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THE ROLE OF THE PROVINCIAL BOUNDARY IN THE HISTORY OF TEMISKAMING

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Algonquin Land use and the Ontario-Quebec Border.

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Introduction.

The objective of this short paper is to outline some of the ways in which the existence of the Ontario-Quebec border has impacted on Algonquin land use, occupancy, and history. This is not intended to be a comprehensive treatment of the issues, or an exhaustive review of the facts. Instead, it is a sample of the results from our research to date, grouped around the border issue. Nonetheless, we trust that they will shed some light on this under-studied aspect of the history of the region.

The Algonquins.

The Algonquin nation (which includes groups known historically as Nipissings) is most closely related to the Ojibway, Odawa and Potawatomi Nations, with whom Algonquins share a common language (*anishnabemowin*), and many usages and customs.

Traditionally, Algonquin nation territory stretched from Trois Rivieres in the east, to Lake Nipissing in the west, south to the Adirondak mountains in New York State and north above Lake Abitibi. Around the fringes there were areas of common use with other nations. After 1785 this territory was sharply reduced by the impact of settlement, the spread of diseases, and displacement due to resource development. (See attached map for a portion of the territory, circa 1867.)

Today, there are ten Algonquin First Nation communities in Ontario and Quebec who are recognized by the Department of Indian Affairs. Timiskaming, Wolf Lake, Barriere Lake, Long Point (Winneway), Eagle Village (Kipawa), Abitibiwinni (Pikogan), Lac Simon, Grand Lac Victoria (Kitcisakik), and Kitigan Zibi (Maniwaki) are located in Quebec. The Algonquins of Golden Lake First Nation are located in Ontario, near Pembroke. Together, their population of registered members numbered 8,705 in 1994.[1]

On the western side of the territory, related Anishnabe communities are located at Nipissing, Temagami, Wagoshig (Abitibi) and Matachewan, all in Ontario.

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[1] Canada, *Indian Register Population by Sex and Residence, 1994* (DIAND, Ottawa, 1994).

The Algonquin Nation Secretariat.

The Algonquin Nation Secretariat (ANS) is a tribal council which represents the rights and interests of three Algonquin First Nation communities - Barriere Lake, Wolf Lake and Timiskaming. Their territories lie in northwestern Quebec and northeastern Ontario and are included within the lands reserved by the Royal Proclamation of 1763. The Algonquins have retained their Aboriginal title to their traditional territories; they have never signed any land cession treaties surrendering Aboriginal title; nor has their title been extinguished by any other lawful means.

Since 1996/97, the ANS has been undertaking research to establish the facts related the its member Bands' history and land use. This has involved the collection of oral history, land use mapping, and a substantial amount of archival research. Although many aspects of the research are continuing, others are almost complete. In this paper, we will share some of our findings about the impact of the interprovincial border.

Watersheds as Boundaries.

Algonquin tenure systems, similar to their neighbours the Ojibway, were based on watersheds: rivers, lakes, and heights of land formed the natural boundaries between family territories, Band territories, and the territories of the different nations.

The territories of those Algonquin Bands who lived in the Upper Ottawa included the lands drained by the lakes and rivers flowing into the Ottawa River and Lake Timiskaming from east and west. These boundaries were dictated by geography and hydrography, not by mapmakers in the provincial capitals.

For example, in the Algonquin language, the Timiskaming people call themselves *Saugeen Anishnabeg*, which means "people of the river mouth". This refers to the broad estuary formed by the Blanche and Quinze Rivers on the northeast side of Lake Temiskaming.

Traditionally, Timiskaming members gathered along the shore and on islands in this estuary in the spring and summer to make maple sugar, hunt waterfowl, catch fish, and gather berries and marsh hay. During the fall and winter, however, the various families hunted and trapped up the various rivers which flow into Lake Temiskaming. These include the Blanche, Englehart, and Montreal Rivers in Ontario, and the Quinze River in Quebec. Like Lake Temiskaming itself, all of these rivers form part of the Ottawa River watershed.

