

Chief Shawanipinessi and the Forgotten 1844 Land Tract Reserve in Bedford, Oso and South Sherbrooke Townships

by: Maureen Bostock and Sarah Nelson

In March 1844, the government of the Province of Canada approved, by Order in Council, an application from Chief Shawanipinessi, of the Long Bay area of Bobs Lake, to have 2,000 acres of Crown land set aside in Bedford, Oso and South Sherbrooke Townships for the occupation and use of the area Algonquins. Over time, this decision has been forgotten, or ignored, by the government.

At the time of posting this article, July 2019, the LCNFTR is cooperating with Tay Valley Township in the installation of a plaque in South Sherbrooke to recognize this history.

The article below from the Lanark County Neighbours for Truth & Reconciliation website provides the details of this and related history.

From: <https://www.lanarkcountyneighbours.ca/chief-shawinipinessis-petition-115.html>

Prepared by Lanark County Neighbours for Truth & Reconciliation

This article is intended to provide background on the history of Lanark County and to open the door for further research into this important history. Opinions and interpretations are subjective and are solely attributed to the authors. Comments and criticisms are welcome and can be emailed to: nelsonster@gmail.com or maureenbostock@hotmail.com

The settler-colonial nation of Canada came into existence through a variety of processes of incursion onto Indigenous territories by British, French, and other nations with colonizing aims. Colonization was experienced differently in different areas of the country and the hundreds of diverse Indigenous nations positioned themselves differently with respect to settlers and the settler-colonial government. The British sought to consolidate power through alliances and treaties with Indigenous nations, but also through deception; hostile acts such as starvation, residential schools, and the spread of disease; and the decimation of forests and ecosystems that Indigenous communities depended on in order to live.

The land now known as Eastern Ontario and Western Québec was once a vast territory belonging to the Algonquin, or Omàmawi'inini^[1]. Within this territory, the geographies of what are now called Lanark and Frontenac Counties consist of lands of tremendous fertility in the east and south, formerly covered by the inland Champlain Sea; and foothills of the Canadian Shield to the west and north. In these northern and western parts of the region the forests are rocky, the soil is thin and lakes are numerous. Algonquin and other Indigenous peoples have prospered here for many thousands of years through hunting, trapping and gathering wild foods, and have developed intricate systems of governance based on family units represented by a Grand Council.

