

In the Matter Of:
The Chippewas of Saugeen First Nation et al. v.
Attorney General of Canada et al

VOL 24 DAY 24
July 09, 2019



77 King Street West, Suite 2020
Toronto, ON M5K 1A2
1.888.525.6666 | 416.413.7755

1 Court File No. 94-CQ-50872CM

2 ONTARIO

3 SUPERIOR COURT OF JUSTICE

4 B E T W E E N:

5 THE CHIPPEWAS OF SAUGEEN FIRST NATION, and THE
6 CHIPPEWAS OF NAWASH FIRST NATION

Plaintiffs

7 - and -

8 THE ATTORNEY GENERAL OF CANADA,
9 HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, THE
10 CORPORATION OF THE COUNTY OF GREY, THE
11 CORPORATION OF THE COUNTY OF BRUCE, THE
12 CORPORATION OF THE MUNICIPALITY OF NORTHERN
13 BRUCE PENINSULA, THE CORPORATION OF THE TOWN OF
14 SOUTH BRUCE PENINSULA, THE CORPORATION OF THE
15 TOWN OF SAUGEEN SHORES, and THE CORPORATION OF
16 THE TOWNSHIP OF GEORGIAN BLUFFS

Defendants

17 Court File No. 03-CV-261134CM1

18 A N D B E T W E E N:

19 CHIPPEWAS OF NAWASH UNCEDED FIRST NATION and
20 SAUGEEN FIRST NATION

Plaintiffs

21 - and -

22 THE, ATTORNEY GENERAL, OF CANADA and HER MAJESTY
23 THE QUEEN IN RIGHT OF ONTARIO

Defendants

24 -----
25 --- This is VOLUME 24 / DAY 24 of the trial
proceedings in the above-noted matter, being
held at the Superior Court of Justice, 330
University Avenue, Courtroom 5-2, Toronto,
Ontario, on the 9th day of July 2019.

26 B E F O R E:

27 The Honourable Justice Wendy M. Matheson

1 A P P E A R A N C E S :

2 H.W. Roger Townshend, Esq., for the Plaintiffs,

3 & Benjamin Brookwell, Esq., The Chippewas of

4 Saugeen First

5 Nation, and the

6 Chippewas of Nawash

7 First Nation.

8

9 Michael Beggs, Esq., for the Defendant,

10 & Michael McCulloch, Esq., Attorney General

11 & Barry Ennis, Esq., of Canada.

12

13

14 David Feliciant, Esq., for the Defendant,

15 & Jennifer Le Pan, Esq., Her Majesty the

16 & Richard Ogden, Esq., Queen in Right of

17 & Julia McRandall, Esq., Ontario.

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

PAGE

WITNESS: MARY ANN CORBIERE

Examination-in Chief by Ms. Townshend
(on qualifications).....2322

Cross-Examination by Ms. Le Pan
(on qualifications).....2340

Re-Examination by Mr. Townshend
(on qualifications).....2363

Submissions on qualifications2364

Ruling.....2371

Examination In-Chief by Mr. Townshend.....2379

Cross-Examination by Mr. Ennis.....2422

Cross-Examination by Ms. Le Pan.....2469

	INDEX OF EXHIBITS	
	NO. / DESCRIPTION	PAGE
1		
2		
3	4092 Curriculum Vitae of Professor	2322
4	Mary Ann Corbiere, dated June	
5	2018. Document number SC0744.	
6	F(2) Tender for Qualification of	2340
7	Professor M.A. Corbiere.	
8	Document number SC0743.	
9	4093 Article authored by Professor	2351
10	M.A. Corbiere, entitled "Flying	
11	Blind Over Strange Terrain" or	
12	Ezhi-mkoshnang	
13	Kweji-aan'kinoosjigeng: Issues in	
14	English Nishnaabemwin. Document	
15	SC0726.	
16	4094 Professor Corbiere's report,	2378
17	fronted with the acknowledgment	
18	of expert duty, dated August 2nd,	
19	2013. Document number SC0745.	
20	4095 Professor Corbiere's second	2379
21	report, "Additional questions	
22	with respect to Treaty 45 1/2"	
23	dated June 7th, 2016. Document	
24	number SC0746.	
25		

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX OF EXHIBITS

NO. /	DESCRIPTION	PAGE
4096	Article by John Nichols, Translation of Key Phrases in the Treaties of 1837 and 1855, Fish in the Lakes, Wild Rice and Game in Abundance: Testimony on Behalf of Mille Lacs Ojibwe Hunting and Fishing Rights. Document number S1297.	2382
4097	Statement Made by the Indians': A Bilingual Petition of Chippewas of Lake Superior, 1864. Edited by John Nichols.	2416
4098	Surrender No. 66, June 17, 1852, in Canada, Indian Treaties and Surrenders from 1680 to 1890 - In Two Volumes, Vol. I (Ottawa: Brown Chamberlin, Queen's Printer, 1891), pp. 159-160. Document number SC0740.	2461

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

INDEX OF EXHIBITS

NO. /	DESCRIPTION	PAGE
4099	Letter from Richard Carney, Sydenham, Owen Sound, to Lord Bury, Superintendent General of Indian Affairs, Quebec, April 21, 1855.	2462
4100	Letter from John Johnston to T. G. Anderson, Superintendent of Indian Affairs, June 23, 1856. LAC RG 10 Vol. 226 pp. 134687-134688 Reel C-11538. Document number SC0741.	2464

1 --- Upon commencing at 10:04 a.m.

10:04:27 2 THE COURT: Morning, Mr. Townshend.

10:04:32 3 MR. TOWNSHEND: Morning, Your Honour.

10:04:34 4 THE COURT: Are you calling the next
10:04:34 5 witness or are you standing for some other
10:04:36 6 reason?

10:04:37 7 MR. TOWNSHEND: I'm ready to call my
10:04:38 8 next witness.

