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MÉTIS OF BURLEIGH FALLS

FINAL REPORT

Prepared by
PUBLIC HISTORY INC.
for the Ontario Ministry of Natural Resources
February 2000

Chapter I: The establishment of the Mississauga on the north shore of Lake Ontario

The following chapter is intended to describe the origins of the Mississauga and how they came to occupy the region north of Lake Ontario. This overview will provide some context to the settlement of the Curve Lake Band at Mud Lake in the early part of the 19th century.

Origins of the Mississauga: name and location

In the early 17th century two large linguistic groups known as the Iroquoian and Algonkian occupied what is now Ontario.¹ The Algonkian, which included groups of Cree, Ojibwa, Ottawa, Nipissing and Algonquin, occupied the northern areas (including the Ottawa River watershed in the case of the latter) while the Iroquois, which included groups of Huron, Neutral and Petun (Tobacco), occupied the southern areas.² The Iroquois tribes known as the Five Nations lived in what is now New York State. In 1861 Peter Jones, an Ojibwa missionary at New Credit, wrote that “At the commencement of their wars [with the Iroquois] the Ojebway country extended eastward only to the northern shores of Lake Huron, and the Nahodoways [Iroquois] owned all the region east and south of it.”³

Little is known of the Ojibwa until after 1650. E.S. Rogers describes the pre-contact homeland of the Ojibwa as covering the area along the north shores of Georgian Bay and Lake Huron. It also extended along a portion of the northeast shore of Lake Superior and the Upper Peninsula of Michigan.⁴ Before contact with Europeans, the Algonkians of northern Ontario grouped themselves in bands consisting of several hundred people and the total population is estimated to have been between 3,000 and 4,000 people. Rogers states that although the pre-contact history of these groups is not known in detail, it is known that they were the antecedents of the groups who

¹ Donald B. Smith, “Who are the Mississauga?” in *Ontario History*, 67, 1975, p. 211. See document no. 65.

² See Cole Harris (ed.), *The Historical Atlas of Canada, Vol. 1, From the Beginning to 1800* (Toronto, Buffalo, London: University of Toronto Press, 1987) plate 18. See plan no. 13. It should be noted that the term Algonkian or Algonquian is used to denote the larger linguistic family that includes the groups now known as the Mi'kmaq, Ojibwa, Ottawa, Cree, Montagnais; whereas the term Algonquin is used to denote the specific group that in the early 16th century inhabited the areas around the Ottawa River watershed.

³ Rev. Peter Jones (Kahkewaqonby, Ojibway Missionary), *History of the Ojebway Indians* (London, 1861) p. 111. See document no. 7. For locations of these groups, see plan nos. 1 & 13

⁴ E.S. Rogers, “Southeastern Ojibwa,” in *Handbook of North American Indians, Vol. 15, Northeast* (Washington: Smithsonian Institution, 1978) p. 760. See document no. 70.

later became known as the Chippewa, Ojibwa, Mississauga, and Saulteaux.⁵

The term Mississauga was first recorded as “oumisagai” by the Jesuits in 1640.⁶ The term was used to denote the Algonkian band which occupied the area near the Mississagi River on the northwest shore of Lake Huron. In 1888, A.F. Chamberlain wrote that “In the ‘Jesuit Relations’ for the years 1670-71 are mentioned the *Mississagués*, who dwelt on the river Mississauga, and were then distinguished from other branches of the Algonkian stock on the north shore of Lake Huron.”⁷ In a 1999 study entitled “Mississauga of the New Credit First Nation’s Traditional Territory,” Praxis Research Associates state that “the Ojibway who came to be known as the Mississauga originated in the vicinity of the Mississagi River and Mississagi Bay on the north shore of Lake Huron. This location is indicated on some of the earliest maps of New France on which Mississauga are named.”⁸ By the late 17th century the French referred to the Algonkian of Upper Great Lakes as Ottawa and to groups inhabiting the area around Sault Ste Marie, between Lakes Superior and Huron, as “Saulteur” (written also as Sauteur, Saulteux, Sauteux).⁹ At the same time, the Jesuits reported on three bands inhabiting the area east of the Saulteaux, on the north shore of Lake Huron, which were called the Achiligouiane, the Amicoure, and the Mississaugue.

Praxis suggest that during the early 1700s a “linguistic shift” took place in which different groups of Ojibway became identified by different names by both the French and the English.¹⁰ In his studies of the Mississauga, Donald B. Smith finds that before 1700, the French employed the following three terms for Algonkian people living between Lakes Ontario, Erie and Huron: Ottawa, Mississauga and Saulteur.¹¹ After 1700, Ottawa became restricted to four distinct bands in the Michilimackinac and Detroit areas whereas Mississauga “became the usual designation of

⁵ E.S. Rogers, “Southeastern Ojibwa,” p. 760. See document no. 70.

⁶ Donald B. Smith, “The Dispossession of the Mississauga Indians: a Missing Chapter in the Early History of Upper Canada,” in *Ontario History*, 74 (2) 1981, p. 69. See document no. 74.

⁷ A.F. Chamberlain, “Notes on the History, Customs and Beliefs of the Mississaugua [sic] Indians,” in *Journal of American Folk-lore* (1888) p. 150. See document no. 18.

⁸ Praxis Research Associates, “Mississauga of the New Credit First Nation’s Traditional Territory,” prepared for the Mississauga of New Credit First Nation & Ontario Ministry of Natural Resources, 1999, p. 31. See document no. 109. Praxis also explain that the earliest exploration and mapping of the north shore of Lake Huron was conducted between 1632 and 1650.

⁹ Smith, “Who are the Mississauga?” p. 212. See document no. 65.

¹⁰ Praxis Research Associates, “Mississauga of the New Credit,” p. 88. See document no. 109.

¹¹ Smith, “Who are the Mississauga?” p. 216. See document no. 65.

most of the Algonkians moving into southern Ontario.” In 1753 the French historian, Le Roy de La Potherie, wrote that “Missisakis” meant many river mouths. However, Smith states that “Considering the scale of the great Algonqian migrations [in the latter 17th century] it seems safe to say that not all the ‘Mississauga’ originated from the area near the ‘Missisakis’ River, in the north shore of Lake Huron. ‘Mississauga’ is an imprecise term, and does not necessarily refer to the Mississauga River near Sault Ste. Marie.”¹²

*The wars between the Mississauga and Iroquois
and the Mississauga conquest of southern Ontario, 1650s to 1680s*

In a study entitled *The Ojibwa of Southern Ontario*, Peter S. Schmalz states that historical sources on battles fought between the Ojibwa and Iroquois in southern Ontario during the 17th century and the early part of the 18th century are incomplete and based almost entirely on oral tradition.¹³ This section will present aspects of this oral tradition to provide context for the movement of the Mississauga into southern Ontario.

In the 1650s, the Iroquois attempted to gain control of the beaver trade by displacing the Huron, an Iroquois group which occupied the area around Lake Simcoe located between the area occupied by the Algonkian and the area occupied by the Iroquois.¹⁴ By this time, the Huron had become the most important suppliers of furs to the French and had established a vast fur-trade network that encompassed most of present-day Ontario and western Quebec.¹⁵ In an 1850 publication entitled *The Traditional History and Characteristic Sketches of the Ojibway-Nation*, G. Copway (or Kah-ge-ga-gah-bowh), a chief of the Ojibwa Nation, wrote of the “Huron Iroquis” stating the eastern Iroquois attacked them because of “the fact of their having enlisted in their favour the Ojibway nation.”¹⁶ Copway also explained that before the dispersion of the Hurons by the eastern Iroquois, the Ojibwa and Huron co-existed quite peacefully.¹⁷

¹² Smith, “Who are the Mississauga?” p. 216. See document no. 65.

¹³ Schmalz, *The Ojibwa of Southern Ontario*, (Toronto: University of Toronto Press, 1991) p. 20. See document no. 99.

¹⁴ Smith, “Who are the Mississauga?” p. 213. See document no. 65.

¹⁵ “Huron,” in *The Canadian Encyclopedia* (Edmonton: Hurtig Publishers, 1985) p. 851. See document no. 78.

¹⁶ G. Copway (or, Kah-ge-ga-gah-bowh, chief of the Ojibway Nation), *The Traditional History and Characteristic Sketches of the Ojibway-Nation* (London, 1850) p. 76. See document no. 4.

¹⁷ Copway, *The Traditional History and Characteristic Sketches of the Ojibway-Nation*, p. 77. See document no. 4.

After the dispersal of the Huron in 1649-1650, the Iroquois, who were anxious to obtain total control of the beaver trade, began attacking the northern Algonkians.¹⁸ Copway wrote that the northern Ojibwas:

carried on a peaceful traffic with the French of Lake Superior until the year 1652, when troubles between the Iroquis and the Ojibways commenced. The commerce which for thirty-five years had received no interruptions, either from quarrels without or dissensions, ... was attacked by the Iroquis, who barbarously plundered and massacred the Ojibway warriors, who had been out for Montreal to barter furs for domestic goods, as also for weapons of war and fire-water.¹⁹

As a result of the Iroquois attacks, the Algonkian people around Lake Huron were forced to migrate to Green Bay, on Lake Michigan, or to Lake Superior. However, these groups returned to Lake Huron after a peace agreement between the French and Five Nations Iroquois was reached in 1666.

In the 1680s, after a significant increase of their warrior population, the Ojibwa moved from the defensive to the offensive by attacking and destroying Iroquois villages located throughout southern Ontario.²⁰ Some of the southern Huron who had been routed by the Iroquois and dispersed throughout Ontario joined in with the Ojibwa. Copway wrote that the reasons why the Ojibwa waged war on the Iroquois were: a) for breaking a treaty of peace by murdering some Ojibwa warriors; b) to clear the way for trade between the Ojibwa and the French; and c) to regain the land of the western Hurons, and, if possible, drive the Iroquois wholly out of southern Ontario.²¹ He also explained that the first battle was fought near present-day Orillia, the bloodiest battles were fought at Rama, Mud Lake and Rice Lake, and the last was fought at the mouth of the Trent River.²²

Many of the Iroquois settled along the north shore of Lake Ontario were forced to flee to the

¹⁸ Smith, "Who are the Mississauga?" p. 213. See document no. 65.

¹⁹ Copway, *The Traditional History and Characteristic Sketches of the Ojibway-Nation*, p. 78; see also E.S. Rogers, "Southeastern Ojibwa," p. 760. See document nos. 4 & 70.

²⁰ Schmaltz, *The Ojibwa of Southern Ontario* (Toronto: University of Toronto Press, 1991) p. 21. See document no. 99.

²¹ Copway, *The Traditional History and Characteristic Sketches of the Ojibway-Nation*, p. 87. See document no. 4.

²² Copway, *The Traditional History and Characteristic Sketches of the Ojibway-Nation*, pp. 88 & 89. See document no. 4.

other side of the lake.²³ The Reverend Peter Jones also wrote of the Ojibwa conquest of southern Ontario stating that they “Extended their conquests to Lakes Simcoe, Ontario, Erie, St. Clair, and the interior parts of the country: wherever they went they conquered, destroying villages, and leaving dead bodies in heaps.”²⁴ According to Jones, the last battle was fought at Burlington Bay. In the end, a few Iroquois were allowed to escape “that they might go and tell their brethren on the south side of Lake Ontario the fate of their nation - that all the country between the waters of the Ontario, Erie, St. Clair, and Huron, was now surrendered into the hands of the Ojebways.”²⁵

Testimonies taken from the Mississauga by the Williams Treaty commissioners in 1923 indicate that oral traditions relating the defeat of the Iroquois in southern Ontario were, at that time, alive and well. On September 25, 1923 Chief Daniel Whetung of Mud Lake testified that: “The reason I guess ... the Mississaugas and the Chippewas fought side by side against the Mohawks, and the Mississaugas and the Chippewas have the Mohawks where they can’t hunt so they have to farm, and the Chippewas and the Mississaugas they have the hunting grounds.”²⁶ On September 26, 1923 Robert Paudash of the Hiawatha Reserve at Rice Lake testified that: “We drove them [Mohawks] right through here [Rice Lake], all down Otonabee River and this lake and all along there are bones and tomahawks. ... Right here is where we broke the back of the Mohawk nation – we Mississaugas.” Paudash also stated that, before this, the Mississauga came from the Mississauga river.²⁷

On the same day, Johnson Paudash, also from the Hiawatha Reserve, provided a relatively detailed description of the battles fought against the Iroquois by his Mississauga ancestors during their conquest of southern Ontario:

Well, we came from the Mississauga river, up north of Manitoulin and east of Sault Ste. Marie, and some of our Mississaugas came from Lake Nipissing. When the Mohawks exterminated the Hurons, at the same time they drive the

²³ Chamberlain, “Notes of the History, Customs, and Beliefs of the Mississauga Indians,” p. 150. See document no. 18.

²⁴ Jones, *History of the Ojebway Indians*, p. 113. See document no. 7.

²⁵ Jones, *History of the Ojebway Indians*, p. 113. See document no. 7.

²⁶ Testimonies taken from members of Mud Lake Band, Chemong Village, 25 September 1923, NAC, RG 10, Vol. 2332, File 67,071-4C, Reel 11203, p. 220. See document no. 39. This treaty is discussed below in the chapter entitled “The Treaties of 1818, 1856 & 1923.”

²⁷ Testimonies taken from members of Rice Lake Band, Hiawatha Reserve, 26 September 1923, NAC, RG 10, Vol. 2332, File 67,071-4C, Reel 11203, p. 231. See document no. 40.

Chippewas North to Lake Superior. Then the Mississaugas come down from the Mississauga River and the Lake Nipissing. Under the leadership of O-ge-mah-be-nah-ke, or Bald Eagle, came down 1500 warriors of the Mississauga Nation. He was my great grandfather's grandfather. That is a long time back. He came down with his warriors and the first big battle was at the mouth of the Severn River at a place called Skull Island. Then they [Mississauga] came up the Severn River and down the Black river and down to the Narrows of Lake Simcoe, and then they came up the Talbot river and over the heights of lands into Balsam Lake and down the chain of lakes to what is called Sturgeon Lake. From that point they separated, and one party went East, up the Scugog way, and portaged into lake Ontario and they followed a party of Mohawks to Burlington Bay, where they had a great battle. The other party came over the other way, towards Mud Lake, ... where there was another battle at the mouth of the Otonabee river, at Hatterick's Point. They had another battle at Ghost Island in Rice Lake, where there are a lot of Mohawk bones.

...

Then they went to the River Trent, and over the lake and to the foot of lake Ontario, where the Mohawks had to make a Treaty of Peace with our people."²⁸

As with the previous oral accounts, Paudash provides no specific dates of the events he described.

Settlement of Mississauga on the north shore of Lake Ontario

Between 1651 and 1701 southern Ontario went through three stages of population shifts. First of all, after the dispersal of the Huron, the area was used as an Iroquois hunting ground from the 1650s to the 1670s. In the 1680s, the Iroquois established agricultural and beaver-hunting settlements in the area. At the same time, the Ojibwa established settlements just north of the evacuated Huron Territory. Finally, between the mid-1680s and 1701, the Iroquois were defeated by the Ojibwa and forced to withdraw from southern Ontario.²⁹

By 1704, Mississauga bands from the north shore of Lake Huron had moved into and established settlements throughout the eastern part of southern Ontario between the Niagara River and the St.

²⁸ Testimonies taken from members of Rice Lake Band, Hiawatha Reserve, 26 September 1923, NAC, RG 10, Vol. 2332, File 67,071-4C, Reel C-11203, pp. 253-254. See document no. 40.

²⁹ Schmaltz, *The Ojibwa of Southern Ontario*, p. 18. A peace treaty ratified at Montreal in June 1701 brought an end to the war against the Iroquois. See "Iroquois Wars," *The Canadian Encyclopedia* (Edmonton: Hurtig Publishers, 1985) p. 904. See document nos. 99 & 79.

Lawrence River.³⁰ Most of their settlements were located along the Trent River and at Rice Lake. In 1735, the French estimated that there were approximately 1,000 to 1,500 Mississauga settled in southern Ontario.³¹ Praxis states that “By 1755 - well into the fur-trade period and half a century after the defeat of the Iroquois Confederacy in southern Ontario - the Mississauga as a group distinct from the Chippewas are located north of Lake Ontario.”³² Smith explains that, in the 1780s, the Mississauga had only a small population and were weakly organized in approximately six small bands spread over roughly 500 kilometers along the north shore of Lake Ontario.³³

In January 1840, a large delegation of Ojibway “Chiefs ... with a number of their Warriors” met at the River Credit to raise concerns over their land title and hunting and fishing rights. Among the delegates were Mississauga chiefs and warriors from the following settlements: Bay of Quinte, Balsam Lake, Rice Lake, Alderville, and Mud Lake.³⁴ Descendants of the Mississauga today live at Rice Lake, Alnwick, Mud Lake, Scugog Island, and in the settlement of the New Credit (Brantford).³⁵ As discussed below, the permanent settlement of Mississauga at Mud Lake (Curve Lake) was, at this time, a very recent development.

Establishment of the Curve Lake Reserve

In 1829, the New England Company, a missionary society that came to Upper Canada in 1822, sent missionaries to Mud (Chemong) Lake, Rice Lake and Scugog Lake in order to provide education and religious instruction to the Mississauga groups occupying these areas.³⁶ At the time, there were between 10 and 12 families occupying the area around Mud Lake, an area

³⁰ Praxis Research Associates, “Mississauga of the New Credit,” pp. 13 & 14. See document no. 109.

³¹ E.S. Rogers, “Southeastern Ojibwa,” p. 762. See document no. 70.

³² Praxis Research Associates, “Mississauga of the New Credit,” p. 32. See document no. 109.

³³ Smith, “Dispossession of the Mississauga,” p. 72. See document no. 74.

³⁴ Praxis Research Associates, “Mississauga of the New Credit,” p. 23. See document no. 109.

³⁵ Praxis Research Associates, “Mississauga of the New Credit,” pp. 13 & 14. See document no. 109.

³⁶ Mae Whetung-Derrick, “History of the Ojibway of the Curve Lake Reserve and Surrounding Area,” (Curve Lake, Ontario: Curve Lake Indian Band # 35, 1976) pp. 65 & 67. See document no. 67. Maps to be cited.

located 16 miles northwest of Peterborough.³⁷ Because the agent of the New England Company felt that the Mud Lake vicinity was “uneconomical”, he attempted to persuade the families residing there to move to Scugog Lake. However, the Mud Lake group would not leave the location “which had the advantages of high quality fish all year round, abundant game and fowl, plenty of sugar maple, wild rice and cranberries, as well as the proximity to the growing centre of Peterborough.”³⁸ Thus, in 1830, the Company began to organize the settlement at Mud Lake and build a village. In 1837, the Company received a conditional grant of approximately 1600 acres to be held in trust for the benefit of the Indians of Mud Lake.³⁹ In 1844, a government official reported that the Mud Lake Indians “are ninety-four in number, and possess twenty dwelling houses and three stables.”⁴⁰ The Mississauga of Mud Lake are now known as the Curve Lake First Nation.

