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Résumé de l'article

Les discours prononcés par Shingwaukonse entre 1846 et 1850 constituent quelques-uns des témoignages les plus explicites sur le principe du droit autochtone à avoir été entendus au Canada-Uni au milieu du XIX^e siècle. Par ses idées et ses actes, Shingwaukonse créa des précédents qui influenceraient profondément l'orientation de la politique indienne au Canada. En 1850, le chef autochtone avait fixé trois objectifs principaux pour le peuple Ojibwa : il s'agissait premièrement d'établir des liens avec les organismes gouvernementaux qui commençaient à exercer leur autorité dans la région située au nord des Grands Lacs ; deuxièmement, il importait de protéger un environnement qui assurerait la survie des valeurs culturelles et des structures organisationnelles autochtones ; troisièmement, il fallait élaborer de nouvelles stratégies menant à la formation de gouvernements de bandes capables d'exercer un certain droit de propriété sur les ressources des terres autochtones. Dans l'historiographie canadienne, on assiste depuis peu à un débat sur le lien à établir entre « agent autochtone » et « victime autochtone ». La présente communication non seulement rejette l'idée que le sort de Shingwaukonse en tant que chef s'explique par le concept de « victime », mais elle souligne aussi la nécessité d'élargir le concept d'« agent autochtone » au-delà des paramètres sémantiques établis par la dichotomie agent/victime, afin qu'ainsi redéfini, ce concept permette un examen plus analytique des idées et des actions de Shingwaukonse qui nous sont rapportées par des sources orales et écrites.

A Unifying Vision: Shingwaukonse's Plan for the Future of the Great Lakes Ojibwa

JANET E. CHUTE

THE IDEAS AND ACTIONS OF SHINGWAUKONSE, OR LITTLE PINE (1773-1854),¹ an enterprising Ojibwa leader who resided during his later years at Garden River, east of Sault Ste. Marie, set precedents which profoundly affected the course of Canadian Indian policy. Between 1820 and 1840 the chief directed his energies principally towards establishing linkages to missionary organisations and government agencies, just beginning to exercise jurisdiction on the western frontier, by which he endeavoured to gain access to the corridors of metropolitan power. By earning both sympathy and respect from dynamic individuals deeply involved in the process of Canadian nation building, he endeavoured to develop an environment where cherished Ojibwa values and organisational structures might survive in a rapidly changing world. And after 1840, he shouldered an even more challenging task: to devise new strategies by which local band governments might progressively assume a degree of proprietorship over resources on Aboriginal lands. His speeches during this period

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¹ Shingwaukonse's birth and death dates are only approximate. At the time of the chief's conversion to Anglicanism in 1833, his age was given as 60, which meant he would have been born in 1773. However, an article appearing in the *British Colonist* on 14 December 1849 states the chief was 78 in that year, which would place his birth some time in 1771. His death date is also uncertain. The date cited in several unpublished sources at Garden River, in lieu of available church records, is 1854. Yet according to documentary evidence taken from Indian Affairs records in the National Archives, he died late in 1853. Canada. National Archives (NA), RG 10, Indian Affairs Records, Vol. 222: 131771-72, S.Y. Chesley to George Ironside, 30 January 1856. See also NA, RG 10, Vol. 201, Pt. 2: 119397.

furnish some of the most eloquent testimonials to the principle of Aboriginal right to be expressed during the nineteenth century.

These goals required that Shingwaukonse be a forceful and insightful policy maker. But could a nineteenth-century Aboriginal leader devise principled policies worthy of standing the test of time? Evidence from both oral and documentary sources indicate that the chief did indeed formulate policy. Yet prevailing ethnohistorical models provide few avenues to investigate such innovative decision making in a constructive way, a failing which has given rise to controversy concerning the role of Native peoples in Canadian historiography.

Recently Canadian historians have been compelled to review the ramifications of placing Native actors centre stage, or espousing what has been referred to as "Native agency" – a concept which derives from a specific western perspective on the nature of power relationships. As an analytical tool, the "Native agency" approach contrasts the concept of "agency" with the notion of "victimhood." Some social scientists, particularly cultural anthropologists and transactional analysts, have been able to sidestep this debate altogether in their examinations of Native decision making by contending that northeastern Algonquian views on power relations bear little resemblance to Western political conceptions. It is arguable, too, that the idea of "agency," when divorced from the agent/victim dichotomy of which it forms an integral part, is rendered semantically nebulous. In isolation, "Native agency" at best constitutes a blunt analytical tool, since it has been used to denote such a wide range of Native behaviours; among them fur-trade negotiating dexterity, calculated compliance in fighting in intercolonial wars, willingness to invite missionaries to reside in Native villages and, during the settlement era, sporadic protest against political encapsulation. Yet the penchant to view Native peoples as efficacious agents in support of their own interests has met with a certain amount of "backlash." Advocates of this approach have been centred out as unwittingly construing alibis for oppressive state regimes which perversely may be likened to necessary catalytic stimulants, gauged to spur Native groups into achieving heightened political awareness. Yet to the degree the controversy has forced historians to define what "Native agency" actually is, the debate has been deemed worthwhile.²

As this paper endeavours to demonstrate,³ a study of Shingwaukonse's ideas and actions not only falls within the parameters of the "Native agency" approach,

2 Response made by J.R. Miller to "Desperately Seeking Absolution: Responses and a Reply." *Canadian Historical Review* 76 (December 1995): 635-39.

3 The present paper has a companion article entitled "Shingwaukonse: A Nineteenth-Century Innovative Ojibwa Leader," which also reviews Shingwaukonse's career, but focuses specifically on traditional Ojibwa leadership behaviour, not on an examination of historical evidence in the light of the agent/victim dichotomy. This second article will appear in an forthcoming issue of *Ethnohistory*.

but ultimately extends such parameters by compelling the definition of “Native agency” to embrace the potential for devising and instrumenting sound policies.⁴ Individuals belonging to non-Western cultures, even when encapsulated and marginalised within Western societies, do not operate in isolation, and this was particularly true for Shingwaukonse and his followers. This chief carefully scrutinised every alien ideology and technology presented to him. At the author’s request, storytellers at Garden River tapped into their wealth of oral traditions relating to the manner in which Shingwaukonse met challenges posed by new and unfamiliar ideas, and it was from such sources that the author acquired her first knowledge of how the chief elicited the information he needed to devise his schemes. Educated Métis, government agents, missionaries, merchants and lawyers,⁵ whose education and status suggested they might be repositories of valuable knowledge, were singled out by him and subjected to intensive questioning. For Shingwaukonse this process of learning was invaluable, and he was willing to reward those who helped him handsomely with usufructuary rights to hunting-grounds, sugar-maple groves, fisheries, mines and timber locations which he considered to lie under his protective aegis.⁶ Concern for the future

4 The author recognises that this statement touches on another debate, as to whether or not academics should be proactive on the subject of Native political positions. Yet to examine this second controversy is not the goal of this particular paper, and besides, she has dealt with the subject elsewhere. Janet E. Chute, “Review of Edward J. Hedican, *Applied Anthropology in Canada. Understanding Aboriginal Issues* (Toronto, 1995), in *Social Sciences and Humanities Aboriginal Research Exchange* 4 (1): 10-14.

5 Educated Métis found themselves a primary target for Shingwaukonse’s investigations. In 1853, Allan Macdonell, a Toronto lawyer and friend of George Brown of the *Globe*, railed against metropolitan society’s attempts to depreciate the Sault Métis on the grounds that Native peoples were mostly uneducated. At the height of the Native rights campaign at the Sault in the early 1850s, Macdonell went so far as to attack Robert Baldwin politically by stating that many Métis, including the “Birons, La Fonds, La Batt, Le Blanc, Fontaine, Jolineaux [and other families at Garden River and the Sault, had been educated in Montreal and elsewhere, and among them] . . . may be found men superior to Mr. Atty. Genl. in education as well as intellect.” Macdonell’s political denunciations give an idea of the degree of vehemence with which some of Shingwaukonse’s non-Native supporters, when fired by Shingwaukonse’s own determination to succeed at his goals, could attack those who attempted to denigrate Native agency. Ontario. Archives (AO), MS 9, George Brown Papers, Correspondence, pkg. 11. Allan Macdonell to George Brown, 30 April 1853.