This natural boundary was acknowledged in early non-Indian settlement and trade patterns, too: canoe routes, trade corridors, centres of commercial activity accommodated the lay of the land - especially when water was the primary means of transport.

Because of this reality, for many decades the Ontario-Quebec border, although it existed in theory, had no practical effect on day to day life: the region, its settlement, transport and economic patterns, were defined by watersheds, not by the provincial border.

The natural patterns and relationships which had evolved for thousands of years changed dramatically with the extension of settlement and government administrative presence. The division implied by a 'border' became more pronounced, with direct effects on Algonquin land use, resource use, and interaction with non-Algonquin institutions. In a sense, this is a story about the struggle between geography and temporal authority in determining human identity and social/economic relations.

Early Indian Affairs administration.

Until well into the 20th century, Indian Affairs administration, like the Algonquins themselves, did not conform to the interprovincial boundary. The communities near the south end of Lake Timiskaming (Kipawa, Wolf Lake) often received services through Mattawa, Ontario, and were ostensibly the responsibility of the resident Agent at Sturgeon Falls, Ontario (near North Bay on Lake Nipissing). On the other hand, the Algonquins of Abitibi, many of whom "lived" in Ontario, were administered through the North Temiskaming Agency at the head of Lake Timiskaming, in Quebec.

There are other examples of this inter-provincial ambiguity. Throughout the late 1800's, relief and agricultural assistance provided to the Algonquins of Golden Lake (in Ontario) were paid out of the Indians of Quebec Fund, because they too were considered "Quebec Indians".[2]

Beginning at least in the 1870's, the federal government provided the Algonquins of the Kipawa and Wolf Lake area in Quebec with services out of Mattawa. From the 1880's until at least the 1930's, medical services were provided from Mattawa, even though technically those bands were the responsibility of the Indian Agent stationed on the Quebec side of the head of the lake.[3] Efforts to move the delivery of services to Quebec were most often resisted.

[2] Canada, Sessional Papers, 1877 vol. 7, no.11, Annual Report of the Department of the Interior, Indian Branch: Return 'B(3)', Province of Quebec Indian Fund: pp. 56-58: Statement re: Quebec Indian Fund, 1875-76.

[3] See Statements of expenditures for relief and seed, Indian Affairs Annual reports.

Chief Joseph Petrimont of Wolf Lake wrote to Indian Affairs in 1921, in part to express the community's preference for the provision of Doctor's services. The Chief wanted to maintain the connection which had already been established with one Dr. M James, since "his living in Mattawa is convenient for the people if they wish to visit him."[4]

The preference for medical services from Ontario had as much to do with language as with easier access. The proximity to the border, and the long history of contact via the Ontario side, is reflected in the fact that the majority of the members of the Kipawa, Wolf Lake and Timiskaming Bands speak English today.

Throughout the 1940's, 50's and 60's, Wolf Lake and Timiskaming members complained bitterly when the federal government tried to make them use hospitals and sanitoriums on the Quebec side, largely because of the language factor. New Liskeard and Haileybury were the places where these members wanted to go to receive medical services.

Obadjiwan/Fort Temiscamingue.

Fort Temiscamingue is a very graphic example of the border's impact on pre-existing patterns of settlement and land use.

Obadjiwan - meaning "both sides of the narrows" - occupies a strategic location on Lake Timiskaming where the two sides come together and almost meet, with easy access from a number of tributaries flowing from the east and the west. For thousands of years, Algonquin and Ojibway people have come to Obadjiwan from both sides of the Ottawa river watershed on an annual basis. It was a focal point of their cultural, political and economic life: they would gather there to fish, hold councils, arrange marriages & alliances, and plan for the coming year. It was also a major trading centre which was part of a larger inter-tribal commercial network that stretched at least as far as Labrador and the Atlantic coast long before the arrival of the Europeans. Archaeological evidence indicates that this site has been used continuously by the Algonquin and their ancestors for over 6,000 years.

