

# **The Sault Ste. Marie “Métis” Community and “Halfbreed Petition”**

**Prepared for Robinson-Huron Waawiindemaagewin**

**by**

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## 1. SUMMARY

This report was commissioned by Robinson Huron Waawiindamaagewin in August 2023 as part of the research they've been leading about the Métis Nation of Ontario's (MNO) political claims in Robinson-Huron territory. The purpose of this latest project is twofold:

- to assess to what extent historical reports and academic literature on the so-called Sault Ste. Marie Métis apply a consistent definition of "Métis" (specifically one that reflects more than just the presence of "mixed-blood" individuals); and
- to establish whether and/or to what extent this same research engages with Anishinabek history and governance in the MNO's discussion of what it calls the SSM "Halfbreed Petition."

Our findings confirm that the research reports and academic literature that are often cited to legitimize the existence of a distinct Métis community in the Sault Ste. Marie region lack scholarly rigour in their use and understanding of the term "Métis." At times, as in Arthur Ray's report commissioned by the Métis National Council (and the MNO) during the *Powley* case, most terms used in the historical record ("halfbreed," "Indian," "voyageur," "Canadien," and "freemen") are interpreted to denote that an individual could be part of a distinct Métis community. In other words, many of these authors often *create* distinct "Métis" people where and when none existed, choosing to undermine Anishinabek sovereignty and self-determination while doing so.

As for the second objective of this research, our review of existing material on the SSM "Halfbreed Petition" provided us with ample evidence that considerations of Anishinabek history and governance are virtually absent from this literature. The few authors who consider Anishinabek understandings of events in the 1700s and 1800s (and beyond) in their work provide fulsome analyses that deny the existence of a distinct Métis community in the region.

The first section examines four historical reports written between 1996 and 1998 that are widely cited as evidence for the existence of a historical Métis community in the Sault Ste. Marie region. Two of them were even commissioned by the MNO during the *Powley* case. The second section examines the academic literature, especially in anthropology and history, that presents an understanding of the mixed-race community living in the vicinity of Sault Ste. Marie in Anishinabek territory in the late 1700s and early 1800s. The third and final section examines the results of tracing the descendants of five key MNO families who lived in and around SSM in the early 1800s, each of which had at least one descendant who signed the so-called Halfbreed Petition.

## 2. ANALYSIS OF GOVERNMENT and POWLEY REPORTS

The purpose of this section is to evaluate four historical reports commissioned between 1996 and 1998 about the existence of a Métis community in Sault Ste. Marie. The first report, by Joan Holmes and Associates, was commissioned by the Ontario Ministry of

Natural Resources (OMNR) in 1996, as Ontario was opposing the Powley family in court. The second report, by Victor Lytwyn, was commissioned by the Métis National Council (MNC) and the Métis Nation of Ontario (MNO) in its defense of the Powley family in 1998. The third report, by Arthur Ray, was also commissioned by the MNC and MNO in 1998. The fourth report, by Gwynneth C.D. Jones, was commissioned by the OMNR, this time in 1998. At times, we have turned to the “Review of Reports and Cartographic Representation Pertaining to Historic Métis in Ontario” report prepared by Praxis Research Associates for the Native Affairs Unit of the OMNR in 2002. The Praxis report provides a useful discussion of the Holmes and Jones reports. The MNO features prominently the Holmes, Lytwyn, and Ray reports on its “Historic Research” website, purportedly because in their estimation these specific reports provide the evidence for the existence of a historic Métis community in the Sault Ste. Marie region. Our report, however, disputes the MNO’s interpretation of these reports. Since these three specific reports are used by the MNO to support their claims, we focus most closely on them in our analysis.

We’ve also examined a fifth report on the “Sault Ste. Marie Métis” by James Morrison that was commissioned by the Royal Commission on Aboriginal Peoples in 1996. The RCAP report is the most reliable of all the reports from the period, even though it uses the term “Métis” in a manner that lacks academic rigour, much as the other reports. When appropriate, we cite the Morrison report to fill in some of the historical gaps left in the other four reports. As identified in the terms of reference, our focus is two-pronged: a) assess to what extent the reports apply a consistent definition of Métis (specifically one that reflects more than just the presence of “mixed-blood” individuals) and b) establish whether and/or to what extent the research engages with Anishinabek history and governance in their discussion of the SSM “Halfbreed Petition.”

Overall, our findings are that no systematic definition of “Métis” is used in these reports, leading to confusion about some of their conclusions. For the most part, the authors use “Métis” in such a broad sense as to include almost anybody living in the region in the 1800s, whether they be French-Canadian or Anishinabek. In addition, besides Morrison, none of the authors engage with Anishinabek history and governance in any meaningful way, which leads to consistent misinterpretation of the historical record.

### **2.1. The OMNR’s Holmes Report (1996)**

The Joan Holmes and Associates report is the most thorough of the four Powley-era reports we consulted and the only one that identifies the residents of mixed ancestry who lived in the environs of SSM before and after the signing of the Robinson-Huron Treaty in 1850. Despite some of its strengths, the report is a historical account that doesn’t focus on sociological or anthropological issues related to Métis identity, as the authors of the “Review of Reports” point out.<sup>1</sup> As such, one must interpret various historical matters,

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<sup>1</sup> PRAXIS Research Associates, “Review of Reports,” p. 34.

such as population density and relationships with local Anishinabek leaders, to come up with their own understanding of the historical record.

At the beginning of the report, Holmes cautions readers that “Métis” individuals tend to be invisible in historical records: “Often described as a ‘forgotten people,’ Métis people tend to be invisible or unidentifiable in official records and other primary sources upon which historians rely to reconstruct the history of aboriginal groups in Canada. As such, it is very difficult to provide a continuous, well-documented and authoritative history of their communities.”<sup>2</sup> Yet, Holmes’s warning is misleading since the Métis people/nation are not described as a “forgotten people” for the same reasons as she states. In the book that popularized the notion that the Métis were a “forgotten people” – entitled *The Métis: Canada’s Forgotten People* – authors D. Bruce Sealey and Antoine Lussier use the term to critique historiography (the making of history), not the historical record (the raw material of history): “Much has been written about the Métis but such efforts tend to center around Louis Riel, the insurrection in Red River in 1869-70 and the 1885 rebellion in the Northwest. To the student, the Métis and Louis Riel *suddenly appear and as quickly disappear in most histories of Canada.*”<sup>3</sup> Contrary to Holmes’s formulation, “forgotten” refers to the silence about the Métis in Canadian history after 1885, not to a lack of documentation about the Métis in the archives.<sup>4</sup> As Métis historians and historians of the Métis have demonstrated over the past two

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<sup>2</sup> Joan Holmes and Associates. 1996. “Sault Ste. Marie Métis Historical Report,” p. 2.

<sup>3</sup> D. Bruce Sealey and Antoine Lussier. 1975. *The Métis. Canada’s Forgotten People*. Winnipeg: Manitoba Métis Federation Press, p. iv, emphasis ours.

<sup>4</sup> See also Chris Andersen. 2014. More Than the Sum of Our Rebellions: Métis Histories Beyond Batoche. *Ethnohistory*, 61(4), 619-33; Jennifer S. Brown. 2008. Cores and Boundaries: Metis Historiography Across a Generation. *Native Studies Review*, 17(2), 1-18; and Michel Hogue. 2020. Still Hiding In Plain Sight?: Historiography and Métis Archival Memory. *History Compass*, 18(7), 11 pages.

decades, archival sources recording Métis lifeways are plentiful in the records.<sup>5</sup> Holmes's own report demonstrates that many sources exist on the mixed-race individuals and families who lived in and around Sault Ste Marie in the early nineteenth century, but most of these sources present a picture where these families are part and parcel of the local Anishinabek community.

Most notably, at no point does Holmes define what she means by the term "Métis," even though she uses it extensively throughout the report. Two examples from the beginning illustrate her understanding that "Métis" simply means mixed-race. Her history of the "Métis" presence in Ontario begins with French voyageur Étienne Brûlé, who she claims may have fathered the first "Métis" child circa 1620.<sup>6</sup> There's no existing record of Brûlé having a child, but we know that had he fathered a child, they would have been raised in their Anishinabek mother's community as Anishinabek since Brûlé, whose life is well documented in the *Jesuit Relations*, never returned to the French colonies with a child (as his peer Jean Nicolet did). Holmes's argument here betrays her simplistic view of what constitutes a "Métis" identity, one that violates Anishinabek kinship practices and citizenship orders.

Her lack of understanding of Anishinabek lifeways is further confirmed in the next example of a famous "Great Lakes Métis" person born during the French regime. Holmes presents Charles Langlade as the first recorded "Métis" birth at Mackinac Island in 1724,<sup>7</sup> even though Langlade figures prominently in Anishinabek history in the eighteenth century as a leading Anishinabek representative to negotiations with the Crown. Without a doubt, Langlade was raised by his Anishinabek mother's family in the oral traditions of

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<sup>5</sup> David G. Burley. 2013. Rooster Town: Winnipeg's Lost Métis Suburb, 1900–1960. *Urban History Review*, 42(1), 3-25; Heather Devine. 2004. *The People Who Own Themselves: Aboriginal Ethnogenesis in a Canadian Family, 1660-1900*. Calgary: University of Calgary Press; M. H. Foster. 2016. *We Know Who We Are: Métis Identity in a Montana Community*. Norman: University of Oklahoma Press; Michel Hogue. 2015. *Métis and the Medicine Line: Creating a Border and Dividing a People*. Chapel Hill: University of North Carolina Press; Brenda Macdougall. 2014. Speaking of Metis: Reading Family Life into Colonial Records. *Ethnohistory*, 61(1), 27-56; Brenda Macdougall. 2011. *One of the Family: Metis Culture in Nineteenth-century Northwestern Saskatchewan*. Vancouver: University of British Columbia Press; Brenda Macdougall & Nicole St-Onge. 2013. Rooted in Mobility: Metis Buffalo-hunting Brigades. *Manitoba History*, (71), 21-33; David Parent. 2021. Governing Metis Indigeneity: The Settler-Colonial Dispossession and Regulation of the Metis in Mid-Twentieth Century Manitoba, PhD dissertation, University of Alberta; Émilie Pigeon. 2017. *Au nom du bon dieu et du buffalo: Métis Lived Catholicism on the Northern Plains*. PhD dissertation, York University; Nicole St-Onge. 2006. Uncertain Margins: Métis and Saulteaux Identities in St-Paul-des-Saulteaux, Red River 1821-1870. *Manitoba History*, (53), 2-11; Nicole St-Onge. 2004. *Saint-Laurent, Manitoba: Evolving Métis Identities, 1850-1914*. Regina, SK: University of Regina Press; Frank J. Tough. 2021. "Little Is Known of the Interior": Applied Historical Cartography and Métis Aboriginal Rights in the Île-à-la-Crosse Region, Saskatchewan. *Cartographica: The International Journal for Geographic Information and Geovisualization*, 56(4), 320-342.