³⁷ See plan nos. 3 & 12. See also GIS Map Nos. 1 & 2.

³⁸ Whetung-Derrick, “History of the Ojibway,” p. 67. See document no. 67.

³⁹ Bagot Report, *Journals of the Assembly of Upper Canada, 1844-1845*, Appendix EEE; and Thomas W. Poole, *A Sketch of the Early Settlement and Subsequent Progress of the Town of Peterborough, and of each Township in the County of Peterborough* (Peterborough, 1867) p. 215. See document nos. 3 & 8.

⁴⁰ Bagot Report, *Journals of the Assembly of Upper Canada, 1844-1845*, Appendix EEE. See document no. 3.

Chapter II: **The nature of harvesting practices by the Mississauga of Curve Lake**

The purpose of the following section is to discuss: the nature of the Band's harvesting practices; the extent to which the Band made "regular use" of the Burleigh Falls area and; the extent to which hunting and trapping were activities integral to the Band's traditional economy.

Extent of the Curve Lake Band's harvesting territory

Although the Mississauga of Mud Lake became permanently settled in one location, band members continued to hunt and trap for their livelihoods. In 1837 Captain T.G. Anderson, a Superintendent of Indian Affairs, reported that the hunting grounds of the Curve Lake Band extended "through to the Ottawa River" and that the "Hunting Ranges consist principally of Deer with which the Country abounds."⁴¹ In testimony given on September 25, 1923 before R.V. Sinclair, one of the Williams Treaty commissioners, Joseph Whetung of Mud Lake indicated that the Band's traditional territory extended as far north as the Ottawa River.⁴² Though Whetung specifically identified Stoney Lake as part of Band's traditional hunting grounds, the testimony contains no specific mention of Burleigh Falls.

Concerns raised by the Curve Lake Band in the 1880s over its right to use the islands in Stoney Lake for the purposes of hunting and fishing suggest that, at this time, the region was a key area within the Band's harvesting range. In response to an event whereby members of the Curve Lake Band were denied permission to use the land on some islands in Stoney Lake while fishing, Chief Joseph Irons sent a petition in January 1888 to Edwin Harris, Indian Agent at Gore Landing. The petition stated that the petitioners "urgently pray that no more Islands be Sold in those lakes, from Bobcaygeon to Peterbo in which this Band is interested, until after the first of August 1888, by which time we will have had time to cho[ose] from those not already sold, such islands as m[ight] be suitable and necessary for camping grounds for the Bands concerned while pursuing their avoc[ation] in hunting, fishing &c."⁴³ On March 6, 1888 J.D. McLean, Secretary of Indian

⁴¹ "Replies by Anderson to Questions on the Indians of the Newcastle District, 1837," cited in *Muskoka and Haliburton, 1615-1878*, ed. Florence Beatrice Murray (Toronto: Champlain Society, 1963) p. 112. See document no. 57.

⁴² Statements given to Williams Commissioners by Mississauga Indians of Chemong Village, Mud Lake Reserve, 25 September 1923, NAC, RG 10, Vol. 2332, File 67071-4C, Reel C-11203. See document no. 39. The 1923 Williams Treaty is discussed in more detail in the chapter below entitled "The Treaties of 1818, 1856 & 1923."

⁴³ Irons to Harris, 30 January 1888, NAC, RG 10, Vol. 2399, File 83,002, Reel C-11214. See document no. 14.

Affairs, wrote to the Deputy Superintendent of Indian Affairs stating that “Of course the Indians have surrendered the Islands for sale & the Dept. is not now bound to reserve any of the Islands for them; but out of regard for the wishes of the Indians it will no doubt be willing to reserve some of the Islands from sale for their own use.”⁴⁴ On March 9, 1888 McLean informed Harris that the Department was “anxious to meet the wishes [of] the Indians as far as practic[al] is willing to reserve from sa[le] of certain Islands ... in the Western portion of the [Stoney] Lake.”⁴⁵ On March 23, 1888 Harris informed the Department that the Curve Lake Band “also wish to have reserved from sale some Islands, between Bobcaygeon and Burleigh Falls.”⁴⁶ Order in Council PC 573, dated March 3, 1893, reserved the following islands in Stoney Lake from sale for use by Indians of Rice, Mud and Scugog Lakes: Island Nos. 2, 3, 7, 14, 15, 18 & 29 in Harvey Township; Island No. 13 in Burleigh Township; and Island Nos. 2, 23, 30, 74 & 108 in Dummer Township.⁴⁷ Island 31 in Burleigh Township, which was the first location of the native settlement at Burleigh Falls, was sold to the Department of Railways and Canals in 1883.⁴⁸ The correspondence discussed above illustrates that by the late 19th century, the Curve Lake Band continued to use islands in Lovesick and Stoney Lakes for the purposes of hunting and fishing.

More recently, a number of oral accounts by elders of Burleigh Falls telling how the mixed population there developed further suggest that Stoney Lake was an integral part of the Curve Lake Band’s traditional harvesting grounds. In 1978, Fay Tilden and Kathy Woodcock prepared a history of Burleigh Falls based mainly on oral sources which describes the development of a native settlement at Burleigh Falls. Some of the sources in this history discuss aspects of the Curve Lake Band’s harvesting practices, including when the Band began using the Burleigh Falls area. One elderly resident, for instance, “remembers his grandfather speaking of a time when Mississauga people would land their canoes on the northeast shore of Lovesick Lake and portage

⁴⁴ McLean to Deputy Superintendent General of Indian Affairs, 6 March 1888, NAC, RG 10, Vol. 2399, File 83,002, Reel C-11214. See document no. 15. McLean was referring to the Treaty of 1856. This treaty is discussed below in the chapter entitled “The Treaties of 1818, 1856 & 1923.”

⁴⁵ McLean to Harris, 9 March 1888, NAC, RG 10, Vol. 2399, File 83,002, Reel C-11214. See document no. 16.

⁴⁶ Harris to Superintendent General of Indian Affairs, 23 March 1888, NAC, RG 10, Vol. 2399, File 83,002, Reel C-11214. See document no. 17.

⁴⁷ DIAND, Indian Lands Registry, Instrument No. 3580-98D.

⁴⁸ This and other issues relating to the title to lands at Burleigh Falls is discussed in more detail in the chapter below entitled “The establishment of a métis settlement at Burleigh Falls.” Maps to be cited.

across country to Stoney Lake” which he thought would have been before 1830.⁴⁹ Russel Taylor, also an elderly resident of Burleigh Falls:

recalls that the generation of Curve Lake elders who passed away some 50 years ago would speak of making a journey down to Lovesick and Stoney Lakes to trap and fish. Mr. Taylor mentioned that these people were quite old when he was five years of age, suggesting that the native people were using the area for hunting and fishing probably in the 1860s. Mr. Taylor said that Lovesick and Stoney Lakes together provided an abundance of wild rice which served as food for animals. But that was before the rivers were damned [sic] up. He felt that trapping was the reason native people first came to Burleigh Falls. Families from Curve Lake would journey up to trap beaver, muskrat and otter.⁵⁰

Tilden and Woodcock conclude that “All these accounts are evidence that the native people from Curve Lake did journey up to Burleigh Falls, during the 1860s and no doubt before; to use the food resources of the land and water.” The authors also state that native families from Curve Lake spent the summer months “camped near the rapids where they fished, trapped and gathered plant foods; during the winter months they returned to their homes in Curve Lake.”⁵¹

The sources discussed in this section indicate that the Stoney Lake area was an important part of the Curve Lake Band’s traditional hunting grounds. Moreover, the oral sources described above claim that the Curve Lake Band also used the Burleigh Falls area for the purpose of harvesting resources since at least the middle of the 19th century.

Nature of the Curve Lake Band’s harvesting practices

The main resource harvesting activities of the Curve Lake Band consisted of hunting and trapping squirrels, muskrat, beaver, and otter, and of fishing.⁵² However, families also engaged

⁴⁹ Fay Tilden & Kathy Woodcock, “History of the Burleigh Falls Métis Settlement,” in *Kawartha Nishnawbe Self-Government* (Peterborough, 1978) p. 3. See document no. 71.

⁵⁰ Tilden & Woodcock, “History of the Burleigh Falls Métis Settlement,” p. 3. See document no. 71.

⁵¹ Tilden & Woodcock, “History of the Burleigh Falls Métis Settlement,” p. 3. See document no. 71.

⁵² Chamberlain, “Notes on the History, Customs and Beliefs of the Mississaugua [sic] Indians,” p. 154. See document no. 18.

in gathering wild rice, berries and maple sugar.⁵³ At Mud Lake, most families had their own sugar bush and, as described by an observer in 1888, each spring “the squaws went to the woods, erected camps, gathered firewood, and prepared the troughs and other necessary articles.”⁵⁴ The women at Mud Lake were also quite successful at manufacturing and selling large quantities of baskets.⁵⁵ In a report dated May 15, 1905, the Inspector of Indian Agencies and Reserves stated that: “Nearly all of the members of this band [Curve Lake First Nation] which is composed of 177 members were away hunting at the time of my visit ... The Reserve which consists of 1,548 acres is in most part poor agricultural land and to this perhaps is due, to some extent, [to] the fact that very few Indians have leaned towards agriculture.”⁵⁶ Some of the men sought employment opportunities outside of the reserve and often hired themselves out to non-native farmers and to local lumbering companies.⁵⁷

In 1897 the local Indian Agent reported that, due to more extensive settlement around Mud Lake, hunting and trapping had become “less remunerative,” and fishing “less productive,” thereby forcing many of the young men to look for alternative forms of gaining a livelihood such as farm work and lumbering off the reserve.⁵⁸ The agent’s report suggests that local settlement had resulted in a depletion of the Curve Lake Band’s traditional harvesting resources. In 1912 and 1913, it was reported that some of the hunters and trappers of Mud Lake had begun acting as guides for tourists in the summer months.⁵⁹ In fact, as early as 1867, the first tourist guide book

⁵³ Chamberlain, “Notes on the History, Customs and Beliefs of the Mississauga Indians,” p. 155; and Whetung-Derrick, “History of the Ojibway,” p. 67. See document nos. 18 & 67.

⁵⁴ Chamberlain, “Notes on the History, Customs and Beliefs of the Mississauga Indians,” p. 155. See document no. 18.

⁵⁵ Report of Central Superintendency (Ontario), 19 November 1880, in Annual Report of the Department of Indian Affairs, *Sessional Papers*, No. 14, 1881. See document no. 12.

⁵⁶ Report of the Inspector of Indian Agencies and Reserves, 15 May 1905, NAC, RG 10, Vol. 3048, File 237,660-1, pt. 17, Reel C-11316. See document no. 23.

⁵⁷ Report of the Indian Agent at Roseneath Agency, 13 August 1895, in Annual Report of the Department of Indian Affairs, *Sessional Papers*, No. 14, 1896; and Report of the Indian Agent [PAGE MISSING] in Annual Report of the Department of Indian Affairs, *Sessional Papers*, No. 14, 1897. See document nos. 19 & 21.

⁵⁸ Report of the Indian Agent [PAGE MISSING] in Annual Report of the Department of Indian Affairs, *Sessional Papers*, No. 14, 1897. See document no. 21.

⁵⁹ Report of the Indian Agent at Rice and Mud Lake Agency, 15 April 1912, in Annual Report of the Department of Indian Affairs, *Sessional Papers*, No. 27, 1912; and Report of the Indian Agent at Rice and Mud Lake Agency in Annual Report of the Department of Indian Affairs, *Sessional Papers*, No. 27, 1914. See document nos. 32 & 33.

of the region praised the Kawartha Lakes area for its hunting and fishing possibilities and advised tourists interested in pursuing these activities to hire an Indian guide from Hiawatha Reserve or Curve Lake Reserve.⁶⁰ The reports of Indian agents at Mud Lake suggest that, by the late 19th century, the traditional hunting and fishing economy of the Curve Lake Band had declined to the point where band members were forced to seek alternative means of subsistence such as lumbering and guiding tourists. As discussed in more detail below, guiding tourists on fishing tours and working in the local lumber industry were key economic activities of the métis people of Burleigh Falls.⁶¹

⁶⁰ *Illustrated Historical Atlas of Peterborough County*, pp. 43-44. See document no. 89.

⁶¹ This activity is discussed in more detail in the chapter entitled “The occupational activities of the métis of Burleigh Falls.”

Chapter III: The Treaties of 1818, 1856, and 1923

Most of the métis and non-status Indian people of Burleigh Falls are descendants of the Curve Lake Band, one of the Mississauga tribes that surrendered land in the Treaties of 1818, 1856 and 1923.⁶² The purpose of the following section is to identify the aboriginal groups who signed these treaties and to identify the areas they surrendered.

Treaty of 1818

Due to a desire to settle the region north of Lake Ontario and the military and communications benefits of the Trent River-Karthawa Lakes system between the Bay of Quinte and Georgian Bay, the government of Upper Canada decided to purchase territory from the Mississauga tribes who inhabited the areas north of Rice Lake.⁶³ In other words, the surrendered areas would include, for the most part, the future counties of Peterborough and Victoria. On November 5, 1818 a meeting was held at Smith's Creek between William Claus, Deputy Superintendent General of Indian Affairs, and the Mississauga who agreed to surrender an area comprising 1,951,000 acres in exchange for an annuity of 740 pounds in goods.⁶⁴ At this time, the surrender, known as Treaty No. 20, affected about 740 individuals.⁶⁵ Treaty No. 20 identified the following chiefs and tribes: Buckquaquet, Chief of the Eagle Tribe; Pishikinse, Chief of the Rein Deer Tribe; Pahtosh, Chief of the Crane Tribe; Cahgahkishinse, Chief of the Pike Tribe; Cahgagewin, of the Snake Tribe; and Pininse, of the White Oak Tribe.⁶⁶ These bands are the ancestors of the groups who later settled at Rice Lake and Mud Lake.⁶⁷

⁶² Harry W. Daniels, *The Forgotten People: Metis and Non-Status Indian Land Claims* (Ottawa: Native Council of Canada, 1979) p. 49. See document no. 72.

⁶³ Robert J. Surtees, "Indian Land Surrenders in Ontario," (DIAND, 1984) p. 70; and Ian Johnson, "The Early Mississauga Treaty Process in Historical Perspective," (Ph. D. thesis, University of Toronto, 1985) p. 377. See document nos. 75 & 81.

⁶⁴ Canada, *Indian Treaties and Surrenders* (Queen's Printer, 1891) pp. 48-49. See document no. 2.

⁶⁵ Canada, *Treaties and Surrenders*, p. 48; and R.W. Shaw, "The Treaty Made with the Indians at Smith's Creek (Port Hope) No. 5, 1818 for the Surrender of Lands," in *Ontario History*, 25, 1929, pp. 415 & 416. See document nos. 2 & 46.

⁶⁶ Canada, *Indian Treaties and Surrenders*, pp. 48 & 49. See document no. 2.

⁶⁷ See Meredith to Scott, 27 December 1877, OMNR, Indian Lands, File 83,815, Vol. 1. In a letter to the Secretary of State dated 27 December 1877, E.A. Meredith, the Deputy Minister of the Department of the Interior, stated that "In 1856, the Chiefs & principal men of the Mississaugas of Rice & Mud Lakes, *being the descendants [sic] of the Indians who were parties to the Surrender of 1818* [emphasis added], executed to Her Majesty, a Surrender of 'The Islands & mainland lying

The main concerns of the chiefs and headmen at Port Hope were protection of hunting and fishing rights and the reservation of the islands located throughout the surrendered tract. For example, Buckquaquet, Chief of the Eagle Tribe, voiced the view that: “We hope that we shall not be prevented from the right of Fishing, the use of the waters & hunting where we can find game.”⁶⁸ Moreover, the “young men, I hope you will not think it hard at their requesting that the Islands may be kept for them, that when we try & scratch the Earth, as our Brethern the Farmers do, & put anything in, that it may come up to help our Women & Children.” Claus responded by saying that “The request for the Islands I shall also inform him [Great Father] of, I have no doubt but that he will accede to your wish. The Rivers are open to all & you have an equal right to fish & hunt on them.”⁶⁹ Notwithstanding Claus’s statement, Treaty No. 20 mentions neither hunting and fishing rights nor the islands.⁷⁰

Treaty of 1856

In the 1850s, the government sought to clarify concerns over the title to the islands located throughout the tract surrendered by virtue of Treaty No. 20 of 1818.⁷¹ On June 24, 1856 the Mississaugas Indians of Rice and Mud Lakes surrendered “all and singular the islands and mainland lying and situate in the Newcastle and Colborne Districts, including the islands in Rice Lake which have not heretofore been ceded to the Crown, save and except the lands now occupied by our tribe and known as the Indian reservations on the borders of Rice, Mud and Scugog Lakes in the aforesaid districts, the principal arising from such sales to be safely funded and the interest accruing therefrom to be paid annually to use and our said descendants for all time to come.”⁷²

Treaty of 1923

& situate in the Newcastle & Colborne District.” See document no. 10.

⁶⁸ “Minutes of an Indian Council, held at Smith Creek, on Thursday the 5th of November ...” NAC, RG 10, Vol. 35, Reel C-11011. See document no. 1.

⁶⁹ “Minutes of an Indian Council, held at Smith Creek, on Thursday the 5th of November ...” NAC, RG 10, Vol. 35, Reel C-11011. See document no. 1.

⁷⁰ *Treaties and Surrenders*, p. 48. See document no. 2.

⁷¹ Canada, Order in Council, 14 July 1856, OMNR, Indian Land, File 83,815, Vol. 1. See document no. 6. The Order in Council, which confirmed the Treaty of 1856, states that “some doubts exist as to whether these Islands [located in the Districts of Newcastle and Colborne] were or were not included in a former surrender [Treaty No. 20 of 1818].”

⁷² *Treaties and Surrenders*, p. 207. See document no. 2.

For at least seventy years prior to the signing of the Williams Treaty in 1923, three Chippewa bands of the Lake Simcoe and Georgian Bay areas and four Mississauga bands of Mud Lake, Rice Lake, Scugog Lake and Alnwick insisted that their title to the lands in the central part of Ontario had never been extinguished.⁷³ The lands in question comprised the counties of Renfrew, Hastings, Haliburton, Muskoka, Parry Sound and Nipissing.⁷⁴ In March 1912 the Indians of Rama Reserve, Georgina Island and Christian Island sent the Superintendent General of Indian Affairs eight “Declarations of Occupation” which identify the traditional hunting grounds of the signatories and state that “I know that my tribe won said hunting grounds from other tribes of Indians by reason of victory over them [Mohawks] and that ever since I can remember we were in peaceable and unmolested possession of the said hunting grounds and our fathers before us.”⁷⁵ In 1915, the Department of Indian Affairs (DIA) received more declarations referring to the hunting and trapping grounds of the bands inhabiting the Lake Simcoe and Georgina Bay areas.