10:04:40 9 THE COURT: Before we do that, I just
10:04:41 10 wanted to let all know that we're doing our best
10:04:45 11 to try and ascertain whether the air
10:04:49 12 conditioning in this room will meet the
10:04:57 13 requirements of the summer sitting, bearing in
10:05:01 14 mind a large number of people, and the weather,
10:05:06 15 and on reflection we'll do what we can.

10:05:09 16 But, just in case, I say now you all,
10:05:13 17 all counsel have my permission, without asking,
10:05:17 18 if you wish to take off your outer gown and
10:05:20 19 appear in court in your doublet and other garb,
10:05:25 20 including in the middle of the trial. All
10:05:28 21 right?

10:05:28 22 Because it's more important that you
10:05:29 23 be able to concentrate and, you know, I can't
10:05:34 24 remember why we abolished the summer rules but
10:05:37 25 they don't exist any more. So we're working on

10:05:39 1 it, but don't feel shy if you find it too warm
10:05:43 2 to take off the outer gown. And if anyone -- I
10:05:46 3 mean, I hope we can fix it or improve it. It is
10:05:49 4 not broken, but improve it. But if we can't
10:05:53 5 improve it I'll be open to hearing other
10:05:55 6 requests, temporary resumption of summer rules
10:05:58 7 or whatever.

10:05:59 8 Does anyone remember but me summer
10:06:01 9 rules? You all look sort of blank.

10:06:04 10 MR. TOWNSHEND: I do recall them, but
10:06:05 11 I don't remember their substance.

10:06:08 12 THE COURT: It's just in the summer
10:06:09 13 people wore business suits and not the robes
10:06:11 14 because it's quite heavy. And back in the day,
10:06:14 15 not everything was air conditioned. So that's
10:06:18 16 what we're going to do in the immediate term.
10:06:21 17 You can all take advantage of that, if you're so
10:06:23 18 inclined. And we'll continue to try and up the
10:06:27 19 quotient.

10:06:28 20 There is air conditioning in this room
10:06:29 21 but it just isn't quite up to the challenge.

10:06:33 22 Go ahead, Mr. Townshend.

10:06:35 23 MR. TOWNSHEND: Thank you. My first
10:06:36 24 witness is Professor Mary Ann Corbiere.

10:07:08 25 MARY ANN CORBIERE: AFFIRMED.

1 EXAMINATION IN-CHIEF BY MR. TOWNSHEND:

2 THE COURT: Now, Professor Corbiere,

3 so that everyone can hear you I'd ask you to

4 pull your chair right up. See, there is a

5 microphone on the desk in front of you, and if

6 you want to pull that toward you a little bit as

7 well, that microphone and speak up, if you can,

8 please.

9 And if anyone in the back can't hear

10 if they could just raise their hand. Please go

11 ahead, sir.

12 BY MR. TOWNSHEND:

13 Q. May I have document CV --

14 document SC0744. Is this you're CV, Professor

15 Corbiere?

16 A. Yes, it is.

17 Q. I would like that added as an

18 exhibit.

19 THE COURT: Mr. Registrar.

20 THE REGISTRAR: Exhibit number 4092,

21 Your Honour.

22 EXHIBIT NO. 4092: Curriculum Vitae of

23 Professor Mary Ann Corbiere, dated

24 June 2018. Document number SC0744.

25 THE COURT: All right. Please go

10:09:08 1 ahead.

10:09:08 2 BY MR. TOWNSHEND:

10:09:09 3 Q. So, Professor Corbiere, you have
10:09:11 4 a Ph.D. in education?

10:09:14 5 A. Yes.

10:09:15 6 Q. You're a professor in the
10:09:17 7 Department of Native Studies at Laurentian
10:09:19 8 University?

10:09:21 9 A. Yes. It's now called the
10:09:23 10 Department of Indigenous Studies.

10:09:27 11 Q. Thank you. And you have been a
10:09:30 12 professor since 1995?

10:09:38 13 A. No, since 1989.

10:09:44 14 Q. 1989 was when you began teaching?

10:09:46 15 A. Yes.

10:09:51 16 Q. As being in the tenure stream, it
10:09:53 17 was 1995?

10:09:54 18 A. Yes. Sorry, yeah, 1989 was when
10:09:59 19 it started being tenure stream. It's a
10:10:02 20 five-year probationary period.

10:10:04 21 Q. Okay.

10:10:04 22 A. So in 1995 was when I was awarded
10:10:07 23 tenure.

10:10:10 24 Q. Okay. You were chairman of the
10:10:14 25 department from 1994 to 1997?

10:10:20 1 A. Yes, roughly that time period. I
10:10:23 2 have a bad memory.

10:10:25 3 Q. And what is the principal subject
10:10:27 4 you teach?

10:10:31 5 A. Anishinaabemowin.

10:10:33 6 Q. And what is your first language?

10:10:35 7 A. Anishinaabemowin.

10:10:37 8 Q. And from what community do you
10:10:39 9 come?

10:10:50 10 A. Wikwemikong, commonly said in
10:10:50 11 English as wee-kwen-i-kon.

10:10:51 12 Q. And that is on the eastern tip of
10:10:53 13 Manitoulin Island?

10:10:54 14 A. Yes.

10:10:55 15 Q. Have you spoken in the
10:10:57 16 Anishinaabemowin with speakers from Saugeen and
10:11:01 17 Nawash?

10:11:01 18 A. Yes, I have.

10:11:05 19 Q. Are you able to understand each
10:11:06 20 other?

10:11:07 21 A. Yes.

10:11:11 22 Q. Is the dialect close?

10:11:14 23 A. Yes.

10:11:18 24 Q. Can we scroll to page 5 of the
10:11:21 25 CV? I see you translated a book into

1 Anishinaabemowin and that book is about Daphne
2 Odjig?

3 A. Yes.

4 Q. And then through page 6 to 9 of
5 your CV I counted 48 conference papers that you
6 have given at various academic conferences?

