PLAN

OF THE

NAVAL RESERVE

AT

POINT PELEE

IN THE

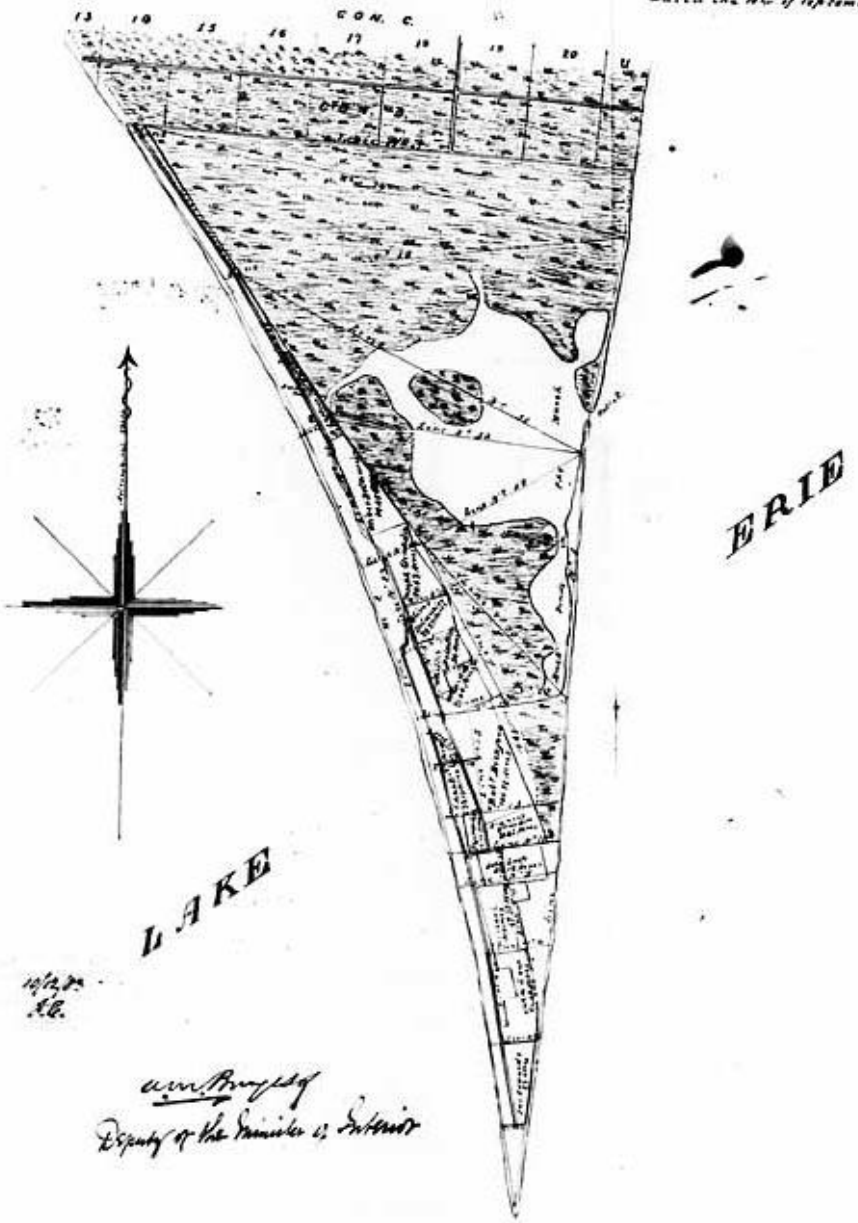
TOWNSHIP OF MERSEA

SHEWING EACH OF THE SCATTERS HOLDING THEREON

Scale 40 Chains to an Inch

(Signed) Alexander Aird
Provl Land Surveyor
Leamington, 27th Feb 1883

Surveyed under instructions from the Department of the Interior Dated the 18th of September 1881



10/12/83
R.R.

A.M. Burgess
Deputy of the Minister of Interior

File with Mr Gordon's letter of 24 Nov '76 re

26,320

Indian Office
Stratford Ont 21st Nov 1876

Sir

Sometime in the month of Oct 1876, the Council of the Chippewas of the Thames (in my absence) agreed to take one William Caldwell into family into their Band and give him all rights and privileges enjoyed by the members of the Chippewa Band. This William Caldwell formerly was a member of Point Pelee Indians County of Essex and the party who addressed a letter to the Department, making certain inquiries relative to Point Pelee, and the Indian claims there. The letter was forwarded to the Department by Mr Meyers in one of their dated Nov 24th 1876. I informed the Band that I did not see my way clear in placing as many unfortunate (?) on the Pay List, without the sanction of the Supt General, but I would submit the case to the Dept and if sanctioned by the Supt General, would do so. You would therefore advise me as to my course of action in the matter, whether sanctioned by the Superintendent General or otherwise.

I have the honor to be
Sir
Your Obedient Servant
Thomas Gordon
Indian Agent

The Honorable
The Supt General
of Indian Affairs
Ottawa

94.645

J.C. Patterson, Esq. M.P.
Windsor, Ontario

Nov 15/86

Sir,

In reply to your verbal enquiry of the 10 instant relative to land at Point au Pelee ~~Anpelle~~ claimed by Chief Caldwell and other Indians I have to inform you that the land in that locality is under the control of the Ordnance Office & this Department has no jurisdiction over the same.

Yours &c

DM

Thomas Gordon Esq.
Indian Agent.
Longwood. Ont.

January 11 187

Sir,

In reply to your letter
of the 8th Nov. last enclosing
statement by Chief Calder
of the Point Pelee Band,
subject of a claim w
suppose they have to
Pelee in the C. of Ess
have to inform
the surrender, re
by Chief Calder
by the Chiefs a
later of the
and

Band.

That during the Superintendency of G. Ironside as agent the said Band received fr[illegible] the Government besides the presents annual [illegible] which was appropriated to the purchase of h[illegible] ing materials of all sorts, and since the s[illegible] G. Ironside resigned to the Manitoulin Isl[illegible] to act as Commissioner, said Band ord[illegible] three semi annual payments from J. Tay[illegible] as successor of G. Ironside. It is now nine [illegible] twenty years since the Band received their la[illegible] payment of their income. What has become of it said Chief solicit information.

That said Band [illegible] Point [illegible] consid[illegible] able [illegible] ration of lan[illegible] some [illegible] Crown, and [illegible] lan[illegible] 1879 -

[illegible] 1-a[illegible]

In the matter of the claim of Chief Caldwell and Band to Point Pelee in the County of Essex.

This is a statement made by Chief Caldwell and in behalf of his Band setting forth their claim to said Point Pelee, from the fact that the Band was never surrendered by them to the Crown.

That said Chief affirms that he is now in his eighty eighth year of his age, was born on the said Point, and he never knew or heard to the best of his knowledge that his father, who was the Chief of said Band before him, was parties to [illegible] of Deed of Cession to the Cr[illegible] made by Chief [illegible] of oth[illegible] to bind [illegible] the Western [illegible] Ton[illegible]

Indian Affairs. (RG 10, Volume 2043, File 8986 pt. 3)

POOR COPY

DEPARTMENT OF INDIAN AFFAIRS CANADA

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL.

OTTAWA. April 1, 1913.

The Lands Branch,

Will you please let me know if the Indians or this Department have any interest in the lands at Point Pelee.

D. S. G. I. A.

No interest

Lynwood Nov 24th 1899

Dear Sir

I send you herewith a statement of the Chief Caldwell of the Point Pelee Band of Indians, who I sometime past resided on the Grand River, and who is anxious to know if he and his Band have still any claim to the said Point Pelee, or if not, how they had lost the claim they once had there, the statement sent herewith will explain the necessary information I think, and hope you from the said statement will be able to report to the Old Chief as he desires

[illegible] he honor
[illegible] yours very
[illegible] respectfully

Rec'd Ans 17 Jan 77 Mr Sm

Mr Merrill. Ask & inform Mr Gordon
whether the Surrender referred to by the Chief
Caldwell in 1796 has been signed by the Chiefs
and principal men of the Chippewas Settlers
on Allowing the land covered thereby
that there is no Land Reserved as Point Pelée
Indians.
that there was no Annuity stipulated in the
Surrender to be paid the Ind. Surrenderers
and - the Consideration has £120 Currency
given in Kind at date of Surrender
that there is no Correspondence in the
Office Relative to improvements alleged to have
been made by Indians at Point Pelée
as the Indians to whom Chief Caldwell alludes
became merged into other Bands & there

Mr Power will please give his early attention to the Griffin business by looking in the old Correspondence for any information relative thereto and have a synopsis of the same

A.M.

Jany 14/78

See Marginal notes on Chief Caldwell's letter.

J.P.

8986

Thomas Gordon Esq
Indian Agent
Strathroy, Ont.

Dor/ Jan 29th '91

In reply to your letter of the 21st instant relative to the case of Wm Caldwell and family to whom you state the Chippewa Band of the Thames are desirous to grant the rights & privileges now enjoyed by the members of that Band I have to inform you that there is no provision in the law, under which Indians can be adopted into a Band and share in the annuities thereof.

There would, however, be no objection to Wm Caldwell and his family residing on the Carradoc Reserve, if the Indians are desirous that they should live there, as there is provision under the act (see proviso to section 23) under which an Indian of 5 years a residence in the country - who is not a member of the Band, may with the consent of the Band & approval of the Supt General reside on the Reserve & receive a location thereon.

[illegible]

34396

Statement of Chief William Caldwell

The following is submitted for your consideration in the matter of the claim of Chief Caldwell and his Band to Point Au Pelee in the County of Essex.
This is a statement made by Chief Caldwell in behalf of his Band setting forth their claim to the said Point au Pelee from the fact that said Point was never surrendered by them to the Crown with the exception of the southern extremity of said Point containing about Twelve hundred Acres which was by them leased to the Crown through Col: Elliott who was then an Indian Agent and who made said Band to understand that said land was required of them by the Govt for military purposes, ever loyal to his Majesty King George III they readily consented to lease the said land when it was so required as above stated.
That said Chief Caldwell affirms that he is now in his eighty eighth year of his age was born on said Point and he never knew or heard to the best of his knowledge that his father who was a Chief of said Band before him had ever participated with chiefs of other Bands of Indians who from time to time executed Deeds of cession to the Crown of the said western Portion of the Province
That said Band had always considered the said Point their own as they had occupied the same so long even before the lands along the shore of Lake Erie were ceded to the Crown, which took place somtime in the year of 1790 and when it was understood by treaties then made that said Point and Islands near its vicinity were reserved for the use and Benefit of said Indians
That said Band received annual payments from the Govt as other Bands during the superintendency

of Geo. Ironside and who made the said Band to understand that a large amount of money was credited to them by the Govt: and which will be distributed to them by the successors in Office of said George Ironside.

The said Band accordingly received two payments from Talfour Esqr. who succeeded said Ironside in office since then the Band never received any more payments what became of said money the Band solicit information.

That the said Band while occupying the said Bruton Bay made considerable improvements in the cultivation of land some of them living in substantial log houses but by the encroachments of the white settlers, and also threatening to eject the said Band claiming that Indians have no right to the occupancy of said land, and in order to avoid any trouble with the said whites we gave up the possession of our homes getting but little and in some instances no value for what we left behind us -

That it is about twenty-seven years since the above transpired and during those years the majority of the band has scattered to different parts of the Province some have become included in the Band of Walpole Island and others with the Band of the Chippeways of the Thames -

That we are left destitute and in want and therefore pray to our good Mother Her Majesty Queen Victoria to hear the prayer and supplication of a few of the remnants of her always loyal red children -

The above was signed in my presence after being duly explained to him the said Chief Wm Caldwell by his son Robert Caldwell by making his mark
O. C. Schlichan J.P.

William his X mark Caldwell
Chiffay Chief

34696

To

The Right Hon Sir John A Macdonald
The Superintendent General
of Indian Affairs &c

The enclosed statement of
Chief William Caldwell speaks for itself I
can only observe to you that the Chief is a
very old and sick Indian and depends entirely
on the charity of the world and the little assistance
that his son Robert can give him, which is
very scant. both him and his father participated
under the renowned Chief Tecumseh in the
Battle of the Thames they both fought for the
British all through the war
These Indians are very industrious sober and
inoffensive people
hoping you will take this communication into favourable
consideration at an early date I subscribe myself
Your humble Servant
S. G. Schledian

Bismarck Post Office P.O.
Elgin County Ont
17 Decbr 1881

Mr Benson Please refer to surrender
by the Ottawas Chippewas Pottawatamies
& Wyandotts of a tract in the townships of
Kent & Elgin & see if there was any reserve
of land at Point Pelee in the county of Essex
also if Chief Caldwell's name is attached
to the surrender
Dec 30/81

MEMORANDUM.

Department of Indian Affairs,

To D.S.G.I.A.

Ottawa, 30th Decr 1887

No Reservation at Point Pelee is mentioned in the Surrender of the 19th May 1890 from the Ottawa Chippawa Pottawatomy & Huron Ind to the Crown & the name of Chief Goldwell does not appear as one of the parties to the Surrender

Martin Benson

24.645

J. C. Schleihauf, Esq.
Bismarck, West Lorne P.O
County of Elgin.
Ont.

January 4th 1882.

Sir,

I am directed by the Supt. Genl. of Indian Affairs to ack. the receipt of your letter of the 17th ultimo, relative to the statement of Chief William Coldwell, of Point Pelee, enclosed therein.

In reply I beg to inform you that there was no reservation of land for Indian purposes made at Point Pelee under the Treaty of the 19th May 1790, whereby the Ottawas, Chippewas, Pottowatomies and Huron Indians of Detroit surrendered their ~~land~~ lands in the Counties of Kent, Essex, and Elgin. There were two Reserves made in that Treaty, one in Anderdon, part of which is at present occupied by the Hurons or Wyandotts of Anderdon, and the other between the mouth of the Rivière aux ~~[illegible]~~ and the Huron Church Reserve.

Jervais

If the Indians comprising this small Band are disposed to remove to Walpole Island at the mouth of the River St. Clair where there is a large Indian Reserve occupied by Chippewas, Ottawas & Pottowatomies, the Dept. will endeavour to secure them locations thereon. They ~~[illegible]~~ Certainly have no any title under the Treaty to land at Point Pelee.

The idea is given in Chief Coldwell's statement and in your letter of the present number of the Band in question.

Shaw, &c.

West Lorne P.O.

Bismarck 25 April 1882

36861

The Right Hon: Sir John A McDonald
Superintendent General of Indian Affairs.
Ottawa.

Sir

Re Caldwell

In answer to the letter addressed to me in regard to Chief Caldwell's claim of Point Pelee dated the 17th January last numbered 24,645. I am desired to ask the Department, for explanation with regard to the total abandonment of the Government regarding Chief Caldwell's band. They consist of over one hundred people and are scattered through Essex Kent & Elgin Co.

Chief Caldwell asserts that Point Pelee was never surrendered to the Government by treaty, he is old and unable to make a living; has to live on the charity of the whites, and of his son Robert, who has a family of six children. They are hard working industrious and sober Indians, an exception to a great many.

I hope and trust the Government will kindly look into their case and do justice by them for at best the poor Indians have received only a mess of porridge for their inheritance

I subscribe myself your
humble Servant
C. E. Schleihof
for Chief William Caldwell.

Reserve made for the Bands

of the Chippeways of Wa
Chippeways of the Thama
enjoy similar privileges
of said Bands.

That impressed
is, with the rightfulness and
which the claims of other Bands
Reserves are respected by the Gov
He ventures to assert that his Ban
the favorable consideration of the Govern
his expectation to be protected in them
to the lands, which their Fathers reserve
for them, as original owners of said
lands.

The undersigned Chief humbly a
respectfully solicits your immediate atten
and forward a statement to the Departm
in his behalf.

And your Petitioner will,
in duty bound, ever pray.

Chief Caldwe

E. Gordon Esqr.
Ind. Agent
Melbourne

24.645.

J.C. Schleihauf. Esq.
Westborne P.O.
Bismarck,
Ont.

1/5/82

May 4th 1882

Sir,

In reply to your letter of the 25th ult. relative to the Indians designated therein "Chief Caldwell's Band", I have to inform you that they had the same opportunity as other Indians under the Treaty of the 19th May 1879 to take up land on the Reserves set apart by that Treaty, & the Department is not responsible if they neglected to avail themselves of this privilege.

(3)
1790

With regard to the assertion of Chief Caldwell that Point Pelee was never surrendered by the Government by Treaty I have only to repeat what ~~has already been~~ has stated in my letter to you of the 4th January last that it is covered by said Surrender; & it would not appear that anything can be done for these Indians, unless they choose to remove to the Walpole Island Reserve

Reserve, & take up locations
therein. They must appear
from your let. to have hitherto made
a living independently of the
Dep't & probably they are
better off under their present
circumstances than they would
be were they dependent upon
the Gov't to some extent for
their support. As they are
described by you as being hard
working sober, & industrious
Indians, which is I am sorry
to say not the character the case with
~~generally of the~~ Indians
who are in receipt of
annuity from the Gov't. as
one would wish it were

I am, &c.

39404

Ontario
County of Essex
To wit

We A. S. Stockwell and Francis Wilkinson both of the Village of Leamington in the County of Essex severally declare as follows.

1st That we were personally acquainted with Jeremiah Caldwell Chief of the Chippawa Indians living on Point Pelee in the County of Essex and Province of Ontario and that he resided on the said Point Pelee until the time of his death which occurred on or about the year of our Lord one thousand eight hundred and thirty two

2 That we are also personally acquainted with William Caldwell (otherwise known as Midwayish Caldwell) son of the said Jeremiah Caldwell who after the death of the said Jeremiah Caldwell became the Chief of the said Tribe and resided on the said Point Pelee continuously for about four years, after which time he remained on said point occasionally with the said Tribe from which time they have been living around the neighborhood of said Point Pelee working and hunting and are still living there ~~[illegible]~~ yet

3 That the said William Caldwell with his Tribe was out doing Military duty under Major Francis and Colonel Airey on the frontier in the County of Essex during the years 1837-1838-1839 and were loyal and true to the Crown

And we make this solemn declaration conscientiously believing the same to be true and by virtue of the act passed in the thirty seventh year of Her Majesty's reign entitled an act for the suppression of voluntary and extra judicial oaths -

Taken and acknowledged by the said A S Stockwell and Francis Wilkinson severally before me at the Village of Leamington in the County of Essex this 17th day of July A D 1882

A. S. Stockwell
Francis Wilkinson

G Carupagne
A Commr etc
in and for Essex

Bismarck 3 October 1882 West Lorne P.O.

39404

To the Gen. Supt of Ind. Affairs Ottawa.

Sir!

Re Caldwell

In answer to yours of the 4th of May last numbered 24645.

These Indians are illiterate, can neither read nor write, and I think that on that account they ought to be honorable dealt with - the statements of R. S. Rockwell and Francis Wilkinson of Leamington are men that know as you will see by their statement enclosed herewith about the services rendered to the Government of these poor Indians - they have risked their lives in defense of the Crown and they ought to be recompensed therefor by the Government - the statement of chief Caldwell also herewith was made before Robt Golder and interpreted by Ben Groslicot at Muncey town.

I am sure the Government will not withhold the rights of these people any longer, for they should not suffer because they are sober and industrious & because the majority of Indians are the opposite -

I trust the wail of the poor and doomed red man will not be disregarded and justice done to them - being illiterate they know nothing of their treaties of 19 May 1790 - and 1879 - except as per the statements forwarded to you & trusting your Department will give this your most favourable consideration I remain

Yours truly &c

S. G. Schleihauf

for William Caldwell

N 3

39404

My Grate Father I think that I have told you enough to show you that we the Chippaw Indians are the owners of Point Peele My Grate Father I want my Point Peele or the pay for it its we have no place or Land to live upon and we have to impose on our Brethern for our live hood we are all over making our home and I am tired of living in this state of way

signed in presence of
his
William X Caldwell
mark

J C Tolliker

N. 2

39904

and brought one of the Scalp
to Elliot so after this the
war commenced and lasted
for one whole year ~~and Windsor was taken~~ and
Detroit was taken and the
war was over and then
Elliot came and told the
Indians to go with him
to whear he was stronger
Elliot fooled the Indians
as the Indians was not
beat round hear but they
was nearly seeing beat at
Hamilton that whear we
had to fight hard instead
of Elliot been stronger at
Hamilton he was weaker
Elliot told the Indions at

at Hamilton that he had
got a letter from the great
Father to be strong and he
and win the battle for if
the yankees beat then the
yankees would ~~would~~
own them and their great
Father and then they
would be under the
yankees and the yankees
would not use them as
well as their Great Father
and then after we got to
Hamilton the war lasted
for 2 years and then the
British beat the yankees
and then Elliott told
the Indians that their
Great Father was coming
to see them and the
Government sent Colonel
Jim to see them

and then Colonel Jim sent
word for the Indians
to come and 39404 of him
in the form that they
was in at the battle
and the Indians went
a little way and so meet
him and Colonel Jim
told the Indians that
their Great Father had
sent him to thank them
for what they had done
and those that had
Land to go to their home
and Colonel Jim told
them those that had
no Land Elliot would
see that they got Land
Elliott told my Father
that he could go and
seek Land where he
could find it to suit

him and he would give
it to him or he could go
and take back Point
Peely and he would give
it to him again and
we all went back to
Point Peely from Hamilton
after the war was over
My Father and the
Indians lived on Point
Peely for 45 years after
the war was over The
cause that we left the
Point Peely the Whites
whear ~~[illegible]~~ settleing on
the Point and whear
missusing us we never
used any revenge towards
them we never used
revence unless ordered
by our Grate Father to
do so

39404

Murcey Town Aug 27/82

Sir what I know about the Peely

The first I know is that a man name Elliot wanted to get a part of the Point from my Grand Father Penabawenimne for the purpose of making some Barricks and for which he said when the building was commenced that he could expect his pay very soon my loving father I am telling you so you say you dont know the Point Peely as ever been Indian and the loving Father that is the way that you have cheated me

39404

Elliot have the Land but after a little while they concented to let him have the Agent then said now my children I am very thankfull that you let me have the Land and then he said that he was goin to make writing about this so as it would never be lost he said that he would get a of this paper made out in case some of them got lost there would be one paper at a different places he went then told us what we had done that not to forget this the Agent then told the Indians to take notice of this Chief Son so that they would know which was the Peely my loving father what I am telling is nothing but the truth you may

friends Father that is
what this Land was
given for about one mile
and half long for soldiers
to live when it long time after
this was made they went
to Malden to get their
pension and when they
where goin back the
interpreter over took them
and told them to stop and
camp there as the Agent
wanted to see them the Agent
had it counsel with them
their and he wanted all the
Point and they refused to
let him have it and after
they refused to let him it
the Agent brought it
bottle of Brandy and gave
it to the Indians and we
still refused to let him

but you will find what
I am telling you is nothing
but the truth the Agent
told us that we was to
get what the Land was
worth when it was paid
for it little while after
this it war commenced
and then Elliot came
and told my Father he said
now Mr Calvile I want you
to take your arms and go and
kill them Yankees and then
Elliot told my Father that
if he kill one of these yankees
to bring his scalp to him and
he would boil it and it be
like the taste of the blood
he would rebel against them
so my Father took his arms
that he gave to him and
went and kill one of the yankees

but you will find what
I am telling you is nothing
but the truth the Agent
told us that we was to
get what the Land was
worth when it was paid
for it little while after
this the war commenced
and then Elliot came
and told my Father he said
now Mr Colvile I want you
to take your arms and go and
kill them Yankees and then
Elliott told my Father that
if he kill one of these yankees
to bring his scalp to him and
he would boil it and if he
like the taste of the blood
he would rebel against them
so my Father took the arms
that he gave to him and
went and kill one of the yankees

24.645

A. Dingman, Esq.
Inspector of Indian Agencies
& Reserves.
Chatham, Ont.

20/11/82

November 25th 1882.

Sir,

I enclose herewith File No. 24645 of this Dept, relative to a small irregular Band of Indians who appear to be located on public land at Point Pelee. You will find among the papers a statement made by their Chief William Caldwell, also the reply sent by this Dept to Mr Schlichauf who forwarded their Petition to this Office, & the subsequent correspondence with that gentleman in the matter.

These Indians have been informed, as you will observe, that if they choose to remove to Walpole Island, the Dept would endeavour to secure locations for them on that Reserve; also that the Dept has no control over the lands at present occupied by them; ~~and that~~ they as well as other lands ~~were~~ having been surrendered many years ago from a fixed country

without anything Reserve having been made at Point Pelee

You will perceive from Chief Coldwell's letter of the 27th of August last to Mr Schlichenmayer of the 3rd ultimo that the Indians are not satisfied with the answer sent them. It would be well for you to visit the locality before returning to Ottawa & endeavour to ascertain the actual condition of these Indians - whether they are able to support themselves on the lands occupied by them & if they are not in their present circumstances comfortably situated, whether they would not consent to remove to Walpole Island and take up land there. It is probable that some other mode of dealing with the matter may suggest itself to your mind, which the Dept would be glad to be informed of

Sam, &c.

Letter to be held over for perusal of Vankoughnet

The Rectory
Tyrconnell. C.W.
Jan 22nd 1853

Mon Cher

Having had the honour of a personal introduction to you, having been a Missionary amongst the Indians for a quarter of a century, and having corresponded with the Heads of the Indian Department on Indian affairs, during that period, I need not offer any further apology for the present communication. Though I am no longer officially connected with the Indians yet my interest in their welfare is unchangeable. And this fact being widely known, I have been submitted some recently documents, and correspondence with the Indian Department, relating to the claims of the Rice Lake Band of Indians to lands in this locality

From the documents submitted to me it appears

1st That said Band of Indians under the late Chief Queen Caldwell occupied said lands previous to the Treaty of 17[illegible] as their rightful possession

2nd That Chief Queen Caldwell and Band were not consenting parties to the surrender of lands in the Counties of Essex & Kent by different Tribes and Bands of Indians under the Treaty of 1790, and consequently made no surrender at that time of their possessions at Rice Lake to the Government

3rd That subsequently, Chief Mudwayosh Caldwell, son & successor of Queen made a surrender, or gave a lease to the Government for Military purposes, of about 300 acres of land at the extremity of Rice Lake, and that in consideration thereof the Chief and his Band received annual payments during the superintendency of Mr Ironside and that of his successor in office Mr Salfordes, but that since then the annual payments were discontinued for reasons not [illegible] to the Indians

4th That the Indians were at length crowded out or driven from their possessions by the aggressive acts & encroachments of white settlers

5th That during the occupation of the lands by [illegible]

Mr McDonald. Act received & kept over until return of Mr Vankoughnet. Meet the Commissioner & be able to give him a full answer to the letter.

File with Papers in the Statement RD 25/1/53

41158

of Indians. They made considerable improvements and built some substantial log houses which have been appropriated by the Whites without any compensation, and that Chief Hindoorock Caldwell is now old and infirm and in destitute circumstances.

And I beg leave to state with all due respect that your communications numbered and dated respectively 24,645. Jan. 4th 1882 and 24,645 May 4th 1882 in reference to these matters are not definite and satisfactory.

Allow me to ask. Is the name of the Chief of the Point Pelee Band of Indians attached to the Treaty of 1790? If so when was the necessity of obtaining, subsequently, a surrender or a lease of 300 acres for a Military position? Why were annual payments made by Superintendents Drummond & Talfourd and why were those payments discontinued? If the sig of the Chief of that Band is not attached to the Treaty and he was not a contracting party thereto, how can the Treaty of 1790 be said to comprehend the surrender of their possessions.

I am quite sure the Department would never disregard the rights of any Band of Indians, however small or insignificant the Band may be, and I should be much obliged if you would kindly give me some further information on the which would enable me to explain the matter satisfactorily to Indians who have appealed to me.

I have the honour to remain
Your obedient Servant
James Chase

To The Right Honourable
Sir John A Macdonald. P.C. K.C.B.
Minister of the Interior & Sup. General of Indian Affairs
Indian Department
Ottawa.

See memo re letter of 22nd Jany

Put by [illegible] Dep. [illegible] 7/3/83

[illegible] before Mr V [illegible] this

Bismarck March 3rd 1883

41825

Dear Mr Vankoughnet.

In compliance with your letter of the 20th Nov. last, No. 24,645, instructing me to proceed to Point Pelee to treat with an irregular Band of Indians living near there, with the view to inducing them to remove to Walpole Island, I have to state, that yesterday, I started to visit them, and arrived at this place last night, and had a meeting with Mr. J. C. Schleihauf and Robt. Caldwell, a son of Chief William Caldwell, and arranged to have those of the Band living near this place, to meet me here on Wednesday next at 2 p.m. and intended to proceed this morning to Essex Centre, and thence to Leamington, near where there is another portion of the Band living, and arrange to meet them on Thursday next. But I have been completely stuck here all day because of the breaking down of the engine of the train by which I expected to go west. I cannot proceed west till 5.20 this evening. I think I can manage to see the Indians living near Leamington on Monday and Tuesday, and get through by Thursday night with the meetings I have arranged for, and return home on Friday next, when I intend to come immediately to Ottawa to complete my rather numerous reports which I shall have to make.

I have the honor to be
Dear Sir
your humble servant
J. Dingman
Inspector Indian agencies
& Reserves

L. Vankoughnet Esq.
Depty. Supt. Gen. of Indian
affairs. Ottawa.

[illegible] ans. to [illegible]

Lr
Prairie Spirit Island
Bismarck 14 November 1883

46853

To the Supt. General of Indian Affairs
Ottawa

Sir!

I am contrained to draw your attention the matter of Chief Caldwell's Band of Indians regarding their claim of Point Pelee & Island I received some communications from your department Dated Jany 4th 1882 No 24645 and also May 4th 1882 No. 24645. some correspondence through the Rev James Chance of Lyncombe regarding the matter, and your department sent a Mr Dingman an Indian Agent here last march and he investigated their claims and position to the Government.

I expected your department would do something for this band of Indians by what Mr Dingman then said, but we have not heard anything from your department or Mr Dingman since - I hope and trust to hear from you soon regarding this matter these people have been long neglected.

Yours truly
J. B. Schleihauf

File with papers
re & redress
JR

8986

Department of Indian Affairs

Ottawa 17th Nov. 1883.

Nov 17/83

Memorandum

With reference to Mr. Schleihauf's letter of the 14th instant, relative to the case of Chief Caldwell's Band of Indians, who reside at Point Pelee in the County of Essex, - the undersigned begs to report that there was no reserve of land made at that place for Indians. It is Ordnance lands, and the Band in question have been offered a location on Walpole Island if they choose to remove there. This however they affect to be unwilling to do, and in November

To the Right Honourable
Sir John A. Macdonald, K.C.B., K.C.B.
Supt. General of Indian Affairs.

To Mr Dewdney
for report or promise
Nov 17/83

Let report from Mr Dewdney
Nov 17/83

November last Mr Dingman was instructed to visit them and to endeavour to ascertain their actual condition and to induce them to remove to Walpole Island and take up land there, and report fully on the matter to the Department.

On the 9th of March Mr Dingman wrote stating that he intended to visit these Indians, and that he would report. No report has since been received from him, and he is at present absent from Ottawa on official business at Lake Temiscamingue on the Upper Ottawa.