Upon their arrival in the territory, Europeans recognized the strategic importance of Obadjiwan, and its already significant role in existing Aboriginal trade networks. As early as 1700, French traders located on the east side of the narrows to trade with the Algonquins who frequented the site, and to draw others from further afield, as part of the ongoing rivalry between the English and the French. The first formally recognized fur trade post at Obadjiwan was established in 1720, eventually known as Fort Temiscamingue.

Forty years later, after the conquest of the French, the post was taken over by English

[4] NAC RG10 Vol.6025 File 43-6-1 Pt.1 Reel C-8146 - Timiskaming Agency - Wolf Lake day school - general admin. (1910-1931): Chief Petrimont to Indian Affairs, 12 September, 1921.

traders operating out of Montreal. In 1794-95, the North West Company assumed control over operations until their merger with the Hudson's Bay Company in 1821. The HBCo continued its operations at this location until 1902.

The Oblates established a mission on the Ontario side of the narrows in 1839, from which they carried out their work, which included long forays into the Quebec interior to the east and up to Abitibi in the north.

The fur traders and the missionaries both drew on the pre-existing patterns which had evolved in response to the geography. The Oblate's annales show that Algonquins and Nipissings from Matachewan, Temagami, the Head of the Lake, Kipawa, Mattawa and Abitibi would pass through Obadjiwan on a regular basis, to trade their furs and other produce with the HBCo, and to receive medical and spiritual assistance from the Oblates.

The fact that it included both sides of the lake was integral to the history and function of Obadjiwan. However the underlying configuration changed once colonization began after 1886. The Oblates vacated the St. Claude mission on the Ontario side of the narrows in favour of the new town of Ville Marie, on the Quebec side of the lake. The HBCo moved their main operations from the site in the decades afterward, maintaining only a skeletal presence in the years before the post was finally shut down in 1902.

Much later, when Parks Canada established the Fort Temiscamingue National Historic Site, only the portion of Obadjiwan which lies on the Quebec side was acquired; the other half of the site, which lies in Ontario, was apparently not even considered at the time of acquisition. The Algonquin Nation Secretariat is now in the process of working with Parks Canada to revise the interpretive materials associated with the Fort Temiscamingue National Historic Site so that they more accurately reflect the reality that Obadjiwan has always included both sides of the narrows.

Colonization and imposition of the border.

It was with colonization that the Ontario-Quebec border really began to have a practical impact on pre-existing settlement and economic patterns.

The following excerpt from the Oblate Annales of 1886 reflects the rivalry that was present as both Ontario and Quebec began a conscious effort to colonize the Timiskaming area:

> Colonization Societies have also been formed to attract families to this unoccupied wilderness. The province of Quebec has a good one for its side. Thanks to it, several settlers are now established on Temiskaming and are content with their lot. Thanks to the Society as well, the Long Sault Railway is under construction. The province of Ontario, its powerful rival, has not remained asleep. It has also formed a Colonization Society in order to anglicize as much as possible the other side of the

> lake, which forms the border. On board the Mattawan I found the secretary of this Society, Mr Foster, who has been deputized by the Society to visit the shores and lands on our lake, which he will report on when he returns. We travelled a short time together. He seemed to greatly admire the picturesque beauty of our lake. We parted at the Montreal River [...][5]

As each government began to extend its administration to its respective parts of the watershed, changes began to occur, and barriers began to be erected.

Different laws and "non-resident" status.

As administration and law & order moved north, different game laws, seasons, limits, and regulations prevailed in Ontario and Quebec. This had a direct impact on people who had always been accustomed to using lands and wildlife resources on both sides of the boundary.