<sup>6</sup> Holmes and Associates. 1996. "Sault Ste. Marie Métis Historical Report," p. 4.

<sup>7</sup> Holmes and Associates, "Sault Ste. Marie Métis Historical Report," p. 5.

Anishinabek diplomacy, a fact discussed in Alan Corbiere's research.<sup>8</sup> Pointing to the birth of mixed-race children as evidence for the presence of a distinct Métis community, as Holmes does throughout her report, has long been critiqued by Métis scholars as counter to Métis history.<sup>9</sup> Holmes acknowledges as much when she argues that "it is clear that the Métis people of the Great lakes region never developed a sense of shared ethnic identity comparable to that of the Métis of the Red River Settlement," though they go on to say that "this does not disprove the existence of this group of people in that region."<sup>10</sup> In other words, the Holmes report doesn't prove the existence of a distinct Métis people in the Sault Ste. Marie region as much as identify the presence of mixed-race individuals during a particular period of time.

According to the Holmes report, the French regime (prior to 1760) seems to have left little impact on the SSM area, since by "1761, Alexander Henry the Elder found only four houses at Sault Ste. Marie."<sup>11</sup> The only name associated with mixed-race individuals that seems traceable to the area prior to the assertion of British sovereignty in 1761 is that of Jean-Baptiste Cadeau dit Cadotte, whose large extended family, we demonstrate later, integrated into the local Anishinabek community. While the report also notes ten log houses in 1777 and "ten or twelve independent traders and their families" in 1789,<sup>12</sup> it also claims that it wasn't until after the Jay Treaty of 1794 that settlement began to take off on the British (Canadian) side of the Saint Mary's River. As such, according to the Holmes report the ethnogenesis of a Métis community in the Sault Ste. Marie region couldn't have taken place until *after* the early

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<sup>8</sup> Alan T.O. Corbiere, 2019. Anishinaabe Treaty-making in the 18th-and-19th-Century Northern Great Lakes: From Shared Meanings to Epistemological Chasms. PhD Dissertation. York University.

<sup>9</sup> Jennifer Adese. 2016. A Tale of Two Constitutions: Métis Nationhood and Section 35(2)'s Impact on Interpretations of Daniels. *TOPIA: Canadian Journal of Cultural Studies*, 36, 7-19; Jennifer Adese, Zoe Todd & Shaun Stevenson. 2017. Mediating Métis Identity: An Interview with Jennifer Adese and Zoe Todd. *MediaTropes*, 7(1), 1-25; Chris Andersen. 2014. *Métis: Race, Recognition, and the Struggle for Indigenous Peoplehood*. Vancouver: University of British Columbia Press; and Darren O'Toole. 2020. Wiisaakodewiniwag ga-nanaakonaawaad: Jiibe-Giizhikwe, Racial Homeopathy, and 'Eastern Métis' Identity Claims. *aboriginal policy studies*, 8(2), 68-95.

<sup>10</sup> Holmes and Associates, "Sault Ste. Marie Métis Historical Report," p. 6.

<sup>11</sup> Holmes and Associates, "Sault Ste. Marie Métis Historical Report," p. 6.

<sup>12</sup> Holmes and Associates, "Sault Ste. Marie Métis Historical Report," p. 6.

nineteenth century. As the Supreme Court of Canada set the period of Effective Control in SSM at “just prior to 1850”<sup>13</sup> (a timeline accepted by the MNO in its documentation), we can identify an immediate problem: how could successive generations of mixed-race individuals intermarry in the manner necessary to produce a distinct historical Métis community in less than two generations (i.e., circa 1800 to 1850)? The reports reviewed in this section simply don’t present evidence for the existence of a distinct, rights-bearing Métis community prior to 1850.

### *2.1.1. “Halfbreeds” in the 1850 Treaty Negotiations*

Fortunately, we have a good idea of who moved into the region in the nineteenth century due to a series of documents produced by colonial officials and Indigenous people. The Holmes Report presents a useful rundown of these documents in Appendix A.<sup>14</sup> By far the most important of these documents to the MNO’s claims is a petition for the quieting of “Indian” title that contains fifty-two signatures, forty-seven of whom are identified as “of mixed Indian Blood” while the remaining five were white men married to Indigenous women. This is the petition that the MNO now calls the SSM “Halfbreed Petition,” a name that continues to cause confusion about the precise nature of the document. One objective of this report is to unravel the meaning(s) of the petition.

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<sup>13</sup> *R v Powley*, [2003] 2 SCR 207 at para. 40: “The trial judge found, and the parties agreed in their pleadings before the lower courts, that “effective control [of the Upper Great Lakes area] passed from the Aboriginal peoples of the area (Ojibway and Metis) to European control” in the period between 1815 and 1850 (para. 90). The record fully supports the finding that the period just prior to 1850 is the appropriate date for finding effective control in this geographic area, which the Crown agreed was the critical date in its pleadings below.”

<sup>14</sup> Appendix A is seven pages long and features about 200 names of individuals identified at least once in about thirty-one different documents between 1826 and 1916. There are significant discrepancies between the report’s claims about the documents and what is featured in the appendix. For example, the report states that Alexander Vidal surveyed the settlement and compiled a list of forty-three heads of households, yet only twenty-seven individuals are ultimately included in Appendix A.



Importantly, many of the Anishinaabeg leaders negotiating with the Crown in 1850 were mixed-race, including Grand Chief Shingwaukonce (Little Pine or Augustin Bart)<sup>15</sup> of Garden River and Chief Nebenaigoching (Joseph Sayer)<sup>16</sup> of the St. Mary's River Rapids (today's downtown Sault Ste. Marie), as well as John Bell, a principal man from Garden River who signed the petition.<sup>17</sup> When Chiefs Shingwaukonce and Nebenaigoching pressed the Crown's representative at the negotiations to include their halfbreed relations, Robinson rejected their proposal and suggested that they memorialize their request as soon as possible to secure halfbreed land holdings.

Despite his efforts to put a stop to the inclusion of "halfbreeds" in the treaty, Robinson was unable to completely bar their inclusion as beneficiaries. Morrison points out that Robinson's voucher for payments at Garden River on 11 September 1850, immediately after the signing of the treaty, included cash payments to several prominent mixed-race heads of household, including Shingwaukonce's interpreter, Louis Cadotte, as well as Charles and Alexis Cadotte, Louis Corbière, and brothers Alexis, Joseph, Charles, and Joshua Biron.<sup>18</sup> SSM region residents, including some of those who had already received treaty payments, quickly followed Robinson's advice and prepared a petition requesting either title to their existing lands or title to new lands, depending on their land holdings at the time.

Four Chiefs in the region, Shingwaukonce, Nebenaigoching, Stabeosa, and Peabedossing, included a memorial to the petition requesting that the Crown provide their halfbreed relations with lands. In their appendix to the petition, the Chiefs wrote:

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<sup>15</sup> James Morrison explains that Shingwaukonce's name means Little Pine, and that he was a descendant of the Crane clan who had made treaty with Daumont de Saint-Lusson, on behalf of the French King, in 1671. He also claims that most of the Anishinabek chiefs who signed the treaty with the British for St. Joseph's Island in 1798 were Crane clan, as were the Chiefs who signed the 1820 Sault Ste. Marie Treaty on the U.S. side of the river. Little Pine signed that treaty with his French name Augustin Bart. He was likely the descendant of Laurent Barthe. James Morrison. 1996. "The Robinson Treaties of 1850," Prepared for the Royal Commission on Aboriginal Peoples, p. 26.

<sup>16</sup> The Morrison report explains that Chief Nebenaigoching was also known as Joseph Sayer. He was the son of Wa-be-che-chake (the White Crane) and grandson of Andajosi, both prominent chiefs. Nebenaigoching was a member of the Crane clan who were the original inhabitants of the St. Mary's River rapids. According to the 1850 petition, Sayer was mixed-race. Morrison, "The Robinson Treaties of 1850," p. 25.

<sup>17</sup> At the time of the treaty negotiations in 1850, there were 160 Anishinaabeg residents at the Rapids and 210 at Garden River. Morrison, "The Robinson Treaties of 1850," p. 25.

<sup>18</sup> Morrison, "The Robinson Treaties of 1850," p. 155.

The memorial of the undersigned Chiefs of the Ojibwas hereby shewith, that by the treaty signed and entered the 9<sup>th</sup> day of September between themselves and the Honble William B. Robinson upon part of the Crown, whereby was ceded to the Crown certain lands at the Sault de Ste. Marie, where on several parties had settled and cultivated, several of them for upwards of forty years by and with the consent of ourselves and people, and with scarce one exception, all have married Indian woman, and by them have families, with these exceptions the whole of the inhabitants of the Sault are what are termed ‘half breeds’ *very many of them, the children of the sisters and the daughters of your memorialists. Thus having an inheritance in the country equal to our own, and bound to it by as strong and heartfelt ties as we ourselves, we being apprehensive that the Government after having purchased this land of which these people also are equally the rightful and just owners, it would exact from them a purchase money far beyond that which the Government has paid out to us, to participate in which the half breeds are not permitted by the Government.*<sup>19</sup>

The Chiefs were advancing a form of diplomacy that was common to Anishinabek treaty-making, as historian Alan Corbiere’s research has demonstrated.<sup>20</sup> Notably, they were pushing back at the Crown’s sexist policy that barred the inclusion of the children of Anishinabek women whose fathers were Euro-Canadians in the treaty. The Chiefs refused to accept the Crown’s logic and explained – less than a month after signing the Treaty – that they recognized “very many” of the so-called halfbreeds as Anishinabek kin. Their blood quantum, highlighted by the Crown’s policy, is of no import to the Chiefs, as they specifically identified their mixed-race nieces and nephews and grandchildren as “having an inheritance in the country equal to our own.” In that sense, the “Halfbreed Petition” is not an effort by mixed-race people to be recognized by the Crown as a distinct Indigenous people with specific rights. The Chiefs’ memorial turns out to be an effort to ensure that their kin are treated as Anishinabek people either under the terms of the treaty or outside of its bounds.

