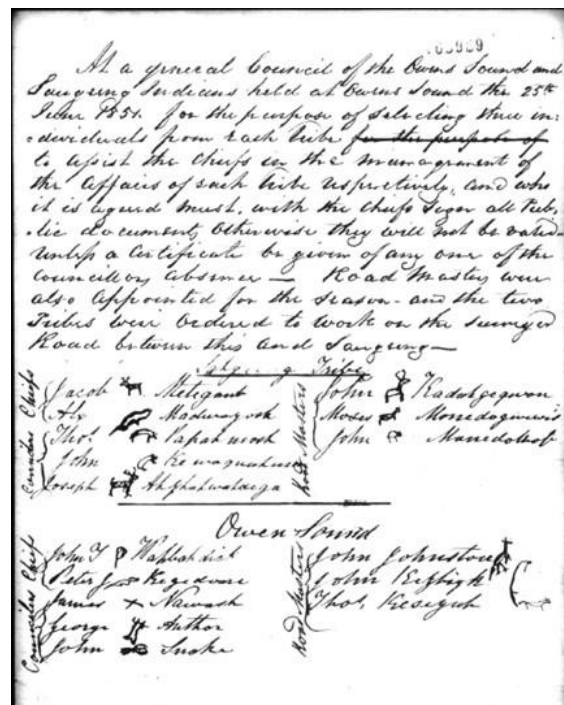


Figure 12: **Declaration of the Saugeen and Owen Sound Council, 25th June 1851**

⁵¹² This was long established practice. When Anishinaabe leaders exchanged presents with the Crown, ogimaag received the gifts and were responsible for the community distribution. See a description of this process in Anna Jameson, *Winter Studies and Summer Rambles in Canada*, (London: Saunders and Otley, 1838), 146-152.

⁵¹³ Metigwob to Lord Elgin, the Governor General, 18 October 1850, LAC, RG10, Vol. 410, pp. 316-318.

Saugeen pushed back against these claims about their competency and began to build new governance model that could better allow them to push back against settler encroachment. In June of 1851, the Saugeen met in Joint Council with the Chippewas of Nawash First Nation council fire and jointly agreed to appoint three individuals from each as councilors who could assist them in managing their affairs. They also appointed three “road masters” from each community to organize the work the bands would contribute to the development of the road between the two communities. Crucially, to ensure transparency and ensure accountability, the Joint Council required that these new councilors, “must, with the Chiefs, sign all public documents otherwise they will not be valid, unless a certificate be given of any one of the councilor’s absence.”⁵¹⁴ As SON transitioned to a world where governance was conducted in writing and away from their practice of decisions witnessed in open council, they strove to find a solution that was compatible with Anishinaabe principles of governance. The completed document, signed with doodem images, reflects both the adaptations and continuities of Anishinaabe governance practices.

When the conversation turned at that council to fishing, the jurisdiction of each local council fires was respected. Those rights on the Lake Huron side were managed exclusively by Saugeen First Nation, and on the Georgian Bay side by Chippewas of Nawash, until the Crown unilaterally asserted jurisdiction in 1857 with the passage of the Fisheries Act. At the June council, at which Anderson of the Indian Department was present, Saugeen informed Anderson that they would lease the Fishing Grounds to a Mr. Kennedy, who in return for considerations granted, would undertake to protect them from additional trespass.⁵¹⁵ At the council they told Anderson that they wanted to receive the rent money directly, which Anderson also rejected.⁵¹⁶

⁵¹⁴ Memorandum from Anderson re certain persons to assist the Chief in managing the affairs of the undermentioned Tribes - Owen Sound and Saugeeng, 25 June 1851, NAC, RG10, Volume 263, pp. 163928-163929, Reel C-12653.

⁵¹⁵ Notes of a general Council of the Saugeen and Owen Sound Indians, held by Anderson, 24 June 1851, LAC, RG10, Vol. 189, p. 110370.

⁵¹⁶ Notes of a general Council of the Saugeen and Owen Sound Indians, held by Anderson, 24 June 1851, LAC, RG10, Vol. 189, p. 110370.

The evidence presented above concerning the history of the wampum strings and the struggle by the Saugeen to protect their fishing grounds significantly challenges David McNab's interpretation of what the strings conferred. As McNab writes, with reference to the consideration granted to Kennedy for a parcel of Saugeen land and a monopoly on the fishery is "All of these activities flowed from and were part and parcel of the Piché Treaty and Wampum of 1818." The lease to the Niagara Fishing Company did not have anything specifically to do with an agreement with a distinct Métis community. Saugeen had negotiated fishing rights with multiple outside parties before, of whom Mr. Kennedy was one. Kennedy's offer was preferred by the Anishinaabek because he was undertaking to protect Saugeen First Nations interests in the Fishing Islands. However, this agreement cannot be taken as some sort of evidence that Kennedy and/or his descendants therefore had or received a permanent right or claim to the fishing islands.

The writers of *Heritage Atlas* make general statements about Métis use of SON's fishing islands and the centrality of fish to their Saugeen Historic Métis way of life.. McNab states:

Historically, lake whitefish have been one of the Métis' most valuable fish for community feasts, family consumption and for economic activity. Prior to the opening of the Fishing Islands to commercial activity in the 1830s, Métis and First Nations conducted a fishery from canoes and small boats, off the islands and along the Bruce Peninsula, bartering was common.

Even into the 20th century local Métis peddled fish extra to their personal needs. As well as being fishers and pursuing economic benefit from their occupations, harvested rabbits, squirrels, birds and other animals, gathered medicinal plants, and harvested berries, wild plums, and gull eggs, often at family fishing stations and hunt camps.⁵¹⁷

McNab suggests that a distinct Métis community jointly fished these islands with Saugeen prior to the 1830s. Patsy Lou Wilson McArthur makes a statement similar to McNab's in the *Historic Saugeen and its Métis People*:

The Fishing Islands for thousands of years had sustained local Aboriginals as evidenced by Archaeologists, and likewise the Métis families early to the Saugeen territory caught and used local fish. Both men and women were fishers and often sold extra to others.⁵¹⁸

⁵¹⁷ McArthur, *Heritage Atlas*, 72.

⁵¹⁸ "The Fishing Islands" by Patsy Lou Wilson McArthur in *Historic Saugeen and its Métis People*, p. 77.

But as we have demonstrated above, the traders who came into SON territory before the cession of SON lands to the Crown would have fished with SON's approval or were included in the people that SON complained about as encroaching on their fish.