A Vankoughnet
Deputy Supt General
of Indian Affairs

Ottawa
February 5th 1884

Sir,

In accordance with instructions contained in Departmental letter, No 24.645, dated 20th November 1882, I visited the irregular Band of Indians scattered over portions of Elgin, Kent and Essex; and also Point Pelee, to acquaint myself with the character of the locality, and the circumstances which connect it with those Indians. I deferred reporting immediately after my visit, with the view to getting a Copy of the map which Mr. Alex. Baird P.L.S., had in course of preparation of his recent survey of the Point, in order to attach it to my report. Before I procured a Copy of the Map – indeed, I only obtained a Copy in December last – I was instructed to visit the Maritime Provinces, and circumstances since have been against my reporting earlier. During my visit to the Reserves

L. Vankoughnet Esq.
Depty. Supt. General of
Indian Affairs, Ottawa.

Reserves in the western Superintendency of Ontario, in December last, I again visited those Indians residing in the neighborhood of Bismarck, in the County of Elgin, to ascertain if their views had undergone any change with regard to taking up locations on Walpole Island, and have the honor now to report in respect to both visits, as follows:-

I met Mr. J. C. Schleihauy, and Robert Caldwell at Bismarck on the 5th of March, and arranged for a meeting of all the Indians in that vicinity on the 7th. I then proceeded to Leamington, and employed a man to give the Indians, living between that place and Comber Station, notice that I would meet them at Comber Station on the 8th. In the meantime I visited Point Pelee, a map of which will be found annexed. From a glance at the map, it will be seen that the proportion of dry land is very small, and what there is, is very poor. It is composed of beach sand washed and blown up in ridges by the waves and wind. The land is really of very little use

use for agricultural purposes. The Point would be of value chiefly for fishing, and duck shooting. There is a considerable quantity of very fine red cedar, and walnut of a second growth, extending along nearly the whole length of the west shore. The road is along the west shore, and for quite a distance there is only about dry land enough for a road. There are no Indians living on the Point, nor have there been any for many years. They claim that it is theirs, however, that it was never surrendered, and that they were driven off by the whites without payment for their improvements, which, in some cases, were quite considerable. And from what I could hear, I am inclined to the opinion that they never received from the white squatters value for their improvements. That they resided on the Point many years, and made considerable improvements, there is no doubt. The present white occupants are mere squatters, and have no deeds for their land, and I would beg to suggest that inquiry be made with the view to ascertaining how

they

they came in possesion, and whether the Indians were, in all cases, fairly remunerated for their im=
=provements. These squatters are now applying for patents for their land, but it would seem only just that the Ordnance Branch of the Department of the Interior should first be satisfied that they had come honestly in possession, and had fairly remunerated the Indians for their improvements, before patents are granted them.

I met the Indians in the vicinity of Bismarck, in the shanty of Robert Caldwell, son of Chief William Caldwell, as appointed. There was quite a number of them. Robert Caldwell's shanty was situated in a woods belonging to Mr. Schleihauf. The old Chief, William Caldwell, was present. After hearing all their stories, and explai=
=ning to them that Point Pelee had been duly surrendered nearly one hund=
=red years ago, I made them the offer of locations on Walpole Island, with as=
=sistance in moving and getting settled there. But they did not seem at all inclined to accept the offer. They think Walpole Island is low,

wet

wet, and unhealthy. I pointed out to them that it was no lower, or more wet, than on the main land either on the American or Canadian side, and that there were very many fine farms owned by the white men right across from the Island, in fact many of the Indians, on the Island, had made fine farms for themselves, and what those successful Indians had done, any Indian ought to be able to do. But it all did no good, they would rather remain where they were than go to Walpole Island.

Robert Caldwal seems a steady, hard working man. He is most of the time working for Mr. Schleihauf, either by the day, or at taking small jobs, and is doing as well, apparently, as the ordinary run of day laborers do. The rest do not seem to be doing so well, though they all seemed fairly comfortable. Several of the old Chief's children are married, and live on the Caradoc Reserve. He has had four wives, and I could not make out clearly from their stories, whether more than one was living at the present time.

I met those living between Leamington and Comber Station, at the latter

latter place, as appointed. I heard their stories, and made similar explanations, and then made them the same offer to take up locations on Walpole Island, and with the same result. They seemed even more adverse to moving to Walpole Island. They are evidently not so comfortably off as those in the vicinity of Bismarck. Two or three of them were quite under the influence of liquor at the meeting, and to one in particular I had to speak pretty sharply, to keep him within bounds, and he then left the room.

I visited Bismarck again, and met Mr. Schleihauf and Robt. Caldwell on the 26th of December last, to learn whether the Indians had undergone any change of mind in respect to taking up locations on Walpole Island. But they were of the same opinion. They have a great prejudice against Walpole Island. I proposed that, if the Department saw fit to order it, a deputation of them might go with Mr. Schleihauf, and examine the Island for themselves, and see if they could not find suitable locations, and Robert Caldwell agreed that he would go, and thought some others would also. Mr. Schleihauf seems like a thorough going,

straight

straight forward kind of man, and if he should go with a deputation to Walpole Island, and find suitable lo=
=cations, and advise them to accept the offer, I think it would go a long way towards inducing them to do so. If the Department think well, I would beg to suggest some such course.

If they will not ac=
=cept the offer made them, I know no other course but to leave them to take care of themselves as best they may. They think the land on Point Pelee should be bought back for them. But I cannot advise such a course, first, because of the cost; second, they could not get a living there be=
=cause of the poorness of the land; and third, there would be too few of them to be worth while maintaining a school for them, and their children would continue to grow up in igno=
=rance for all time to come,

On Walpole Island, they would have good schools, and churches pro=
=vided for them; would be near good markets; and in a section of country where employment is as abundant as in ~~many~~ almost any other place. If they will not accept the very

liberal

liberal offer made them, I think they have no excuse, and should be left to help themselves.

I would beg to suggest, however, that some assistance be allowed the old Chief William Caldwell, during his life time, and another old blind man, whose name I have lost. I think any assistance which it might be thought proper to give them, might safely be entrusted to Mr Schleihauf to be distributed.

I have the honor to be
Sir,
your humble servant
A. Sniffman
Inspector of Indian
Agencies & Reserves

8986

Department of Indian Affairs

Ottawa 19th Feby 1884.

Memorandum

Referring to the Memorandum of the undersigned of date the 17th of November last relative to the irregular Band of Indians who reside at Point Pelee in the County of Elgin, Ont. but have no Reserve at that place, and the Superintendent General's instructions to obtain a report from Mr Inspector Dingman who had been instructed by the Department to visit these Indians with a view to induce them, if possible, to remove to Walpole Island, – the undersigned begs to submit herewith a report of the 5th instant from Mr Dingman in regard to said Indians

To the

Rt. Hon.

Sir John A. Macdonald, K.C.B.

Supt General of Ind. Affs

Lt Grace with Mr Rio Report. Let him interview Band and see if they can be induced to go to Walpole Island. Mr Schlichenhart to Walpole Island. If satisfactory Mr Band can remain where they are but they must be allowed to take Hum on Cross

Sgd WWR

Feb 29/84

Indians, and he respectfully recommends Mr Dingman's suggestion that a deputation of the same accompanied by Mr Schleihauf should visit Walpole Island to the favorable consideration of the Superintendent General; but he is of the opinion that two Indians should compose said deputation, as it is quite improbable that after all any successful result will follow their visit as the Indians are determined to remain where they are at present living and therefore as little expense as possible should be incurred in the matter.

A. Van Koughnet

Deputy of the Supt. General of Indian Affairs

8986

J. C. Schleihauf, Esq.
Bismarck,
Ont.

March 4/ 1884

3/3/84

Sir/ Referring to your letter of the 14th of November last & other correspondence relative to the Indians of Point Pelee, I am directed by the Lieut Govr of P.G. to inform you that Mr A. Dingman Inspector of Indian Agencies & Reserves has reported upon the condition in which he found the Indians referred to, & he has recommended that, with a view to these Indians becoming settled upon locations which can be properly allotted to them by this Dept. it would be advisable for a deputation ~~of them~~ composed of one or two at most of the principal men among them to visit Walpole Island in the River St. Clair and endeavour to find suitable locations thereon

the expense for their families & the Dept approves of this & recommends
and the Lieut. would be
glad if you could make
it convenient to accompany
the deputation & advise
them in respect to their
settlement on the Island;
& upon your notifying the
Dept that you will agree
to this proposition steps
will be taken to furnish
the means for yourself
and an Indian or two to
visit Walpole Island,
& the Indian Gent at
that place will be
instructed to afford you
& the Indians who
accompany you every
facility for selecting proper
locations (there or the Grand) for the Indians
of Point Pelee. Should
the Indians however
decide to remain where
they are the Lieut Gen is
of opinion that they
must be allowed to
take their own course,
& they cannot look to
the Dept for further assistance
in the matter.

I am &c

Bismarck 20 May 1884 50834

To Supt-General of Indian Affairs -
Ottawa -

Return

Sir!

Regarding your communication of the 4th of March last No 8986. I beg to say that two of the Indians will go with myself to Walpole Island to carry out the suggestions of the Department, made through Mr A Dingman
I feel myself under obligation to the department for the confidence you place in me and I hereby accept the suggestion to accompany those people and see if their lot cannot be bettered -
I wrote have wrote before this, but could not do so sooner on account of the sickness of the old Chief's ~~sickness~~ and death which occurred on the 13 of April last. his sons wish to go now and see those location on Walpole Island -
Awaiting your departments further instructions and on receiving the means to go we shall be ready to start on receipt of the same -

I am Sir
Your Obt Servant
J. G. Pelletier

8986

J. C. Schlichauf, Esq.
Bismarck,
Ont.

Drafts
9/6/84

June 10/ '84.

Sir/

I am in receipt of your letter of the 2nd Oct. replying to mine of the 4th March last and stating that you will comply with the request of the Deptt. and visit Walpole ~~Grassville~~ Island in company with two braves of Point Pelee for the purpose of selecting — if possible — 4 locations for members of their Band upon that Reserve.

Enclose herein accountable cheque of this Deptt. for the sum of $25 to cover expenses; and I shall communicate with Mr. Alex McKelley of Wallaceburg, who is the Indian Agent for the Reserve in question, and inform him that you will call upon him, and I shall request him to afford you

a/c 61
18783
25.00
11/6/84

you every assistance in his power to facilitate the inspection of the land with a view to obtaining a suitable location for the Indians of Point Pelee.

I am, &c.

Alex. McKelvey Esq.
Indian Agent,
Walaaeburg,
Ont.

June 10/ '84.

Sir/

Several families of Chippewa Indians have been located at Point Pelee and vicinity for a number of years past, and representations having been made to the Dept. from time to time of the poor condition of ~~in which~~ these Indians ~~were living~~ eventually the Dept. sent an Officer to hold an interview with them, which ~~has~~ resulted in their agreeing to send a deputation

deputation of two of their number under the guidance of Mr J. C. Schleihauf of Bismarck, who has taken a deep interest in them, to inspect the lands on Walpole Island with a view to procuring — if possible — suitable locations for these Indians on that Reserve.

I may here remark that Walpole Island was not a Reserve exclusively for the Chippewas and Pottawattamies who at present reside upon it, but has been held to be common ground for occupation by any Indians whom it may be considered expedient to locate thereon.

I shall be obliged if you will afford Mr. Schleihauf and the Indian deputation every assistance in your power to facilitate their inspecting thoroughly the unimproved lands on Walpole Island, and you should give them every information in

in your power in regard to said lands. It would be well if you would accompany them in their tour of inspection.

Sam, Ic

8986

MEMORANDUM.

Department of Indian Affairs,

To Accountant

Ottawa, 10th June, 1884.

To prepare accountable cheque in favor of Mr. J. C. Schlichauf for the sum of $25.00 expenses on account of visit by himself and two ~~Mohawk~~ Delaware Indians to Walpole Island, charge amount against Indian Land Management Fund.

A. MacKay Jones
Deputy Minister.

Filed with Treaties

Frugal Ont
July 3rd 1884

52712

Sir, I have been shown correspondence between your Dept. and Mr. J.C. Schleihauf re of my constituents regarding the claims of Chief ~~John~~ William Caldwell and band of Indians at Point Pelée or compensation therefor.

(Reference No. 24,645)

It seems that the claim that Pt Pelée was never surrendered is not borne out by the records. But they have another claim on the alleged ground that

lands at Pt Pelee were granted to them for service in war of 1812 and that they were in possession of these up to 1841 at least as shown by the declarations of Stockwell and Wilkinson sworn in July 1882.

It further appears from a letter of Mr Scheihamp's dated 14 March 1883 that Mr Dingman investigated the matter for the Dept. but that nothing seems to have been done or no decision given so far as I can find out.

I am told that Mr Paterson M.P. (Essex) also

2

wrote you on the matter 27/12
in 1880 but my informant
— Chief John Caldwell —
does not know what
answer he received.

I think there seems
to be evidence of the
grant of land at Tilé for
military service and the
subsequent relinquish-
ment of evidence there
on account of
trouble with settlers.

The opportunity of
getting lands allotted
under the arrangement
of 1879, as stated in your letter of 2 Dec 1884, does not seem to
have been known to this
band. They naturally prefer

to have their claim to lands at Pelée decided before going to Walpole Island as further supports of the foot.

Under the circumstances I would urge an investigation into the claim based on the alleged grant of Col. Elliott for military service and an early decision.

I remain
Yours very truly
Geo. H. Massey

The Hon. the Superintendent
of Indian Affairs
Ottawa

8986

Geo. E. Casey, Esq. M.P.,
Tingwick,
Ont.

Draft
9/7/84

July 9/ 84.

Sir,

I am directed by the Supt. Genl. of Ind. Affs. to ack. the receipt of your letter of the 3rd Inst. relative to the claims of Chief William Caldwell's Band to land at Point Pelée, & compensation therefor.

In reply I beg to inform you that in the year 1858 the Special Commrs. appointed to enquire into matters affecting the Indians of Canada reported in the following terms in respect to the land claimed by the Indians in question:-

"The land occupied "by this Band at Point "Pelée is not an Indian "Reserve, and their right "to it has never been "recognized. The small "number of persons now "remaining

remaining might be
without much trouble
removed to Walpole
Island where they would
enjoy all the advantages
necessary to improve
their condition. They
have no community or land
fund, and the presents
having ceased, they will
now be entirely unassisted
by Government.

It may be added
that three of the families
then resident at Point
Pelée, consisting of
sixteen Indians, removed
about ~~at~~ that time to Walpole
Island and became
comfortably settled there.

The Dept. has been
endeavoring to induce the
others to remove to that
Reserve, and by a letter
of the 10th Oct. Mr. Schlichting,
who has taken an interest
in them, was requested
to take two of the
most influential members
of the Band to the
Walpole Island Reserve
with a view to their
selecting locations thereon

for

for themselves and the remainder of the Band; and the Indian Agent for the latter Reserve in ~~question~~ was requested to afford them every facility for making a proper inspection of the lands.

J Lowe, &c.

Mr Abel Wawanosh,
Interpreter of the
Chippewas of the Thames
Muncey P.O.
Ont.

Filed
Immediate

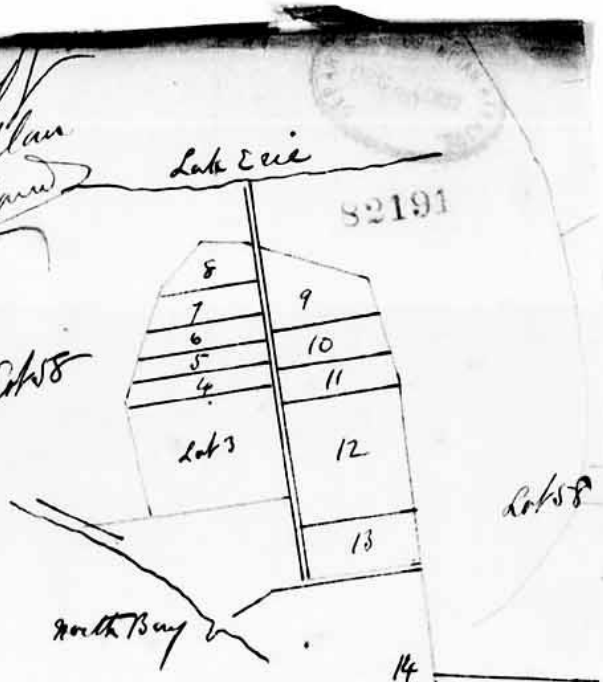
May 20 – 1876

Sir,

With reference to your verbal enquiry ~~of the date~~ yesterday relative to Point Pelee Island, I beg to inform you that the said Island was patented a number of years ago to the McCormac family as a free grant.

Yours &c

Copy of part of
Walkem's plan
of Pelee Island



Copies of the field notes of
the lines in red are required
Spence

82191

Toronto Decr 19th 1887.

Dear Sir

Re Peles Island

In reply to your letter of the 17th instant I have to say that we have no plans of record of any survey of Peles Island. It was Indian land, and though the Crown Land Dept patented a number of lots containing in all 301 8 acres by metes and bounds and according to plans by P.L.S. a Wilkinson dated in 1866 to members of the McCormick family in 18 the plans must be on file in the Department of Indian Affairs at Ottawa. In 1867 & previous to that it formed part of this Depart The descriptions of the lands granted are record here, but for copies of field notes & pl you should apply to Ottawa.

Yours truly

Geo McPhillips Esq
P.L.S.
Windsor Ont

Geo. C. Gibbs

G. McPHILLIPS. F. McPHILLIPS. 164820

G. McPHILLIPS & SONS
DOMINION LAND SURVEYORS AND CIVIL ENGINEERS

Bigg's Block, Main Street.

Winnipeg, Dec 24th 1887

Reference

82191

DEPT. OF INTERIOR OTTAWA BRANCH TECHNICAL

RECEIVED DEC. 27 1887 DEPT. OF MILITIA & DEFENCE OTTAWA

DEPARTMENT OF INDIAN AFFAIRS DEC 30 1887

Capt Deville
Surveyor General
Ottawa Ont

Sir

I wrote to Lomits for copies of certain field notes of lines on Pelee Island and as you will see from the inclosed letter I was referred to Ottawa —

I desire to get copies of the original field notes or data from the original plans for the lines separating lots 3.4.5.6.7.8.9.10.11.12.13 + 14 from the wet limber lands around them in accordance with Wilkinson's Survey

I also desire to get bearings and distances for the northerly boundaries of lots 50.51.52.53 54 + 55 and the lengths of the lines dividing these lots, ~~from the~~

The lines marked in red on the inclosed plans are the ones I wish to define

I have the honour to be
Your obedient Servant
G McPhillips

1. 3 lots 8 [illegible] - 2
state fee [illegible]
2. 9 M [illegible] 4 [illegible]
Write fee 4 50 [illegible]
Copies sent
before [illegible]

MEMORANDUM

Department of Indian Affairs,

To The Deputy Minister

Ottawa, 11 — 1 — 1885

Re tracing of Plans of Portion of Pélée asked for by McPhillips

They state that two small tracings will be required ~~taken~~ ~~the~~ what is required

There are no lines shown on plan between Lots 58 + 59 — and between 65 + 66 of Wilkinsons survey 1866 — The cost of what is other wise asked for will be $4.00

W. A. Austin

Will Please see

In reply to No. 8986

T04 a 53078

DEPARTMENT OF INDIAN AFFAIRS FEB 3 1888

Windsor Ont
Feb 1st 1888

R. Sinclair
for Superintendent General of Indian Affairs

Sir

Your letter of the 25th ult. with bearings of Part of Pelee Island plan was received some days ago. While I asked for field notes I suppose your bearings will do provided the notes of the original survey do not shew the nature of original posts, bearing trees &c, or give natural features by which some assistance could be got to replace lost monuments.

If you would kindly look at the original notes and see if they contain any useful information other than the distances on the plan shew you would oblige; also please let me know the probable cost of a complete copy of the Plan of the Island and also of the field notes if they are of any more use than the plan. I have the honour to be

Your obedient Servant

C. M. Phillips
D.L.S.

MEMORANDUM

Department of Indian Affairs,

To The Deputy Minister
The Chief Clerk

Ottawa, 11 — 2 — 1888

CORRESPONDENCE BRANCH FEB 17 1888

As regards your Memo [illegible] I am informed
I beg to state that there are
no Field notes of the Pélée Island sur-
vey apart from the notes that are on
the plan. Consequently none could be sent
Rev. Mr. Phillips.

The cost of a tracing of the
Plan of the whole Island would be $2.00.

Mr. Phillips
Inform Mr. Phillips and
ask him if he
wants a copy of
plan — Dep.
Lawrence A. Sinclair
RO
11/2/88

8986

G. McPhillips Esq. D.L.S.
Windsor
Ont

Feby 14th 1888

Sir,

I have to acknowledge the receipt of your letter of the 1st instant, and in reply I have to inform you that there are no field notes of the Pelee Island Survey apart from the notes that are on the plan, consequently none could be sent you.

The cost of a tracing of the plan of the whole Island will be ~~amount to~~ $12.00, which ~~you will~~ please remit, if you require a copy.

8986

MEMORANDUM.

The Deputy

Department of Indian Affairs,

Ottawa, 9 July 1891.

The letter of the 19 Dec 1887 from the Crown Lands Dept. Toronto, (which letter is turned down) shows that the Patents to the McTavish family are granted by the Crown Lands Dept, & that the descriptions for Patents, are used there.

This Dept has no record of the Patents issued; neither has it a record of any Surrender of the Island having ever been obtained ~~nothing to warrant the 2d. Long 1874 after that which apparently might cover the Island~~

J. D. McLean.

RE

CHIEF CALDWELL'S BAND

Of the Chippewas of Pelee Island.

Review of Facts Regarding the Ownership and Disposal of Point au Pelee Island, Gathered from the Legal Opinion of Mr. Bernard, Solicitor of the Indian Department—A Subsequent Report on the Case by the Honorable Alexander Campbell, Commissioner of Crown Lands,—And the Final Action of the Government Thereon, by a Committee of the Honorable the Executive Council, approved by His Excellency the Governor-General in Council.

The widow and surviving sons and daughters of the late William McCormick, of Point au Pelee Island, in Lake Erie, having petitioned the Government, praying that a certain judgment obtained by the Crown, of Easter term 1859, on the information for an intrusion, in Regina vs. McCormick, might be *waived*; and that a patent might issue *confirming their title* to that island,—the Government invited an enquiry into the circumstances under which the McCormick family acquired possession thereof, which produced an elaborate opinion from Mr. Bernard, Solicitor of the Indian Department. The Superintendent-General of Indian Affairs having concurred in that opinion, he was pleased to report thereon to a committee of the Honorable the Executive Council; and these documents being endorsed by the Honorable the Attorney-General, the late Right Honorable Sir John A. Macdonald, the voluminous opinion and relative report were subsequently approved by His Excellency the Governor-General in Council, as appears by a report of committee certified by William H. Lee, Clerk of the Executive Council, bearing date the ninth day of June, A.D. 1866.

The learned Solicitor made a thorough examination of the matters set forth in the McCormick petition, and traced from its origin the history of their claim, by which it appears that one Thomas McKee, a half-breed, connected with the Indians by marriage, obtained in the year 1778 a lease of the island for nine hundred and ninety-nine years from the chiefs and sachems of the Chippewa and Ottawa nations (six or eight signed it), under which McKee and his tenants went into possession, and so remained until 1815, when he died. That his son, Alexander McKee, claiming to have inherited the property, leased it to William McCormick, who assumed possession, and continued therein as Alexander McKee's tenant up to the year 1823, when he purchased the fee of the island from his landlord for one

hundred and twenty-five pounds. That William McCormick exercised ownership of the island until 1840, when he died, and his family took possession of it as devizees under his will.

Relying upon these facts as the basis of their claim, the McCormicks approached the government, at whose instance there was made, by the Solicitor of the Indian Department, an exhaustive enquiry into the law and equity of the case, which resulted in his decided opinion that they had *no legal* grounds whatever to support their application for a deed, and although the learned Solicitor showed a strong leaning towards them upon equitable grounds, he nevertheless doubted whether McKee's position as an officer of the Indian Department, and his having thereby acquired great influence over the Indians, would not, if it occurred in these present days, militate very much against an equitable view of his acquisition. Whether the chiefs and Sachems, who leased the island, had the legal ability to do so, or whether McKee had the capacity to take the lease, as also the effect of the uninterrupted possession of the island by the lessee and his assigns for seventy-seven years, were points fully considered by Mr. Bernard; but the weight of legal authorities was so overwhelming against the right of the Indians, either to lease or sell, and equally opposed to the right of any person to acquire from them by lease or purchase (except as provided by Royal proclamation), that the conclusion arrived at by the learned Solicitor was irresistible. In winding up his elaborate report, Mr. Bernard says:—"Such is the opinion at which I have arrived on the legal points of the "case; but I take the liberty to add that I think no one can become aware "of the circumstances detailed without entertaining a very strong opinion "that in all fairness and equity the McCormick family are entitled to every "consideration on the part of the Government."

Following up his equitable view of the case, it might have been well, perhaps, had the learned Solicitor enquired if there were any equities on the Indian side of the question worthy of examination—for instance, whether in all fairness and equity the consideration set forth in the lease, viz., three bushels of Indian corn annually, if demanded, or its equivalent, was a fair and just consideration for a nine hundred and ninety-nine years lease of an entire island containing over eleven thousand acres of fertile land! Right here two questions press upon the mind with persistent force: First, Have the Indians any rights at all? and secondly, What is the expensive machinery of an Indian Department for if not to protect the Indian? It is not alleged that the chiefs or Sachems, their nations, heirs or assigns had ever received a single grain of Indian corn or anything else for the everlasting lease of their native home and hunting-ground; and when it is considered that the McKee family had great influence amongst the Indians by reason of their marriage relation with the tribe and their official connection with the Department of Indian Affairs, which they no doubt exerted to their own advantage, it may be more easily imagined than justified how the aboriginal owners of the soil were imposed upon and became dispossessed of the island. As an officer of the Department, McKee was presumably cognizant of the royal proclamations which existed for the protection of the Indians, as well as of the general views of the Government respecting Indian lands.

Notwithstanding that the Honorable the Commissioner of Crown Lands was advised by the Solicitor of his department that neither the lease from the Indians nor the length of possession by the McCormicks constituted a sufficient legal title to the island,—that the lease was made in violation of the King's proclamation in force at the time of its execution, which forbade purchases being made from the Indians, save by His Majesty's officers, Governors of his provinces, or Chief Superintendents of Indians,—and that the length of possession did not bar the title of the Crown, inasmuch as *no cession* of the island had ever been obtained from the tribal occupants, nor possession of it ever taken in respect of the Crown's prerogative,—notwithstanding of the reasons so forcibly urged by the learned Solicitor, who held that the lease, as a transfer of property, was not of any legal effect,—notwithstanding also that the decisions of Chief Justice Robinson, Mr. Justice Burns and other distinguished jurists upheld his opinion that the McCormick family had no legal title to the island, and that their claim thereto could not be substantiated as against the Crown in a court of law, yet *mirabile dictu*, in utter disregard of the highest legal authorities of the land; in defiance of the King's proclamations; and in contempt of the Statutes regulating Indian affairs,—the Commissioner of Crown Lands, *brevi manu*, gave forth his fiat that "the title of the McCormick family to Point au "Pelee Island *should be carried out* under a patent from the Crown subject "to a reservation of land for a lighthouse in addition to the provisions for "public purposes contained in the will,"—and it was done accordingly.

Although the occupation of the island for over three quarters of a century may have favored the presumption of an equitable title to the property—such as chancery might have decreed, had relief in equity been sought against a judgment at law—it must be remembered that equity follows the law, does not govern it; and as it was not shown by the McCormicks that their possession was not other than that of trespassers, nor that the Crown had ever taken charge of or received any rents from the island, nor that it had been surveyed, nor had the title of the Indians been extinguished, and it had never been assessed nor returned as assessable,—it is difficult to understand upon what principles of justice or common sense they could expect to be upheld in a title which the law was powerless to confer upon them, but which they have nevertheless obtained under a patent from the Crown. Again is heard the cry, Have the Indians *no rights*, either moral, legal or equitable, which civilization ought to regard? *None whatever* that an honest government is bound to protect? Verily, there was "something rotten in the State of Denmark" when such a grievous wrong was not only not condemned by the Government, and the Indians were not restored to their rights long ago; but the parties who projected the fraud, being more or less connected with the Indian Department, were shielded from the consequences of their wrong-doing by those in power. So recently as twenty-five years ago, the Government being fully cognizant of the crooked work of the half-breeds, in hoodwinking the Chippewas and Ottawas, and making them believe that the great chief would compensate them for the loss of their hunting-ground, took no notice whatever of their frequent applications for restoration of their rights, but if possible became more deaf to their entreaties for redress.

Referring to the celebrated "Fighting Island" case, the language of Attorney-General Mowat, used in his opinion therein (quoted by Mr. Bernard is his able report), is worthy of repetition: "No purchases can be "made off the Indians but with the King's permission and authority. That "the King is tender of their property, and has made regulations to prevent "their being alienated by making a few of them *drunk and getting them in* "*that condition to give away their country* to the great disgust of the rest "of the Nation." And, as Mr. Mowat observed in that case, the applicant therein seemed to have been aware of this regulation. So were the McKees and the McCormicks fully cognizant of the *worthlessness* of any conveyance coming from the aboriginal owners to confer any proprietary or legal title to any portion of their hunting-grounds; wherefore it is not only deserving of the serious consideration of the Government, but demands their immediate attention; that as the tribes who originally owned the island have *never surrendered* it, nor have they been asked to do so by the Government, which alone has the power to receive a surrender,—whether it does not follow as a logical sequence that the unrestrained possession and full enjoyment of their native soil *still belongs to them*, notwithstanding that the Government has prematurely and unjustifiably, it is thought, exercised its prerogative right.

It is laid down by Vattel in his "Law of Nations," that a rash and ridiculous possession can produce no real right; and surely it will not be contended that the possession of the island by McKee and his heirs and successors was anything else but a rash and ridiculous assumption of ownership. This view is fully warranted by the fact, that although the Superintendent-General of Indian Affairs utterly ignored Mr. Bernard's opinion that the McCormick family had *no legal status* entitling them to *any* consideration, either as lessees or purchasers, yet he fully concurred with the Solicitor that should *any* of the Indian tribe be in *existence* (of those who originally owned the island) it would be *necessary* to obtain a *surrender* of their reversion. There is an old maxim that the Queen can do no wrong, which may, perhaps, apply to governments; but right or wrong, the Government, having assumed the reversion in this case, the tribes which were supposed to be extinct may resuscitate at leisure and obtain their rights as they best can.