7 A. I haven't counted them myself,
8 but if you counted them as 48 I would not
9 disagree.

10 Q. And are many of them about the
11 Anishinaabemowin language?

12 A. Yes.

13 Q. Can you explain -- one of them is
14 an on-line dictionary project. Can you explain
15 a bit about that?

16 A. The dictionary project is a
17 documentation of the Anishinaabemowin terms that
18 exist and they are being translated into
19 English; and the dictionary will also have an
20 English-to-Anishinaabemowin section. So people
21 searching on-line can choose if they know that
22 they have heard an Anishinaabemowin term that
23 they are not sure what it means, there is a
24 feature where they can write in the
25 Anishinaabemowin term to find out its meaning in

1 English; and, conversely, if somebody has an
2 English term that they would like to know how it
3 would be said in Anishinaabemowin there is a
4 feature where they could enter the English word
5 to see how it would be said in Anishinaabemowin.

6 Q. What caused you to begin work on
7 this dictionary?

8 A. I guess two main reasons led me
9 to undertake the dictionary project.

10 One being an instructor wanting to
11 ensure that there was a comprehensive resource
12 for learners of the language.

13 And, secondly, although there are
14 dictionaries, I guess you would call
15 contemporary dictionaries in that they have been
16 produced since 1980 -- for example, the one by
17 Richard Rhodes -- the dictionaries are not
18 comprehensive, because in using them in the
19 classroom when I would develop activities for
20 students to practice expressing themselves in
21 Anishinaabemowin I would know the word existed,
22 because I've heard it and used it from speaking
23 it in my community growing up, but when I would
24 have the students -- I didn't always have a
25 chance to double-check to see that the existing

1 dictionaries had the word, so students would
2 often come back and say, it's not in the
3 dictionary.

4 So I would jot down the word that is
5 missing. And after some years of teaching the
6 number of words that I was jotting down began
7 adding up to quite a bit.

8 So, at which point I thought, okay, we
9 need a more comprehensive dictionary because
10 there are, it turns out, quite a few terms that
11 are not documented in the existing dictionaries.

12 Q. And how do you go about creating
13 dictionary entries?

14 A. I guess I would describe it as
15 having two main phases. First of all, I began
16 by, myself, just pulling all those various
17 pieces of paper on which I had jotted down the
18 words and beginning to compile them to add to a
19 dictionary, the objective of which was to have
20 published when I compiled all the words that
21 were missing.

22 The other aspect is to check with my
23 fellow speakers, not just from my own community
24 but from other communities that speak
25 Anishinaabemowin, because there are always some

1 differences with a few terms, how they are used.

2 Or that some communities will use
3 terms that are not used in Wikwemikong for the
4 same idea. So it's prudent of me to not assume
5 that the words I know and the meanings that I
6 attribute to them that these are the only words
7 or that those are the only meanings of those
8 terms.

9 So I identified five communities at
10 least, five communities where I knew there were
11 some speakers still remaining. And given the
12 resources I had to meet with people, mother
13 tongue speakers of Anishinaabemowin in those
14 communities and to go through the list of terms
15 that I had compiled and check with them each and
16 every term.

17 So the checking went like this: I
18 would say the word and ask them, do you say this
19 in your community? And if they said, yes, then
20 I would say, what does it mean in your
21 community? And I would be recording, jotting
22 down notes, either if it meant the same thing I
23 just indicated in my notes, yes, it means the
24 same thing there.

25 If a term had a different meaning, has

1 a different meaning in a certain community, then
2 I would ensure that that other meaning was
3 recorded, I would write it down. And I would
4 make sure in my notes to indicate with a dialect
5 code that in this community this term means
6 this, whereas in another community the term
7 means this. So that was the general approach.

8 Q. Are there others you work with on
9 this dictionary?

10 A. In terms of compiling it or
11 editing it? I mean, when you say "work with", I
12 work with Elders. Like when I go to the
13 communities?

14 Q. Other scholars.

15 A. Oh, okay. I work -- yes, there
16 is another scholar I work with.

17 Q. Who is that?

18 A. Dr. Rand Valentine.

19 Q. And what is his role?

20 A. I basically relied on him to
21 design the database for the dictionary.

22 Q. And how far along are you in this
23 project?

24 A. I guess I can best describe that
25 in terms of the processes in which I have

1 engaged and what I still need to do.

2 So far I've done three cycles of
3 workshops. By a "cycle" I mean that the first
4 time I went out to each community, each of the
5 five communities, I went out with the terms I
6 have compiled myself.

7 In the course of doing that, as I
8 would meet with community members and as
9 between -- in breaks during our workshop
10 sessions, over lunch or at the end of the day
11 when people would be chatting, I would be
12 continually, either during the workshop itself,
13 new terms would come up.

14 For example, if I asked, do you say
15 this term? And if they said no, and I explained
16 what it meant in English from my community then
17 they would say, oh, we say it this way. So I
18 would jot those terms down.

19 So that kind of thing happened in each
20 and every community that they were mentioning a
21 number of terms that either had not occurred to
22 me but that I realized, oh yeah, those are used
23 in Wikwemikong as well, or in some cases, terms
24 I had never heard because they are particular to
25 other -- a couple of other communities.

10:20:37 1 So that -- those kinds of terms that I
10:20:42 2 had not originally documented I kept track of
10:20:46 3 those. And those, again, added up to a fair
10:20:53 4 number of perhaps 2- or 3,000.

10:20:54 5 So what would often happen is, for
10:20:57 6 instance, if I -- I can't remember the order of
10:20:59 7 workshops I did, like which community I went to
10:21:02 8 first but, as an example, if I went to Walpole
10:21:08 9 Island and finished checking my first batch of
10:21:12 10 terms, if you can call the list that, and added
10:21:20 11 in my notes the terms that they raised that I
10:21:22 12 had not heard. So I would go onto the next
10:21:24 13 community, they would raise another set of terms
10:21:29 14 that I had not heard.