6 An interesting ironic twist characterised the conclusion of a six-year campaign which Shingwaukonse and Nebenagoching launched against the reversion of Charles Oakes Ermatinger’s estate at the Sault to Ermatinger’s children on the grounds of Aboriginal right operating through Ermatinger’s wife Charlotte Katawabedai, originally from Sandy Lake, Minnesota, and Mamongazeeda, her brother from Fond du Lac near present-day Duluth. In 1850, however, Shingwaukonse, Nebenagoching and several subchiefs asked that Ermatinger’s heirs each receive either a portion of land or a mineral location, owing to certain members of their family assisting the Native cause during treaty negotiations. AO, Upper Canada Land Petitions, “E,” Bundle 6, 1847-1852. To His Excellency the Earl of Elgin and Kincardine, 10 September

of his people and their culture fired his determination. Changing times continuously prompted this gifted leader to seek new strategies for preserving what to his people had become a cherished way of life.

Shingwaukonse and the Upper Great Lakes Native Community

The Great Lakes milieu into which Shingwaukonse was born not only allowed for an ease of intercommunication among diverse frontier agencies, but also held out opportunities for ambitious Native individuals which their successors would have difficulty emulating. Certain chiefs developed into influential political personages under the combined auspices of indirect colonialism and the fur trade. With the growth of territorialism, fostered by the availability of firearms and increasingly efficient technologies for local resource exploitation, these leaders came to exercise regulatory and protective jurisdiction over vast tracts used as hunting and fishing grounds. In consequence, a balance of power in the Upper Great Lakes area became mandatory, and this in turn compelled leaders to travel widely. Partly, this was engendered by traditional Ojibwa perceptions of power, which was viewed not as a possession but as a gift intimately linked to responsibility for others.⁷ But there were also other benefits, for through their abilities at negotiation and exchange, leaders grew wealthy in terms of their potential to accumulate material assets,⁸ and, during the War of 1812, gained additional prestige by acting as allies of the British Crown.

The necessity to adapt to radical social and political changes constituted a primary fact of Shingwaukonse's life. Born either at the Sault or Mackinac in 1774 and raised on Grand Island, Michigan,⁹ he assumed many roles before becoming a head chief in 1836, at 63 years of age. Acting as a trading chief, he guided brigades throughout the northwest, regularly travelling as far as the Red River and the headwaters of the Mississippi.¹⁰ He gained notoriety fighting

1850. Schoolcraft provides a description of Mamongazeeda. Mamongazeeda was the son of Katawabedai, or Broken Tooth, head chief of the loon *totem* of Sandy Lake, Minnesota, whose daughter married the trader, Charles Oakes Ermatinger. Henry Rowe Schoolcraft, *Personal Memoirs of a Residence of Thirty Years with the Indian Tribes in the American Frontiers, A.D. 1812 to A.D. 1842*. Mentor L. Williams, ed. (New York, 1973), 298.

7 Mary Black-Rogers, "The Ojibwa Power Belief System," in *The Anthropology of Power*. R.D. Fogelson and R.N. Adams, eds. (New York, 1977), 141-51.

8 Kohl, a German visitor to Garden River in the mid-1850s, learned that Shingwaukonse himself had given another *midéwiwin* practitioner, Kaygayosh, a great number of beaver packs, worth collectively over \$30,000 American, for the latter's assistance in teaching him medicine ritual. J.G. Kohl, *Kitchi-Gami, Wanderings Around Lake Superior* (Minneapolis, 1856), 380-82.

9 *Ibid.*, 374-77.

10 Shingwaukonse himself told of these travels, especially during the 1830s when he was meeting with chiefs and collecting data in the capacity of a "data collector," or *mishiniway*. His name appears in Vincent Roy's fur-trade account book from Vermilion Lake, present-day Minnesota, in the mid-1830s. George Fulford, "The Pictographic Account Book of an Ojibwa Fur Trader," in *Papers of the Twenty-Third Algonquian Conference*. William Cowan, ed. (Ottawa, 1992), 190-233.

against the Dakota,¹¹ opposed the Shawnee Prophet's resistance campaign despite many other chiefs' involvement in it, and by 1809 became an *oskabe-wis* or spokesperson.¹² His attachment to John Askin Jr., the Métis son of a prominent British merchant at Mackinac and Detroit, strengthened his resolve to uphold the British interest during the War of 1812. He fought in many engagements on the British side, including the Detroit campaign, Queenston Heights and Moraviantown. In the role of a *kekedownine*, or a peacekeeper,¹³ he resolved a dispute between an official party of United States military personnel and a local Sault subchief at a treaty-making ceremony in 1820.¹⁴ Although after this date he remained aloof from American treaty negotiations, the above event brought him to the attention of Henry Rowe Schoolcraft, who from then on became a principal recorder of his activities and accomplishments.

Shingwaukonse traced his lineage "from the old Crane band" at Sault Ste. Marie whose members regarded an eighteenth-century patriarch, Gitcheokanojeed, or Great Crane, as their common ancestor.¹⁵ A celebrated war leader, orator, member of the *midewiwin*¹⁶ and *wabano* medicine societies, and a *djiski*, or shaking-tent conjuror, Shingwaukonse elicited respect from Native and non-Native alike. However, he did not possess the Crane *totem*, the bird symbol employed as a designating mark by most other Sault leaders, particularly in the council forum. A *totem* was both a personal and a group identifier, transferred between generations in the male line.¹⁷ Linked to the local band through

11 One such expedition involving Shingwaukonse occurred in 1810. NA, RG 10, Vol. 27: 16, 70, John Askin [Jr.] to William Claus, 8 May 1810.

12 Dr. Oronhyatekha, a Mohawk, learned that the Ojibwa held a council at Mackinac in 1809 regarding which side to join, the British or the American, and the gathering found itself split as to its allegiances. A wampum belt was made to commemorate the event and Shingwaukonse became its keeper. F. Barlow Cumberland, *Catalogue and Notes on the Oronhyatekha Historical Collection* (Toronto, n.d. [1910?]), 26.

13 The role of *kekedownine* is discussed in Frederick Frost, *Sketches of Indian Life* (Toronto, 1904), 143.

14 Even though he had a disposition to side with those hostile to the Americans, Shingwaukonse was expected to subordinate personal self-interest to band considerations. Henry Rowe Schoolcraft, *Summary Narrative*, Mentor L. Williams, ed. (New York, 1973), 77.

15 Henry Rowe Schoolcraft, *Personal Memoirs of a Residence of Thirty Years with the Indian Tribes on the American Frontier, A.D. 1812 to A.D. 1842* (New York, 1975), 570.

16 Shingwaukonse was a leading member of the *midewiwin*, or Grand Medicine Society, where traditional power holders congregated for several days to perform rites which stressed revitalisation both on the personal and community level, and undoubtedly his reputation as a noted medicine practitioner enhanced his political stature.

17 All those bearing the same totemic mark treated each other as siblings. While totemic group exogamy prevailed, band and village exogamy did not, so that large bands became composite over time as individuals joined them through marriage. In 1850, each Ojibwa person at Garden River possessed one of the four local totemic designations: Plover, Crane, Sturgeon, Hawk and Plover.

his mother and having either a French or French Métis father,¹⁸ he initially lacked a *totem*. He had formally declared his autonomy from the United States in the spring of 1836,¹⁹ but it was not until late in 1836, following the death of a Crane leader, Kaygayosh, who had been his mentor in the *midewiwin*,²⁰ that Shingwaukonse assumed both the rank of a traditional head chief and the plover *totem*, obtained through vision sanction.²¹ From then on, he would exercise territorial jurisdiction over lands on the British shore – a right which, he would repeat in future years, had been recognised in 1814 by John Askin Jr. and in 1833 by Lieutenant-Governor Sir John Colborne.²²

During the 1830s, the British Sault was still very much a frontier community. Inter marriages had taken place between the local Ojibwa, French, British and Métis, yet the First Nation community still remained spatially and occupationally distinct from its white and Métis neighbours.²³ It conformed

18 J.G. Kohl states that Shingwaukonse's father was a British officer stationed in Detroit. However, this assertion, which had not been obtained from the chief directly, may just as easily have referred to the chief's attachment to John Askin Sr. Kohl, *Kitchi-Gami*, 374-77. There are many other clues of the depth of the chief's regard for Askin. Ex-councillor Dan Pine Sr., who the author interviewed at Garden River, was actually the son of one of Shingwaukonse's own sons named "John Askin." Interview with Ex-councillor Daniel E. Pine Sr., 13 June 1983. Other oral traditions point to Jean Baptiste Barthe, a trader at the American Sault, or else Lavoine Barthe who, according to Jean Baptiste Barthe's account book in the Burton Historical Collection in the Detroit Public Library, moved to the Wisconsin portage in 1778. Janet E. Chute, "A Century of Native Leadership: Shingwaukonse and His Heirs," PhD thesis, McMaster University, 1986, 93-95. Lavoine Barthe, likely a Métis relative of Jean Baptiste, would have been related to John Askin Sr. since in 1772 Askin married one of Jean Baptiste Barthe's sisters, Archange. Shingwaukonse adopted the name "Augustine Bart (Barthe)" at the time of the 1820 American treaty signing at the rapids, and one of his sons, whose Ojibwa name was Tegoosh, was also called "Pierre Lavoine." "Tegoosh," moreover, may arise from "Tchi-Gous," a Michif term for "petit Augustine." This last suggestion, only recently brought to the author's attention, may prove of heuristic value for future studies of Ojibwa-Métis relations at Sault Ste. Marie, as it is known that Shingwaukonse travelled quite regularly to Red River.