In response to Chippewa and Mississauga claims that the title to their hunting grounds had not been extinguished, the Government of Canada appointed R. V. Sinclair to investigate and report on the matter.⁷⁶ Subsequently, in November 1916 Sinclair reported that:

⁷³ Robert J. Surtees, “The Williams Treaties,” (Ottawa: Department of Indian Affairs and Northern Development, 1986), p. 17; and Gwynneth C. Jones, “Williams Treaty: 1920-23,” (Office of Indian Resource Policy, 1984), p. 2. See document nos. 86 & 76.

⁷⁴ McLean to Indian agents of Mississauga and Chippewa Reserves, 7 August 1923, NAC, RG 10, Vol. 2330, File 67,071-3 pt. 2, Reel C-11,202. Gwynneth C. Jones describes the territory in question in the following manner:

This territory was bounded roughly by the aforesaid surrenders on the south, the Ottawa River on the east, the “height of land” separating waters flowing into Georgian Bay and waters flowing into the Ottawa River (or alternately, the Mattawa River-Lake Nipissing - French River waterway) on the north, and Georgian Bay to Moose Deer Point on the west.

See Jones, “Williams Treaty: 1920-23,” p. 2. See document nos. 36 & 76.

⁷⁵ Goodman & Galbraith to Superintendent General of Indian Affairs, 7 May 1912, NAC, RG 10, Vol. 2329, File 67,071-2, Reel C-11,202; Declarations of Wesley Monague, John Millar, and Samuel Aissance of the Christian Island Reserve, 11 March 1912, NAC, RG 10, Vol. 2329, File 67,071-2, Reel C-11,202; Declarations of Frank Joe of Rama Reserve, 13 March 1912, NAC, RG 10, Vol. 2329, File 67,071-2, Reel C-11,202; and Declarations of Joseph Blackbird, James Ashquabe and his wife, March 1912, NAC, RG 10, Vol. 2329, File 67,071-2, Reel C-11,202. See document nos. 31, 24, 25, 26, 27, 29, 28 & 30.

⁷⁶ Sinclair was an Ottawa-based lawyer. See Jones, “Williams Treaty: 1920-23,” p. 15. See document no. 76.

A careful search of the records referred to and those of the Crown Lands Department at Toronto has failed [illegible] disclose any document or treaty showing that the Indian title claim to a large tract of land in Ontario lying west of the Ottawa River and east of the Georgian Bay ... has been extinguished.⁷⁷

Sinclair also stated that:

The claim to the whole territory as hunting grounds asserted by the declarations of 27 Indians in terms so positive and explicit as to render it extremely difficult to disregard the evidence.

The Indian title to these lands has never been extinguished and I am of the opinion that some arrangement should be made for quieting the title by the payment of compensation in the same way that the Crown has dealt with other Indians whose title has been extinguished by Treaty.⁷⁸

In 1921, the federal government acted upon Sinclair's report by approaching the province with the intention of reaching an agreement as to how to settle the Chippewa and Mississauga claims.⁷⁹ It took another year and a half to work out the details of an agreement to deal with the issue. In a Memorandum of Agreement, signed by the Government of Canada and the Government of Ontario in April 1923, the two parties agreed to "appoint three persons as commissioners to enquire into the validity of the claim of the Chippewa and Mississauga Indians ... [and to] ... empower the said Commissioners, in the event of their determining in favor of the validity of the said claim, to negotiate a treaty with the said Indians."⁸⁰ Subsequently, Canada selected A.S. Williams to act as chairman of the Commission and Ontario selected R.V. Sinclair and Uriah McFadden to act as Commissioners.⁸¹ On August 31, 1923 the Government of Canada enacted an order in council appointing Williams, Sinclair and McFadden as Commissioners "to

⁷⁷ Sinclair to Newcombe, 23 November 1916, NAC, RG 10, Volume 2330, File 67,071-3, pt. 2, Reel C-11202. See document no. 34.

⁷⁸ Sinclair to Newcombe, 23 November 1916, NAC, RG 10, Volume 2330, File 67,071-3, pt. 2, Reel C-11202. See document no. 34.

⁷⁹ Surtees, "The Williams Treaties," p. 20. See document no. 86.

⁸⁰ Memorandum of Agreement between Canada and Ontario, April 1923, NAC, RG 10, Vol. 2330, File 67,071-3, pt. 2, Reel C-11,202. See document no. 45.

⁸¹ Jones, "Williams Treaty: 1920-23," p. 14. See document no. 76.

enquire into the validity of the said claim of the Chippewa and Mississauga Indians.”⁸²

The DIA informed Indian agents at the Chippewa and Mississauga Reserves of the upcoming hearings and instructed them to consult with the chiefs and band councillors in order to arrange for general band meetings.⁸³ Subsequently, between September 12th and 29th, 1923, the Commissioners heard oral testimonies from 73 band members at Georgina Island, Christian Island, Rama, Scugog, Hiawatha, Alnwick, and Curve Lake, many of whom identified their traditional hunting and trapping grounds and presented their views on Indian hunting rights.⁸⁴

After completing the hearings, the Commissioners prepared a report and submitted it to James Lyon, the Ontario Minister of Natural Resources, on October 10, 1923.⁸⁵ With regards to the validity of Chippewa and Mississauga claims, the report states that:

It is the opinion of the commission that the claimants have submitted ample and satisfactory proof of the occupation by them of the land referred to as the ancient hunting grounds of the ancestors of the claimants. These hunting grounds cover an area of over 10,000 square miles of territory, the value of which is almost incalculable.⁸⁶

The Williams Treaty was signed by the Chippewa Indians of Christian Island, Georgina Island and Rama on October 31, 1923; November 3, 1923; and November 7, 1923 respectively and by the Mississauga Indians of Rice Lake, Mud Lake, Scugog Lake and Alderville on November 15, 1923; November 16, 1923; November 19, 1923; and November 21, 1923 respectively.⁸⁷ In turn for the surrender of their hunting grounds, the Bands were paid a total of \$500,000.00, which included a cash payment to each eligible Indian of \$25.00 per person.⁸⁸

⁸² Canada, Order in Council PC 1750, 31 August 1923, NAC, RG 10, Vol. 2330, File 67,071-3, pt. 1, Reel C-11,202. See document no. 37.

⁸³ Jones, “Williams Treaty: 1920-23,” p. 15. See document no. 76.

⁸⁴ Robert Surtees, “Williams’ Treaty: A Historical Perspective,” in Affidavit of Robert J. Surtees, *Howard v. the Queen in Right of Canada*, p. 41. See document no. 111.

⁸⁵ Jones, “Williams Treaty: 1920-23,” p. 21. See document no. 76.

⁸⁶ Commissioners to Lyons, 10 October 1923, NAC, RG 10, Vol. 2330, File 67,071-3, pt. 1, Reel C-11,202. See document no. 41.

⁸⁷ The treaties are transcribed in Surtees, “The Williams Treaties,” pp. 37 to 52. See document no. 86.

⁸⁸ Jones, “Williams Treaty: 1920-23,” pp. 31 & 32. See document no. 76.

The available sources indicate that at least some of the métis and non-status Indian people of Burleigh Falls were present at Mud Lake during the hearings before the Williams Treaty Commissioners in September 1923.⁸⁹ However, the available sources provide no clear indication of whether or not these people were signatories to the treaty.⁹⁰

⁸⁹ Examples of this are given in the chapter below entitled “The establishment of a métis community at Burleigh Falls.”

⁹⁰ It should be noted that the post-1900s treaty lists are, for the purposes of this project, unavailable to us.

Chapter IV: The establishment of Euro-Canadian settlement in the County of Peterborough

The intention of the following chapter is to provide a general overview of Euro-Canadian settlement in Peterborough County. Because Burleigh Falls is located near the boundary of Burleigh Township and Harvey Township, the early settlement of these townships will also be discussed.

Euro-Canadian settlement in what is now the County of Peterborough occurred relatively late. Neither the conquest of New France by the British in 1760 nor the arrival of approximately 10,000 United Empire Loyalists in the early 1780s had any significant effect on the region north of Lake Ontario.⁹¹ In 1787 and 1788, however, the Mississauga surrendered to the Crown the area along the north shore of Lake Ontario “as far back as a man could walk, or go on foot in a day.”⁹² Subsequently, Euro-Canadian settlements began to emerge along the shoreline in the late 1790s and government officials began to survey the land.⁹³ Nevertheless, settlement in the townships north of Rice Lake and the Trent River remained very sparse.⁹⁴

As the north shore of Lake Ontario became more populated, it became necessary for new immigrants to settle further inland.⁹⁵ The easiest means of accessing the interior of this region was by way of the Trent River, Rice Lake, Otonabee River and the Kawartha Lakes.⁹⁶ An old Indian portage that extended six miles from the Otonabee River (located in the present-day City of Peterborough) to Chemong Lake provided new settlers with a path to Lakes Chemong, Buckhorn, Pigeon and Sturgeon.⁹⁷ This trail, which became known as Communication Road, cut

⁹¹ *The Geography of the Peterborough Area. Occasional Paper I* (Peterborough: Department of Geography, Trent University, 1972) p. 45. See document no. 60.

⁹² Quoted in Smith, “The Dispossession of the Mississauga Indians,” p. 74. See document no. 74.

⁹³ *The Geography of the Peterborough Area*, p. 45. See document no. 60.

⁹⁴ Poole, *A Sketch of the Early Settlement*, p. 123; J.E.R. Munro, “Early Days,” in *Peterborough: Land of Shining Water. An Anthology*. (Published by the City and County of Peterborough, 1967) p. 43. See document nos. 8 & 58.

⁹⁵ *The Geography of the Peterborough Area*, p. 46. See document no. 60.

⁹⁶ See plan nos. 2, 3, 11 & 12.

⁹⁷ *Illustrated Historical Atlas of Peterborough County*, p. 88. See document no. 89. See plan no. 4. See also GIS Map No. 2.

off a long water voyage by way of the Kawartha Lakes.⁹⁸ Between 1810 and 1820 a number of settlers took lots in the townships of Cavan, Monaghan, Asphodel and Smith, but overall the progress of Euro-Canadian settlement during this period remained very slow.⁹⁹

The 1818 surrender by the Mississauga of the territory north of Rice Lake left the region open for Euro-Canadian settlement. That same year, the Township of Smith, the area in which the Curve Lake Band eventually settled, was surveyed. The Township of Monaghan was also surveyed in 1818 and the Township of Otonabee in the following year. Gradually, the townships in the Kawartha Lake region were also surveyed. By 1825, most of the County of Peterborough had been surveyed.¹⁰⁰ Shortly after the 1818 surrender, a number of colonists from England arrived to form a settlement just north of what became the town-site of Peterborough. In fact, many of these colonists settled on lots along the Indian Portage Road from Peterborough to Chemong Lake. The settlement consisted of about 120 people.¹⁰¹

By 1825, there were only about 500 settlers throughout the entire County of Peterborough.¹⁰² In that same year, however, Peter Robinson, Attorney General of Upper Canada, traveled to England to arrange for a “large tide” of Irish immigrants to be sent to Upper Canada to “[avail] themselves of the offer of free grants of land and all necessary aid for settlement.”¹⁰³ Most, if not all, of the 415 families who emigrated from Ireland settled in the County of Peterborough, with the bulk of the population concentrating in the townships located in the south-western section of

⁹⁸ H.T. Pammett, “Assisted Emigration from Ireland to Upper Canada under Peter Robinson,” in *Papers and Records of the Ontario Historical Society*, Vol. 31, 1936, pp. 187 & 188. See document no. 53.

⁹⁹ *The Geography of the Peterborough Area. Occasional Paper I* (Peterborough: Department of Geography, Trent University, 1972) p. 45. See plan nos. 11 & 12. See document no. 60.

¹⁰⁰ J.E.R. Munro, “Early Days,” in *Peterborough: Land of Shining Water. An Anthology*. (Published by the City and County of Peterborough, 1967) p. 43. See document no. 58. See GIS Map No. 1.

¹⁰¹ Poole, *A Sketch of the Early Settlement*, p. 123; J.E.R. Munro, “Early Days,” in *Peterborough: Land of Shining Water. An Anthology*. (Published by the City and County of Peterborough, 1967) p. 43. See document nos. 8 & 58.

¹⁰² C.P. Mulvany et al. *History of the County of Peterborough...* (Toronto, 1884) p. 251; Pammett, “Assisted Emigration from Ireland to Upper Canada under Peter Robinson,” p. 183. See document nos. 13 & 53. It appears that the population figures discussed in this paragraph deal only with non-Aboriginal settlers.

¹⁰³ Mulvany, *History of the County of Peterborough*, pp. 251 & 252. See document no. 13.

the County.¹⁰⁴ By 1826 the total population of the County of Peterborough was 1,799 persons. In 1831, approximately 2,000 new immigrants from Britain arrived in Peterborough County, many of whom settled in Dummer Township. By 1850, the overall population of the county was 12,589 people.

The general pattern of settlement was such that, before 1850, most of the settlement occurred in the southern eleven townships of Peterborough County.¹⁰⁵ Settlement in these areas was, for the most part, orientated towards agriculture. However, villages and towns developed around important milling sites such as Young's Point and Scott's Plain (town-site of Peterborough). Only gradually did settlement spread to the northern townships of Anstruther, Cavendish, Chandos, Galway and Burleigh.¹⁰⁶ The townships located in this region around the Kawartha Lakes consisted primarily of Laurentian Shield and rock with small pockets of soil between the rocks. The cultivation of crops was, therefore, almost impossible.¹⁰⁷

Another the reason why it took longer to settle the northern townships was a lack of roads. However, with the purpose of opening up the remote areas of the province for settlement, the government soon began constructing colonization roads in regions such as the northern townships of Peterborough County.¹⁰⁸ Thus, on August 9, 1860 a surveyor named James W. Fitzgerald was instructed to explore the area between Burleigh Rapids and the northern boundary of Burleigh Township to assess the benefits of constructing a colonization road through this region.¹⁰⁹ In his 1861 report to the Department of Lands and Forests, Fitzgerald claimed "I have no hesitation in saying that it is capable of becoming ... one of the most prosperous of any of the new Colonization Roads being now opened up for settlement in Canada."¹¹⁰ By the end of 1862,

¹⁰⁴ Mulvany, *History of the County of Peterborough*, pp. 251 & 252; and *Illustrated Historical Atlas of Peterborough*, pp. 12-13. See document nos. 13 & 89.

¹⁰⁵ *The Geography of the Peterborough Area*, pp. 46-47; *Illustrated Historical Atlas of Peterborough County*, p. 13. See document nos. 60 & 89.

¹⁰⁶ *Illustrated Historical Atlas of Peterborough County*, pp. 13 & 14. See document no. 89.

¹⁰⁷ Robert Hatton, "400 Years of Indians in the Kawarthas," in *Peterborough: Land of Shining Water. An Anthology*. (Published by the City and County of Peterborough, 1967) p. 3. See document no. 58.

¹⁰⁸ *Illustrated Historical Atlas of Peterborough County*, p. 13. See document no. 89.

¹⁰⁹ Murray, *Muskoka and Haliburton*, pp. lxxiii & lxxiv. See document no. 57.

¹¹⁰ Murray, *Muskoka and Haliburton*, pp. lxxiii & lxxiv. See document no. 57.

the Burleigh Road ran for 23 miles north of Burleigh Falls.¹¹¹ However, construction of the road was slow and difficult, and in 1866, the official in charge of colonization roads reported that “the Burleigh Colonization Road, suffers from irregular tortuous and injudicious location ... for the first six miles it passes through a section of country the most desolate and incorrigible to be conceived of; a region denuded of timber and destitute of soil.”¹¹²

Though Fitzgerald had raised expectations of the potential of the Burleigh Road, settlement in Burleigh Township progressed at a snail’s pace.¹¹³ Burleigh Township was first surveyed in 1834 and re-surveyed in 1864.¹¹⁴ The first settlers came to Burleigh Township between 1861 and 1863 and, by 1867, the total population was only 46 people.¹¹⁵ By the late 1860s, the Burleigh Road Settlement, as it was called, had two saw mills, a grist mill, a post office, and two schools.¹¹⁶ However, the settlement had no church and thus the faithful had to rely on the religious services available in the Village of Apsley, located in Chandos Township.¹¹⁷

Although it was hoped that the Burleigh Road would open the northern townships of Peterborough County to settlement in order to encourage immigration and the expansion of agriculture, the Township of Burleigh saw neither a great increase in settlement nor great success in agricultural development.¹¹⁸ The small population of Burleigh Township in the 1860s has already been noted. When James Fitzgerald, who had been so optimistic about Burleigh Township in 1860, re-surveyed the township in 1864, he admitted that because the land was rocky and barren and the soil largely poor, the township was unsuited for agriculture.¹¹⁹ Initially, settlers did attempt to cultivate the soil, but gradually they turned their efforts to the raising of

¹¹¹ Murray, *Muskoka and Haliburton*, p. lxxiv. See document no. 57.

¹¹² *Illustrated Historical Atlas of Peterborough County*, pp. 207-208. See document no. 89.

¹¹³ Murray, *Muskoka and Haliburton*, p. lxxiv. See document no. 57.

¹¹⁴ Mulvany, *History of the County of Peterborough*, p. 438. See document no. 57.

¹¹⁵ Poole, *A Sketch of the Early Settlement*, p. 210. This population figure is based on assessment rolls. See document no. 8.

¹¹⁶ Mulvany, *History of the County of Peterborough*, p. 440. See document no. 13.

¹¹⁷ Chandos Township is located immediately north-east of Burleigh Township. See plan no. 11. See also GIS Map No. 1.

¹¹⁸ *Illustrated Historical Atlas of Peterborough County*, p. 208. See document no. 89.

¹¹⁹ *Illustrated Historical Atlas of Peterborough*, p. 204. See document no. 89.

stock, particularly cattle and hogs, with which they had more success.¹²⁰ The Burleigh Road also led to the development of more lumbering in the township.¹²¹ Eventually, the white pine and other timber came to be seen as the most valuable resource in the area. Subsequently, lumbering camps were constructed and local settlers and their sons spent their winters in camps, their spring days on the river drive and their summers on the farms.¹²² Today most of the valuable timber in Burleigh Township has been cut.¹²³

It appears that settlement in Harvey Township, the township located immediately west of Burleigh Township, developed more rapidly than some of its neighboring townships. The population of Harvey Township in 1840 was 69 people and by 1867, had increased to 438 persons.¹²⁴ The building of the Buckhorn Road in the 1860s contributed much towards the opening up of Harvey Township for settlement.¹²⁵ The assessment rolls for the township indicate that most of the settlers were engaged in some form of agriculture.¹²⁶ Nevertheless, the main industry in the township was lumbering, and most of the settlers were involved in the industry to some degree. In fact, most of the township was owned by non-resident lumber merchants.¹²⁷ As discussed in the following chapter, the métis settlement which developed at Burleigh Falls also became actively involved in the lumbering industry.