10:21:33 15 So, for example, if I went to Curve
10:21:35 16 Lake, and so Curve Lake might have said another
10:21:38 17 thing, and I had not heard that in Walpole
10:21:42 18 Island so I hadn't had a chance to check with
10:21:45 19 Walpole, By the way, do you also say this term
10:21:48 20 that I heard later on from Curve Lake?

10:21:51 21 So I ended up organizing a second
10:21:54 22 cycle or series of workshops to, again,
10:21:57 23 double-check with people the terms that had come
10:22:00 24 up in each successive workshop with each
10:22:05 25 successive community.

1 And, again, a second cycle the same
2 thing happened. So now I am in the third cycle
3 or series of workshops. So I've finished those
4 with four of the communities. And I've done
5 six, if I recall correctly, with my own home
6 community. And I still have, I don't know,
7 another three or four workshops worth of words
8 to go through with my home community. So once I
9 finish with my home community that will have
10 been three series of workshops with all five
11 communities.

12 And I -- yeah, this can go on, I
13 guess, almost indefinitely. But, yeah, the
14 project has to be brought to a close at some
15 point, and accepting the fact that there are
16 probably still some terms, who knows how many,
17 floating around in people's minds that didn't
18 come up in workshops and doesn't pop into my
19 head.

20 So because it's an on-line dictionary,
21 if something pops into my head later on, or
22 somebody else mentions a term that never arose
23 in the three series of workshops, the on-line
24 dictionary will allow me to add that term into
25 the dictionary.

1 Q. How many word entries are there
2 in the dictionary by now?

3 A. At this point the count is
4 apparently over 12,000 words.

5 Q. Continuing on your CV and the
6 page there, right up there, the top entry is
7 2008 "Flying Blind Over Strange Terrain", and
8 then an Anishinaabemowin phrase "Issues in
9 English-Anishinaabemowin translation".

10 THE COURT: What page are you on, sir?

11 MR. TOWNSHEND: This is at the top of
12 page 6. It's right at the top of the screen.

13 THE COURT: The screen doesn't show me
14 the page number.

15 MR. TOWNSHEND: Oh, I'm sorry. Yes,
16 the page numbers are at the bottom.

17 THE COURT: I'm looking at the printed
18 version that was together with this witness'
19 report that is not paginated the same way. So
20 I'm trying to find that.

21 MR. TOWNSHEND: I'm sorry, what we've
22 called up as an exhibit is an updated CV.

23 THE COURT: I assumed so, which is
24 fine. It may have been reformatted as well as
25 updated.

10:25:05 1 MR. TOWNSHEND: Yes, and it's longer.

10:25:06 2 There are quite a few extra entries in it.

10:25:10 3 THE COURT: That's fine. Please go

10:25:11 4 ahead.

10:25:13 5 BY MR. TOWNSHEND:

10:25:14 6 Q. So that item that is highlighted
10:25:15 7 on the screen, that relates to translation?

10:25:17 8 A. Yes.

10:25:20 9 Q. And then down, there's a heading
10:25:22 10 "Non-Refereed" and there's an item mentioned
10:25:29 11 2015 "Our words, they are a-changin" (sic).

10:25:33 12 Does that relate to 19th century
10:25:38 13 Anishinaabemowin language?

10:25:39 14 A. Yes, it does.

10:25:41 15 Q. And on page 7, entry February
10:25:46 16 27th, 2014, that's a similar title. Does that
10:25:57 17 also relate to 19th century language?

10:25:59 18 A. Yes, it does.

10:26:05 19 Q. And on page 8, the top of page 8,
10:26:07 20 March 2009, "Coming Together of Peoples", which
10:26:14 21 is a talk you gave and the title of the
10:26:16 22 presentation was about expert witnesses and
10:26:17 23 testimony in Indian treaty law.

10:26:19 24 So was that about translation?

10:26:21 25 A. Yes, it was.

10:26:23 1 Q. Was it also about 19th century
10:26:26 2 Anishinaabemowin?

10:26:26 3 A. Yes, it was.

10:26:34 4 Q. If I could go over to page 10.
10:26:40 5 The third item that's listed as August, December
10:26:44 6 2016. This was the preparation of an expert
10:26:47 7 report for use in Aboriginal title and treaty
10:26:53 8 rights litigation, is that correct?

10:26:55 9 A. Yes.

10:26:55 10 Q. And that was about translation?

10:26:57 11 A. Yes, it was.

10:26:58 12 Q. And it was about 19th century
10:27:00 13 Anishinaabemowin?

10:27:01 14 A. Yes, it was.

10:27:06 15 Q. Further down on the same page
10:27:07 16 there is an entry for December 2015, "Editorial
10:27:11 17 Review for Law Society of Upper Canada". You
10:27:15 18 reviewed the Anishinaabemowin translation of a
10:27:18 19 guide the Law Society produced, is that right?

10:27:23 20 A. Yes.

10:27:23 21 Q. And that's about translation?

10:27:25 22 A. Yes, it is.

10:27:27 23 Q. On the next page, page 11, going
10:27:31 24 down near the bottom of the page, item June 2004
10:27:36 25 and February 2005, that's expert witness for

10:27:41 1 Chippewa Ottawa Resource Authority, and you
10:27:44 2 provided some analysis of
10:27:47 3 English-Anishinaabemowin translation issues?

10:27:52 4 A. Yes.

10:27:52 5 Q. And that was in relation to 19th
10:27:54 6 century language?

10:27:55 7 A. Yes, it was.

