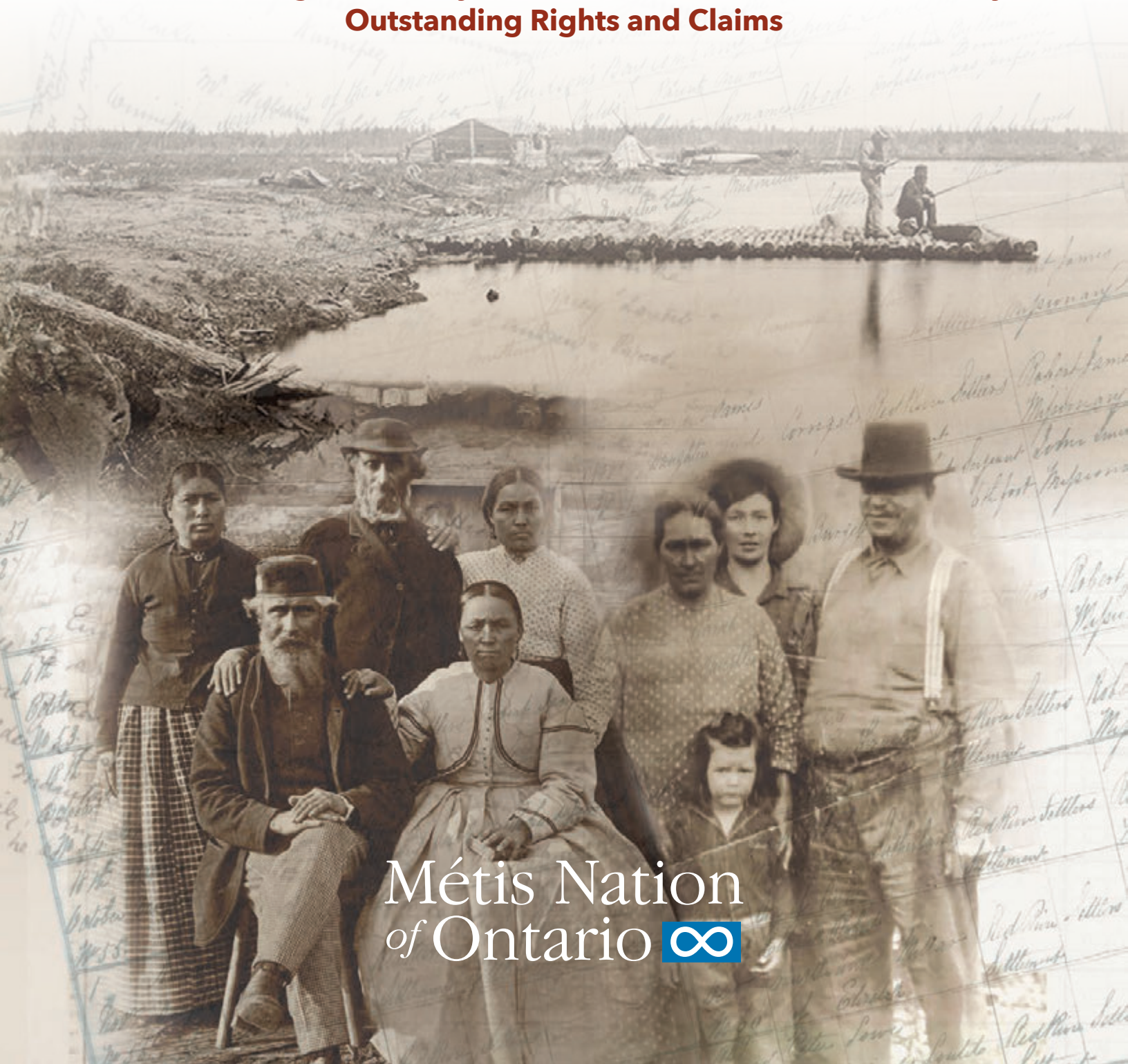


# ADVANCING RECONCILIATION WITH THE NORTHWESTERN ONTARIO MÉTIS COMMUNITY

**Understanding the History and Context of this Métis Community's  
Outstanding Rights and Claims**

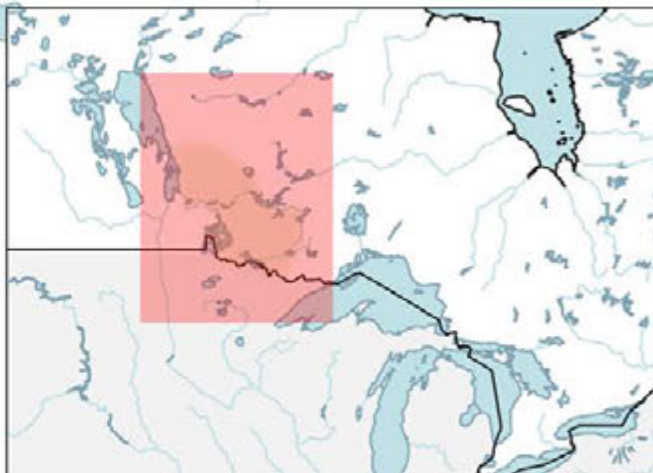


Métis Nation  
of Ontario ∞

## Legend

Lac La Pluie District

0 50 100 150 200 km



Lake Winnipeg

Rat Portage/Kenora Dryden Wabigoon  
Eagle Lake  
Whitefish Bay  
Northwest Angle  
Rainy River Long Sault Rainy Lake  
Fort Frances

This map is for reference purposes only and does not purport to define the boundaries of the Historic Métis Community.

Lake Su



# THE NORTHWESTERN ONTARIO MÉTIS COMMUNITY HISTORIC AND MODERN DAY

By the mid to late 1800s, a distinctive Métis community was present in what is now Northwestern Ontario. This community included the inter-connected Métis populations “in and around: Lac La Pluie (Fort Frances); Rat Portage (Kenora), Eagle Lake (Dryden/Wabigoon) and Hungry Hall (Rainy River). The Lake of the Woods area includes Rat Portage, White Fish Lake, Northwest Angle, Wabigoon and Long Sault” (the “Historic Community”)<sup>1</sup> (See map on page 2).

The Historic Northwestern Ontario Métis Community was extensively inter-connected through kinship connections such as marriage, as well as godparenting and witnessing relationships.

The modern-day Métis Community represented by the MNO is made up of the descendants of this Historic Community<sup>2</sup>. The Métis Community has outstanding rights and claims that must be recognized, determined, and respected. Some of these outstanding rights and claims are outlined in this document.

While not all of the members of the Métis Community may be beneficiaries of all of the claims outlined in this document, every member of the Métis Community has collective section 35 rights that require recognition and reconciliation.

1 This description is taken from a summary prepared by the MNO and the Government of Ontario. Further information is available on the MNO's website.

2 Note that some members of the modern-day Métis Community may be ancestrally connected to historic Métis communities in other parts of Ontario, or to elsewhere in the Métis Nation. These individuals, while they are part of the modern-day community represented by the MNO, may have section 35 rights located outside of Northwestern Ontario.



**James and Granny Calder (Maria Gibson Calder)** Credit: Calder Family Photo Collection (compiled by Erma Armit)



**Trader George McPherson's family, North West Angle, Lake of the Woods, Ontario, October 1872.** Credit: Library and Archives Canada