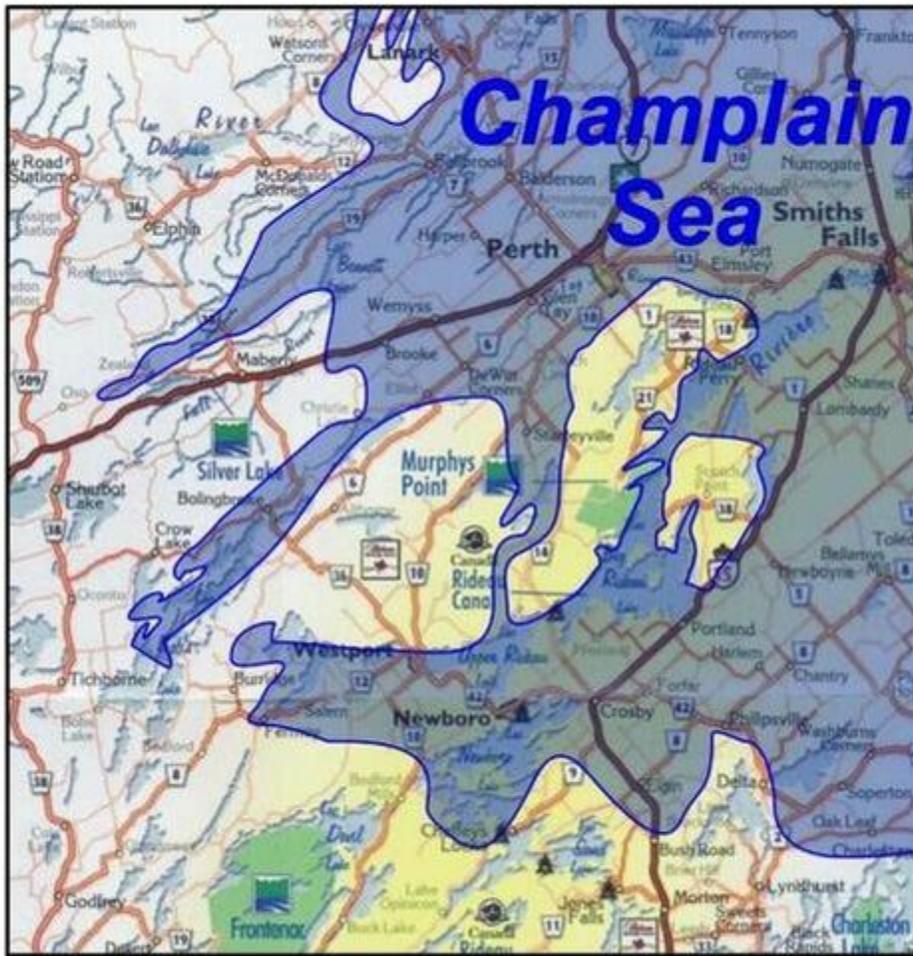


Figure 1: Champlain Sea, 12000 years ago. From Brenda Kennett's "Human History Pre-1700s," June 28, 2017[2]

Early contact between Algonquin people and European settlers in this area in many cases began with Indigenous people helping the settlers through their first winters, and building a successful fur trade with the newcomers. Often the actions of settlers were disingenuous, however, and Algonquin people were cheated in trade relationships. For example, the value of the furs being sold into the European market brought tremendous wealth to the settlers, who in turn paid very little to Indigenous trappers in spite of their key role in providing furs. There were many reports of land theft using deception or lies as well as squatting on Indigenous land throughout the early 1800s. Illegal timber harvesting also took place.[3]

The overarching feature of colonial expansion into Lanark County was the appropriation of Algonquin territory by the British colonial government, despite 17th- and 18th-century evidence that the British were fully aware of Algonquin occupation of their territory. Early maps of Upper Canada clearly identify the lands that formed Algonquin territory. For example, a 1720 map of French-occupied territory in North America identifies eastern and central Upper Canada as Algonquin territory (see Figure 2).



Figure 2: A portion of the 1720 “Carte de la Nouvelle France” by Gerard van Keulen^[4]. Algonquin territory included land on both sides of the Ottawa River; however, the maps of the 19th century drew an artificial boundary line following the Ottawa River and dividing the provinces of Ontario and Québec. This line, drawn as it was through the middle of Algonquin territory, remains problematic to this day. Nevertheless, it was clear to European visitors, from the earliest days of their arrival to what is now eastern Ontario, that the land in this region was Algonquin territory.

The Royal Proclamation of 1763 was issued by King George III of England at the end of the Seven Years’ War between England and France. In addition to proclaiming British control over much of eastern North America, the Proclamation was and remains an important document that spelled out how land could be obtained from Indigenous peoples in North America. Where previously, land purchased directly by would-be settlers had resulted in conflicts, King George III wrote that the only land transactions would take place in direct negotiations between Indigenous nations and the British government.

Maps of the late 18th and early 19th century confirm that lands west of the thirteen colonies in the eastern United States were set aside as Indigenous land. Similarly in Upper Canada, the lands north of the Crawford Purchase border, along the north shores of the St. Lawrence River and Lake Ontario, were identified on government maps as “Indian Lands” (see Figure 3).