In 1857, Province of Canada passed the 1857 *Fisheries Act*, which introduced closed seasons and banned several of Saugeen First Nation's fishing techniques.⁵¹⁹ The Act also banned the use of many traditional fishing technologies, including stake nets, barrier nets, and torchlights for salmon and trout, and prohibited the taking of salmon, trout, or muskellunge between October 1st and February 1st. Subsequent amendments banned all but hook and line fishing, restricting the river fishery to sport fishermen.⁵²⁰ The Act therefore made it illegal for the SON to catch their essential winter fish and to use fishing technologies they had practiced for generations. The *Fisheries Act's* goals, however, were in line with the civilization mission outlined in the Bagot Commission and Pennefather Commission reports.⁵²¹

Fish was an essential food source for SON when they dispersed into their family winter hunting territories, and when they gathered for their fall council. The *Fisheries Act* prevented the harvesting of this important resource during a critical season: winter. Moreover, it was intended to preserve this resource for wealthy American sportsmen. Fisheries Commission William Gibbard recommended the ban on Indigenous winter-spear fishing, as they would provide good sport for tourists. In his first report to the Legislative Assembly in 1859, Gibbard gave the example of tourists coming from Rochester to Collingwood area, "catching Speckled Trout through holes in the ice...They took away with them several sleigh-loads...Parties of wealthy men remain for weeks and months, spending their money freely..."⁵²² SON fought long and hard to regain control over their fishery, a century long battle with Indian Affairs and the Department of Fisheries which could itself be a book, with limited success until a 1993 court decision, *R. v. Jones*, recognized SON's rights to its fisher.⁵²³

⁵¹⁹ Canada (Province), *The Fishery Act*. 20 *Victoria* (1857) c. 21.

⁵²⁰ Thoms, "Ojibwa Fishing Grounds," 222–223, 267–69.

⁵²¹ Thoms, "Ojibwa Fishing Grounds," 223.

⁵²² Annual Report of the Commissioner of Crown Lands for the Year 1859, Sessional Papers, 1860, No. 12, p. 88–89

⁵²³ *R. v. Jones* [1993] O.J. No. 893. This history is covered somewhat in Bohaker's expert report for the Sauble Beach Case, "Before and After Treaty 72"

SON's struggle to control its fishery contrasts sharply with the narrative of Métis and SON fishers both harvesting the same resource as Indigenous peoples. MacArthur includes a reminiscence of a "Métis elder" about how Métis people at Southampton were continuity to participate in this fishery. The elder remembered helping "her father not only set and lift their net, but also how she peddled the extra catch to the Saugeen Indians who came to town." Why in the 1920s, would people from Saugeen need to purchase fish? SON members were greatly restricted in the number and type of fish they could catch, even for their own use. The same was clearly not true for this "Métis" elder, who was able to acquire a license to sell. This individual was able to earn money by selling to Saugeen members fish from the fishing islands, which had been reserved to them in the 1854 treaty. SON members at both Saugeen and Cape Croker lived under the watchful eye of their Indian Agents and they, like other Indigenous people, would be (and were) arrested for violating federal fishery and provincial fishery and game laws, which occurred with increasing frequency in the 20th century.⁵²⁴

Other evidence put forward by MacArthur is intended to shore up these claims by pointing to use of the Saugeen Fishing Islands by fur-trade connected families listed in their genealogies. MacArthur observes:

A French family by the name of Martin was known to be at the Fishing Islands on March 17, 1838, when their son, Henri was born. A known Martin family in Lake Huron at the time was connected to the Lavalles of Owen Sound. The Longes had a long-standing fishing station on the west side of the Peninsula. In the late 1920s Mrs. Mary Longe of Southampton is noted in a local paper to have just returned from a two-week visit at the Fishing Islands with her sister, Mrs. Esther Longe.⁵²⁵

She also includes the memoir of Eva Granville born 1906 at mouth of Saugeen River who spent several summers on the Fishing Islands where her father, Joseph Granville, "was fishing for the Dorans."⁵²⁶ All of this fishing activity however, was regulated by first the Province of Canada

⁵²⁴ David Calverley, *Who Controls the Hunt?: First Nations, Treaty Rights, and Wildlife Conservation in Ontario, 1783-1939* (Vancouver: UBC Press, 2018).

⁵²⁵ "The Fishing Islands" by Patsy Lou Wilson McArthur in *Historic Saugeen and its Métis People*, p. 77. Citing John Carrol, Case and his contemporaries, or The Canadian itinerants' memorial: constituting a biographic history of Methodism in Canada, from its introduction in the province, till the death of the Rev. Wm Case in 1855 (Toronto, Wesleyan Conference Office, 1871), p. 288.

⁵²⁶ "The Fishing Islands" by Patsy Lou Wilson McArthur in *Historic Saugeen and its Métis People*, p. 77.

after 1857, and the federal government after 1867, which limited SON members to a subsistence fishery and only then of certain less desirable species such as lake herring. The people that MacArthur cites were all participating in a *regulated commercial fishery*, for which they paid leases to the Crown. SON did not receive the benefit of this resource exploitation. MacArthur concludes in her section on fishing by making a claim for the contemporary connection of “Métis” people in the area to the Fishing Islands today. She writes “Today the Fishing Islands and the surrounding shallow waters remain Lake Huron’s most productive whitefish spawning grounds, cherished and protected by local First Nations and Métis People.”⁵²⁷ Her statement masks what actually happened, where government legislation effectively blocked SON from their own resources, while mixed-ancestry fur trade families and other settlers were able to profit from it.

Part C Conclusion

We find that the historical evidence presented by HSM to validate their claim to “assert credible s. 35 aboriginal communal rights in the Métis Saugeen territory” cannot be supported. It is abundantly clear from the materials they provide that they have a limited understanding of Indigenous and settler histories in what is now southern Ontario and the Saugeen peninsula. The Piché wampum strings do not mean what is asserted in the Heritage Atlas, and they do not represent a nation-to-nation treaty. As we have explained, there was existing and very active SON governance over their territories, and long-standing practices and protocols around the management of lands and resources. HSM seems unaware of this and makes a series of claims, including referencing agreements such as the Covenant Chain alliance, which belong to a different time, people and place. Likewise, their claims to the fishing islands based on this “wampum treaty” and evidence of ancestral use is ignorant of the actual settler history of the 19th century, and the speed by which the Crown moved, from signing a treaty with SON in 1854 in which their fishing islands were protected to by 1857 passing legislation which barred SON from anything but the barest subsistence harvesting. Ironically, some of the families who the HSM claims as “Indigenous” who benefited here also from SON’s dispossession.

⁵²⁷ “The Fishing Islands” by Patsy Lou Wilson MacArthur in *Historic Saugeen and its Métis People*, p. 78.