**... at the MNO Annual General Assembly in Kenora.**

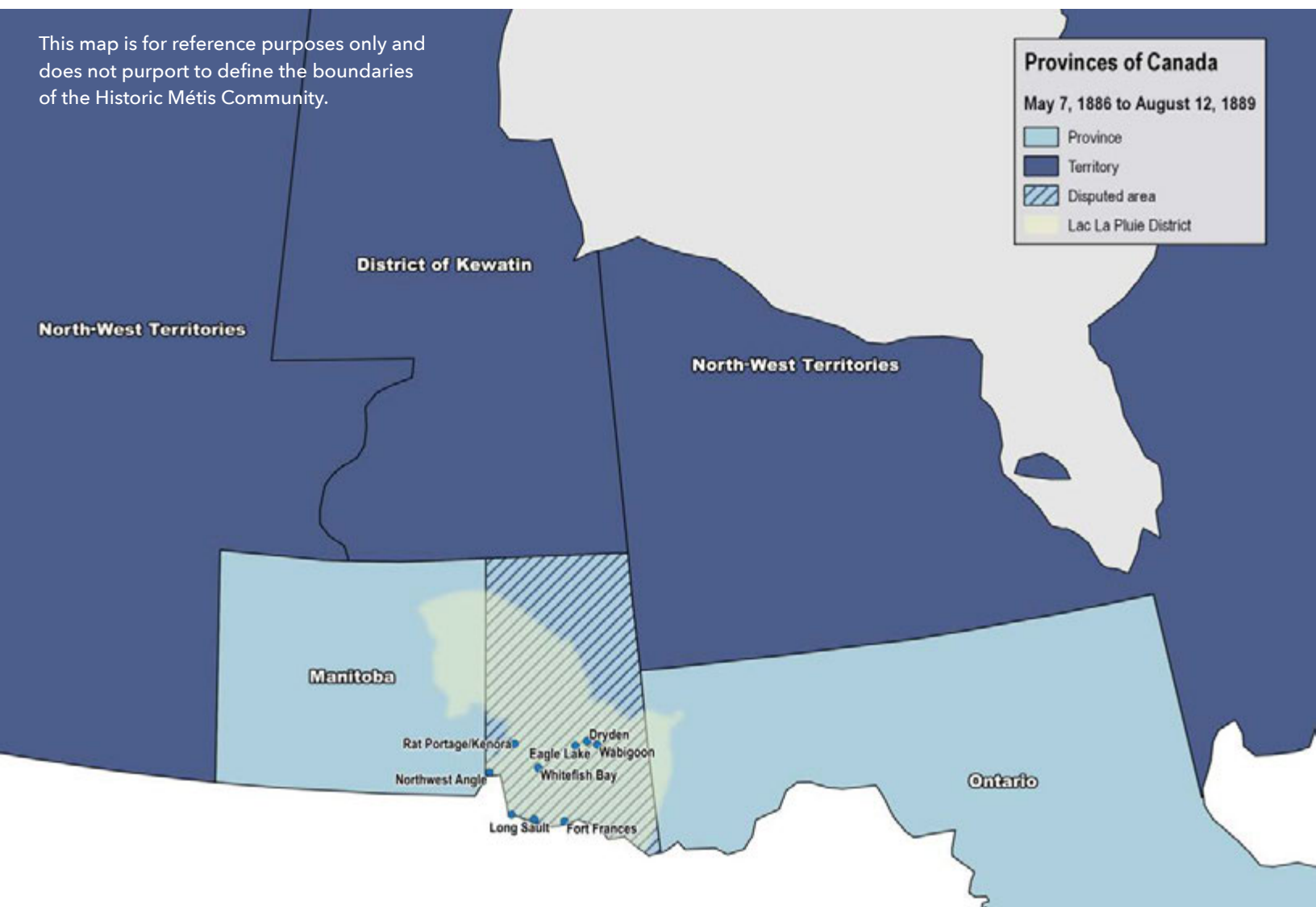
## THE HISTORIC CONTEXT

# CANADA'S POLICIES TOWARDS FIRST NATIONS AND MÉTIS AT THE TIME OF CONFEDERATION

Canada was born in 1867 through the union of three colonies—United Canada (what is now parts of Ontario and Quebec), Nova Scotia, and New Brunswick.

In 1870, colonial law recognized the Hudson's Bay Company as having rights to the area known as "Rupert's Land". In 1870, Rupert's Land was transferred to Canada through the Rupert's Land and Northwest Territory Order [the "1870 Order"]. The 1870 Order committed Canada to addressing the land claims of

This map is for reference purposes only and does not purport to define the boundaries of the Historic Métis Community.