Many of the Anishinabek leaders involved in the 1850 negotiations had negotiated previous treaties with the U.S. or the British Crown and were thus aware of other agreements that included mixed-race kin in the treaty. At the time of the negotiations of the 1826 Fond du Lac Chippewa Treaty, Anishinabek leaders demanded to include an article that made specific provisions for halfbreeds, including 640 acres of land to be located along the islands and shores of the St. Mary’s River. This fourth article of the Treaty listed the names of forty-nine individuals and their descendants, identified as halfbreeds of Chippewa descent. The article specifically requests that the descendants of an Anishinabek woman named Oshauguscodaywayqua (Charlotte) from Lac Courte Oreille in present-day Wisconsin shall be granted land “adjoining the lower part of the military reservation, and upon the head of Sugar Island.”<sup>21</sup> Charlotte’s husband

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<sup>19</sup> Holmes and Associates, “Sault Ste. Marie Métis Historical Report,” p. 32, emphasis ours.

<sup>20</sup> Corbiere, “Anishinaabe Treaty-making.”

<sup>21</sup> Holmes and Associates, “Sault Ste. Marie Métis Historical Report,” p. 10.

was Michel Cadotte, a French-Canadian trader in the region, and their children included brothers Alexis, Louis, and Charles Cadotte and their sister Mary Anne Biron.<sup>22</sup> These four Cadotte siblings were also all included among the 1850 petitioners who eventually became band members and treaty annuitants at Garden River through continued intermarriage with regional Anishinabek families. Nonetheless, despite entering treaty in the U.S. as Chippewa in 1826 and becoming Anishinabek treaty beneficiaries on the Canadian side of the border in the 1850s, the Holmes Report mistakenly identifies the family as key players in a regional “Métis” community, paving the way for the MNO to use the Cadotte family as one of its Verified Métis Family Lines for SSM.

Morrison points to another treaty made between the Anishinaabeg (Odawa and Chippewa) and the U.S. government in 1836 that covered portions of northern Michigan and Wisconsin. Article six of that agreement provided for the disbursement of \$150,000 (or about \$5 million USD adjusted for inflation) to the “halfbreed relatives” of the Anishinabek signatories.<sup>23</sup> Chief Shingwaukonce and other Anishinabek leaders would have been aware of the inclusion of their mixed-race kin in agreements across the river, as Morrison’s report suggests.<sup>24</sup>

Due in part to the inclusion of their half-breed relations in the 1826 Fond du Lac Treaty and the 1836 Ottawa and Chippewa Treaty, the Anishinabek leaders negotiating with Robinson came prepared to include a similar article in the 1850 treaty. The clause was virtually identical to Article Four of the Fond du Lac Treaty:

It being deemed important that the halfbreeds scattered through this extensive country shall be stimulated to exertion and improvement by the possession of permanent property and fixed residences, the Odjibewa nation, in consideration thereof and the affection they bear these people and their children and the interest they feel in their welfare, grant to each of the persons described in the schedule hereto annexed, one hundred acres of land to be located upon some part of the lands ceded by this treaty, and that free patents for each hundred acres, shall be granted by the Government to the undersigned respectively and their heirs forever, so soon as the persons therein referred to, shall have made the location they desire respectively.<sup>25</sup>

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<sup>22</sup> Louis Cadotte was the Anishinaabemowin interpreter for Rev. Abel Bingham’s Baptist mission on the U.S. side for a time and translated for Chief Shingwaukonce’s band during the 1850 treaty negotiations. His family was formally registered as Garden River band members during the disbursement of treaty monies on 11 September 1850. Morrison, “The Robinson Treaties of 1850,” p. 104.

<sup>23</sup> Morrison, “The Robinson Treaties of 1850,” p. 152.

<sup>24</sup> Morrison, “The Robinson Treaties of 1850,” p. 41.

<sup>25</sup> Morrison, “The Robinson Treaties of 1850,” p. 180.

Robinson refused outright to include it, despite Chiefs Shingwaukonce and Nebenaigoching's repeated pleas. Robinson advised the halfbreed residents of Sault Ste. Marie to document their position to the Crown for which he noted in his diary shortly after the treaty negotiations he expected them to receive title to their lands.<sup>26</sup> Thus, the Crown's refusal to include mixed-race Anishinabek in the 1850 Robinson-Huron treaty led directly to the development and submission of the "Halfbreed Petition."

### *2.1.2. Who Are the SSM "Halfbreeds" Identified in the 1850 Petition?*

Turning our attention to those mixed-race individuals identified in the 1850 petition, Holmes concludes that "of 55 heads of families listed, 21 or almost half have no easily identifiable family descendants on the treaty paylists. The families either left the Sault, integrated into the non-aboriginal community or formed a core of Métis separate and distinct from those associated with bands."<sup>27</sup> Holmes's wording here is awkward and hides the significance of her finding. Another way to consider Holmes's conclusion is that thirty-four heads of families identified in the 1850 petition or about 62% *do* have identifiable family descendants on treaty paylists, meaning that members of these families and their descendants integrated into neighboring Anishinabek bands, particularly those of Chiefs Shingwaukonce (Garden River) and Nebenaigoching (Batchewana Bay). Thus, it seems that the Chiefs were relatively successful in having their mixed-race kin included as band members and treaty annuitants since a significant majority of families that Holmes insists on calling "Métis" were brought into treaty by Anishinabek kinship practices and citizenship orders after the signing of the Treaty. Since the "Halfbreed" petition was ultimately unsuccessful in convincing the Crown to grant individual land grants to mixed-race families, Anishinabek leadership had to use other creative means to enact their kinship obligations.

Appended to the Chiefs' memorial were two lists of so-called halfbreeds for whom they made specific requests for title to land. The first list is of forty-four heads of household that the Chiefs presented as in need of title to their existing lands. Holmes recognizes thirty of the forty-four families as eventual band members and treaty annuitants. Given that according to the Holmes report at least 68% of the families listed here by the four chiefs were or become band members, their diplomatic efforts might have been a strategy to grow the size of the two main reserves in the region and/or to create a new reserve in Sault Ste. Marie at the head of the rapids (the current location of downtown SSM), where Chief Nebenaigoching and his children, as well as most of the other mixed-race families, lived on existing lands. Chief Nebenaigoching and his son Henry Sayer were identified in this list among those requesting title to their existing

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<sup>26</sup> Morrison, "The Robinson Treaties of 1850," p. 181.

<sup>27</sup> Holmes and Associates, "Sault Ste. Marie Métis Historical Report," p. 32, emphasis ours. Notably, 21 of 55 is actually 38.2%, not what we would consider "almost half."

lands. Remember that the Crane Clan, the diplomatic signatory of past treaties with European authorities dating back more than a century, inhabited the head of the St. Mary's River rapids, therefore retaining this land under Anishinabek jurisdiction would likely have been a legal and political priority for regional chiefs. The effort to grant individual title to the lands inhabited by Chief Nebenaigoching, his children, and their kin living at the rapids, points to the type of diplomatic innovation discussed in Alan Corbiere's work.<sup>28</sup>

According to Holmes, the second list appended to the petition identified thirty-four mixed-race heads of household for whom the Chiefs were requesting title to 100 acres of land each. At least 70% of those listed were or become band members; Holmes only identifies 15% as not becoming treaty beneficiaries, meaning that up to 85% may have become band members and treaty annuitants. Again, the Anishinabek chiefs appear to be using the diplomatic tools at their disposal to secure land holdings for their kin who were otherwise denied entry into the Robinson-Huron Treaty because of the Crown's unwillingness to acquiesce to repeated demands to include them.<sup>29</sup>

The Chiefs' two lists don't exactly correspond to the petition's signatories. It's unknown how the list of signatories was developed, and while there is significant overlap with the two lists presented by the Chiefs, there are also some marked differences. Notably, the Chiefs added thirty-three heads of household that were not in the list of signatories, over 80% of whom were or become band members, another clear sign that the Chiefs continued to favour their relations by enacting the obligations crucial to kinship practices. As a reminder, in the original list of signatories at least 60% of heads of household were or become band members.

The two lists reveal that the groups –those seeking title to their existing lands and those seeking a 100-acre grant – were not mutually exclusive. A few of the names among those who were requesting confirmation of their title were also on the list for those who were requesting a 100-acre grant.<sup>30</sup> In any event, many carry the same surnames and are undoubtedly related. Given the small number of

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<sup>28</sup> Corbiere, "Anishinaabe Treaty-making."

<sup>29</sup> Morrison argues that it was only after the Pennefather Treaty in 1859, through which the Garden River and Batchewana/Sault Ste. Marie bands surrendered over half their original reserves to the Crown, that the bulk of the local halfbreed population became enrolled with either band. He speculates that these families chose to become band members because of the difficulty in securing land title in Sault Ste. Marie. Morrison, "The Robinson Treaties of 1850," p. 155.

<sup>30</sup> Alexis Biron, Joachim Biron and Pierre Boyer, for example. It is possible that they may not be the same individuals, but a second generation who carry the name of their fathers or uncles.

residents in the first place and that most of their descendants integrated into the neighbouring Anishinabek bands, it would have been difficult for a group of halfbreeds to have survived as a distinct community as settlers quickly came to numerically overwhelm them. In fact, by 1901 there were 7,000 people living in Sault Ste. Marie.<sup>31</sup> Furthermore, Holmes' report suggests that many "half-breeds" apparently died during the smallpox epidemic in 1852,<sup>32</sup> further diminishing their population density.