As the prayer of the McCormick petition was somewhat peculiar in its requirements, Mr. Bernard's disposal of it was also peculiar; for while he said with emphasis: "I think that before they can be entertained, the "Government should *ascertain decidedly* whether any of the bands or tribes "of Indians to whom the island originally belonged, *are in existence;* and "that if such be the case, a surrender of the same should be obtained from "them. If there be *none such now living*, the Crown will necessarily "assume the lands by its prerogative right. One or other of these two points "being *satisfactorily established*, it will be for the Crown to deal with the island "and the McCormick family." Not a word about dealing with the Indians at all, who were evidently of no account in the matter, but to *deal with the island and the McCormick family*, whatever that may have meant. Perhaps the continuing sentence contained in that opinion may explain it: "If the island is to be granted to the McCormick family, either as purchasers

"or devisees, I think that a patent should issue to the devizees under the will "of William McCormick, leaving it *to them to manage*, or to the *courts to* "*adjudicate* upon their several claims" Such an expression is suggestive of Mr. Bernard's familiarity with the wishes of the Government, as to the disposal of the island; else, why should he imagine that such a thing was contemplated, either as to the selling or donating of it to the McCormicks? The getting up, therefore, of an elaborate report by the Solicitor of the Indian Department upon all the bearings of the case, which was submitted to and approved by Sir John A. Macdonald, only to be spurned and literally torn to pieces by the Commissioner of Crown Lands, has the appearance of a complete farce!

The Department of Indian affairs was then, and now is, perfectly aware that many of the original owners of the island are *by no means extinct*, as some of the old members of the Chippewa band, known as the "Caldwell band" of that tribe, now in advanced years, are still living and suffering from the cruel treatment imposed upon them by a government entirely indifferent to their well-being. About twenty years ago, probably in 1870, the Government being then fully aware of the transactions above set forth, and when a special memorial of the Chippewas and other Indian tribes at Walpole Island was presented to His Excellency the Right Honorable Sir John Young, Baronet, Governor-General of the Dominion, praying for a hearing of their grievances, asking for restoration of their rights or compensation for being unjustly deprived of them; corrupt influences conspired to prevent a favorable consideration of their complaint; and so recently as the years 1881-2 application was made by J. C. Schleihauf, Esq., a magistrate at Bismarck, in behalf of Chief William Caldwell (see departmental letters No. 24645), for redress, representing that the chief was old and unable to make a living; that he had to live upon the charity of the whites and of his son Robert, who had a family of six children, all hard-working, sober Indians,—hoping to receive a kindly recognition, as the poor Indians had only got a mess of pottage for their inheritance! The Deputy of the Superintendent-General replied thus: "Relative to the Indians designated in your letter, "I have to inform you that they had the *same opportunity* as other Indians "under the Treaty of the 19th May, 1879, to take up land on the Reserves "set apart by that Treaty; and the Department is *not responsible* if they "neglected to avail themselves of the privilege. With regard to the assertion "of Chief Caldwell that *Point Pelee was never surrendered* to the Govern-"ment by Treaty, I have only to repeat what was stated in my letter to you "of the 4th January last, *that it is covered by said surrender* (Treaty of "19th May, 1790), and it would not appear that anything can be done for "these Indians, unless they choose to remove to the Walpole Island Reserve, "and take up locations thereon. They would appear from your letter to "have hitherto made a living *independently* of the Department, and "*probably they are better off* under their present circumstances, having to "depend upon their own exertions than they would be were they depending "upon the Government to some extent for their support. They are described "by you as being hard-working, sober and industrious Indians, which is, I "am sorry to say, not the case with as many of the Indians who are in "receipt of annuity from the Government, as one would wish it were." In

? 1790

acknowledging receipt of that soul-stirring letter, Mr. Schleihauf addressed the General-Superintendent of Indian Affairs of date 3rd October, 1882, as follows:

"These Indians are illiterate—can neither read nor write; and I think "that *on that account* they ought to be *honorably* dealt with. The "statements of A. S. Stockwell and Francis Wilkinson, of Leamington, are "men that know, as you will see by their statement enclosed herewith, "about the services rendered to the Government of these poor Indians. "They have risked themselves in the defence of the Crown, and they ought "to be recompensed therefor by the Government. The statement of "Chief Caldwell, also herewith, was made before Robert Golder and "interpreted by Ben Grosbeck at Munceytown. I am sure the Government "will *not withhold the rights* of these people any longer, for they should not "suffer because they are sober and industrious, and because the majority of "Indians are the opposite! I trust the wail of the poor and doomed "red man will not be disregarded, and justice done to them. Being illiterate, "*they know nothing of those treaties* of the 19th May, 1790, and 1879, "excepting as per their statements forwarded to you. Trusting your "Department will give this your most favorable answer."

As to the contradiction of Mr. Schleihauf's assertion that there was *no surrender* of Point Pelee which the Caldwell band was claiming; while that denial was strictly true, it was nevertheless *misleading*, because the Department of Indian Affairs well knew that it was *the island* and *not* the point or mainland that the Indians wanted to be restored to them. It was, therefore, simply ridiculous to quibble about it. Before the mainland was ceded to His Majesty King George III., the island adjacent, which was *not ceded*, was part and parcel of their inheritance, and although Pelee Island had been scooped from them at that time by the fraudulent lease, which a few of the chiefs and Sachems had been hoodwinked into giving to the half-breed McKee, it was doubtless the aim of those interested in that dishonest transaction to secure the island for themselves. Why the Government gave away one of the richest islands in Upper Canada without money and without price, and without the knowledge or consent of the tribes to whom it belonged, is a problem yet to be solved. Possibly the truth may be developed hereafter, but it has the appearance of a most iniquitous act; one which might not stand a rigid scrutiny. When the half-breed lease was consummated, few Indians had then intelligence enough to understand what really was or was not for their best interests, and even half a century later they were still so illiterate as to be very easily imposed upon by designing sharpers. Nay, even at the present day many of the so called "smart Indians" are *fleeced* by men of their own tribe, whose cunning devices make it appear that things are straight as a string, while in reality they are as *crooked as a ram's horn!*

Readers of this pamphlet cannot fail to see that gross injustice has been practiced upon the Indians; and as frequent applications have been made in their behalf for redress of the grievances herein set forth, without any beneficial result, they are hopeful that this mode of bringing their case before the Government and the public at large may have a salutary effect. The Caldwell band of the Chippewas are poor and unable without money to employ counsel to battle for their rights; and as the powers that be, judging from

the past, will do nothing to better their condition, but seem to justify the wresting from them and giving away their belongings, free-gratis-for-nothing, to a favored family, which might have been sold and the proceeds turned into the Indian treasury for the benefit of the sufferers; in place of the miserable pittance which is doled out to them by nickels instead of dollars,—and many of them get nothing,—these annuities, which are becoming "small by degrees and beautifully less," would be of some substantial benefit to the tribes, who must now look in another direction for that sympathy and support which has been so long denied them. There are about two hundred and fifty of the Caldwell band, living mostly upon the Muncey Reserve; and some of the older heads, now well advanced in years, lived upon the island in question over fifty years ago; and had they not been turned out of their possessions on the island, and finally left Point au Pelee about thirty-six years ago, they would now be the occupants of that fertile soil. These claim compensation for being ousted from their homes and forced to seek shelter wherever they could find a resting place. Chief Robert Caldwell, nor his father, the late Chief William Caldwell, never obtained a footing, nor one of their family, upon Indian land after leaving the Point; wherefore this grievance ought to be enquired into and settled by the Government. He thinks, as all right-minded men consider, that it was an outrage to filch from their tribe the inheritance of his progenitors, which belonged to them away back in last century, where his father, grandfather and great grandfather had been a line of chiefs in regular succession,

Direct appeals to the Government for relief having entirely failed of success, it has been determined in council of the Caldwell Band to circulate this pamphlet amongst members of parliament and other public men in the hope that if the Government and it supporters will not entertain their complaint that Her Majesty's loyal opposition may insist upon a full investigation of the matters herein set forth; and, to that end, may call for production of all treaties, cessions, leases, agreements and correspondence in the keeping of the Indian Department, or any other department of the Government, pertaining to the disposal of the lands, or any portion thereof, heretofore reserved for the use and occupation of the red man during the reign of His Majesty George III., and subsequent thereto, held by, or in trust, for the tribal occupants of the soil, which was specially reserved for the use of the Indians, in which the possessory rights of the Caldwell Band, or other Indian tribes, who had the exclusive use of Pelee Island, have been superseded.

Signed by me, Robert Caldwell, Chief elect, in behalf of the "Caldwell Band of the Chippewa tribe" of Indians, formerly of Point au Pelee and islands adjacent thereto.

ROBERT CALDWELL,
Chief.

Dated at Rodney, in the County of Elgin, this 31st day of May, A.D. 1892.

Chatham

142034

allow me

few

the

or Great

At the

rule in Canada.

reign of 1760 –

as a parting tribute

ing to France

their conquerors (the B

left as a legacy to

countrymen. a guaran

for the free exercise of their

religion and for other

142034

Chatham

privileges which were dear to them (a people about to be transfered from their own to the protection of a foreign flag.

In the transference of the French Posts at the West" was the Island of Pele in Lake Erie considered belonging to the French, or to the Indians? Did La Salle in his several exploring expeditions about 1682 claim the island in question in the name of France? if so was it ceded to Great Britain in 1760? if not was it (the island) held and owned by the Indians? In the surrender of lands by the Indians to Great Britain this island

3 | 142034

Chatham

has never as yet been surrendered, although the Indians has left it in possession of whites.

There is still a Band of about 250 Indians headed by a "Chief Callwell" with whom I am acquainted they have made me frequent visits concerning their claim to the Isle of Pele stating that through tradition they can trace their rights, although it seems that it is and has been in possession over 70 years of a white family Mc Cormick.

Chief Callwell has in his possession extracts &c. &c. of opinion and statements from prominent Lawyers

4

142034

Chatham

declaring their amazement why the Domion Government has not and does not make an effort to restore to this band of Indians their just rights admitting in their general tone that their rights and claims are only just.

The "Chief" has collected over $200,00 I understand from time to time to defray expenses in making investigations and trying to bring his case before Parliament, he has visited Mr. McGregor representative for Essex to see if through him he could get a hearing.

I suggested that the proper man was the Minister of the Colonial department —

5

Chatham

142034

Mr. Gregor for Essex has promised the Chief that in March "If he would take the matter up for the band before Parliament ——

Now I suspect very much that the Reformers are using this matter in vogue politically against the Con-servatives in telling the Indians that the conservative will try and hold them out and wishes to secure all the Indian votes possible, holding forth that the Grits will assist them materially if the Indians will only remember them on election days

6

Chatham

142034

Now Mr. Dalley Esq.
I will await and
expect your reply
I consider the matter as
worthy of consideration in
more than one way, I
hold an irresistable influence
in a manner over the
band in general, although
I have earned it by medical
attendance &c, I am a
sworn Loyalist and am
only seeking light and
knowledge and investigation
in Indian affairs
I beg to be your svt.
Most Fraternally D.W. Putnam
Fargo P.C. Ont.

8986

Wm. D. Putnam
Fargo P.O.
Ont.

Oct 4 1893

Sir.

Referring to your letter of the 27th Ult. which has been transferred to this Dept., relative to Pelee Island I beg to inform you that an endeavour will be made to obtain the information asked for by you; but in the meantime it may be stated that Point Pelee Island is held under Crown Grant by the McCormack family

Yours &c.

D.C.
A.A.M.

To Registry Br.
Please see memo under.

143173

Fargo P.O. Ont.
Nov. 2nd 1893

Sir,

Yours of the 4th ultimo No. 8986. duly rec and contents noted. In reply I wish to ask you if there was any endeavor yet made to accertain the true existing condition of affairs concerning the Island now in reference. The McCormick family certainly has had possession for over 70 years and recently obtained a Crown Grant. Will you please inform me when (date) they obtained said Grant. I oblige

Yours T. D. McPutnam

P.S. I have seen Chief Calwell since yours of the 4th Oct. he says he will be linient but wishes to be recognized and to know the date of the Grant to the McCormick family,

D.M.P.

Fargo P.O. Ont.

Esq
Ottawa.

MEMORANDUM.

To Actg. S.M.

Department of Indian Affairs,

Ottawa, 12th Oct. 1893

There are no documents of record in this Department to show that Pelee Island was ever specially granted to the Indians by the French Government. That the Island formerly belonged to the Inds. has however, never been disputed. The question of the title of the McCormick family to the Island, this a grant made by the Inds. to Col. McKee has repeatedly been before the Dept. and as will be seen by the reports of Judge Boulton, Col. Bernard Deputy Minister of Justice (whose report was concurred in by Sir John Macdonald as will be seen endorsement on back of report) and Hon (Sir) Alex. Campbell. the conclusion arrived at was that the McCormick family had a valid title, and that patent should therefore issue to them. On these recommendations Order in Council was passed on the 9th. June 1866, authorizing the issue of a patent to the surviving sons and heirs of the late Dr. McCormick. It may be added that reserves were set apart for the Chippewas, Ottawas, Pottawatomies and Hurons who surrendered the land part of Pelee Island, and the Inds. under Chief Caldwell were offered, at different times, land on Walpole Island and Canadian Res. but have not availed themselves of these offers.

B. Blewett.

DEPARTMENT OF INDIAN AFFAIRS CANADA

Re Claim of Mr Cormier's family to Peter Island

The man Caldwell who makes a claim for this ~~Isle~~ Island is not an Ind. within the meaning of the Act, and Canada not liable for a consideration.

The most eminent Counsel authority has from time to time rebutted on the Case and the Order of 1866 (9 June) was the result –

tribe and has by reason
of his own action no
legal status as an
Indian.

D. Scott.

Nov. 7. 92

The "Remuneration & Conditions" mentioned in this O.C. leads that a surrender will be obtained.

A surrender was obtained on 20 January 1870. (p. 278.) The Treaties and surrenders of the Western Canada Indians have been made to relate to Crown lands in the Hudson's Bay Territory. In the Manitoulin Island case the Government found no Crown lands, and the matter was closed.

Cadwallader has always intended to share the lands allotted the Indians that

Mercredi, 25 avril, 1894.

Ordonné:- Qu'un ordre de cette Chambre soit adressé à l'officier qu'il appartient pour en obtenir:

Copie de toute correspondance échangée entre le département des Affaires des Sauvages et une certaine bande de Sauvages qui réclament la propriété de l'Ile McCarmick et de la Pointe Pelée.

Attesté.

Le Greffier.

153487

Wednesday, 25th April, 1894.

ORDERED :- That the proper officer do lay before this House all correspondence between the Department of Indian Affairs and a certain band of Indians, as to their claim to the ownership of McCormick's Island and the Point Pelee.

Ind. Dept.

Attest.

The Clerk.

153487

Reference No. 77 Year, 189 4

Department of the Secretary of State,

CANADA.

ORDER OF THE HOUSE OF COMMONS.

Date 25/26 April, 189 4
Mover Mr. Miles (Bachwell).

SUBJECT:

Correspondence respecting claim of a certain band of Indians to the ownership of McCormicks Island and the Point Pelee.

Ottawa, 26 April, 189 4

Referred to the Hon. the ~~Minister of~~ Supt. Genl Indian Affairs, for Report.

By command,

L. Mallet

Under Secretary of State.

Return Received 189 .
Sent to Council 189 .

8986 ½

DEPARTMENT OF INDIAN AFFAIRS CANADA.

Ottawa, 27th April 1894

Dear Mr Day – I have just received an order of the House for correspondence respecting claim of certain Indians to McCormack's Island and Point Pelee. I observe in the Hansard that an arrangement was come to between yourself and Mr Mills to the effect that Mr Mills was to have access to the papers and to mark such as he wished to have copied and brought down. I presume that I am not therefore to have

2

the work of preparing the copies called for in the order of the House, begun until Mr Mills has taken action pursuant to the agreement

Yours very truly
Hayter Reed

Hon J. Lowe Daly
Supt Genl of Ind Affrs.

H.R.

You are correct in your conclusions. Mr. Mills will call on you. If you can give him a seat at any desk & let him have the papers any time he wishes

Yours truly
D.

Dept. of Indian Affairs,

Ottawa, 11th April, 1894.

Dear Mr. Daly:-

I regret that the note sent you yesterday respecting Mr. Mills's motion for papers was so incomplete. The memorandum which I now send you contains all information available in the Department. As far as I can see there is no objection to furnishing copies of the correspondence between Chief Caldwell and the Department, which appears to be all that is called for by Mr. Mills. The copying of the correspondence will not entail much labour; but it throws very little light on the question. There are, however, several documents bearing on the claim, which are not covered by Mr. Mills's motion. They are rather voluminous, some being printed; and as the question involved in the claim is a very complicated one their bearing thereon is in several instances a somewhat difficult point to settle. Might it not be well (as I understand is done in some cases) to offer Mr. Mills access to the documents in the Department, with an intimation that such copies as he desired to have after examining the documents would be prepared for him?

Yours very truly

(Sgd) Hayter Reed

Hon. T. Mayne Daly,

Supt. General of Indian Affairs.

The records in the Department show that in 1877 William Caldwell, a Chippewa Indian who styled himself Chief of the Point Pelee Band, laid claim to Point Pelee on the ground that his father, who was a Chief of the said Band, had not participated in the Treaty of 1790 by which the Indians surrendered their rights to the land comprised in the Counties of Kent, Essex and Elgin. The Treaty of 1790 was signed by all the Chiefs and principal men of the Pottawatamies, Hurons, Chippewas and Ottawas, being the Indian Tribes recognized as the owners of the land ceded by them.

It appears, however, that a portion of the Chippewa Indians continued to reside at Point Pelee, and in the report of the special Commissioners appointed on the 8th September 1856 to investigate Indian Affairs in Canada, the following reference is made to these Indians:-

"For a number of years the Chippewas have occupied lands on Point Pelee on the shore of Lake Erie, in the Township of Colchester, forty miles below Amherstburgh.

"This band are in general dissipated, roving and unsettled in their habits depending mainly as a means of support on the fish and wild fowl which at certain seasons of the year is here very abundant.

" The clearings are small and poorly cultivated. Indian corn and potatoes are raised in small quantities.

"With the exception of the Chief they live mostly in bark shanties or Wigwams, and are poorly clothed.

"They have no school, and with one or two exceptions are Pagans; no efforts appear to have been made to Christianize them.

"In 1842 their number amounted to 250, but in August last, they were reduced to less than 60 persons. This great decrease in their numbers has been caused in some measure by their dissipated habits and manner of living, but principally by removals to other Chippewa Bands. Three families consisting of 16 persons, have this summer removed to Walpole Island and are comfortably settled.

"The land occupied by this Band on Point Pelee is not an Indian Reserve, and their right to it has never been recognized. The small number of persons now remaining might be ~~xxx~~ without much trouble removed to Walpole Island where they would enjoy all the advantages necessary to improve their conditions.

They have no annuity or land Fund, and the presents having ceased, they will now be entirely unassisted by Government."

Since the death (on 15th April 1884) of William Caldwell who laid claim to ~~the~~ Point Pelee ~~Island~~ ~~Pelee Island~~ in 1877, his son Robert Caldwell has at different times renewed the claim on behalf of himself and his Indians. Following the recommendation of the Special Commissioners, the Department has repeatedly tried to have these Indians removed to Walpole Island. In 1884 Inspector Dingman conferred with them and arranged that two of them should go to visit Walpole Island with a view to being in a position to judge of its suitability as a place of residence for them; but although it appears from the ~~remarks~~ records that the Department did everything possible to arrange for these Indians visiting Walpole Island, nothing resulted.

The first mention of a claim on the part of these Indians to Pelee Island is made in a printed statement signed by Robert Caldwell and dated the 31st May 1892, which statement was printed for circulation among Members of Parliament and other public men.

It appears that one Thomas McKee, half-breed and employed in the Indian Service, obtained in 1778 a lease of this island from the Chiefs and Sachems of the Chippewa and Ottawa Nations said to have been then inhabiting the ~~island~~ island. McKee held possession until 1815, when he died, and his only son, Alexander McKee, then leased the property to William McCormack, who went into possession and continued as the tenant of the said Alexander McKee up to the year 1823, when he purchased the fee of the land from his landlord for £125. William McCormack continued on the island

and improved and cultivated it, and, dying in 1840, devised it to his widow and surviving sons. Until 1858 no question was raised as to the validity of the McCormacks title; but some of the members being then desirous of selling their interests therein, objection was taken on behalf of the intending purchasers to the title, and an information for an intrusion being filed at their instance by the Attorney General, judgement was given by the Court of Queen's Bench to the effect that the title to the island was in the Crown.

Some years afterwards the McCormack family petitioned His Excellency in Council praying that the judgement obtained by the Crown in 1859 on the Information for Intrusion might be waived, and patent issued confirming their title to the island.

A very full report in the matter was made to His Excellency in Council on the 4th April 1866 by the late Sir Alexander Campbell, and on the 9th June 1866, an Order in Council was issued authorizing the issue of a patent subject to the reservation and condition recommended by Sir Alexander Campbell, the reservation being a quantity of land for lighthouse purposes in addition to the reservation made for public purposes by the will of William McCormack, and the condition being that if any of the Indian Tribes which originally owned the land be in existence, it would be necessary to obtain a surrender of their reversion; but if should the tribes be extinct the Crown to assume the reversion and the patent to issue.

No patent ever appears to have issued under this Order in Council, nor does it appear that any action was taken with a view to ascertaining whether the Indian tribes originally owning the island was in existence with a view to a surrender of their reversion being obtained.

The Treaty of 1790 above, referred to did not

cover the island, nor was it covered by any subsequent surrender made by any Band of Indians.

25th April 5

THIS LETTER HAS BEEN SENT

Dear Mr Daly,

I think the enclosed memorandum will give Mr Mills the Information he desires about Point Pelee. It is a copy of a memorandum prepared last Session for your information when Mr Mills gave notic of his motion for papers in the matter. I also send a copy of the letter which I sent you therewith. You will remember that when the motion for papers came up you offered to give Mr Mills access to them in the Department, and Mr Mills agreed to avail himself of the offer instead of moving. No motion was therefore taken on the order of the House, pending Mr Mills examination of the papers, but he did not call at the

Jo Pauze

Department. If you decide to send him the enclosed Memorandum and if he should, after reading it, desire to examine the original papers, I shall be happy to have them got ready for his perusal in the Department.

Yours very truly,

Hector Rose

Hon. T.Mayne Daly,

Supt:Genl:

of Indian Affairs.

87

Ce.

Ask for this

Apl 30 95

Dear Mr. Reed

I think it would be well to get a Report from an agent as to the present condition of the Point Pelee Indians. I have handed Mr. Mills the memo.

Yours faithfully
Hayes Davis

Ottawa, May 22nd. 1885.

Dear Mr. Daly/-

I have your letter of the 30th. April, which I have been holding for consideration, ~~to the better~~ instead of at once carrying out the instructions contained in your letter. It occurred to me that it might be better to make some suggestion looking toward a ~~suitable~~ final settlement of the case. It is not at all likely that Robert Caldwell the Indian who has been making a claim to the Point Pelee Island for so many years is in any different position to that in which Mr. Dingman found him when he visited him in 1884, and it appears to me that no special good will result from sending Agent McDougall, who is our Agent nearest to the band where Mr. Caldwell resides, to interview him. He was strongly urged by Mr. Dingman to settle on Walpole Island, but he and his Indians refused to do so. Until he becomes a resident of Walpole Island, he could hardly be a party to any surrender which might be taken. If he resided upon the Island as one of the Chippewa band, he might be unwilling to surrender and might form one of a number ~~a minority in connection with other~~ Indians who were of the same mind. I would suggest that the best

means of settling the difficulty now would be to approach the Chippewa of Walpole Island asking for a surrender, but before doing this we should notify Caldwell of our intention, and give him the opportunity of removing to Walpole Island. The case could be fully represented to the Indians by an Officer of the Department, and the intimation might be made that if they refused to surrender the Island legislation would be sought from Parliament in order to give a title to the McCormick family. In my opinion the Indians would probably refuse to give this surrender, but as the Order in Council of the 9th June 1866, makes it a condition that if any of the Indian tribes which originally owned the Island be in existence it would be necessary to obtain a surrender of their reversion, I think it would be well to approach the Chippewa of Walpole Island and seek a surrender before legislation is sought. A surrender from this tribe if obtained would doubtless cover the ground as the tribe must contain whatever descendants of the original grantees now remain. I think this action should be taken out of justice to the McCormick family whose rights have been fully recognized.

Yours faithfully,

8986

C.2

Approved from
Can each
according to
Jun P 22.5.95

DEPARTMENT OF INDIAN AFFAIRS
MAY 25 1895

Ottawa, May 22nd. 1895.

Dear Mr. Daly/-

I have your letter of the 30th. April, which I have been holding for consideration. Instead of carrying out the instructions contained in your letter, it occurred to me that it might be better to make some suggestion looking towards a final settlement of the case. It is not all likely that Robert Caldwell the Indian who has been making a claim to the Point Pelee Island for so many years is in any different position to that in which Mr. Dingman found him when he visited him in 1884, and it appears to me that no special good will result from sending Agent McDougall, who is our Agent nearest to the ~~band~~ place where Mr. Caldwell resides, to interview him. He was strongly urged by Mr. Dingman to settle on Walpole Island, but he and his Indians refused to do so. Until he becomes a resident of Walpole Island, he could hardly be a party to any surrender which might be taken. If he resided upon the Island as one of the Chippewa band, he might be unwilling to surrender and might form one of a number of Indians who were of the same mind. I would suggest that the best means of settling

the difficulty now, would be to approach the Chippewas Of Walpole Island asking for a surrender, but before doing this we should notify Caldwell of our intention, and give him the opportunity of removing to Walpole Island. The case could be fully represented to the Indians by an Officer of the Department, and the intimation might be made that if they refused to surrender the Island legislation will be sought from Parliament in order to give a title to the McCormick family. In my opinion the Indians would probably refuse to give this surrender, but as the Order in Council of the 9th. June 1886, makes it a condition that if any of the Indian tribes which originally owned the Island be in existence it would be necessary to obtain a surrender of their reversion, I think it would be well to approach the Chippewas of Walpole Island and seek a surrender before legislation is sought. A surrender from this tribe if obtained would doubtless cover the ground as the tribe must contain whatever descendants of the original grantees now remain. I think this action should be taken out of justice to the McCormick family whose rights have been fully recognized.

Yours faithfully,

Hayter Reed

IN YOUR REPLY REFER TO

ALSO TO THE DATE OF THIS LETTER

ADDRESS REPLY TO THE
DEPUTY SUP^T GENERAL OF INDIAN AFFAIRS
OTTAWA

DEPARTMENT OF INDIAN AFFAIRS CANADA

THIS LETTER WAS ALREADY SENT

Ottawa, June 6th. 1895.

Sir/-

I have the honour to inform you that it is the intention of the Department to apply to the remnant of the Indian tribes which originally owned the Island known as Point Pelee Island for a surrender of the same, ~~and~~ if you claim to be a descendant of one of the Indians who leased the land in 1878 to one Thomas McKee, I would advise you to remove with as little delay as possible to the Walpole Island ~~in the~~ Indian Reserve, in order that you may have a voice in the proceedings which will precede the surrender. It is not evident how you can in any other way be a party to the proposed surrender, and therefore in your own interests, as well as in the interests of any Indians whom you may consider you represent in any way, it would be advisable for you to connect yourself with the Indian band which is recognised to comprise most of the descendants of the Indians who originally gave this lease. You will be given a reasonable time in which to comply with this request of the Department, at the lapse of which the necessary action will be taken. I have to request that you will have the kindness to acknowledge the receipt of this letter.

I am, Sir,

Your obedient servant,

Mr. John Caldwell,

Indian,

Bismark, Ont.

163704 8986

DEPARTMENT OF INDIAN AFFAIRS JUL 1895

Muncey July 4th 1895.

Deputy Supt. General
of Indian Affairs
Ottawa

RECEIVED JUL 8 1895 BRANCH

Sir:

I did not receive your letter of June the 6th until June the 28th. being sent to the wrong Post Office as I live at Muncey Town.

As I have no home on Walpole Island would you please write and let me know ~~when~~ at what time it would be advisable for me to go.

I am Yours Truly
John Caldwell.

Complaints by or on behalf of Indians in Ontario

Ottawa, July 17th, 1895.

Sir/-

I beg to request that you will have the kindness to inform me at your early convenience, whether your Department has sold any islands in the vicinity of Point Pelee Island ~~and~~ Lake Erie, or whether any revenue has been received by your Department in the way of rents or from any other sources on these islands, or upon the land known as Point Pelee in the County of Essex. As matters now under discussion might be affected by this information, I would be glad to receive it at as early a date as possible.

I am, Sir,

Your obedient servant,

Deputy Supt. General

of Indian Affairs.

Aubrey White Esq.,

Asst. Commr. of Crown Lands,

Toronto, Ont.

Reference

Ottawa, July 17th, 1895.

Sir/-

I have the honour to request that you will inform me at your early convenience, whether the land known as Point Pelee in the County of Essex, Ontario, is under the control of your Department as ordnance land.

I am, Sir,

Your obedient servant,

Deputy Supt. General

of Indian Affairs.

A.M. Burgess Esq.,

Deputy Minister of Interior,

Ottawa.

164372 8986

Address reply to "The Secretary of the Department of the Interior, Ottawa."

Do not write about more than one subject in the same letter.

Write legibly your full name and address.

If you reply to this letter quote its file number.

L.C. Letter

File 1509, O.L.

Department of the Interior,

Ottawa, 20th July, 1895.

Sir,

In reply to your enquiry of the 17th instant, I have the honour, by direction, to inform you that the Naval Reserve , situate at Point Pelee, in the County of Essex, is vested in this Department.

I am, Sir,

Your obedient servant,

Lawrence Vankoughnet

Assistant Secretary.

Hayter Reed, Esq.,

Deputy Superintendent General of Indian Affairs,

Ottawa.

July 30th. 5.

Dear Mr.Hills/-

Before Mr.Daly left for the West,he arranged that I should visit Caldwell the Indian who alleges that he has certain claim to the lands in Essex,and islands in Lake Erie. I understood from Mr.Reed,that he promised that I would let you know when I would be ready to make this visit,in order that you might accompany me. Of course I would be glad to make the visit at a time convenient to yourself,and I would be glad if you will inform me whether any time next week would be available. I have wired to-day to Mr.J.G.Schleihaut,Bismarck,Ont.,asking him if he knows where Robert Caldwell lives. This gentleman has taken some interest in these Indians. There is a John Caldwell on the Muncey Reserve,I presume he is Robert Caldwell's son.

Yours sincerely,

The Hon.David Mills,

London, Ont.

12708-57

164645

8986

Do not write about more than one subject in the same letter.

Write legibly your full name and address.

Address your reply to the Assistant Commissioner of Crown Lands, Toronto, and QUOTE ABOVE NUMBER.

DEPARTMENT OF CROWN LANDS ONTARIO

DEPT OF INDIAN AUG 2 1895

Toronto, August 1st, 1895.

Sir :

I beg to acknowledge the receipt of your letter of 17th ulto, No 8986 re islands in the vicinity of Point Pelee Island, Lake Erie, and in reply to say that the group of islands lying west of Point Pelee Island known as the Hen and Chickens have not been disposed of by this Department, nor any revenue derived from them since confederation. Prior to that date they appear to have been held under fishery leases issued by the Department of Fisheries. Point Pelee, on the main land in the township of Mersea, was a naval Reserve under the control of the Ordnance and Admiralty Branch of the Department of the Interior. See 14 and 15 Vic. chap. 67, and Con. Stats. Canada chap. 37 in Schedule page 511.