“Indians”. The Supreme Court of Canada in the Manitoba Métis Federation case describes Canada’s expansionist strategy after its acquisition of Rupert’s Land:

*The Canadian government, led by Prime Minister John A. Macdonald, embarked on a policy aimed at bringing the western territories [which included what is now northwestern Ontario] within the boundaries of Canada, and opening them up to settlement.*

*This meant dealing with the indigenous peoples who were living in the western territories... The government policy regarding the First Nations was to enter into treaties with the various bands, whereby they agreed to settlement of their lands in exchange for reservations of land and other promises.*

*The government policy with respect to the Métis population ... was less clear.<sup>3</sup>*

Canada’s “less clear” Métis policy was particularly complicated in the context of the Historic Community because of the unique geography of this area. The Historic Community spanned the border between “Keewatin” (the name that was given to Rupert’s Land when it was acquired by Canada) and what was then Ontario. This geography impacted how Canada dealt with the claims of the Métis in this area (**See map on page 4**)

## "HALF-BREED" SCRIP

One of Canada’s earliest Prime Ministers, Wilfrid Laurier (1896-1911) explained why the federal government issued Half-breed scrip:

*We determined at the outset, when we acquired the territory of the Hudson Bay Company [sic], that we would treat the half-breeds as we would the Indians – that is, as first occupants of the soil. It has been the policy of the British Government from time immemorial not to take possession of any lands without having in some way settled with the first occupants and giving them compensation...*



In 1870, colonial law recognized the Hudson’s Bay Company as having rights to the area known as “Rupert’s Land”. In 1870, Rupert’s Land was transferred to Canada

Credit: WikiCommons



Scrip Commission

Credit: WikiCommons



An example of land scrip

Credit: WikiCommons

3 Manitoba Métis Federation v Canada, 2013 SCC 14 at paras 1-4.

In order to do this, the federal government made treaties with the First Nations, and issued scrip to the Métis.

Scrip took many forms and was subject to constantly changing eligibility requirements. It could take the form of money scrip, in the amount of \$160 or \$240, or land scrip, usually equivalent to a 160 acre plot or 240 acre plot.

After 1870, what had been known as “Rupert’s Land” became known as “Keewatin”. The Historic Community was located partially in what was then Ontario and Keewatin. This resulted in some members of the Historic Community being eligible for scrip, and some not. Generally, this was because only “Half-breeds” living outside of what was considered Canada could be eligible. Therefore, only Métis living on the Keewatin side of the border (and this border also changed and was the subject of a dispute that added more uncertainty) could be eligible.

This unfairness was acknowledged by Indian Commissioner J.A. McKenna in 1902:

*[I]n extinguishing the aboriginal title in the territory covered by Treaty Three there has been an apparent inconsistency. The territory is partly in Ontario and partly in Keewatin and a portion extends into Manitoba. The Halfbreed Claims Commissions of 1885 [illegible] and the Department of the Interior recognized the Halfbreeds of the ceded portion of Keewatin as North West Halfbreeds. There was therefore no course open for me but to do likewise. The consequence is that Halfbreeds living on the Keewatin side of the English River are recognized as having territorial rights and get scrip, scrip which they may locate in Manitoba or any part of the North West Territories, while the Halfbreed on the Ontario side who naturally comes and makes claim has to be told that he has no territorial rights. We must take care to avoid the perpetuation of this.*

While this unfairness was acknowledged, Canada did not take steps to remedy it. Therefore, some members of the Historic Community applied for scrip and

were denied because of this geography. Others successfully applied for scrip, but even those who were granted scrip often faced barriers to converting that scrip into actual lands in this region.

## THE MÉTIS ADHESION TO TREATY #3

In 1873, Canada signed Treaty #3 with various First Nations in northwestern Ontario (**see map on page 7**).