By 1907, Ontario was formally distinguishing between "resident" and "non-resident" fishermen in its regulations.[6] Although many Algonquins of Timiskaming, Kipawa, Wolf Lake and neighbouring communities had used and occupied lands in both Ontario and Quebec from time out of mind, they were considered "non-residents" by the Ontario government.

In 1909, the government of Ontario made illegal to act as a guide unless licenced and approved by the local game warden.[7] These game wardens did not give priority to "Quebec Indians" when recommending or issuing licences to guide, and in some instances simply refused to issue them. This was the case in 1928, when the Indian Agent at North Temiskaming reported that "[...] some of our Quebec Indians who have been employed as guides in Temagami District Ont. for many years are not permitted to go back to their work this year because the game warden will not sell them their licence".[8]

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[5] Archives Deschatelets, JH 401 .C21R 14: Annals of the Temiskaming Mission for the Year 1886 [translated from the French by Anna & Jim Morrison]: entry for 30 June 1886.

[6] Ontario O-in-C of 3 May 1907: NAC RG10 Vol.6743 File 420-8 Pt.1.

[7] Ontario O-in-C, 20 March, 1909: NAC RG10 Vol.6743 File 420-8 Pt.1.

[8] Caza to McLean, 13 July 1928: NAC RG10 Vol.6750 File 420-10A, Reel C-8,106.

As increasing numbers of Aboriginal people from Quebec were charged by Ontario officials for harvesting in that province, Frank Pedley of Indian Affairs wrote Ontario's Minister of Fish & Game to ask for special consideration, explaining that, "Of course, Indians have their own peculiar way of regarding such matters, and are unable to appreciate distinctions between provincial boundaries as others do [...]".[9] His request was declined.

A complicating factor in all of this was that the laws, seasons and limits in each province were different, and although officials rarely took the trouble to inform the Algonquins of the regulations, they had no qualms about prosecuting them. John Angus Wabie, a member of the Timiskaming Band who had purchased furs from other Algonquins in Quebec and then went over to the Ontario side to sell them, was prosecuted in 1912[10] on the basis that "it was not permissible to have such furs in possession in the Province at that time". He had $400.00 in furs confiscated, a small fortune at the time.[11] His status as a 'non-resident' was central to his prosecution.

Although he was acknowledged to be "very poor", and the Department of Indian Affairs made efforts to have the furs returned, the provincial government would not make an exception. In the event, the skins were no longer available anyway. The Chief of the New Liskeard Police, along with another officer and the Game warden, had conspired to sell the furs and pocketed the proceeds for themselves. They in turn were prosecuted, paid $150 in fines, and lost their jobs.[12]

By 1922, the Ontario government was taking the position that only Indians "permanently resident in the province" could avail themselves of the harvesting exemptions applying to Indians.[13] This meant that when a closed season was declared on beaver in 1923, and "Ontario Indians" were limited granted exemptions, Quebec Algonquins whose territory lay in Ontario were effectively prohibited from this activity altogether.[14]

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[9] Pedley to Tinsley, 14 November, 1909: NAC RG10 Vol.6743 File 420-8 Pt.1.

[10] 11 July, 1912: NAC RG10 Vol.6750 File 420-10: Quebec Game Laws 1895-1926; Reel C-8,106.

[11] *Ibid.*, 8 October, 1912.

[12] Tinsley to McLean, 3 July 1913: NAC RG10 Vol.6743 File 420-8 Pt.2

[13] JD McLean to Ontario Game & Fisheries, 22 March 1922: NAC RG10 Vol.6747 File 420-8X Pt.1, Reel C-8104.

[14] Bulletin, 1923: NAC RG10 Vol.6745 File 420-8 Pt.3, Reel C-8103.

Two decades later, in 1942, the government of Ontario was simply refusing to allow "Quebec Indians" to trap in Ontario, without qualification,[15] and it continued to prosecute them vigorously when it was able to track them down.[16] Things came to a head in 1944-48, when Ontario introduced and refined the registered trapline system. Ontario First Nations themselves found that the province was using the introduction of the trapline system to appropriate their territories and replace them with whites.[17] Under these circumstances, it was obvious that "Quebec Indians" would have even less of a chance of obtaining recognition of their rights to family trapping grounds in Ontario.