It turns out that an analysis of the "Sault Ste. Marie Halfbreed Petition" that takes fully into account the contribution of the four regional Anishinabek chiefs presents a considerably different picture of the document. Overall, at least two-thirds of the eighty or so separate mixed-race families identified in the petition are clearly Anishinabek. There remain about 20 families, who, according to Holmes, "either left the Sault, integrated into the non-aboriginal community or formed a core of Métis separate and distinct from those associated with bands." It seems unlikely that the demographic weight needed to sustain a distinct Métis community was present in the region either prior to or even at the time of the petition in 1850. The most likely outcome for those twenty families, if they were even that numerous to begin with, was that they left the SSM region or integrated into the local white community.

James Morrison explains that after consideration by the Executive Council, the Commissioner of Crown Lands recommended that the petitioners be afforded the opportunity to purchase 50-acre land grants at the "nominal rate" of one shilling per acre. The Land Committee of the Executive Council agreed with the Commissioner's report, and it was approved by the Governor-General on 20 February 1852, less than eighteen months after the petition was submitted to the Crown.<sup>33</sup> Morrison traced the landholding patterns of the petitioners and their descendants up until 1900. According to Morrison, few "Métis" obtained land patents. Of the 114 property transactions between 1858 and 1871 in the region, individuals of mixed ancestry were only involved in 18 of them, and only ever as seller or mortgagee. By 1900, only half a dozen "Métis" still owned property in Sault Ste. Marie,<sup>34</sup> though Morrison's analysis problematically assigns the term "Métis" to all halfbreeds, even those who ended up living at Garden River with their Anishinabek kin.

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<sup>31</sup> PRAXIS Research Associates, "Review of Reports," p. 56.

<sup>32</sup> Holmes and Associates, "Sault Ste. Marie Métis Historical Report," p. 40.

<sup>33</sup> Morrison, "The Robinson Treaties of 1850," p. 183-84.

<sup>34</sup> Morrison, "The Robinson Treaties," p. 184.

As time passed, more and more “halfbreeds” and their descendants became treaty beneficiaries. Morrison points out that by 1898, the number of Robinson-Huron treaty beneficiaries had more than doubled to nearly 5,700, which led to conflict between the provincial government (tasked with paying the annuitants) and the federal government (tasked with upholding the terms of the treaty). By 1899, the Department of Indian Affairs created a new administrative category that stopped the transmissibility of certain beneficiaries’ title in an attempt to cull the number of annuitants. “Halfbreeds” were particularly targeted by the new policy, as children born to “halfbreeds” before 1898 could only receive annuities until the age of twenty-one (and they couldn’t transmit their title to annuities to their own children), while children born after 1898 would not be treaty beneficiaries. The policy received strong disapproval from the Anishinabek and the federal government repealed the non-transmissibility policy in March 1917.<sup>35</sup> Again, we have clear evidence that the regional Anishinabek population fought for the inclusion of their mixed-race kin as treaty beneficiaries, this time into the twentieth century.

## **2.2. Lytwyn’s *Powley Report* (1998)**

The Lytwyn Report starts with a few eyewitness accounts that, in the author’s view, provide “clear evidence of a distinct and cohesive Métis community at Sault Ste. Marie prior to 1850.”<sup>36</sup> However, the assembled excerpts from nineteenth-century documents only provide evidence that some colonial officials identified certain individuals as mixed-race, despite Lytwyn’s insistence that they were identifying a distinct “Métis” community. This opening section sets the tone for the entire report: Lytwyn makes broad assertions without providing sufficient corroborating evidence.

For example, in one case from the opening section, Lytwyn inserts “Métis” into a quotation that explicitly refers to “Freemen.”<sup>37</sup> In another primary source, Lytwyn carelessly interprets a reference to “Canadians and other squatters” to mean “Métis,”<sup>38</sup> once again, without any evidence. Lytwyn also claims that a certain Thomas McKenney described a “Métis community” in Sault Ste. Marie in 1826, even though the excerpt merely mentions eighty houses and provides no information about their inhabitants. Likewise, a quotation from Lieutenant James Harper that simply mentions “250 souls, occupying 50 houses” in 1845 is used as evidence for the presence of a distinct “Métis” community. He later mentions the description of river lots in a survey carried out by Alexander Vidal in

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<sup>35</sup> Morrison, “The Robinson Treaties,” p. 163-66.

<sup>36</sup> Lytwyn, “Historical Report,” p. 2.

<sup>37</sup> Lytwyn, “Historical Report,” p. 5.

<sup>38</sup> Lytwyn, “Historical Report,” p. 9.

1846 as evidence of a “Métis” community but provides no excerpt from Vidal’s description that supports this conclusion.<sup>39</sup> He cites the 1850 petition wherein the petitioners state that, with few exceptions, “the whole of the inhabitants of the Sault are what are termed ‘half-breeds,’”<sup>40</sup> as evidence for his arguments. Yet, we have already demonstrated that most of the heads of households who were included in the petition were in fact Anishinabek. Overall, Lytwyn’s report, commissioned by the MNC/MNO for the *Powley* case, takes so many shortcuts to render its conclusions meaningless.

One reason for Lytwyn’s lack of analytical rigour is that he doesn’t consider any of the literature on ethnogenesis. If he had, his conclusions about the existence of a historic Métis community would have been substantially different. For example, historian John Foster, who worked extensively on the question of Métis ethnogenesis in the 1980s, would have likely labeled many of the households whom Lytwyn takes to be “Métis” as “proto-Métis.”<sup>41</sup> Morrison makes a similar distinction when he argues that the “[Great Lakes] métis should be seen as an incipient ethnic group” and that four settlements in the territory covered by the Robinson-Huron Treaty “could be classed as actually – or incipiently – métis.”<sup>42</sup> These four communities were Penetanguishene, Killarney, St. Joseph’s Island, and Sault Ste. Marie. Our previous examination of the historical mixed-race individuals who lived in Penetanguishene, Killarney, and Sault Ste. Marie demonstrated that there doesn’t exist a contemporary Métis community tied to these individuals. In other words, these “proto” Métis or “incipient” Métis communities follow one of the two routes proposed in the Holmes report: they move away from these specific communities, or they integrate with the local white community over several generations. Whether or not they become the root ancestors of a distinct mixed-race community depends on, among other factors, the marriage choices of their children and grandchildren. Assessing whether ethnogenesis took place would require a detailed genealogical analysis, something Lytwyn doesn’t carry out in his report.

Overall, the research that was used in the *Powley* case, including Lytwyn’s report, presents several incontrovertible weaknesses that may be received differently by the Supreme Court today. Either way, examining these reports with an eye on Métis understandings on

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<sup>39</sup> Lytwyn, “Historical Report,” p. 1.

<sup>40</sup> Lytwyn, “Historical Report,.” p. 27.

<sup>41</sup> John Foster. 1985. “Some Questions and Perspectives on the Problem of Métis Roots.” In *The New Peoples: Being and Becoming Métis in North America*, eds. Jacqueline Peterson and Jennifer Brown, Winnipeg: University of Manitoba Press, p. 87.

<sup>42</sup> Morrison, “The Robinson Treaties of 1850, p. 22.



Métis ethnogenesis and Anishinabek understandings of kinship relations and citizenship orders provides us with key insights not available to court officials some 20-25 years ago.

### 2.3. Ray's *Powley* Report (1998)

The Ray Report, also commissioned by the MNC/MNO for the *Powley* case, begins with a discussion of the difficulty of identifying Indigenous identity in the archival records. To overcome some of these difficulties, Ray opts to interpret the use of the terms “freemen,” “Canadien,” “half-breed,” and even at times “Indian” in the historical records to mean “Métis,” even though each of these terms is also and/or predominately used to denote some other meaning. To support his interpretation, Ray claims that “the meaning of the term ‘half-breed’ is clear, [but] the use of the word ‘Indian’ in the records is not.”<sup>43</sup> In Ray’s view, the term “Indian” was used “in the same sense as we presently use the expression ‘Native people’ [or Aboriginal] to include ‘Métis’ and ‘Indians’ alike.”<sup>44</sup> Ray seems to manifest the same lack of self-reflection that plagues the research on the so-called SSM Métis in that the only reason the term “half-breed” seems clear is because Ray works from the assumption that it can only ever mean “Métis” in the contemporary sense of a distinct, post-contact, mixed-race people. Contrary to what Ray claims, the use of the term “half-breed” in the nineteenth century is not at all clear, though it normally referred to the *racial* origins of an individual or a group of individuals. It *can* be an indicator of self-identification, but the individual so designated may also have self-identified as *Canadien* or Anishinabek in following the legacies of biological racism in play at the time. Without further evidence focused on the question of ethnogenesis, it is impossible to draw any hard and fast conclusions in this regard. Yet, Ray almost systematically substitutes the term “Métis” wherever he finds “freemen,” “Canadien,” “voyageur,” or “half-breed.”<sup>45</sup>

Ray even goes so far as to rewrite the historical record in a manner that contravenes citational norms in academic research. For instance, Ray quotes an HBC District Report from Michipicoten Post and inserts the word “Métis” after “Freemen” (“Freemen [Métis]”) in a manner that suggests that the author meant to refer to Métis people.<sup>46</sup> Since the term “freemen” doesn’t refer to an ethnic identity, but to an occupational niche and that there were so-called freemen who were European and Haudenauonee working

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<sup>43</sup> Ray, “An Economic History,” p. 7.

<sup>44</sup> Ray, “An Economic History,” p. 7.

<sup>45</sup> Notably, Ray explains that the 1828 HBC District Report for Michipicoten describes the 700 individuals in its district are “a mixed race, deriving their origin from the Sauteaux or Ojibway and Cree Tribes and of course resemble these people in manner and disposition.” p. 28.

<sup>46</sup> Ray, “An Economic History,” p. 26.

in the region at the time, then transforming the HBC employee's meaning in such a way is quite problematic. A few pages later, Ray illustrates how such poor citational practices can lead to faulty conclusions when he expounds that "it is clear from the Michipicoten records that Métis [freemen] families also lived in the region."<sup>47</sup> Here, Ray flips the terms to suit his argument – as we just pointed out, the HBC wrote about freemen, not about Métis, though Ray's formulation suggests otherwise. What is clear from the records he presents is that "freemen" families lived in the region, not "Métis" families. Nonetheless, by taking liberties with the historical records, Ray finds a way to support his conclusions.