Historically, Canada’s policy was not to negotiate treaties with Métis. Canada had chosen to use scrip to settle Métis claims, not treaties. However, a group of Métis families—who formed part of the Historic Community—represented by Nicolas Chatelaine, became the only known exception to this in Canada’s history. Research into the details of these negotiations and what happened thereafter is ongoing.

On September 10, 1875, Surveyor General John S. Dennis arrived in Fort Frances for the purpose of meeting with First Nations chiefs to settle reserve boundary issues. There, he was met by a delegation of “Half Breeds” seeking their own adhesion to Treaty #3. Two days later, on September 12, 1875, Nicolas Chatelaine, acting as “Chief” of the “Half-breeds of Rainy River and Rainy Lake,” (i.e., the Métis families living in this area in 1875) signed an adhesion to Treaty #3 with the Surveyor General, who was representing “Her Majesty the Queen through the Government of the Dominion” (the “1875 Métis Adhesion”).

The promises in the 1875 Métis Adhesion were made to a distinct group of Métis—as Métis—not as “Indians.” Significantly, the 1875 Métis Adhesion does not state that the “Halfbreeds” had to become “Indians”. Instead, the text recognizes that the “Halfbreeds” collectively adhered to Treaty #3, as a distinct Métis group, and thereby became entitled to the same benefits and rights as the Indians who signed it in



1873. The 1875 Métis Adhesion reads in part:

*That the said Halfbreeds, keeping and observing on their part the terms and conditions of the said treaty shall receive compensation in the way of Reserves of land, payments, annuities and presents, in manner similar to that set forth in the several respects for the Indians in the said treaty; ... and it being further understood that the said Half-breeds shall be entitled to all the benefits of the said treaty as from the date thereof, as regards payments and annuities, in the same manner as if they had been present and had become parties to the same at the time of the making thereof.*

*The 1875 Métis Adhesion promised the "Halfbreeds" two reserves, one where a Métis village would be established and one where Métis hunting could take place. The Adhesion includes a map that identifies two tracts of land, marked A and B, as the reserves. The two reserves comprised a total area of 18 square miles.*

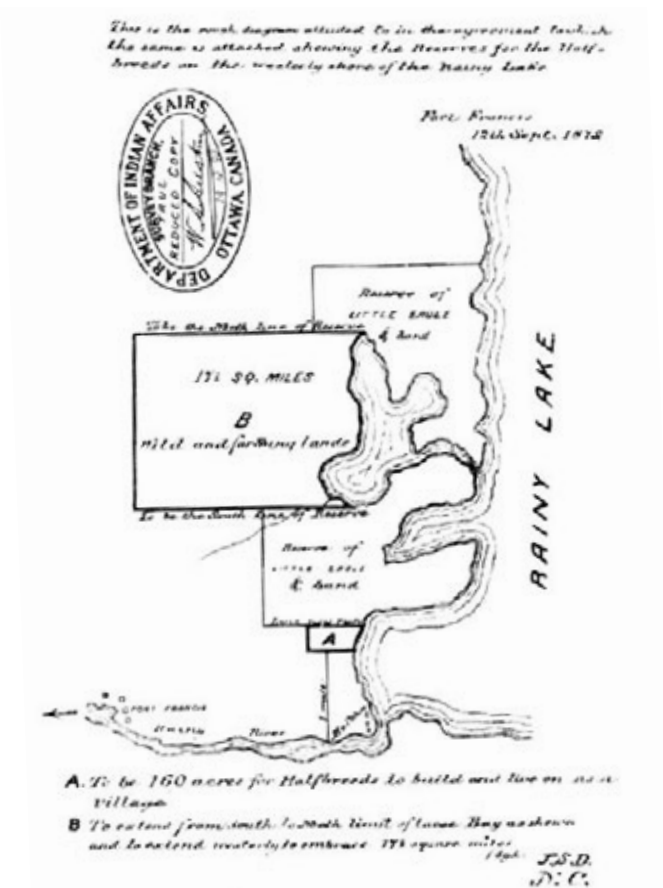
These promises were made to the Métis families that were living in Rainy Lake and Rainy River and its surrounding area in 1875. The original beneficiaries of the Adhesion, therefore, were the Métis families who lived in Rainy Lake/Rainy River and its environs in 1875, which is a part of the Historic Community. Descendants of these original beneficiaries, like their ancestors did for the Historic Community, form part of the modern day Métis Community.