10:28:01 8 Q. On the next page, page 12, down
10:28:10 9 about the fifth from the bottom you have a list
10:28:13 10 of translations there, Jordan's Principle
10:28:16 11 Poster, synopsis and background on the book and
10:28:20 12 film "Indian Horse", and signage for university,
10:28:25 13 for Laurentian University, is that right?

10:28:27 14 A. Yes.

10:28:31 15 Q. On the next page, page 13, under
10:28:35 16 the heading -- first thing under the heading
10:28:38 17 "2015-2016", you're an editorial reviewer of
10:28:42 18 Anishinaabemowin translation for a document for
10:28:44 19 the Law Society of Upper Canada, is that right?

10:28:48 20 A. Yes.

10:28:49 21 Q. And the next one is a translator
10:28:52 22 for some patient symptom guides for medical use,
10:29:01 23 is that correct?

10:29:02 24 A. Yes.

10:29:05 25 Q. And at the bottom of that

1 section, a translator for the Ministry of the
2 Attorney General of Ontario, explanatory
3 questions, cover letter for prospective jurors.
4 So that's, again, a translation?

5 A. Yes.

6 Q. And the third from the bottom
7 there was a facilitator of discussions in
8 Anishinaabemowin, and at the end of that
9 description you say you transcribed parts of the
10 discussion, translated them into English, et
11 cetera, is that right?

12 A. Yes.

13 Q. And then, finally, on page 15,
14 there are a number of translation tasks. At the
15 very top of the page the translation into
16 Anishinaabemowin of -- the first item is an
17 elementary school curriculum, is that right?

18 A. Yes.

19 Q. And the second is signage for a
20 courthouse in Manitoulin Island?

21 A. Yes.

22 Q. Under the heading 2009-2010, the
23 second item is translation into Anishinaabemowin
24 of two, 10-page pamphlets on cancer for the
25 Canadian Cancer Society?

10:30:26 1 A. Yes.

10:30:26 2 Q. And, finally, under the 2008
10:30:29 3 heading there is "A Translator", you've got a
10:30:30 4 list of translators for various government
10:30:36 5 agencies, hospitals, and others dealing with
10:30:38 6 native clientele and you have nine different
10:30:39 7 things under that?

10:30:44 8 A. Yes.

10:30:45 9 Q. And the next item is editor of
10:30:47 10 materials translated into Anishinaabemowin by
10:30:51 11 others by request of the Sudbury District Health
10:30:55 12 Unit?

10:30:56 13 A. Yes.

10:31:08 14 Q. Could I have document SC0743 up,
10:31:11 15 please? This is what we're tendering Professor
10:31:22 16 Corbiere as an expert for.

10:31:25 17 Professor of the Anishinaabemowin
10:31:27 18 language, with expertise in the field of
10:31:29 19 English-to-Anishinaabemowin,
10:31:32 20 Anishinaabemowin-to-English translation, and
10:31:33 21 capable of giving opinion evidence on the likely
10:31:36 22 range in meaning to Anishinaabe people of
10:31:39 23 English words and phrases when translated into
10:31:41 24 Anishinaabemowin in the 19th century, and on the
10:31:44 25 challenges that confront

1 English-Anishinaabemowin translators.

2 THE COURT: Is there is any objection
3 to that tender?

4 MR. ENNIS: No, Your Honour.

5 MS. LE PAN: Your Honour, we'd like
6 the opportunity to ask the witness several
7 questions before we confirm whether or not we
8 object to the tender.

9 THE COURT: Do you mean to say you
10 wish to exercise your right to cross-examine
11 this witness on her credentials?

12 MS. LE PAN: Yes, I do.

13 THE COURT: Please go ahead.

14 MR. TOWNSHEND: Perhaps I can remind
15 you that there was an agreement of counsel that
16 evidence on the voir dire will be considered
17 evidence in the trial.

18 THE COURT: Yes, I think we sorted
19 that out at an earlier stage.

20 Just while you're getting organized,
21 this will not affect your cross-examination. I
22 would like to mark the tender document as a
23 lettered exhibit as we have done with other such
24 documents.

25 I take it you have no objection to

10:33:03 1 that?

10:33:04 2 MS. LE PAN: No, we have no objection.

10:33:05 3 THE COURT: Mr. Registrar.

10:33:08 4 THE REGISTRAR: Lettered Exhibit F(2).

10:33:12 5 EXHIBIT NO. F(2): Tender for

10:33:13 6 Qualification of Professor M.A.

10:33:13 7 Corbiere. Document number SC0743.

10:33:26 8 THE COURT: Please go ahead, counsel.

10:33:30 9 CROSS-EXAMINATION BY MS. LE PAN:

10:33:45 10 (On expert qualifications.)

10:33:46 11 Q. Good morning, Your Honour; good

10:33:47 12 morning, Professor Corbiere.

10:33:49 13 Your Honour, just to clarify, there

10:33:53 14 were -- I wanted to ask Professor Corbiere

10:33:55 15 questions about her experience with 19th century

10:33:58 16 English and Anishinaabemowin texts and, to the

10:34:03 17 extent that we will be making an objection, it

10:34:05 18 will be to a narrow portion of the tender, the

10:34:08 19 phrase "in the 19th century".

10:34:10 20 THE COURT: Thank you. Please go

10:34:11 21 ahead.

10:34:14 22 BY MS. LE PAN:

10:34:14 23 Q. So good morning, Professor

10:34:16 24 Corbiere. My name's Jennifer Le Pan, counsel

10:34:18 25 for Ontario.

10:34:19 1 In terms of education you mentioned
10:34:20 2 you had a BSc in Earth & Environmental studies,
10:34:24 3 a Masters in Business Administration and a Ph.D.
10:34:28 4 in Theory and Policy in Education, correct?

10:34:30 5 A. Yes.

10:34:31 6 Q. And those programs don't offer
10:34:32 7 courses or training in translation, correct?

10:34:35 8 A. Correct.