Your obt. servant

Aubrey White

Asst. Commissioner.

Hayter Reed, Esq.,

Deputy Superintendent Gen of Indian Affairs

Ottawa.

FORM 1.
Cox's Patent INFOLD. Canada, Nov. 10th, 1888; U.S., May 27th, 18
To open, tear off the colored label at perforated ma

Great North Western Telegraph Company, of Canada.

OPERATING THE LINES OF THE MONTREAL, DOMINION AND MANITOBA TELEGRAPH COMPANIES

This Company transmits and delivers messages only on conditions limiting its liability, which have been assented to by the sender of the following message.

Errors can be guarded against only by repeating a message back to the sending station for comparison, and the Company will not hold itself liable for errors or delays in transmission or delivery of unrepeated messages, beyond the amount of tolls paid thereon, nor in any case where the claim is not presented in writing within sixty days after sending the message.

This is an unrepeated message, and is delivered by the request of sender, under the conditions named above.

H. P. DWIGHT, President and General Manager.

Money orders by telegraph between principal telegraph offices in Canada and the United States.

TELEGRAM

Use this space for Continuation of Lengthy Addresses, OR INSTRUCTIONS TO MESSENGER.

To D C Scott
Indian Dept

No. 102 Check 15

Rec'd No.	From	Sent by	Rec'd by	Time
64	M	M	H	4.10

Aug 1st 189

From Bismarck Ont

Robert Colwell Chippewa indian
lives at Rodney Ont a few
Miles in the Country

J. C. Schlichamp

London. 5th. August. 1888.

My Dear Sir.

I have the honor to acknowledge the receipt of your letter of the 30th. ultimo, which came here during my absence fro from home, and say in reply, that I have seen Chief Robert Caldwell of the Pelee Band of Indians, and he informs me, that none of his band resides at Walpole Island. They are all south of the Thames, and are for the most part, scattered over the county of Essex. He says that the most convenient point for them to assemble at, is Ridgetown, as none of them are far away from the Canada Southern Railway, and they can go to Ridgetown by that line. He says that to assemble them, it will be necessary for him to see them personally, otherwise they would not be notified. He will require some time for this purpose. Any satisfactory settlement with them would need to have the general assent of the Band. I think if a day early in September were named it would be most suitable. I would say towards the end of this month, were it not that it might be found difficult to notify them all, if a day so near were named. I shall be pleased to know the day you name as early as possible.

Yours faithfully.

David Mills

D. C. Scott. Esq.

Indian Department

Ottawa.

Ottawa, August 6th, 1895.

Dear Mr. Mills,

I have yours of the 5th instant. As we have yet no definite plan fo settlement with Caldwell I think it would be premature to have a meeting of the Indians. My intention was to see Caldwell and try to arrive at conditions which he would accept and which the Government could carry out, and my visit was to be merely preliminary. It is probable---in fact it is certain---that he would demand more than we could possibly give him, but then I hope to influence him to accept a compromise. I think, therefore, I will leave here on Wednesday evening, and spend Friday in talking with him. If you could go with me I would deem it an honour. I will likely call upon you in London, as I want to visit the Mount Elgin Institute before I return. A telegram will reach me here until tomorrow (Wednesday) evening.

Yours faithfully,

Hon. David Mills.
London,
Ontario.

approved
AC

DEPARTMENT OF INDIAN AFFAIRS CANADA.

Ottawa Aug.7th. 1895.

My dear Sir Adolphe/-

Towards the close of the Session Mr.Daly promised the Honourable Mr.Mills,that I should visit an Indian -Robert Caldwell- who has a claim of long standing against this Department,and endeavour to settle it. I was instructed accordingly to go as early in August as possible. It would be most convenient in every way for me to make the visit this week, and I purpose leaving to-night,unless you know of any reason why I should not go. This Indian lives at Rodney in the County of Elgin. I know of no reason why I should not transact the business and return on Saturday. Mr.McGirr will take charge during my absence. If you would kindly mark your consent upon this letter,I will deem it a favour.

Yours very faithfully,

D Scott

The Hon.Sir Adolphe Caron K.C.M.G.,Q.C.,
Acting Premier.

Dear Mr. Scott,-

I duly received your letter of the 12th.ult. Now that your Minister will, I dare say, soon return to his office, I write you again in reference to the Pelee Indians. Their case, and condition is one of great hardship, and will require full consideration. I have just received a letter from Chief Caldwell, who says that he will endeavor to get his band together at Ridgetown, whenever you are prepared to meet them. I am of the opinion that a reasonable area might be had for them upon the Saugeen Peninsula, or in the Muskoka District for a moderate sum, and the small sums derived from the rent or sale of Point Pelee might be converted into an annuity. I was sorry that I was unable to meet you, but I had made business appointments, which required my attention, before your Ottawa telegram reached me.

Yours faithfully,

David Mills

D. C. Scott Esq.,

Indian Department,

Ottawa.

8986

Indian Office
Melbourne 22d October 1890

Sir

I have the honor to acknowledge the receipt of Official letter No 8996 of the 15th ultimo with list of names of Indians claimed by Robert Caldwell of Rodney as belonging to his Band who are said to reside on the Caradoc Reserve. In reply I beg to give the Department the following information viz

No 1 Frank Deleary ✓ is resident on the Caradoc Reserve and is located for 50 acres under L. T. No 541 he is on the Chippewa Pay-list and receives annuities

2 Louis Deleary. ✓ Resides on the Caradoc Reserve is not located for any land but is on the Chippewas of the Thames Pay-list and receives annuities

3 James Riley ✓ Resides on Caradoc Reserve is not located for land but is on Chippewas of Thames Pay-list and receives annuities

4 Nicodemus Riley. is not located for any land he is on Chippewas Pay-list and receives annuities

5 Charles Deleary. ✓ is not located for land but is on Chippewa Pay-list and receive annuities

6 William Deleary. ✓ is not located for any land. Was at one time but having deserted his wife she has been located for it his name is on the Pay-list and he now receives annuities

James Caldwell

The Deputy
Supt General
of Indian affairs
Ottawa

7 Maggie Wilson ✓ Is a member of the Chippewas of the Thames Band. She is the wife of James Wilson an industrious Indian who has a nice little home on the Caradoc Reserve. She has deserted him and is living in the Township of Chatham. She is not located for land and her husband gets her share of annuity

8 Susan Grosbeck ✓ Is married to an Chippewa Indian on the Caradoc Reserve. She has 5 children and she and they draw annuity money. She is not located for land but her husband has 90 acres

9 Mary Jane Waucaush ✓ Is married to a Chippewa Indian on the Caradoc Reserve. She is not located for land his husband is. Is on the Pay-list and gets annuity money

10 Mrs. L. Delaisy ✓ Resides on the Caradoc Reserve and is located for land location tickets Nos 191, 193 & 887. She is on the Pay-list as Sogomoqua and gets annuities. She is an aged woman and has no children of her own living with her. but has raised 2 illegitimate grand children. which must be the two counted with her as all her own children are counted on the list.

11 Eliza Delaisy ✓ Is the wife of Frank Delaisy No 1 on this list. She has 3 children is not located for land but she is on Chippewas of the Thames Pay-list. The children are on also and receive annuities

12 Ellen Delaisy ✓ Is the wife of Lewis Delaisy No 2 on this list. They have 3 children. She and they are on Chippewas of Thames Pay-list and receive annuities but are not located for land

167321

13 Mrs Moses Seneca. Is married to a Chippewa of the Thames Indian She is not located for land her husband is located for 70 acres They have 7 children. two of them are married to Chippewa Indians. They all are on the Pay-list and receive annuities

14 Mrs Elizabeth French. ✓ Her name is Elizabeth Maccalonque She is lawfully married to John Maccalonque a member of the Chippewas of the Thames Band her husband is located for land but she is not She is on the Chippewa Pay-list and gets annuity money She has a man by the name of French living with her now. I am informed that she has only one child a son who is on the Pay-list also

15 Mrs Sharlott McFakey ✓ Is the wife of Isaac McFakey a member of the Chippewas of the Thames Band. She is not located for land her husband is. She is on the Pay-list and her share is paid to her husband she having deserted him and is not now living on the Caradoc Reserve She has one son he is also on the Pay-list

16 Elize Riley ✓ I know of no such person in Caldwells list She is claimed to be the wife of James Riley No 2 on this list. He has never been married but at one time lived with a woman by the name of Amira McDougall and they have a son living ~~on the~~ Caradoc Reserve he is now living with another young woman

17 Mary Riley ✓ Does not reside here is at Sarnia

18 Ellen Riley ✓ Is married to a member of the Chippewas of The Thames and resides on the Caradoc reserve. She is not located for land her husband is located for 100 acres. She and husband does not live together They have six children. She and they are on the Pay-list and

and receive annuity money. Their land is leased and she gets the rental as her husband deserted her. I have learned that she is now keeping another man

19 Louisa Henry — ✓ Is married to a member of the Chippewas of the Thames she is not located for land her husband is. She now has only one child living so I have been informed she does not live on the Caradoc Reserve at present. They are living at Kingscourt a Station on the G. T. R. Sarnia branch. They receive annuity

20 Victoria French ✓ Is married to a member of the Chippewas of the Thames Band, and resides on the Caradoc Reserve They have 3 children are on the pay-list and get annuity money. She is not located for land but her husband is

21 Clara ~~French~~ Delary ✓ Is the wife of Charles Delary No 5 on this list She resides with her husband on the Caradoc Reserve They have no children She is not located for land but is on the Chippewa Pay-list and receives annuity money

22 Rebecca Delary ✓ Is the wife of William Delary No 6 on this list They have 2 children unmarried She and they are on the Pay-list of the Chippewas of the Thames and receive annuity money and she and family are located for 101 acres of land covered by L. T. No 790. One of the girls has married an Oneida Indian and appears on Caldwells list as Mary Nickham

23 Mary Golder ✓ Her name is Victoria Golder She is married to a white man and does not reside on the Reserve. I do not know how many children she has but am informed she has 6 she is on the Chippewas of the Thames Pay-list. The children

children are not. She and the children are not located for land on this reserve. She receives annuity money

24 Mary Kinkam ✓ Married to an Oneida Indian. She is one of the children of William and Rebecca Delary. She is on the Chippewas of the Thames Pay-list and receives annuity money She has one child but it is not on the pay list and does not get annuity money and not located for any land

25 Betsy Groebeck ✓ Resides on the Caradoc Reserve and is located for land and receives annuity money

26 Cary Logan ✓ Her proper name is Caroline Logan She resides on the Caradoc reserve her husband is a member of the Munceys of the Thames Band. She has three children in all two by her husband and one an illegitimate by a man she formerly lived with She and the 2 muncey children are on the Muncey pay-list but do not receive any annuity money at present as no distribution has been made among that Band for some time past. The illegitimate son is a member of the Chippewas of the Thames Band receives annuity and is located for 100 acres of land She and the 2 muncey children are not located for land

27 Mary Vancauch Married a member of the Chippewas of the Thames She has no lawful children but has one illegitimate daughter She is on Chippewa Pay-list her husband is paid her share as she has left him and does not now reside on the reserve She claims ten acres of land but I do not find that she has been located for it

28 Julia Vancauch ✓ Is on Chippewa Pay-list and receives annuity is not located for any land

167321

29 Susan Nicolas ✓ Is married to an Oneida Indian She has 3 children She does not draw annuity money and is not located for land Neither does she live with her husband

30 Mary Curry - ✓ Is married to a Pottawattomie Indian They have one son. She does not get any annuity money and is not located for any land. Her son is included on the Chippewa pay-list and receives annuity having been adopted by Frank Tannehy a Chippewa Indian She does not live with her husband and a very bad character

31 Eliza Peters - Does not reside on Caradoc reserve. I am informed that she was the wife of Wellington Peters of Grand River and that she is now dead. Also that her husband is living at Moravianton.

Certified

32 Mary Peters Does not reside here

33 Mrs Anna Busch ✓ Is married to Elijah Busch a member of the Chippewas of the Thames Band and resides with her husband on the Caradoc reserve They have one child They are included on Chippewa Pay-list and receive annuity She is not located for land her husband is

34 Moses Caldwell Does not reside here

This is all the information I have been able to gather in connection with this matter at present and hope it may be sufficient. Caldwell's list is herewith returned

I have the honor to be
Sir
Your obedient servant
A. McDougall
Indian Agent

8986

answer required

Ottawa 16th October 1895

THIS LETTER HAS BEEN SENT

Sir,

I enclose herewith a list of those Indians claimed by Robert Caldwell of Rodney as belonging to his Band, who are said to be resident on the Chippewa or Muncey Reserves, and I have to request that you will kindly look carefully through the list, and give all the information you can gather therefrom. I would like to know in each case whether the person mentioned is in occupation of land by location or otherwise and whether he is in receipt of Annuity money. Will you kindly furnish this information as ~~soon~~ early next mail as possible.

Your obedient servant,

Deputy Superintendent General
of Indian Affairs.

A.S. McDougall Esq.,
Indian Agent
Melbourne, Ont.,

List of ~~Indians~~ Indian claims by Robt. Caldwell to belong to his band who have lands and draw annuities with other Bands and who cannot therefore be considered in any settlement of Caldwell's alleged claims —

[illegible] Lillon.

MEMORANDUM.

To ..... Department of Indian Affairs,

..... Ottawa, ... 189.....

QUERY.	ANSWER.

A English Sarnia.

Do you know Mary Riley has 2 children; said to reside at Sarnia.

E D Cameron - Brantford.

Do you know. Mary Peters 3 children said to reside on Grand River.

Amherstburg Sarnia

Thomas Caldwell?

Manitoulin Island - 6 Children -

Crown Lands - ? any land in Co of Essex or Essex or adjoining

MEMORANDUM.

To ..... Department of Indian Affairs,

..... Ottawa, ... 189.....

QUERY.	ANSWER.
Counties for sale. Block of 150 to 200 acres wanted - What price?	

167321

135037

Name	Name of wife and children if Married	Children	Age	Where located Residence	How employed.
Mrs Bill	Mary Waucaush	1	32	Rodney	
"	Julia Waucaush		28	Munsey	
" ?	Susan Nicolas	3	25	Munsey	
on Chippewa list no owner of Land " ?	Mary Currie	1	20	Munsey	
"	Eliza Peters	3	24	Munsey	
on Munsey list ?"	Mary Peters	3	29	Grand River	
	~~Mary Peters~~				
Mrs	Ida Anna Burch	1	29	Munsey	
Moses Calwell Mrs.	.	6	40	Walpole Island	Farmer

167321

Name	Name of Wife and children if Married	Age	Where located Residence	How employed
Wm Chippewa	Maggie Wilson	26	Chatham	
" Chipp	Susan Sprosbeck .. 5 children	33	Muncey	
" Chipp	Maryjane Waucawosh	36	Muncey	
"	Mrs S. Delary .. 2	65	Muncey	Farmer
Frank Delary Chipp	Eliza .. 3	44	Muncey	Farmer
Louis Delary Chipp	Ellen .. 3	32	Muncey	
"	Mrs M Seneca .. 4	50	Muncey	
"	Mrs Elizabeth French .. 2 marriage	35	Muncey	
"	Mrs Charlotte McGahay 1	37	Muncey	Labourer
James Riley Chipp	? Eliza Riley .. 1	32	Muncey	Labourer
Nicodemus Riley " Chipp		25	Muncey	
	? Mary Riley 2	27	Sarnia	
Chipp	Ellen Riley .. 6	30	Muncey	
"	Louisa Henry .. 2	24	Muncey	
" Chipp	Victoria French .. 3	22	Muncey	Farmer
Charles Delary " Chipp	Clara (Delaney)	27	Muncey	Labourer
William Delary " Chipp	Rebecka .. 2	43	Muncey	
"	Mary Folder .. 6 Victoria	37	Southwold	
on Munsee list "	Mary Nichom .. 1	20	Moda	
" Chipp	Betsy Sprosbeck	72	Muncey	
"	Carrie Logan .. 3	38	Muncey	

8986

Dupl

Ottawa, 20th Oct., 1905.

Sir,-

I enclose herewith a list of Indians who are claimed by Robert Colwell as belonging to a band of which he is Chief. May I ask you to examine the list thoroughly with a view of ascertaining whether any of the Indians here mentioned are members of the band under your control, and if so whether they are located for land, or receive annuity money.

Kindly give this matter your earnest attention and furnish the Department with an answer early next week.

Kindly, if possible, advise me as to the whereabouts of Mary Miley, who has two children and is said to reside at Sarnia; and also as to whether she draws annuity or is located for land.

Your obedient servant,

Acting Deputy Supt. General
of Indian Affairs.

A. English Esq.,
Indian Agent,
Sarnia, Ont.

No. 3 List of Indians who
may be considered as
belonging to the Band
of Robt Caldwell —

Name	Name of Wife and Children if Married	Age	Where located Residence	How employed
Robert Colwell Chief		60	Rodney	Labourer
James Colwell	Nancy Wife	27	Rodney	Labourer
Sheldon Colwell	Maggie, children 3	30	Rodney	Labourer
John Alexander	 3	34	Muncey	Labourer
Levi Dodge	 1	26	Muncey	Farmer
John Dodge	Annie .. 2	24	Harwich Township	Labourer
Charles Dodge	Mary .. 1	28	Harwich Township	Labourer
George Dodge	Nancy ..	23	Harwich Township	Labourer
.. ..	Nancy Colwell Wife	85	Harwich Township	
..	Sarah Dodge	64	Harwich Township	
John Jakes	..	71	Harwich Township	Labourer
William Dodge	 3	31	Harwich Township	Labourer
.. ..	Mary Dodge .. 1	38	Harwich Township	
	Boley Dodge .. 1	43	Harwich Township	
John William Dodge	Margret Dodge 5	62	Harwich Township	Labourer
Raymond Dodge	Mary Dodge Sister .. 1	22	Harwich Township	Labourer
Samson Dodge	Eliza 7	46	Harwich Township	Labourer
Thomas Dodge	Ida .. 1	34	Romney Township	Labourer
Joseph Peters	Mary ~~Peters~~ 1	64	Romney Township	Labourer
Thomas Peters	Mary Peters 4	21	Romney Township	Labourer
Alexander Peters	Annie ... 3	30	Romney Township	Labourer

Name	Name of Wife and children - if married	Age	Where located Residence	How employed
William James Chipewae	Jane .. Children 4	50	Romney Township	Labourer
Thomas Pamton	Melinda .. 2	40	Romney Township	Labourer
John Thomson	Susan 6	39	Howard Township	Labourer
John Ben	Nancy Ben (Sister) 1	57	Harwich Township	Labourer
Joseph Croc	.. 3	37	Harwich Township	Labourer
John Chipewae	Mary .. 2	31	Harwich Township	Labourer
David Walton	Margret .. 2	28	Harwich Township	Labourer
Joseph Walton	Susan ..	21	Harwich Township	Labourer
John Jackson		23	Harwich Township	Labourer
John Caption	Mary .. 1	33	Chatham Township	Labourer
	Nancy Caption.	80	.. ..	
Charles Sturgeon Mrs	Ellen .. 4	28	Harwich Township	Labourer
	Polly Sturgeon " 6	60	Harwich Township	
	Elza Walton	70	Harwich Township	
George Thompson Mrs	.. " 1	31	Rodney	Labourer
James Nolloway	Ellen ..	35	Munsey	Labourer
	Maryann Jackson 1	40	Rodney	

Members of Pt Pelee Band that have no
Land on any other Reserve or dont draw annuity

8986

Draft

Ottawa, 30th Oct., 1895.

THIS LETTER HAS BEEN SENT

Sir,-

I enclose herewith a copy of a list of Indians who are claimed by Robert Colwell as belonging to a band of which he is Chief. May I ask you to examine the list thoroughly with a view of ascertaining whether any of the Indians here mentioned are members of the bands under your control, and if so whether they are located for land or receive annuity money.

Kindly give this matter your earnest attention and supply the Department with an answer early next week.

In addition to the names on this list, may I ask you whether you are aware of the whereabouts of Mary Peters, who is said to have three children ? Kindly advise me whether this woman is on the Six Nation pay list, or whether she has land on the reserve.

Your obedient servant,

E. A. Sachs

Acting Deputy Supt. General
of Indian Affairs.

H. D. Cameron Esq.,
Indian Superintendent,
Brantford, Ont.

aaer

Dept. Indian Affairs,

Ottawa, 30th Oct., 1890.

Sir,-

I enclose herewith a copy of a list of Indians who are claimed by Robert Colwell as belonging to a band of which he is Chief. May I ask you to examine the list thoroughly with a view of ascertaining whether any of the Indians here mentioned are members of the band under your control, and if so whether they are located for land or receive annuity money.

Kindly give this matter your earnest attention and the supply the Department with an answer early next week.

Your obedient servant,

D. C. Scott

Acting Deputy Supt. General
of Indian Affairs.

To all Indian Agents in Ontario

8986

Ottawa, 30th Oct., 1895.

THIS LETTER HAS BEEN SENT

Sir,-

I have the honour to request that you will inform this Department whether there are any Crown lands for sale by your Government in the Counties of Essex or Elgin, or any of the adjoining Counties; this Department may possibly require a block containing 1500 or 2000 acres for the purposes of a reserve.

Would you kindly also inform me at what price per acre the land may be obtained, if you have any in the market in these localities.

A speedy answer will greatly oblige

Your obedient servant,

Acting Deputy Supt. General
of Indian Affairs.

Aubrey White Esq.,
Asst. Comnr., Crown Lands,
Toronto.

NAME	NAME OF WIFE & CHLDN IF MARRIED	AGE	WHERE LOCATED RESIDENCE
Robt.Colwell,Chief		60	Rodney
Jas.Colwell	Nancy	2 7	Rodney
Sheldon Colwell	Maggie,3 chldn	20	Rodney
John Alexander	.. 3 chldn	27	Muncey
Levi Dodge	.. 1 chld	28	Muncey
John Dodge	Annie 2 chldn	25	Harwick Township
Charlie Dodge	Mary 1 chld	28	.. ..
George Dodge	Nancy	23	.. ..
.. ..	Nancy Colwell	85	.. ..
.. ..	Sarah Dodge	64	.. ..
John Jakes	.. ..	70	.. ..
Wm.Dodge	.. .. 3 chldn	31	.. ..
.. ..	Mary Dodge 1 chld	38	.. ..
	Beley Dodge 1 chld	73	.. ..
Jno.Wm.Dodge	Margaret Dodge 1chld	62	.. ..
Raymond Dodge	Mary Dodge,sister,1..	22	.. ..
Samson Dodge	Eliza .. .. 7 chldn	46	.. ..
Thos.Dodge	Ida .. .. 1 ..	34	Romney ..
Joseph Peters	Mary 1 ..	64	.. ..
Thos. ..	Mary Peters 4 ..	21	.. ..
Alex.Peters	Annie .. 3 ..	30	.. ..
Wm.Jas.Chipewae	Jane 4 ..	50	.. ..
Thos.Samson	Melinda 2 ..	40	.. ..
John Thompson	Susan 6 ..	39	Howard ..
John Ben	Nancy Ben (& chld his sister)1 ..	57	Harwick ..
Josey Croe	Nancy 2 ..	37	.. ..
John Chipewae	Mary 2 ..	31	.. ..
David Watson	Margaret 2 ..	28	.. ..
Joseph Watson	Susan	21	.. ..
John Jackson		28	.. ..
John Caption	Mary 1 ..	22	Chatham ..
	Nancy Caption	80	.. ..
Charles Sturgeon	Alice .. 4 ..	28	Harwick ..
	Polly Sturgeon 8 ..	50	.. ..
	Eliza Watson	70	.. ..
George Thompson	.. .. 1 ..	31	Rodney ..
James Notway	Ellen	35	Muncey ..
	Mary Anne Jackson 1 c.	40	Rodney ..

167587

8986

Nov 4 - 95

The Narrows
Georgina
Lake Simcoe

To the Deputy Superintendent General
Indian Affairs
Ottawa

Sir I have the honor to acknowledge your letter herein returned addressed to me as Indian Agent. If you will accept information from me as Ex. Indian Agent I think I can give you a definite answer. The Chief has this moment come in and he satisfies what I had intended to write you. I am personally acquainted with every man, woman and child on the Georgina Island Reserve. There is not one name on the list you sent me. I have also returned I in any way connected with the Indians of the Reserve. I return papers as I thought my duty as you had written me under a mistake as this appears.

Tho I am practically Indian Agent yet and am doing almost as much for them since my position has not altered as before

I have the honor to be
Your obedient
J P Sheridan

167586

8986

No 22649/95

Do not write about more than one subject in the same letter.

Write legibly your full name and address.

Address your reply to the Assistant Commissioner of Crown Lands, Toronto, and QUOTE ABOVE NUMBER.

DEPARTMENT OF CROWN LANDS ONTARIO

Toronto. 2nd November 1895

Sir:-

I beg to acknowledge the receipt of your letter of 30th ult. requesting to know whether there are any Crown Lands for sale by the Government of Ontario in the Counties of Essex or Elgin, or any of the adjoining Counties and to say in reply, there are some, Point Pelee, in the township of Mersea, if not already disposed of, is under the control of the Department of the Interior, Ordnance and Admiralty Branch.

Yours obt Servant

Aubrey White

Asst Commissioner

per AK

D. L. Scott Esq
Acting Deputy
Superintendent of
General of Indian Affairs
Ottawa

167585 8986

Port Perry 2nd November 1895

C.C.

Sir

In reply to yours of Oct. 30th enclosing list of Indians claimed by Robert Colwell as belonging to his Band I have the honour to inform you that none of the names therein mentioned are members of the Band under my control

Your Obedt. Servant

Deputy Supt General
Indian Affairs
Ottawa

Wm Ratman
Indian Agent

167584

8986

Letter book 480
file 8986 30th Oct

Indian Agency
2nd November 1895

Sir

I have the honor to acknowledge the receipt of your letter enclosing list of Indians who are claimed by Robert Coldwell as belonging to a Band of which he is chief and in reply beg to say that none of the named Indians are in either of the Bands under my control

I have the honor to be
Sir
Your most obedt Servt
Wm Wm Abbott
Indian Agent

The Deputy Superintendent General
of Indian Affairs
Ottawa

167583 8986

Atherley Nov 1st 1895

To the Right Honorable
Supt General of Indian Affairs
Ottawa

Sir

I have the honor to acknowledge the receipt of your letter dated 30th ultimo and in reply I beg to say. I have Examined the list with care and Compared it with the census list of Rama and Georgina Bands and there are none of the names shown in this list among the Indians of these Bands

I have the honor to be
Sir
Your obedient Servant
D McPhee
Indian Agent

167582 8986 8986

Indian Office
Hagersville
1st Nov. 1895

Sir.

I have the honour to acknowledge the receipt of your letter of the 30th ultimo, enclosing a list of Indians claimed by Chf. R. Calwell to belong to his Band.

I beg leave to report that none of those upon the list are upon the Census of the Mississaugas of the Credit.

I am.
Sir.
Your Obdt. Servt.
P. E. Jones.
Ind. Agent.

Hayter Reed Esq.
Deputy Supt. Genl.
of Indian Affairs.
Ottawa.

167714 8986

Indian Office
Brantford Ont
Nov. 4th 1895

Sir.

I beg to acknowledge the receipt of your letter of the 30th ult. file No. 8.986. enclosing a copy of a list of Indians who are claimed by Chief Robert Colwell as belonging to his Band, and asking me, if any of those on his list are members of the Sioux Nations &c.

In reply I beg to state that I have carefully examined said list and say that none of those on said list are members of this Reserve

I beg also to state that I do not know the whereabouts of one Mary Peters. she is not a member of this Reserve.

I am Sir
Your obedient Servant
E. D. Cameron
Supt.

Hayter Reed Esq
Deputy Supt. Gen of
Indian Affairs
Ottawa Canada

167713

NAME.	NAME OF WIFE & CHILDN IF MARRIED	AGE	WHERE LOCATED RESIDENCE
Robt.Colwell,Chief		60	Rodney
James Colwell	Nancy	27	..
Sheldon Colwell	Maggie,3 children	36	..
John Alexander	.. 3 ..	37	Muncey
Levi Dodge	.. 1 ..	26	..
John Dodge	Annie 2 ..	25	Harwick Township
Charles Dodge	Mary 1 ..	28	.. ..
George Dodge	Nancy	23	..
.. ..	Nancy Colwell	85	..
.. ..	Sarah Dodge	64	..
John Jakes	.. ..	70	..
Wm.Dodge	.. .. 2 chldn	31	..
.. ..	Mary Dodge 1 ..	38	..
.. ..	Beley Dodge 1 ..	73	..
Jno.Wm.Dodge	Margaret Dodge 5 ..	62	..
Raymond Dodge	Mary Dodge,sister,1 ..	22	..
Samson Dodge	Eliza .. .. 7 ..	46	..
Thomas Dodge	Ida .. 1 ..	24	Romney ..
Joseph Peters	Mary 1 ..	64	.. ..
Thomas Peters	Mary Peters 4 ..	21	..
Alexander Peters	Annie .. 3 ..	30	..
Wm.Jas.Chipewse	Jane 4 ..	50	..
Thos.Samson	Melinda 2 ..	40	..
John Thomson	Susan 6 ..	39	Howard ..
John Ben	Nancy Ben(his sister & child) 1 ..	57	Harwick ..
Josep Cree	Nancy 2 ..	37	.. ..
John Chipewse	Mary 2 ..	31	.. ..
David Watson	Margaret 2 ..	28	..
Joseph Watson	Susan	21	..
John Jackson		22	..
John Caption	Mary 1 ..	33	Chatham ..
	Nancy Caption	80	.. ..
Charles Sturgeon	Alice .. 4 ..	28	Harwick ..
	Polly Sturgeon 8 ..	50	..
	Eliza Watson	70	..
George Thomson	.. .. 1 ..	31	Rodney ..
James Hottway	Ellen	35	Muncey
	Mary Anne Jackson 1 ..	40	Rodney

167713 8986

Port Arthur 2nd Nov. 1895

Sir

I have to acknowledge the receipt of your letter of the 30th mst. enclosing the enclosed list of Indians who are claimed by Robert Colwell to belong to a Band of which he is Chief, and asking me to examine my list thoroughly to find out if any are mentioned as members of the Band or Bands under my Agency etc. Beg leave to state that none of these Indians mentioned in said list are members of the Bands under my Agency or connected in any way that I can find out

I am Sir
Your Obedient Servt.
J. A. Donnelly

Deputy Supt. General
of Indian Affairs
Ottawa

167762

NAME	NAME OF WIFE & CHILDN IF MARRIED	AGE	WHERE LOCATED RESIDENCE
Robt.Colwell,Chief		60	Rodney
James Colwell	4 Nancy	27	..
Sheldon Colwell	Maggie 2 children	30	..
John Alexander	.. 2 ..	37	Munoey
Levi Dodge	.. 1 ..	26	..
John Dodge	Annie 2 ..	25	Harwick Township
1 Charles Dodge	Mary 1 ..	28	.. ..
George Dodge	Nancy	23	..
.. ..	5 Nancy Colwell	85	..
.. ..	6 Sarah Dodge	64	..
John Jakes	.. ..	70	..
Wm.Dodge	.. .. 3 chldn	31	..
.. ..	Mary Dodge 1 ..	38	..
.. ..	Boley Dodge 1 ..	73	..
Jno.Wm.Dodge	Margaret Dodge 5 ..	62	..
Raymond Dodge	Mary Dodge,sister,1 ..	22	..
Samson Dodge	Eliza .. .. 7 ..	46	..
Thomas Dodge	7 Ida .. 1 ..	34	Rodney ..
Joseph Peters	Mary 1 ..	64	.. ..
Thomas Peters	Mary Peters 4 ..	21	..
Alexander Peters	Annie .. 3 ..	30	..
Wm.Jas.Chipewae	Jane 4 ..	50	..
Thos.Samson	Melinda 2 ..	40	..
John Thomson	Susan 6 ..	39	Howard ..
John Ben	Nancy Ben(his sister & child) 1 ..	57	Harwick ..
Josep Groe	Nancy 3 ..	37	.. ..
John Chipewae	Mary 2 ..	31	.. ..
David Watson	Margaret 2 ..	28	..
Joseph Watson	Susan	21	..
John Jackson		22	..
John Caption	Mary 1 ..	32	Chatham ..
	Nancy Caption	80	.. ..
2 Charles Sturgeon	Alice .. 4 ..	28	Harwick ..
	8 Polly Sturgeon 6 ..	50	..
	Eliza Watson	70	..
3 George Thomson	.. .. 1 ..	31	Rodney ..
James Nottway	9 Ellen	35	Munoey
	Mary Anne Jackson 1 ..	40	Rodney

167762

167762

8986

Indian Office
Melbourne 5th November 1895

Sir

I have the honor to acknowledge the receipt of Official letter of the 30th ultimo with list of names of Indians claimed by Robert Caldwell as members of his Band. pt pt

In reply I beg to say that I have examined the list and herewith give the Department all the names I have been able to trace as members of the Bands under my control

1 Charles Dodge Is No 44. on the Chippewas of the Thames Pay-list for Spring of 1895. his lawful wife's name is Louisa they have no children. He has deserted her and is now living in adultery with the woman Mary he does not reside on Caradoc Reserve and is not located for land. his wife is located for 50 acres and lives on it.