19 Henry Rowe Schoolcraft, *Historical and Statistical Information*, 1 (Philadelphia, 1851), 112; Schoolcraft, *Personal Memoirs*, 549.

20 Kohl, *Kitchi-Gami*, 380-82.

21 Interview with Ex-Councillor Daniel E. Pine Sr., 20 August 1982. According to Dan, the Ojibwa word for "plover" is *chueskweskewa*. Although Lewis Henry Morgan ascribes the meaning "snipe" to *chueskweskewa*, at Garden River "snipe" is *muhno.menekashe*. Lewis Henry Morgan, *Ancient Society* (Chicago, 1877), 166.

22 NA, RG 10, Vol. 416: 5942, "Petition of William Shinguaconce [Shingwaukonse], Henry Shinguaconce [Buhkwujjenene], Thomas Shinguaconce [Augustine], Joseph Nebenagoshing [Nebenagoching], Nawquagabo, Francis Kewahkunce [Keokonse], Charles Pahyabetahsun [Piabetasung], John Kabaoosa [Kabaosa], James Ahbatahkezhik and George Mahgahsah-suhqua," 20 August 1846; NA, RG 10, Vol. 157: 40407, Shingwaukonse to George Ironside, 20 February 1846.

23 Waubejejauk or White Crane, a leading chief of the Sault band who had been killed during the War of 1812, had married a daughter of a French trader, Perrault. His son, Nebenagoching, became a chief at the British Sault.



(photo courtesy of Shingwauk Project, Sault Ste Marie)

Shingwaukose

poorly to frontier social models, for it fitted neither the image of an exclusively fur-trading, hunter-gatherer society, nor the mould of a cohesive multiethnic community similar to those found at an earlier date in the Ohio River Valley region.²⁴ The best one can say is that it comprised an Aboriginal society in transition,²⁵ with leaders who could remember when their people once had been integral to events, and who expected to be consulted and heard during the birth pangs of the emerging social order in much the same way as they had been at the height of the fur trade or during the major intercolonial wars.

That Shingwaukonse's group rarely suffered economic shortages despite the declining fur-trade, contributed to its autonomy *vis-à-vis* both British and Americans. By contrast to the situation where fur trade monopoly conditions prevailed, Sault residents had access to independent trading establishments, as well as Hudson's Bay Company posts.²⁶ Local whitefish and trout fisheries had sustained a thriving Native enterprise since the early French era.²⁷ Individual Ojibwa families maintained their winter hunting limits in the interior, in keeping with the family hunting territory system. In the spring they made maple sugar, planted corn, beans and squash, and tended European-introduced crops such as potatoes in clearings near the coast. Each season elicited its own special economic endeavours, and provided a small surplus to tide over the beginning of the next.

Shingwaukonse recognised the importance of protecting his people's diversified economy as the key to their continued independence. By regulating membership in his band, he indirectly reduced pressure on group resources, and opposed encroachments on his territorial prerogatives. In 1834, he entered into a joint agreement with the Hudson's Bay Company to protect Native fisheries against exploitation by American free traders. In such ways, he helped sustain an economy capable of satisfying the needs of all families belonging to his band. In return, he received recommendations and advice from family heads, who also constituted the principal members of his council.

24 Richard White, *The Middle Ground: Indians, Empires and Republics in the Great Lakes Region, 1650-1815* (Cambridge, 1991).

25 It could not be called a composite society similar to several other transitional period settlements in the Ohio River Valley, since only one nation, the Ojibwa, represented by one totemic group, the Cranes, characterised Sault Aboriginal society – traits which superficially made it appear quite homogeneous. The Ojibwa would assimilate into their bands only Métis who adopted Ojibwa customs and mores. For a description of a late-eighteenth-century Ohio River Valley composite society, The Glaize, see Helen Hornbeck Tanner, "The Glaize in 1792: A Composite Indian Community," *Ethnohistory* 25, 1 (1978): 15-39.

26 These Hudson's Bay Company posts were located at Michipicoten, Sault Ste. Marie and LaCloche.

27 E.H. Blair, ed., *The Indian Tribes of the Upper Mississippi Valley and Region of the Great Lakes* 1 (Cleveland, 1911), 309-10.

Yet even though a respected chief, Shingwaukonse often chose to assume the more humble role of a *mishiniway*, or data collector.²⁸ He constantly sought and processed new information on subjects he thought to be of importance to his people. While unable to read or write, and unlike several of his closest Ojibwa and Métis companions, incapable of speaking either French or English,²⁹ he proved to be a precise student of events, careful to check facts, and recorded his findings using mnemonic devices, some of which may have had their origin in *midewiwin* practices.³⁰ This enabled him to pursue his studies systematically, even when news threatened to be of a disturbing, or even shocking nature.³¹ He tried to examine issues from all sides. In keeping with traditional Ojibwa beliefs regarding power, he judged an idea mainly by its effectiveness, and saw little utility in amassing stores of untried wisdom. He spoke with missionaries of many different Christian denominations, but chose baptism in the Anglican faith after his son Buhkwujjenene was healed of a severe nasal haemorrhage following a prayer session.³² Aware of the strides in agriculture made by Ojibwa residing near the Credit River,³³ he called for government assistance to help his people achieve the same results near Sault Ste. Marie.³⁴

In 1833 Lieutenant Governor Colborne promised to provide Shingwaukonse's people with a farming instructor, schoolteacher, carpenter and sufficient funds to build 20 houses.³⁵ When no aid actually materialised, the chief sought a broader audience. To sustain his group's economy from encroachment by outsiders, he entered into a joint agreement with the Hudson's Bay Company in 1834 and 1835 to protect Native fisheries along the north shores of Lakes Huron and Superior against exploitation by American free traders.³⁶ He

28 Thomas L. McKenney, *Sketches of a Tour to the Lakes* (Minneapolis, 1972), 235.

29 This was certainly true of Nebenagoching, the head chief at the British Sault.

30 Information used in *midewiwin* ritual was recorded by the use of mnemonic symbols inscribed on wooden boards or birch-bark scrolls.

31 For instance, when a zealous frontier preacher declared the end of the world was at hand and provided the chief with a firm date for the event, Shingwaukonse simply cut notches in his pipe-stem until the designated day arrived and, after watching the sky carefully, decided the whole affair was a hoax. AO, MG 25, Strachan Papers, "Report of the Reverend F.A. O'Meara," 19 December 1843.

32 "The Venerable Archdeacon McMurray," *Algoma Missionary News*, Sault Ste. Marie (January, 1892).

33 Charles Elliot, *Indian Missionary Reminiscences* (New York, 1837), 159.

34 *Third Annual Report of the Society for Converting and Civilizing the Indians &c* (York, Canada West, 1833).

35 *Fourth Annual Report of the Society for Converting and Civilizing the Indians &c* (York, Canada West, 1834).