D. Further Research

We have only scratched the surface of the possible additional research that can be undertaken if required. The nineteenth-century archival record for Ontario is quite rich. The Indian Department, in its efforts to control and manage Indigenous peoples for the benefit of settlers, surveyed and reported on Indigenous peoples movements, actions and decisions. Clerks preserved minutes of council and band council (after 1876) deliberations and there are a multitude of government reports. Missionaries were frequent visitors and wrote much. The activities of settlers are also well-documented in southern Ontario in the 19th century, especially anyone who was able to purchase, acquire or rent land, or people who left sufficient assets to have a will. Even working class people become visible in church records, where baptisms, marriages and deaths were recorded. The first official census was in 1851 (, it was actually *taken* in January of 1852 due to administrative delays) and has occurred every 10 years thereafter. Southern Ontario was awash in newspapers by the 1830s, and other publications including town directories, immigrant guides, guides for hunters and fishers, almanacs and travel literature published by visitors hoping to earn a little extra income from their voyages. All works known to have been published in Canada to 1900 have now been digitized by the Canadian Institute for Historical Microreproductions (now Canadiana.ca) and are keyword searchable.

In the 19th century it was possible to be quite “off-the-grid” in many places north of Lakes Huron and Superior (at least until the completion of the trans-continental railway in 1885) but the pace of growth and development (and corresponding surveillance of potential resources) was much more accelerated in southern Ontario and the state was able to exercise quite effective control. We are confident in our analysis that there were no distinct Métis communities which emerged on SON territory, and we are equally confident in the volume of archival and published sources which can be surveyed to demonstrate this beyond the shadow of a doubt. Further research into these Métis family lines, including investigating land patents and wills, and involvement in the commercial fishery, would further quantify the extent to which those making claims to SON territory today were in fact settlers, the historic beneficiaries of the SON’s

dispossession of their territory and resources. Again, this is not to deny people a Métis history or heritage, and we do not deny that mixed-ancestry people who identify as Métis lived in southern Ontario and are still living here today.

Conclusion

Based upon the research conducted for this report, we do not find evidence that there was a distinct Métis community anywhere in SON territory that meets the MNO's own criteria for a "distinct Métis community," not at Owen Sound, nor Southampton or Goderich. Based upon their own determination that such a community must have existed at least at Owen Sound, the MNO has now defined a "Georgian Bay" territory for the purpose of harvesting rights overlaps with SON territory. The historical evidence simply does not support this claim. There were at most three families who moved to Owen Sound and may have lived near one another initially in the late 1840s and early 1850s, but this was both clearly as we have established, after any reasonable measure of "Effective Crown Control." These families were squatting on lands already designated as military reserve, with a Crown Land agent in close proximity; these ordinance lands were formally surveyed in 1854. The "French settlement" at Owen Sound consisted of 8 French-speaking and Catholic families in 1851, which quickly merged into the surrounding settler community. There was no real endogamy with this group or with any other Métis peoples. Furthermore, claims promoted by the HSM to being the descendants of a distinct historic Métis community at Goderich or Southampton are not supported by the evidence. Of the over fifty families HSM documented, only a handful remained and all but a few early traders (who did not stay) arrived after effective European control. Even the MNO has not felt their claims have enough of a basis in fact to warrant that designation. HSM's historic claims to SON territory and to the fishing territories are equally devoid of merit, lack historical context, and are not supported by historical scholarship.

The reality is that SON, because of the location of its territory, was never directly involved in the fur trade and really had no opportunity to develop the type of mixed-ancestry community the Powley criteria, and even the MNO's own criteria requires for the establishment of a credible section 35 right. Moreover, SON has no history of an alliance relationship with any mixed-ancestry polity on or near its territory. It was only after the War of 1812 that an independent trader and then the HBC established a post on SON territory, and both would have

been with SON's permission. SON had no formal treaty relationship or alliance relationship with any "distinct Métis community" at either of the purported sites of such a settlement at Owen Sound at the Saugeen River, or at Goderich because the people claimed as Métis ancestors moved to these places only after SON ceded land to the Crown, when they either squatted on surveyed land and/or subsequently acquired patents to land. It seems the Crown treated the ancestors that MNO, GBHM and the HSM point to as they did any other settler. Indeed, some of the very family lines which the MNO points to as having such a claim (the Payette-DeValley) line, for example, were the immediate beneficiaries of the SON dispossession, being the first generation of settlers to move on to lands ceded by SON to the Crown at Owen Sound in 1857, and able to work as commercial fishers in SON's waters in the 19th century, a fishery to which SON's own members were increasingly denied access to after 1857.⁵²⁸

There were certainly individuals and families of mixed ancestry, families with histories of connection to the fur trade, individuals who traded with SON, and individuals or families who were granted permission to live in SON territory before SON ceded those lands to the Crown or who were granted permission by chief and council to live on SON reserves. Some of these individuals and families may indeed even have had connections to the Métis homeland in the Red River district. However, that cannot be the basis for making a claim to being Indigenous in SON territory. In our assessment, there is no historical basis for claiming that there ever was a distinct community of Métis people living on SON territory that would justify claims to harvesting rights or Indigeneity on SON's lands and waters. SON was directly engaged with the Crown and other Anishinaabek council fires in what is now Southern Ontario to protect against encroachments on its land during the period of rapid colonial settlement, from 1818 to 1851, when the settler population doubled every decade. The Powley decision, despite its definitional ambiguities in using the term "distinct community," still clearly expected that there must be a noticeable and visible generational Métis community before the achievement of effective European control. This was not, in our opinion as historians, ever the case in SON territory.

⁵²⁸ Canada (Province), *The Fishery Act* 20 Vict. (1857) c. 21 .

Appendix A: Georgian Bay Historic Métis Family Lines

The MNO currently recognizes 26 family lines (Verified Métis Family Lines or VFMLs) as comprising the history community in the Georgian Bay region, centered at Penetanguishene. This information was available on their public website as of June 7, 2024 but by June 16 had been removed. The Internet Archive's WayBack Machine (archive.org) has screenshots of the pages collected as of May 20024, but not the large PDF files that each of these names linked to. Of these, only four have a direct connection to SON territory, which according to the MNO, means that that one of their "Root Ancestors" or "Descendant Root Ancestors" lived on SON territory prior to what the MNO asserts is a date of "Effective Control" of the territory by the Crown. In this specific case, these are four family lines with at least one ancestor living at a small settlement of French-speaking, Roman Catholic household who were fishing and living at Owen Sound by 1850: Desjardins-Lavallee, Payette DeValley, Coture-Jones, and Jones-Blette dit Sorrelle.