The families living in Rainy Lake/Rainy River and its environs in 1875 were extensively connected through kinship, including marriages, godparenting, and witnessing relationships.

These families formed part of the larger Historic Community, which was highly inter-connected as a whole, with kinship connections spanning back and forth across families throughout the area (**graphic of all connections on page 8 and 9**).

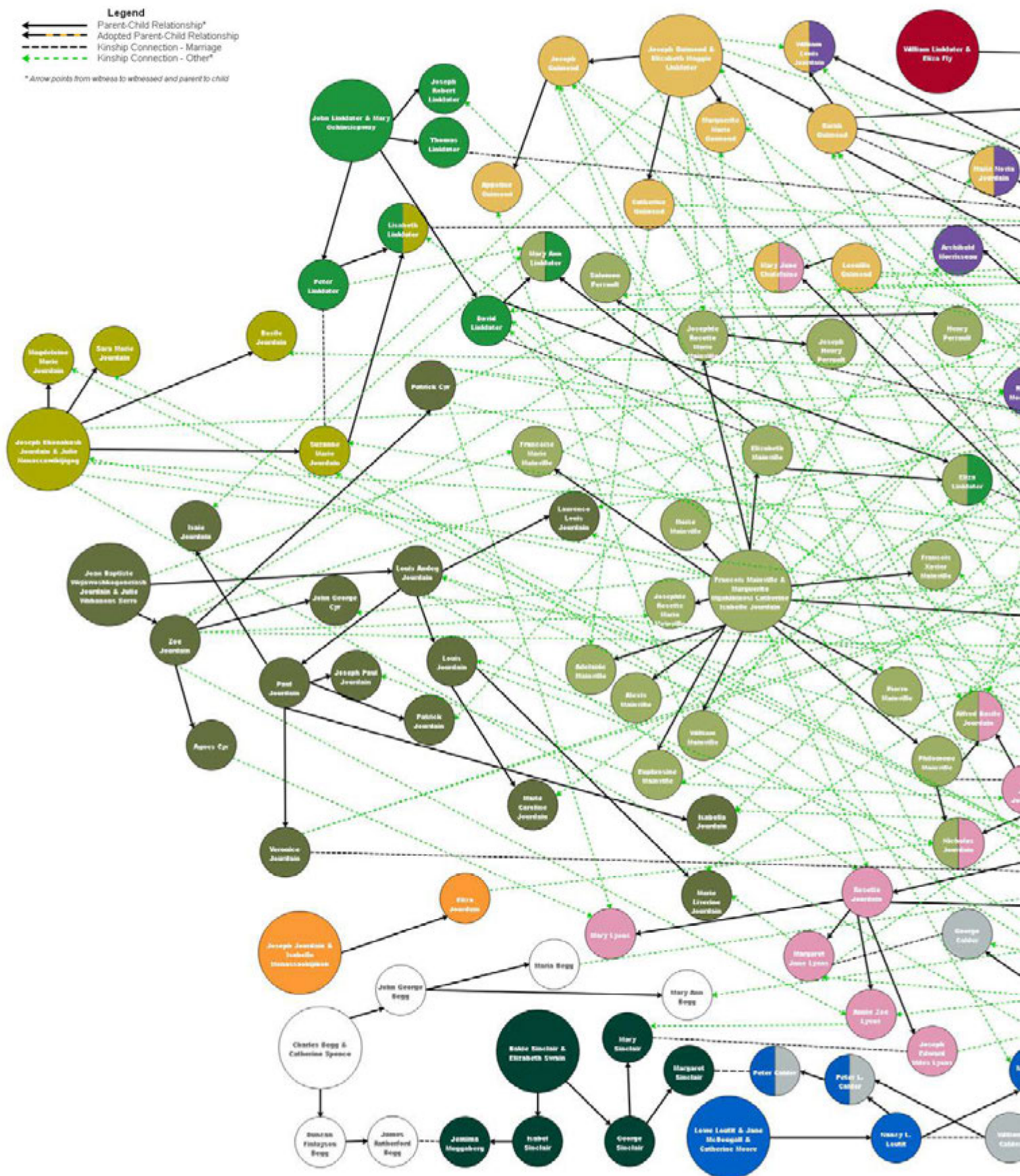


Treaty #3  
Credit: WikiCommons



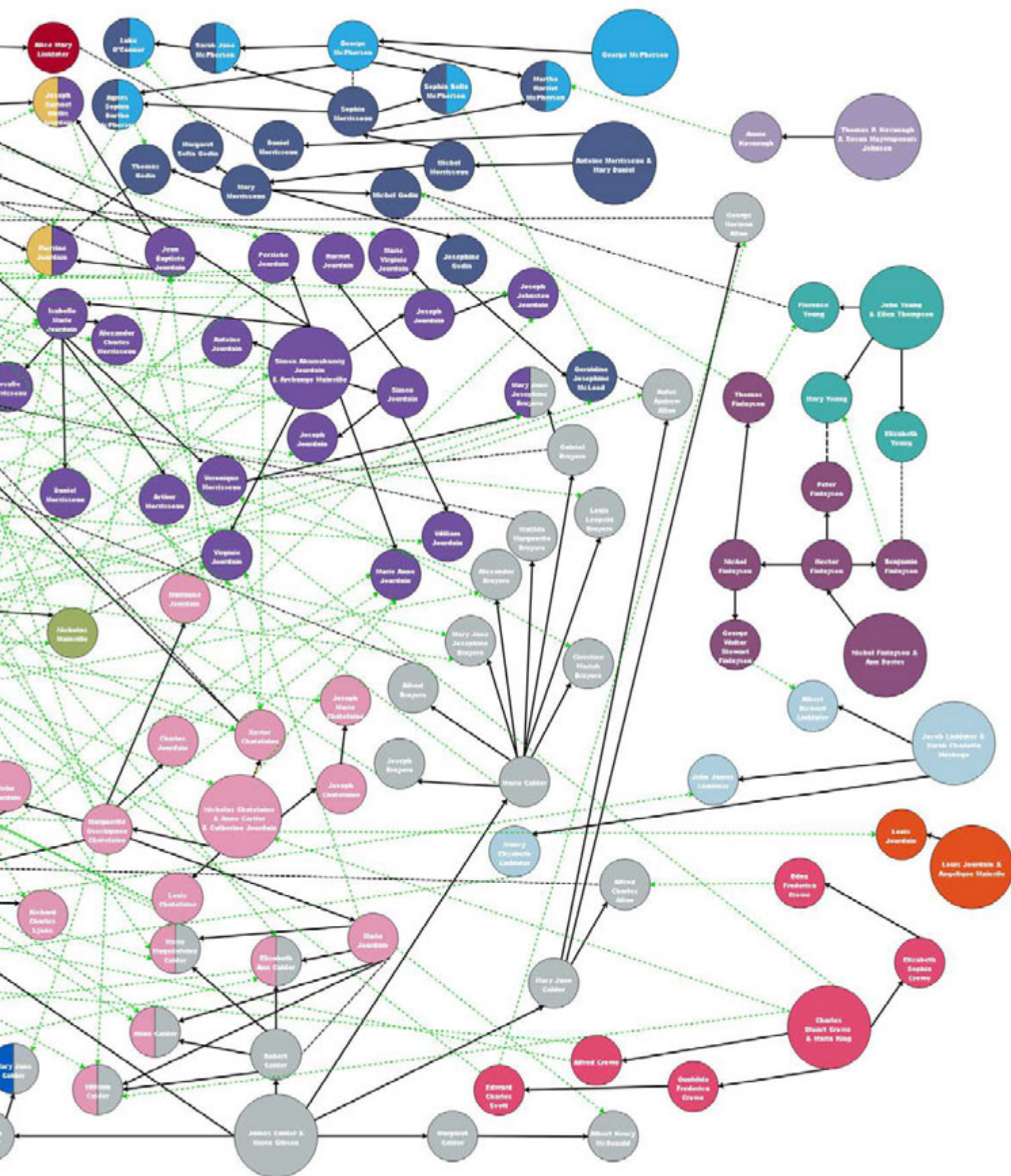
The Métis Adhesion to Treaty #3  
Credit: WikiCommons