¹²⁰ *Illustrated Historical Atlas of Peterborough*, p. 208. See document no. 89.

¹²¹ *Illustrated Historical Atlas of Peterborough*, pp. 207 & 208. See document no. 89.

¹²² Author unknown, "Township Reminiscences: The People," in *Peterborough: Land of Shining Water. An Anthology*. (Published by the City and County of Peterborough, 1967) p. 98. See document no. 58.

¹²³ Author unknown, "Township Reminiscences: The People," in *Peterborough: Land of Shining Water. An Anthology*. (Published by the City and County of Peterborough, 1967) p. 98. See document no. 58.

¹²⁴ *Illustrated Historical Atlas of Peterborough*, p. 185. See document no. 89.

¹²⁵ J.E.R. Munro, "Early Days," in *Peterborough: Land of Shining Water. An Anthology*. (Published by the City and County of Peterborough, 1967) pp. 94-95. See document no. 58. See plan nos. 4 & 11.

¹²⁶ *Illustrated Historical Atlas of Peterborough*, p. 185. See document no. 89.

¹²⁷ *Illustrated Historical Atlas of Peterborough*, p. 187. See document no. 89.

Chapter V: The establishment of a métis settlement at Burleigh Falls

The original métis families of Burleigh Falls

The intention of the following section is to identify the original métis families of Burleigh Falls, to discuss when these families settled there permanently, and to discuss the material illustrating the links between the métis families of Burleigh Falls and the Curve Lake Band.

A number of the sources discussed in this section - which range from a community history of Burleigh Falls to reports of an inspector of Indian reserves to notes written by long-time residents of Burleigh Falls - identify the families who originally settled at Burleigh Falls and their places of origin. Some of the sources also indicate the approximate date at which some of the families settled permanently at Burleigh Falls. The original settlers of Burleigh Falls are discussed in more detail below, however, the following table consolidates some of the basic information on these families:

TABLE A

Families from Curve Lake who settled at Burleigh Falls in the 1920s¹²⁸

Head of Household	Reserve of Origin	Spouse	Reserve of Origin	Children	Approximate date of year-round settlement at Burleigh Falls
S. 21(1)	Curve Lake	S. 21(1)	Curve Lake	S. 21(1)	circa 1925-1926

¹²⁸ The sources used to construct this table include: Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 2; note by E.G. Wilson, December 27, 1986, held by ONAS; "Burleigh Falls Research Project '77," held by ONAS; letter from unidentified author to the Superintendent of Indian Affairs, 12 March 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046; letter from Inspector of Indian Agencies and Reserves to DIA, 20 June 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document nos. 71, 85, 69, 49 & 51.

¹²⁹ Sandy married S. 21(1) from Curve Lake and S. 21(1) married S. 21(1) from Georgina. See Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 2. See document no. 71.

Head of Household	Reserve of Origin	Spouse	Reserve of Origin	Children	Approximate date of year-round settlement at Burleigh Falls
S. 21(1)	Curve Lake	S. 21(1) [surname unknown] ¹³⁰	unknown	S. 21(1)	unknown
S. 21(1)	Curve Lake	S. 21(1)	Rama Reserve	S. 21(1)	unknown
S. 21(1)	Curve Lake	S. 21(1)	Alderville	S. 21(1)	late 1920s
S. 21(1)	Curve Lake	S. 21(1)	Alderville	S. 21(1)	late 1920s
S. 21(1)	Curve Lake	S. 21(1)	Curve Lake	?	late 1920s

Some of the sources used to construct this table are discussed in more detail below. It should be noted that the sources do not clearly indicate whether the individuals or families who settled at

¹³⁰ The surname is not provided. However, this may be S. 21(1) who is cited in Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 7. See document no. 71.

¹³¹ Buster married S. 21(1) (daughter of S. 21(1)) from Curve Lake. See Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 2. See document no. 71.

¹³² S. 21(1) married S. 21(1) from Curve Lake; S. 21(1) married S. 21(1), identified as "shaganash," whose place of origin is unknown; and S. 21(1) married S. 21(1) whose place of origin is unknown. See Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 2. One source identifies Horace Taylor as a Treaty Indian from Curve Lake. See "Burleigh Falls Research Project '77," p. 141. See document nos. 71 & 69.

¹³³ S. 21(1) married S. 21(1) from Scogog Island; S. 21(1) married S. 21(1), whose place of origin is unknown; S. 21(1) married S. 21(1), whose place of origin is unknown; and S. 21(1) married S. 21(1) from Curve Lake. See Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 2. See document no. 71.

Burleigh Falls were, at any point, registered Indians.¹³⁴ However, as illustrated below, some of the individuals listed in the table are described as former band members.

In March 1932, an unidentified official of Indian Affairs reported that there were nine families “living on property leased them at Burleigh Falls, Ontario by the Trent Canal System.”¹³⁵ The heads of household listed as “Indians not belonging to any Reserve” were identified as S. 21(1) [redacted]. The heads of household listed as “White with Indian wives” from Mud Lake were listed as S. 21(1) [redacted].

It is not clear from the available sources whether or not S. 21(1) [redacted] has any relation to those identified elsewhere as S. 21(1) [redacted] and his son S. 21(1) [redacted]. It is possible that the name S. 21(1) [redacted] was either a given name or the middle name of either S. 21(1) [redacted] or S. 21(1) [redacted]. S. 21(1) [redacted] was listed as a “Member of Mud Lake Reserve.” According to this report, the total population at Burleigh Falls at this time was 46 persons.¹³⁷

On June 20, 1932 the Inspector of Indian Agencies and Reserves reported on “five Indian families living at Burleigh Falls on the West end of Stoney Lake, not members of any band.”¹³⁸ First of all, the report indicates that S. 21(1) [redacted] was “born at Stoney Lake of halfbreed father, his mother was a member of the New Credit Band.” Secondly, Stafford Jacobs was “born, illegitimate, at Curve Lake of Indian parents. S. 21(1) [redacted] before her marriage was a member of Curve Lake band.” S. 21(1) [redacted] may have been the person who is identified in the table as S. 21(1) [redacted]. Similarly, S. 21(1) [redacted] “was born, illegitimate, at Curve Lake. His father was an Indian, not a band member, his mother is still a member of Georgina Island band.” As also demonstrated Table A, S. 21(1) [redacted].

¹³⁴ In some cases, individuals are referred to as “Indian” and “white with Indian wives.”

¹³⁵ Unidentified author to the Deputy Superintendent of Indian Affairs, 12 March 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 49.

¹³⁶ For example, see Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 2. See document no. 71.

¹³⁷ Unidentified author to the Superintendent of Indian Affairs, 12 March 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 49.

¹³⁸ Inspector of Indian Reserves to DIA, 20 June 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 51.

¹³⁹ See Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 2. See document no. 71.

¹⁴⁰ See Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 2. See document no. 71.

Fourthly, S. 21(1) was “born at Curve Lake of Indian parents ... [and] ... he S. 21(1) drew interest money as a member of the Curve Lake band until a few years ago, when he was removed from the pay list.” Finally, S. 21(1) and his family “Live at Burleigh Falls during the summer months only” because they were members of the Curve Lake Band who “Own a house and three acres on the reserve.”¹⁴¹

The reports of these officials of Indian Affairs illustrate that there was a strong connection between the métis settlers at Burleigh Falls and the Curve Lake Band. Most of the individuals identified in this section came from Curve Lake or married someone from Curve Lake. Most, if not all, of these individuals were related to the original permanent families at Burleigh Falls identified in Table A.¹⁴²

Location of settlement at Burleigh Falls

Island No. 31 in Burleigh Township, also known as Centre Island, was the location of the first “campground” used by the métis of Burleigh Falls.¹⁴³ In 1883, Island No. 31, comprised of approximately 35 acres, was expropriated by the Department of Railways and Canals for the purposes of Trent Valley navigational improvement for the price of \$200.00.¹⁴⁴ Before this, the Island was under the control of the Department of Indian Affairs. Between 1883 and 1887, the Government of Canada used Island No. 31 to construct a lock at Burleigh Falls.¹⁴⁵ When the Trent Canal Authority began building a larger dam at Burleigh Falls in the 1920s, a construction camp was built on Island No. 31 in place of the native campground where for decades families from Curve Lake had spent their summers.¹⁴⁶ Subsequently, métis families moved to a new

¹⁴¹ Inspector of Indian Reserves to DIA, 20 June 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 51. It seems that Abram Taylor and Abraham Taylor (mentioned in Table A) are the same person.

¹⁴² See Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 2. See document no. 71.

¹⁴³ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 27. See document no. 71. See plan nos. 6, 7 & 8. See also GIS map no. 3.

¹⁴⁴ McLean to Pugsley, January 24, 1917, NAC, RG 10, Vol. 2224, File 43,779, Reel C-11183. See document no. 35.

¹⁴⁵ See *History of Canals and Related Subjects* (Ottawa, 1949) in NAC, RG 89, Vol. 694, File 2737. See document no. 56.

¹⁴⁶ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 27. See document no. 71.

campground at Perry's Creek on Lot 4 of Concession One in Harvey Township.¹⁴⁷ This site was also located on lands owned by the Department of Railways and Canals.¹⁴⁸

Because the métis were only leasing the land at Burleigh Falls, they eventually ran into complications when the owners of the land tried to evict them. In the summer of 1939, the Department of Transport, the successor to the Department of Railways and Canals, issued an order that the métis residents at Burleigh Falls remove themselves from government lands.¹⁴⁹ However, on July 10, 1941, the case was taken to court where the judge declined to authorize the eviction and the action was dismissed.¹⁵⁰

As of the early 1970s, the métis settlement at Perry's Creek occupied an area of "less than 5 acres."¹⁵¹ In an account of the Burleigh Falls settlement written *circa* 1973, an unidentified author describes the move from Island No. 31 to Perry's Creek:

Most of the Native people were camped in the area referred to as centre island. They had cleared this area. When the big dam was built (year unknown)¹⁵² the Native people were asked to move to the present 'campground' so that the people who were working on the dam could put their camps in the area already cleared. After the Native people were re-located to the present campground, they built their homes.¹⁵³

¹⁴⁷ See plan nos. 7, 8, 9 & 10. See also GIS Map No. 3.

¹⁴⁸ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," pp. 7 & 27; and research notes on Burleigh Falls prepared *circa* 1973 by Kawartha Local of the Ontario Métis and Non-Status Indian Association cited in Joan Holmes & Associates, "Kawartha Nishnawbe History of the Burleigh Falls Settlement," (Native Council of Canada, 1992) p. 26. See document nos. 71 & 106.

¹⁴⁹ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," pp. 28 & 29. See document no. 71.

¹⁵⁰ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 29. See document no. 71.

¹⁵¹ Spencely to officials of Canada and Ontario, 9 January 1975, held in ONAS file entitled "Kawartha Nishnawbe Land Claim 1972-1976." See document no. 64.

¹⁵² As discussed in more detail below, this would have been at some point in the early to mid-1920s.

¹⁵³ Cited in Joan Holmes & Associates, "Kawartha Nishnawbe of the Burleigh Falls Settlement," p. 12. See document no. 106.

Establishment of a permanent settlement at Burleigh Falls

The available sources provide neither clear nor consistent information on precisely when the métis and non-status Indians from Curve Lake settled permanently at Burleigh Falls. In April 1932 the Indian Agent for Mud and Rice Lakes indicated that S. 21(1) had been living at Burleigh Falls since 1912.¹⁵⁴ A 1975 letter written by the Secretary of the Burleigh Falls local of the Ontario Métis and Non-Status Indian Association claims that métis families have been permanently settled at Burleigh Falls since 1915.¹⁵⁵ However, Tilden and Woodcock claim that métis families settled permanently at Burleigh Falls when they were forced to move from Island No. 31 to the area around Perry's Creek as a result of dam construction, which they believe occurred at some point in the 1920s.¹⁵⁶ For example:

Another older resident of Burleigh Falls remembers when the government decided to build the big dam and to take over the Indian campsite for the workers. In those days, people camped near the small dam, and then moved again to the present location of the Métis community.

...

Although they were definitely winning their livelihood from the Burleigh Falls area, there was no one place as yet where native families had settled permanently. *It was when the native group moved over to the main land along Perry's Creek that signs of permanent settlement appeared [emphasis added].*¹⁵⁷

¹⁵⁴ Indian Agent for Mud and Rice Lakes, 25 April 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. Although the agent did not provide the specific year, he stated that S. 21(1) "has been living at Burleigh Falls for the last 20 years." See document no. 50.

¹⁵⁵ Letter dated 9 January 1975 by S. 21(1) Secretary of the Burleigh Falls local of the Ontario Métis and Non-Status Indian Association, to officials of Ontario and Canada, held in ONAS file entitled "Kawartha Nishnawbe Land Claims 1972-1976." See document no. 64.

¹⁵⁶ The available sources do not indicate the exact date at which the construction of the larger dam took place. However, Debra Lawson's report indicates that in 1916 the Department of Railways and Canals "Completed survey for General Plans of Canal" and "Recommended investigation for Title of Island 31." See Debra Lawson, "Burleigh Falls Research Project '77," p. 11. A history of the Trent-Severn Waterway prepared by Parks Canada states that "The completion of the Waterway did not result in a surge of through traffic, as was originally hoped, and the main work during the 1920s and 1930s continued to be the maintenance and occasional replacement of existing structures, both locks and dams. See Daniel Francis, *Towards a History of the Kawartha-Otonabee Sector of the Trent-Severn Waterway*, (Ottawa: Parks Canada, 1980) p. 5. But once again, there is no indication as to when the actual dam construction at Burleigh Falls took place. See document nos. 69 & 73.

¹⁵⁷ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 7. See document no. 71.

A report for the Native Council of Canada by Debra Lawson, known as the “Burleigh Falls Research Project ‘77,” indicates that in 1922 the Trent Canal Authority began charging Horace Taylor, Scotty Hogarth, Buster Brown and Isaac Johnson, described as the “first tenants” of Burleigh Falls, a rental fee of “\$1.00 a summer.”¹⁵⁸ Because rent for these lands was charged on the basis of use during the summer, the source implies that Taylor, Hogarth, Brown, and Johnson only resided at Burleigh Falls for part of the year.

In an oral interview conducted in *circa* 1978, Buster Brown claimed that at the age of 18 he settled permanently in Burleigh Falls, which was “about 56 years ago.”¹⁵⁹ This would have been around 1922. However, Brown also indicated that he was still living at Curve Lake when the Williams Treaty Commissioners arrived in 1923.¹⁶⁰ He was 15 years old at the time which means he may have moved permanently to Burleigh Falls in *circa* 1926, when he was 18 years old. In a note dated December 27, 1986 S. 21(1), a former employee of the Ontario Native Affairs Secretariat, stated that his father, who was born and raised at Burleigh Falls, recalled that S. 21(1) and his family, the first permanent residents of Burleigh Falls, spent their first winter there *circa* 1925 or 1926 “at the Tedford House on the Burleigh Road by the bridge across Perry Creek.”¹⁶¹ Over the next couple of years the families of S. 21(1) also “began living over the winter at Burleigh Falls.” Around the same time, Buster Brown and his family also left Curve Lake Reserve to settle permanently at Burleigh Falls.¹⁶²

In 1930, the Inspector of Indian Agencies and Reserves informed D.C. Scott, Deputy Superintendent General of Indian Affairs, that the “Indians [of Burleigh Falls] are all living on Crown Lands and have a licence to reside from the Department of Railways and Canals and for this privilege they pay the Department \$10.00 per year. They have built neat little houses and

¹⁵⁸ Lawson, “Burleigh Falls Research Project ‘77,” p. 141. See document no. 69.

¹⁵⁹ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 4. See document no. 71.

¹⁶⁰ Lawson, “Burleigh Falls Research Project ‘77,” p. 140. See document no. 69.

¹⁶¹ Statement by S. 21(1) 27 December 1986, held at ONAS. See document no. 85. S. 21(1) statement ends with the following note: “These facts are as recalled today by S. 21(1) aged 83, who was born and raised in South Burleigh and who dealt with these Indian people regularly.”

¹⁶² Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 11. See document no. 71.

live there all year [emphasis added].”¹⁶³ In April 1932 the Indian Agent for the bands of Mud and Rice Lakes reported on the living conditions at Burleigh Falls explaining that:

there are about eight cabins on a narrow strip of rock. These are quite comfortable and should be good shelter. The ground around these cabins is littered in the usual manner. Several Out-houses are built on the shore line and a certain amount of pollution from these and from refuse thrown out, occurs.

Several families move in from the Reserve when the season opens for fishing. And all the cabins are occupied [emphasis added].¹⁶⁴

Undoubtedly there were families at this time who were permanently settled at Burleigh Falls. However, the Indian Agent’s report indicates that at least some families only resided in Burleigh Falls during the fishing season and returned to Curve Lake in winter. Furthermore, several documents contained in Indian Affairs interest distribution files for Mud Lake suggest that even after settling permanently at Burleigh Falls, some residents continued to collect treaty payments.

A document prepared in September 1930 entitled “collection on loans” for Mud Lake lists S. 21(1) [redacted]. The document lists a second S. 21(1) [redacted] r who may also have been the son of the first S. 21(1) [redacted]. The document does not specify the nature of the loan or when it was taken. However, it seems that the payment made on the loan was money “retained” from annuity payments. A document prepared in September 1932 entitled “collections - doctor’s calls” for Mud Lake lists S. 21(1) [redacted].

In this case, the document states explicitly that the collections were taken from annuity payments. It seems quite probable that some, if not all, of the individuals listed in these documents are individuals who have been identified as original settlers of Burleigh Falls. The sources discussed above claim that by at least 1926, the settlement at Burleigh Falls had become permanent. At the very least, it would appear that in the 1930s some residents of Burleigh Falls made annual trips to Curve Lake in order to collect treaty payments.

¹⁶³ Inspector of Indian Agencies and Reserves to Scott, 9 October 1930, NAC, RG 10, Vol. 7753, File 27,025-1, Reel C-12046. See document no. 48.

¹⁶⁴ Indian Agent at Mud and Rice Lakes to Secretary of Indian Affairs, 25 April 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 50.

¹⁶⁵ Collection on loans, Mud Lake Reserve, 30 September 1930, NAC, RG 10, Volume 7949, File 58-25, part 6, Reel C-13513. See document no. 47. The sources indicate that S. 21(1) [redacted] were residents of Burleigh Falls. See Table A.

¹⁶⁶ See Table A.

¹⁶⁷ Collections, doctor’s calls, Mud Lake Annuity Payment, 30 September 1932, NAC, RG 10, Volume 7949, File 58-25, part 7, Reel C-13513. See document no. 52. See Table A.

In 1946, a provincially-funded school was built alongside the métis settlement at Burleigh Falls on part of Lot 5 of Concession One in Harvey Township.¹⁶⁸ Before this, métis children in Burleigh Falls received their education through missionary schools.¹⁶⁹ The establishment at this time of a public school near Burleigh Falls underscores the permanent nature of the settlement.