- [Berger-Beaudoin](#)
- [Brisette-L'Hirondelle](#)
- [Beausoleil-Giroux](#)
- [Cadieux-Evans](#)
- [Coture-Jones](#)
- [Craddock](#)
- [Charpentier-Martin](#)
- [Chevrette-Souliere](#) (*Note this file FL7025 is only valid for current MNO citizens who are applying for harvesting*)
- [Delaronde](#)
- [Desjardins-Lavallee](#)
- [Dusome-Clermont](#)
- [Gordon-Landry](#)
- [Gaudaur](#)
- [Gendron-Hallio](#)
- [Labatte](#)
- [Laramée-Cloutier](#)
- [Laramée-Cloutier](#) (Amendment Report)
- [Longlade](#)
- [Longlade](#) (Amendment Report)
- [Vasseur-Longlade](#)

- [Payette-DeValley](#)
- [Perrault](#)
- [Solomon](#)
- [Solomon](#) (Amendment Report)
- [St. Onge](#)
- [Giroux-St Onge](#)
- [Jones-Blette dit Sorrelle](#)
- [Trudeau-Papanaatyhianencoe](#)
- [Trudeau-Papanaatyhianencoe](#) (Amendment Report)
- [Leduc-Callahan](#)

Appendix B: Detailed Analysis of HSM Genealogical Claims

Information in these tables is arranged from materials published in *Historic Saugeen Métis: A Heritage Atlas* and *Historic Saugeen and its Métis Peoples* and other sources as footnoted.

Table 1: Traders supported by Dr. David Mitchell at Saugeen River (1818-1837)

Name	Dates (Approximate)	HSM Claim to Métis Identity	Notes. Data is from
Cadot ⁵²⁹	1820s-1840s	-Achile Cadot believed to be descended from Jean Baptiste Cadotte (his grandfather) and Nippissing Woman Athanasie (Anastasie).	-In the case of Achille Cadot (1814-1867), his presence in SON territory was not longstanding.. -He was one of the traders who took over trade at Saugeen River from Henry Piché, supported by Dr. David Mitchell -He is listed as being enumerated at Sault Ste. Marie in 1839 and Wisconsin in 1840. His daughter was baptized at St. Peters (Goderich) in April, 1844. He died at Mackinac.
Loranger Dit Rivard ⁵³⁰	1830s	-Regis Lorander married Marie-Adelaide de Lamorandiere (daughter of Etienne Stephen de Lamorandiere of Montreal and Josette Sai-Sai-Go-No-Kwee “Falling Snow” from Odawa villaga, Kalamazoo Michigan)	- Regis Loranger Dit Rivard (1807-1887), he is from Quebec, is contracted by both Mitchell and the HBC. While he is working for Dr. Mitchell he wintered at Saugeen in 1832-33. He and his family leave Saugeen in 1837, for Penetanguishene and Killarney. The family eventually relocates to Ontonagon, Michigan. (See also Lamorandiere in “Families who leave SON territory” chart)
Normandin ⁵³¹	1820s	-Joseph Normandin married Marguerite Solomon, a “Métis woman” b. 1802 at Mackinac to William Solomon and	-Joseph Normandin, b. 1799 in Montreal -He works for Mitchell in Saugeen in the 1820s, before

⁵²⁹ Heritage Atlas, 114.

⁵³⁰ Heritage Atlas, 122-123 and 171.

⁵³¹ Heritage Atlas, 185 and 202.

		Marguerite Johnson, both of mixed heritage	relocating and settling in Killarney.
Piché ⁵³²	1815/18-1827	- He married Monique Deslauniers at Detroit (Deslauniers was the daughter of Louis Desaulniers a fur trader and Marie Charlotte Bourassa, a woman listed as “Métis” in HSM materials), who had extensive kin networks in trade on both side of her family.	-Piché (1787-1837) was born in Quebec. Piché traded at Saugeen between 1815 (at the earliest) and 1827. He moves away from the region after this and dies in the Detroit River area. ¹⁵ This means that the Piché family was only in the area between 1815/18-1827, at the most twelve years. Piché is also noted as having a relationship with a woman from SON territory in the notes left by Frederic De Lamorandiere
Sayer ⁵³³	-1820s	- Edward Sayer is possibly the son of Henry Sayer and Obemauunaqua, Lake Superior Chippewa woman.	-takes over from Piché in trade at Saugeen in 1828 -Likely relocates to the Mississauga area after 1871 where he was a storekeeper in 1881. (see also “Families who leave SON territory)

Table 2: The Hudson’s Bay Company Post at Saguingue (1826-1832)

This post was operational only between 1826 and 1832. Known individuals who worked at the Saguingue post in 1828/29 are listed below: Note that the HBC records only have information on the Sanguine post for 1828/29. It is possible that during the six year period that the HBC operated this post that there were other individuals who served. For information on these individuals, see the “Families who leave SON territory” chart.

- William McKay
- Louis Chevette
- Peter McFarlane
- Michel Frechette.

⁵³² Heritage Atlas, 187 and 182.

⁵³³ *Heritage Atlas*, 199.

Table 3: Other Early Traders in the Goderich Area

Family Name	Date (approximate)	Claim to Métis identity	Details
Andre ⁵³⁴	1830-1870s	-Perhaps considered mixed race because Francis Andre was born in Manitoba (1818), he marries Jeanne Dushesne, sister of Marie-Jeanne mentioned in “Deschamps” below (a Métis woman, daughter of Michel Dushesne and Marie Jeanne Petit of a prominent Michigan trading family the Beaulieu-Itagisse dit Chretienne family)	- Francis Andre was a fur trader born in Manitoba (1818). His brother-in-law, Francis Deschamps was the Goodings main trader, and they had lots across from each other in Hay township. -Andre dies before 1861. His widow remarried and relocates to Michigan. -The Andre family, like the Deschamps family, lived in SON territory, but all members mentioned in the Heritage Atlas relocate, primarily to Michigan, some to Sarnia. -See also Duchesne in “Families who leave SON territory” table
Bellmore/Bellhumeur			See “Families who Remain in SON territory” section of report
Cameron	1820s onward		See “Families Connected to Reserve Communities” section of report
Deschamps/Dishaw ⁵³⁵	1830s	-Francis Deschamps married Marie-Jeanne Dushesne (described as a Métis woman, daughter of Michel Dushesne and Marie Jeanne Petit of a prominent Michigan trading family the Beaulieu-Itagisse dit Chretienne family). They have nine children.	Francis Deschamps/Dishaw (b. Port Huron Michigan) was the guide who brought Gooding to the Mennesetung River -He was also one of the signatories on a petition to have a bilingual priest sent to the Goderich area in 1834. In 1833, he purchases Canada Company lot in Goderich and in 1847 was enumerated in Hay Township. -As the fur trade declined, farmed, timber, shingles, cedar posts. When widowed he married Catharine (Ducharme) Boucher Des Roches.

⁵³⁴ *Heritage Atlas*, 87-89.⁵³⁵ *Heritage Atlas*, 126-128.