In his book "Kipawa, Portrait of a people", the late Kermot Moore spoke of his conversations with Antoine Lariviere, who told him that in the 1940's the Ontario game wardens tried to "close the west side" of the Ottawa River to those who lived on the east (Quebec) side. A significant number of families continued to use the areas where they had traditionally gone,[18] while others were not inclined to run the risks.

Many families whose territories were in Ontario lost their traplines and their livelihood during this period, but it did not totally eradicate continuing use and occupation of lands on the other side of the border. Land use studies conducted at Timiskaming and Wolf Lake in 1996/97 confirm that many people continued to harvest big game and furs in Ontario throughout the 1940's and 1950's, in spite of prejudicial laws and aggressive enforcement.

But they had to do it covertly, and be prepared to face prosecution if they were caught. Enforcement agencies were well aware of the cross-border trade. In 1947, a Quebec game warden noted that South Temiscamingue was "where the illegal fur buying is done [...] close to Ontario border."[19]

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[15] Hugh Conn to DJ Allan, 1 February 1942: NAC RG10 Vol.6751 File 420-10X Pt.5, Reel C-8107.

[16] Indian Affairs to RCMP, 10 December 1943: NAC RG10 Vol.6750 File 420-10 Vol.5.

[17] Memo from Hugh Conn, 19 April, 1944: NAC RG10 Vol.6747 File 420-8X Pt.3, Reel C-8104.

[18] Moore, Kermot "Kipawa - Portrait of a People" (Cobalt: Highway Bookshop, 1982): p. 54.

[19] Diary of a field investigation, Rene Levesque, November 1947: NA RG10 Vol. 6753 File 420-10-4GR-1: Quebec Fur Conservation - Correspondence re: the Grand Lac Victoria Preserve of the Maniwaki Agency (Maps) 1947-1950

Interviews carried out with elders at Wolf Lake and Kipawa indicate that for many years there were simply no beaver in Quebec (due to the unregulated “invasion” of the traplines by non Indians in the period between the two World Wars), and people had to “sneak across the river” into Ontario to trap them.[20] With beaver pelts going for $50 a piece in 1945, profit was an incentive.[21] One person from Kipawa who trapped on the Ontario side in the post war period described the ways in which they adapted to changing circumstances:

> We had no canoe or nothing in there. All on foot. Sometimes you make a fire at night in there, airplane come over, sometimes you make about 5-10 fires, airplane used to come over at night looking for that. And Geeze, the first thing, you have a good fire going, you have to put it out... They used to fly around at night, daytime too. [...] That time there was so many beaver [on the Ontario side], it didn't take you long to catch some beaver. All you needed was a half dozen traps, you can carry what you want, you have to take enough groceries for maybe [...] 3 or 4 days, Sleep out ....[22]

People would make rafts to cross the river:

> That time, they had pulp. Pulp is 12 feet long, or 16, I forget now. And there was all kinds of it on the shore, piled up all over. So you just got a raft with rope, hide the rope, travel across the river at night; let the logs go on the Ontario side, make another raft to come back to Quebec side." [...]
>
> Each trip was about 4 days; skin beaver on the Ontario side, bring the hides back - just two guys. Back in Quebec, they would arrange to have the fur buyer meet them - he would weigh the fur, pay on the spot & then drive them home: "If you had 10 lbs. you got paid $1,000.”[23]

The one time this same informant was caught, he had his furs seized and paid a fine of $200.

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[20] Wolf Lake Land use study transcripts (9 Feb/96): id#4519; Wolf Lake Land use study transcripts (10 Feb/96): id#4705.

[21] *Ibid*., id#4705.