In addition to an incredibly broad understanding of "Métis," Ray implicitly relies on the assumption that only "racially pure" First Nations are truly "Indian." Therefore, labeling anyone with mixed ancestry as "Indian" is a case of misrecognition, which means that simple hybridity is itself a sufficient condition to conclude the existence of a Métis identity. In other words, no intergenerational process of ethnogenesis is necessary for the emergence of a distinct post-contact people. In that sense, Ray's strict biological understanding of historical identity would deny that Chiefs Shingwaukonce and Nebenaigoching were Anishinabek.

Ray also turns voyageurs and Canadiens into "Métis" by relying heavily on Johann-Georg Kohl's ethnographic account in the region that spanned winter 1855 and 1856. In an oft-cited passage, Kohl mentions a man in a "Canadian fishing hut"<sup>48</sup> who self-identified as both "voyageur" and "chicot." While Kohl observed that "my Canadian has some Indian blood in his veins," he claims that *chicot* "has become a nickname for the half-breeds," though Jacqueline Peterson has pointed out that "[a]ll subsequent historical usages of *chicot* as *bois brule* or *Metis* can be traced to Kohl. *There are no other known examples.*"<sup>49</sup> In addition, according to Peterson, from "Kohl's footnotes, we learn that some French-Canadian voyageurs were classified as *chicots*, even if they had no Indian ancestry."<sup>50</sup> Therefore, similar to other terms such as *voyageur*, *Canadien*, and *freemen*, *Chicot* could refer to French-Canadian individuals. It's not a synonym for mixed-race or Métis, despite Ray's assertions about it.

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<sup>47</sup> Ray, "An Economic History," p. 29.

<sup>48</sup> Johann Georg Kohl. 1985. *Kitchi Gami. Life Among the Lake Superior Ojibway*. [originally published in 1860]. Minneapolis: The Minnesota Historical Society Press, p. 260.

<sup>49</sup> Jacqueline Petersen. 2012. "Red River Redux: Metis Ethnogenesis and the Great Lakes Region." In Nicole St-Onge, Carolyn Podruchny, and Brenda Macdougall, (eds.). *Contours of a People: Metis Family, Mobility, and History*. Norman: Oklahoma University Press, p. 26, emphasis ours.

<sup>50</sup> Peterson, "Red River Redux," p. 26.

Contrary to what Ray claims, nowhere in his book does Kohl ever mention a “Métis” community or even groups of “half-breeds” fishing or hunting together when he pursues his ethnographic study of the Anishinabek in Sault Ste. Marie. In fact, Kohl only references a mixed-race person twice in his manuscript: the first time in reference to a man (Lafleur) living on Sugar Island, and the second in reference to Chief Shingwaukonce, whose mother “educated him among the Indians and in the Indian way.”<sup>51</sup> When taking leave of the Sault, Kohl does mention, “our kind Canadians, Indians and half-breeds,”<sup>52</sup> but it seems that Kohl is referring to specific Anishinabek individuals such as Lafleur and Chief Shingwaukonce rather than a distinct cohesive group.

Overall, much like Lytwyn’s report for the Métis National Council, Arthur Ray’s report is at best unreliable in its assessment of the existence of a distinct Métis community in the SSM region. For the most part, Ray’s work rejects the most basic academic tenets by repeatedly misattributing arguments to other scholars that they never made themselves in their work. Besides the lack of academic grounding for his research, Ray defines “Métis” in such a broad manner as to render the term meaningless. “Indian” means “Métis,” “voyageur” means “Métis,” “chicot” means “Métis,” “freemen” means “Métis,” “halfbreed” means “Métis;” the weakness of Ray’s approach is his lack of consideration of Anishinabek perspectives on regional economic history.

#### **2.4. The OMNR’s Jones Report (1998)**

In the “Review of Reports,” the authors note that the “Jones report begins with the period of negotiation of the Robinson-Huron Treaty and does not present any analysis of a métis community development prior to this period.”<sup>53</sup> Given the importance of the period of Effective Control in the MNO and Government of Ontario’s 2017 recognition process, the Jones report’s focus on the period *following* Effective Control in the region means it’s of limited use.

Much like the other reports, including her OMNR reports for the Mattawa region, Jones does not account for the ethnogenesis of a métis community in Sault Ste. Marie. The emphasis of her report seems to be more on the persistence of a métis community after 1850 by relying on census materials from the 1861–1901 period. However, when Jones surveyed the so-called Métis in the 1901 census, she included fifty-six “métis” (presumably, the term used in the census was “breeds”) in Batchewana, 419 in Garden River and 202 in the Town of Sault Ste. Marie. Again, the number of “métis” are artificially inflated by including individuals of mixed ancestry who are

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<sup>51</sup> Kohl, *Kitchi Gami*, p. 374. See also page 377.

<sup>52</sup> Kohl, *Kitchi Gami*, p. 426.

<sup>53</sup> PRAXIS Research Associates “Review of Reports,” p. 35.

clearly status Indians living in Anishinabek communities, which according to Jones' own numbers likely represents *at least* 70% of those individuals enumerated with the term “breed” under the designation for “Racial or Tribal origins.” However, since it's unclear how many of the 202 “breeds” living in the Town of Sault Ste. Marie are also status Indians or Indians who lost their status due to the sexist clauses in the *Indian Act* at the time, then it is possible that 100% of the “Métis” individuals identified by Jones are in fact status Indians. While the census may be an indicator of *racial* identity, further information is required to understand how the term “breed” was used at the time and how individuals understood that term before drawing any conclusions about social and cultural identity.

### **3. ANALYSIS OF ACADEMIC MATERIAL**

This section of the report provides an overview and analysis of key academic literature that discusses cultural and sociopolitical activities in SSM and its environs and the broader Great Lakes region from the mid-1700s up until 1850. The secondary sources reviewed, for the most part, tend to focus on either Anishinabek and/or “Métis” histories. Yet, negotiations surrounding the 1850 Treaty and the various correspondence and petitions leading up to the historic agreement, cannot be disentangled from earlier political and diplomatic relations and histories between French and British settlers, “halfbreeds,” and Anishinabek in the Great Lakes region. It's our view that the academic literature, regardless of its focus, must engage with these disparate histories together (whether the focus is on “halfbreeds” or Anishinabek) to centre “relations” as the foundation for the sociopolitical realities in the region during the period under study. Unlike identity categories, which are often fluid, imposed, and unstable, “relations” (particularly those that led to the Treaty of Niagara in 1764) provide key insight into the political and sociocultural understandings and practices of all stakeholders in the Great Lakes region.

The academic literature was also reviewed to ascertain whether the authors provided a clear definition of “Métis,” more importantly, one that follows the Metis Nation's citizenship code that involves more than simply being of mixed Indigenous-settler ancestry. Of the sources reviewed, none provided a consistent, clear definition of “Métis” as an autonomous, distinct, socio-political Indigenous group separate from Anishinabek. At times, authors use “Métis,” but then later refer to individuals of “mixed Aboriginal descent” without clearly articulating the differences between each identifier. There are a few exceptions. First, the chapter by Karl Hele on Native identity and agency in Mesoamerica, the Andes, and Canada, references the Sault Ste. Marie Indigenous community circa 1820.<sup>54</sup> Hele states that in 1820, the Sault Indigenous community was self-governing and in full control of its membership while outsiders generally placed people within a particular category—Métis, Half-breed, Indian, French, or Canadian. According to Hele, individuals were

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<sup>54</sup> Karl S. Hele. 2018. Nation Making/Nation Breaking: “Effective Control” of Aboriginal Lands. In *Hemispheric Indigeneities: Native Identity and Agency in Mesoamerica, the Andes, and Canada*, eds. Miléna Santoro and Erick D. Langer (183-232). Lincoln: University of Nebraska Press.

identified as “Métis” if they spoke French and Anishinaabemowin, had a small garden outside their home, were of a darker complexion, and dressed “in an Indian manner.” Individuals were labeled as “French” if they were a lighter skin colour, literate, and lived in a floored house. “Canadian” was used to identify “Métis” or French individuals involved in the American fur trade. Lastly, an individual was seen as an “Indian” based on skin colour, mode of life, lodging, and general inability to speak English or French properly. Second, in an earlier publication, Hele states that the term “Métis” referred to anyone who was part Chippewa/ Ojibwa and something else, whether it be Indian, Black, or White.<sup>55</sup> In neither of these cases does Hele provide sufficient evidence to conclude that these typologies were (widely) used. Third, Alan Knight and Janet Shute clearly state that their research on the “métis” of Sault Ste Marie uses the uncapitalized métis to denote the population of mixed Native and European ancestry residing in the Upper Great Lakes area, not to be confused with the capitalized Métis, which refers to the new Métis Nation that burst upon the Red River scene in 1816.<sup>56</sup>

Several academic sources provide evidence that individuals in the region often shifted in and out of different identifiers (e.g., Indian and/or half breed) based on the context of the situation and their goals and interests. For example, the Anishinabek Grand Chief Shingwaukonce (1773–1854) was known to assert himself as a mixed-blood individual, or “halfbreed,” particularly in political-economic contexts south of the border.<sup>57</sup> The son of a white settler man and an Anishinabek woman, the famous Garden River First Nation Chief would at times go by his French name Augustin Barthe, though he mainly went by his Anishinabemowin name Shingwaukonse, or Little Pine.

Another example of a recognized Anishinabek individual attempting to strategically use a “halfbreed” identity as they moved in and out of different geographical and socio-economic situations was Louis Nolin, whose mother was Anishinabek from the Garden River First Nation. Before we unpack this example, it is important to remember that prior to the solidification of an international border through the Great Lakes and Sault Ste. Marie area, Anishinabek and their kin moved freely throughout the entire Great Lakes region from areas now understood as Ontario to communities within present-day Michigan, Wisconsin, and Minnesota. Indeed, Chief

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<sup>55</sup> Karl S. Hele. 2008. The Anishinabeg and the Métis in the Sault Ste. Marie Borderlands. In *Lines Drawn upon the Water: First Nations and the Great Lakes Borderlands*. Waterloo: Wilfrid Laurier University Press. 65-84.