			<p>-This family relocates to Michigan by 1870, all descendents mentioned in the Heritage Atlas relocate to Michigan.</p> <p>-See also Duchesne in “Families that leave SON territory” Chart</p>
Gonneville/Granville			See “Families who Remain in SON territory” section of report
Longe/Lange			See “Families who Remain in SON territory” section of report
Tranchemontagne ⁵³⁶	1820s-1840s	<p>- Francis Tranchemontagne was born in Quebec in 1784 and worked for the North West Company. His county wife was Marie Makingani (b. Fort William area).</p>	<p>-Tranchemontagne held a contract with the HBC, but was engaged by the Goodings of Goderich in 1826. -He still lived in Goderich by 1847. However, he and Marie relocate to Killarney where they lived by 1861. Most of their five children remain in the Killarney area, with one granddaughter Anne returning to the Goderich area when she married the physician there.</p> <p>See also Johnston in “Families who Leave SON territory” Chart</p>

Table 4: Trading Families who leave SON territory

Family Name	Dates	Claim to Métis identity	Details
Baron and Yax ⁵³⁷	1820s-1830	Benjamin Baron (born in Quebec 1797), married Catharine Yax (born 1801 along St. Clair River) daughter of Jean-Baptiste Yax and Therese Mesny:	<p>-Baron traded out of Goderich for the Goodings in the 1820s and 1830s, sometimes wintering at Killarney</p> <p>-Benjamin and Catherine move to Marine City (Newport) Michigan by the late 1830s</p>

⁵³⁶ *Heritage Atlas*, 205-206.⁵³⁷ *Heritage Atlas*, 91-92 and 207.

		<p>“a branch of the Jean-Baptiste Beaulieu and Francoise Sauteaux Itagisse dit Chretienne trading family”</p> <p>-First daughter baptized Drummond Island 1824</p> <p>-Son born 1832 and daughter 1834 when family was at Goderich</p>	<p>-Son and second daughter move to Chicago and Windsor</p> <p>*there is no mention of where the first daughter resides</p>
Beaulieu ⁵³⁸	-1800s	<p>-Jean Baptiste Brillant Beaulieu of Brittany marries Sauteaux woman Francoise Sauteaux Itagisse dit Chretienne at Mackinac, descendents include Catherine Yax and Dushesne sisters</p>	<p>-See entries in this table for Baron/Yax and Dushesne</p>
Chevrette ⁵³⁹	1820s	<p>-Marguerite Souliere had one Indigenous grandparent</p>	<p>-Louis Chevrette, b. 1802 St Cuthbert, Quebec.</p> <p>-m. Marguerite Souliere, granddaughter of Charles Bousquet (NWC trader and “une sauvagesse de la Nation des Sauteaux”)</p> <p>-Chevrette trades for HBC at Saguingue in 1828-29</p> <p>-They have seven children and live in Simcoe County, with no mention in HSM materials of a connection to SON territory</p>

⁵³⁸ Heritage Atlas, 87-89 and 91-92.

⁵³⁹ Heritage Atlas, 120-121.

De Lamorandiere (some branches) ⁵⁴⁰	1815 onward	<p>-Family consists of three children of Etienne Stephen De Lamorandiere b. Quebec 1767 m. Josette Sai-Sai-Go-No-Kwe “Falling Snow” from Odawa Village, Kalamazoo Michigan</p>	<p>-Etienne is a Michigan trader, sets up at Mackinac after 1815, then moves to Killarney when Americans burn his post</p> <p>-Frederic De Lamorandiere (1828-1906) joins Cape Croker band (See “Families Connected to Reserve Communities)</p> <p>-Marie-Adelaide De Lamorandiere -marries trader Regis dit Rivard Loranger of Yamachiche Quebec (employed by the Mitchell trading family in 1820s/30s) at Penetanguishene in 1832 -Family relocates to Ontonagon, Michigan where descendents reside</p> <p>-Thadeus De Lamorandiere -born 1814 Drummond Island, trades with father in late 1820s in opposition to HBC at Saugeen -supports petition for bilingual priest at Goderich -marries Josephine Farling in 1837 -This family moves to Saginaw, Michigan around 1845</p>
De Laronde ⁵⁴¹	1850s	<p>-marriage between Charles De Laronde and “Catharine” of Christian Island (no mention of children)</p>	<p>-Charles De Laronde b. Montreal 1813, marries “Catharine” of Christian Island -1851- they set up seasonal station for fishing near Big Bay north of Owen Sound</p>

⁵⁴⁰ *Heritage Atlas*, 122-124.

⁵⁴¹ *Heritage Atlas*, 125-126.

			<p>-He was involved in the Lonely Islands Fishing dispute w Wikwemkong where he, Philemon Proulx, and son Jean-Baptiste Proulx built shanties for fishing</p> <p>-After dispute moves to Killarney with Catharine, not sure where dies</p>
Desmarais ⁵⁴²	1820s/1830s	-Six Children of Marie Suzette Sauteuse of Red River, noe known if any these children come to Canada West	<p>-François Desmarais, b. Ile de Montreal 1770, marries Marie Suzette Sauteuse of Red River</p> <p>-She dies and he remarries in Quebec (Marie Collard)</p> <p>-after 1821 comes to Goderich, takes Canada Company Grant in 1833</p> <p>-Eventually settles in Lake St. Clair</p>
Duchesne ⁵⁴³	1830s-50s		<p>Sisters Charlotte and Jeanne (daughters of Michigan trading family, parents Michel Duschesne and Mary Jeanne Petit of Jean-Baptiste Beaulieu and Francoise Sauteax dit Itagisse trading family) marry early Goderich traders Frank Deschamps and Francis Andre and live in Goderich. Jeanne remarried after the death of Andre to and relocates to Michigan, Charlotte's children go to Michigan after her death.</p>
Frechette (m. Charlotte Gonneville) ⁵⁴⁴	1820s	-Michel Frechette 1799 b. Sand River son of trader and Elizabeth Riel	-Michel marries Charlotte Gonneville (daughter of Antoine Gonneville and Lisette Rivel/Riel)

⁵⁴² *Heritage Atlas*, 129.

⁵⁴³ *Heritage Atlas*, 129-130.

⁵⁴⁴ *Heritage Atlas*, 131.

			<ul style="list-style-type: none"> -Hired as HBC trader in Lake Huron area, trades at various posts for 20 years -1827-28 traded at Saguingue post -Charlotte's uncle Augustin Gonneville trading there -Charlotte and Michel move to Sault Ste. Marie Michigan by 1850 and die there
Johnston ⁵⁴⁵	1840s	<ul style="list-style-type: none"> -Robert Johnston marries Sophie Tranchemontagne (d. of Francis Tranchemontagne and Marie Makingani b. north of fort William) at Wikwemikong 	<ul style="list-style-type: none"> -Irish brothers Hugh and Robert Bell Johnston set up store at Goderich -Robert trades in opposition to HBC around Manitoulin -After death of Robert, widow Sophie Tranchemontagne moves to Lambton, ON with their 6 children
Leblanc ⁵⁴⁶	1820s	<ul style="list-style-type: none"> -Postmaster Aleander McKay (mixed ancestry son of William McKay and Josette Latour) m. Angelique Leblanc Jolineau (mixed descent from Wisconsin) 	<ul style="list-style-type: none"> -They spend the year at Saguingue in 1827 -retires to Sault Ste. Marie in 1843
McBeath ⁵⁴⁷	1850s-70s	<ul style="list-style-type: none"> -David McBeath, HBC trader -m. Mary Jane Mallette, listed as a Métis woman (Michigan marriage records cited) 	<ul style="list-style-type: none"> -David McBeath was the lighthouse keeper at Cove Island on Lake Huron (1859-1872) -they live in Sault area prior to this, not known where they settle after 1872 -Had ten children *one daughter Anne Marie Jessie McBeath marries

⁵⁴⁵ *Heritage Atlas*, 146-147.