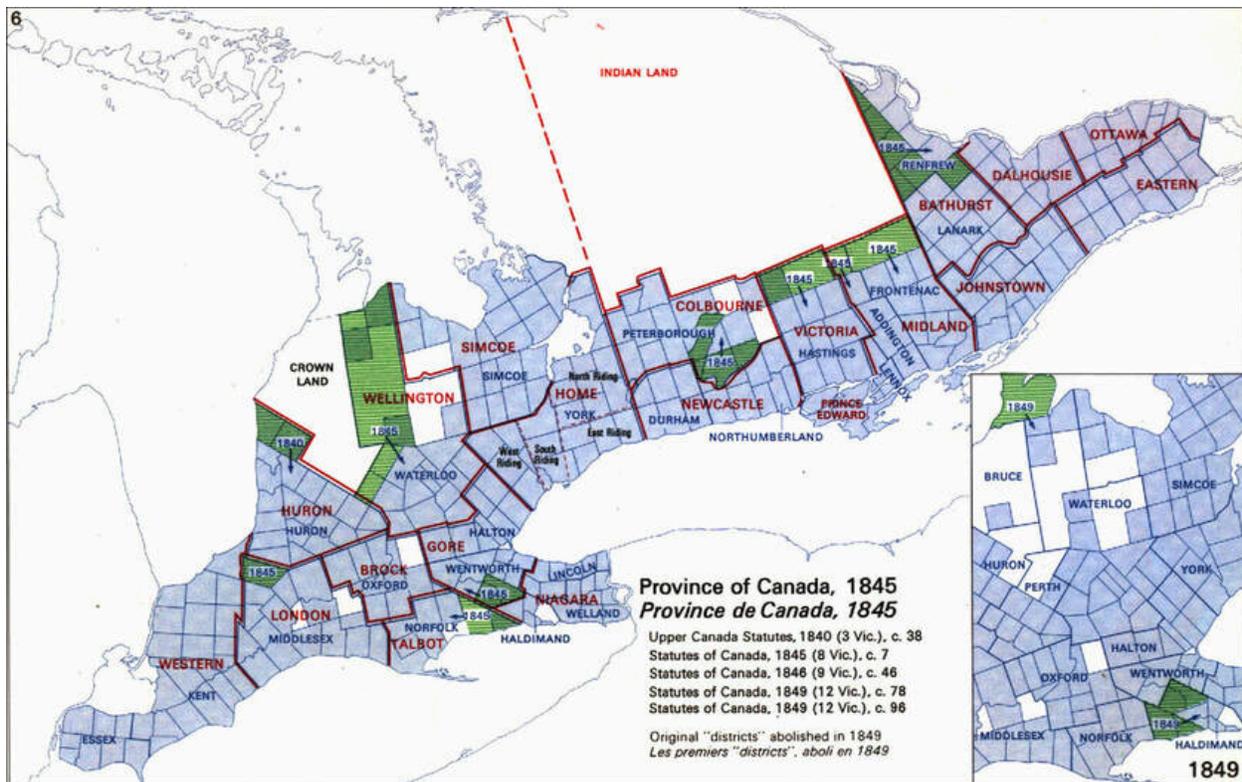


Figure 3: 1845 map of the Province of Canada. From Ontario Archives www.archives.gov.on.ca/en/maps/textdocs/districts1845big.aspx Economic Atlas of Ontario, W. G. Dean, Editor; G. J. Mathews, Cartographer; Printed 1969 by University of Toronto Press for the Government of Ontario © Queen's Printer for Ontario, 1969.

Algonquin and Nipissing leaders were fully aware of the terms of the Royal Proclamation. Seeing the increasing trespass of settlers into their territory and the resultant cutting of timber and driving out of the wildlife, they began a two-hundred-plus-year lobby for the recognition of their rights and title to the land.

The claims of Algonquin people were continuously ignored while the government negotiated with other Indigenous communities, including the Crawford Purchase with the Mississauga in 1783, Treaty Three with the Saulteaux Ojibwe in 1792, and the Rideau Purchase with the Mississauga in 1819. These agreements gave the British government access to the lands of eastern Ontario up to the Ottawa River. The land to the north of these agreements continued to be Algonquin land; however, a change in policy occurred in the 1800s when government officials, when challenged, argued that the hunting land was intended for all Indigenous people.

A letter from Algonquin and Nipissing leaders to the Governor General of the Province of Canada on July 19, 1798 identified their lands and requested that the settlements be restricted to forty arpents (7,673 feet) deep from the banks of the Ottawa River. The letter also spoke of the difficulties that people were experiencing as a result of the encroachment of would-be settlers.^[5]

My Father - We thank the Master of Life to find you in perfect health as well as your Family. This is the first time that your children the Algonquins and Nipissings come to speak with you,

we ask you to listen to what we have to say we come to speak to you for our lands that have been taken on both sides of the grand river [the Ottawa River] to the right and left; some years ago we came to find Governor Carleton to complain to him that our lands were being taken; we spoke to him with a belt of wampum, and the map of our lands, he seemed surprised to hear us complain, and he told us that he thought that our lands had been paid told for and us also that the King never took the land of his children without paying for them...