10:34:36 9 Q. And those programs didn't offer
10:34:39 10 courses or training in history or historical
10:34:41 11 research, correct?

10:34:42 12 A. Correct.

10:34:43 13 Q. And you don't have any formal
10:34:44 14 training in linguistics, correct?

10:34:46 15 A. Correct.

10:34:47 16 Q. So no linguistic models or
10:34:49 17 theories have been brought to bear on the
10:34:51 18 analysis in your reports, correct?

10:34:56 19 A. While I don't have formal
10:34:58 20 linguistic training, I have made it a point to
10:35:03 21 familiarize myself with pertinent linguistic
10:35:07 22 concepts.

10:35:13 23 Q. Okay. But you've never taken any
10:35:15 24 formal training in linguistics?

10:35:17 25 A. No, I have not taken formal

10:35:19 1 training.

10:35:21 2 Q. And you've never taught a
10:35:23 3 linguistics course?

10:35:29 4 A. If you mean by a linguistics
10:35:31 5 course a course within a department of
10:35:32 6 linguistics that is explicitly linguistics
10:35:34 7 topics such as morphology or phonology, no.

10:35:46 8 Q. And you are aware of professional
10:35:48 9 degree programs in Canada which exist to train
10:35:50 10 translators and interpreters, for example,
10:35:52 11 Masters of BAs in translation studies,
10:35:55 12 correct?

10:35:55 13 A. I know that such programs exist.

10:35:58 14 Q. And those professional degree
10:35:59 15 programs offer courses like research methodology
10:36:02 16 or theory and practice, text analysis, things
10:36:06 17 like that, right?

10:36:09 18 A. I cannot say categorically what
10:36:14 19 comprises the curriculum because I have never
10:36:17 20 looked into the actual detailed curriculum of
10:36:20 21 such programs.

10:36:21 22 Q. That's fair, but to the best of
10:36:22 23 your knowledge it would cover such courses as
10:36:24 24 the ones I've listed?

10:36:27 25 A. Can you repeat the courses that

10:36:28 1 you listed?

10:36:29 2 Q. Research methodology, theory and
10:36:31 3 practice, text analysis, ethics, culture and
10:36:35 4 translation?

10:36:37 5 A. To the best of my knowledge those
10:36:39 6 are the kinds of topics that would be covered in
10:36:45 7 a training program in a school of translators
10:36:48 8 and interpreters.

10:36:50 9 Q. And you would agree that those
10:36:52 10 professional degree programs exist because
10:36:54 11 translation is a complex endeavour?

10:37:03 12 A. The programs exist because it's
10:37:06 13 recognized that, yes, it is a complex endeavour
10:37:11 14 that requires professional training.

10:37:13 15 Q. Thank you.

10:37:16 16 So then would you also agree that
10:37:18 17 there's more to translation than just being
10:37:20 18 fluent in the two languages that one is
10:37:23 19 translating between?

10:37:28 20 A. Translating requires more than
10:37:30 21 fluency because it also requires the translator
10:37:35 22 to be cognizant that in a given context,
10:37:38 23 different contexts a given word can have
10:37:45 24 different meanings.

10:37:49 25 Q. And your CV is clear that you

1 haven't taken any professional degree programs
2 in translation or interpretation, correct?

3 A. Yes, my CV is accurate in that
4 regard.

5 Q. And you haven't taken any courses
6 on the practice of translation outside of a
7 professional degree program, correct?

8 A. The training I have taken has
9 been informal through workshops.

10 Q. And are any of those workshops
11 listed on your CV?

12 A. I didn't list them on the CV.

13 Q. You didn't think they were of
14 sufficient importance to list on your CV?

15 A. No, it's probably -- no, it's
16 more that when we prepare a CV, you're trying to
17 recall -- a CV comes from an annual report. So
18 we prepare our annual report and we try to
19 recall what we did in a given year.

20 And certain activities just, I don't
21 recall -- I don't recall them at a given time.

22 Q. And you don't teach any
23 translation or interpretation courses, correct?

24 A. At the university where I work
25 there is not a program on translation and

10:39:15 1 interpretation where such courses could be
10:39:17 2 offered, so there is not a context for me to
10:39:23 3 teach any such courses.

10:39:24 4 Q. And at the other institutions
10:39:27 5 that do offer translation or interpretation
10:39:29 6 programs, you've never taught there, correct?

10:39:33 7 A. When you talk -- did you say at
10:39:35 8 the other institutions?

10:39:37 9 Q. Yeah, at other institutions, for
10:39:39 10 example, we spoke earlier about some of the
10:39:41 11 BAs or the Masters programs, the professional
10:39:44 12 degree programs that exist on translation and
10:39:46 13 interpretation, and I just want to confirm that
10:39:49 14 you've never taught courses in any of those
10:39:51 15 professional degree programs?

10:39:53 16 A. No, I have not taught courses in
10:39:55 17 a school of translation or interpretation.

10:39:57 18 Q. Thank you. And you don't have
10:40:00 19 any licences or certifications with respect to
10:40:02 20 translation, correct?

10:40:12 21 A. If it is appropriate I would like
10:40:15 22 to point out that there is no accreditation
10:40:20 23 system for the professional practice of
10:40:23 24 English-to-Anishinaabemowin,
10:40:26 25 Anishinaabemowin-to-English translation, so

10:40:29 1 logically there is no where I could obtain such
10:40:32 2 certification.

10:40:33 3 Q. That's fair.

10:40:36 4 And then translation certificates or
10:40:39 5 licences more broadly, you don't hold any of
10:40:42 6 those?

10:40:44 7 A. Again, if it's appropriate, I
10:40:46 8 would point out that -- can you -- may I please
10:40:52 9 hear that question again?

10:40:53 10 Q. So with respect to certificates
10:40:55 11 of translation more broadly, you don't hold any
10:40:58 12 of those?