<sup>56</sup> Alan Knight & Janet E. Chute. 2008. In the Shadow of the Thumping Drum: The Sault Métis – The People in-Between. In *Lines Drawn upon the Water: First Nations and the Great Lakes Borderlands*, ed. Karl Hele (85-113). Waterloo: Wilfrid Laurier University Press.

<sup>57</sup> Knight & Chute, “In the Shadow of the Thumping Drum;” and Anne F. Hyde. 2016. The Blue Flower and the Account Book: Writing a History of Mixed-Blood Americans. *Pacific Historical Review* 85(1), 1-22.

Shingwaukonce was known to have summered in the Fond du Lac area (present-day Wisconsin) along with Chief Nebenaigooching (1808–1899) and other SSM Anishinabek whose families were involved in trade.<sup>58</sup> Despite attempts to organize Anishinabek according to imagined colonial settler states, Anishinabek continued to disrupt these imposed boundaries and participate in diplomatic relations with colonial state actors on both sides of the border.

This meant that Anishinaabe located north of the border were intimately aware of treaty-making processes south of the border. Beginning in 1817, many Indian treaties granted land to half-breeds in the United States. A careful study of these treaties, however, reveals that the grantees were not always half-breeds; they were often “Indian” who had shown in some way a proclivity for “civilized” life and the state was using both the term “half-breed” and the provisions outlined in the treaties to signal and encourage a kind of cultural assimilation. The 1837 treaty with the Chippewa of Lake Superior is an example of a nineteenth-century treaty whereby monies were distributed among “the half-breeds of the Chippewa nation.” The caveat was that the treaty recipient had to demonstrate that one of their parents was born and resided in the St. Croix River area of Wisconsin/Minnesota.

Going back to the case of Louis Nolin, Nolin was one of several claimants who attempted to fabricate stories about their origins to capitalize on the ignorance of settler officials. Nolin attempted to claim that he was born on the St. Croix River and thus was entitled to treaty provisions; however, he was corrected by his own southern kin in the St. Croix area who knew that he was from Garden River.<sup>59</sup> Louis Nolin was the brother of Anishinabekwe Marie-Madeleine Nolin. The MNO purports that Marie-Madeleine was a “Documented Métis” and, as such, is one of two root ancestors for their Corbiere-Nolin Verified Métis Family Line. As we pointed out in our previous report, it’s problematic that this VMFL starts with Marie-Madeleine and her husband John Corbiere because both Marie-Madeleine and John were born in Garden River and were enumerated repeatedly as Anishinabek living in Garden River throughout their lives.

Marie-Madeleine Nolin’s brother, Louis, born only a few years before her, appears to have misled authorities about his birthplace to receive payments under the 1837 treaty. There was a clear economic incentive to identify himself as a “halfbreed.” While Marie-Madeleine stayed in the SSM region, their parents moved west along with several of their older children including Augustin Nolin. By 1820, Augustin had made his way to Pembina, North Dakota, and he eventually settled at St. Boniface in the Red River settlement.

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<sup>58</sup> Knight & Chute, “In the Shadow of the Thumping Drum.”

<sup>59</sup> Theresa Schenck. (2010). Border Identities: Métis, Halfbreed, and Mixed-Blood. In *Gathering Places: Aboriginal and Fur Trade Histories*, eds. Laura Lynn Peers and Carolyn Podruchny (233-48). Vancouver: University of British Columbia Press.

Augustin's son, Charles Nolin, became a prominent Métis leader on the Red River frontier, a force in economic, political, and educational activities, along with his two brothers Joseph and Duncan.<sup>60</sup> He was a power broker in the Red River troubles of 1869–70, but disagreed with Métis leader Louis Riel over the use of violence during the North-West resistance of 1885. One can see that while some members of the Nolin family relocated to the Red River Settlement and became heavily involved in Métis politics due in large part to marrying into established Métis Nation families, Marie-Madeleine remained in her Anishinabek community, had children who were enumerated as Indian at Garden River, and so forth.<sup>61</sup> Regardless, the MNO's claim that Marie-Madeleine is a "Métis" root ancestor suggests that they are relying on the fact that three of her siblings and their descendants married into Métis families at the Red River Settlement and themselves became prominent Métis power brokers in the region. In that sense, the MNO is enacting a form of what Darryl has called "lateral descent," or when one makes a claim to an Indigenous identity based on ancestral proximity.<sup>62</sup>

What is clear is that because these imposed identity categories (e.g., Indian, half-breed) were imagined primarily by outside authorities, they were mostly inconsequential to the ways in which the Anishinabek practiced their sophisticated kinship and clan systems in the Sault Ste. Marie and Great Lakes region. Anishinabek could and did shift between categories as a political strategy. As Schenk states, each identity category was continuously being negotiated depending on the social and cultural context.<sup>63</sup> For example, there were times when Pierre Lavoine, also known as "Tegoosh, son of Chief Shingwaukonse" was identified as "Métis" simply due to his sedentary and farming lifestyle, as well as the fact that he resided in a house. Yet, throughout the 1850 Robinson-Huron Treaty making process, Tegoosh and his family asserted themselves as Anishinabek as evidenced in their desire to be on the annuity list.

It's important to reiterate that Anishinabek didn't see themselves as culturally or politically different north/south of the international border but did understand how colonial state actors differed in their treaty-making approaches. Schenck's work examined how in 1826, in the Treaty of Fond du Lac, the Lake Superior traders who were married to Anishinabek women tried to get the Indians to grant to their "half breed relations" 640 acres of land, or one section each, around Lake Superior. The U.S. Senate didn't approve this

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<sup>60</sup> Diane P. Payment, "NOLIN, CHARLES," in *Dictionary of Canadian Biography*, vol. 13, University of Toronto/Université Laval, 2003–, accessed September 15, 2023, [http://www.biographi.ca/en/bio/nolin\\_charles\\_13E.html](http://www.biographi.ca/en/bio/nolin_charles_13E.html).

<sup>61</sup> "An Exploratory Study of Métis Nation of Ontario's 'Historic Métis Communities' in Robinson-Huron Treaty Territory. A report submitted to Robinson-Huron Waawiindamaagewin, March 2023, p. 27.

<sup>62</sup> Darryl Leroux. 2019. *Distorted Descent: White Claims to Indigenous Identity*. Winnipeg: University of Manitoba Press, p. 103-133.

<sup>63</sup> Schenck, "Border Identities."

article of the treaty, however, and no land was allotted. Of note is that the subsequent U.S. treaties of 1836 and 1855 did include payouts to half-breeds and quarter-breeds; however, it's quite clear that colonial state actors were using this as a form of class-based incentive and not as a form of political recognition for a distinct people. For example, the first of these treaties outlined categories of half-breeds according to "first-class," "second-class," and so forth based on colonial views around who was demonstrating western notions of "success" and "civilization."<sup>64</sup>

### **3.1. Anishinabek Kinship and the 1850 "Halfbreed Petition" at SSM**

One thing that's significant to note is that among the Anishinabek, unions/marriages were viewed as highly political acts that involved strategic decision-making by leadership and families to form alliances with non-Anishinabek for economic and political gains. What's not often noted is that Anishinabek kept tabs on the unions of all group members in various annals. Indeed, the Ojibwe (People of the pen) kept chronicles of every Anishinabek citizen that married outside the nation, who and why they married, and the children from this union. Knight and Chute write about how this Ojibwe custom of recording examples of cultural exogamy was noted by German writer and historian Johann Georg Kohl, who argued that this provided half-breeds with a sense of identity and belongingness *as Anishinabek*.<sup>65</sup> While this may be true, what also needs to be highlighted is how the practice of keeping well-documented records of marriages outside the band was key to the political and economic stronghold that Anishinabek maintained in the Great Lakes in the eighteenth and nineteenth centuries. Michael McDonnell touches upon this when he writes about how within the eighteenth and nineteenth centuries the nations of the Great Lakes were connected with each other in such complicated ways through generations of intermarriage and kinship networks, which evidenced the power of Anishinabek governance structures and the quest to relate along common interests (e.g., trade, peace).<sup>66</sup> Yet, the existence of detailed records that not only listed names but the reasons for the union/marriage point to an important fact: Anishinabek governance systems sought a balance between cultural exogamy (marrying out) and endogamy (marrying in) precisely to ensure that the nation maintained its political, social, and economic power throughout the region. This is particularly relevant when looking at the key claims that the MNO is making about regional families.

For example, in a recent opinion piece published on their website, the MNO claims that in the 1830s "Métis" families asked Chief Shingwaukonce (who was raised and identified as Anishinabek) to represent them, suggesting that their request signaled that they

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<sup>64</sup> Hele, "The Anishinabeg and the Métis in the Sault Ste. Marie Borderlands."

<sup>65</sup> Knight & Chute, "In the Shadow of the Thumping Drum."

<sup>66</sup> Michael A. McDonnell. 2015. Maintaining a Balance of Power: Michilimackinac, the Anishinaabe Odawas, and the Anglo-Indian War of 1763. *Early American Studies*, 13(1), 38-79.



were an autonomous, separate community.<sup>67</sup> The MNO contends that if these families were already recognized as Anishinabek kin by Chief Shingwaukonce, they wouldn't have had to ask for representation. However, remember that Anishinabek stakeholders north of the border were aware of the differences in which the two differing settler entities approached diplomatic relations and treaty-making. In fact, a "halfbreed" Pierre Cadotte complained to President Jackson in 1836 that a lead negotiator for the U.S., Henry Rowe Schoolcraft, was being nepotistic and unfair regarding the disbursements of treaty provisions to halfbreeds.<sup>68</sup> Given their political savviness, the established practice of using imposed racist colonial terms to their advantage, and their knowledge about halfbreeds receiving treaty provisions south of the border, it isn't surprising that more northerly Anishinabek Chiefs would petition the Crown for lands for their mixed-blood relatives. After all, these were already their blood relatives, and this is an excellent way to secure additional lands for your nation according to your kin relations.