My Father - you are always the master of taking our lands, but we beg you to not take more than forty arpents deep from the edge of the water; at least we will have the back lands for our hunting; since that time we have never received any reply and it is thought my Father, that our Belt and our Map are Lost, that you have never seen them, that is why today we come to find you and we see, in seeing you, the representative of the King Our Father, and we place the map of our lands in your hands and we hope you will consider it and that you will have pity of your Algonquin and Nipissing children, because my Father, since the world is the world, it is the master of Life who gave us these lands so that our families might live and survive. My Father, we hope that you will do for us as you have done for your Indian children the Mississaugas, that you will pay us for our lands. We have found a good Father in finding you. You have a good heart; For you take good care of your Indian children; that is why we hope you will have pity on us, and that you will take into consideration our representations; our lands are infertile, we have almost no more game, the animals have fled; we find but little for our families to survive on.

Names of Algonquin Chiefs: Constant First Chief, Wabisi, Pikican, Sapique, Ilini

Names of Nipissing Chiefs: Naskyiquie First Chief, Paul Patois, Accainon, Gagorasoai, Waboygic

The Governor General did not respond.

After the war of 1812 the British government rewarded loyalists and soldiers for their service with land grants and many moved north into Lanark and Frontenac counties from Kingston (which housed the government of the Province of Canada until 1843). The town of Perth was established as a military settlement in 1816, to both reinforce a military presence to protect Upper Canada from threats from the United States, and to help with provisioning settlers in their move to take up their land grants. The settlement of former soldiers and newcomers was intended to be limited to lands which had been surrendered as part of the Crawford treaty. However, between 1815 and 1850 over 800,000 new settlers came to Canada from Europe. Land for settlers and former soldiers became scarce, and the push beyond the limits of the British Territories in North America, into what had formerly been protected as “Indian land,” commenced.

Petitions continued to be sent by Algonquin leaders to government officials in the early 19th century and, even though the Algonquin people were recognized for their contribution to the war effort, no response was made to their petitions of 1820, 1824 and 1829 asking for acknowledgement of their ownership of the Ottawa Valley, compensation for settler incursions, and compensation for the territory which had been taken by the Rideau Purchase^[6].

In 1827 a Grand Council was held at Lac des Deux Montagnes, during which Algonquin Chiefs spoke about their complaints of trespass on Indigenous Land. Colonel Darling, representing the Province of Canada at the Grand Council, refused to take action, but threatened the Chiefs that if the Indigenous people killed any white men they would be taken to court and punished. Colonel Darling told them that Governor Dalhousie would not grant any tract of land “to be kept in a wild state as Hunting Grounds,” but offered land grants for agriculture[7]. This set the groundwork for the logic behind Chief Pierre Shawinipinessi’s petition of 1844.

Chief Kaondinoketch, an Algonquin leader, described the dire situation in March of 1840:

Our hunting grounds that are vast and extensive and once abounded in the richest furs and swarmed with deer of every description are now ruined. We tell you the truth, we now starve half the year through and our children, who were accustomed to being comfortably clothed, are now naked. We own brother that we are partly the cause of these present misfortunes; we were too good and generous; we permitted strangers to come and settle on our grounds and to cultivate the land; wood merchants to destroy our valuable timber, who have done us much injury, as by burning our rich forests, they have annihilated our beaver and our peltries, and driven our deer away.[8]

Not only was timber being harvested and settler land grants being cleared, but any wood that was not suitable for timber was piled and burned. This was the first step in making potash which was an important trade commodity for new settlers[9]. *Worse still, the deer and other wildlife were deprived of their habitat and forced out by the destruction of the forest and the acrid smoke, resulting in the starvation of Algonquin and other Indigenous peoples in the area who were dependent upon hunting and trapping to survive*[10].