36 Incidents of such joint cooperation may be found in the Hudson's Bay Company correspondence books and post journals for 1834 and 1835. Microfilm copies of records of the Hudson's Bay Company Archives (HBCA), Winnipeg. NA, MG 20. "Correspondence Books. Sault Ste. Marie." B/194/b/9/1834-5; B/194/b/10/1835-6. NA, MG 20, "Post Journal, Sault Ste. Marie." B/194/a/8/1834-5.

also ceased to subscribe exclusively to Anglicanism. He allowed his sons and daughters to exercise their own judgement in forming denominational attachments, and invited Roman Catholics as well as Anglicans to his council when deliberating upon the feasibility of granting land for an Anglican church.³⁷ To Shingwaukonse, missionaries of all faiths comprised potentially valuable mediators between his people and metropolitan society at large, to whom he directed numerous appeals for public assistance in building houses, schools and sawmills. Shingwaukonse evidently retained his sense of balance and perspective within a sea of ideological diversity by retaining much of his faith in his traditional beliefs, while gradually adding to the range of his religious knowledge by adoptions from Christianity. That his views on Christianity never fully supplanted his Ojibwa thought system is evident in one of his son's statements that Shinkwaukonse destroyed his *midéwiwin* paraphernalia only shortly before his death.³⁸

When his efforts to attain houses, a school, tools and sawmill machinery through missionary auspices proved no more efficacious than his earlier appeal to the Lieutenant-Governor, Shingwaukonse and his council embarked on a new policy. Many Métis individuals, whose prospects for permanent employment had faded in the climate of retrenchment surrounding the merger of the Hudson's Bay Company and the Northwest Company in 1821, had chosen to settle on the British side of the rapids. By inviting the Métis to come, join his group, and share their carpentry and other technical skills, the Garden River band were soon able to erect wooden houses, as well as to engage in boat building and numerous other occupations previously unfamiliar to them.³⁹ For their part, the Métis who exercised this option, most of whom had kin ties to the local Ojibwa, gained a valuable ally and spokesperson.

Shingwaukonse's public announcement at a government present distribution to the Native nations on the western frontier in 1837 shocked Indian Affairs officials who, under policy directives from Colborne's successor, Sir Francis Bond Head, had anticipated removing the Ojibwa to an isolated mission station at Manitowaning on Manitoulin Island in northern Lake

37 Metropolitan Toronto Reference Library, Baldwin Room, Thomas G. Anderson Papers, S29, Folder C, No. 49, "Indenture Contract of a Gift of Land from Indians to the Rev. G. Anderson," 1849. Shingwaukonse, at the request of his son Tegoosh, granted land for a Roman Catholic Church in 1852. Sault Ste. Marie, Anglican Heritage Collection, Bishophurst, Reverend Canon Colloton Papers, "Copy of original statement of grant," 1852.

38 Kohl, *Kitchi-Gami*, 384.

39 In a 1835 petition to the Lieutenant-Governor, Sir John Colborne, numerous Métis signees, including Shingwaukonse's son Pierre Lavoine, argued that the Anglican missionary had prevented them from cutting wood to construct a Roman Catholic chapel even though they had "previously obtained the consent of the principal chief [Shingwaukonse] for so doing." Toronto, Roman Catholic Archdiocesan Archives, Bishop McDonnell Papers, AC 2402, "To His Excellency, Sir John Colborne. K.B.," 1835.

Huron.⁴⁰ Years later, when the Canadian government sought to reduce the number of claimants to annuities under the Robinson treaties, Shingwaukose's actions in this regard would come under trenchant criticism. A posthumous charge was laid that he displayed a Machiavellian penchant to shift identities whenever he desired to amass a multiethnic following large enough to accomplish some self-interested goal, usually at government expense.⁴¹ Yet the preponderance of historic evidence suggests that he perpetually judged his own competence by his effectiveness in attaining group goals, not his own. Although claiming Métis ancestry, he remained Ojibwa in cultural orientation and showed his determination to preserve cherished Ojibwa values to the degree that most Métis later stated that in 1837 they had rejected his offer, complaining they "were Indian enough without binding themselves to be under an Indian chief."⁴²

It was not long before the chief was called upon to confront a new challenge. Between 1837 and 1853 the American government seriously considered removing the southwestern Ojibwa to lands beyond the Mississippi.⁴³ Suddenly, delegations sent by Native leaders began to visit Garden River from as far away as interior Minnesota.⁴⁴ Determined to aid Ojibwa groups who appealed to him for assistance and refuge, Shingwaukose redoubled his efforts to enhance his community's economic base so that it could sustain a potentially large influx

40 Ontario. Metropolitan Toronto Reference Library, Baldwin Room, James Givens Papers, "First Speech of Chinquakous – Young Pine," 1837. In the fall of 1835, Sir Francis Bond Head succeeded Sir John Colborne as Lieutenant Governor. After a tour of Indian missions in Upper Canada, Bond Head declared that the idea of establishing yet another government-supported settlement at Sault Ste. Marie would result in a costly and probably fruitless endeavour, and suggested removing the entire Garden River band to Manitoulin Island. Shingwaukose was perturbed that Bond Head did not visit the Sault mission, however. At this time there were government plans to remove the Sault Métis to St. Joseph's Island in northern Lake Huron. The opposition of Britain's Protestant missionary societies to Bond Head's removal scheme led to a return to the former civilisation programme initiated by Sir John Colborne. As a result, Bond Head's successor, Sir George Arthur, directed that axes and other tools be sent to Garden River as a token of the government's good faith in the community. NA, RG 1, E5, ECO File 1157, Vol. 8: 1848, "Extract from a letter from Sir George Arthur, Lieu. Governor, to Chief Shingwaukouse, dated Govt. House, York," 19 September, 1839.

41 AO, Aemelius Irving Papers, MU 1465, 27/32/09, "Report of E.B. Borron relative to Annuities payable to Indians in terms of the Robinson Treaties," 31 December 1892.

42 AO, Aemelius Irving Papers, MU 1465, 27/32/10, "Statement of Joshua Biron. Made to John Driver and sworn to him. Testimonies enclosed with a letter from John Driver to E.B. Borron," 8 June 1893.

43 The author is indebted to Bruce White for providing her with a copy of his report "The Regional Context of the Removal Order," which he prepared in 1993 for the Mille Lacs Band of Ojibwa. White traces events leading up to and surrounding the American Removal Order of 1850. See also James A. Clifton, "Wisconsin Death March: Explaining the Extremes of Old Northwest Indian Removal," *Transactions of the Wisconsin Academy of Sciences, Arts and Letters* 75: 1-39.

44 Detroit. Detroit Public Library, Burton Historical Collection, George Johnston Papers, The Reverend William McMurray to George Johnston, 7 May 1833.

of Native immigrants from south of the border. Under the stress of this new mandate, he evidenced less shifting of roles by appointing one of his sons, Buhkwujjenene, or Wild Man, as his group's *kekedowenine*; another of his sons, Augustine Shingwauk, as his *mishiniway* and John Bell and Louis Cadotte as his interpreters. Then, rejecting both British and American Indian policy as inadequate to protect his people against the dangers of encapsulation, he hurled a provocative challenge at the Anglican and Roman Catholic missionaries residing on Manitoulin Island in 1841, declaring:

You are two Black Coats, now I want to know if our Saviour marked in the Bible, that the whites would journey towards the setting sun until they found a large Island in which there were many Indians living in rich country – that they should rob the natives of their animals, furs and land, after which the English and Americans should draw a line, from one to the other end of the Island and each take his share and do what he pleases with the Natives, I ask if that's written in the Bible?⁴⁵

From this point onwards, he bypassed the Manitoulin Island missions as primary avenues of communication and sought to develop as direct and as personal linkages as possible to metropolitan governmental and other agencies.

Champion of the Unretreating Frontier

In 1845 the Legislative Assembly of the United Canadas extended its jurisdiction to the Sault and, with a blatant disregard for issues of Native right, the following spring sent a provincial land surveyor by the name of Alexander Vidal to mark off allotments near the rapids. Incensed by such activity, Shingwaukonse asked Vidal to quit the area.⁴⁶ The chief further complained that Joseph Wilson, the newly appointed land agent, interfered with his people's logging activities. "[When] Mr. Wilson sells our wood & acts with us as he does, I feel as if he entered into my house and took without my leave what he might find therein," he explained.⁴⁷ In response to his grievances, he was informed that he could expect no assistance, not even an audience with a government official, until he and the 126 individuals belonging to his band moved to Manitoulin Island.⁴⁸ Shingwaukonse initially refused to be upset by this turn of events. In a petition to the Governor General, Baron Metcalfe of Fern Hill,⁴⁹ he inquired by what

45 Metropolitan Toronto Reference Library, Baldwin Room, Thomas G. Anderson Papers, S 29, "Statement translated by John Bell," 1841.

46 AO, RG 1, Series A-1-6: 21675, "Letters received, General Land Commissioner," Alexander Vidal to D.B. Papineau, 17 April 1846; AO, RG 1, Series A-1-6: 21678, MS 563, Microfilm Reel 22, "Reply to communication of Alexander Vidal."