2 Charles Stungeon Is No 162 on Chippewas of the Thames pay-list. his lawful wifes name is Mary not Alice. he does not live with Mary now. She lives at Walpole Island and has their 3 children their and supports them. Their annuities is sent to her. He is living in adultery with Alice. He is not located for land here

The Deputy
Supt General
of Indian Affairs
Ottawa

167762

3 George Thomson ✓ Is the same person as George Sturgeon So I am informed and is on the Chippewa pay-list (No 109 Spring of 95) and gets annuity money. he is not located for any land and does not reside on this reserve and has deserted his lawful wife

4 Nancy ✓ Wife of James Caldwell resides on the Caradoc Reserve. And is No 30. on Chippewa Pay-list Spring of 1895 and receives annuity money but is not located for land

5 Nancy Caldwell ✓ Aged 85. is No 134 on the Chippewas of the Thames Pay-list for Spring of 95 her Indian name is Pedaubwayquay and receives annuity money She does not reside on this reserve and is not located for land

6 Sarah Dodge Is on the Chippewas of the Thames Pay-list No 130 (for Spring of 95) her Indian name being Kishechawanoq her 3 sons are also on the list with her and the get annuity are not located for land and do not reside here

7 Ida Dodge ✓ I presume is the same person as Ida Johnson No 105 on the Chippewas of the Thames Pay-list (Spring of 95) She is the lawful wife of George Johnson a Chippewa Indian. And is living in adultery with Thomas Dodge She gets annuity but is not located for land her husband (Johnson is located)

167762

No 8 Polly Sturgeon Is the wife of William Sturgeon No 161 on the Chippewas of the Thames Pay-list (Spring of 90) She and her children receive annuity money She & the children are not located for land her husband is located for 20 acres

" 9 Ellen Who is claimed as the wife of James Natteway. Is not his wife but was living for a short time with him. Is the same person as ~~Ellen~~ Huff No 100 on the Chippewa Pay-list (Spring of 90) She receives annuity money and is located for land on the Caradoc Reserve

The most of these people never come near their reserves and it is a little difficult to correctly trace them as they go by other names than those they are known by on the pay list. But I think that this information will be found to be correct. I also return Caldwell list with names marked for reference

I have the honor to be
Sir
Your obedient Servant
A. S. McDougall
Indian Agent

167824 8986

Cape Croker Nov 5th 1895:

Sir
I have the honor to acknowledge the receipt of your letter of the 30th ultimo. With reference to certain Indians belonging to a band that Robert Colwell is said to be the chief of. In reply I may say that I have examined the list of Names carefully. And there is none of those persons on this Reserve. I have been here going on Eleven years and in all that time I feel safe in saying none of them have been here.
Hoping this will be satisfactory
I am
Sir
Your Obedt Servant
J. W. Jennings

Hayter Reed Esqr
D. S. G. I. A.
Ottawa

167823

8986

Chippewa Hill Nov 6 1895

Sir.

I have the honor to state in reply to your letter of 31st ultimo re Indians claimed by Chief Scott Colwell, that I have examined the list thoroughly made all possible enquiry and find there are none of his Indians on this Reserve.

I have the honor to be, Sir
Your obedient servant
John Crome (sgd)
Ind. Agent

The Deputy Supt. General
of Indian Affairs
Ottawa

167827 8986

Sarnia Nov. 6th 1895.

Sir,

In reply to your letter of 25th Oct. No 8986, which requested me to examine the enclosed list, and ascertain whether any of the names on it were Indians under my agency, I have to state that I have examined it carefully and find that there is not any of them under my agency.

Of Mary Riley of which you make special mention, does not live on any of the three Reserves under my charge, her name is not on the pay list. Possibly she may be living in the town of Sarnia, I will make enquiry and write you again should I get any trace of her.

Your obedient servant

[signature]
Indian Agent.

Deputy Supt. Gen.
of Indian Affairs
Ottawa

167836

8986

Roseneath November 6th 1895

Sir,-

I have to acknowledge the receipt of your letter of the 30th Ultimo making inquiry on behalf of Chief Robert Calwell if any of the persons mentioned in your letter reside on any of the Indian Reserves over which I have charge and in reply I beg to say that none of the persons mentioned reside on any of the Reserves under my charge or are in any way connected with any of my bands.

Yours Truly

John Thackeray

D. S. G. of I. A.

Ottawa Ont.

167877

8986

Parry Sound, Ont.,
6th Nov 1895

Hayter Reed Esq
~~L. VANKOUGHNET, ESQ.~~,

Deputy Supt. General of Indian Affairs,

Sir,---

Referring to your letter, addressed to me, dated 30th Oct, File No. 8986 enclosing a list of Indians claimed by Robert Colwell as belonging to a Band of which he is Chief I beg to say that none of the Indians on such list belong to any Band of which I have charge and that I do not know anything about them

I have the honor to be
Sir,
Your Obedient Servant
H. B. Ballin
Indian Supt

167902 8986

Wallaceburg Nov 9th 1895.

Sir.

I beg to acknowledge the receipt of your letter No 8986. Date 30th ultimo, enclosing copy of a list of Indians who are claimed by Robert Caldwell as belonging to a Band of which he is Chief.

The above letter requests that I will examine the list, and report whether any of the Indians therein mentioned are members of the Bands under my control, and if so whether they are located for land, or receive annuity money.

In reply, I beg to say that none of the Indians named in the list are members of either of the two Bands under my control. Neither are they located upon the Walpole Island Reserve, nor do any of them draw annuity money.

But I may report that "Moses Caldwell" of whom you make inquiry is living on Walpole Island, and draws annuity with the Potawattomie, is an impostor a Councillor of the Potawattomie Band of Walpole Island. he is also a son of the above named Robt Caldwell and has on his hands whom I took Chief of the agency, but how he got there is as yet unknown to me. it is well enough understood that he is not a Potawattomie and as his father is Chief of the Kennedie Band, he (Moses) is no doubt a member of the Band of which his father is Chief. and has no right to be on the Potawattomie

167902

Potawatomie pay list at all. there is also a young woman who I believe belongs to these Nomads who is married to one of our Chippewas, a son of Jacob Nisowak the Messenger of the chippewa Band, this is of course all right.

As to this Band in General and Robt Colwell (the chief) in particular they are a hard lot, belong to no place in particular. draw no annuity money. Make a very precarious living by cutting cord wood making axe handles &c. and lose no opportunity of getting drunk. and are altogether a low down lot.

Old Colwell is a tramp pure and simple. and makes a show of some letters he has from the Dep-artment. and very frequently shows them to people who are prepared to take advantage of any thing there may be in them to the disadvantage of the officers of the Department. or the Members of the Government.

It was these people who were reported in the papers lately as having committed a Murder among them while on a drunken carouse away beyond Chatham somewhere

I will write again to him & have more time then now. the mail is about closing

Yours Obt Servant
A McNelly
Agent

To the Dy Supt General
of Indian Affairs
Ottawa

167952

8986

Indian Office,

Deseronto, 18

Sir

In reply to your Circular No 8986 of date 20th ultimo relative a list of Indians claimed by Robert Cardwell I have the honor to state we have not one of the Named upon our Reserve

Your obedient Servant

J G Eyas
Ind Agt

The Secy Dept
Gen of Indian Affairs
Ottawa

CC

167971 8986

Indian Office, Maniwaning,
8th November, 1895.

8986
763

Sir :-

In absence of Mr. Supt. Ross, I have the honor to acknowledge receipt of Official Letter under date 30th ult., and in reply beg respectfully to state that none of the Indians whose names appear on the list appended to said Letter, belong to any of the Bands in this Superintendency.

I have the honor to be,
Sir,
Your obedient servant,
B. H. Ross
I. Supt. Dist.
Gr. Riv.

The Deputy Supt. General
of Indian Affairs,
Ottawa.

168113 8986

Extract Original on 112990

Indian Office
Highgate 7th Nov 1895

DEPARTMENT OF INDIAN AFFAIRS NOV 1895

I have also to acknowledge the receipt of your letter No — dated the 30th ultimo enclosing a list of Indians who are claimed by Robert Colwell as belonging to a Band of which he is Chief and asking me to examine the list and report whether any of the Indians mentioned therein are members of the Band under my control etc., and in reply to thank you & report that none of the Indians in this list are members of the Band under my charge some are located for land and do not receive annuity money but I find that David Hatsen and his wife Dragul or Maggie with two children reside upon this Reserve he is the David Hatsen who my above report refers to and on this account I have answered both letters in this way that you may see who David Hatsen is.

(Sgd) John Beattie
Indn. Agent.

.....

LIST OF INDIANS CLAIMED BY ROBERT CALDWELL TO BELONG TO HIS BAND WHO HAVE LANDS AND DRAW ANNUITIES WITH OTHER BANDS AND WHO CANNOT THEREFORE BE CONSIDERED IN ANY SETTLEMENT OF CALDWELL'S ALLEGED CLAIMS.

.....

Maggie Wilson is a member of the Chippewas of the Thames Band. She is the wife of James Wilson, an industrious Indian, who ha a nice little home on the Caradoc Reserve. She has deserted him and is living in the vicinity of Chatham. She is not located for land, and her husband gets her share of annuity.

Susan Grosbeck is married to a Chippewa Indian on the Caradoc Reserve. She has five children, and she and they draw annuity money. She is not located for land, but her husband has 90 acres.

Mary Jane Waucaush is married to a Chippewa Indian on the Caradoc Reserve. She is not located for land. Her husband is. Is on the paylist and gets annuity money.

Mrs. L. Deleary resides on the Caradoc Reserve and is located for land, Location Tickets Nos. 191, 193, and 557. She is on the pay-list as Sogomazua and gets annuities. She is an aged woman and has no children of her own living with her, but has raised two illegitimate grand-children, which must be the two counted with her, as all her own children are counted on the list.

Eliza

Eliza Deleary is the wife of Frank Deleary, No. 1 on this list. She has three children, is not located for land, but she is on Chippewas of the Thames pay-list ; the children are on also and receive annuities.

Ellen Deleary is the wife of Lewis Deleary, No. 2 on this list. They have three children. She and they are on Chippewas of Thames pay-list and receive annuities, but are not located for land.

Mrs. Moses Senaca is married to a Chippewa of the Thames Indian. She is not located for land. Her husband is located for 70 acres. They have seven children ; two of them are married to Chippewa Indians. They all are on the pay-list and receive annuities.

Mrs. Elizabeth French. Her name is Elizabeth Mascalongue, a member of the Chippewas of the Thames Band. Her husband is located for land, but she is not. She is on the Chippewa pay-list and gets annuity money. She ha a man by the name of French living with her now. I am informed that she has only one child, a son who is on the pay-list also.

Mrs. Charlotte McGahey is the wife of Isaac McGahey, a member of the Chippewas of the Thames Band. She is not located for land. Her husband is. She is on the pay-list, and her share is paid to her husband, she having deserted him, and is not now living on the Caradoc Reserve. She has one son, he is also on the pay-list.

Eliza Riley. I know of no such person, in Caldwell's list she is claimed to be the wife of James Riley, No. 3 on this list. He has never been married, but

but at one time lived with a woman by the name of Almira McDougall, and they have a son living on the Caradoc Reserve ; he is now living with another young woman.

Mary Riley. Does not reside here ; is at Sarnia.

Ellen Riley is married to a member of the Chippewas of the Thames and resides on the Caradoc Reserve. She is not located for land. Her husband is located for 100 acres. She and her husband do not live together. They have six children. She and they are on the pay-list, and receive annuity money. Their land is leased, and she gets the rental, as her husband deserted her. I have learned that she is now keeping another man.

Louisa Henry is married to a member of the Chippewas of the Thames. She is not located for land, her husband is. She now has only one child living,-- so I have been informed. She does not live on the Caradoc Reserve at present. They are living at Kingscourt, a station on the G. T. R. R., Sarnia Branch. They receive annuity.

Victoria French is married to a member of the Chippewas of the Thames Band, and resides on the Caradoc Reserve. They have three children, are on the pay-list, and get annuity money. She is not located for land but her husband is.

Clara Deleary is the wife of Charles Deleary, No. 5 on this list. She resides with her husband on the Caradoc Reserve. They have no children. She is not located for land, but is on the Chippewa pay-list and receives annuity money.

Rebecca

Rebecca Deleary is the wife of William Delaary, No. 6 on this list, they have two children unmarried. She and they are on the pay-list of the Chippewas of the Thames and receive annuity money, and she and family are located for 101 acres of land covered by L. T. No. 790. One of the girls has married an Oneida Indian, and appears on Caldwell's list as Mary Ninham.

Mary Golder. Her name is Victoria Galder. She is married to a white man, and does not reside on the Reserve. I do not know how many children she has, but am informed she has six. She is on the Chippewas of the Thames pay-list. The children are not. She or the children are not located for land on this Reserve. She receives annuity money.

Mary Ninham is married to an Oneida Indian. She is one of the children of William and Rebecca Deleary. She is on the Chippewas of the Thames pay-list and receives annuity money. She has one child, but it is not on the pay-list and does not get annuity money and is not located for any land.

Betsy Grosbeck resides on the Caradoc Reserve, and is located for land, and receives annuity money.

Carrie Logan. Her proper name is Caroline Logan. She resides on the Caradoc Reserve. Her husband is a member of the Munceys of the Thames Band. She has three children in all, two by her husband and one an illegitimate by a man she formerly lived with. She and the two Muncey children are on the Muncey pay-list, but do not receive any annuity money at present as no distribution has been made among that Band for sometime past. The illegitimate son is a member of the Chippewas of the Thames Band, receives annuity, and is located

located for 100 acres of land. She and the two Muncey children are not located for land.

Mary Waucaush married a member of the Chippewas of the Thames. She has no lawful children, but has one illegitimate daughter. She is on Chippewa pay-list. Her husband is paid her share, as she has left him and does not now reside on the Reserve. She claims ten acres of land, but I do not find that she has been located for it.

Julia Waucaush is on Chippewa pay-list and receives annuity ; is not located for any land.

Susan Nicolas is married to an Oneida Indian. She has three children. She does not draw annuity money and is not located for land. Neither does she live with her husband.

Mary Curry is married to a Pottawattamie Indian. They have one son. She does not get any annuity money and is not located for any land. Her son is included on the Chippewa pay-list and receives annuity, having been adopted by Frank Faunehy, a Chippewa Indian. She does not live with her husband and is a very bad character.

Eliza Peters does not reside on Caradoc Reserve. I am informed that she was the wife of Nelles Peters, of Grand River, and that she is now dead ; also that her husband is living at Moraviantown.

Mary Peters does not reside here.

Where?

Mrs. Anna Burch Is married to Elijah Burch, a member of the Chippewas of the Thames Band, and resides with her husband on the Caradoc Reserve. They have one child. They are included on Chippewa Pay-list and

and receive annuity. She is not located for land. Her husband is.

Frank Delaary is resident on the Caradoc Reserve and is located for 50 acres under L. T. No. 541. He is on the Chippewa Pay-list, and receives annuities.

Louis Deleary resides on the Caradoc Reserve ; is not located for any land, but is on the Chippewas of the Thames pay-list and receives annuities.

James Riley resides on Caradoc Reserve ; is not located for land, but is on Chippewas of Thames pay-list and receives annuities.

Nicodemas Riley is not located for any land ; he is on the Chippewas pay-list and receives annuities.

Charles Deleary is not located for land but is on Chippewa pay-list and receives annuities.

William Deleary is not located for any land ; was at one time, but having deserted his wife she has been located for it ; his name is on the pay-list and he now receives annuities. (Agt McDougall)

Moses Caldwell is at present a Councillor of the Pottawattamie Band of Walpole Island ; he is also a son of the above named Robert Caldwell, and was on the pay-list when I took charge of the Agency, but how he got there is as yet unknown to me. It is well enough understood that he is not a Pottawattamie, and as his father is Chief of the nomadic Band, he (Moses) is no doubt a member of the Band of which his father is Chief, and has no right to be on the Pottawattamie pay-list at all. (Agt McKelvey).

Charles Dodge is No. 44 on the Chippewas of the Thames pay-list for spring of 1895 : his lawful wife's name is Louisa ; they have no children ; he has deserted her and is now living with this woman Mary ; he does not reside on Caradoc Reserve, and is not located for land ; his wife is located for 50 acres and lives on it.

Charles Sturgeon is No. 162 on Chippewas of the Thames pay-list ; his lawful wife's name is Mary, not Alice ; he does not live with Mary now ; she lives at Walpole Island and ha 3 children there and supports them. Their annuities are sent to her. He is living with Alice. He is not located for land here.

George Thompson is the same person as George Sturgeon,---so I am informed, and is on the Chippewa pay-list (No. 159 spring of '95) and gets annuity money. He is not located for any land and does not reside on this Reserve and has deserted his lawful wife.

Nancy Calwell, wife of James Calwell, resides on the Caradoc Reserve, and is No. 30 on the Chippewa pay-list, spring of 1895, and receives annuity money, but is not located for land.

Nancy Calwell, aged 85, is No. 134 on the Chippewas of the Thames pay-list for spring of 1895. Her Indian name is Pedanbonoyua and she receives annuity money. She does not reside on this Reserve, and is not located for land.

7

Sarah Dodge

Sarah Dodge is on the Chippewas of the Thames pay-list No. 130 for spring of 1895 ; her Indian name is Misheshawance ; her three sons are also on the list with her and get annuity, they are not located for land and do not reside here.

Ida Dodge is presumed to be the same person as Ida Johnson, No. 105 on the Chippewas of the Thames pay-list, spring of 1895. She is the lawful wife of George Johnson, a Chippewa Indian, and is living with Thomas Dodge ; she gets annuity but is not located for land ; her husband (Johnson) is located.

Polly Sturgeon is the wife of William Sturgeon, No. 161 on the Chippewas of the Thames pay-list, spring of 1895 ; she and her children receive annuity money, but are not located for land ; her husband is located for 25 acres.

Ellen, who is claimed a the wife of James Nattway, is not his wife, but was living for a short time with him. She is the same person as Ellen Huff, No. 100 on the Chippewa pay-list, spring of 1895. She receives annuity money, and is located for land on the Caradoc Reserve. (Agt McDougall)

LIST OF INDIANS WHO MAY BE CONSIDERED AS
BELONGING TO THE BAND OF ROBERT CALDWELL.

	Wife	Children
William James Chipwas	Jane	4
Thomas Samson	Melinda	2
John Thomson	Susan	6
John Ben	Nancy Ben(his sister and child)	1
Joseph Croe	"	3
John Chipewae	Mary	2
David Watson	Margaret	2
Joseph Watson	Susan	
John Jackson		
John Caption	Mary	1
	Nancy Caption	
	Eliza Watson	
James Nottway		
	Mary Ann Jackson	1
Robert Caldwell, Chief,		
James Caldwell		
Sheldon Caldwell	Maggie	3
John Alexander	"	3
Levi Dodge	"	1
John Dodge	Annie	2
George Dodge	Nancy	
John Jakes		
William Dodge		3
	Mary Dodge	1
	Betsy Dodge	1

John

John William Dodge	Margaret Dodge	5
Raymond Dodge	Mary Dodge (sister)	1
Samson Dodge	Eliza	7
Thomas Dodge		1
Joseph Peters	Mary	1
Thomas Peters	Mary Peters	4
Alexander Peters	Annie	3

58

MEMORANDUM.

The undersigned has the honour to report that for some time past the claims of Robert Caldwell, made on behalf of a Band of nomadic Indians of which he is Chief, have received the earnest attention of the Department. In August last the Chief Clerk of the Department paid a visit to Rodney and had an interview with Robert Caldwell and a few of the members of his Band. It was deemed expedient to have a preliminary interview before sending for all the members of the so-called Band, and having a general meeting. This, as it transpired, was a wise course, because at that time the Department had nothing definite to offer, and such a general conference would have resulted merely in inconclusive discussion. Mr. Scott found Chief Caldwell living in a hut on the lands of a white farmer near Rodney. He did not appear at that time to be doing anything for his living, but his sons, who were present at the meeting which was held the following morning in the hotel at Rodney, were working for a farmer and traders in the vicinity of the village. At this interview it transpired that the Indians had no new claims to offer ; they reiterated the demands which they have so often made, that lands which they held along the front of Lake Erie and islands in the lake had been taken from them without compensation, and that they find themselves in a position differing entirely from that occupied by the other Indians of Ontario, and for which they claim they are in no way to blame. They claim the following

following lands : Hen and Chicken Islands, Point Pelee Island in Lake Erie, Fighting Island, and Bois Blanc Island in the River Detroit, Point Pelee in the County of Essex, Rondeau in the County of Kent, and all the land between Blenheim and Rondeau in the same County. With reference to Hen and Chicken Islands, these were surrendered to the Department by the Chippewa Indians of Walpole Island, on the 20th of January 1870. Bois Blanc Island was surrendered by the Chippewa and Ottawa Indians on the 15th of May 1786, and Fighting Island was surrendered by the Wyandotte Indians on the 27th of February 1853. Point Pelee, Rondeau, and the lands between Blemheim and Rondeau were surrendered by the Ottwa, Chippewa, Pottawattamie, and Wyandotte Indians on the 19th of May 1790. There ha never been a surrender taken for Point Pelee Island.

Note: See Surrender 910/21 "and Islands in vicinity"

?

Chief Caldwell states that he cannot accept these Surrenders, as they were taken without the knowledge and consent of his ancestors, that it is a matter of tradition in his Band that his forefathers never surrendered the land which he now claims. It was fully explained to him that the Department must abide by these Treaties and Surrenders taken in good faith from Indians who were supposed to have the sole interest in the lands in question, and that any settlement offered by the Department must be made with the full acknowledgment of the validity of these instruments. Nothing can be said upon this subject to alter the conviction of the Indians that they have a right to compensation for the lands above mentioned. They desired the Department to consider their claims to these lands, to appoint arbitrators, to decide the value at the time

time surrenders should have been taken, and capitalize the amount so arrived at for their benefit, and in addition to set apart a sufficient tract of land as a Reserve, in order that they may carry on farming operations. They are very anxious indeed to have a Reserve for themselves, upon which the members of the Band may settle, and commence a life in community similar to that upon the other Reserves in Ontario. Chief Caldwell furnished a list of the Indians whom he considered as belonging to his Band, many of these have already been allotted land upon other Reserves, and receive annuity interest money. There is appended hereto a full list of these Indians, with their whereabouts, and any facts regarding them which the Department's Agents have been able to supply. It would not seem to be either necessary or wise to consider as members of the Band Indians who are already located on other Reserves, and are recognised members of other Bands. It seems proper that the Department should only consider the claims of those Indians for whom no provision has been made. The question now to be decided is what can be offered to this remnant in compensation for a full surrender of Point Pelee Island, which the Department desires to patent to the McCormick family. They might be offered the marsh lands of Point Pelee, which now produce an annual revenue of $400. This marsh is dealt with by the Ordanance Lands Branch of the Department of Interior, and if such an arrangement were to be made the matter would have to be settled with that Department. This

This would appear to be the only source from which a revenue could be derived for this Band. The Indians lay so much stress upon the possession of a Reserve that it is highly desirable to arrange for the purchase of a block of land in some locality acceptable to them, or of separate holdings scattered between the farms of whites which should be held in trust for individual locatees. It would seem, from the experience of the Department, that 25 or 30 acres for each head of a family would be sufficient to meet their requirements. The location is a matter of difficulty. The Indins desire to be located near to Lake Erie, somewhere in the County of Elgin or in Kent. The Crown Lands Department of Ontario has no lands to dispose of in these Counties, and if the Reserve were to be allotted within their boundaries the purchase would have to be made from a private individual. When the project of moving the remnant of this Band, either to Walpole Island, the Saugeen Peninsula, or the Manitoulin Island, was broached, they positively refused to make any such migration ; then they said the Walpole Island was fully occupied, (which is not the case), and that in the other localities the winter was so severe that they could not stand it. It would seem desirable to test the practicability of placing Indians upon land adjoining that occupied by white farmers. It is possible that this would have a better result than setting apart a Reserve . The small farms would of course be held in trust, and be administered as Indian Reserves in all particulars.

To make these two propositions, namely, to set

set aside the lands at Point Pelee which now carry a revenue of $400; and to allot small Reserves or Farms at suitable points, appears to be all that the Department would be justified in offering for the surrender in question. It is hardly probable, when the temper of these Indians, and the serious way in which they view their claims is taken into consideration, that they will give a surrender for this equivalent. The offer should, however, be made, and it would be advisable to point out to them that, in the event of a refusal to surrender the Island, the Department might find it necessary to apply to Parliament for authority to issue a patent to Mr. McCormick, who certainly requires relief from the position in which he finds himself.

Attached hereto are the lists of Indians who can be considered as belonging to Caldwell's Band, with whom the Department may treat, and those who are already attached to other Bands, and who have thereby forfeited their right to be considered in any special agreement which may eventually be made.

All of which is respectfully submitted.

Department of Indian Affairs,
Ottawa, January 3rd, 1896.

8986

file

Ottawa, January 23rd, 1896.

Dear Mr. Mills,

I have before me a report from my Deputy making certain recommendations looking toward the settlement of the claims of Robert Caldwell and his Indians. Therein it is suggested that lands be purchased for these Indians upon which they may settle down and practise agriculture. I understand that, in a conversation with Mr. Reed a day or two ago, you stated that in your opinion the Indians would be satisfied if the lands now occupied at Point Pelee could be obtained for them. I will be glad to know whether it would be possible to make any arrangement whereby these lands could be obtained at a reasonable figure. I am anxious, if possible, to settle this matter without further delay, and as the purchase of lands is possibly the most important feature of the scheme I would be glad to hear from you on the subject.

Yours sincerely,

Hon. David Mills,
House of Commons.

L.C.

Ottawa, January 24th, 1896.

Dear Mr. Mills,

I have before me a report from my Deputy making certain recommendations looking toward the settlement of the claims of Robert Caldwell and his Indians. Therein it is suggested that lands be purchased for these Indians upon which they may settle down and practise agriculture. I understand that, in a conversation with Mr. Reed a day or two ago, you stated that in your opinion the Indians would be satisfied if the lands now occupied at Point Pelee could be obtained for them. I will be glad to make the necessary enquiries and ascertain whether it will be possible to make arrangements whereby these lands can be obtained at a reasonable figure. I am anxious, if possible, to settle this matter without further delay, and as the purchase of lands is possibly the most important feature of the scheme, I would be glad to hear from you on the subject if you have any suggestions to offer.

Yours sincerely,

Sgd T. Mayne Daly

Hon. David Mills,
House of Commons.
Ottawa.

8986

Ottawa, 24th January, 1896.

Mr. Reed,

Memo.

The Minister would like you to write the Agent as stated in this letter to Mr. Mills, to make the necessary enquiries.

A. Chisholm

ral.

Leamington Ont. Dec 14th 1896

Mr John Beattie
Highgate P.O.
Ont.

171993

Dear Sir
will sell you Lot No 2
44 39/100 acres. less that piece south
of the Lane, Lane reserved for
use of both
Lot No 2 A 16 15/100 acres also
Lot No 4 37 73/100 acres also
Lot No 4 A 4 53/100 acres
Our title is Patent from the
Dominion government except
Lot No 4 A. will give Quit claim
for that and as soon as we get
our Patent will make Deed for
it. Our fishing rights
reserved.
Price $4,000.00 cash
The measurements of the Land
are as given by the Govt. survey
more or less

Resp yours
Adam Oper
J P Post
Leamington
Ont.

1st. ~~Mr Scott~~ Secy

For action

I have read this [illegible] very carefully & it appears to me that the suggestions you make are the only ones of which we can avail themselves of to meet the difficulties involved.

I understand you are making enquiry thro' agents in Kootenay as to the value of the land & likely cost of same. I am afraid it will be held at high figures particularly if it is known the Govt. wants it.

If we can get it for 20 cents or 25 cents an acre each it would be enough - as to what the terms is a matter of arrangement with Dept of Interior. You had better write Mr Sproat fully detailing at 8. reasons for asking the total of this land donated for the purposes of these Indians.

If any no. of these Indians are already drawing annuity from Dept. Canada why cant we place the check & others as they do it as well!

T. M. D.

5. 2. 96

For the Indians of Canada to whom the land is now known (see enclosure)

8986/2-

THIS LETTER HAS BEEN SENT

Ottawa 27th January 1896-

Sir-

I have to request that you will be good enough to proceed at once to Point Pelee and make enquiries as to number of Farmers and others living there and also as to what value they place on their lands and their improvements. I may state that the Department is contemplating the purchase from the owners of their lands with the view of handing the same over to the Indians belonging to the Band of Robert Caldwell.

You will be good enough to ~~dudunx~~ conduct your enquiries so that the owners may not know anything about the object thereof, and when forwarding your report be good enough to state the name of each owner, the land occupied by him, the value of the land and also the value of the improvements.

Your obedient servant

Deputy Superintendent General
of Indian Affairs-

John Beattie, Esq-
Indian Agent,
Rosneath-
Ont-

8986

Ottawa, February 11th, 1896.