In the years and decades following the permanent settlement at Burleigh Falls, the links of kinship between the métis families of the settlement and the Curve Lake Band gradually diminished. In 1970, for example, a writer on the métis of Burleigh Falls observed that “Although the original native settlers were reportedly from Curve Lake, relations with the Reserve do not appear to be a significant source of social contact at the present time. ... Even the few residents at Burleigh Falls who still retain band membership at Curve Lake indicate that they would not consider moving back to the Reserve.”¹⁷⁰ In fact, argues the writer, “Ties of blood and friendship with Curve Lake have been weakened by the passage of time and the frequency of Indian-white marriages at Burleigh Falls.”¹⁷¹ Currently, it seems that the Indians of Curve Lake recognize the métis of Burleigh Falls as descendants of the Curve Lake Band; however, it also appears that there is little interest in reuniting the two groups. For example, in a Band Council Resolution dated February 22, 1987 the Curve Lake Band Council resolved:

And whereas, many of the members of the *Kawartha Anishnabe* are descendants of members of the Curve Lake Band [emphasis added] and some of whom are entitled to be registered as members of the Curve Lake Band,

And whereas, the Curve Lake Band has insufficient lands and resources to welcome back these people [emphasis added],

And whereas, this Council supports the desire for self government of the Kawartha

¹⁶⁸ See Joan Holmes & Associates, “Kawartha Nishnawbe History of the Burleigh Falls Settlement,” p. 16. See document no. 106.

¹⁶⁹ Tilden & Woodcock, “A History of the Burleigh Falls Metis Settlement,” p. 26. See document no. 71.

¹⁷⁰ Marlene Brant Castellano, “Red Hopes and White Reality: synthesis of the aspirations and experience of some Southern Ontario Indians in relation to education,” Report for Sir Sandford Fleming College (Peterborough, 1970) p. 5. See document no. 59.

¹⁷¹ Castellano, “Red Hopes and White Reality,” p. 10. See document no. 59.

Anishnabe Band for recognition of their ownership of the lands at Burleigh Falls.¹⁷²

Euro-Canadian ancestry of métis families of Burleigh Falls

Very little has been found in the way of sources that clearly identify the white ancestry of the group of métis and non-status Indians that settled permanently at Burleigh Falls in the 1920s. The census records of 1871 and 1881 for Smith Township identify between 30 and 35 Indian families who, presumably, were members of the Curve Lake Band. Although almost all of the individuals in these families are listed as being “Indian,” there are two exceptions. In the 1871 census, James Taylor, the oldest male of his household, is listed as “Indian” whereas Marjet [?] Taylor, the oldest female and presumably the mother of the same household, is listed as being “Irish” both by origin and place of birth. Their five children are identified as being “Indian.”¹⁷³ In the census of 1881, Thomas Taylor, the oldest male of his household, is listed as being “Indian” whereas Mary Taylor, the oldest female and presumably the mother of the same household, is listed as being “Irish.” The six children of the household are listed as being “Indian.”¹⁷⁴

It is unknown whether direct genealogical links exist between the Taylors who married Irish women, as indicated in the census records of 1871 and 1881, and the S. 21(1) who eventually settled at Burleigh Falls in the 1920s. It should be noted that there are numerous families of S. 21(1) listed in both censuses. However, an affidavit prepared in 1923 may provide some insight into the origins of the families of S. 21(1) two of the original settlers of Burleigh Falls. After the Curve Lake Band signed the Williams Treaty in 1923, S. 21(1) a band member, raised concerns over the entitlement of a certain family of S. 21(1), described as half breeds, to treaty payments.¹⁷⁵ To illustrate his case, S. 21(1) sent Indian Affairs an affidavit by Robert Mitchell, an 81 year old farmer from Verulam Township in the County of Victoria, who claimed to know the ancestors of the S. 21(1) in question. Mitchell

¹⁷² Cited in Joan Holmes & Associates, “Kawartha Nishnawbe History of the Burleigh Falls Settlement,” p. 42. See document no. 106. The nature of land claims by the Kawartha Nishnawbe are discussed below in the chapter entitled “Development of métis and non-status Indian organizations in the Kawartha Lakes region.”

¹⁷³ *Census of 1871*, District of West Peterborough, Township of Smith, p. 67. See document no. 9.

¹⁷⁴ *Census of 1881*, District of West Peterborough, Township of Smith, pp. 14 & 15. See document no. 11.

¹⁷⁵ Whetung to Superintendent General of Indian Affairs, 20 November 1923, NAC, RG 10, Vol. 2330, File 67,071-3, pt. 2. The context of this letter and the department’s response is discussed below. See document no. 43.

declared that “about 70 years ago”, which would have been in the early 1850s, he had known a John Taylor, the son of a Scottish immigrant, who had had “a son by an Indian woman,” and the son’s name was George Taylor. George Taylor had two sons named John Taylor and William Taylor who “used to hunt in the township of Verulam about the year 1856 when I [Mitchell] knew them well.” The township of Verulam is located in the area north of Lake Scugog. Mitchell further stated that “They and other relations were in that year living on Scugog Island, and they were afterwards removed to Mud Lake Reserve.”¹⁷⁶ Moreover, “All these members of the Taylor family and their descendants and other branches of the Taylor family have their descent through George Taylor first named whose father was of direct Scotch descent *and not Indian at all* [emphasis added].”¹⁷⁷ Thus, according to Mitchell, all branches of the Taylors at Curve Lake were descendants of George Taylor, the son of a Scottish immigrant who married an Indian woman. It is not clear, however, how much contact Mitchell would have had with the Taylors after they left Scugog Island to settle at Curve Lake.

Mitchell’s affidavit does not indicate how, why, or when the Taylors were “removed to Mud Lake.” However, the census records of 1871 and 1881 indicate there were, by this time, a number of families with the surname Taylor living at Mud Lake. In the 1871 census of Smith Township, there are five families of Taylors listed as “Indian”, one of which has a John Taylor, age 37, as the head of household; and one of which has William Taylor, age 36, as the head of household.¹⁷⁸ In the 1881 census of Smith Township, there are seven families of Taylors listed as “Indian”, one which has a John Taylor, age 41, as the head of household. It is not certain whether this is the same John Taylor as the person who was listed in the 1871 census (above).¹⁷⁹ Moreover, none of these Taylors has a William as the head of household. However, the names of William Taylor Senior and John Taylor Senior appear on an interest distribution list for the Mud Lake Band prepared in September 1895.¹⁸⁰ The 1901 census indicates that there were eleven families of Taylors residing at Mud Lake at this time - one with William Taylor Senior as the head of household, one with William Taylor as the head of household, and one with John Taylor as the

¹⁷⁶ It is not certain that the dates to which Mitchell referred are necessarily accurate.

¹⁷⁷ Affidavit of Robert Mitchell, 30 October 1923, NAC, RG 10, Vol. 2330, File 67,071-3, pt. 1, Reel C-11202. See document no. 42.

¹⁷⁸ *Census of 1871*, District of West Peterborough, Township of Smith, pp. 60-68. See document no. 9.

¹⁷⁹ *Census of 1881*, District of West Peterborough, Township of Smith, pp. 13-19. See document no. 11.

¹⁸⁰ Pay-List of Interest Distribution for the Mississauga of Mud Lake, September 1895, NAC, RG 10, Vol. 2818, File 167,092, Reel C-9659. See document no. 20.

head of household.¹⁸¹ Again, it is not clear whether these are the same individuals as described above.

The genealogical links between the William and John Taylor referred to in Mitchell's affidavit and the families of S. 21(1) who settled at Burleigh Falls in the 1920s are not evident in the available records. However, it is possible that they are descendants of S. 21(1) the son of a Scottish immigrant and an Indian woman from Lake Scugog. As for other settlers of Burleigh Falls, who include the families of S. 21(1) and S. 21(1) the available documents have shed little light on the origins of their white ancestry. There are a number of possibilities. For example, their white ancestors may have come from the agricultural settlements in Smith Township, the semi-agricultural settlements and lumber camps north of Burleigh Falls, or, like the Taylors, from some other location.

Motives for settling at Burleigh Falls

The intention of the following section is to consider the reasons why members of the métis families settled permanently at Burleigh Falls.

The Trent-Severn Waterway, a canal system which links Lake Ontario to Georgian Bay, had a major impact on the métis community that eventually settled at Burleigh Falls. Construction of the Waterway began in 1837 and basically followed an old canoe route from Georgian Bay through the Severn River into Lake Simcoe across the Kawartha Lakes, including Stoney Lake, through Otonabee River and Rice Lake, and finally down the Trent River, into the Bay of Quinte. By the 1850s, construction of locks and canals had begun in Peterborough, however, construction of locks at Burleigh Falls did not begin until 1883.¹⁸² Upon completion of the locks and canals in 1887, boats from Lakefield began taking tourists from Toronto and the United States to Burleigh Falls. Initially, it was hoped that the Trent-Severn Waterway would provide a viable commercial link between the Upper Great Lakes and the St. Lawrence system. However, "This hope was never realized. Instead the Trent-Severn Waterway has become a busy recreational corridor for boaters, cottagers and other vacationers. Perhaps no part of the Waterway has proven as

¹⁸¹ *Census of 1901*, Indian Reserves, Mud Lake Indian Reserve, Smith Township, Reel T-6554. See document no. 22. In this census, Indian reserves are listed separately. Though the 1891 census lists a number of Taylor families in Smith Township, it does not identify the ethnicity of the families. Therefore, it is difficult to know whether they reside at Mud Lake.

¹⁸² Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 6. See document no. 71.

attractive for recreational purposes as the Kawartha-Otonabee sector.”¹⁸³ Moreover, because of the canal system, lumbering developed into a major industry in Peterborough County by the late nineteenth century. As stated by Tilden and Woodcock, authors of the 1978 history of the Burleigh Falls settlement, “Changes occurred in the face of Burleigh Falls as both lumbering activities and an increasing number of tourists attracted outside interests to the area.”¹⁸⁴

A study of native education in Ontario prepared in 1970 claims that the métis settlement at Burleigh Falls was established “more by accident than design.”¹⁸⁵ With the development of the Trent-Severn Waterway, families from Curve Lake began camping at Burleigh Falls during the summers in order to pursue the new opportunities that became available with the influx of tourists to the area. In fact, oral sources strongly suggest that the families who settled permanently at Burleigh Falls were largely enticed to do so by employment opportunities. One of the key employment activities of métis men at Burleigh Falls was guiding tourists on fishing tours.¹⁸⁶ For example, Jack Jacobs and his family ran a hotel and guiding business at Burleigh Falls for summer tourists who came to fish.¹⁸⁷ Tilden and Woodcock explain that:

Although Jack Jacobs lived year ‘round on Island 31 he relocated to a very large frame house where he attempted to manage his own guiding business and boarding house. This was called Somerset Hotel. Many of the natives remember working for him, either guiding the tourists or working at jobs in the hotel. ... However, the hotel was lost through a mortgage affair and the business was sold. Jack Jacobs then moved closer to the other native people along Perry’s Creek. Nonetheless, Jack Jacobs was the first native person from Curve Lake to actually settle in Burleigh Falls and try to maintain a business for himself.¹⁸⁸

Many of the recollections of elderly residents of Burleigh Falls underscore the opportunities presented by the increase of tourists who sought fishing guides. One elderly resident recalls that

¹⁸³ Francis, *Towards a History of the Kawartha-Otonabee Sector of the Trent-Severn Waterway*, p. 4. See document no. 73.

¹⁸⁴ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 6. See document no. 71.

¹⁸⁵ Castellano, “Red Hopes and White Reality,” p. 9. See document no. 59.

¹⁸⁶ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 15; and Daniels, *The Forgotten People*, p. 49. See document nos. 71 & 72.

¹⁸⁷ Lawson, “Burleigh Falls Research Project ‘77,” p. 136. See document no. 69.

¹⁸⁸ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 7. See document no. 71.

“thirty or forty years ago a handful of guides began following the practice of moving during the warm weather from Curve Lake to Burleigh Falls where tourist traffic was heavier and work was more available.”¹⁸⁹ In fact, “Whole family units took up residence in tents during the summer and the annual move was anticipated with pleasure by adults and children alike.”¹⁹⁰ For the many natives who came to Burleigh Falls, guiding became a trade that was passed down to the next generation. For example:

Horace Taylor came to Burleigh when he was just twelve years old and learned the guiding trade then. In 1909 he was helping his father guide and, being small, he would paddle a canoe with two passengers for .50 cents a day. The job involved working from 8 a.m. to 6 p.m. daily, cooking the shore dinner, and setting up the table.¹⁹¹

Along with guiding, employment opportunities at Burleigh Falls in lumbering and cutting wood for local purposes also served to attract families from Curve Lake. S. 21(1) and his family moved from Curve Lake to Burleigh Falls with the intent of making a living cutting timber.¹⁹² Thus, the economic opportunities available through guiding and lumbering convinced some families that Burleigh Falls was an area where their livelihood was more secure. In fact, the métis economy at Burleigh Falls was characterized by diversity in which a family’s income came from three different sources which comprised acting as fishing guides for tourists, cutting lumber and trapping fur-bearing animals.¹⁹³ Trapping was usually done between guiding season and lumbering season. Buster Brown, for example, had few worries about being unemployed.

When Buster was raising his family in Burleigh Falls he felt reasonable [sic] secure as there was always work to do. Buster recalls that he did not have to look for work. People would just come around and ask them to cut cordwood, cut logs, cut ice. ‘Times were hard everywhere,’ Buster said ‘but we had lots to eat and enough money; we used to trap, hunt, cut wood; always something to do. But

¹⁸⁹ Castellano, “Red Hopes and White Reality,” p. 9. This would have been around 1930 or 1940. However, as discussed above, it appears that métis families from Curve Lake began guiding at Burleigh Falls by at least the 1900s. See document no. 59.

¹⁹⁰ Castellano, “Red Hopes and White Reality,” p. 9. See document no. 59.

¹⁹¹ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 15. See document no. 71.

¹⁹² Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 23. See document no. 71.

¹⁹³ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” pp. 11 & 15. See document no. 71.

with nine kids to feed you have always got to be moving.’¹⁹⁴

Overall, most of the elderly residents of Burleigh Falls emphasize the positive effects of employment opportunities on the encouragement of permanent settlement at Burleigh Falls.¹⁹⁵ And as a result of more permanent settlement, which occurred around the mid-1920s, cabins replaced the tents in the small settlement on Island No. 31 just west of the dams, and from “this location men worked year ‘round and raised their families.” The occupational activities of the Burleigh Falls métis are discussed in more detail in the next chapter.

Though the families who settled at Burleigh Falls may have been largely enticed by better economic opportunities, there also appears to have been some pressure at Curve Lake for certain families, considered to be “halfbreeds”, to move off the reserve. Harry Daniels, author of *The Forgotten People: Metis and Non-Status Indian Land Claims*, argues that “As a substantial number of Indians from the Curve Lake band lost their ‘official’ Indian status and were no longer permitted to live on the reserve, they formed a year-round settlement at Burleigh Falls.”¹⁹⁶ Notes on the history of the community prepared by the Kawartha Metis and Non-Status Indian Association indicate that: “Many of these halfbreed men [reference to Buster Brown] some how [sic] lost their status and were kicked off reserves. They then made their homes in Burleigh Falls.”¹⁹⁷ The best illustration of the manner in which some “halfbreeds” were made to feel unwelcome at Curve Lake is Buster Brown’s account of when he decided to move from the reserve:

I was born and raised in Curve Lake. I’m 77 years old; I moved from the village 55 years ago [early 1920s]. I’ll tell you what happened and this is the truth. See, I wasn’t a member of the band. I was born and raised there, but my dad was what you call a half-breed. He came from down Alderville someplace. So I used to get quite a bit of work down there [Curve Lake] cutting cordwood and working by the day. Some of the people got jealous of me, getting too much work on the reserve. One day I was sitting in the post office and Dan Whetung was post master. His dad said, ‘There’s a letter here for you,’ so he went and got it and handed it to me.

¹⁹⁴ Tilden & Woodcock, “A History of the Burleigh Falls Metis Settlement,” p. 11. See document no. 71.

¹⁹⁵ Tilden & Woodcock, “A History of the Burleigh Falls Metis Settlement,” pp. 1, 3, 7, 11, 15 & 24. See document no. 71.

¹⁹⁶ Daniels, *The Forgotten People*, p. 49. See document no. 72.

¹⁹⁷ Research notes prepared circa 1973 by the Kawartha Local of the Ontario Métis and Non-Status Indian Association cited in Joan Holmes & Associates, “Kawartha Nishnawbe of the Burleigh Falls Settlement,” p. 27. See document no. 106.

S. 21(1) used to be the Indian Agent at that time. He was from Keene. I opened it and read it. It said if I didn't move in 10 days I was trespassing on the reserve but I didn't listen to the letter. ... So I seen the old Indian Agent and I knew there was going to be a Council meeting. So I went over and I said, 'Who's trying to put me out of here.' I was born and raised here. I worked on the roads (statute labour) and I never got any annuity money. I put in my two days every year. So I asked the Indian Agent what's the idea, any of my friends around here want me to be kicked out. He couldn't say anything. I got sick and tired of getting those letters and everything so I said to my wife 'Let's move'; we used to camp in Burleigh every summer and we never went back to Curve Lake till October every summer. 'We'll go to Burleigh and we won't come home this fall.' Old Jack Jacobs, Sandy's dad, S. 21(1) and S. 21(1), he got put out of there too.

So I built a little house; it was 12' x 16' and that's where we lived. I got a stove and everything and put it in. Right here in the same spot I live. The next summer I built a bigger house, a little bigger than the one I lived in all winter and then I tore that down and built a bigger one. My wife was S. 21(1) daughter. Yes, by gosh it was hard times. I don't know why in the dickens they wanted to put us out of there. You see we are what you call a non-treaty Indian - S. 21(1) and old S. 21(1) so we all moved down here. This was the first place I landed right here 55 years ago.¹⁹⁸

In 1923 the Williams Treaty Commissioners came to Curve Lake to speak to the Band in regards to the nature and extent of their harvesting practices. Harry Daniels of the Native Council of Canada writes that the Curve Lake Band prohibited the métis of Burleigh Falls from taking part in the agreement.¹⁹⁹ It is not certain how many métis from Burleigh Falls were present when Commissioner R.V. Sinclair visited Curve Lake in September 1923. However, it appears that there were at least a few families from Burleigh Falls who were present. Buster Brown claims that when Jack Jacobs spoke out against accepting the money offered by the government in exchange for a "thousand of miles in back of Ottawa ... some of the Indians at Curve Lake Reserve said that he had no right to speak because he was non-treaty."²⁰⁰ It appears that Brown himself, who was at the time around 15 years old, was also present when the Commissioners came to Curve Lake.