10:41:01 13 A. Okay. First of all, I don't know
10:41:03 14 that there would be a broad certification of
10:41:06 15 translation and interpretation because your
10:41:11 16 qualifications would depend on -- would relate
10:41:14 17 to given languages.

10:41:16 18 So, again, if there were certification
10:41:20 19 that, by which -- where I would be assessed as
10:41:23 20 to whether I'm qualified to translate between
10:41:26 21 English and Anishinaabemowin, the -- yeah, there
10:41:32 22 would be a place where I could go to seek that
10:41:34 23 certification, but, again, no such thing exists.

10:41:39 24 Q. Okay.

10:41:41 25 A. And there's no such thing as a

10:41:43 1 general. It's language-specific, are you
10:41:47 2 certified to be an English to German translator,
10:41:52 3 for instance.

10:41:53 4 Q. And you would agree with me that
10:41:54 5 both Anishinaabemowin and English have evolved
10:41:57 6 or they have changed over time, is that a fair
10:41:58 7 statement?

10:42:04 8 A. The assumption, based on the
10:42:06 9 general trend of any languages, would be that
10:42:10 10 they would have changed to some degree.

10:42:22 11 Q. And so is it fair to say that
10:42:24 12 based on that assumption, certain words or turns
10:42:28 13 of phrases or expressions which would have
10:42:31 14 existed a hundred or 200 years ago, they are no
10:42:34 15 longer used today or no longer as common place?

10:42:39 16 A. There have been some instances
10:42:41 17 where there have been words documented in -- in
10:42:49 18 19th century dictionaries that I have not heard
10:42:53 19 in my community. It's hard to say categorically
10:42:59 20 that they no longer exist because some words are
10:43:03 21 quite specialized, so if the activity to which
10:43:09 22 they pertain is not engaged in any more, there
10:43:12 23 is not an occasion to use them.

10:43:14 24 But speakers might still know that
10:43:17 25 those words exist but they don't have an

10:43:21 1 occasion to use them because of the way of life
10:43:24 2 today.

10:43:28 3 Q. So they are not used as commonly?

10:43:30 4 A. Some words are not used as
10:43:31 5 commonly.

10:43:32 6 Q. And would you agree that the
10:43:33 7 changes to English and Anishinaabemowin over the
10:43:37 8 past two hundred years have been quite
10:43:39 9 significant?

10:43:42 10 A. It's hard to say how significant
10:43:45 11 they are without going through dictionaries.
10:43:52 12 For example, or if there were texts documenting
10:43:58 13 usage without having -- without going through
10:44:04 14 those in detail, it's hard to ascertain
10:44:10 15 whether -- what changes were relatively trivial
10:44:16 16 and what changes were significant.

10:44:18 17 Q. And that's an exercise that you
10:44:19 18 haven't done?

10:44:22 19 A. I've done it to some degree for a
10:44:24 20 certain number of words.

10:44:32 21 Q. Have you ever taken any courses
10:44:34 22 or training in the translation of 19th century
10:44:39 23 Anishinaabemowin text?

10:44:40 24 A. Again, in answering that I would
10:44:42 25 need to point out that there are -- no such

1 course exists. And certainly if a course
2 existed, I would definitely take it.

3 Q. Are there courses on translation
4 of 19th century or historic texts more broadly?
5 So I know earlier we had mentioned that in some
6 of the professional degree programs there were
7 courses on research methodologies or theory.
8 Are there courses that are offered with respect
9 to issues when translating historic texts?

10 A. I don't know.

11 Q. And so it's fair to say that if
12 you don't know, if they did exist you've never
13 taken them?

14 A. If they did exist no, I haven't
15 taken them.

16 Q. And are you aware if there's any
17 guidelines, course books or authoritative texts
18 for how to properly translate texts from the
19 19th century or historical text more generally,
20 or articles?

21 A. I don't know whether or not such
22 texts -- such specific texts exist.

23 Q. And are you aware of any
24 standards or best practices when it comes to the
25 translation of 19th century texts?

10:45:58 1 A. Again, I don't know whether there
10:46:00 2 is a text specific to the 19th century.

10:46:05 3 Q. Or historic texts more generally?
10:46:07 4 That was my --

10:46:08 5 A. Right, or historic texts.

10:46:11 6 Q. And are you aware of translators
10:46:13 7 who specialize in translation of historic texts
10:46:17 8 or documents?

10:46:18 9 A. I don't know whether there are
10:46:20 10 such translators with such specializations.

10:46:23 11 Q. Have you ever looked into whether
10:46:25 12 or not they exist?

10:46:30 13 A. Not on that specific topic.

10:46:34 14 Q. So when you spoke with my friend,
10:46:35 15 you outlined some of your experience. He went
10:46:37 16 through your CV, and I just want to take you
10:46:41 17 back to a couple of those points and ask you a
10:46:44 18 few more questions.

10:46:45 19 So perhaps if we could now call up
10:46:47 20 Professor Corbiere's CV so she has it in front
10:46:52 21 of her? The exhibit number is 4092. And just
10:46:56 22 bear with me, Professor Corbiere, while we do
10:47:00 23 the set up for this. Sorry about this.

10:47:21 24 So if we go to page 6 of that
10:47:23 25 document, my friend took you to an article which

10:47:28 1 you wrote which was titled "Flying Blind Over
10:47:31 2 Strange Terrain" I believe?

10:47:35 3 A. Uhm-hmm, yes.

10:47:36 4 Q. Did that involve working with any
10:47:38 5 19th century documents?

10:47:49 6 A. That far back I -- yeah, I can't
10:47:56 7 recall offhand exactly the details of that
10:47:59 8 article.

10:48:01 9 Q. Okay. Would it help you if I
10:48:06 10 pulled up that article for you?

10:48:08 11 A. Yes.