47 NA, RG 10, Vol. 157: 40407, "Shingwaukonse to George Ironside, 20 February 1846.

48 NA, RG 10, Vol. 612: 100-01, "J.M. Higginson to George Ironside," 11 May 1846.

49 Metcalfe had recently been raised to the peerage.

authority mining prospectors had been allowed to stake mineral locations in the Sault vicinity.⁵⁰ He then cordially invited Metcalfe to meet with him in Montreal, so they could discuss arrangements relating to mineral proprietorship, royalties and dues. As for the directive to move to Manitoulin Island, the chief viewed it as unworthy of notice. "I want always to live and plant at Garden River," he emphasised, and expect "a share of what is found on my lands."⁵¹

When Indian Affairs contacted him, however, warning him not to proceed to Montreal, but to move at once to Manitoulin Island, the chief suddenly realised that he faced a threat unlike any he had confronted before. "Already has the white man licked clean up from our lands the whole means of our subsistence, and now they commence to make us worse off. I call God to witness in the beginning and do so now again and say that it was false that the land is not ours, it is ours," he contended.⁵² One large mining location took in the whole area of the Garden River village.⁵³ Since the chief had never negotiated in any way with the location's claimants he felt justified in driving exploring parties off the site.⁵⁴

The ideological sides had been drawn. The chief would act far differently from the stereotypical image of the politically defenceless Indian. By drawing on a pool of new allies, both Native and non-Native, he soon attracted the notice of the press, and within three years his Native claim had escalated into an international issue. Aspects of this contest have stubbornly defied easy historical analysis. Scholars dealing with the subject have come to different conclusions regarding the nature of forces behind events.⁵⁵ Unfortunately, uncritical appraisal of the sensational metropolitan press reports, which emerged in 1849 and 1850 as a result of Shingwaukose's and his allies' Native campaign, have

50 Native individuals had originally assisted the miners to locate the copper, iron, silver and lead deposits, and wished to retain a degree of proprietary right to these resources.

51 NA, RG 10, Vol. 612, "Petition of Chief Chingwauk (Petition No. 156)," 10 June 1846.

52 NA, RG 10, Vol. 416: 5942, "Petition of William Shingwaukose [et al]," 20 August 1846.

53 In November 1846, the Executive Council had authorised the sale of approximately 30 large mining locations along the north shore of Lakes Huron and Superior in keeping with the terms of an order in council passed earlier in May. Each location had to conform in size to 6,400 acres to accord with a government standard set to discourage speculation and prevent minor entrepreneurial interests from competing with powerful Montreal-controlled mining companies. A copy of the order in council was sent to Joseph Wilson, the land agent and Indian agent at the Sault. NA, RG 10, Vol. 159: 91442-43.

54 George Desbarats to Major Campbell, 10 May 1847. [Indian Affairs Records]. A copy of the letter is in the Indian File at the Bruce Mines Museum, Bruce Mines, Ontario.

55 Olive Patricia Dickason, *Canada's First Nations: A History of Founding Peoples from Earliest Times* (Toronto, 1993), 253; Alan Knight, "Allan Macdonell and the Pointe au Mines- Mica Bay Affair," research paper, York University, 1981; Douglas Leighton, "The Historical Significance of the Robinson Treaties of 1850," paper presented at the Canadian Historical Association Conference, Carleton University, Ottawa, 9 June 1982; Douglas O'ram, *Promise of Eden: The Canadian Expansionist Movement and the Idea of the West, 1856-1900* (Toronto, 1980),

coloured some otherwise excellent accounts, for at no time did the Ojibwa ever resort to the use of force in gaining their goals. All scholars have agreed, however, that the contest arose as frontier resistance to metropolitan control. And yet, it constituted a form of protest which evidenced none of the flamboyant, tumultuous characteristics of cult-induced movements, such as the Shawnee uprising in the Ohio River Valley region in 1807-1808. Over all, it presented a principled show of opposition, basically moderate and non-violent. This study argues that the tendency of factors motivating this Native movement to elude simple historical analysis arises from the fact that they, as often as not, have drawn upon and complemented, rather than challenged, mid-nineteenth-century Western aspirations and goals.

Tired of waiting for replies to written appeals, in the spring of 1848 Shingwaukonse and a small party of Native supporters proceeded to Montreal to lay their claim in person before Metcalfe's successor, Lord Elgin. While in the metropolis, the chief directed a barrage of complaints against certain miners who, he argued, trespassed on his territory, blasted rock and set fires which drove away game. At the same time, he maintained that agents of mining companies prevented the Ojibwa from cutting timber, even though conditions of sale for the mine sites had not been fulfilled.⁵⁶

To ascertain the validity of these grievances, Lord Elgin sent Thomas G. Anderson, Visiting Superintendent of Indian Affairs from Cobourg, to the Sault in the summer to investigate the matter. During his interviews with Shingwaukonse and Peau de Chat (one of Shingwaukonse's allies from Fort William), Anderson challenged the Ojibwa leaders to clarify by what authority they claimed the land and its resources.⁵⁷ Visibly taken aback, Shingwaukonse declared that copper had been placed in his people's lands as a gift from the Creator. He considered it part of an emerging plan by which the Ojibwa would be granted new sources of revenue by no less than Divine mandate. To give his statements additional bite, the chief requested Louis Cadotte to send a translation of his speech to Anderson to an American newspaper.

Anderson's favouring of agricultural over other industrial pursuits for the Ojibwa tended, unfortunately, to blind him to the Native population's range of

39-40; Boyce Richardson, "Kind Hearts or Forked Tongues?" *The Beaver*, Outfit 67, 1 (1987), 16-41; Edward S. Rogers, "The Algonquian Farmers of Southern Ontario," *Aboriginal Ontario: Historical Perspectives on the First Nations*. Edward S. Rogers and Donald B. Smith, eds. (Toronto, 1994), 149; Rhonda Telford, "A History of Aboriginal Mineral Resources in Ontario," PhD thesis, University of Toronto, 1995; Nancy M. Wrightman and W. Robert Wrightman, "The Mica Bay Affair: Conflict on the Upper-Lakes Mining Frontier, 1840-1850," *Ontario History* 83 (1991): 193-208.

56 NA, RG 10, Vol. 173: 100434, T.G. Anderson to Major Campbell, 9 October 1849.

57 NA, RG 1, E5, ECO file 1157, Vol. 8, "Minutes of a Council led by T. G. Anderson, V.S.I.A., at Sault Ste. Marie on Friday the 18th day of August, 1848."

economic potentials. Rather than evidencing docile conformity either to Anderson's or to broader government wishes, Shingwaukonse's press release demanded implementation of a system offering the Ojibwa compensation for injuries to a resource base they unquestionably saw as being under their own proprietorship and protection. They also expected mining revenues to be translated into future income for their communities:

The Great Spirit, we think, placed these rich mines on our lands, for the benefit of his red children, so that their rising generation might get support from them when the animals of the woods should have grown too scarce for our subsistence. We will carry out, therefore the good object of our Father, the Great Spirit. We will sell you lands, if you will give us what is right and at the same time, we want pay for every pound of mineral that has been taken off our lands, as well as for that which may hereafter be carried away.⁵⁸

Copper had been viewed traditionally by the Ojibwa as a preserve of formidable spiritual agencies, and its un sanctioned extraction and use seen as detrimental to the cosmological foundations of the universe. Outcroppings were considered to be guarded by *Buhkwujjenenesug*, little wild people who resided in cliffs. Since he still subscribed, at least in part, to this cosmological order, Shingwaukonse would have been under the same ideological constraints regarding copper as other chiefs, but equipped with new knowledge about Western culture and what he had learned of Christianity he apparently felt confident enough to tackle the challenge of making mining a paying proposition for his people. This constituted a stance in which he firmly believed and from which he refused to deviate until his death. The chief hoped it would restore the Ojibwa to an integral place in the economy of the developing nation, and would have broad regional repercussions. Peau de Chat of Fort William, Totomenai of Michipicoten, and Keokonse and Noquagabo of Thessalon stood behind him. Southwestern Ojibwa leaders, among them such notable figures as Eshkebugecooshe of Leech Lake, Minnesota, and Gitche Besheke of Lapointe region, Wisconsin, sent delegations to Garden River to learn more concerning his plan.

Ultimately, Shingwaukonse's most advantageous linkages lay through his association with a new frontier element: a small number of well-educated non-Native individuals interested in independently prospecting for copper north of Lakes Huron and Superior. The foremost member of this group was Allan Macdonell, a lawyer and mining prospector from Toronto,⁵⁹ who understood

58 Anderson included the press release in a letter to his superior. NA, RG 10, Vol. 173: 100434-46, T.G. Anderson to Major Campbell, 9 October 1849.