¹⁹⁸ Taken from "Curve Lake - Yesterday, Today and Tomorrow" in Mae Whetung-Derrick, "History of the Ojibwa of the Curve Lake Reserve and Surrounding Area," (Curve Lake, Ontario: Curve Lake Indian Band # 35, 1976) p. 94. See document no. 67.

¹⁹⁹ Daniels, *The Forgotten People*, p. 51. See document no. 72.

²⁰⁰ Lawson, "Burleigh Falls Research Project '77," p. 140. See document no. 69.

Because the Williams Treaty pay lists are unavailable to us for the purposes of this project, it is not possible to determine how many, if any, of the families who settled at Burleigh Falls received treaty payments. However, a letter written by a member of the Curve Lake Band just a few days after the signing of the Williams Treaty illustrates the attitude of some Indians towards the individuals and families identified as “halfbreeds”. On November 20, 1923 Arthur Whetung wrote to the Superintendent General of Indian Affairs stating that:

The Aboriginal Indian descendants and the rightful claimants for payment of the Mississaugas of Mud Lake for their hunting rights, are still protesting to the Government of Canada for the cancellation of the half breed signatures in our Indian Treaty on the ground that the grandfather on the male side of the present generation of the Taylors [given names not provided] who live in the Mud Lake Reserve was of white blood and not of Indian blood at all and under the Indian Act the Taylors do not belong to our tribe and are not entitled to a share of the moneys belonging to or held in trust for the Indians.²⁰¹

Whetung claimed that the letter was written on behalf of all the Mississauga of Curve Lake. On November 28, 1923 an official of Indian Affairs wrote to Joseph Whetung, another band member from Curve Lake who apparently had also opposed treaty benefits being paid to the Taylors, stating that “it is useless for you at this time to object to the participation in the award of persons who have been legally recognized as members of the Mud Lake Band.”²⁰² Moreover, “I am informed by the Department that the Taylor family are regularly constituted members of the band.” As discussed above, the Taylors of Curve Lake were alleged to be partly of Scottish ancestry.

It seems that by the 1920s tensions between status and non-status Indians at Curve Lake had developed to the point where some “halfbreed” families began to feel quite unwelcome. However, fifty years after settling permanently at Burleigh Falls, many of the residents who originally came from Curve Lake remember the more positive attraction of better employment opportunities as their primary incentive for moving permanently off the reserve. In fact,^{S. 21(1)} explained in the 1970s that “These men [original settlers] came by their own choice to Burleigh Falls and they were not put out of Curve Lake as they are often told.”²⁰³ Nonetheless, the case of Buster Brown illustrates that, indeed, there were some hard feelings between

²⁰¹ Whetung to Superintendent General of Indian Affairs, 20 November 1923, NAC, RG 10, Vol. 2330, File 67,071-3, pt. 1, Reel C-11202. See document no. 43.

²⁰² Private Secretary to Whetung, 28 November 1923, NAC, RG 10, Vol. 2330, File 67,071-3, pt. 1, Reel C-11202. See document no. 44.

²⁰³ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 7. See document no. 71.

“halfbreeds” and Indians at Curve Lake. Although he was frustrated by his treatment at Curve Lake, Brown could also look forward to full-time, year-round employment at Burleigh Falls. This, it appears, is the main reason why métis families from Curve Lake settled permanently at Burleigh Falls.

Chapter VI: The occupational activities of the métis of Burleigh Falls

The intention of the following section is to discuss in more detail the occupational activities of the métis and non-status Indians of Burleigh Falls.

Generally, the métis of Burleigh Falls relied on three main types of occupational activities which included: guiding tourists on fishing trips during the summer; cutting timber during the winter; and trapping for furs during the spring and fall. In addition, many of the women made baskets and picked berries. As explained by S. 21(1) in 1975:

my history of my life on the Shore of love-sick lake. knowen now the trent water ways. or trent Canal System I was very young 8 or 9 years old when I first setleed in Burleigh falls on love sick lake. this means my granmother a uncle camped in tent all sumer till late in the falls as my uncle was a fishing guide in Burleigh falls my granma made Baskets for Sale and we also Picked Blue Berries for the winter and some for sale every fall we go Back to the Indian reseve Back to Burleigh next sping for many years. we done this. then I started to guide fishermen from all Parts of united States and Canada up until 4 years Back. I also traped fur Bearing animals in love sick lake ... ever since I was a chield.²⁰⁴

Guiding

Upon the completion of the Trent-Severn Waterway in the late 1880s, tourists from the United States and Toronto began traveling to the Burleigh Falls area during the summers in order to fish. The tourists would take the train to Lakefield and from there would travel to Burleigh Falls by boat.²⁰⁵ With the arrival of tourists looking for fishing tours, many of the native men at Burleigh Falls found employment as fishing guides. As the tourist population at Burleigh Falls began to increase by the turn of the century, so too did the demand for fishing guides. Subsequently, the campground on Island No. 31 was said to have become overcrowded with the tents of native families from Curve Lake.²⁰⁶

One resident of Burleigh Falls recalls that even with the increase in native families from Curve

²⁰⁴ Letter written in 1975 by S. 21(1) of Burleigh Falls cited in Joan Holmes & Associates, "Kawartha Nishnawbe of the Burleigh Falls Settlement," pp. 28-30. See document no. 106.

²⁰⁵ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 15. See document no. 71.

²⁰⁶ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 15. See document no. 71.

Lake coming to Burleigh Falls each summer, there were not enough to meet the increasing demand of tourists looking for fishing guides.²⁰⁷ Oral sources identify some of these guides as Jack Jacobs, Buster Brown, S. 21(1)

recalled that “Some of our great friends are wealth peple from canada and united States. they come every year on their vacation to fish with us. we cook together and Eat together.”²⁰⁹

Lumbering

By the early 20th century, lumbering had developed into one of the principal industries in the Kawartha Lakes area. The lumber was cut for dam and lock construction on the Trent-Severn Waterway and for communication and industrial developments in other parts of Peterborough County.²¹⁰ There were major logging mills for cutting timber located near Buckhorn and Eel’s Creek as well as large lumbering companies in Peterborough.²¹¹ Thus, many of the men in the area worked in lumber camps in the winter and on “river drives” in the spring.²¹² Métis men from Burleigh Falls were also deeply involved in the lumbering industry, which provided their families with an income during the winter season. S. 21(1) explains that:

Most men in the Metis community have worked at logging at one time or another and they have many good memories of how the logs were brought out of the woods and sent down the river system. ... There were no trucks at the time to transport anything so we would cut the logs and then make them into lumber. We had what we called a river drive, where we would go to the lumber camp, cut the

²⁰⁷ The resident referred to was S. 21(1) . See Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 15. See document no. 71.

²⁰⁸ Table illustrates the relation among these individuals.

²⁰⁹ Letter written in 1975 by S. 21(1) of Burleigh Falls cited in Joan Holmes & Associates, “Kawartha Nishnawbe History of the Burleigh Falls Settlement,” pp. 28-30. See document no. 106.

²¹⁰ For example, the success of Peterborough by the 1870s as Ontario’s principal producer and exporter of timber and the subsequent development of hydroelectricity along the Trent system attracted large manufacturers to the Peterborough area. See “Peterborough,” in *The Canadian Encyclopedia* (Hurtig Publishers, Edmonton, 1985) p. 1388. See document no. 80.

²¹¹ See plan no. 3.

²¹² Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 22. See document no. 71.

logs, and use horses to pull or draw the logs out to a small lake. We helped to build small wooden dams which raised the water to make small lakes.²¹³

Like other residents of Burleigh Falls, S. 21(1) worked in the lumber industry during the winters when trapping and fishing were out of season. In fact, he had his own lumbering operation whereby:

He would buy logs or timber from local people who owned their own property. He remembers buying a horse one year to haul the logs out of the bush to the road, where they would be picked up and taken into Peterborough on a truck. He thought perhaps he had 8 and 10 local men helping him in the winter and he sold the wood to a dealer in Peterborough.²¹⁴

Others worked for Peterborough lumbering camps which were located on the Mississauga River and near dams at Buckhorn, Lovesick Lake and Burleigh Falls.²¹⁵ The work was undoubtedly hard, however, employment opportunities in lumbering provided an incentive for at least one family from Curve Lake to move to Burleigh Falls.

S. 21(1) and his family first came to the Burleigh Falls area with the intent of making a living cutting timber. The S. 21(1) family came from Curve Lake to settle on Lovesick Lake just north of the Burleigh Falls dam. His son, S. 21(1) S. 21(1) now an older man himself, recalls coming to the Burleigh area when he was nine years old: "My dad went to Peterborough and got a job lumbering for Lawyer Hatton.... My father worked like hell for \$2.50 a day."²¹⁶

Trapping

The people of Burleigh Falls also earned their livelihoods by trapping raccoon, muskrats, otter,

²¹³ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 23. See document no. 71.

²¹⁴ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 23. See document no. 71.

²¹⁵ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 23. See document no. 71. See plan nos. 3, 4 & 6.

²¹⁶ Tilden & Woodcock, "History of the Burleigh Falls Metis Settlement," p. 23. See document no. 71.

mink, and beaver during the spring and fall seasons.²¹⁷ Buster Brown explains that “My hunting grounds were down Stoney Lake and that was always good enough for me. I would hunt until Christmas but after that the snow was too deep. Then we would cut wood until March.”²¹⁸ S. 21(1) indicates that many métis trappers had their trap lines set up between Burleigh Falls and Apsley. He further explains that “Beaver are trapped in the fall before snow comes, so^{S. 21(1)} and his father would often start at Burleigh Falls and work all the way up to Jack’s Lake, all the while trapping beaver, otter and mink. When it began to snow they made snowshoes to journey back to Burleigh.”²¹⁹ The trap lines generally covered a long distance over several connecting rivers and lakes and “It would not be unusual to see trappers from Curve Lake travel down the twenty five miles to Stoney Lake just to make enough of a catch.” Most trappers in Burleigh Falls sold their furs to buyers “who came up from Peterborough to meet them at the small store with ready cash.”²²⁰ Buster Brown recalls that:

We would sell our hides, mink, muskrat or whatever we had. One spring, a lot of fur buyers went broke and that was the end of the market for furs. They were paying around \$4.80 for a rat skin at the time. Lots of trappers just came in while there were higher prices and then they quit trapping when the prices dropped. But we kept going on trapping the whole time, we never quit for the low prices.²²¹

Brown describes a trapping expedition to the Lakefield area, which indicates that trappers from Burleigh Falls did not restrict this activity to the Stoney Lake area. Moreover, the event described by Brown took place on private property.

One time my stepfather, me, and Reg Muskrat went to the Lakefield area trapping. We camped beneath a big spruce tree where there was only a little snow. The snow can’t get through the spruce boughs so there is always less snow. Anyways, just after Christmas we put our tent up and we have our stoves in the tent. That night we decided on racoons so the next morning we lit the lantern and waited for

²¹⁷ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” pp. 13 & 14. See document no. 71.

²¹⁸ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 13. See document no. 71.

²¹⁹ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 14. See document no. 71.

²²⁰ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 14. See document no. 71.

²²¹ Tilden & Woodcock, “A History of the Burleigh Falls Metis Settlement,” p. 14. See document no. 71.

daylight. Then we started out and walked all day looking for a coon tree. You have to walk all day looking for a coon tree. You have to walk in a hardwood bush and look for claw marks in the trees. Then at dusk we found a big basswood tree in a farmer's field so we had to wait until dark before we could get in it. We watched the house from the fence and saw the lantern go out to the barn, I guess while the farmer was bedding his animals. Then he came back into the house and we saw the lantern light go upstairs so we knew it was time to start as everyone on the farm was going to bed. We got to the tree again and sawed a notch in the tree, for an axe would make too much noise. It was lucky though that the tree was hollow and when we looked inside all we could see were little lights which were the eyes of the coons. One by one they came out of the hole and we got them, nine of the nicest coonskins ever. We looked around for more coons but found none so we gathered up the rigging and headed back to our camp about two miles away.

The hides of these coons were beautiful - about three to four feet long and just a silver colour. They say that the coons you find in basswood trees have a shiny pelt while the coons found in other trees are scorchy coloured. Well, we couldn't leave the coonskins in the tent or someone would clean up so we walked home from Lakefield and we got twenty dollars for each of those coonskins.²²²

It should be noted that the available sources contain no indication as to whether or not the métis of Burleigh Falls pursued the practice of hunting larger game such as deer or moose. Moreover, the sources provide no indication as to which of the three activities pursued by the métis - guiding tourists, cutting lumber, or trapping for furs - was more lucrative for the families involved. However, the sources do indicate that the métis families believed employment in the local tourism and lumbering industries were lucrative enough for them to settle permanently at Burleigh Falls.

²²² Tilden & Woodcock, "A History of the Burleigh Falls Metis Settlement," p. 14. See document no. 71.

Chapter VII: The decline of the local economy at Burleigh Falls

By the 1930s, employment opportunities in lumbering in the area around Burleigh Falls became limited. In March 1932 an official of the Department of Indian Affairs reported that the families at Burleigh Falls:

depend on hunting, trapping, guiding and doing chores for summer cottagers for a meagre living at the present time. *When the lumber camps are in operation they work in the woods but for the last three years none have been operating* [emphasis added]. ... This land is mostly bare rock and there is no place for gardening. They have a 'hand-to-mouth' existence although I have had only one call for relief this winter from them.²²³

In a letter dated April 25, 1932 to the Secretary of Indian Affairs, the Indian Agent for Mud and Rice Lake reported that Jack Jacobs of Burleigh Falls had been unable to secure farm work over the winter and that the "only occupation is trapping and guiding tourists."²²⁴ The letter makes no mention of lumbering. In July 1932 the Inspector of Indian Agencies and Reserves reported on the "Burleigh Falls Indians" stating that:

Their main sources of income are hunting and fishing, not in all cases strictly within the Game Laws. *There is no work of any description for them to do here.* [emphasis added] The district is isolated to a great extent, only in the tourist season [sic ?]. Where they have built their houses is simply a rock pile on the side of the river with no land for a garden.²²⁵

The Inspector also noted that there had been some complaints by a local hunting club that the "Burleigh Falls Indians" had been trapping and fishing out of season. The Inspector's comments in this regard were that "If they are deprived of the right to fish and trap here, they will have to be provided for elsewhere or become a charge upon the Department."²²⁶ This report further illustrates that lumbering as an economic activity by which families from Burleigh Falls earned a

²²³ Unidentified author to the Superintendent of Indian Affairs, 12 March 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 49.

²²⁴ Indian Agent at Mud and Rice Lakes to Secretary of Indian Affairs, 25 April 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 50.

²²⁵ Inspector of Indian Affairs to DIA, 20 June 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 51.

²²⁶ Inspector of Indian Affairs to DIA, 20 June 1932, NAC, RG 10, Volume 7753, File 27,025-1, Reel C-12046. See document no. 51.

seasonal income had, by this time, declined. In the 1970s, S. 21(1) explained that “Logging is no longer an important business in the Kawartha area. At one time it provided the native people with substantial winter employment but soon wood was cut only for their own use or sold locally.”²²⁷

Eventually, the profession of guiding tourists on fishing tours also diminished as an economic activity for the métis community at Burleigh Falls. For example, S. 21(1) recalls that guiding tourists on fishing tours “used to be all canoe work, and in three or four hours you could get all the fish you desired. Now the motor boats have killed the business because you don’t need to spend all day fishing and paddling.”²²⁸ S. 21(1)⁹ “notices that guiding is not like it use to be. He feels that Americans are not coming up as much and people from Toronto have their own boats, so they have no need to hire a guide.”²³⁰ The authors of “A History of the Burleigh Falls Metis Settlement” conclude that “After the war [World War II], the Metis economy declined and along with it the social and personal morale of community members.”²³¹

²²⁷ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 23. See document no. 71.

²²⁸ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 15. See document no. 71.

²²⁹ See Table A.

²³⁰ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 18. See document no. 71.

²³¹ Tilden & Woodcock, “History of the Burleigh Falls Metis Settlement,” p. 30. See document no. 71.

Chapter VIII: Development of métis and non-status Indian organizations in the Kawartha Lakes region, 1972-1993

The following section is intended to discuss the establishment and objectives of the Kawartha Non-Status Indian and Metis Association, the Lovesick Lake Native Women's Association, and the Kawartha Nishnawbe. Although the three organizations had different goals and objectives, all claimed to represent and work on behalf of the people of Burleigh Falls.

Establishment and objectives of the Kawartha Non-Status Indian and Metis Association, 1972-1982

In the 1970s there were approximately 40 families residing near the hamlet of Burleigh Falls, with 17 of those families residing on provincial (crown) land and federal land (Trent Canal Authority).²³² About 12 families leased lands from the federal government and about 5 families leased lands from the provincial government.²³³ In 1972 it came to the attention of the residents of Burleigh Falls that the federal government intended to raise their rent from \$50 per annum to \$450 by 1976.²³⁴ On July 21, 1972 George McGuire, president of the Ontario Métis and Non-Status Indian Association, wrote to Robert Illington, a solicitor, stating that the occupants of these lands could not afford to pay this much rent adding that "By the way, these people are willing to purchase this land, but it is not for sale."²³⁵ On August 8, 1972 S. 21(1) of Burleigh Falls also wrote to Illington to express her concern over the effect of the proposed rent increase on local residents stating that "Some of the older residents were settled here before the Trent Canal even had leases."²³⁶

Another issue that concerned the occupants was a rumour that the federal government intended eventually to turn the lands at Burleigh Falls, previously used for the purposes of the Trent-Severn

²³² The Indian Community Secretariat, "Burleigh Falls: A Community Profile," 1977, p. 12. See document no. 68.

²³³ Memo to file by Wilson (MNR), December 21, 1976, held in ONAS file entitled "Kawartha Nishnawbe Land Claim 1972-1976." See document no. 66.

²³⁴ Tilden & Woodcock, "History of the Burleigh Falls Settlement," p. 30; Spenceley to Illingworth, 8 August 1972, cited in Joan Holmes & Associates, "Kawartha Nishnawbe of the Burleigh Falls Settlement," p. 21. See document nos. 71 & 106.

²³⁵ McGuire to Illingworth, 21 July 1972, cited in Joan Holmes & Associates, "Kawartha Nishnawbe History of the Burleigh Falls Settlement," pp. 19-20. See document no. 106.

²³⁶ Spenceley to Illingworth, 8 August 1972, cited in Joan Holmes & Associates, "Kawartha Nishnawbe History of the Burleigh Falls Settlement," p. 21. See document no. 106.