⁵⁴⁶ *Heritage Atlas*, 158.

⁵⁴⁷ *Heritage Atlas*, 172-173.

			Charles Laxbie in Southampton, 1873
McFarlane ⁵⁴⁸	1820-30s	-Peter McFarlane, b. 1796 in Minnesota to a Scottish trade and an Ojibwe woman	-McFarlane holds contracts with HBC, on Lacloche roster 1827-1828 and serves at Saguine (Saugeen) outpost over the winter of 1828-29 -Moves to the Sault, Michigan and is believed to have joined Chief Oshawano's band with family (m. Marguerite Riel a Métis woman 1844)
Petit ⁵⁴⁹	1820s	-Anselme Petit b. Cap Sante, Quebec 1773, m. Angelique Campeau granddaughter of Louis Campeau	-Family based out of Port Huron, Michigan -Conducted trade with son Edward Petit (b. 1812 Port Huron) -Conduct trade at Goderich but both Anselme and son die in Port Huron
Rouleau ⁵⁵⁰	1830s	-Jean-Baptiste Rouleau b. Detroit 1805 son of trader Charles Sansouny Rouleau and Anne Chauvin "a Métis woman"	-trades for the Goodings at Goderich circa 1830s -m. Felicite Metay of Detroit -daughter born Goderich 1831, he signs petition for bilingual priest at Goderich 1834 -In the late 1830s, this family moves to Lake St. Clair region.
Sayer ⁵⁵¹ (Edward)	1820s	-Possibly son of Henry Sayer, b. in Northwest in 1814	-takes over from Piché in trade at Saugeen in 1828 -believed to have ended up in Mississauga where he was storekeeper in 1881
Sayer ⁵⁵² (Henry)	1840s	-Henry Sayer b. to John Sayer and Obemaunoqua, a	-trades for both NWC and HBC

⁵⁴⁸ *Heritage Atlas*, p. 176-177.

⁵⁴⁹ *Heritage Atlas*, p. 185-187.

⁵⁵⁰ *Heritage Atlas*, p. 198-199.

⁵⁵¹ *Heritage Atlas*, p. 199-200.

⁵⁵² *Heritage Atlas*, p. 199-200.

		Lake Superior Chippewa woman in Fond du Lac, 1878	<ul style="list-style-type: none"> -in 1827 in charge of HBC post Lac aux Sables near Parry Sound -trades in opposition to the HBC at Saguingue and Mississauga -1845-1862 in charge of HBC post at Mississauga where he and his family remain -m. Margaret Cameron, have ten known children -Family remains in Mississauga, buried in Mississauga cemetery
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Table 5: Retirees from the Hudson's Bay Company (c. 1840s)

These are individuals who, after their employment with the HBC ended, chose to retire in Upper Canada.

Name	Date	Claim to Métis Identity	Details
Bell ⁵⁵³	1860	- "While in the McKenzie District he married Nancy Ann Dease, daughter of Peter Warren Dease and Elizabeth Chouinard. Peter Warren Dease, a HBC Chief Factor and Arctic explorer, was born in Mackinac in 1788, the son of Dr. John B. Dease of the Indian Department." (Historic Saugeen and its Métis peoples, p. 83)	<ul style="list-style-type: none"> -John Bell (b. 1799 on island of Mull), initially worked for the NWC then the HBC in 1821 - In 1860 John Bell retired from the HBC, settles "on a farm on Concession 4, Lot 17, Saugeen Township. Bell died in 1868 Saugeen, leaving his wife Nancy, two sons and five daughters.
Kennedy ⁵⁵⁴	1840s	- John Kennedy (1814-1890) was the son of Chief Trader Alexander Kennedy and Aggathas a Cree woman. His country wife was	-After first retiring from the HBC to Kingston, he bought land on the Saugeen and established a fishery at the mouth of the Saugeen River

⁵⁵³ Patsy Lou Wilson McArthur, "HBC Retirees who Ventured to Saugeen" in *Historic Saugeen and its Métis People*, p. 83.

⁵⁵⁴ Patsy Lou Wilson McArthur, "HBC Retirees who Ventured to Saugeen" in *Historic Saugeen and its Métis People*, p. 79-80.

		Métis woman, Sarah Stevens, who raises a family in Guelph.	in 1846. His trade was successful, and trade expands in 1849-51. Quoting from his obituary, McArthur notes: “He had over twenty-eight men employed, owed [sic] a small trading vessel which carried his barrels of fish to Goderich, and he sit up his own sail and cooperage works.” However, Kennedy leaves in 1851 to go on a voyage to find the Franklin expedition. He eventually moves to Manitoba. This means that Kennedy was only in SON territory for five years.
McClaren ⁵⁵⁵	1870s	-David McClaren is the son of Neil McLaren in charge of Fort Chicoutimi and Christine Williams b. 1819 at Equimaux Bay, Labrador	-David McClaren settles on a farm during the 1870s in Saugeen Township. -His married son James and wife Caterin (of French descent) come with their two children, another daughter born 1880 in Saugeen. -McClaren’s other daughter Edna remains in Quebec with husband Miles Spencer -Due to the date of arrival of this family in SON territory, this family arrives well after effective control was established in the area.
McLean ⁵⁵⁶	1840s	-At Norway House John McClean married Marguerite Charles (daughter of John Charles and mixed-blood Jane Auld). This couple has one son, John Charles	John McLean (1789-1800) was born in Scotland on the Island of Mull. He worked for the NWC and then the HBC after the 1821 merger.

⁵⁵⁵ Patsy Lou Wilson McArthur, “HBC Retirees who Ventured to Saugeen” in *Historic Saugeen and its Métis People*, p. 85. McArthur notes that “Miles Spencer’s father, John Spencer originally came from England to Manitoba and married a mixed-blood Cree woman, thus linking the Spencers to another famous fur trading family, the Sinclairs. The McLarens were also a fur trade family with mixed-blood heritage.” However, this claim does not appear to affect families in SON territory.

⁵⁵⁶ *Heritage Atlas*, 181.