59 It has been held that Allan Macdonell did not practise law from 1837 to 1858. Donald Swainson, "Allan Macdonell," *Dictionary of Canadian Biography*, Vol. 11 (Toronto, 1982), 552-55. Macdonell, however, informally assisted the Ojibwa legally from 1849 to 1853, and even afterwards.

something of Ojibwa society because of past family fur-trade connections. But, even more importantly, Macdonell maintained relations with Toronto's rising legal and business community, the metropolitan press and the corridors of political power.

A former shareholder in the Quebec and Lake Superior Mining Association, which operated copper mines near Michipicoten, Macdonell surveyed a mineral location north of the Sault and entered into a long-term lease regarding it with Shingwaukose and another chief named Nebenagoching. By this lease's terms, in 1848, still pending government approval, the Ojibwa would receive a royalty of 2 per cent on all mining proceeds, and the site in question would be returned to the band if not worked within five years.⁶⁰ Macdonell's arrangement, moreover, comprised only one of several systems introduced to the Ojibwa designed to capture and distribute potential mineral revenues to the Native peoples. John William Keating, a former Indian agent from Amherstburg, recommended that leases of mineral locations near Michipicoten be based on the model operating in Cornwall, "where the Lord of the Manor always retains the Royalty, tho' his returns vary with the profit of the mine."⁶¹

In the fall of 1848, according to Thomas G. Anderson's son, the Reverend Gustavus Anderson, the Anglican missionary at Garden River, Shingwaukose had re-extended his earlier invitation to Métis families to join the Garden River community, if they so desired.⁶² By this time the chief had grown so impatient with government inactivity on the claims issue that he had prevailed upon Allan Macdonell to use his legal training to represent the Ojibwa's position, to which the lawyer immediately responded by warning the mining companies against cutting any more timber on band property.⁶³ Anderson and other government officials thus found themselves pitted against a formidable duo on the issue of Aboriginal right.

The following spring, during yet another visit to Lord Elgin in Montreal, the chief, accompanied by Macdonell, Ogista, Nebenagoching and Cadotte, made it clear that Anderson's scepticism regarding the foundations of Aboriginal right constituted an insult not only to himself but to all persons of Native descent. In an eloquent speech, which was later translated and published in the *Montreal Gazette*, Shingwaukose appealed to the government to forego its former lethargy and instead participate actively in helping the Ojibwa secure what

60 AO, Aemelius Irving Papers, MU 1464, 26/31/04, "Report of Commissioners A. Vidal and Thomas G. Anderson on a visit to Indians on North Shore Lake Huron & Superior for purpose of investigating their claims to territory bordering on these Lakes. Appendix," October 1849.

61 NA, RG 10, Vol. 207: 122406-25, John William Keating, "Report," 1853.

62 The local Anglican missionary noted on 23 January 1849, "Chief Shingwaukose gave them leave to settle here" at Garden River. Metropolitan Toronto Reference Library, Baldwin Room, Thomas G. Anderson Papers, S 29, Folder B, "Diary of the Reverend Gustavus Anderson, August 26, 1848, to May 23, 1849."

63 NA, RG 10, Vol. 173: 100434-36, T.G. Anderson to Major Campbell, 9 October 1849.



(photo courtesy of Shingwauk Project, Sault Ste Marie)

Nebenagoching Shinwaukonse Ogista

was theirs by the will of the Creator. "Assist us, then, to reap that benefit intended for us," he proposed. "Enable us to do this, and our hearts will be great within, for we will feel that we are again a nation."⁶⁴ Instead of offering aid, the government stiffened its opposition to the Ojibwa's position, a response which drew a veiled warning from the chief. Even "the most cowardly of animals though they feel destruction sure, will turn upon the hunter," he cautioned."⁶⁵ But he also made it clear that any form of coercion would only be a last resort.

Shingwaukonse's importunity prompted a second government inquiry in September of 1849. This time, Indian Affairs dispatched two commissioners to the Upper Great Lakes region: Thomas G. Anderson, who had headed the investigation the previous year, and Alexander Vidal whose surveying operations had been disrupted in 1847. Both were instructed simply to gain an estimate of the amount of compensation the Ojibwa would accept for their lands, but to discuss nothing more. A map drawn by these two commissioners of the entire north shore of Lake Superior demonstrated a remarkable thing: the boundaries of tracts, claimed by the bands along the coastline, lay flush against one another – no land remained outside of the Ojibwa's territorial aegis.⁶⁶ The Native peoples had appropriated some of the richest mining country in Canada West as their inheritance. Since 1845, they had been instrumental in revealing outcroppings of copper, iron, gold and silver to the white prospectors, and now they expected to glean the rewards of the prerogatives their leaders so forcefully upheld over these sites. For Shingwaukonse to have spoken in 1848 and 1849 on behalf of most of the bands along the north shore of Lake Superior testifies to the degree of faith his Native constituents vested in his abilities as a powerholder. And he and his close Native allies in the resource business, Peau de Chat and Totomenai, had certainly gained attention. Public sympathy elicited by excerpts of Shingwaukonse's speeches in the Montreal press alarmed the Montreal-based mining interests, who feared that a treaty recognising Native right to resources other than fur might endanger their title to their mineral locations.

Aware of the miners' mounting fears during the course of his inquiries at the Sault, Vidal drew up a policy statement which negated the Ojibwa's prerogatives even over their land base. Any forthcoming treaty transaction, he argued, should not be viewed as "a purchase or surrender of territory but as the purchase of the right of hunting in and occupation [of the land]."⁶⁷ During

64 *Montreal Gazette*, 7 July 1849.

65 *Ibid.*

66 AO, Aemelius Irving Papers, MU 1464, 26/31/04, "Map of band hunting territories along the north shore of Lake Superior, Crown Lands Department, Surveyor's Office," August 1849.

67 Regional Collections, University of Western Ontario, London, Vidal Papers, CA 90N. VID 33, "Alexander Vidal, Memorandum of Indian Mission," 1849. See also *A Journal of Proceedings on my mission to the Indians – Lake Superior and Huron, 1849*, by Alexander Vidal. Transcribed by George Smith with historical notes by M. Elizabeth Arthur (Bright's Cove, Ontario, 1974).

meetings with the Ojibwa, Vidal interpreted Native impassivity to his ideas not as a show of defiance, as it actually may have been, but as the consequence of manipulations by “designing whites.” This led the commissioner to portray the Ojibwa leaders as ignorant and incompetent. Native irresoluteness, he held, required the imposition of an “ultimatum of the government” upon the bands north of Lakes Huron and Superior.⁶⁸

On 15 October, when Vidal trenchantly demanded that Shingwaukonse place an evaluation on his “occupancy rights,” the chief abruptly terminated the discussion by stressing his unfamiliarity with the terms Vidal proposed. Before answering, he would have to consult with his people, he concluded. When the council again assembled, the next day, Shingwaukonse immediately broached the subject of Macdonell’s claim and the Hudson’s Bay Company’s rights, which at the Sault were founded on a treaty made with the Crane band in 1798. In response, Vidal declared that the government owned all the land and that all tracts allotted by the Native peoples in the past “were of no value to their holders.” At this, Macdonell arose and challenged the government to defend its position in the courts. He knew the Ojibwa could not be considered “minors in law,” he parried, for he had “good legal advice on the subject.” Their right to the soil and its resources would be vindicated; he would personally see to it.⁶⁹

Shingwaukonse, on being asked whether he joined with Macdonell in espousing this position, replied: “Hear him for us – you do not understand what we say, you understand one another; we will not make replies – talk to Macdonell.” When the commissioners continued to ignore the lawyer, the chief charged that the government would cast the Ojibwa aside if they disregarded Macdonell, for the latter acted as the spokesman for Native views, not his own. He then turned to Macdonell and said, “Come, my friend, get up and speak.”⁷⁰

Vidal still would have nothing to do with the lawyer. The meeting was not a court of law, he retorted. There was no judge present. Vidal’s denial of Aboriginal right and the chief’s support of the opposite position only made a clash of perspectives inevitable. The prospect of being engaged in an argument in which the Ojibwa might be shown to have grounds for a legal case was not inviting. Rising, Vidal departed, leaving Anderson to listen to Macdonell’s final speech and then close the council.

68 AO, Aemilius Irving Papers, MU 1464, 26/31/04, “Report of Commissioners A. Vidal and Thomas G. Anderson on a visit to Indians on North Shore Lake Huron & Superior for purpose of investigating their claims to territory bordering on these Lakes. Extracts from the notes Taken at the Conference with the Indians at the Sault Ste. Marie - October 15th and 16th. 1849,” 1849, 7.