Waterway, into parkland.²³⁷ Thus, the residents feared they would be forced to relocate. As a result of these events, the people of Burleigh Falls decided to form an organization that would not only promote their interests in the land, but also work to improve local conditions in the areas of housing, employment, education and health.²³⁸ At this time, there were at least two organizations representing the interests of métis and non-status Indians in Ontario which included the Ontario Metis and Non-Status Indian Association and the Native Council of Canada. Tilden and Woodcock state that “The native people at Burleigh Falls saw their own concerns reflected in these larger organizations and saw benefits from joining forces with them.”²³⁹

The métis and non-status Indians of Burleigh Falls soon joined with other non-status natives of the Kawartha Lakes region to form an organization to promote local interests. This organization, known as the Kawartha Metis and Non-Status Indian Association (KMNSIA), received letters patent from the Province of Ontario on June 26, 1973.²⁴⁰ The objectives of the KMNSIA were to promote the social and economic needs, such as the advancement of education and job training, of the Kawartha métis and non-status people within a 40 mile radius of Burleigh Falls. The KMNSIA would also cooperate with existing métis and non-status Indian associations to promote native rights to their land. In fact, on one occasion Beverly Frost, president of the KMNSIA, met with the Curve Lake Band Council to discuss the possibility of jointly submitting a land claim, but it does not appear that any further developments came out of this meeting.²⁴¹ For the most part, the KMNSIA’s objectives were to assist local charitable organizations and to improve the overall economic and social conditions of the people it served.

The first members of the Association included the following individuals: S. 21(1)

The 1974 annual return of the KMNSIA states that the Association’s “undertaking” was to “relieve poverty and meet social needs of

²³⁷ Tilden & Woodcock, “History of the Burleigh Falls Settlement,” p. 30; Spencley to Illingworth, 8 August 1972, cited in Joan Holmes & Associates, “Kawartha Nishnawbe of the Burleigh Falls Settlement,” pp. 20-21. See document nos. 71 & 106.

²³⁸ Tilden & Woodcock, “History of the Burleigh Falls Settlement,” p. 30. See document no. 71.

²³⁹ Tilden & Woodcock, “History of the Burleigh Falls Settlement,” p. 31. See document no. 71.

²⁴⁰ Letters Patent from Ontario to the KMNSIA, 26 June 1973, MNR, Peterborough District Files. See document no. 61.

²⁴¹ See Lawson, “Burleigh Falls Research Project ‘77,” p. 6. See document no. 69.

members.”²⁴² Thus, during the first few years of its existence, the Association was very active in community and social development. For example, in 1973 it undertook a home repair program and in 1974 it opened the Burleigh Falls Canoe Factory, which employed a number of native and non-native labourers.²⁴³ The KMNSIA also requested lands from Ontario for the development of a community centre. In a proposal sent to the Ontario Department of Lands and Forests in August 1973, the KMNSIA explained that “While the facility would be owned and managed by the Kawartha Metis and Non Status Indian Association, we propose that they should be made available to both native and non native residents of the area.”²⁴⁴ Through government grants (i.e. Wintario) and fundraising efforts by the KMNSIA, a community centre for the residents of Burleigh Falls was constructed on Lot 5 and opened in 1976.²⁴⁵

Although the people of Burleigh Falls saw positive developments in their community, those residing on government-owned lands, for the most part, continued to fear that they would be forced off the land. On January 9, 1975 S. 21(1) a resident of Burleigh Falls, wrote to officials of Ontario and Canada claiming that “The Indians and Metis of Burleigh Falls have unanimously agreed to allow me to act on their behalf in the matter of land claims” and stating that there were approximately 16 home owners (100 people) leasing government lands who wanted “very simply, a deed to the land on which our homes now rest.”²⁴⁶ S. 21(1) also explained that the area in question was less than five acres, adding that:

I wish to point out that federally financed activists in both the Metis and Indian groups wish to lay claim to the entire region, probably over 100 acres. We have kept them out because we want no trouble, we make no excessive claim, we want

²⁴² Annual return of KMNSIA to Ontario Ministry of Consumer and Commercial Relations, 26 June 1974, MNR, Peterborough District Files. See document no. 63.

²⁴³ The Indian Community Secretariat, “Burleigh Falls: A Community Profile,” 1977, p. 4. See document no. 68.

²⁴⁴ KMNSIA to J. Dewey of the Ontario Department of Lands and Forests, 24 August 1973, MNR, Peterborough District Files. See document no. 62.

²⁴⁵ The Indian Community Secretariat, “Burleigh Falls: A Community Profile,” 1977, p. 4. See document no. 68.

²⁴⁶ S. 21(1) to Buchanan, Nicol, Faulkner, [Enkins ?], Scott, Rollins, January 9, 1975, held in ONAS file entitled “Kawartha Nishnawbe Land Claim 1972-1976.” See document no. 64. As indicated above, S. 21(1) was a member of the KMNSIA. See Letters Patent from Ontario to KMNSIA, 26 June 1973, held by MNR, Peterborough District Files. See document no. 61.

only our building lots officially deeded.²⁴⁷

The available sources provide no more information on the specific identity of the “federally financed activists” referred to by S. 21(1)

At a meeting held in December 1976, S. 21(1) met with provincial officials to explain the problems facing homeowners at Burleigh Falls who were leasing lands that belonged to either Ontario or Canada.²⁴⁸ Because the homeowners did not own their lands, they were unwilling to invest in much needed renovations for fear of being forced to move. Moreover, they were unable to secure mortgages from the banks because they did not own the land. S. 21(1) explained that most of the occupants of the lands owned by Canada and Ontario were “essentially Indian” and that “These full-time residents want to own or at least have long-term leases for the land on which their homes are located.”²⁴⁹ S. 21(1) also indicated that she would soon be meeting with federal officials to discuss the same issues.

It appears that discussion between the local representative of the métis and non-status people at Burleigh Falls and government officials failed to convince the latter to grant clear title to the lands in question. For its part, the federal government would not grant deeds because Parks Canada, the department with responsibility for the federal lands, was reluctant to lose control of waterfront development.²⁵⁰ The Government of Ontario, on the other hand, was reluctant to sell its lands at Burleigh Falls for a price substantially less than market value, which is what the occupants had come to expect. For example, the lessees of Lot 5 eventually requested that they pay only a nominal administration fee for deeds to their lots.²⁵¹

While the residents of Burleigh Falls attempted to secure title to their lands, the KMNSIA continued its efforts to improve economic and social conditions in the area. The construction of a community centre at Burleigh Falls in 1976, for example, was an achievement that earned a great

²⁴⁷ S. 21(1) to Buchanan, Nicol, Faulkner, [Enkins ?], Scott, Rollins, 9 January 1975, held in ONAS file entitled “Kawartha Nishnawbe Land Claim 1972-1976.” See document no. 64.

²⁴⁸ Memo for File, E.G. Wilson, 21 December 1976, held by MNR, Peterborough District Files. S. 21(1) was accompanied by a candidate for the Liberal Party of Ontario. See document no. 66.

²⁴⁹ Memo for File, E.G. Wilson, 21 December 1976, MNR, Peterborough District Files. S. 21(1) was accompanied by a candidate for the Liberal Party of Ontario. See document no. 66.

²⁵⁰ See Lawson, “Burleigh Falls Research Project ‘77,” p. 5. See document no. 69.

²⁵¹ MNR briefing note, prepared by Jim Patterson, Lands Administrator, Lindsay District, 24 January 1992, MNR, Peterborough District Files. See document no. 102. The briefing note indicates that in 1992 the market value of the lands in question was \$15,000 whereas the administrative fee, which is what the occupants wanted to pay, was \$750.

deal of local pride.²⁵² In addition, in 1981, the KMNSIA secured funding to construct a community store in which members of the Association became shareholders. However, it appears that in 1982 the KMNSIA encountered some internal conflicts. In a newspaper article written by Beverley Brown in 1989 and a petition to the Government of Ontario submitted by Ken and Rosanne Brown in 1993, it was claimed that in 1982 the KMNSIA began to experience problems because of the influence of “board members that resided outside of the Burleigh Falls community.” Moreover, the internal problems of the KMNSIA were held up as the reason for the closing of the community centre in 1982. Ken Brown, for example, claimed that “Internal politics resulted in the closing of the community centre ... [which] ... could have been avoided if our community would not have been over-run by outsiders.”²⁵³

In September 1982 the KMNSIA held its annual meeting and elected seven new board members. According to Beverley Brown, the meeting was well attended by “community members” from Burleigh Falls and was “poorly attended by outside members.”²⁵⁴ Subsequently, Brydon Hill of Lakefield contested the election. As a result, the election was recalled and held a second time. Brown later wrote that “On election night, all Burleigh Falls community members were present, as well as a large number of outside residents (whose membership were [sic] in question).”²⁵⁵ Moreover, a newspaper article written by Brown in 1989 claims that “Although all members of the immediate community had voted for their candidates, they were quickly outvoted by the number of proxy votes presented.” According to Brown, it was the events surrounding this election that caused the KMNSIA to become an “inactive” organization. The decline of the KMNSIA became evident by the closing of the community centre in 1982. Shortly thereafter, the community store was also closed.²⁵⁶

²⁵² Beverley Brown, “A history of the Kawartha Metis and Non-status Indian Association in Burleigh Falls” in *The Katchewanooka Herald*, 28 June 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 90.

²⁵³ Beverley Brown, “A history of the Kawartha Metis and Non-status Indian Association in Burleigh Falls” in *The Katchewanooka Herald*, 28 June 1989, held in ONAS file entitled “Kawartha Nishnawbe Media;” Ken and Rosanne Brown to Ontario Department of Municipal Affairs, 22 April 1993, MNR, Peterborough District Files. See document nos. 90 & 107.

²⁵⁴ Beverley Brown, “A history of the Kawartha Metis and Non-status Indian Association in Burleigh Falls” in *The Katchewanooka Herald*, 28 June 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 90.

²⁵⁵ Beverley Brown, “A history of the Kawartha Metis and Non-status Indian Association in Burleigh Falls” in *The Katchewanooka Herald*, 28 June 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 90.

²⁵⁶ Beverley Brown, “A history of the Kawartha Metis and Non-status Indian Association in Burleigh Falls” in *The Katchewanooka Herald*, 28 June 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 90.

Sandra Hill, S. 21(1) responded to Brown's article by publishing her own version of the history of the KMNSIA. In an article published in *The Katchewanooka Herald* on July 12, 1989, Hill asserted that the 1982 election was recalled because the bylaws of the KMNSIA state that the majority of board members had to be non-status Indians or métis and that the seven women originally elected "were mostly non-natives therefore making this board illegal."²⁵⁷ Hill also took issue with Brown's view of KMNSIA members who lived "outside the community." Some of these members, argued Hill, gave "freely of their time to try and improve the social and economic conditions for native people in Burleigh Falls and KMNSIA's charter area."²⁵⁸

*Establishment and objectives of the
Lovesick Lake Native Women's Association, 1982*

As the KMNSIA became less active in the early 1980s, another organization began to emerge in Burleigh Falls. The Lovesick Lake Native Women's Association (LLNWA) was founded in 1982 with the mandate of assisting the "advancement of native people in the Burleigh Falls and vast surrounding area."²⁵⁹ The LLNWA was founded "by a group of local Burleigh Falls women inspired by the overwhelming need and virtually non-existent supply of accessible services." Activities and programs of the LLNWA included: establishing a children's camp; providing counselling and employment assistance to youth within the Apsley, Burleigh Falls, Lakefield, Buckhorn and Curve Lake areas; providing job training to adults and youth; providing services and counselling problems relating to housing and land issues, sexual and physical abuse, addictions and health concerns.²⁶⁰ It should be noted that Beverley Brown was one of the

²⁵⁷ Sandra Hill, "Kawartha Nishnawbe respond with 'the other side of story,'" in *The Katchewanooka Herald*, 12 July 1989, held in ONAS file entitled "Kawartha Nishnawbe Media." See document no. 92.

²⁵⁸ Hill was referring to S. 21(1)

²⁵⁹ Author unknown, "Lovesick Lake Native Women's Association actively involved in community service," in *The Katchewanooka Herald*, 2 August 1989, held in ONAS file entitled "Kawartha Nishnawbe Media." See document no. 95.

²⁶⁰ Author unknown, "Lovesick Lake Native Women's Association actively involved in community service," in *The Katchewanooka Herald*, 2 August 1989, held in ONAS file entitled "Kawartha Nishnawbe Media"; author unknown, "Lovesick Lake Native Women's Association plans major children's camp," in *The Katchewanooka Herald*, 9 August 1989, held in ONAS file entitled "Kawartha Nishnawbe Media." See document nos. 95 & 96.

executive members of the LLNWA.²⁶¹ Most of the women involved with the LLNWA were volunteers. An article on the Association published in a local newspaper in 1989 states that “Community support has long been behind LLNWA; there is an active volunteer component, and there has been continued community demand for LLNWA’s services and programs.”²⁶²

Establishment and objectives of Kawartha Nishnawbe, 1985-1993

A press release by the Ontario Native Alliance, dated December 20, 1985, announced a meeting to be held in Lakefield for the “people of the Kawartha Métis [who] are preparing to apply for Indian Band status.”²⁶³ The meeting was to provide information relating to the status of individuals who traced their ancestry to the Mississauga of Curve Lake, Alderville, Hiawatha and Scugog. The main impetus for the meeting, it appears, was a federal bill enacted in 1985, known as Bill C-31, *An Act to Amend the Indian Act*, which allowed Indians who lost their status through marriage, or for a variety of other reasons, to regain their Indian status.²⁶⁴ However, the main purpose of the meeting was to discuss the possibility of establishing a “self-governed native community or band at Burleigh Falls.”²⁶⁵ The meeting, which was held at Lakefield High School on January 6, 1986, was attended by approximately six dozen métis and non-status Indians from the surrounding area.

²⁶¹ See Sandra Hill, “Kawartha Nishnawbe respond with ‘the other side of story,’” in *The Katchewanooka Herald*, 12 July 1989, held in ONAS file entitled “Kawartha Nishnawbe Media;” author unknown, “Lovesick Lake Native Women’s Association plans major children’s camp,” in *The Katchewanooka Herald*, 9 August 1989, held in ONAS file entitled “Kawartha Nishnawbe Media;” Brown to Patterson, 1 September 1989, MNR, Peterborough District Files. See document nos. 92, 96 & 97. This is mentioned here because, as illustrated below, the LLNWA strongly opposed the Kawartha Nishnawbe, a group which emerged a few years later.

²⁶² Author unknown, “Lovesick Lake Native Women’s Association plans major children’s camp,” in *Katchewanooka Herald*, 9 August 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 96.

²⁶³ Press Release, Ontario Native Alliance, 20 December 1985, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 77.

²⁶⁴ Barry Ellsworth, “Non-status Indians trying to form own band,” in *Daily Star* (Cobourg), 13 February 1987, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 88.

²⁶⁵ See Paul Irwin, “Native community office opening here,” in *Peterborough Examiner*, n.d., held in ONAS file entitled “Kawartha Nishnawbe Media”; and Evelyn Peters, Mark Rosenberg and Greg Halseth, *The Ontario Métis: Characteristics and Identity. Native Issues 4. Institute of Urban Studies No. 176* (Winnipeg: University of Winnipeg, 1991) p. 47. See document nos. 110 & 100.

Brydon Hill, a resident of Lakefield and vice-president of the Ontario Native Alliance,²⁶⁶ argued that “Burleigh was a good place to create their own community because the federal and provincial governments set aside land there, and a school. There is a community already there and, because it is crown land, it can be turned over as a land base.”²⁶⁷

The proposal put forth at the Lakefield meeting to establish a “self-governed native community” in Burleigh Falls appears to have sparked a keen interest from many métis throughout the region. For example, over the course of the following year, a group of métis from the Kawartha Lakes region founded a new organization called the Kawartha Nishnawbe.²⁶⁸ The main objectives of the Kawartha Nishnawbe were to: a) achieve band status; b) gain recognition of its land claims; c) establish a reserve at Burleigh Falls.²⁶⁹ The Kawartha Nishnawbe elected its first chief and councillors in February 1987 at a meeting held in Lakefield.²⁷⁰ On December 6, 1986 the *Peterborough Examiner* reported that the proposal to establish a reserve at Burleigh Falls put forth by a “group of descendants of the Mississauga Indians” (Kawartha Nishnawbe) had created a rift in the native community.²⁷¹ Referring to the meeting held in Lakefield on January 6, 1986, the article stated that Beverley Brown, also a descendant of the Mississauga who resided about five kilometres north of Burleigh Falls, claimed that the majority of the 25 native and non-status Indian families who resided in the village “oppose the idea.” Brown also asserted that “We, as a

²⁶⁶ The Ontario Native Alliance claimed to represent 40,000 Metis and Non-Status Indians in southern Ontario. See Paul Irwin, “Native community office opening here,” in *Peterborough Examiner*, n.d., held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 110.

²⁶⁷ Georgia Elston, “Natives want Burleigh Falls land,” in *The Lakefield Chronicle*, 16 January 1986, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 82.

²⁶⁸ Paul Irwin, “Native community office opening here,” in *Peterborough Examiner*, n.d., held in ONAS file entitled “Kawartha Nishnawbe Media”; Georgia Elston, “Natives want Burleigh Falls land,” in *The Lakefield Chronicle*, 16 January 1986, held in ONAS file entitled “Kawartha Nishnawbe Media”; author unknown, “Petition circulated against reserve,” in *Peterborough Examiner*, 9 December 1986, held in ONAS file entitled “Kawartha Nishnawbe Media”; Barry Ellsworth, “Non-status Indians trying to form own band,” in *Daily Star* (Cobourg), 13 February 1987, held in ONAS file entitled “Kawartha Nishnawbe Media”; R. Kris Nahrgang, “The story continues ...,” in *The Katchewanooka Herald*, 19 July 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document nos. 110, 82, 84, 88 & 93.

²⁶⁹ Author unknown, “Petition circulated against reserve,” in *Peterborough Examiner*, 9 December 1986, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 84.

²⁷⁰ Paul Erwin, “Vote set for head of new Indian band,” in *Peterborough Examiner*, 10 February 1987, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 87.

²⁷¹ Paul Erwin, “Reserve proposal creates rift in Burleigh Falls,” in *Peterborough Examiner*, 6 December 1986, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 83.

community (Burleigh Falls) are getting along fine and we don't want a bunch of outsiders to come in and make us into a reserve." Subsequently, Brown circulated a petition in opposition to the Kawartha Nishnawbe's proposal to establish a reserve at Burleigh Falls. The petition stated that:

We do not understand and refuse to recognize any political organization that has been formed, so-called on our behalf without having total community contact and a majority of recognition and support. ... It is obvious that our small community is easily out-voted when the majority of an organization (Kawartha Nishnawbe) is made up of a membership (of people) that are non-residents of the community.²⁷²

To further clarify her views, Brown explained that although the people originally from Burleigh Falls now living in other areas were welcome to return, "we don't agree with them coming back to make a decision to turn it into a reserve."

An article in the *Peterborough Examiner* dated December 9, 1986 stated that over 100 people had signed the petition opposing the reserve.²⁷³ However, Brydon Hill, who is quoted in the article, claimed that the proposal to establish a reserve was well supported by the people of Burleigh Falls and that those who signed the petition lived outside of the area. Despite the petition, Hill indicated that the Kawartha Nishnawbe were "definitely going ahead" with the proposal. Hill explained that the Kawartha Nishnawbe intended to set aside parts of the two lots at Burleigh Falls owned by the federal and provincial governments.