		McLean. The elder McLean remarried Clara Evans (daughter of Reverend James Evans) in 1845 and retires from HBC in 1846.	-This family was only in Saugeen for “a short while” before settling in Guelph and Elora (where he worked for the Bank of Montreal) and he retires to Victoria, BC. This family did not stay in the SON territory, and (other than his first son who is not mentioned as being in the area) there does not appear to be any connection to Indigenous ancestry.
Spence ⁵⁵⁷	1840s	-none	John Spence (born in the Orkney Islands 1813) was also a retired trader who accompanies Kennedy to establish the fishing business at the mouth of the Saugeen. He settles in the area and married Jane Harold, with whom he has seven children. McNab claims that he is “Métis” (despite being Scottish) because of family ties making him the “other son”. However, from the accounts that I have seen in the HSM, there is no mention of either Spence nor Jane Harold having Indigenous ancestry. Additionally, Robin Hilborn describes Jane Harold as being from Nairn in the Scottish Highlands. ⁵⁵⁸ As such this family should not be considered as “Métis.”
Reid ⁵⁵⁹	1850s	-no mention of Indigenous ancestry	-Robert Reid is listed an HBC trader one of these retirees who comes around 1850. He establishes a general store,

⁵⁵⁷ *Heritage Atlas*, 47.

⁵⁵⁸ Robin Hilborn, Southampton Vignettes, *A Brief History of a Lake Huron Town* (Southampton, Ontario: Family Helper Publishing, 2010): 27.

⁵⁵⁹ *Heritage Atlas*, 197.

			but remained in Southampton only a few years. There is no mention of his “Métis” heritage, and he likely dies in Hamilton.
Gillies ⁵⁶⁰	1914	-Gillies was a Scottish man, married to Margaret McLaren (d. of chief Trader David McLaren and a Métis woman).	- HBC trader Donald Gillies (1859-1925). -Retired to Southampton in 1914

Table 6: Families who Married into SON

The following families are included in the HSM Heritage Atlas as being part of the Saugeen Historic Métis. However, their family histories show that they married into Saugeen or Nawash which means they were band members.

Family Name	Dates (approximate)	Claim to Métis Identity	Details
Cameron ⁵⁶¹	1820s onward	-John D. Cameron Sr., born circa 1790 in Northwest to Scottish father and country wife -Comes to Saugeen 1820s, son John Cameron Jr. born 1823 at Goderich to John Sr. and unknown country wife -had godparenting relationships with the Longes	-the Camerons resided on the Saugeen reserve -John Jr. marries Thais Wanananokwe and dies on Saugeen reserve -Their son, also John Jr. marries Mary Wennokwe, they reside at Saugeen with five children
De Lamorandiere (one Branch) ⁵⁶²	1815 onward	-Family consists of three children of Etienne Stephen De Lamorandiere b. Quebec 1767 m. Josette Sai-Sai-Go-No-Kwe “Falling Snow” from Odawa Village, Kalamazoo Michigan	-Etienne was a Michigan trader who set up at Mackinac after 1815, then moves to Killarney when Americans burn his post Etienne’s son Frederic De Lamorandiere (1828-1906) -early interpreter for Nawash band, becomes a

⁵⁶⁰ *Heritage Atlas*, 131.

⁵⁶¹ *Heritage Atlas*, 115-116.

⁵⁶² *Heritage Atlas*, 122-125

			<p>respected Nawash band member and secretary</p> <ul style="list-style-type: none"> -marries Louise Kiongize of Cape Croker in 1862 – no known children -Marries Mary Matchisibi of Milwaukee, 1868, had seven children raised at Cape Croker -1895 marries a third time to Mary Gonneville Benoit, Métis woman -She was daughter of NWC voyageur and Marguerite Longe (Cree), they lived at Cape Croker -Lamorandiere donated Gonneville's wampum strings to the Royal Ontario museum. <p>-Frederic's siblings Marie Adelaide and Thadeus relocated to Michigan (see "Families who leftSON territory")</p>
McGregor ⁵⁶³	1830s onward	-Alexander McGregor has children with several Anishinaabe women, one at Cape Croker.	<p>-Alexander McGregor b. is a trader from Detroit, trades up Lake Huron to Manitoulin in 1820s in opposition to the HBC</p> <ul style="list-style-type: none"> -m. Nancy Chisolm of Glengarry, Ontario -one of earliest to establish a commercial fishery at Fishing Islands -Involved in trade but presence on reserve presented as controversial by HSM: "McGregor prospered from trade with the local natives at Saugeen, although his

⁵⁶³ *Heritage Atlas*, 177-178

			<p>record is somewhat sullied by government reports of his activity being laced with ‘rum and whiskey’ and his uninvited residence on reserve land.” (p. 178)</p> <p>-mid-1830s leaves his wife and family at Goderich, has relationships with several Anishinaabe women:</p> <p>-Mary, daughter of Wahbahdick Saugeen hereditary chief at Cape Croker (their son William Bruce McGregor replaces Peter Jones Kegedonce as chief in 1867)</p> <p>-on Manitoulin, two daughters of chief Shawanosawe, Robin Marie Pitchins Shawanosawe and Shub We We Kan E Gok, son of Robin and McGregor (Duncan) becomes chief at Whitefish Band</p> <p>-Duncan marries Mollie McGregor, who was the daughter born at Lacloche to HBC Clerk Joseph McCleod and wife Marie Riel a cousin of Louis Riel) their son Gregor becomes chief in 1910</p>
Proulx ⁵⁶⁴			<p>-Some members on band lists in Robinson Huron Treaties. See “Proulx” entry in “Families with no connection to SON territory below.</p>

Table 7: Families married into other Anishinaabe communities

⁵⁶⁴ *Heritage Atlas*, 188-190.

Kinoshameg ⁵⁶⁵	1840s onward	-Jean Baptiste Kinoshameg (1844-1895) marries Elizabeth Latitta L'Ange (Longe), daughter of trader Joseph Longe and Marguerite Prisque ("believed to be the daughter of trader Prisque Legris and Marie Landry, a Métis woman" Heritage Atlas, 188).	-Jean Baptiste and Elizabeth reside at Wikwemikong -Son John Kinoshameg Gaboni (b. 1868) marries Lucie Anne Assiniwe, resides and dies at Wikwemikong -Son Joseph Kinoshameg Gaboni (b. 1870), marries Julie Wagosh of Wikwemikong and after her death Elizabeth Corbiere, he dies at Wikwemikong in 1931
Lariviere ⁵⁶⁶	1825 onward	-unclear except marriage to Anishinaabe woman from Wikwemikong	-Joseph Lariviere was HBC servant at Lacloche in 1825, possibly spent some time after this at Goderich -believed to have married Josette Manontebetabinokwe of Wikwemikong -Their daughter Josette marries Pierre Poulien of Quebec in 1844 at Wikwemikong
Shigwadja ⁵⁶⁷		-Louis Shigwadja marries Catherine Sagasigokwe (daughter of Joseph Longe and Marguerite Prisque)	-Louis Shigwadja born in Michigan, 1814 -After marriage to Catherine Sagasigokwe they reside at Wikwemikong where they live until death -All of their ten children are included in the Historical Atlas, but all reside at Wikwemikong

Table 8: Families who never lived in SON territory

⁵⁶⁵ *Heritage Atlas*, 148-157.⁵⁶⁶ *Heritage Atlas*, 157.⁵⁶⁷ *Heritage Atlas*, 200-201.