Sir,

I have to inform you that this Department has had under consideration for some time claims advanced by an Indian, Robert Caldwell, on behalf of a certain Band of which he considers himself Chief. Certain lands are claimed by these Indians, including Point Pelee Island, which has for very many years been in possession of a family named McCormick. On the 9th of June 1866, as the culmination of an exhaustive consideration of the claims of this family, an Order-in-Council was issued authorizing the issue of a patent to McCormick, on the condition that a surrender should be obtained from any survivors of the Indian Tribes which originally owned the Island. This condition has been an obstacle in the way of granting a patent. The Indian Caldwell claims that he and the members of his so-called Band are the descendants of the Tribes who originally owned the Island, and it has been found impossible for many reasons to gain his consent and that of his Indians to any surrender of their rights to the Crown. Of course it is highly desirable to grant to the descendants of the original settlers upon the Island a patent for the property, in order that all subsequent titles may have a satisfactory foundation. It has therefore been decided to offer

A. M. Burgess, Esq.,
Deputy Minister of the Interior,
Ottawa.

offer Caldwell as a final settlement a certain amount of land as a Reserve, and the proceeds arising from the marsh at Point Pelee at present under lease. As this latter portion of the scheme must receive concurrence from your Department, I beg to submit the question to you by direction of the Superintendent General, in order that it may be considered, and if possible approved. You will readily see from what has here been said, and from what you personally know of the case, that it is very desirable to settle the long-standing demand of these Indians, and to render ~~[illegible]~~ justice to the occupants of Point Pelee Island ; and I would ask for the matter your favourable consideration, and speedy action.

Your obedient servant,

Deputy Superintendent General
of Indian Affairs.

Indian Office Hughgate Ont
18th Feb 1896

Statement showing the names of the occupants the number of the lot, number of acres occupied by each occupant, the value of the improvements on each lot and the total value of the land and improvements on same on Point Pelee

Name of Occupant	No. of Lot	No. of acres	value of Improvements		value of land and Improvements		Remarks
	No.	acres	$	cts	$	cts	
Oper v Post	2	49.39	2125	00	3012	80	
" "	2A	16 15	—	—	200	00	
" "	4	37.73	350	00	728	00	
" "	4A	4.55	—	—	100	00	
W A Grubb	3	41.85	600	00	1436	00	
Francis Gardner	5	32	450	00	1090	00	
Do " "	6	13 15	6[illegible]	00	1065	00	
John E Delaurie	7	53.55	620	00	1433	00	
Do " "	9	2.90	670	00	740	00	
Arthur Ives	8	50 —	900	00	1500	00	
Francis Gardner Jr	10	49/100	—	—	100	00	
Philip Delaurie	11	71	1335	00	2400	00	
Hester Delaurie	12	27.87	475	00	750	00	
Joseph Gardner	13	46 60	850	00	1300	00	
Do " "	14	47 62	650	00	1350	00	
Philip Gardner	15	12 80	200	00	390	00	
Do " "	16	82/100	60	00	70	00	
South Essex Club Tract	17	—	—	—	—	—	
Peter Ives	18	5.60	100	00	200	00	
T Wilkinson	19	54/100	50	00	100	00	
Totals		514.52	10105	00	17964	80	

John Beattie
Indian Agent

171292

Lot 19 J Wilkinson bought this lot acres ~~26/5~~
from Henry Loop
There is a small fish house on the lot
the house and land are worth $100 00
I did not see the owner but I was told
by his neighbours that he would take one
hundred dollars for it that is both house
and lot

The foregoing is a full report
of the land and improvements thereon
with the names of the occupants and
the estimated value of said land and
improvements at Point Pelee ontario
Reported this 18th day of Febuary 1896

John Beathe
Indian Agent
Highgate
Ont

171292

Lot No 15 Philip Gardner bought this lot from William Haskin — acres 10.00

Improvements

no buildings — value

value of 10 acres land improvements $100.00

value of fences good repair 100.00

value of land other than improvements 190.00

Total estimated value of lot $ 390.10

N B

This man also owns lot 16 See remarks for that lot below

Lot 16 Philip Gardner owner — acres 82/100

Improvements

1 Log house worth about $50.00

1 Shanty stable " " 10.00

fences worth nothing

82/100 of an acre of land poor sand worth 10.00

Total estimated value of lot $ 70.00

N B

The owner of the above two lots Nos 15 and 16 asks $500.00 for them he says he wants to sell I think $400 may purchase both

Lot 17 this lot is the property of the South eneagum club — acres 1.34

Lot 18 Peter Ives bought this lot from Henry Loop — acres 5.60

There is a small fish house on this lot value $100.00

estimated value of the land 100.00

The owner will take $200 for this lot $ 200.00

171292

Lot No. 13 Joseph Gardner owner — acres 46.60

Improvements		value
1 Frame house in good repair	18X34	300.00
Do going for kitchen	12X16	50.00
1 Stable (poor)	14X16	40.00
1 acre of garden and fruit trees		60.00
value of 25 acres land improvements		250.00
Value of fences (in poor repair)		150.00
value of 46 acres of land other than improvements		450.00
Total estimated value of lot		$1300.00

N.B

The owner Joseph Gardner ask $1500.00 for the above lot the above estimate is all it is worth this man also owns lot 14

Lot No. 14 Joseph Gardner bought this lot from Hester Delaurie — acre 47.62

Improvements		value
1 New Frame house	14X22	$200.00
No Barn or Stable		
value of fences (good repair)		200.00
value of 25 acres land improvements		250.00
value of 47.62 acres of land other than the improvements this is first class land about		700.00
Total estimated value of lot		$1350.00

N B

The owner of this lot asks $3000.00 for the two lots 13 and 14 and says he will sell for that amount but will take no less, I have estimated it for all it is worth, and I believe I could get this for $2500.00 cash

171292

Lot No 11 continued

Total estimated value of lot $2400.00

N.B

The owner of the above lot No 11 Philip Delaurie will sell but he ask $3000.00 for it. I think he puts a fictitious price on his fruit trees grape vines etc the peach trees are very good and if taken proper care of in this peach country will in time be proffitable the 700 grape vines have been badly managed and it is hard to estimate if they are worth anything the land is fair but it has been poorly cultivated it can be made a good farm with proper cultivation, but I think I have valued it for all it is worth

Lot No 12 Hester Delaurie owner — acres 27.87

Improvements	value
1 old Frame house (poor repair) 18 X 32	100.00
1 " " Barn fair 28 X 34	100.00
1 — Granery " 14 X 14	25.00
value of 15 acres under cultivation	150.00
value of fences in poor repair	100.00
value of 27.87 acres of land other than the improvements about	275.00
	$750.00

N.B

The owner ask $900 for this lot but I think she will sell at this estimate

171292

acres

Lot No 8 Arthur Ives owner — 50

Improvements		value
1 Frame house fair repair	18×30	
Do wing "	14×16	$300.00
1 Frame Barn	22×28	130.00
35 acres of land under cultivation		350.00
value of fences in poor repair		120.00
value of 50 acres of land other than the improvements worth about		600.00
Total estimated value of lots		$1500.00

N.B

The above lot is only medium land as it is now it can be made first class land but it wants draining the owner will sell for $30 an acre that is the value I have put on it

acres

Lot 10 Francis Gardner Jr. owner — 45

There is only a small old house on this lot it is worth about $100.00 the owner will take that price for it and lot

Lot No 10 Philip Delaurie owner — 71

Improvements		value
1 Frame house fair repair	18×24	
Do wing "	12×16	$350.00
1 Shanty Stable poor	14×16	35.00
100 peach trees 2 & 3 year out		200.00
700 grape vines (bearing) poorly managed		100.00
value of fences poor repairs		150.00
value of 50 acres under cultivation		500.00
value of land other than improvements		1465.00
Total estimated value of lot		[illegible]

171292

acres

Lot No. 7 John. E. Delaurie Owner 53.55

Improvements

No buildings value

25 acres under good cultivation $250.00

2 acres orchard 60 trees 2 years out 180.00

value of fences in good repair 200.00

value of 53.55 acres of land other that the improvements worth about 803.00

Total estimated value of lot $1433.00

See remarkes under lot 9

acres

Lot No 9 John. E. Delaurie owner 2.00

Improvements

			$ value
1 Frame house	16×26	good	250.00
1 " Barn	24×36	"	170.00
1 " Shed	16×35	new	125.00
1/2 acre garden and fruit trees			50.00
value of fences in good repair			75.00
value of land other than improvements all the land under cultivation			70.00
Total estimated value of this lot			$740.00

N.B

This lot as well as lot 7 is owend by one man John E Delaurie he says that he dont want to sell lot 9 but he wants $30 an acre for lot 7 there is no buildings on it I think he might take $30 an acre for both lots together

171202

acres

Lot No 5 Francis Gardner owner 32

Improvements

No buildings on this lot

25 acers under cultivation	$ 250.00
value of fences in fair repair	200.00
value of 32 acres of land other than improvements	640.00
Total estimated value of lot	$ 1090.00

N.B This is a good lot of good land will grow anything See remarks under lot 6 as the same man owns both lots

acres

Lot No 6 Francis Gardner owner 13.25

Improvements value

1 Frame house good repair 22X32	$ 270.00
1 " Barn fair " 24X36	150.00
1 acre of garden & orchard mostly small fruit	100.00
value of fences in good repair	150.00
value of 13.25 acres all under cultivation other than improvements	395.00
Total estimated value of lot	$ 1065.00

N.B

This lot as well as lot No 5 both belong to one man Francis Gardner he is a man about 80 years of age he says this has been his home since 1842 and he will not sell at any price I could not get him to even say what he would take for it. both lots are good land in fact they are good property for any farmer to have

171202

acres

Lot No. 3 W A Grubb owner 41.00

Improvements	value
35 acres under good cultivation	$350.00
1 old barn 22x36 (poor) worth about	100.00
1 old house 14x22 " "	50.00
value of fences in poor repair	100.00
Value of land other than improvements	$36.00
Total value of this lot	$1036.00

W A Grubb the owner of the above lot says that he dont want to sell all of it but says he will sell 21 acres for one thousand dollars, The land is good farming land but the buildings and fences are of very little account I would say that this lot is worth for farming purposes $30 per acre without improvements

171232

acres

Lot 2-A Adam Oper & J. W. Post owners 16.5

There is no improvements on this lot the soil is very sandy it would raise good corn or potatoes or fair land for small fruits I estimate this lot as worth $200.00

N.B this lot together with lots 2-4 and 4A are all the property of one firm viz Adam Oper and J W Post they are willing to sell all of them (if they get their price) except about 12 acres along the south side of lot 2 on this part of the lot the post and barne house 35×70 estimated at $400.00 and the new dwelling house 16×22 estimated at $300.00 are situated

The estimate I put on these 4 lots amount to 1040.00 but the firm ask $4000 and the reservation as above stated, when I was at the point they asked $5000 for the whole property, but I have received a letter from them since I came home wherein they state that they will take $4000 with the reservation mentioned, you will find this letter with a diagram of the lots drawn by the parties themselves attached to this report

171303

acres

Lot No. 4 Adam Oper & Post owner 37.72

Improvements

25 acres under Cultivation $250.00

value of fences 100.00

value of 37.72 acres of land other than improvements 378.00

Total value of Lot $ 728.00

N.B There is no buildings on this lot and there is about 12 acres of marsh land on it, the ballance is very good farming land I estimate the whole lot as worth $728.

acres

Lot 4-A Adam Oper & Post owner 4.52

There is no improvements on this lot of any kind it is claimed by the same parties as lots 2 and 4 although the only title they have is that of squatters

This Lot is worth for farming purposes $80.00

8986-2

Indian Office

Highgate 13th Feb 1896

Secy

171292

Report as to the number of farmers and others residing upon Pelee point, the number of acres of land occupied by each party, the name of occupant, the value of the land and value of the improvements thereon

Lot number 2 acres in lot 44 32

Occupied by Adam Oper & J W Post Fishermen

Description of buildings as follows

	size	value
1 frame house in fair repair	22X32 wing 16X24	$400.—
1 Woodshed detached from house	16X24	100.—
1 Boat and frame house	35X70	300.—
1 New frame house good	16X22	300.—
1 Barn fair repair	25X34	125.—
Other improvements		
40 apple trees bearing 12 peach trees		400.—
35 acres of land cleared cultivated and improved		850.—
value of fences only in fair repair		150.—
Total value of improvements		$2125.—

Value of 44.32 acres of land other than improvements $37.50

Total value of lot with improvements $2162.50

N.B This lot is good property and owing to its being the headquarters of the fishing operations they value it much higher than it is likely worth, there were also sold lot 4 - 8X 12 acres and lots 2 & 16th lot 4 & 4.4th acres the order of these lots I give you on another sheet together with the price they ask for the four lots less reservation of about 12 acres on which the boat house and the new house 16X22 stands as per the attached diagram as made by the owners

171202 8986-2

Rec'd Acknowledge receipt of this number in which Mr. is inquiring respecting grazing.

Indian Office
Highgate 18th Feb 1896

Sir

I have to acknowledge the receipt of your letter No 8986/2 dated 27th ultimo wherein I receive instructions to proceed to Point Pelee to conduct certain enquiries as to the number of farmers and others living there and also as to what value they place upon their lands and improvements etc. and in reply I beg to report that acting under there instructions I went to Point Pelee on the 4th instant I arrived at the Town of Lemington (which is the nearest Town to the Point) about Noon the same day it is 17 miles from the Town to the extreme Point I made arrangements for a conveyance and started on the morning of the 5th instant I had to go out again on the 6th and I am pleased to say that I saw every occupant of the land on the point except one who was away from home and was not expected back for several days

The land occupied by the farmers there is nearly all good farming land some of it is first class the buildings are a good fair sample of frame farm buildings found in any farming community, I conducted my enquiries as quietly as possible nearly all of them thought I was looking up a location to go into fruit raising extensively as there is

17,1232

is a great fruit growing country especially for peaches and grapes lands adapted to fruit growing are held at fancy prices this is one reason why the farmers there ask such high prices for their land, still I think that the land there can be all bought for the price I have estimated it at, perhaps a little less, but it would have to be a cash offer made at once

There is another matter that effects the farmers in selling all of their land that is the most of them are fishermen and they want a residence, if it is ever so small, near their nets

I have endeavoured to make this report as full and as plain as possible, and I trust you may find it satisfactory

I have the honor to be
Sir
Your obedient Servant
John Beattie
Indian Agent

The Deputy
Superintendent General
of Indian Affairs
Ottawa
Ont

Ottawa, February 24th, 1896.

Dear Mr. Daly,

A report has been received from Mr. John Beattie, our Agent for the Moravians of the Thames, who went to Point Pelee to enquire into the value of lands held by white farmers which might be found available for the settlement of Caldwell and his Band. Mr. Beattie reported that the value of the land (514 acres) is $7859.80, and the value of the improvements $10,105.00 ; in all $ 17,964.80. The Agent says that the properties could be obtained for this amount if a cash offer were made at once. The total valuation is so high that it appears to me that the project of purchasing these lands cannot be carried out, but I might remind you in this connection that Mr. Mills thought that he could obtain better terms than the Department.

Yours faithfully,

Hayter Reed

Hon. T. Mayne Daly,
Superintendent General of
Indian Affairs.

8986

Copy

Ottawa, 4th March, 1896.

THIS LETTER HAS BEEN SENT

Dear Mr. Mills,

Referring to our conversation respecting the procuring of land for the settlement of Caldwell and his band, I beg to inform you that our Agent, Mr. John Beattie, has made enquiries, and reports that the land (514 acres) which it is desired to secure for the Indians, is valued at $7850.80 and the improvements thereon at $10,105.00. The Department could not undertake to pay any such amount, and if the land cannot be secured at a much lower figure I fear the project cannot be carried out.

Yours very truly,

Hayter Reed

Hon. David Mills, Q.C., M.P.,
House of Commons.

Carscallen & Hall

172062

OFFICE: KIRTON BLOCK, COR. JAMES & DUNCAN STS.

BARRISTERS, SOLICITORS, ETC.

Money to Loan.

ANDREW B. CARSCALLEN, B.A.
W. CARLEILL-HALL, B.A., LL.B.

8986

Wallaceburg, Ont. March 12th 1896

Deputy Superintendent General
of Indian Affairs
Ottawa
Ont.

Say matter stands as we have no information
Reply

Dear Sirs.

Mr John Caldwell, Indian, of Walpole Island and some other Indians have asked us to write you regarding the proposed surrender of Point Pelee Island. On June 6th last you wrote Mr Caldwell advising him "to remove with as little delay as possible to the Walpole Island Indian Reserve". On the 9th July you wrote Mr Caldwell stating that you would inform him when it would be necessary for him to go to Walpole Island. We may say that after receiving this letter he removed to Walpole Island where he has resided ever since. In the meantime nothing has been heard from your department and our clients wish to know if anything is likely to come of the matter. You might let us know what if any steps have been taken to carry out the arrangement and if not what is the cause of the delay. Our clients have heard that other Indians (residing at Bismark) have been pleased with. From what we can learn, we are of opinion that our clients would be prepared to make a fair arrangement. We have the honor to be your obedient servants

Carscallen & Hall

698

Ottawa, March 17th, 1896.

Gentlemen,

Referring to your letter of the 12th instant, in behalf of your clients, John Caldwell and other Indians, on the subject of the proposed surrender of Point Pelee Island, I have to say that the matter is receiving the attention of the Department, and as soon as further proceedings are decided upon the Indians will be further informed of the fact.

Your obedient servant,

Deputy Superintendent General
of Indian Affairs.

Messrs. Carscallen & Hall,
Barristers, Solicitors, &c.,
Wallaceburgh,
Ontario.

OTTAWA 18th March 1896.-

Dear Mr.Daly,

Mr Mills called upon me the other day with reference to the Pelee Island lands. He gave it as his opinion that it would be desirable to settle the matter by purchasing even for the price offered, viz:- $7859 for the land, and $10105 for improvements, and he stated that if you would authorize the placing of the amount in the Estimates, he would give the item his support and do what he could to help it pass the House. I therefore, submit the matter for your consideration. The difficulty to my mind, apart from the large sum of money, would be, in apportioning the improvements, as the houses and other buildings would, no doubt, be such that single families could not occupy them advantageously. If you do not feel inclined to acquiesce in Mr Mills' desire, I do not see what else we can do than to tell John Caldwell and his followers that unless they take land upon Walpole Island, where arrangements could be made for their settling, it is not in the power of the Department to help them.

Yours very truly,

Hayter Reed

Hon. T.Mayne Daly,
Supt:Genl: of Ind: Affairs, Ottawa

8986

Important

Seen and filed

Re Peter Bloodhound

H.R.

Really cannot consider this proposal made by the Chiefs particularly in view of the statement made in letter of Carscallen & Hall that John Calder has removed to Walpole Island & is living there. If Calder is living on Walpole Island the rest of his outfit should be persuaded to do the same thing & that will relieve the Agency.

Your refusal to grant the request of these Indians State there is another & another Indian vagabond Col. & Chiefs State there is land & place there on the Island & they are and cannot be kept there. Please put off there altogether

T. C. D.

21. 3. 96

Rodney April 3 1896
to D.C. Scott Deputy Supt General
of Indian affairs
Sir yours of Oct 30 1895 in which
you said that by Nov 1 you would
be in position to state when you
would have a meeting now Six
Months is gone by and I have not
heard from you I would like
to know (when) you could meet us we
have our man as arbitrator chosen
to value lands but can do nothing
till we hear from you as we are
anxiously awaiting the action of
the Government in the matter hoping
there will be no further delay in the matter
give this your earliest attention
I Remain yours Chief Robert Colwell

Rodney - very delay
unavoidable has been in
consequence of the sickness
of the Chief Colwell
Re interest in arbitration the purpose
Trivial - by it is hoped delay will
not be very great (?) that
Colwell Mica has been of late known in
Mexico unavoidable
Rodney S. whether it is for forwarding &c
Etc.

Rosney April 3 1896
to D.C. Scott Deputy Supt. General
of Indian affairs
Sir yours of Oct 30 1895 in which
you said that by Nov 1 you would
be in position to state when you
would have a meeting now Six
Months is gone by and I have not
heard from you I would like
to know [when] you could meet us we
have our man as Arbitrator chosen
to value lands but can do nothing
till we hear from you as we are
anxiously waiting the action of
the Government in the matter hoping
there will be no further delay in the matter
give this your earliest attention
I remain yours Chief Robert Colwell

Reply - my delay
unavoidable & I hope
to be able to
arrange with Mr. Ross
to attend
the meeting
the investigation
as they are
trustees - say if it is
not the Government
to do
Mr. O'Reilly
Mr. Colwell
Mr. J. Whitney
D.C.S.

8986

Ottawa 10th April 1896

THIS LETTER HAS BEEN SENT

Sir,

I have to acknowledge the receipt of your letter of the 3rd Instant, respecting the claims advanced by you on behalf of the Band of Indians of which you are the head, I have to inform you that the delay in arriving at a decision in the matter has been unavoidable, as this Department has been in correspondence with the Department of the Interior respecting certain lands which are involved in the proposed Settlement. It is hoped that the delay will not be much longer protracted. At any rate we will do all we can to arrive at a settlement as soon as possible.

A.N. Snyder

Your obedient servant,

Deputy Superintendent General
of Indian Affairs.

Robert Caldwell
(Indian)
Rodney, Ont.

8986

173155

Wallaceburg April 14th 1896

Dear Sir,

I beg to acknowledge the receipt of your letter No 8986. Date 10th Instant. Requesting. "That I will furnish the Department a Report as to the Quantity of unoccupied land there is on Walpole Island. How much of it is fit for Cultivation. Where it is situated and the General character of the land so unoccupied.

and in Reply I beg to state.

first. as to Walpole Island. (not including Harsens and Squirrel Islands) That as there has never been a Survey. any Report with Regard to the Quantity of land. Can only be an estimate. Which may or may not come very near the exact Quantity. However. I will do my best. and in making calculations on this Report. it will be perfectly safe to assume that the Quantities which I shall State will be sure to hold out. and if any Error is made it will be on the side of a Survey showing a greater rather than a lesser Quantity.

The total land received and unoccupied fit for cultivation on Walpole Island I estimate at 10.000 acres

Quantity under Cultivation by present Occupants 2.500 "

unoccupied on Walpole Is. 7.500 "

The 7.500 is also an estimate. they usually give me in taking the Census about 3000 acres.

on Squirrel Island there is no doubt a total of land fit for cultivation say 2,000 acres

There are eight families living on Squirrel Island about thirty in number all told who occupy and cultivate estimate 5 acres

unoccupied on Squirrel Island 1.9125

on Harsens.

on St Anns Island there is one family of nine persons who occupy and cultivate about 10 acres. all the rest of St Anns Island is unoccupied there is no doubt (1000) one thousand acres of St Anns Island fit for cultivation without artificial drainage. say unoccupied 1000 acres
Quirpel Island unoccupied say in round numbers 2,000 "
Walpole Island " " 7,000 "
total unoccupied in the three islands 10,000 acres

The opening for drainage purposes of the two Creeks particulars of which has been sent to the Department Recently. and the opening of one of the Creek which is equally as necessary would increase the quantity of land fit for cultivation at least one quarter. say 2,500
making a total fit for cultivation with natural drainage 12,500.
this means over what is occupied by the present population of the Island

then

with comparatively inexpensive system of artificial drainage by Ditching and pumping. there could be on the three islands 10,000 acres more reclaimed and made fit for cultivation.

As to the Quality of the land, or as you enquire as to the Character. it is all good land. fit for raising fruit. Root crops. Grain crops. and Hay crops. of the best Quality, the land is easy to work and produces with less labor than any land I ever saw. though in common with all land. the better it is worked. the more it will produce. as regards the Water supply. it is possible for these Island to be

thickly

to be thickly "Demeny" populated and to have a water front and an inexhaustable supply of the best water in the World running past my Mans door. This possibility not involving such expense as to make it out of reach of people of ordinary means.

as to where the unoccupied lands are situated which I had nearly overlooked.

I think I can give you a rough idea of where the unoccupied land is situated by telling you where it is occupied. and so to state. that the present occupants are settled on the most part along the St Clair River front. on the West side of Pecaspele island. along the Ste Claire Channel on the north. and along the big Creek down through the middle of the island. the Potawattomies are settled more by one that is known as the Potawattomie island. which you will be able to find on the Map sent to me to have the Creeks marked out on. and which was done by Mr H Pointer P.L.S. the two Creeks separating at the north end of the Potawattomie island. and joining again at the south end. and going on to the lake as one Creek.

all the rest of the three islands ~~are~~ is unoccupied lands. and there is altogether too much of it. I would be very glad to have more of it on the occupied list.

Yours
By Supt General
of Indian Affairs
Ottawa
Canada.

Yours very respectfully
Chas McHelvey
Agt

8986

173276 2279 O.L.

Ottawa, 17th April, 1896.

Sir,

I beg to acknowledge the receipt of your letter of the 31st ultimo, No. 8986, respecting the claims of one Robert Caldwell, and to express regret that some delay should have occurred in replying thereto. There has been no oversight, however, in connection with the letter from your Department of the 11th February to which you refer. The last-mentioned communication was duly laid by me before the Minister of the Interior, but on account of the pressure of the business of the session he has found it impossible to take the matter up. As soon as an opportunity affords itself the case will be discussed, and you will be advised of the result.

I have the honour to be,
Sir,
Your obedient servant,

Deputy of the
Minister of the Interior.

Hayter Reed, Esq.,
Deputy Superintendent General
of Indian Affairs,
Ottawa.

H.

89.86 Exd.

Ottawa 4th December 1896

THIS LETTER HAS BEEN SENT

Sir,

Referring to your letter of the 8th May last, stating that a Memorandum to Council was being prepared for the signature of the Minister of the Interior relative to the lands on Point Pelee Island, I have the honour to request that you will be good enough to advise me whether the Order in Council has passed.

Your obedient servant,

Deputy Superintendent General
of Indian Affairs.

The Deputy Minister of the Interior
Ottawa

101047

Exd.

Ref. 2279 O.L.

DEPARTMENT OF INDIAN AFFAIRS DEC 18 1896

Ottawa, 16th December, 1896.

Dear Mr. Reed,

In reply to yours of the 4th instant, No. 8986, I beg to say that no Order in Council has been passed in relation to the lands on Point Pelee Island, and it might be well for you to bring the matter to the attention of the new Minister.

Yours very truly,

D. M. I.

Hayter Reed, Esq.,
Deputy Supt. General
of Indian Affairs,
Ottawa.

File 8986-

MEMORANDUM

Ottawa 1st May 1897-

In regard to letter from Indian John Caldwell of the 8th Ultimo relative to his claim to lands on Point Pelee Island in Lake Erie, I beg to state that from the records in the Department the following would appear to be the position of this matter:-

In 1877 William Caldwell, a Chippewa Indian, who styled himself Chief of the Point Pelee Band, laid claim to Point Pelee on the ground that his father, who was a Chief of the said Band, had not participated in the Treaty of 1790, by which the Indians surrendered their rights to the land comprised in the Counties of Kent, Essex and Elgin. The Treaty of 1790 was signed by all the Chiefs and principal men of the Pottawatamies, Hurons, Chippewas and Ottawas being the Indian Tribes recognized as the owners of the lands ceded by them.

It appears, however, that a portion of the Chippewa Indians continued to reside at Point Pelee and in the report of the special Commissioners, Richard T. Pennefather, Superintendent General of Indians for the Province of Canada, Froome Talfourd and Thomas Worthington appointed on the 5th September 1856 by Sir Edmund Head, to enquire into and report upon Indian matters, the following reference is made to these Indians;- "CHIPPEWAS OF POINT PELEE. "For a number of years the Chippewas have occupied lands "on Point Pelee on the shore of Lake Erie in the Township "of Colchester, 40 miles below Amherstburgh.

"This Band are generally dissipated and roving "and unsettled in their habits, depending mainly as a means of

"of support on the fish and wild fowl,which,at certain "Seasons of the year is here very abundant.

"The clearings are small and poorly cultivated, "Indian corn and Potatoes are raised in small quantities.

"With the exception of the Chief,they live mostly in bark shanties or wigwams and are poorly clothed.

"They have no School and with one or two exceptions are pagans,no efforts appear to have been made to "Christianize them .

"In 1842 their number amounted to 250,but in "August last,they were reduced to less than 60 persons. "This great decrease in their numbers has been caused in "some measure by their dissipated habits and manner of "living,but principally by removals to other Chippewa "Bands; Three families consisting of 16 persons,have this "Summer removed to Walpole Island, and are comfortably settled.

"The land occupied by this Band on Point Pelee "is not an Indian Reserve,and their right to it has never "been recognized. The small number of persons now remaining might be without much trouble removed to Walpole "Island,where they would enjoy all the advantages necessary "to improve their condition.

"The have no annuity or land Fund,and the presents having ceased,they will now be entirely unassisted "by Government".

Since the death of William Caldwell,who laid claim to Point Pelee Island in 1877,his son Robert has at different times renewed the claim on behalf of himself and his Indians. Following the recommendation of the special Commissioners,the Department has repeatedly tried to have these Indians removed to Walpole Island. In 1884 Inspector Dingman conferred with them and arranged that two of their number should go to visit Walpole Island with a view to being in a position to judge of the suitability as a

place

place of residence for them; but although it appears that the Department did everything possible to arrange for these Indians visiting Walpole Island, nothing resulted.

The first mention of a claim on the part of these Indians to Pelee Island is made in a printed statement signed by Robert Caldwell and dated the 31st May 1892 which statement was printed for circulation among members of Parliament and other public men.

It appears that one Thomas McKee, half-breed, and employed in the Indian service, obtained in 1778 a Lease of this Island from the Chiefs and Sachems of the Chippewa and Ottawa Nations said to have been inhabiting the Island. McKee held possession until 1815, when he died and his only son, Alexander McKee, then leased the property to William McCormack, who went into possession and continued as a tenant of the said Alexander McKee up to the year 1823, when he purchased the fee of the land from his landlord for $125. William McCormack continued on the Island and improved and cultivated it and died in 1840, devising it to his Widow and surviving son. Until 1858 no objection was raised to the validity of the McCormack's title; but some of the members of the family being then desirous of selling their interest therein, objection was taken on behalf of the intending purchasers to the title, and an informatier for an intrusion being filed at their instance by the Attorney General, judgment was given by the Court of Queen' Bench to the effect that the title to the Island was in the Crown.

Some years afterwards the McCormack family petitioned His Excellency in Council, praying that the judgment obtained by the Crown in 1859 on the information for intrusion might be waived and Patent issued confirming their title to the Island.

A full report in this matter was made to His Excellency in Council on the 4th April 1866 by the late Sir

Sir

Sir Alexander Campbell and on the 9th June 1866 an Order in Council was issued authorizing the issue of a Patent subject to the reservation and condition recommended by Sir Alexander Campbell, the reservation being a quantity of land for Light-House purposes in addition to the reservation made for public purposes by the Will of William McCormack, and the condition being that if any of the Indian Tribes which originally owned the Island were in existence, it would be necessary to obtain a Surrender of their reversion; but should the Tribes be extinct the Crown to assume the reversion and the Patent to issue.

No Patent ever appears to have issued under this Order in Council nor does it appear that any action was taken with a view to ascertaining whether the Indian Tribes originally owning the Island were in existence, with a view to a surrender of their reversion being obtained.