Pierre Shawinipinessi was born in 1790 at Lac des Deux Montagnes, the mission set up by the Sulpice missionaries at what is now known as Kanesatake. Little is known of his life until 1837 when his purchases appear in a log book kept by Benjamin Tett, a local magistrate and business person who operated a mill store near Bob’s Lake. Shawinipinessi settled on an island in the East Basin or Long Bay area of Bobs Lake (specifically, Lot 31, Concession 9) [11]. In 1842 with the arrival of other Algonquin people at the north end of Bobs Lake, Chief Shawinipinessi requested that the tribe’s annual presents[12] be made in Canada West (what is now Ontario) instead of Canada East (what is now Québec), and on July 17, 1842 petitioned for a land tract of 2000 acres straddling the townships of Oso, Bedford and South Sherbrooke.

Chief Shawinipinessi argued that a land tract for agricultural purposes would enable his people to sustain themselves given the depletion of the game.

That your petitioner together with the other Indians of the same tribe with their families have long been accustomed to spend the hunting season in the tract of country embraced within the limits of the townships of Bedford, Oso and South Sherbrooke – and now that their natural means of subsistence have become precarious by reason of the settlement of the country, they have of late turned their attention, in part, to the cultivation of Corn and potatoes, and are now anxious to be protected, by Your Excellency in Council, in the occupation of a limited tract of land within these townships whereon they may be allowed to support their families and

as the land is of a very poor quality, your Petitioners hope they will not be refused. Referring Your Excellency in Council to Mr. Morris of Perth and Mr. Kingston of Bedford for further particulars, and Your Petitioner as in duty bound shall ever pray[\[13\]](#)

The petition was met with support from the Superintendent of Indian Affairs at the time, Samuel P. Jarvis, who referred to the petition as a claim for a reserve to be established at this site. Superintendent Jarvis noted that a reserve at this location would encourage settlers to move into the area, as a stable Indigenous population would result in the development of stores with local products supplied by the Indigenous community:

A strong desire has been manifested by the band of Indians over whom the Petitioner presides as Chief to turn their attention to agricultural pursuits and settle permanently on the tract of land asked for in the annexed petition. The tract containing somewhere about 2000 acres and situate principally in the Townships of Oso and Bedford being bounded on all sides by chains of small lakes is quite secluded and is thereby rendered peculiarly adapted for an Indian settlement, although the quality of the soil is not particularly good...I therefore respectfully recommend that the tract asked for be set apart for them and their posterity on the same terms and conditions that the Reservations in other parts of the Province have been made for the several Resident Tribes and that the Surveyor General be directed to cause a survey of the same to be made for that purpose.[\[14\]](#)

On March 21, 1844, an Order in Council from the government of the Province of Canada approved the application for 2000 acres to be set aside under a license of occupation in Bedford, Oso and South Sherbrooke:

On the Petition of Peter Shawanipinessi one of the Indians of Lake of Two Mountains Tribe, to be protected in the Occupation of a Tract of Land in Bedford, Oso and South Sherbrooke. It is ordered that the land prayed for be reserved from public sale and that the Petitioner have a License of Occupation during pleasure.[\[15\]](#)

Logging activities, including timber cutting, shanty building and trespass on the tract, resulted in ongoing conflict similar to that caused by logging-related incursions across Algonquin unceded territory. Chief Shawanipinessi wrote a number of letters of complaint to the Department of Indian Affairs administration, supported by Benjamin Tett. From 1844 until 1861, Chief Shawanipinessi fought to convince the government to intercede with loggers and trespassers on their behalf.

In a letter on January 12, 1846, J.M. Higginson, Civil Secretary for Indian Affairs, directed the Commissioner of Crown Lands to stop the trespassing. In response, Higginson was reminded by the Commissioner of Crown Lands that the Algonquin had “no right” to the timber, the fines, or the proceeds of the sale of confiscated timber.