69 *Ibid.*

70 *Ibid.*

The chief's eventual response to what he felt to be a colossal affront to his people's rights, intelligence and aspirations was characteristic of him; it was deliberate and well planned.⁷¹ Late in the autumn of 1849, Shingwaukose, Allan Macdonell, Macdonell's brother Angus, another lawyer from Toronto named Wharton Metcalfe, Chief Nebenagoching, three Métis leaders – two brothers, Pierre and Eustace Lesage, and Charles Boyer – and about 25 other Native individuals⁷² journeyed northwards up the Lake Superior coast by boat, and on the night of 14 November peaceably dispossessed the Quebec and Montreal Mining Association of its holdings at Mica Bay, not far from Michipicoten. The company manager shipped the residents of the Mica Bay community by schooner to the Sault and the Native party and their legal assistants held the mine site until the spring of 1850. Troops were sent to the Sault, although no violence ensued. Shingwaukose and his closest Native supporters surrendered themselves voluntarily to justices of the peace, and then proceeded under escort to Toronto. Once in the city, they were placed in jail, and were released a few days later by the Chief Justice, Sir John Beverley Robinson, a relative through marriage to Macdonell,⁷³ who argued that the party had been arrested illegally.⁷⁴ After continued government vacillation about what course to pursue, the group received an official pardon in 1851.⁷⁵

John Bonner, the mine manager, who presided over the evacuation of the mining company's employees and their families, charged that Macdonell desired to use his position as an intermediary with the Ojibwa to secure leases which would be profitable only to himself.⁷⁶ From other sources, however, it appears that Macdonell may have been quite disinterested. The Hudson's Bay Company factor, William MacTavish, noted that Macdonell had stated repeatedly that if the Ojibwa could obtain better terms from others, he would have

71 William MacTavish, the Hudson's Bay Company factor at the Sault, stated that the Mica Bay expedition had been in its planning stages for a long time, although there had been some dispute as to whether Michipicoten or Mica Bay would be the destination. NA, RG 20, B/194/b/15/1849-1850, "Sault Ste. Marie Post, Correspondence Book," William MacTavish to A.H. Campbell, 11 November 1849.

72 According to the Hudson's Bay Company Factor, the expedition included the Macdonell brothers, another lawyer named Wharton Metcalfe, three American Ojibwa [one of whom was the head chief Oshawano, also named Cassaquadung], five American Métis, twelve Canadian Ojibwa, thirteen Canadian Métis and one French Canadian. " NA, RG 20, B/194/b/15/1849-1850, "Sault Ste. Marie Post, Correspondence Book," William MacTavish to A.H. Campbell, 16 November 1849.

73 AO, MU 1778, Alexander Macdonell Estate Papers, Biographical Information; NA, Macdonell of Collochic Papers, MG 24 I 8, Finding Aid 99, Biographical Notes.

74 NA, RG 10, Vol. 179: 109890, Allan Macdonell to R. Bruce, 21 December 1849.

75 NA, RG 10, Vol. 188: 109891, "Attorney General of Canada West Recommends that Indians be pardoned," 22 May 1851.

76 *British Colonist* (Toronto), 8 February 1850.

“great pleasure” in relinquishing his interest in his own claim.⁷⁷ In a letter written to the Superintendent-General of Indian Affairs on 23 December 1849, Macdonell described his role with regard to the Ojibwa in patron-client terms, yet implicit in his statements lay indications of a reciprocal relationship between himself and the chiefs of a different order than that which usually obtained between a lawyer and those whom he represented.⁷⁸ With an intensity of purpose, evidently imbued with a dynamism derived from Shingwaukonse’s own vision for the future, Macdonell set out to formulate a case for Aboriginal right which he eventually anticipated testing in the courts.⁷⁹

Viewed against a background of longer-term events, the Mica Bay mine take-over emerges as an act of protest against government insensitivity towards Native hopes for the future. From this perspective, the dispossession of the mine constitutes a brief incident in what was, on the whole, a well-organized Native claims campaign. At no time were Shingwaukonse and his allies against resource exploration and development; they simply wanted their fair share. They hoped to preserve an environment in which their community structures could evolve gradually to meet new economic and political challenges. They demanded a say in the regulation of local logging, fishing and mining activities directly affecting their lives. They also wanted to conserve the potentialities of their highly diversified resource base. In Macdonell, they found a champion for these interests, for the lawyer’s political proclivities led him to oppose domination of the hinterland by powerful monopolising metropolitan interests, and he genuinely sympathised with the Ojibwa’s struggle to preserve their rights to the land and its resources.

Macdonell was connected by marriage both to Sir John Beverley Robinson and to William B. Robinson, the Attorney-General’s brother, who was selected by the government to preside over the signing of the Robinson treaties at Sault Ste. Marie on 7 and 9 September 1850. Macdonell’s personal connections probably cast a moderating influence over events subsequent to the Mica Bay affair, and may even have helped to bring about the pardon. But one also cannot ignore the fact that the Reform government, owing to its tardiness in responding to the Native claim, would have found itself in an acutely embarrassing position if it had not acted quickly to draw attention away from the claims issue. The arrival of the Native party in Toronto had caused considerable public excitement, and

77 NA, MG 20, B/194/b/15/1849-1850, William MacTavish to George Simpson, 17 October 1849.

78 NA, RG 10, Vol. 179: 103884. Macdonell, who spoke the Ojibwa language, wrote of this relationship: “I have lived among the Indians some little time and am received among them as one of their own people. The chiefs of the different bands upon the Lake have reposed a trust and confidence in me which I deem worthy of attention.” Allan Macdonell to R. Bruce, 23 December 1849.

79 *The Patriot* (Toronto), 19 December 1849.

the fact that Shingwaukonse had fought in the War of 1812 as a British ally and was now on trial by the Canadian government circulated in American as well as Canadian newspapers.⁸⁰ Not surprisingly, the government seriously searched for an approach which would silence the Ojibwa's demands once and for all.

Neither the Lieutenant-Governor nor the officials present at the signing of the Robinson treaties accorded any recognition whatsoever to Native demands or aspirations. When informed that the Hudson's Bay Company fully backed the government's position, Ojibwa bands residing further to the northwest along the Lake Superior coast distanced themselves from the Robinson treaty negotiations, or else simply lapsed into a state of passive defiance. Treaty terms provided bands with a lump-sum payment, small annuities, a reserve system based on the same model as that already established in southern Ontario,⁸¹ and stipulated that the Ojibwa could continue hunting and fishing on ceded lands not yet sold or leased by the Crown. Also incorporated was a promise that individuals would receive an annuity of £1, or more, per capita should revenue from the surrendered tracts enable the government, without loss, to increase payments. Yet by serving to deprive Native leadership of its traditional prerogatives over lands and resources, the terms had rendered bands susceptible to encroachment from many quarters.

Surveys disregarded treaty descriptions of reserves to the extent that several mineral locations, originally recognised as lying on band property, afterwards lay outside reserve boundaries.⁸² Meanwhile, claimants to locations still considered to lie on reserve land pillaged both mineral and timber without paying fees or dues, and then abandoned the denuded sites. These men often prevented the Ojibwa from cutting wood even for personal use, and challenged band members' rights to local fisheries which Native peoples had frequented for generations.

Initially unaware of this new lack of protection for their interests, Shingwaukonse and Macdonell entered into negotiations with a local merchant to begin a Native lumbering business.⁸³ To make their transaction legal, they

80 See, for example, articles in the *Detroit Free Press*, 22 December 1849, and the *Commercial Advertiser* (New York), 5 December 1849.

81 Robert J. Surtees, "Land Cessions, 1763-1830," in Rogers and Smith, eds., *Aboriginal Ontario*, 92-121.

82 Reserve boundaries delineated on a survey plan prepared in 1853 by J.S. Dennis do not conform with the description of the boundaries of the Garden River Reserve as set out in the Robinson Huron treaty of 1850. One explanation for the discrepancy is that the survey plan of 1853 releases the Clark location from the burden of Native title, by isolating it beyond the reserve's "revised" western boundary. Peterborough, Ontario, Ministry of Natural Resources, "Survey Records, Plan #14, K19, #2484 by J.S. Dennis," 14 May 1853.

83 The Ojibwa promised to keep Philetus Church's establishment "supplied with logs for sawing" for 10 years, while the merchant would pay £25 annually to Shingwaukonse for the privilege of having the timber protected from exploitation by other commercial agencies. The Ojibwa

apprised Indian Affairs of their plan and requested assistance in purchasing machinery for a sawmill. A final, decisive blow to their venture, however, fell when the Legislative Assembly introduced a bill which made “inciting Indians or half-breeds” an offence punishable by up to five years’ incarceration in the provincial penitentiary. Wryly branded by the Ojibwa’s legal counsellor as “an Act to procure the conviction of Allan Macdonell,”⁸⁴ the bill, which passed into law in June, 1853,⁸⁵ not only effectively terminated Macdonell’s association with his former Native clients, but also prohibited the Ojibwa from seeking legal counsel in the future.