[22] Wolf Lake Land use study transcripts (#1 - 8 Feb/96; #2 - 9 Feb/96): id#4697.

[23] *Ibid*.

Another Algonquin from the Kipawa area who trapped in Ontario in the post war period explained why canoes were not taken across the river:

> we wouldn't take our canoe there, because with your canoe, your chances are 10 to 1 to be caught, but without the canoe, just travelling in the bush and no sound, no noise, with your ears open listening all the time. [.....] They knew we were trapping in there, and they tried hard to catch us. They even, the plane would be flying over us all day, and we'd travel. We'd hear the plane coming and bingo, under a tree, hide, let the plane go by, boy. Oh, they worked hard to catch us. They did.[24]

This same trapper had a conscious game of cat-and-mouse with the local Quebec game warden. He recounted one of his jousts when interviewed in 1996:

> I got into a fight with the game warden at Ville Marie one time. At Temiscaming. And I won the battle. Right there, with Billy Irvin, the Justice of the Peace, and he settled it. So [the game warden] told me, 'I'll get you [...]. The day's coming I'll get you'. 'I'm going to tell you one thing,' I said, 'You're not smart enough to catch me.' And he watched me! I came out from my trapping ground, closed season on beaver. I sit down talk to him on the train. I got on at Antoine's Point, he was on at Ville Marie, coming down to Kipawa. I sit on the same seat as him, talked to him all the way down with two beaver skins wrapped around my body and a bunch of rat skins in a packsack. So he asks me, 'You mind if I go and look in your pack?' I says, 'You're welcome to it, go right to it.' [25]

It also bears mentioning that First Nations resident in Ontario whose traditional lands extended into Quebec faced the same problems in their efforts to maintain their connection with their land base, except in reverse. For them, it was the government of Quebec who pursued a policy of restricting and eliminating their continued use and occupation of traditional lands. We have found many examples of Indian people from Nipissing, Mattawa, Golden Lake and Temagami who ran into troubles with enforcement officers in Quebec because of their “non-resident” status. [26]

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[24] Wolf Lake Land use study transcripts (16 Feb/96) id#4761

[25] *Ibid.*

[26] See NAC RG10 Vol.6750 File 420-10A: Quebec Game Laws 1926-1932.

Today.