Legislation passed in 1838 stated otherwise – that timber unlawfully taken from Indigenous lands was to be collected by the Crown and sold, by instruction of the Lieutenant-Governor. Money obtained by such transactions was then to be either retained “as part of the hereditary revenues of the Crown in this Province,” or used for the benefit of the Indigenous group whose

land had been trespassed upon – again, at the discretion of the Lieutenant-Governor of the Province.^[16] The legislated protection of Indigenous lands was further refined in the 1850 ‘Act for the Protection of the Indians in Upper Canada from Imposition and the Property Occupied or Enjoyed by them from Trespass and Injury,’ in which fines for trespass were increased and the responsibility of the Crown to return the monies collected to the Indigenous community was defined more clearly.^[17]

The timber harvest at the Bedford tract set aside for Chief Shawinipinessi and his people was temporarily stopped in 1845 when Benjamin Tett and John Kilborn, magistrates at Newboro, intervened and collected penalties from the trespassers who had also begun to construct cabins on the site. Despite this apparent success, by the next timber season, the timber cutting had resumed at an even greater rate. Chief Shawinipinessi again petitioned the government on December 25, 1845 complaining that the loggers had returned and threatened the lives of the Bedford Algonquins if they should interfere with them.

Chief Shawinipinessi also petitioned for equipment to build a saw mill, but his petition was ignored and in response he was reminded that Indigenous people were not permitted to take any timber, aside from what was needed to build houses and outbuildings.

In 1848 a letter was penned by a number of Chiefs from the Bedford, Oso & South Sherbrooke tract requesting that the presents be moved back to Lac des Deux Montagnes. The value of the presents in Upper Canada had been much less than what people received at Lac des Deux Montagnes before they moved to the Bedford tract. Unbeknownst to them, the British Empire had been fretting over the cost of the presents and was instituting a roll-back of the annual presents. At first, the type of provision was changed from guns and ammunition to articles of husbandry and agriculture. The presents were then reduced to being given only to those who were listed on the previous year’s census which was collected annually by the Indian Agent. By 1859 only blankets for the elderly were given out.^[18]

A second policy was also introduced by the Department of Indian Affairs that urged Indigenous people in eastern Ontario to move to Manitoulin Island. The people at Bedford, Oso & South Sherbrooke did not wish to move to such a far away location where their adopted religion was not believed to be practiced. By 1850, members of the community at Bedford were recorded once again in the census at Lac des Deux Montagnes and many had moved away from Bedford.

In 1861 Chief Shawinipinessi again petitioned for action by the government against logging and squatters. In response, W.R. Bartlett, the new Superintendent of Indian Affairs, in correspondence with the Commissioner of Crown Lands, explicitly denied the existence of the Bedford, Oso and South Sherbrooke tract, even though the tract had been listed in the Bagot Commission report on Indian Affairs of 1844^[19] and census records had been taken at the tract until at least 1851^[20].

Chief Pierre Shawinipinessi continued to live on the island in Bobs Lake. Many members of the community left to join the community at Kitigan Zibi which was established in 1851. Peter Climo, who had been a member of Chief Shawinipinessi’s community, left in 1851 to settle in Dalhousie township north of Lanark and subsequently petitioned for his presents to be available

at the Dalhousie township office. Other community members moved north, taking up residence in Ardoch or farther north to Pikwàkanagàn where a reserve was established in 1873.

It is clear that the community at Bedford, Oso & South Sherbrooke was short-lived because the government failed to provide protection from trespassers and loggers. Services such as schools were never provided. The welfare of the people in the community was of no concern to the government even though local magistrates expressed their support for the establishment of a reserve at that location and expressed their concern for the poverty that the people endured. The extent of the threat experienced by the Bedford Algonquin community from encroachment by settlers and loggers is hinted at in a letter from Superintendent of Indian Affairs Thomas G. Anderson, in which he remarks that the community was surrounded by “*lumberers, the most depraved of men.*”^[21]

Records show that Pierre Shawinipinessi was listed on the Pikwàkanagàn census in 1881 and 1882, and that he lived there with his daughter until his death at the age of 101. The land that once made up the Bedford tract is now the site of cottages on Bobs Lake and little remains in the area to remind visitors of its history as an Algonquin community. Algonquin people today continue to live on their traditional lands, but dispersed throughout the territory. Many of the descendants from the Bedford tract are members of the Shabot Obaadjiwan First Nation and the Ardoch Algonquin First Nation and continue to fight for their land and rights as First Nations people.