His petition regarding a sawmill ignored, Shingwaukonse prepared yet another direct personal appeal, this time to Queen Victoria. He knew that the southwestern chiefs, some from as far away as the upper reaches of the Mississippi River, had come to trust his ideas. Now many of these leaders were preparing to relocate northwards to Canada, along with two thousand of their people.⁸⁶ For him not to act in an effective manner was probably a fate the chief refused even to contemplate.⁸⁷ So upon learning that the government adamantly refused to allow any Ojibwa immigrants from the United States to settle at Garden River,⁸⁸ Shingwaukonse, with a local merchant’s help, headed up a fund-raising campaign in 1853 for an expedition to England.⁸⁹ Although afflicted with gangrene in his back and “not expected to live,”⁹⁰ the old warrior roused himself sufficiently to set off towards Toronto in early June. Unfortunately, the 80-year-old chief travelled only as far as Penetanguishene; in

would be paid for logs they wished to sell, and Church promised to saw a certain quota of the timber hauled to his mill for the band’s own use, free of charge. The local Anglican missionary felt the contract to be a good one because Church had dealt honestly with the band for many years. Unfortunately, the merchant resided on Sugar Island, just offshore of the reserve, but on the American side of the border. NA, RG 10, Vol. 191: 11383-84, “Agreement between Shingwaukonse and his Band and P.S. Church,” July 1851. After 1851, a young and energetic Methodist missionary, the Reverend George MacDougall, renewed the band’s interest in farming, and assisted with the building of houses and barns in the community.

84 AO, MS 91, Pkg. 11, George Brown Papers, Correspondence, Allan Macdonell to George Brown, 20 April 1853.

85 The law was entitled *An Act to Make Better Provision for the Administration of Justice in the Unorganized Tracts of the Country in Upper Canada* (16 Vict. Cap. 176).

86 NA, RG 10, Vol. 198, pt. 1: 116289, “Petition of Ashkepogegosh of Leech Lake and other American Indians,” 1853.

87 A recent article traces the effects of humiliation of such a kind on another chief, in this instance, Loon’s Foot of Fond du Lac, Minnesota, who was the brother-in-law of Charles Oakes Ermatinger. Rebecca Krugel, “Religion Mixed with Politics: The 1836 Conversion of Mang’osid of Fond du Lac,” *Ethnohistory* 37 (2): 127-57.

88 NA, RG 10, Vol. 198, Pt. 1: 116289, “Petition of Ashkepogegosh of Leech Lake and other American Indians,” 1853.

89 The Garden River band raised £200 for the expedition and Church gave £70. NA, RG 10, Vol. 201, Pt. 2: 119396-97, Joseph Wilson to George Ironside, 21 March 1853.

90 Ibid.

September he and his party were forced to turn back owing to the chief's declining health. He died in the late fall.⁹¹

The outcome of the Robinson treaties had imbued Shingwaukonse with a restlessness. He had sought to do everything he could to restore his people some measure of their independence within the nation state, and before his death had transmitted this intensity of purpose to his sons. In the fall of 1854, his son and successor as chief, Augustine, led another brief attack on mining property, which involved firing some shots past employees working for the Quebec and Lake Superior Mining Association holdings on Michipicoten Island,⁹² but the time for such activities had passed. Augustine soon modified his behaviour, and sought other, less volatile ways to forward his people's interests.

A Leadership Legacy

Augustine and those who succeeded him confronted far more obstacles than had their predecessors. Canadian Ojibwa faced a future residing on small reserves with little control over local resources. With the passing of Aboriginal lands from Native to government control, revenue from mining and logging operations on reserves irrevocably was lost or fell into trust funds which were frittered away on surveys or the building of colonisation roads primarily to benefit white settlement. Native fisheries were alienated, gravel extracted without remuneration,⁹³ timber was taken without band permission, and the earlier system of cutting wood on individual family lots was replaced by block cutting which denuded the reserve's landscape. Local political lobbying compelled the band to cede their best farming areas in the late-1850s. Then, in the early twentieth century when reserves in the Sault vicinity became too small to support their growing populations, bands had to purchase lands from the tracts earlier taken away. An elective system, unilaterally imposed on the Garden River band in 1891 following Augustine's death,⁹⁴ not only structurally marginalised chiefs and councils away from the political mainstream, but subjected them to insidious external campaigns to render

91 Shingwaukonse's grave site lay on the west bank of the Garden River. Kohl, *Kitchi-Gami*, 373.

It has since been destroyed by water erosion, but the Anglican church, which lay nearby, is sometimes regarded as a symbolic marker to his burial site.

92 *Lake Superior Journal* (Sault Ste. Marie), 4 November 1854: 2.

93 Four gravel pits, which constituted the source of the high-grade stone used by Ontario in 1909 in the construction of the Sault Ste. Marie to Sudbury trunk road, were expropriated by the CPR under the Railway Act of 1879, despite a major protest movement launched against their alienation by the Garden River band between 1897 and 1913. "Correspondence on the gravel pits," 1897-1914. NA, RG 10, Vol. 2068, File 10, 307, Pt. 2.

94 NA, RG 10, Vol. 2552, File 112, 279, William Van Abbott to Indian Affairs, 9 January 1891. Included with "Notice of Death of A. Shingwauk."

them almost wholly powerless insofar as local resource issues were concerned. In 1916, this fact became all too evident when one active and educated chief, George Kabaosa, after leading a campaign to gain a measure of community control over his reserve's gravel and timber reserves, found himself suddenly deprived of his status by government fiat, despite the protests of those who had elected him.⁹⁵

In conclusion, then, what do these events say about the nature of leadership evidenced by Shingwaukonse? That, ultimately, it was weak and ineffectual? Or, though constrained by the workings of a restrictive legal system enshrined in successive legislation concerning First Nations peoples, it displayed a surprising resilience despite formidable odds? Did it respond merely to crisis situations, or did it leave a more lasting legacy? Were Shingwaukonse and his successors, if considered in the light of the agent/victim dichotomy, unfortunate participants in a struggle where ultimately they could not win? This author debates this last interpretation. There is an air of awful finality to any dichotomous situation, where one side defines the other. Moreover, both the terms "Native agent" and "Native victim" denote stereotypes, not living, breathing individuals, so at best they apply to a temporary state of affairs. One may be a victim of an unjust law, but in Canadian society one hopes that such laws eventually may be changed. Victimhood cannot in any way properly characterise Shingwaukonse's career. He proved shrewd and calculating as well as far-sighted. And on reviewing the evidence, it appears that Garden River leaders have consistently exhibited faithfulness to his vision of the future, as well as to traditional group norms and values.

Owing to the fact that Shingwaukonse felt his vision to be a unifying, inclusive one, he encouraged non-Natives such as McMurray and Macdonell, as well as Natives such as Nebenagoching, to forward sophisticated ideas and philosophies in his name, thereby showing a willingness to shoulder the burden for their ultimate success or failure.⁹⁶ This confident stand entailed risks,

95 George Kabaosa was forced to step down as elected chief shortly after he had won office in March of 1916. AO, MS 216 (5), Sault Ste. Marie Agency Records, 4 March 1916. His campaigns to gain prerogatives over timber on the reserve were taken up by Chief Amable Boissoneau in the 1930s.

96 Shingwaukonse's unique vision militated against what may otherwise have been a fairly self-interested scheme on the part of Macdonell who, in his later writings, as an Expansionist and debunker of the Hudson's Bay Company's monopoly, still paid high regard to the political and economic potential of Native groups. Though by the late-1850s Macdonell no longer portrayed the Ojibwa as he once did, as proud proprietors of lands and resources, he praised the way in which the Ojibwa sought new opportunities despite the strictures set by oppressive legislation. AO, Aemelius Irving Papers, MU 1474/18/7, Allan Macdonell, "Report of the Committee Appointed to Receive and Collect Evidence to the Rights of the HBC Under Their Charter, 1857."

but given the odds arrayed against him, his judgement proved uncannily sound. To the Ojibwa, the true measure of a leader is the ability to act in efficacious ways on behalf of those for whom one is responsible.⁹⁷ Shingwaukonse was making plans and projections, but, even more important, he was doing so wisely according to the strictures of his culture.

⁹⁷ Black-Rogers, "The Ojibwa Power Belief System," 146.