# NORTHWESTERN ONTARIO HISTORIC MÉTIS COMMUNITY RELATION





# SHIP CHART







## THE AGREEMENT ON ADVANCING RECONCILIATION WITH THE NORTHWESTERN ONTARIO MÉTIS COMMUNITY

Despite repeated efforts, the promises made in the 1875 Métis Adhesion have never been honoured by the Crown. Nor have the Métis Community's other claims and rights been fully recognized. The Supreme Court of Canada has stated that reconciliation with the Métis is "a matter of national and constitutional import". For generations, however, the Métis Community has had no where to turn to seek redress and reconciliation.

This is now changing for this Métis Community. On December 11, 2017, the MNO, represented by the Regional Councilor for Northwestern Ontario and the Presidents of the Atikokan, Kenora, Northwest, and Sunset Country Métis Councils, signed the Agreement on Advancing Reconciliation with the Northwestern





**Signatories and witnesses of the Agreement on Advancing Reconciliation with the Northwestern Ontario Métis Community.** (Front row, left to right): Jason Madden, MNO President Margaret Froh, PCMNO Region 1 Councilor Theresa Stenlund and Minister of Crown Indigenous Relations and Northern Affairs Dr. Carolyn Bennett. (Back row, left to right): MNO Sunset Country Métis Council President Brady Hupet, MNO Northwest Métis Council President Ron Robinson, MNO Atikokan and Area Métis Council President Marlene Davidson, MNO Kenora Métis Council President Joel Henley and Member of Parliament for Kenora Robert Nault.

Ontario Métis Community with Canada (the “Agreement”).

The outcome of the negotiations that have begun under the Agreement is far from determined. As this process unfolds, deep engagement with the Métis Community will be required. However, it should be made clear from the outset what is not being sought through these negotiations.

Firstly, the Métis Community is not seeking to become a “Band” under the Indian Act, nor to have its citizens registered as “Indians”. Secondly, the Métis Community is not seeking the return of or interest in any specific reserve lands that are now within what is known as Couchiching First Nation (i.e., the identified Métis village and Métis hunting

reserve lands demarcated in the 1875 Métis Adhesion) or any other Treaty 3 First Nation’s reserve lands. Any just and lasting settlement with the Métis Community may include lands, but the MNO is committed to ensuring that the rights and interests of First Nations and private landowners be acknowledged and respected.

These negotiations will be driven and guided by the Métis Community and will take place alongside—but separate from—the MNO’s provincial-level self-government negotiations that are ongoing under the MNO–Ontario–Canada Framework Agreement for Advancing Reconciliation. Further information on the Framework Agreement negotiations is available on the MNO’s website.



This booklet provides an overview of some of the history of the Northwestern Ontario Métis Community (the “Métis Community”), focusing on the context for this Community’s unique outstanding and unresolved rights and claims.

Section 35 of the Constitution Act, 1982, requires that all of the rights and claims of the Métis Community be recognized, determined, and respected through a process of honourable negotiations.

Under the Agreement to Advance Reconciliation with the Northwestern Ontario Métis Community (the “Agreement”) this negotiations process is now underway with Canada. This Agreement represents a significant and exciting achievement, the result of generations of perseverance. For the first time, Canada has come to the table to discuss the unique rights and claims of this Métis Community. This Agreement, and what it means, is discussed at the end of this booklet.

# Métis Nation of Ontario



[metisnation.org](http://metisnation.org)

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