The MNO's argument that Anishinabek leaders advocated for the 1850 signatories of the "Halfbreed Petition" as a distinct/separate people is flawed, as this interpretation doesn't factor in the kin-based governance structures of the Anishinabek or their political culture of non-interference (Anishinabek didn't insert themselves as negotiators representing the interests of other Indigenous nations). Simply put, Anishinabek were not invested in politicking for another distinct group of people that saw themselves as autonomous from their nation. They were invested in strategic moves to increase their land base by advocating for their own relatives given that Anishinabek organized themselves according to complex kinship relations. When one examines the text used in the petition, the Chiefs clearly articulate that they are advocating for the heads of households they refer to as "halfbreeds" because they are kin, having married or being the children of their sisters or daughters. One may liken what they were doing as a way of ensuring that their female kin were not discriminated against, the irony being that this is indeed what happened through the *Indian Act* more than two decades later when First Nation women (and their children) lost their Indian status if they married a non-Indian man.

Further evidence that the "halfbreeds" identified in the petition were halfbreed Anishinabek kin is found in Hele's PhD dissertation when he notes that even though the Chiefs failed to enter their halfbreed relations into the treaty, it made little difference as subsequent years of intermarriage meant that families including Bell, Biron, Perreault, Boissonneault, Larose, and Cadotte simply ended up as part of the Garden River or Batchewana Indian bands.<sup>69</sup>

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<sup>67</sup> Mitch Case. 2023. Telling Truths about the Métis in the Robinson Huron Treaty Territory. MNO Website.

<sup>68</sup> Karl S. Hele. 2002. "By the Rapids:" the Anishinabeg-missionary Encounter at Bawating (Sault Ste. Marie), c. 1821-1871. PhD Dissertation, McGill University.

<sup>69</sup> Hele, "By the Rapids."

### 3.2. The Cadotte and Longlade Families

One of the most prominent families that the MNO uses in their Verified Métis Family Lines for SSM is the Cadotte family. As part of the historical narrative that accompanies the Cadotte family line, the MNO states: “the Forebearers for this Verified Métis Family Line are Michel Cadotte le Petite [*sic*] and his wife Charlotte Okapeguijigokoue. Michel was a fur trader in what is now Minnesota and Wisconsin; Charlotte was an Ojibwa woman.”<sup>70</sup> By introducing a French-Canadian man and Ojibway woman as “forebearers,” the MNO illustrates their faulty reliance on mixedness regarding the SSM “Métis.” From there, the MNO suggests that their children were “Métis” root ancestors for the VMFL. Four (4) children of one of these root ancestors (Marie Ann Cadotte) signed the aforementioned 1850 “Halfbreed Petition,” which further cements the MNO’s narrative in their eyes. What is problematic about the MNO claim about the Cadotte VMFL is that it disregards the history of the relations and broader kinship structures that endured for generations among the Anishinabek of the SSM area.

For example, the Cadottes are one of the single most well-documented families in the “metis” or “halfbreed” literature that we reviewed.<sup>71</sup> Family patriarch Jean-Baptiste Cadotte Sr. (b. 1723 in Batiscan, Quebec) was a prominent trader who became kin with Anishinabek in 1756 when he married Anishinabekwe Athanasie (Nipissing) at Michilimackinac. Their younger son, Michel (1764-1837), also known as Kechelmeshane or “Le Grand Michel,” was born in SSM and in 1787 married Ossinahjeeunoqua (Equaysaway, or Marie Madeleine) of La Pointe (WI), who was the daughter of Waubojeeg (The White Fisher), a prominent Anishinabek leader, born in present-day northern Wisconsin. Michel Le Grand’s son, also named Michel (1787-1856), married an Anishinabek woman named Esther Kagawaiain. Even though Michel “Le Grand” Cadotte is perhaps the most prominent halfbreed fur trader documented in the Great Lakes region (he is the central figure in historian Robert Silbernagel’s 2020 expansive work on Great Lakes Fur Trade history from 1760 to 1850), neither Michel nor his son Michel is the Michel Cadotte that the MNO draws upon. The Michel Cadotte the MNO uses in their Cadotte VMFL is the first cousin of Michel Le Grand. Both Michels were baptized the same year (1764); however, Michel “Le Grand” Cadotte was baptized in SSM while his cousin, Michel “Le Petit” Cadotte, was baptized in Batiscan, Quebec, where he spent his formative years. Very little is written about Michel Le Petit Cadotte precisely because he didn’t relocate to the Great Lakes until he started working as an adult for his uncle, Jean Baptiste Cadotte Sr., and his cousin, Michel Le Grand. It is important to remember that by the time Michel Le Petit was in the SSM area, there had been multiple generations of

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<sup>70</sup> Métis Nation of Ontario. 2017. Cadotte Verified Métis Family Line, p. 1.

<sup>71</sup> Theresa Schenck. 2002. Who Owns Sault Ste. Marie? *Michigan Historical Review*, 28(1), 108-121; and Robert Silbernagel. 2020. *The Cadottes: A Fur Trade Family on Lake Superior*. Madison: Wisconsin Historical Society Press.

Cadotte men marrying into and becoming kin with Anishinabek; thus, it isn't surprising that Michel Le Petit followed the pattern of his relatives in marrying an Anishinabekwe himself. By the time the Anishinabek Chiefs petitioned for the inclusion of their "halfbreed" relatives in the 1850 treaty, families like the Cadottes had married into several prominent families over multiple generations – they even included several of Michel Le Petit's children in the petition because they were considered Anishinabek.

Another prominent figure within "halfbreed" histories of the Great Lakes region is Charles Longlade (or Langlade). The MNO casts Charles Longlade and his Anishinaabe partner "Angelique" as the "forebearers" to several "Métis" root ancestors (their children) in the Longlade VMFL for Georgian Bay. However, the MNO provides no details about Charles Longlade's life, somewhat insinuating that he was a non-Indigenous man. Yet, Charles Longlade was a notable Odawa Anishinabek historical figure who was of mixed ancestry himself. His father was French trader, Augustin Langlade, and his mother was a Nassauekueton Odawa (Nation de la Fourche) woman named Domitilde. His maternal grandfather was Nissowaquet, one of the most prominent ogimaa in the region who was present throughout the negotiations leading up to the Treaty of Niagara (1764) and was a key figure entrusted with the covenant chain wampum at Michilimackinac.<sup>72</sup> His grandson Charles Longlade was one of the most influential and well-known Odawa Anishinabek figures from Michilimackinac. For example, in 1759, acting on the request of his Anishinabek kin and clansman, Longlade led a force of 1,200 Ojibwe, Menominee, Fox, Sac, Sioux, and Cree from Michilimackinac down the Ottawa River to upstate New York, where they hoped to help the French in what turned out to be their unsuccessful defense of Fort Niagara.<sup>73</sup> According to Corbiere's careful analysis, Charles Longlade was recognized by Odawa Anishinabek as Odawa Anishinabek and carried out political activities as an Odawa Anishinabek. The fact that Longlade married a fellow Anishinabek further evidences that their children were not "Metis" root ancestors but were clearly Anishinabek.

In other words, for over a century prior to the mid nineteenth century, Anishinabek in the Great Lakes region, including SSM, applied their already established cultural practice of advancing political and economic interests through marriage. Marriages with individuals who were not Anishinabek spoke to what Anishinabek hoped to achieve as a distinct Nation of people rather than what Anishinabek thought about the political or economic interests of other peoples. Simply put, the Anishinabek chiefs negotiating the terms of the 1850 treaty would not have advocated for a distinct group of halfbreeds, but instead, were working to include their kin under the treaty.

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<sup>72</sup> McDonnell, "Maintaining a Balance of Power," p. 75.

<sup>73</sup> Corbiere, "Anishinaabe Treaty-making" p. 152.

### 3.3. Powerful Anishinabekwe in the SSM and Great Lakes Region

Key academic material on “halfbreed” histories in the Great Lakes region demonstrate that both white men and men with mixed Anishinabek-settler ancestry married into powerful Anishinabek families. These sources elucidate how the individual and collective activities of these men depended not on their individual identities as much as on leveraging the political and social capital of their female Anishinabek partners. One notable problem with the MNO’s representation of the “Forebearers” of its VFMLs is that they completely ignore the role that Anishinabekwe played in raising their children as Anishinabek. As we have demonstrated so far in this report, the mixed-race children of Anishinabekwe were educated to speak the language, follow diplomatic protocols, and act on behalf of the Anishinabek people throughout present-day Wisconsin, Michigan, and Ontario.

Corbiere and Knight and Shute, for instance, draw attention to how Athanasie, the Anishinabek wife of Jean-Baptiste Cadotte Sr., saved the infamous merchant Alexander Henry’s life following the Anishinabek capture of Michilimackinac in 1763, as she was able to intercede with her kin Madjeckewiss (1735-1805) who had initiated the attack.<sup>74</sup> It’s no surprise then that Athanasie’s children would become prominent Anishinabek diplomats and leaders, since she herself was a member of the Owaazsii (Bullhead) clan, which was associated with leadership, as several notable Anishinabek hereditary chiefs in the Great Lakes during the eighteenth and nineteenth centuries were of this clan.<sup>75</sup> The MNO’s poor approach to history, and especially its complete lack of consideration of Anishinabek citizenship orders, lead them to conclusions about mixed-race people that are unreliable.

Similarly, Knight & Shute, Hyde, and Corbiere discuss the life of Oshasuguscodaywayqua or Susan Johnston (1772-1843), the Anishinabek wife of Irishman John Johnston.<sup>76</sup> Mrs. Johnston not only carried on a commercial sugar-making and fur-trading operation in her own right, but when her husband was in Ireland in 1820, she demonstrated exceptional negotiating skills by quelling a volatile situation between an American military party and the Ojibwe at the SSM rapids. Local authorities followed her counsel because of her own reputation as a savvy businesswoman and because she was the daughter of Waubojeeg (The White Fisher, 1747-1793). Susan Johnston spoke only Anishinaabemowin and passed down other key cultural teachings to her mixed-race children, all of whom are recognized in the U.S. as Anishinabek today. In fact, her daughter Jane (1800-1842) is largely recognized as one of the

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<sup>74</sup> Corbiere, “Anishinaabe Treaty-making;” and Knight & Chute, “In the Shadow of the Thumping Drum.”