Footnotes

[1] The Algonquin people of this area called themselves Omàmawi'inini – for more information, go to the Ardoch Algonquin First Nation website, <http://www.aafna.ca/>.

[2] Kennett, Brenda “‘Living by the Seashore, Watching a Lake Emerge’: Indigenous Settlement around Big Rideau Lake.” Available at <https://www.bigrideaulakeassociation.com/htlw7/>.

[3] Paula Sherman, “The Omàmiwinini,” p. 27 in *At Home In Tay Valley* edited by Kay Rogers, 2015.

[4] From <https://quod.lib.umich.edu/c/clark1ic/x-003285990>.

[5] Joan Holmes & Associates, Inc. Algonquins of Golden Lake Claim prepared for Ontario Native Affairs Secretariat, October 30, 1993 Document No. 73, National Archives of Canada RG10 V494:31067-58.

[6] Petitions from Algonquin chiefs continued in 1838 and 1840 and on to the present day.

[7] “Historical Algonquin Occupancy: Algonquin Park,” report by Marijke Huitema. Available from <http://www.lynngehl.com>

[8] Ibid, p. 33-34

[9] “By 1850, there were 519 asheries in Canada...Those 11,700 tons of potash (23.4 million pounds) represented the burning of 2.81 billion pounds of hardwood [annually].” *Ash to Cash – The Untold Story of Nature’s Burnt Offering to 19th Century Settlers* by Georges Létourneau & Jay Sames 2013,

[10] “The constant fires and thick smoke that hung in the area from logging made this [practicing traditional, cyclical activities] extremely difficult.” Paula Sherman, “The Omàmiwinini,” p. 33 in *At Home In Tay Valley* edited by Kay Rogers, 2015.

[11] From *Living By The Chase: The Native People of Crow & Bobs Lakes*, by Lloyd B. Jones, Epic Press Belleville, 2002.

[12] Annual presents were provided to Loyalists and Indigenous allies of the British Crown who helped win the war of 1812.

[13] July 17, 1842 petition 115 addressed to Sir Charles Bagot, Governor General, National Archives of Canada RG10, V186 part 2, as transcribed in Joan Holmes' 'Report on the Algonquins of Golden Lake Claim Vol. 10-12,' p. 101.

[14] October 29, 1843, Col. Jarvis, Chief Superintendent of Indian Affairs to the Commissioner of Crown Lands, National Archives of Canada RG 10 V138.

[15] March 21, 1844, Order In Council #1467 passed by the Government of the Province of Canada, National Archives of Canada RG 10, v. 119.

[16] Chapter XV. An Act for the protection of the Lands of the Crown in this Province, from Trespass and Injury. Thirteenth Parliament, 2nd Victoria, A.D. 1839.

[17] *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*; passed by the government of Upper Canada on August 10, 1850. Available from <https://bnald.lib.unb.ca/node/5342>; United Canadas (1841-1857) 13 & 14 Victoria – Chapter 74 p.1409

[18] The decline in presents and the challenge for Algonquin communities of getting to the location where presents were distributed is documented in records kept by the then Department of Indian Affairs. From *Living By The Chase: The Native People of Crow & Bobs Lakes*, Lloyd B. Jones, Epic Press, Belleville 2002.

[19] Bagot Commission Report 1844, RG 10 Vol. 117. In the Pennefeather Report of 1856, the Bedford tract is not mentioned.

[20] NAC C 13419

[21] RG 10 Vol. 158 no 1601-1700

Chief Shawininessi was known by a number of names and spellings: Shawanipinessi, Shawanipinesi, Cawanipinesi, Chaweni pinesi, Chawanabenesi, Shawanapenase, Shawwinninepisaisens, Chaoanipinesi, shawanongpenesi, Pierre Shawanipinessi, Peter Stephens, Peter Stevens. For the purpose of this article we have chosen to use the spelling used in At Home in Tay Valley.