The following families are included in the *Historic Saugeen Métis Heritage Atlas*. However, according to the evidence provided in this source, none of these families actually lived in SON territory. Rather, they lived elsewhere in the Lake Huron region. As such, we do not think that they should be considered a part of a “distinct Métis community” in SON territory.

Name of Family	Dates (approximate)	Location	Details
McBean ⁵⁶⁸	1820s-30s	Lacloche	<p>John McBean (1778-1854)</p> <ul style="list-style-type: none"> -b. Trois Rivières, -worked for XY and NWC -country wife Madeleine Cloutier in Fond du Lac, leaves her w/ three children -Isabel Latour second country wife, had children from previous Alexander McKenzie -John and Isabel have several children as well -Chief factor at Lacloche after Merger 1821-1837 (on medical leave 1833-34) -retires to Lower Canada, some children go to North West
Proulx ⁵⁶⁹	1830s-1870s	Wikwemikong/Killarney	<p>Philomen Proulx (of Lachine, Lower Canada)</p> <ul style="list-style-type: none"> -marries Marie-Anne Kawigijigokwe Ningwawanons of Wikwemikong in 1839 -Son Jean-Baptiste Proulx (b.1839 at Wikwemikong) marries Josette Longe (b. Huron County to Joseph Longe and Marguerite Prisque- see “Longe”) -Philomen and Jean-Baptiste stationed at Lonely Island and involved with conflict there with Wikwemikong, after which time the family relocates to Killarney

⁵⁶⁸ *Heritage Atlas*, 175-176.

⁵⁶⁹ *Heritage Atlas*, 188-190.

			<ul style="list-style-type: none"> -Descendents of this family listed in the Heritage Atlas reside at Killarney -Some family members on band lists after 1850 Robinson Treaties, according to Heritage Atlas but remain residents in Killarney -kinship ties to Longes, Granvilles, Causleys, Sorrells and de Lamorandieres mentioned but not elaborated on in HSM materials
Rocheblave ⁵⁷⁰	1815	Unverified connection to SON territory	<ul style="list-style-type: none"> -Son of a French officer, becomes partner in XY company in 1798 -1815, enters voyageur contract with Pierre Piché for “dependencies of the south” which “From the British perspective at Drummond Island could be Saugeen/Goderich area -from 1816-21 was agent of NWC at Fort William and retires to Montreal
Rolette ⁵⁷¹	-1820s	-Various, no residential connection to SON territory mentioned	<ul style="list-style-type: none"> -Jean Joseph Rolette, b. 1781 Quebec -in the 1820s was in charge of the American Fur Company that supplied traders opposing HBC posts in Lake Huron, Pierre Piché receives credit from Rolette in 1820s

Table 9: Uncertain or non-existent claims to Mixed Ancestry

The following families listed in the HSM Heritage Atlas either do not have mixed Indigenous ancestry stated, or insufficient evidence of Indigenous ancestry was provided, for example, simply stating that someone had a Cree or Metis mother without a source.

⁵⁷⁰ *Heritage Atlas*, 198.

⁵⁷¹ *Heritage Atlas*, 198.

Family Name	Dates	Claim to Métis Identity	Details
Belland ⁵⁷²	1830s	-none mentioned	-Signatory to 1830 petition to have a bilingual priest at Goderich
Bissailon ⁵⁷³	1840s-?	-no direct evidence presented	-Jean-Baptiste Bisaillon b. circa 1810 in French Canada, m Judith Boucher (no info on origins) -Family resided at Hay township, Huron County -The indirect evidence of Métis identity that the HSM supplies is this: “It is believed that this was a family with kinship ties to the Métis community, reinforced regularly through their participation as godparents at baptisms, their presence at other Christian ceremonies, and proximity of residence as the community moved around.” (p. 114, Heritage Atlas)
Cantin ⁵⁷⁴	1840s	-none mentioned	-Antoine Catin comes to Goderich in 1840s -wife Julia Days of Joliette, Quebec -in 1865 moves from Goderich to Lake Range south of Bayfield in an area that becomes known as the “French Settlement”
Laforge ⁵⁷⁵	1830s	-none mentioned	-Peter Laforge one of signatories to Goderich petition of 1830 to have a bilingual priest stationed there
Martel ⁵⁷⁶	1830s	-unconfirmed who these brothers were, possibly a Jeremie Martel of L’Assomption Quebec,	-Jean-Baptiste Martel and Jeremie Martel sign the petition for a bilingual priest at Goderich in 1830

⁵⁷² *Heritage Atlas*, p. 114.

⁵⁷³ *Heritage Atlas*, 114.

⁵⁷⁴ *Heritage Atlas*, 117.

⁵⁷⁵ *Heritage Atlas*, 157.

⁵⁷⁶ *Heritage Atlas*, 173.

		married to a “Chippewa woman,” this family eventually takes treaty in Fond du Lac area of Lake Superior	
Rastall ⁵⁷⁷	1840s	none	-William Rastall (1827-1890) from an English family in Detroit, trades at Saugeen in 1847 -opens store in Kincardine -first Reeve of the United townships -marries Mary Cameron, daughter of Scottish immigrant and they move to Orangeville
Thibault ⁵⁷⁸	unclear	unclear	-Sam and Louis Thibault traders mentioned at Saugeen “during the later trading area” (citing Robertson, <i>History of the County Bruce</i>) -Little known about them, speculation about connection to Thibaults at Killarney or North Shore of Lake Huron

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Métis Nation of Ontario Root Ancestor Documents:

Available at:

<https://www.Métisnation.org/registry/citizenship/ontario-Métis-root-ancestors/>

Georgian Bay Harvesting Area

Family Line Documents Consulted:

Berger-Beaudoin

Brissette-L’Hirondelle

Beausoleil-Giroux

Cadieux-Evans

⁵⁷⁷ *Heritage Atlas*, ##.

⁵⁷⁸ *Heritage Atlas*, 205.

Coture-Jones
Craddock
Charpentier-Martin
Chevrette-Souliere
Delaronde
Desjardins-Lavallee
Dusome-Clermont
Gordon-Landry
Gaudaur
Gendron-Hallio
Labatte
Laramée-Cloutier (and amendment report)
Longlade (and amendment report)
Vasseur-Longlade
Payette-DeValley
Perrault
Solomon (and amendment report)
St. Onge
Giroux-St. Onge
Jones-Blette Dit Sorrelle
Trudeau-Papanaatyhianencoe (and amendment report)
Leduc-Callahan

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