<sup>75</sup> Corbiere, “Anishinaabe Treaty-making.”

<sup>76</sup> Knight & Chute, “In the Shadow of the Thumping Drum;” Hyde, “The Blue Flower and the Account Book;” and Corbiere, “Anishinaabe Treaty-making.”

first Native American poets and literary writers. Oshasuguscodaywayqua was also kin with the Cadotte family, since her sister Ossinahjeeunoqua (Marie-Madeleine) was married to Michel “Le Grand” Cadotte.

Further, McDonnell notes that up until and after the War of 1812 all halfbreeds in the Great Lakes region spoke Anishinabemowin, employed their clan affiliations gained through their mother, wore Anishinabek style clothing, and participated in Anishinabek spiritual and medicinal practices.<sup>77</sup> The MNO’s focus on the use of the “breed” in historical documentation betrays their lack of understanding of the lives of mixed-race people living along the Great Lakes in the eighteenth and nineteenth centuries.

### **3.4. Anishinabek Governance in the Great Lakes Region During the Eighteenth and Nineteenth Centuries**

A valid critique of the history presented by the MNO is that it is divorced from the greater context of Indigenous relations within the SSM region. History is an interpretive exercise and when one attempts to enact meaning from documents or events that took place at a specific point in time, one must do so by grounding these interpretations in the nature and structure of Indigenous societies and polities over an extended period. This type of *relational* approach is specifically relevant to the histories and experiences of Métis as they are a post-contact people. It is thus relevant to examine the greater context of Anishinabek cultural practices and beliefs over time rather than isolating specific people, events, and/or activities.

From the seventeenth to the late nineteenth centuries, Indigenous-settler relations within the Great Lakes and SSM region were guided by an intricate and complex system of Anishinabek governance that involved an acknowledgement and actualization of clan roles and responsibilities to the land, as well as Nation to Nation treaty-making. Scholars Corbiere and Dean Jacobs and Victor Lytwyn (2020) provide comprehensive histories of how and when the Dish with One Spoon (naagan ge bezhig emkwaan) treaty between the Anishinabek and Haudenosaunee was invoked throughout the Great Lakes area, beginning in 1701 with the Great Peace Treaty of Montreal up until the mid-late 1800s.<sup>78</sup>

The Dish with One Spoon treaty was, among other things, an agreement between several nations, primarily, the Anishinabek and Haudenosaunee, to share resources from their respective territories in vast regions of the Great Lakes. It provided a foundation for

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<sup>77</sup> McDonnell, “Maintaining a Balance of Power.”

<sup>78</sup> Corbiere, “Anishinaabe Treaty-making;” and Dean M. Jacobs & Victor P. Lytwyn. 2020. Naagan ge bezhig emkwaan: A Dish with One Spoon reconsidered. *Ontario History*, 112(2), 191-210.

later agreements including the Royal Proclamation of 1763 and the Treaty of Niagara (1764), which recognized the territories of First Nations and established a procedure by which land could be acquired by the British Crown.<sup>79</sup>

The Dish with One Spoon also involved a specific political protocol/practice of convening the Council Fires when issues around land, rights, and resources were at question within the environs of the Great Lakes. As Corbiere states, the Council Fires were official places where treaties were negotiated, and conflicts handled. Leaders from Indigenous Nations throughout the Great Lakes would gather through the Council Fires and conduct matters of significant political importance like airing grievances, settling disputes, and entering treaty negotiations. The Council Fire served as a beacon, a light to dispel darkness, and a flame to warm up. The inextinguishable Council Fire was also a reference to the place where treaty presents were distributed, so literally, the “warmth” around the fire was also a reference to the cloth, blankets, and drink that warmed the people who came to partake.<sup>80</sup>

For example, at a Council Fire held in Sault Ste. Marie in 1848, the Crown approached Anishinabek leaders in the Great Lakes area to discuss the possibility of entering treaty. The Crown stated that they wanted to determine who the owners of the land were to obtain their consent for a surrender. At this time, they challenged Anishinabek leadership by asking them to prove that they were the owners of the land and that a treaty was indeed required. As Corbiere has explained, Anishinabek chiefs responded the same way they had always responded:

The Anishinaabeg in 1848, just like their ancestors in 1760, knew that they were the sole owners of the land. This sentiment was expressed by various chiefs, from the Odaawaa Chief Pontiac to Ojibwe Chief Shingwaukonce (Zhingwaakoons). The chiefs knew their rights to the land and asserted it but it was the British who had seemed to have forgotten their ‘engagements’ as entered at the 1764 Treaty of Niagara.<sup>81</sup>

In another example featured in Corbiere’s work, a Grand Council was held in the summer of 1879 at Garden River because the British had stopped presenting Anishinabek with annual gifts. The assembled Anishinabek leaders met to discuss how the unilateral decision on the part of the British to discontinue the presentation of gifts symbolized an end to good diplomatic relations and the upholding of

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<sup>79</sup> Jacobs & Lytwyn, “Naagan ge bezhig emkwaan.”

<sup>80</sup> Corbiere, “Anishinaabe Treaty-making.”

<sup>81</sup> Corbiere, “Anishinaabe Treaty-making,” p. 291.

terms within the Treaty of Niagara. The leaders discussed the need for an audience with the Queen's representatives, and potentially the Queen herself, to restore broken treaty commitments.<sup>82</sup>

We have sought to highlight the history of Anishinabek governance in the Great Lakes region, specifically some of the diplomatic protocols that were followed well into the mid-late 1800s. One notable aspect of the academic material on the cultural and sociopolitical activities near Sault Ste. Marie (SSM) and the broader Great Lakes region from the mid-1700s up until 1850 is that there is never any reference to "Metis" or "halfbreeds" as a distinct post-contact Indigenous people, which runs counter to the MNO's claims that Anishinabek leaders in the 1800s advocated for the treatment of their "halfbreed" relatives as politically independent.

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<sup>82</sup> Corbiere, "Anishinaabe Treaty-making."

#### 4. TRACING KEY MNO FAMILIES into THE PRESENT

As part of our efforts to verify the MNO (and Government of Ontario's) claims about the "Historic Sault Ste. Marie Métis community," we developed a third approach that traces the descendants of five key families at the basis of MNO documentation. We chose these five families because they were the only ones among the fourteen VMFLs for SSM that were identified as "Métis" prior to Effective Control according to the MNO. Their identification as "Métis" was made based on at least one family member signing the so-called "halfbreed petition," which we have already demonstrated involved primarily mixed-race Anishinaabeg people.

We have traced the descendants of the MNO "forebears" or "root ancestors" for these VMFLs using publicly available documents, such as census and vital records and obituaries. It's important to note that the MNO often conflates or confuses the terms "forebearers" and "root ancestors." We didn't aim to identify every descendant at each generation, but instead sought to examine a representative sample at various generations, up to at least generation 5. Often the MNO's own VMFL reports trace 2-3 generations of descendants. The table below provides an overview of our findings and gives us a snapshot into Anishinabek marriage practices.

We discovered that there's a clear pattern among the descendants of these five key SSM families. Most of their descendants marry other Anishinabek individuals in Generations 2 and 3 (Generation 1 represents the forebearers or root ancestors). Generation 3 corresponds to individuals who were born between 1812 and 1921, with the bulk of the eighty-two births we tracked taking place in the 1850s to 1870s. These findings confirm our previous ones that the SSM forebearers or root ancestors couldn't have been part of a distinct Métis community prior to 1850 because mixed-race Anishinabek Boissonneau, Sayer, Cadotte, and Corbière descendants were marrying other Anishinabek people for a generation *after* Effective Control. A significant majority (57%) continued to do so even into the fourth generation, which corresponds with the first generational cohort that lived most of their lives in the twentieth century, *way after* Effective Control (50+ years).



**TABLE 1: Marriage Patterns of Descendants of 5 SSM VMFLS**

<b>VMFL</b>	<b>Generation 2</b> (b. 1820s-1840s)	<b>Generation 3</b> (b. 1850s-70s)	<b>Generation 4</b> (b. 1880s-1890s)	<b>Generation 5</b> (b. 1900s-1920s)	<b>Generation 6</b> (b. 1930s-1950s)	<b>Generation 7</b> (b. 1960s-1980s)
Boissonneau	6 of 9	23 of 38	10 of 20	7 of 15	7 of 25	1 of 3
Sayer-Labris	4 of 6	14 of 15	10 of 14	2 of 6		
Sayer	3 of 4	8 of 9	9 of 16	3 of 11	0 of 7	
Cadotte	2 of 2	4 of 4	11 of 16	8 of 20	2 of 18	0 of 8
Corbière-Nolin	7 of 8	14 of 16	7 of 16	0 of 5		
<b>TOTAL</b>	<b>22/29 – 76%</b>	<b>63/82 – 77%</b>	<b>47/82 – 57%</b>	<b>20/57 – 35%</b>	<b>9/50 – 18%</b>	<b>1/11 – 9%</b>

Because of the higher rate of exogamy (out-marriage) past Generation 5 – the first generation to be primarily born in the twentieth century – there are thousands of potential MNO members just from these five VMFLs. By following their path through time and place, we found descendants have settled mostly in the Sault Ste. Marie area and the Upper Peninsula of Michigan, but there are notable populations in the U.S. South and Midwest, as well as in British Columbia. Whatever the case, the pattern is clear, if an individual married out by Generation 4, there was little likelihood that their descendants would marry back in. These are the individuals that the MNO has successfully targeted: those who are on average three to five generations removed from their Anishinabek relations. Overall, this finding confirms our previous projection of potential MNO members – that the MNO has only begun to tap into the large number of individuals in and around Robinson-Huron Treaty territory who have Anishinabek ancestry but whose families have lived as white people, often for multiple generations. Of course, most of these people would also qualify for Indian status under the provisions of Bill S-3, adopted by Parliament in 2017 and amended in 2019.

By tracing the descendants of these five families for several generations and tracking marriage patterns, we’ve found further compelling evidence that refutes the MNO’s claims that these families were key in the emergence of a distinct, rights-bearing Métis community in the SSM region prior to Effective Control.