In the following months, Hill and Brown continued to use the media to air their views on the Kawartha Nishnawbe's intention to establish a reserve at Burleigh Falls. In an article published in the *Peterborough Examiner* on February 10, 1987, Hill argued that self-government at Burleigh Falls would allow descendants of Mississauga Indians "to gain access to federally-financed education, health and housing benefits."²⁷⁴ Brown insisted, however, that the "people of Burleigh Falls are all opposed to the idea of a band. We don't want a chief and councillors. We don't want a reserve."²⁷⁵ On February 13, 1987 the *Daily Star* (Colbourg) reported on a meeting held in

²⁷² Author unknown, "Petition circulated against reserve," *Peterborough Examiner*, 9 December 1986, held in ONAS file entitled "Kawartha Nishnawbe Media." The petition referred to was not located in the available files. See document no. 84.

²⁷³ Author unknown, "Petition circulated against reserve," in *Peterborough Examiner*, 9 December 1986, held in ONAS file entitled "Kawartha Nishnawbe Media." See document no. 84.

²⁷⁴ Paul Irwin, "Vote set for head of new Indian band," in *Peterborough Examiner*, 10 February 1987, held in ONAS file entitled "Kawartha Nishnawbe Media." See document no. 87.

²⁷⁵ Paul Irwin, "Vote set for head of new Indian band," in *Peterborough Examiner*, 10 February 1987, held in ONAS file entitled "Kawartha Nishnawbe Media." See document no. 87.

Lakefield to elect a chief and councillors for the Kawartha Nishnawbe and stated that “The new band could accept hundreds of Mississauga descendants living in this area, including Ojibwas in and around Roseneath.”²⁷⁶ The article explains that although Bill C-31 granted Indian status to natives who had lost their status, eligibility for band membership was a matter still decided by band councils. Band councils on reserves such as Curve Lake were under no obligation to accept new members into the band. Thus, many descendants of the Mississauga, like S. 21(1) of Plainville, believed that creating a new reserve at Burleigh Falls would provide a new home for non-status Indians and métis “who now feel homeless.”²⁷⁷

The views expressed above illustrate that the Kawartha Nishnawbe intend to create a reserve at Burleigh Falls to form a land base for a new band consisting of “homeless” natives from the larger Kawartha Lakes region. It appears, however, that opposition to the Kawartha Nishnawbe’s plans s from local residents of Burleigh Falls, or at least from the spokesperson who claimed to represent those residents, continued over the next few years. On June 28, 1989 Beverley Brown published an article in *The Katchewanooka Herald* entitled “Burleigh natives speak out against Kawartha Nishnawbe” which states that “For many years we have been represented by this **alleged band** [Kawartha Nishnawbe]. We would like to clearly state that this group DOES NOT represent the concerns of all native people in our community [emphasis in text].”²⁷⁸ Brown also stated that “The Burleigh Falls community has long suffered the consequences of outside interference from persons, **residing in communities other than Burleigh Falls** [emphasis in text].”

A couple of weeks later, R. Kris Nahrgang, Elected Community Representative of the Kawartha Nishnawbe, also wrote to *The Katchewanooka Herald* claiming that he was elected by 95% of the natives of Burleigh Falls. Nahrgang also referred to the KMNSIA stating that although the Association had many positive accomplishments in terms of community development, “In retrospect, by running social and economic programs, the Kawartha Metis were deviating from the main issues: land claims and self government.”²⁷⁹ Nahrgang stated further that the Kawartha Nishnawbe was formed in 1987 “as a community and 95% of the native people tied to this land base elected their representatives.” Thus, he claimed that most of the members of the group had

²⁷⁶ Barry Ellsworth, “Non-status Indians trying to form own band,” in *Daily Star* (Cobourg), 13 February 1987, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 88.

²⁷⁷ Barry Ellsworth, “Non-status Indians trying to form own band,” in *Daily Star* (Cobourg), 13 February 1987, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 88.

²⁷⁸ Beverley Brown, “Burleigh natives speak out against Nishnawbe,” in *The Katchewanooka Herald*, 28 June 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 91.

²⁷⁹ R. Kris Nahrgang, “The story continues ...,” in *The Katchewanooka Herald*, 19 July 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 93.

either land in Burleigh Falls or close family ties to the area. Finally, Nahrgang claimed that “The Kawartha Nishnawbe is not a group of people from another community without Indian leadership. We are the people of Burleigh Falls [emphasis in text].”²⁸⁰

On July 12, 1989 *The Katchewanooka Herald* published an article by Sandra Hill, S. 21(1) entitled “Kawartha Nishnawbe respond with ‘the other side of story’” which also challenged Brown’s claim that this group consisted mainly of “outsiders.” For example, Hill wrote that:

I am an Indian who was born and raised in Burleigh Falls, and although I currently reside in Lakefield, I don’t class myself as someone from outside the community. Burleigh will always be my home. There are many others like myself who left the community to seek employment, further education, health reasons, etc. We intend to come home as soon as a land base is made available through the Kawartha Nishnawbe. Both Bev Brown and myself and others have recently obtained our Indian status under Bill C-31 of the Indian Act. This affords us the opportunity of residing on the Curve Lake Indian Reserve if we desire. Personally my family have lived away from the Reserve for five generations and my roots are in Burleigh Falls.²⁸¹

On July 26, 1989, *The Katchewanooka Herald* published an article by Pearl Parkin, a non-native newcomer to Burleigh Falls and coordinator of a literacy program run by the LLNWA, which stated that:

In the few months that I have been here I have not been aware of the Kawartha Nishnawbe group doing anything to benefit the community. Now they may be doing great things for the people in Burleigh and I would like to be made aware of those deeds. No one I have talked to in the area has been able to tell me anything that they have done. And, as I keyboard, the grass grows taller around the disused community centre and two other buildings they control.²⁸²

Beverly Brown and the LLNWA continued actively to oppose the Kawartha Nishnawbe. Not only did they frankly express their views in the media, but they also lobbied the governments of

²⁸⁰ R. Kris Nahrgang, “The story continues ...,” in *The Katchewanooka Herald*, 19 July 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 93.

²⁸¹ Sandra Hill, “Kawartha Nishnawbe respond with ‘the other side of story,’” in *The Katchewanooka Herald*, 12 July 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 92.

²⁸² Pearl Parkin, “The saga continues ... on the outside looking in,” in *The Katchewanooka Herald*, 26 July 1989, held in ONAS file entitled “Kawartha Nishnawbe Media.” See document no. 94.

Ontario and Canada. On September 1, 1989 the LLNWA wrote to the Ontario Ministry of Natural Resources (MNR) stating that the majority of native residents of Burleigh Falls opposed the intentions of the Kawartha Nishnawbe to make the area into a reserve. Moreover, the LLNWA was still very concerned about residents who leased government lands and requested that “your department take all necessary steps to work with the LLNWA on behalf of the native residents in Burleigh Falls. These people are being threatened by propaganda from all sides.”²⁸³

Subsequently, the LLNWA and Jim Pollack, MPP, met with officials of Ontario and Canada during the summer of 1990 to present evidence that the Kawartha Nishnawbe did not represent the residents of Burleigh Falls.²⁸⁴ As a result, Ontario and Canada met with the Kawartha Nishnawbe in November 1990 to advise them of “the serious problem raised by the Lovesick Lake Native Women’s Association.”²⁸⁵

Over the next few years, the Kawartha Nishnawbe continued to pursue their claim to the land at Burleigh Falls. On September 16, 1991 Louis Hoggarth, Chief of the Kawartha Nishnawbe, wrote to Bud Wildman, Minister responsible for Native Affairs (Ontario), and Tom Siddon, Minister of Indian Affairs and Northern Development, claiming, on behalf of his group, aboriginal rights to Lot 4 and Lot 5 of Concession 1 in Harvey Township. Hoggarth requested that “any attempts to alienate interests in these lands by way of leasing or purchase arrangements cease, pending the results of discussions with either or both governments as to the Band’s collective claims to these specific lands and others in the area.”²⁸⁶ This, it appears, was a reference to the lessees on Lot 4 and Lot 5 who, with the help of the LLNWA, were attempting to purchase their lands. For example, on January 20, 1992 S. 21(1) residents of S. 21(1), wrote to Wildman to request that the lands they occupied be transferred to their names noting that “our family has lived and camped [on the land] since before settlers first arrived to this country.”²⁸⁷ Thus, S. 21(1) believed that they should not have to pay market value for their land.

A briefing note prepared on January 24, 1992 for officials of MNR provides a synopsis of the situation at Burleigh Falls at the time:

²⁸³ Brown to Patterson, 1 September 1989, MNR, Peterborough District Files. See document no. 97.

²⁸⁴ Ontario Native Affairs Directorate Briefing Note, *circa* August 1992, MNR, Peterborough District Files. See document no. 105.

²⁸⁵ Ontario Native Affairs Directorate Briefing Note, *circa* August 1992, MNR, Peterborough District Files. See document no. 105.

²⁸⁶ Hoggarth to Wildman and Siddon, 16 September 1991, MNR, Peterborough District Files. See document no. 98.

²⁸⁷ S. 21(1) to Wildman, 20 January 1992, MNR, Peterborough District Files. See document no. 101.

There are opposing views between the residents and the Kawartha Nishnawbe with respect to who had an interest in the land. The views of the residents is supported [sic] by the Lovesick Lake Native Womens [sic] Association . There are also conflicting views between the residents and the use of present Ministry policy regarding the sale of Crown land at market value rates.²⁸⁸

The briefing note also indicates that the federal government had already rejected the Kawartha Nishnawbe's land claim to the Burleigh Falls area. Moreover, the group had not yet achieved official band status. On June 8, 1992 Murray Coolican, Secretary of the Ontario Native Affairs Secretariat, informed Hoggarth that Ontario was unwilling to enter into discussions with the Kawartha Nishnawbe over self-government as there "is no apparent basis for us to enter into any claim negotiations."²⁸⁹

On August 20, 1992 Kim Coyle wrote to Wildman and Coolican to inform them that he had recently been elected Chief of the Kawartha Nishnawbe stating that his group consisted of 212 members "who are originally from the Burleigh Falls community and some of whom still reside there." Coyle argued that the Kawartha Nishnawbe had presented Ontario with a legitimate land claim and therefore "we will be continuing to exercise our aboriginal and treaty rights to hunt and fish."²⁹⁰ A briefing note concerning Ontario's position vis à vis the Kawartha Nishnawbe prepared by the Ontario Native Affairs Directorate states that:

The [sic] are substantial problems regarding the degree of support enjoyed by the Kawartha Nishnawbe within Burleigh Falls. The Lovesick Lake Native Women's Association, which to our knowledge has the support of the majority of the members of the Burleigh Falls community, is strongly opposed to the proposal submitted by the Kawartha Nishnawbe.²⁹¹

The briefing note further states that the intent of the Kawartha Nishnawbe was to relocate its membership to the hamlet of Burleigh Falls, which, at that time, had a population of approximately 60 people living in 23 households. An additional 100 to 200 people resided within a twenty mile radius of Burleigh Falls. Although Ontario was not prepared to consider the proposal put forth by the Kawartha Nishnawbe, it was prepared to offer assistance in resolving the

²⁸⁸ MNR briefing note, 24 January 1992, MNR, Peterborough District Files. See document no. 102.

²⁸⁹ Coolican to Hoggarth, 8 June 1992, MNR, Peterborough District Files. See document no. 103.

²⁹⁰ Coyle to Coolican, 20 August 1992, MNR, Peterborough District Files. See document no. 104.

²⁹¹ Ontario Native Affairs Directorate Briefing Note , *circa* August 1992, MNR, Peterborough District Files. See document no. 105.

conflict between this group and the LLNWA.²⁹² The briefing document indicates that the LLNWA at this time had a membership of approximately 25 people.

In 1993, S. 21(1) residents of Burleigh Falls, wrote to Ontario to express their concerns in regards to the Kawartha Nishnawbe:

In 1992, this group held a meeting and called all descendants of the Mississauga Nation to attend. The tactic they used to get everyone to attend was to say that “Self Government is going to happen whether you like it or not! If you want to be a part of this you’d better get signed up with a band to represent you.”²⁹⁴

S. 21(1) also claimed that 95% of the residents of Burleigh Falls did not support the Kawartha Nishnawbe and that claims by the organisation that they were working on behalf of the community were “simply ‘NOT TRUE.’”

The sources described in this section suggest that the interests and objectives of the residents of Burleigh Falls and those of the Kawartha Nishnawbe were not necessarily similar. The residents wanted clear title to their lots. The Kawartha Nishnawbe, on the other hand, wanted to establish a reserve at Burleigh Falls and, therefore, asked the government not to transfer the title to these lands. Beverley Brown and the LLNWA supported the efforts by local residents to acquire title to their land. Thus, they vehemently opposed the Kawartha Nishnawbe. There may have been some residents of Burleigh Falls who supported the Kawartha Nishnawbe. If so, it does not appear that they made their views public.

²⁹² Ontario Native Affairs Directorate Briefing Note , *circa* August 1992, MNR, Peterborough District Files. See document no. 105.

²⁹³ S. 21(1) See note to file, MNR, 23 February 1998, MNR, Peterborough District Files. See document no. 108.

²⁹⁴ Extract of letter from S. 21(1) to Ontario written *circa* April 1993, attached to a fax cover date April 22, 1993, MNR, Peterborough District Files. See document no. 107.

Chapter IX:**Conclusion**

The oral and written sources discussed in this report suggest that native families from Curve Lake have hunted and fished near Burleigh Falls since at least the 19th century. By the 1880s, however, there were other reasons for native families from Curve Lake to visit Burleigh Falls. The completion of locks and canals on the Trent-Severn Waterway near Burleigh Falls led to an influx of tourists who were keen to hire native guides for fishing expeditions in the Kawartha Lakes region. As a result, native families from Curve Lake set up camp at Burleigh Falls each summer in order to accommodate the increasing demand for native fishing guides. Subsequently, families lived on the reserve during the winter months and spent the rest of the year camped at Burleigh Falls where they guided tourists and trapped for furs.

Most of the families from Curve Lake who were drawn to Burleigh Falls were of mixed ancestry. The sources provide little indication as to exactly when a population of mixed ancestry emerged at Curve Lake. Nor do we know very much about the white ancestry of this group of métis and non-status Indians. However, Robert Mitchell's account, as recalled in his 1923 affidavit, of the mixed-blooded origins of John and William Taylor and their movement from Scugog Lake to Curve Lake in the latter 19th century suggests that, by this time, there were families of mixed ancestry living at Curve Lake.

In the 1920s, a number of families of mixed ancestry from Curve Lake decided to settle permanently at Burleigh Falls. Not only did Burleigh Falls offer employment opportunities in guiding tourists during the summer months, the area also offered opportunities to work in the lumber industry. The emergence of logging mills and lumber camps in the region after the completion of the Trent-Severn Waterway in the 1880s provided the métis and non-status men of Burleigh Falls with an income during the winter months. Thus, the economic opportunities available through guiding and lumbering convinced some families that Burleigh Falls was an area where their livelihoods were more secure. In fact, the métis economy at Burleigh Falls was characterized by diversity in which a family's income came from three different sources which comprised acting as fishing guides for tourists, working in logging mills and lumber camps, and trapping fur-bearing animals. By the late 1920s, at least six families from Curve Lake had made Burleigh Falls their permanent home. The construction of a public school in 1946 on Lot 5 of Harvey Township along side the métis settlement at Burleigh Falls underscored the permanent nature of settlement.

Economic motives were key to the establishment of a permanent settlement at Burleigh Falls. However, tensions between "half-breeds" and status Indians at Curve Lake also served to encourage some métis families to settle year-round at Burleigh Falls. Yet the original settlers have a much stronger recollection of the more positive attraction of better employment opportunities at Burleigh Falls as being the primary motive for moving away from Curve Lake. In fact, the people of Burleigh Falls took a certain pride in their self-sufficiency. The oral

sources, for example, proclaim the success of Jack Jacobs and his family at running a hotel and guiding business in the 1920s. Overall, their success as fishing guides became the main pride and joy of these people. Horace Taylor explained that as a child in the 1900s, he “learned the guiding trade” from his father. This involved an apprenticeship of perfecting skills in canoeing and outdoor cooking. The residents of Burleigh Falls seem to remember the early years of settlement as a “Golden Age” of sorts. Men did not have to look for work, there was lots available. As Buster Brown tells us, “Times were hard everywhere, but we had lots to eat and enough money; we used to trap, hunt, cut wood, always something to do.”

In the 1930s, the local economy at Burleigh Falls started to change. To begin with, residents saw a decline in the local lumbering industry. In 1932, an official of Indian Affairs reported that there had been no lumbering camps in operation in the area for at least three years. Eventually, the guiding profession also declined. The advent of motorized boats eventually rendered fishing guides, who took their clients by canoe, unnecessary. By the late 1940s, the decline of the local economy at Burleigh Falls resulted in the decline of the “social and personal morale of community members.”

By the 1970s, there were approximately 40 families living near the hamlet of Burleigh Falls. About 17 of those families resided on government land. Fears that some of these families would be forced to relocate led to a movement within the community at Burleigh Falls to organize for the well-being of their community. Consequently, in 1973 the residents of Burleigh Falls and other métis and non-status Indians of the Kawartha Lakes area founded the Kawartha Non-Status Indian and Metis Association. Some of the achievements of this organization included opening the Burleigh Falls Canoe Factory in 1974, establishing a community centre in 1976, and constructing a community store in 1981. All of these achievements were viewed with a great deal of local pride.

The KNSIMA began experiencing problems in the early 1980s due to tensions between members from Burleigh Falls and the Lakefield area. Subsequently, the emergence of the Kawartha Nishnawbe in 1986 and the efforts by this group to have Burleigh Falls set aside as an Indian reserve for métis people in the surrounding areas caused a great deal of concern to local residents. The impetus for this movement was an amendment to the *Indian Act* which allowed non-status Indians to regain their Indian status. For their part, the métis and non-status Indians of Burleigh Falls only wanted clear title to their small plots of land so they would no longer have to fear eviction by government officials. The Kawartha Nishnawbe, however, wanted Burleigh Falls set aside as an Indian reserve and warned government officials not to issue deeds to these lands.

The local media sources reported that attempts by the Kawartha Nishnawbe to have Burleigh Falls set aside as an Indian reserve had caused a deep rift in the community. It is difficult to gauge from the available sources to what degree an actual division existed among the residents of

Burleigh Falls. However, the media sources suggest that many people viewed the Kawartha Nishnawbe as outsiders whose objectives and interests were contrary those of the residents of Burleigh Falls. For their part, representatives of the Kawartha Nishnawbe claimed that they had close ties to Burleigh Falls and that most residents supported their cause. Yet the sources dealing with this issue demonstrate that there may indeed have been a conflict between the interests and objectives of the residents of Burleigh Falls and those of the Kawartha Nishnawbe.