The Treaty of 1790 above referred to did not cover the Island nor was it covered by any subsequent Surrender made by any Band of Indians.

At the request of the Honourable Mr. Mills, who interested himself on behalf of Caldwell and the other Indians of his Band, Mr. D.C. Scott, of this Department, visited the locality where these Indians are resident, and a full report of his negotiations appears on this File, made by Mr. Reed, dated the 3rd January last by which it would appear two propositions were made, namely, to set aside the lands which now carry a revenue of $400.00 at present under the control of the Interior Department and to allot the Indians small Reserves or Farms at suitable points.

The number of Indians belonging to the Caldwell Band appears to be, from Mr. Scott's report, 58-

The property which it was proposed to purchase for these Indians to the extent of 514 acres was valued by Mr. Agent Beattie at $7 859.80 for the land and $10,105.00 for the improvements, in all $17,964.80 .

On

On a report by Mr. Reed of the 18th of March last in which he reported Mr. Mills opinion to be that it would be desirable to settle this matter by purchasing even for the price offered and that he would support an item in the estimates for the purpose, he stated that ~~he considered the price excessive and that~~ he did not see what else could be done than to tell Caldwell and his followers that unless they took land upon Walpole Island, where arrangements could be made for their settling, it was not in the power of the Department to help them. On this report, Mr. Daly stated- "I really cannot concur in proposal made by Mr. "Mills particularly in view of the statement made in letter "of Carscallen & Hall that John Caldwell has removed to "Walpole Island and is living there. If Caldwell is liv-"ing on Walpole Island, the rest of his outfit should be "pursuaded to do the same thing and that will get over the "difficulty. From reports made of these Indians, I take "them to be a wretched, worthless, drunken vagabond lot and "we should take them in hand and place them on the Island, "and if they are not content to stay there to have quit of "them altogether."

This is not the Caldwell who agitated the matter
[illegible]

From a report received from Mr. Agent McKelvey of the Walpole Island, it appears that on Walpole Island, there are 12,500 acres of land fit for cultivation with natural drainage over and above what is occupied by the present population of the Island, and that with comparatively inexpensive system of artificial drainage by dykeing and pumping there could be 10,000 acres more reclaimed and made fit for cultivation.

The undersigned begs to submit whether negotiations should be continued with a view to acquiring land for these Indians or whether they should be asked to take up land on Walpole Island, where there appears to be sufficient vacant land for their accomodation.

As regards the question of perfecting McCormacks

title

title to Point Pelee Island with the reservation above referred to, it would not appear necessary to go into this question of title at present as there does not appear to have been any recent application made to the Department by or on behalf of the McCormick family to perfect their title to the Island.

W. A. Orr

8986-

Ottawa 5th May 1897-

Sir-

For some time past the Department has been negotiating in regard to acquiring a portion of Point Pelee in the County of Essex for an Indian Reserve and I would like if you would inform me, as I understand this is Ordnance Land, how the lots stand on the Books of your Department that is whether sold or patented and, if so to whom and where arrears, the amount thereof. The Lots above referred to are as follows: 2, 2a, 3, 4, 4a, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18 and 19 on Point Pelee.

In this connection, I would beg to refer you to the latter portion of letter to Mr. Burgess of the 11th February last in relation to transfer to this Department for the benefit of the Indians of the Lease of the marsh at Point Pelee issued by your Department and would like to be advised whether it is considered that the Department has power to make the transfer of this Lease of Ordnance Land as proposed.

Your obedient servant

Acting Secretary-

The Secretary-
Department of the Interior-
Ottawa-
Ont-

aby.

156401

Statement showing how the lots on the Naval Reserve at Point Pelee have been disposed of

Lot No.	Name or occupant	Amount sold for	Date of Patent.	Remarks.
A	Government property			
1	Helen Grubb - -	- -	- - —	Transferred to Dept. Marine by O.in C.29 July,1889
2	J.W. Post & A. Oper	$76 31	1891 Dec. 7	
3	Etherias Mooney	71 14	1893 May 8	
4	J. W. Post & A.Oper	64 14	1891 Dec. 7	
2 A	do do	27 45	1891 Dec. 7	
3 A	Government Property			
4 A	do do			
5	Francis Girardin,Sr	76 75	1892 Jan'y 19	
6	do do			
7	Jno.E. Delaurier	91 03	1892 Apl. 1	
8	Geo.Max. Girardin	85 00	1892 Apl. 12	
9	Jno.E. Delaurier	4 93	1892 Mar. 31	
10	Francis Girardin Jr.			Not Patented.
11	Jane Delaurier	120 70	1892 May 3	
12	Jno.& Chas. Delaurier	47 22	1892 Mar. 16	
13	Joseph Girardin	79 22	1892 Mar. 4	
14	Jno.& Chas. Delaurier	80 95	Mar. 16	
15	Lucinda Haskins			
16	do do	25 18	1892 Mar. 10	

Lot No.	Name or occupant.	Amount Sold for.	Date of Patent.	Remarks.
17	So.Essex Gun Club, "Hunter's Home"			Not Patented
Pt.18	Peter Ives	7 82	1892 Oct. 28	
18	do do	91	1892 Oct. 28	
20	Philip Girardin			Not Patented.
23	Trustees of P.P. School Section	3 40	1892 Feb. 5	
Pt.18	Elisabeth Livingston	1 70	1892 Oct. 22	

156401 8986 LETTER

aby

FILE 2279.

Address your reply to "The Secretary, Department of the Interior, Ottawa."
Do not write about more than one subject in the same letter.
Write legibly your full name and address.
If you reply to this letter quote its file number.

Department of the Interior,

Ottawa, 12th May, 1897.

Sir,

Replying to your letter of the 5th instant, respecting the Naval reserve at Point Pelee, I am directed to forward the enclosed statement showing the disposition which has been made of all the lots laid down on the plan prepared by G. W. Phillips, D. L. S., dated 30th July, 1889.

Encl :

The Naval reserves were transferred to the Dominion Government in 1871, subject to its undertaking to use them "for no other purposes than those approved of by the Admiralty, viz:- for Naval purposes, and to be set apart for defense."

In 1873 permission was obtained from the Lords Commissioners of the Admiralty for the issue of a license of occupation for the preservation of game, and subsequently their consent was given to sell to the squatters the portions of land occupied by them

- respectively -

J. D. McLean, Esq.,
Acting Secretary,
Department of Indian Affairs,
Ottawa.

Please see any objection or correction with this matter by the 1st proxy

Pr 19 mt in last D

respectively. These are the only modifications of the terms on which this reserve is held by the Dominion Government.

The land not included in the Letters-patent to the squatters above mentioned, consisting of about 3190 acres, mostly marsh, is held by the South Essex Gun Club under the lease from this Department for 21 years from the 6th day of February, 1885, at a rental of $400 per annum. This lease, in accordance with the permission above referred to, stipulates that the "land shall be used for the preservation and purposes of game only."

By Section 6 of Chap: 55, Revised Statutes, it is provided that the moneys arising from the sale or lease of Ordnance and Admiralty lands, shall be paid over to the Minister of Finance, and shall form part of the Consolidated Revenue Fund of Canada, and a separate account shall be kept thereof.

It would appear therefore that as the matter now stands this Department is not in a position to transfer, for the purposes mentioned in your letter, either the lands in question or the proceeds arising therefrom.

I am, Sir,

Your obedient servant,

Assistant Secretary.

File 8986-

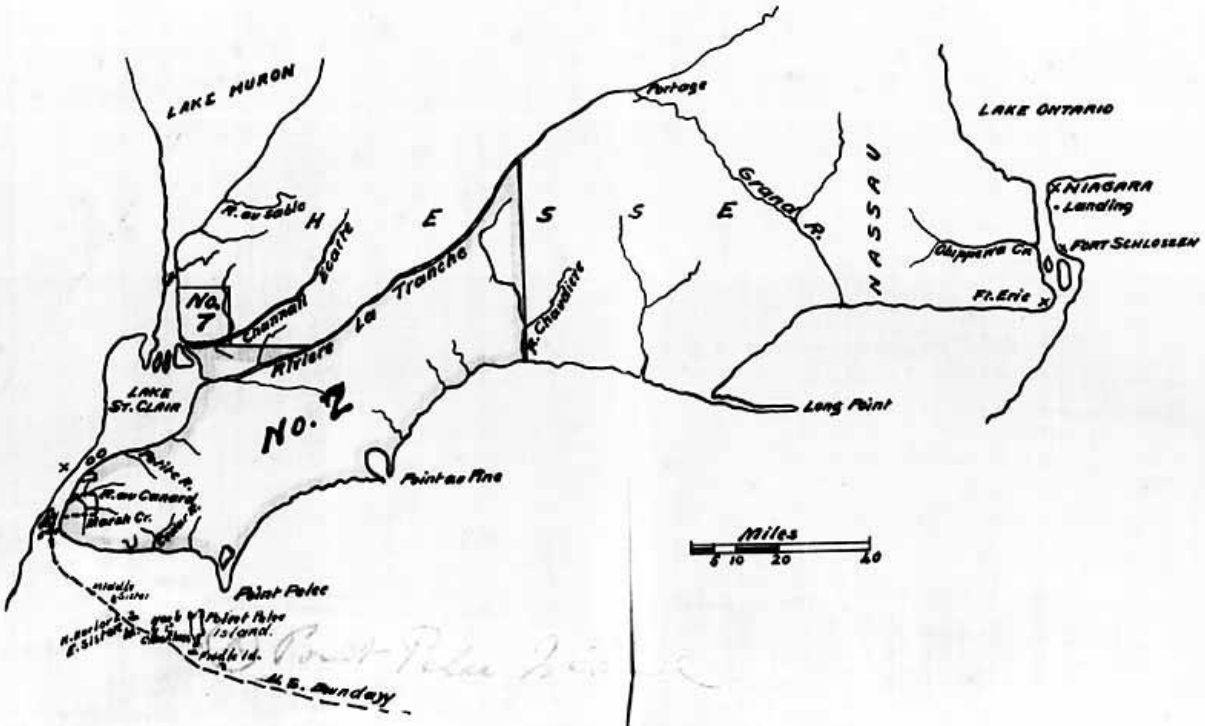
MEMORANDUM

Ottawa 18th May 1897-

As requested, herewith is a tracing showing the limits of Surrenders 2 and 7, covering land bordering on Lake St. Clair and Lake Erie.

As regards Surrender 121 made by the Chippewas Pottawattamies and Ottawa Indians residing on Walpole Island, covering certain Islands named in the upper part of Lake Erie near the mouth of the River Detroit, as well as any other Islands in the above vicinity, to or in which they may have any claim or interest, I beg to state that it is open to a fair interpretation that this Surrender extinguished any rights these Indians may have had in Point Pelee Island, which is situate in that locality.

W. A. Orr



EXTRACT FROM J.B.MACAULAY'S REPORT-TORONTO,APRIL 22ND,1839.

Of the Chippawas of Point Pele and River Rascum,the numbers are not stated. A few reside at each of these places, Point Pele,is in the township of Mersea,about 35 miles below Amherstburg,Lake Erie. It contains about 3,500 acres. The Rascum runs into the Lake St.Clair between the Thames and Detroit Rivers. The Indians support themselves almost entirely by hunting and fishing. Mr.Ironside is Superintendent and resides at Amherstburg.

EXTRACTS FROM A PPENDIX 18- THE REPORT OF MESSRS.RAWSON, DAVIDSON & REPRUEN-KINGSTON 22ND,JAN,1844.

Evidence of Mr.Superintendent Ironsides,(respecting the Chippawas,Hurons,Shawnees,and Munsees,at Amherstburgh and Point Pelee.)

(3rd) The Hurons on the Reservation in the Township of Anderdon,are settled each family on a separate farm. The few families of Chippawas who have become in some measure stationary on the above Reservation,and at Point Pelee,have not yet erected houses,nor had separate farms assigned to them.

(5th) None of the Hurons,live in wigwams. All the Chippawas except their Chief at Point Pelee,live in wigwams.

With reference to the letter which accompanied the queries and in regard to the means of improving the condition of the Indians,the only suggestions I have to offer are the following:-

First.-I think it desirable that if greater facilities were

were afforded to the Chippawas to settle on land, and to engage permanently in Agricultural pursuits; it constitutes a serious obstacle to their doing so, that they possess only 300 acres of the Reservation in the Township of Anderdon. On this Reservation, and at Point Pelee, they have had their principal resort for many years, and they would be more easily induced to settle on either of these places than in any other quarter. But while their share of the Reservation is quite inadequate in extent, their claims to the lands at Point Pelee have not been fully recognized. In my opinion, it is desirable for the above purpose that their claims to these lands should be recognized, at least to so much of them as would be sufficient for their comfortable settlement. At the same time I conceive it would be expedient to make the full recognition of that claim dependent on their actual settlement on the lands, and their progressive improvement of it; by which means I am persuaded a strong inducement would be presented to them to abandon their present roaming habits, and to engage in the cultivation of the soil.

Second.- I am of the opinion that a great benefit would be conferred on the settled Indians, if the means were provided for the education of the young among them. I have every reason to believe that the Hurons settled on the Reservation in Anderdon, would readily avail themselves of a School, if one were established, under the superintendence of an efficient Teacher of good character. They have expressed a determination to establish a School themselves as soon as they are able to do do. But I fear they may not possess the means of

carrying

carrying this determination into effect for some time to come; and even if they had the means, a School set on foot in their way, would not be likely to be either permanent or effectual. If a Settlement of the Chippawas should be accomplished at Point Pelee, a School in my opinion, would be indispensable for their improvement. And if the Teacher were a person of suitable qualifications, he would prove the most efficient agent for the introduction of Christianity among them.

(Signed) Geo. Ironside.

S.I.A.

Amherstburgh, 12th. December 1842.

EXTRACT FROM REPORT OF MESSRS. PENNEFATHER, TALFOURD & WORTHINGTON.

CHIPPEWAS OF POINT PELEE.

For a number of years the Chippewas have occupied lands on Point Pelee on the shore of Lake Erie, in the Township of Colchester, forty miles below Amherstburg.

This band are generally dissipated, and roving and unsettled in their habits, depending mainly as a means of support on the fish and wild fowl, which at certain seasons of the year is here very abundant.

The clearings are small and poorly cultivated. Indian corn and potatoes are raised in small quantities.

With the exception of the Chief, they live mostly in bark Shanties or Wigwams, and are poorly clothed.

They have no school, and with one or two exceptions are Pagans;

Pagans;no efforts appear to have been made to Christianize them.

In 1842 their number amounted to 250,but in August last, they were reduced to less than 60 persons. This great decrease in their numbers has been caused in some measure by their dissipated habits and manner of living,but principally by removals to other Chippewa bands;Three families consisting of 16 persons,have this summer removed to Walpole Island,and are comfortably settled.

The land occupied by this band on Point Pelee is not an Indian Reserve,and their right to it has never been recognized The small number of persons now remaining might be without much trouble removed to Walpole Island,where they would enjoy all the advantages necessary to improve their condition.

They have no annuity or land fund,and the presents having ceased,they will now be entirely unassisted by Government.

Duplicate

KNOW ALL MEN BY THESE PRESENTS that we the undersigned Band of Indians having an interest in Point Pelee Island, resident in the County of Essex in the Province of Ontario and Dominion of Canada do hereby release, remise, surrender, quit claim and yield up unto OUR SOVEREIGN LADY THE QUEEN, Her Heirs and Successors forever all and singular our interest in that certain parcel or tract of land and premises situate, lying and being in Lake Erie in the County of Essex and Province of Ontario and being composed of Point Pelee Island in the said Lake.

TO HAVE AND TO HOLD the same unto Her said Majesty The Queen, Her Heirs and Successors forever, to dispose of the same to such person or persons and upon such terms as the Government of the Dominion of Canada may deem best.

AND WE the said Band of Indians do hereby ratify and confirm and promise to ratify and confirm whatever the said Government may do or cause to be lawfully done in connection with the disposal of the said Island.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this day of in the year of Our Lord one thousand eight hundred and

Signed, Sealed and Delivered, in the presence of

DOMINION OF CANADA,
Province of
County of
To Wit:

Personally appeared before me,
of
the of
in the Province of
and
Chief of the said Band of Indians.

AND the said for himself saith:—

That the annexed Release or Surrender was assented to by a majority of the male members of the said Band of Indians of the of the full age of twenty-one years then present.

That such assent was given at a meeting or council of the said Band summoned for that purpose and according to their Rules.

That he was present at such meeting or council and heard such assent given.

That he was duly authorized to attend such council or meeting by the Superintendent General of Indian Affairs.

That no Indian was present or voted at said council or meeting who was not a member of the Band or interested in the land mentioned in the said Release or Surrender.

And the said says:

That the annexed Release or Surrender was assented to by him and a majority of the male members of the said Band of Indians of the full age of twenty-one years then present.

That such assent was given at a meeting or council of the said Band of Indians summoned for that purpose, according to their Rules, and held in the presence of the said

That no Indian was present or voted at such council or meeting who was not an habitual resident on the Reserve of the said Band of Indians or interested in the land mentioned in the said Release or Surrender.

That he is a Chief of the said Band of Indians and entitled to vote at the said meeting or council.

SWORN before me by the Deponents at the of in the County of this day of A.D., 189 .

Form No. 66.

Dated 1890

Surrender

To

The Queen

of Pine Bluff
Island

Original

KNOW ALL MEN BY THESE PRESENTS that we the undersigned Band of Indians having an interest in Point Pelee Island, resident in the County of Essex in the Province of Ontario and Dominion of Canada do hereby release, remise, surrender, quit claim and yield up unto OUR SOVEREIGN LADY THE QUEEN, Her Heirs and Successors forever all and singular our interest in that certain parcel or tract of land and premises situate, lying and being in Lake Erie in the County of Essex and Province of Ontario and being composed of Point Pelee Island in the said Lake.

TO HAVE AND TO HOLD the same unto Her said Majesty The Queen, Her Heirs and Successors forever, to dispose of the same to such person or persons and upon such terms as the Government of the Dominion of Canada may deem best.

AND WE the said Band of Indians do hereby ratify and confirm and promise to ratify and confirm whatever the said Government may do or cause to be lawfully done in connection with the disposal of the said Island.

IN WITNESS WHEREOF, we have hereunto set our hands and affixed our seals this day of in the year of Our Lord one thousand eight hundred and

Signed, Sealed and Delivered,
in the presence of

DOMINION OF CANADA,
Province of
County of
To Wit:

Personally appeared before me,
of
the of
in the Province of
and
Chief of the said Band of Indians.

AND the said for himself saith:—

That the annexed Release or Surrender was assented to by a majority of the male members of the said Band of Indians of the of the full age of twenty-one years then present.

That such assent was given at a meeting or council of the said Band summoned for that purpose and according to their Rules.

That he was present at such meeting or council and heard such assent given.

That he was duly authorized to attend such council or meeting by the Superintendent General of Indian Affairs.

That no Indian was present or voted at said council or meeting who was not a member of the Band or interested in the land mentioned in the said Release or Surrender.

And the said says:

That the annexed Release or Surrender was assented to by him and a majority of the male members of the said Band of Indians of the full age of twenty-one years then present.

That such assent was given at a meeting or council of the said Band of Indians summoned for that purpose, according to their Rules, and held in the presence of the said

That no Indian was present or voted at such council or meeting who was not an habitual resident on the Reserve of the said Band of Indians or interested in the land mentioned in the said Release or Surrender.

That he is a Chief of the said Band of Indians and entitled to vote at the said meeting or council.

SWORN before me by the Deponents at the of in the County of this day of A.D., 189 .

Form No. 66.

Dated 1895

Surrender

=to=

The Queen

of Point Pelee Island

With file 8986

Ottawa, 18th May, 1897.

Memorandum:

The undersigned begs to submit herewith a memorandum, dated the 1st instant, from Mr. Orr, in charge of the Land and Timber Branch, on the subject of the claim of certain Indians to lands on Point Pelee Island; and to state with reference thereto that since the date of this memorandum he addressed a letter to the Department of the Interior for the purpose of ascertaining whether the lands at Point Pelee which this Department proposed to purchase for Chief Caldwell and his band had all been patented by that Department; and from the letter of the 12th instant from that Department it appears that, with the exception of lots 10 and 17, all the lands which this Department proposed to purchase from the owners thereof have been patented to them. And as regards the land not included in the letters Patent to the squatters, consisting of about 3190 acres, mostly marsh, this is stated by the Department of the Interior to be held by the South Essex Gun Club under lease from that Department for 21 years from the 6th February, 1885, at a rental of $400 per annum; and it appears that under the Provisions of Sec. 6, Chap. 55, R.S., ~~it is provided that~~ the moneys arising from the sale or lease of ordnance and admiralty lands shall be paid over to the Minister of Finance and shall form part of the consolidated revenue fund of Canada, and that

that a separate account shall be kept thereof. Consequently, the Department of the Interior is not in a position to transfer this land, or the proceeds arising therefrom, to this Department. This course, the Minister will observe, was recommended in Mr. Reed's report of the 3rd January, 1896, as the result of Mr. Scott's visit to the locality; and the Department of the Interior was so advised in a letter of the 11th February, 1896, in which Mr. Reed stated as follows,-

" It has therefore been decided to offer " Caldwell as a final settlement a certain amount of " land as a reserve and the proceeds arising from the " sale of the marsh at Point Pelee at present under " lease." As this latter portion must receive concur- " rence from your Department, I beg to submit the ques- " tion to you by direction of the Superintendent Gen- " eral, in order that it may be considered and, if Pos- " sible, approved."

In connection with the claim of Chief Caldwell and his band, the undersigned would state that the proposition to buy lands for them at Point Pelee does not appear to him one worthy of further consideration. These Indians should go to Walpole Island, where there is land for them, and where they would be with Indians belonging to the same tribe. It is altogether doubtful whether the claims of Caldwell and his band are well founded. On page 2 of Mr. Reed's memorandum of the 3rd January, it will be observed that these Indians claim Hen and Chicken Islands, Point Pelee Island, Fighting Island and Bois Blanc Island, in the River Detroit, Point Pelee in the County of Essex, Rondeau in the County of Kent, and all the land between Blenheim and Rondeau

in

in the same County. Now, as regards the mainland referred to, it is covered by Surrenders Nos. 2 and 7 - as shown on the tracing herewith - which ~~you~~ the memorialists will find in the printed book of surrenders; No. 2 having been made in the year 1790 with the Chiefs of the Ottawa, Pottawattamies and Huron Indians of Detroit; and No. 7 having been made in the year 1796 by the Chiefs of the Chippawa Nation. It is true that these surrenders did not cover the islands now claimed by Chief Caldwell and his band; but on reference to Surrender No. 121, page 278, of the printed book of surrenders, it will be seen that on the 20th January, 1870, a surrender was obtained from the Chippewa, Pottawattamie and Ottawa Indians residing on Walpole Island of " all the right, " claim and title which we possess of, in and to the " following islands in the upper part of Lake Erie, " near to the mouth of the River Detroit, namely, "' Middle Sister,' Island," Hen and Chickens ' or "' Bird ' Islands,' North Harbour ' Island,' East "' Sister ' Island,' Middle ' Island, as well as any " other islands in the above vicinity to or in which " we may have any claim or interest."

Please see tracing herewith

Thus it will be seen that by this surrender the Indian claim to the islands in Lake Erie was extinguished, and therefore the claim of Chief Caldwell and his band for compensation for Pelee Island, is, the undersigned submits, hardly deserving of consideration.

The Minister will see from Page 2 ~~referred to~~ of Mr. Reed's memorandum that these Indians claim Hen and Chickens Islands; whereas these islands were included in the surrender just referred to, and the proceeds

proceeds thereof funded for the benefit of the Chippewa, Pottawattamie and Ottawa Indians residing on Walpole Island.

It follows, therefore, that the bar in the way of issuing a patent covering Pelee Island authorized by Order in Council of the 9th June, 1866, has been removed so far as requiring the surrender from the Indian tribes which originally owned the island is concerned, and which is referred to on page 4 of Mr. Orr's report.

The Minister will find a printed pamphlet on this file, dated the 31st May, 1892, and signed by Chief Caldwell, which sets forth his claims in full.

The whole question is submitted for the Minister's consideration as to whether he considers that land should be purchased for these Indians and the money voted by Parliament to enable the Department to make the purchase.

J. D. McLean

Acting Secretary.

Dictated.

Sent to Mr. Smart for signature 11/6/97

Ottawa 11th June 1897-

Dear Mr. Mills-

Referring to our conversation yesterday in relation to the proposal to purchase lands at Point Pelee for Indian John Colwell and his people, I beg to state that the Minister has given careful consideration to all points in connection with this matter and has come to the conclusion that he fails to see any ground in the reports for the contention that the Government should purchase land for a Reserve as desired by Colwell. He considers that Colwell and his people should go to Walpole Island, where there is plenty of available land for them and, if they are unwilling to do this, they will have to rely upon themselves.

I might state that in the year 1870 a Surrender was given by the Chippewa, Pottawattamie and Ottawa Indians residing on Walpole Island, to which Band Chief Colwell and his people belong, of all their right, claim, and title which

Hon. David Mills,
The Senate,
Ottawa-

which they possessed in the following Islands in the upper part of Lake Erie, near to the mouth of the River Detroit, viz- Middle Sister Island, Hen, and Chickens or Bird Islands North Harbour Island, East Sister Island, Middle Island, as well as any other Islands in the above vicinity to or in which they had any claim or interest.

It will be seen, therefore, that by this Surrender the Indian claim to the Islands in Lake Erie was extinguished and the claim of Chief Colwell and his people for compensation for Pelee Island is hardly deserving of consideration.

As you are aware, the expenditure in connection with the proposed purchase of land was exceedingly large, amounting in all to $17,964.80 and in addition to this, it was proposed to transfer to the Indians the Interest in a twenty one years' Lease, issued by the Department of the Interior, to the South Essex Gun Club carrying a rental of $400.00 per annum; in regard to which Lease it has been recently ascertained that under the provisions of Section 6, Chapter 55, Revised Statutes of Canada, the moneys arising from the sale of Ordnance and Admiralty lands shall be paid over to the Minister of Finance and shall form part of the Consolidated Revenue Fund of Canada and that a separate account shall be kept thereof, so that the Interior Department is not in a position to transfer this land or the proceeds arising therefrom to this Department for the

benefit

benefit of Indian Colwell and his people.

Yours very truly-

Sd. Jas. A. Smart

8986- Exd.

Ottawa 11th June 1897-

Sir-

In reply to your letter of the 6th April last and previous correspondence in relation to the setting aside of lands, for yourself and other Indians associated with you, at Point Pelee, I am directed by the Minister to inform you that after a careful consideration of all the papers in this matter, he fails to see any ground in the reports for the contention that the Government should purchase land ~~for~~ as a Reserve for you and your people. He considers that you and your people should go to Walpole Island, where there is plenty of available land for your accomodation and if you are unwilling to do this, you will have to rely upon yourselves, as the Department cannot do anything further in the matter.

Your obedient servant

J. D. McLEAN

Acting Secretary-

John Colwell,
(Indian)
Muncey,
Ont-

THE SENATE
CANADA

14 June 1897

137677

Dear Mr Smart,-

I have the honor to acknowledge the receipt of your letter bearing date the 11th of June but which came to hand this afternoon.

Permit me to say that the band of Chief Robert Caldwell - not John Caldwell - has never been a resident of Walpole island and the Caldwell band are not nor have they been residents of Walpole island nor have they been nor have they participated in the funds of the Walpole island Indians. Though I believe John Caldwell has occasionally

2

done so. A few of the Caldwell band have resided at Walpole island though they have not shared in the annuities, nor are the Indians to whom the island belongs willing that they should share either in the land or in the funds. The Pottawattamies are Michigan Indians who were permitted to come to the island upwards of forty years ago, and have since then remained. They have lands reserved in Michigan and funds which I believe the U.S. government has offered to pay them if they returned, and the Chiefs who have not ceased to protest against the presence of these

3

Michigan Indians. Caldwells band were residents of South Essex in 1783 when the surrender of the whole of the Country South of the Thames was made. They reserved the Islands in Lake Erie. These they subsequently leased in part to one McKee the Indian agent contrary to his instructions, they say for 99. years, but the lease says 999 years. They say when it was leased there were no settlers in the west, except along the Detroit river. They thought the islands would come back to them by the time the lands they surrendered were occupied. After the war of 1812-15. the white men who served in

the war, were awarded 200 acres of land each, and the Indians of Caldwell's band were awarded the Point of Pelee for their services. At that time it was thought important in the interest of the Crown that they should remain on the South Western frontier, and they were promised that this military reservation should be converted into an Indian Reservation. Caldwell's band numbering at that time 1816 about 250 went upon the point, and remained there until they were crowded and starved off by white trappers and hunters who squatted among the Indians I remember well when this band

5

137377

were residents upon the Point Pelee. A few years ago there were many white men living who knew all the circumstances and who knew the facts were as I have here stated them. Therefore the Shawks, Renwicks, Baldwins, Robertsons, and many others who settled in that Section immediately after the war of 1812-15 and who know this band held the Point as a reserve for nearly forty years. Since then they have been beggars in Rush Tessey. for the most part, are not receiving annuities, and are in extremely destitute circumstances. Mr. Scott, will I think be able to satisfy you that they are not being

6

137877

THE SENATE
CANADA

of Wolfe Island and are not receiving annuities. They have been very grossly wronged, and that wrong I submit ought to be redressed.

Yours very truly
David Mills

Jas A. Smart Esq
Deputy Supt Gen.
Indian Affairs

187677 8986

M.

Ottawa, 15th June, 1897.

Memorandum. Mr. McLean.

I enclose you a reply received from Mr. Mills with regard to the Indians about whom I wrote to him a few days ago. I would be glad if you would have the matter looked into and if there are any errors in the statements made have them put right. Mr. Mills lives in the neighbourhood and ought to be aware of all the facts in connection with these Indians.

Enc.

Sir D. Smart

J.D.McLean, Esq.,
Acting Secretary,
Dept. of Indian Affairs,
Ottawa.

File 8986-

MEMORANDUM

Ottawa 18th June 1897-

Referring to the Acting Deputy Minister's Memo of the 15th Instant, enclosing a communication from the Hon. Senator Mills in relation to the claim of Chief Robert Caldwell, I beg to say that there are no errors in the state ments made by the Department. The Honourable Mr. Mills appears to be under the erroneous impression that the Department was of the opinion that Chief Caldwell and his Band reside or die reside on Walpole Island. The statements made by Mr. Mills are quite in accordance with the information in the Department in this matter and the decision of the Minister was that these Indians, who belong to the Chippewas of Walpole Island, should go and live on this Island along with the other members of the Band to which they belong.

W. A. Ors

8986-

Exd.

Ottawa 23rd June 1897-

Sir-

In reply to your letter of the 14th Instant, regarding the claim of Chief Robert Caldwell and his band, I beg to state that it was not intended in any way to convey the impression that these people reside or had resided on Walpole Island, as from information obtained in regard to them it was well known that such was not the case.

I may state that the whole question in relation to these Indians and the treatment received by them was under consideration of the Minister, who, as indicated in letter to you of the 11th Instant, ~~considered~~ decided that Caldwell and his people should go to Walpole Island, where there is plenty of available land for them and, if they were unwilling to do this, that they would have to rely upon themselves.