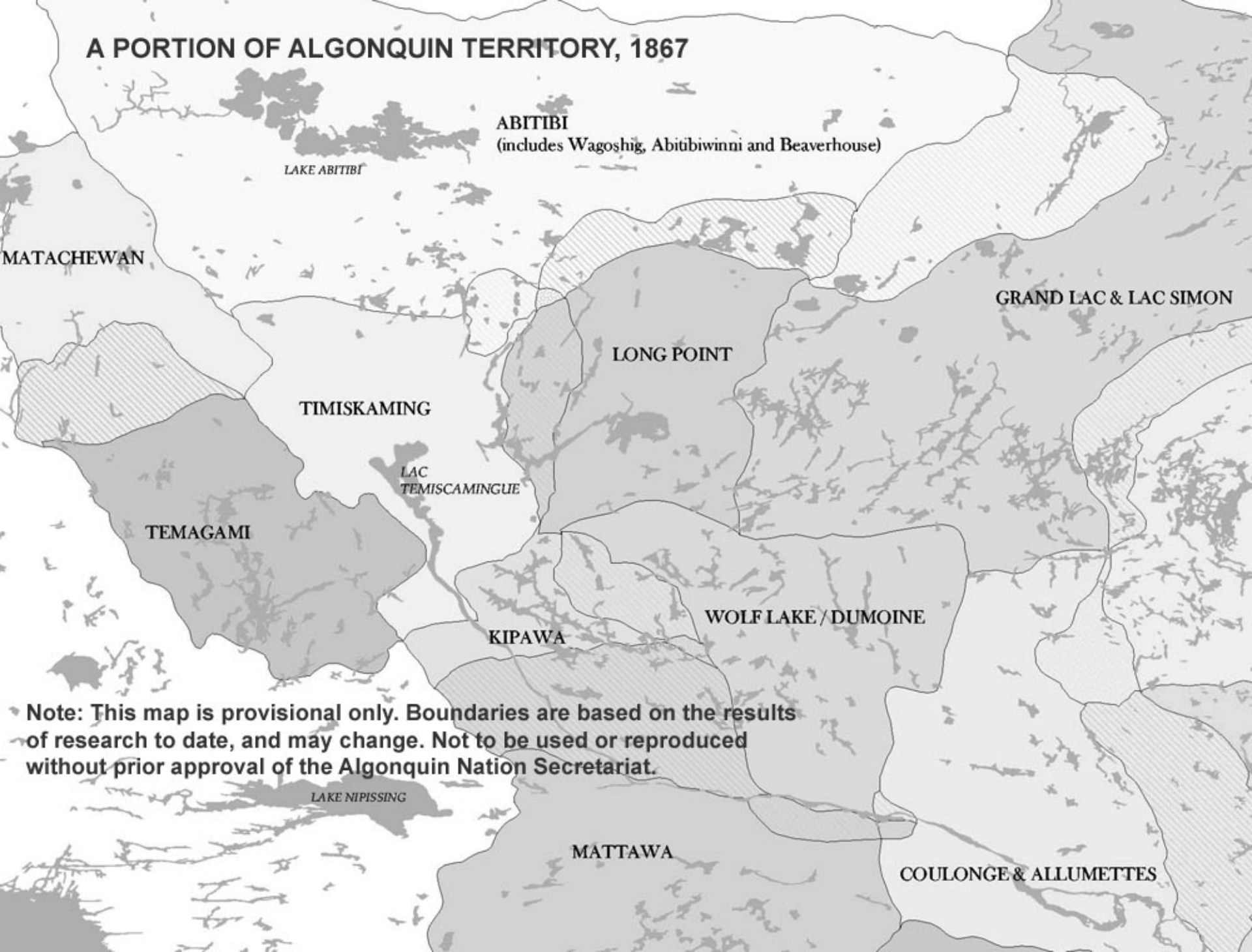
Despite the many impediments resulting from the interprovincial border, traditional harvesting is still carried out on both sides of the boundary by members of the Timiskaming and Wolf Lake Bands, although not to the extent that it once was. At the same time, the old patterns of travel and commerce continue to find new manifestations. For the Timiskaming Band, Liskeard remains a destination of choice for shopping and services. North Bay plays the same role for the people of Kipawa and Wolf Lake.

But the border still raises barriers - restrictions on ambulance and other services, for instance, penalize the Timiskaming First Nation for seeking medical services on the Ontario side. Even something as simple as using a bus to take children on a school trip onto the Ontario side becomes problematic because of licencing regulations and insurance.

For its part, the government of Ontario does not yet recognize that the Algonquins of the Timiskaming area have outstanding rights and interests across the border. This has come to the forefront recently in the struggle over the proposed dump at the old Adams Mine site. The mine is located in the Timiskaming First Nation’s traditional territory.

It can be expected that these things will change, however, as the communities strengthen their traditional connections with the lands and waters on the Ontario side, and as geography and history reassert themselves.

September 14, 2000


A PORTION OF ALGONQUIN TERRITORY, 1867
ABITIBI
(includes Wagoshig, Abitibiwinni and Beaverhouse)
LAKE ABITIBI
MATACHEWAN
GRAND LAC & LAC SIMON
LONG POINT
TIMISKAMING
LAC
TEMISCAMINGUE
TEMAGAMI
WOLF LAKE / DUMOINE
KIPAWA
Note: This map is provisional only. Boundaries are based on the results of research to date, and may change. Not to be used or reproduced without prior approval of the Algonquin Nation Secretariat.
LAKE NIPISSING
MATTAWA
COULONGE & ALLUMETTES