Your obedient servant

J. D. McLEAN

Acting Secretary-

Sgn. L
WAO

The Hon. David Mills-
The Senate-
Ottawa-

Please have a reply prepared. F.B.

8986

120633

London. 9th. September. 1897.

My Dear Mr. Smart,

I have called your attention to the claims of the Chippewa Band who formerly resided at Point Pele, and to the great wrong that the Government had done them by the disposal of their Reserve. You answered that these Indians belonged to the Walpole Island Band, and that they should go thither. In my reply I informed you of your mistake, but to that reply I received no answer.

I am quite certain that I can establish without any difficulty that these Indians were a part of the Chippewas that surrendered the country to the Crown between the Thames, and lake Erie, and from the Detroit river eastward as far as the Gret Otter. This Band resided in the southwest peninsula, as a separate Band at the time the surrender was made. They have no connection with the Walpole Chippewas. The Walpole Indians resided in Michigan prior to their location at Walpole Island. They took part in the war of 1812 -15. with the English, and were not permitted to remain in Michigan, but the Pele Band were residents in Essex in the last century. You will find in your Department that Lord Glenelg called upon Sir ~~Edmond~~ F.B. Head at the beginning of 1837 for a Report

(?) not all of them

on the condition of the Indian tribes. Each of the Indian Superintendants made a Report to Sir Francis B. Head. Mr. George Ironside was Superintendant of Indian affairs in the southwest, and in a Report dated 10th of May 1837 he says ' There are a few Indians of the Chippewa tribe who are also under my Superintendance residing at Point Pele; these support themselves almost entirely by hunting and fishing, and they claim the Point as having been reserved to them by the Government. ' I know they resided there for many years later; and there are still living a few of the old inhabitants who remember their residence there before the period of the Rebellion. Now these Indians since they were crowded off their Reserve, have not gone elsewhere. They have wandered about through Kent and Essex. They have recognized Robert Caldwell as their Chief. His brother John has been permitted to reside at Walpole Island; but I believe no other member of the Band is there. The Reserve of this Band were the islands at the head of the lake which the agent McKee leased from them, and so they were without a Reserve, and as nearly the whole country was a wilderness, they really felt no necessity for one. In the war of 1812 they served with the British force. When the war was over each volunteer received two hundred acres, and the Indians

this Band were promised the Point Pele, and were directed to go upon it, and were told , that it would be their compensation for services during the war; but the Superintendant of Indian Affairs died before the arrangement was carried into effect. The Indians continued to reside upon it until about 185[illegible], when they were crowded off by white hunters and fishermen. This Band known as the Caldwell Band during the whole of this century have been most unfairly treated, and if any further evidence is required of their claim, it ought to be so stated before all those conversant with the facts are dead. I think the Church of England Minister on the Indian Reserve at Point Edward is in possession of a statement of the facts made by the Chief who resided on the Point Pele many years ago- the father of the present Chief Robert Caldwell.

Yours very sincerely.

David Mills

J. D. Hart. Esq.

D.M. of I.

Ottawa.

Ont.

M.

Ottawa, 10th September, 1897.

Dear Mr. Mills,

I am in receipt of your letter of the 9th instant with reference to the Chippewa Band of Indians, and giving particulars which I will be glad to have gone into by one of the officers of the Department who has the information at his hand. If the statements made by you can be verified it seems to me that these poor Indians have not received the fair treatment that they should have, and as far as I am personally concerned I will be only too glad to look after their interests

Yours very truly,

Sgd. Jas. A. Smart

The Hon. David Mills,
London, Ont.

File 8986-

MEMORANDUM

Ottawa 17th September 1897-

In regard to letter of the 9th Instant from the Honourable Senator Mills in relation to the claims of the Chippewa Band, who formerly resided at Point Pelee, I beg to state that from the first portion of the letter it would appear that Mr. Mills has not received the letter in this matter addressed him on the 23rd June last.

While there may be no doubt, as stated in Mr. Mill's letter, that these Indians have not ~~been~~ received every consideration, still it is thought that the Department is doing all that it possibly can in their interest, by agreeing to allow them to locate on the Walpole Island Reservation.

In view of the Minister's decision on the Acting Secretary's Memorandum of the 18th May last, I do not see that anything further can be done in this matter.

W. A. Orr

Indians and the proposition to purchase for them land to the extent of 514 acres at a valuation of $17,964.80-for the lands and improvements thereon, upon which report the Minister stated that he did not see any ground therein for the contention that the Government should buy land for a Reserve, that the Indians ~~should~~ would be permitted to go to Walpole Island, if they were willing to do so, otherwise they would have to rely upon themselves.

Yours very truly-

D. Scott Lucas

Copy Pol 67

Ottawa 16th September 1887-

Dear Mr.Mills-

In further reference to my letter to you of the 10th Instant in regard to the claims of the Chippewa Band,who formerly resided at Point Pelee,I beg to say that it would appear,from the first portion of your letter that you have not received a letter addressed you on the 23rd June last to "The Senate,Ottawa",and I,therefore,enclose you copy of same.

As stated in your letter,there may be no doubt that these Indians have not received every consideration which might have been extended to them,yet it is thought that the Department is doing all that it possibly can in their interest,in allowing them to locate on the Walpole Island Reservation.

I may say that this whole question was referred to the Minister in May last,in a report setting forth the full facts in connection with the claim made by these Indians

Ans 7 WWD

The Hon.David Mills,

London-

Ont-

EMIGRANTS FOR PELEE ISLAND

REV. MARTIN GIBB ON HIS WAY TO ENGLAND FOR THRIFTY FARMERS.

Excellent Chances Will Be Offered Homeseekers by Canadian Emigrant Society of England.

Rev. Martin Gibb, of Pelee island, arrived in Windsor today en route to England, where he will give a series of lectures on Canada and Pelee island in particular, under the auspices of the Canadian Emigration society, of Liverpool, Eng., with a view to inducing emigrants to settle on the fertile Lake Erie island off the south

REV. MARTIN GIBB.
Pelee Island methodist clergyman, who leaves for England to deliver a course of lectures on Pelee island, with a view to inducting a thousand emigrants to settle there during the summer of 1906.

shore of Essex county. It is Mr. Gibb's intention to get 1,000 of the most desirable emigrants obtainable.

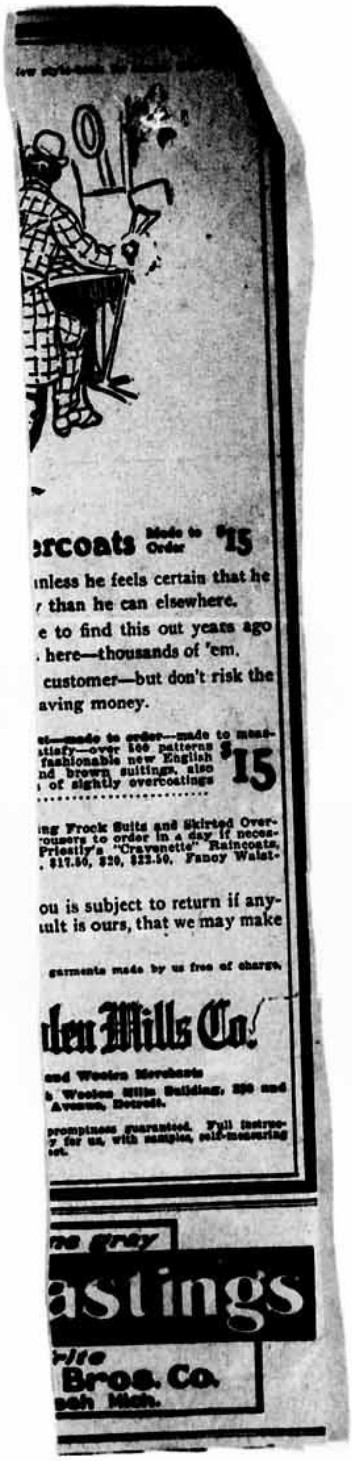
The revered gentleman, a Yorkshireman, is decidedly optimistic regarding the future of Pelee island. He says:

"Thousands of acres of the richest soil in the world are lying unused and I believe the possibilities are unlimited. The vineyards, peach orchards, oil wells, deposits of lime and building stone, areas of agricultural land which offer exceptional opportunities for the growth of tobacco, and its fisheries, will afford most profitable employment.

"The opportunities offered for settlers on Pelee island put those of the northwest in the shade," continued the clergyman. "It is intended as far as possible to discourage the emigration of mechanics and others not really needed in the Dominion, but the society hopes, with the assistance of the manufacturers, to be able to supply their actual requirements promptly so that they may keep pace with the increasing demand for Canadian manufactured goods.

"The oil business has a great future in Pelee island. The climate is also inviting. I have made the claim that it is equal to that of the south of France. The soil of Pelee island land will support six average family easily and there is room for at least 5,000 additional people.

Rev. Gibbs will spend the entire winter lecturing in England, Ireland, Scotland and Wales.



ercoats Made to Order $15

unless he feels certain that he
r than he can elsewhere.
e to find this out years ago
here—thousands of 'em.
customer—but don't risk the
aving money.

st—made to order—made to meas-
tisfy—over 100 patterns $15
fashionable new English
nd brown suitings, also
of sightly overcoatings

ing Frock Suits and Skirted Over-
rousers to order in a day if neces-
Priestly's "Cravenette" Raincoats,
$17.50, $20, $22.50. Fancy Waist-

ou is subject to return if any-
ult is ours, that we may make

garments made by us free of charge.

den Mills Co.

and Western Merchants
Western Mills Building, 250 and
Avenue, Detroit.

promptness guaranteed. Full instruc-
y for us, with samples, self-measuring
et.

astings

Bros. Co.

Otisville Mich
Nov 21 1904.

To the Minister of Agriculture
or Land office

Dear Sir
not knowing who to send this
letter to. I take the liberty
addressing it to you, hoping
you will see that it reaches
the proper authority. I inclose
clipping from the Detroit
Evening News which would
indicate that there ~~were~~ was
Government land for home
steaders, on Pelee island in
Lake Erie, any information
you see fit to send me on this
subject will be duly appreciated

(2) 275011

I am an English man and in this vicinity there are many families originally from Canada, and I have no doubt but I could get quite a colony from here that would not only have the means but the back-bone to make good improvements Please let me know the size of Island how far out from the main land present population, and the best way to reach it from Windsor As I intend to look it over at once on receipt of your reply. Thanking you in advance I remain

Yours Resp
Wm J Ruttledge
Otisville
Mich

8986-

Ex C.

OTTAWA, 26th November, 1904-

Sir-

I beg to acknowledge the receipt of your communication of the 21st Instant, addressed to the Honourable, the Minister of Agriculture, regarding land on Pelee Island, in Lake Erie, and in reply to say that this Island was formerly under the control of this Department, in trust for the Indians, but, under a Lease thereof made by them in 1778, the validity of the title of the McCormick family was recognized and Letters Patent authorized to be issued, by His Excellency in Council in the year 1866.

I may say, however, that the Patent has not been issued, owing to failure to comply with certain conditions imposed.

Your obedient servant

J. D. McLEAN

SECRETARY.

W. J. Ruttledge, Esq.,
Otisville,
Mich.,
U.S.A.

For. 10
WAD

8986
279166

DEPARTMENT NOV 30 1904

67. St Edward Street.
Montreal.
28 November 1904

To The Superintendent
Indian Department
Ottawa.

Sir

I am informed the Pelee Island is under the control of your Department.

I am desirous of obtaining information respecting it, and whether it is possible to purchase a portion of it with a view of settling there.

I shall be greatly obliged by your furnishing me with any particulars the Department may have.

Yours respectfully
H Richardson Richards

8986-

EXO.

OTTAWA, 2st December, 1904.

Sir-

I beg to acknowledge the receipt of your letter of the 28th Ultimo, and in reply to say that Pelee Island, in Lake Erie, was formerly under the control of this Department, in trust for the Indians, but under a Lease thereof, made by them in 1778, the validity of the title of the McCormick family was recognized and Letters Patent authorized to be issued by His Excellency in Council in the year 1866.

Your obedient servant

J. D. McLEAN

SECRETARY.

H. Richardson Richards, Esq.,
17 St. Edward Street,
MONTREAL,
P.Q.-

8986.

OTTAWA, 27th December, 1904.

Sir:-

In reply to your letter of the 20th instant, I beg to say that the lands on Pelee Island in Lake Erie were formerly under the control of this Department in trust for the Indians, but under a Lease thereof made by them in 1778 the validity of the title of the McCormick family was recognised and letters patent authorized to be issued by His Excellency in Council in the year 1866.

Your obedient servant,

J. D. McLEAN

Secretary.

Richard Dodds, Esq.,
Aurora,
Ont.

8986 th

Aurora Dec 20. 1904

279897

Superintendent
Indian Affairs Ottawa
Dear Sir I am
the liberty to write you
for information
concerning Government
lands on Pelee Island
is there any good farming lands
open for settlement
please send any information
you think will be useful
I know the climate is alright
there but I dont know anything
how the land is disposed of
your learned answer will confer
a lasting favor Richard Davis.

DEC 22 1904

8986 Rodney. Ontario
7 Jany 1905
280593

Supt. Indian Affairs
Ottawa. Canada

Sir

I wish to get a copy of Indian treaty. conveying Indian rights to the Crown. of Pelee Island Lake Erie. now occupied by McCormick & family. a reply at your earliest convenience will much oblige

Your Obt Servant
Chief Colwell.
Chippewa Indians
Rodney. P.O.
Ont

8986-

Ex'd.

OTTAWA, 26th January, 1905-

Dear Chief-

In reply to your communication of the 21st Instant, asking for a copy of Indian Treaty, conveying Indian Rights to the Crown of Pelee Island, I beg to say that the Department is unable to comply with your request.

Your obedient servant

J. D. McLEAN

SECRETARY.

Chief Colwell,
Rodney
Ont.

8986 283583

Bismarck West Forme P.O. 4 April 1905

Acct

Dear Sir

On behalf Chief Robert Caldwell of Rodney I write you regarding his case Re Point Pelee Island as you are no doubt acquainted with the case having been here with regard to a settlement of the right of himself (R Caldwell) and his band.

As there has been quite a large correspondence regarding this case by the late Hon: David Mills who took a great interest in this matter, also one letter by Hayter Reed - one by the Hon: Clifford Sifton one respectively by J.D. Clark & J.D. McLean all of the Indian Department -

I would most respectfully ask you to look after Chief Caldwells case, at your earliest convenience - as he is now 73 years of age, and unable to work. and has to live by the help of one son who has five children to support - one son is not able to work - and therefore these Indians are left to the Charity of this cold world -

hoping you will look into his case and give these poor Indians their just dues

I remain yours

Yours very truly
A C Schleiching.

To D C Scott Esqr
Chief Clerk & Accountant
Dept of Indian Affairs
Ottawa.

P.S.
Your letters are dated 7 June 1895 No 8986
& 30 Octr 1895 " 8986 -

8986

Ex'd.

Ottawa 14th April. 1905.

Sir,

In reply to your letter of the 6th instant, I beg to say that the Department can not depart from the position which it has taken in regard to the claim of John Caldwell. The Department's attitute in this matter was explained to the late Hon. David Mills and others. That gentleman was informed that the Department fails to see any ground for the contention that the Government should purchase land for a reserve as desired by Caldwell, and that if he and his ~~peexpex~~ people desire land they should go to Walpole Island where there is plenty of available land to be had.

I observe that you state that this man is now old and unable to work. The Department I may say affords assistance when necessary to aged Indians who have no means of livelihood, and no friends able to support them. If therefore this man's children are unable to furnish him with the necessaries of life the Department will, upon application ~~through the local Indian Agent,~~ furnish him with occasinal assistance, so that he may not be in actual want.

Your obedient servant.

Secretary.

Mr J.C. Schlishary
Bismark, West Lorne, P'O .Ont.

Form D

8986

Bismarck West Lynne P.O. 22nd April 1905

284160

J.D. McLean Esqr
Secretary Dept of Indian Affairs.
Ottawa -

Dear Sir
Re Robt Caldwells Claim -
In reply to yours of the 13th inst. No: 8986. I am instructed by Mr Robt. Caldwell to say that he and a son of his have been at Bealpole Island, and find that all available and dry land suitable for cultivation is taken up and occupied - there are large acres of wet and swamp land not fit for cultivation might do to raise frogs -
Mr Caldwell is as I told you - not able to work 73 years of age and has no way of making a living
One of his sons James Caldwell is not able to work having been ailing over 15 years has one child & a wife - another son Sheldon Caldwell who has five children and a wife has all he can do to make a living - now these Indians are sober - honest and industrious people and deserve the best consideration of the Government, they have been despoiled of their rights by the white men, and deserve to be treated as they deserve, I have known them personally for over twenty years and wrote in their behalf over 20 years ago -
Mr Robert Caldwell tells me that they never got their rights and just dues for Point Pelee and the Pelee Island.
Trusting the Indian Department will take the case up and look after their wants & interests
awaiting your reply I remain Yours truly
P.C. Schlichter

8986

P.XII

Ottawa, 28th April, 1905.

Sir,-

In reply to your letter of the 13th instant, I beg to inform you that the position taken by the Department in regard to the claim of Robert Caldwell was conveyed to John Caldwell on the 11th June 1897 and to yourself on the 14th instant and the Department is unable to take any other view of the matter than that set forth in the correspondence referred to. If you can assure the Department that Robert Caldwell is in a destitute condition and unable to obtain the common necessaries of life and his relatives are unable to support him, you may, in order to relieve his present necessities, cause him to be furnished with actual necessaries to the value of $5.00 and forward duplicate accounts in detail, certified by yourself, to the Department for payment.

Your obedient servant,

Secretary.

Mr. J. C. Schlishary,
Bismark, West Lorne P.O.,
Ont.

8986

A letter should only have reference to one subject . .

No. .....

In your reply refer to above letter number if an answer is desired.

ONTARIO
DEPARTMENT OF LANDS FORESTS & MINES
SURVEYS BRANCH

398485

Toronto, February 27th, 1912.

DEPT. OF INDIAN AFFAIRS
FEB 28 1912
SURVEYS

Dear Sir;-

Will you kindly have a tracing made of Pelee Island in Lake Erie showing the different lots etc., that were granted to the McCormack family a great many years ago, probably before Confederation, as we do not appear to have any plan of this island of record here.

Yours truly,

Aubrey White

Deputy Minister Lands and Forests.

LANDS BRANCH
MAR 4 1912

A. K. Kirkpatrick

J. D. McLean Esq.,
Deputy Minister & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

8986.

Ottawa, March 5, 1912.

Sir,-

I beg to acknowledge the receipt of your letter of the 27th ultimo, and in reply to say that a copy of plan of Pelee Island in Lake Erie has been forwarded you under separate cover.

I may say that no formal grant was issued by this Department to the McCormack family for Pelee Island.

Your obedient Servant,

W. D. McLEAN

Asst. Deputy and Secretary.

Aubrey White, Esq.,
Deputy Minister of
Lands & Forests,
Toronto, Ont.

A[illegible] should only have ref[illegible] to one subject . .

No. 6350-12

In your reply refer to above letter number if an answer is desired.

ONTARIO
DEPARTMENT OF LANDS FORESTS & MINES
SURVEYS BRANCH

8986

359708

DEPARTMENT OF INDIAN AFFAIRS MAR 9 1912

Toronto, March 7th, 1912.

Dear Sir;-

I have received yours of the 5th, No. 8986, and have received copy of the plan of Pelee island in Lake Erie. Have you any plan by P. L. S. George McPhillips of the marsh lying between the two parts of the island, as I find that in 1887, Mr. George McPhillips P. L. S. wrote that he was subdividing the marsh, and he said that if the plan was drawn on the scale prescribed by the Registry Act, the plan would be about 6 feet by 9 feet.

Yours truly,

Deputy Minister Lands & Forests.

DEPT. OF INDIAN AFFAIRS MAR 11 1912 SURVEYS.

J. D. McLean Esq.,
Asst. Deputy & Secretary,
Department of Indian Affairs,
Ottawa, Ont.

8986

Ottawa, March 13, 1912.

Sir;-

With reference to your letter of the 7th instant I have to state that this Department has no plan of any survey made by Mr. George McPhilips O.L.S. in 1887 on Peelee Island.

In December 1887 Mr. McPhilips applied to this Department for copies of the field notes of certain lots according to Wilkinson's survey.

This Department has no knowledge of for what purpose he required the notes nor by whom he was employed.

Your obedient servant,

(Sgd) J D McLean

Assistant Deputy and Secretary

Aubrey White, Esq.,
Deputy Minister of Lands and Forests,
Toronto,
Ont.

Memorandum:

Mr Pedley.

With reference to the attached letter to the Hon Crothers from Mr McVicar relative to the claim made by Robert Caldwell to share in moneys received by Indians for lands in the Counties of Kent and Essex, including Point Peelee, I beg to say that when the surrender was taken in 1790 goods to the value of 1200 pounds currency were distributed to those entitled to receive the same. The Chiefs of the Chippewa, Pottawattimie and Huron Bands signed the surrender. If Caldwell's forefathers were Chippewas as claimed by him, they no doubt received their share when the distribution was made.

The Department has given consideration to the whole question relative to the Caldwell family of Indians and the conclusion arrived at is that they should reside on Walpole Island or rely upon themselves.

J. A. Pajet
Accountant.

16th Sept. 1912.

September 17, 1912.

Dear Mr. Crothers,-

Having reference to letter of the 30th ultimo from Mr. P. A. McVicar to you, which is herewith returned, regarding Mr. Caldwell's claim in connection with Point Pelee and his right to share in moneys received by the Indians for land in the counties of Kent and Essex, including Point Pelee; I beg leave to say that, under the surrender of 1790 goods to the value of 1200 pounds currency were distributed to those entitled to receive same.

Incl.

The Chiefs of the Chippewas, Pottawattamie and Huron bands signed the surrender. If Mr. Caldwell's forefathers were Chippewas, as claimed by him, they, no doubt, received their share when the distribution was made. A great deal of correspondence has taken place with reference to this Caldwell claim, but the view of

Hon. T. W. Crothers,
Minister of Labour,
Ottawa.

the Department has been and is that he should reside at Walpole Island unless he intends to live apart from Indians and rely upon himself.

Yours very truly,

Frank Pedley

Deputy Superintendent General.

8986

411020

Ottawa, Sept. 18th, 1912.

Dear Sir:-

I have your letter of the 17th instant returning one from Peter McVicar to me respecting the claim of one Caldwell, in connection with Indian claims on Point Pelee. I was shown a letter some time ago written by the late Honorable David Mills when he was Minister of Justice, to say that these Indians were entitled to certain monies. The matter seems to have been let drop at that time, as the Indians then thought they had some larger rights. As the matter is a very old one, and one which would require a good deal of time to look into - I, of course, have not such time - I think it would be well if the Department were to appoint some efficient officer to go through the whole matter and make a report.

Faithfully,

W. Brouthers

Frank Pedley, Esq.,
Deputy Superintendent General
Dept. of Indian Affairs,
Ottawa.

OFFICE OF THE DEPUTY SUPERINTENDENT GENERAL,
OTTAWA. September 23, 1912.

The Accounts Branch,-

Will you please have one of your officers go through this matter and make up a report in extenso covering all the facts of the case.

D. S. G. I. A.

DEPARTMENT OF INDIAN AFFAIRS CANADA

Ottawa, 25th September, 1912.

Memorandum:

With reference to the claim of Robert Caldwell to share in moneys received by Indians for lands in the Counties of Kent and Essex, including Point Pelee the following are the facts as revealed by the documents of record in this Department.

On the 19th May, 1790, a meeting was held at Detroit, due notice thereof having previously been given. At this meeting the principal chiefs of the following nations of Indians were present:- eight from the Ottawa Nation, eight from the Chippewa Nation, six from the Pottawatamie Nation and thirteen from the Huron Nation.

The Department was represented by Major Murray of the 60th Regiment and Alex. McKee, Deputy Indian Superintendent. There were also present a large number of officers of the 60th Regiment, of the Naval Department, and of the Militia as well as a number of Magistrates and other citizens.

A full discussion took place as to the extent of the land to be surrendered, and an agreement was come to that was satisfactory both to the Government Officers and the Indians.

To show that the Indians were unanimous in granting the lands asked for, an extract from the speech of the E.gouch e ouai, Chief of the Ottawas, who spoke for the Confederacy is here given:-

You have

"It remains now only with me to pay you the consider-
"ation agreed upon, which shall be done tomorrow morning as
"soon as Your several Nations are assembled for the purpose."

Attached to the Surrender is a certificate of the delivery of goods to the several Nations to the value of 1200 pounds currency which was considered to have closed the transaction, no further payment being made or agreed to be made.

Although Point Pelee was included in the surrender, a part of the Chippewa Nation either continued to reside there, or took up their residence at that place later on, and it was not until white settlers began to encroach upon the lands there that in the year 1877, nearly ninety years after the date of the surrender, the Indians under Chief Caldwell began to assert their claim to the land in question.

Chief Caldwell in addition to his claim to land at Point Pelee, also made claim to a share of the annual payment of annuity which he considered was paid in connection with the surrender above mentioned, but which annual payment as above shown was not made.

When this claim came before the Department, Caldwell was informed of the fact that Point Pelee had been surrendered by the Indians, that no reservation had been made there for Indian purposes, and that as payment had been made once for all for the lands the Indians were not entitled to annual payments therefor. Chief Caldwell was also informed that although he and his Indians could not be protected by the Government in their desire to hold the lands occupied by them at Point Pelee, they could if they were disposed to go there be granted locations on Walpole Island on which a large reserve had been set apart for the Chippewas, Ottawas and Pottawatamies.

It may be added that as early as 1858, Special Commissioners appointed to enquire into matters affecting the Indians of Canada reported in the following terms in respect to the land claimed by the Indians in question:-

"The land occupied by this Band at Point Pelee is not "an Indian Reserve, and their right to it has never been "recognized. The small number of persons now remaining might "be without much trouble removed to Walpole Island where "they would enjoy all the advantages necessary to improve "their condition. They have no annuity or land fund, and the "presents having ceased, they will now be entirely unassisted "by Government."

Efforts were made on several different occasions to have the Indians residing at Point Pelee take up their residence on Walpole Island, but without success, and in 1884 Sir John Macdonald when authorizing the payment of expenses of a deputation of the Indians accompanied by a Mr. Schleihauf, who was acting for them, to visit Walpole Island with a view to their being located there, said that if afterwards the Indians remained where they then were they should be allowed to take their own course.

December 6, 1912.

Dear Mr. Crothers,-

With reference to the correspondence you have had with this Department regarding the Indian claims at Point Pelee, I beg leave to say that, pending the receipt from you of the letter from Hon. David Mills, which you thought you would be able to secure for me, I herewith submit a detailed version of the Point Pelee matter in connection with which Mr. Caldwell has written.

On the 19th May, 1790, a meeting was held at Detroit, due notice thereof having previously been given. At this meeting the principal chiefs of the following nations of Indians were present :- eight from the Ottawa Nation, eight from the Chippewa Nation, six from the Pottawatamie Nation and thirteen from the Huron Nation.

The

Hon. T. W. Crothers,
Minister of Labour,
Ottawa.

The Department was represented by Major Murray of the 60th Regimant and Alex. McKee, Deputy Indian Superintendent. There were also present a large number of officers of the 60th Regiment, of the Naval Department, and of the Militia as well as a number of Magistrates and other citizens.

A full discussion took place as to the extent of the land to besurrendered, and an agreement was come to that was satisfactory both to the Government Officers and the Indians.

To show that the Indians were unanimous in granting the lands asked for an extract from the speech of the E. gouch e ouai, Chief of the Ottawas, who spoke for the Confederacy is here given :-

"You have told us that you have received let-
"ters from our Father the General, and our Father Sir John
"Johnson acquainting you that our Father the Great King had
"written to them, to know if we would cede him a piece of
"land extending from the other side of the River to the line
"of that ceded by the Mississagues.
"Father - Is there a man amongst us who will refuse this re-
"quest? What man can refuse what is asked by a father so
"good and so generous, that he has never refused us anything?
"What Nation? None Father! We have agreed to grant all you

ask

" ask according to the limits settled between us and you
" and which we are all acquainted with. We grant it to
"you all father, in presence of our fathers the officers,
" and our brothers the merchants.

x x x x

" Father - This is all I have to say I salute you and all
my brothers here present, as well as all the Indians of
" the different Nations present, and as a proof that all
" we have agreed to is done from our hearts, we are ready
" to sign our marks."

The surrender having been signed, Major Murray informed the Indians that, " Your father the "Governor and Superintendent General ever attentive to ful- "fil the King's wishes for the general good of his children "have commanded us who are placed here under their authority, "to be equally regardful of the ease and comfort of the In- "dians, and of the welfare of the white inhabitants. They "have directed an ample consideration to be given you for the "land, and you have agreed with Captain McKee upon the sum "as fully sufficient.

x x x x

" It remains now only with me to pay you the
" consideration agreed upon, which shall be done to-morrow
" morning as soon as Your several Nations are assembled for
" the purpose. "

Attached to the Surrender is a certificate of the delivery of goods to the several Nations to the value of 1200 pounds currency which was considered to have closed the transaction, no further payment being made or agreed to be made.

Although Point Pelee was included in the surrender, a part of the Chippewa Nation either continued to reside there, or took up their residence at that place later on, and it was not until white settlers began to encroach upon the lands there that in the year 1877, nearly ninety years after the date of the surrender, the Indians under Chief Caldwell began to assert their claim to the land in question.

Chief Caldwell in addition to his claim to land at Point Pelee, also made claim to a share of the annual payment of annuity which he considered was paid in connection with the surrender above mentioned, but which annual payment as above shown was not made.

When this claim came before the Department, Caldwell was informed of the fact that Point Pelee had been surrendered by the Indians, that no reservation had been made there for Indian purposes, and that as payment had been made once for all for the lands the Indians were not entitled to annual

payments

payments therefor. Chief Caldwell was also informed that although he and his Indians could not be protected by the Government in their desire to hold the lands occupied by them at Point Pelee, they could if they were disposed to go there be granted locations on Walpole Island on which a large reserve had been set apart for the Chippewas, Ottawas and Pottawatomies.

It may be added that as early as 1856, Special Commissioners appointed to enquire into matters affecting the Indians of Canada reported in the following terms in respect to the land claimed by the Indians in question:-

" The land occupied by this band at Point Pelee " is not an Indian reserve, and their right to it has never " been recognized. The small number of persons now remaining " might be without much trouble removed to Walpole Island where " they would enjoy all the advantages necessary to improve " their condition. They have no annuity or land fund, and " the presents have ceased, they will now be entirely unassist- " ed by Government. "

Efforts were made on several different occasions to have the Indians residing at Point Pelee take up their residence on Walpole Island, but without success, and in 1884 Sir John Macdonald when authorizing the payment of expenses of a deputation of the Indians accompanied by a Mr. Schleihauf,

who

who was acting for them, to visit Walpole Island with a view to their being located there, said that if afterwards the Indians remained where they then were they should be allowed to take their own course.

Yours very truly,

Frank Pedley

Deputy Superintendent General.