10:48:46 12 Q. If we can pull up document
10:48:47 13 SC0726, there it is. Is this the article that
10:48:50 14 is referenced in your CV?

10:48:51 15 A. Yes, it is.

10:48:52 16 Q. And you are the author of this
10:48:53 17 document?

10:48:53 18 A. Yes, I am.

10:48:54 19 Q. Your Honour, I would ask this be
10:48:56 20 marked as the next exhibit?

10:48:59 21 THE COURT: Mr. Registrar.

10:49:01 22 THE REGISTRAR: Exhibit number 4093.

10:49:03 23 EXHIBIT NO. 4093: Article authored by
10:49:05 24 Professor M.A. Corbiere, entitled
10:49:05 25 "Flying Blind Over Strange Terrain" or

10:49:05 1 Ezhi-mkoshnang
10:49:05 2 Kweji-aan'kinoosjigeng: Issues in
10:49:05 3 English Nishnaabemwin
10:49:05 4 Translation. Document number SC0726.
10:49:16 5 BY MS. LE PAN:

10:49:16 6 Q. And perhaps if we can scroll
10:49:18 7 through that document so you can look it over
10:49:20 8 briefly. And, again, just so you remember, my
10:49:21 9 question is whether or not in writing this
10:49:24 10 article you had to work with any 19th century
10:49:26 11 documents.

10:49:31 12 A. Could you please scroll a little
10:49:32 13 bit more slowly?

10:50:03 14 (Witness reading the document.)

10:50:04 15 Thank you, next screen.

10:50:28 16 (Witness reading the document.)

10:50:30 17 Thank you, I've read up to "fact
10:50:32 18 sheets".

10:50:48 19 (Witness reading the document.)

10:50:49 20 I've read up to "subpoena".

10:50:54 21 (Witness reading the document.)

10:50:54 22 I have finished up to the "translation
10:51:22 23 of a".

10:51:24 24 (Witness reading the document.)

10:51:24 25 Thank you. I've read up to "theories

1 and practices".

2 (Witness reading the document.)

3 Okay, I've read up to "translator".

4 (Witness reading the document.)

5 Thank you. I've read up to "12,000
6 words".

7 (Witness reading the document.)

8 I've read up to the "deadlines
9 involved".

10 (Witness reading the document.)

11 Okay. Thank you. I've read up to
12 "conscious".

13 (Witness reading the document.)

14 Thank you, I've read up to "example
15 of".

16 (Witness reading the document.)

17 Q. Perhaps -- I don't mean to
18 interrupt you, perhaps in the interest of time
19 we can park this question, if you don't have a
20 memory more broadly about what this text
21 involves.

22 A. Yes. Well, what I've read so
23 far, I apparently was talking about my
24 experience with that particular translation job
25 of that arts catalogue.

10:54:21 1 Q. So from what you can see so far,
10:54:23 2 there was no work with 19th century texts?

10:54:31 3 A. This particular article did not
10:54:33 4 involve 19th century text, right.

10:54:35 5 Q. Thank you.

10:54:36 6 So I'll go back now to your CV. And
10:54:40 7 if we go to page 7, there is an entry there
10:54:48 8 about -- I think it's an article, "Words, they
10:54:51 9 are a changin". Is that an article or a talk?

10:54:57 10 A. Okay, the way these work
10:54:59 11 typically, for these kinds of conferences you
10:55:02 12 present what effectively is a draft paper at the
10:55:05 13 conference. And then after the conference ends,
10:55:11 14 you have an opportunity to submit a paper on the
10:55:15 15 topic you spoke about in the form of an article
10:55:18 16 to go into proceedings of the conference. So...

10:55:21 17 Q. Thank you. And so you mentioned
10:55:25 18 that this paper and the talk that you gave
10:55:29 19 involved working with 19th century text. Can
10:55:32 20 you describe what kind of texts you were working
10:55:34 21 with?

10:55:36 22 A. Can you point me to the specific
10:55:37 23 article?

10:55:38 24 Q. Of course. So --

10:55:41 25 A. Again, find it by date.

1 Q. February 27th, 2014, you will see
2 the cursor is right there.

3 A. Okay. Can you please repeat the
4 question?

5 Q. Of course. What -- you mentioned
6 that you worked with 19th century text in the
7 course of preparing this draft paper. Can you
8 describe what texts you worked with?

9 A. I looked at the -- at Baraga's
10 dictionary.

11 Q. Did you look at any other 19th
12 century texts?

13 A. There is only one other 19th
14 century text that I could have looked at and
15 it's not -- it's different from Baraga's in that
16 Baraga includes both Anishinaabemowin-to-English
17 side and an English-to-Anishinaabemowin side.
18 The other text available to me has only
19 English-to-Anishinaabemowin.

20 So given the focus of this talk,
21 Baraga's was the most appropriate of the two
22 that existed, that exist.

23 Q. Thank you. And now if we go down
24 to page 8 of your report --

25 THE COURT: The report or the --

1 BY MS. LE PAN:

2 Q. Thank you, the CV. So if we
3 scroll down to page 8, there is an entry March
4 2009, "The coming together of peoples". And you
5 mentioned that this also involved working with
6 19th century texts. Can you describe what 19th
7 century texts you worked with for this activity?

8 A. That one -- I do not recall
9 specifically what the texts were. It's too far
10 back for me to remember.

11 Q. Do you recall how many there
12 were?

13 A. I don't recall that either.

14 Q. And if we scroll down to page 10
15 of your CV, the third item down, the date is
16 August to December 2016. And it's an expert
17 report from the use in title and treaty
18 litigation. You mentioned that this involved
19 19th century texts. Can you describe what texts
20 were involved in that?

21 A. The type of text, it was a treaty
22 that was being looked at.

23 Q. And did you look at any other
24 19th century texts with respect to that
25 activity?

10:58:33 1 A. When you say "texts", what do you
10:58:35 2 mean?

10:58:41 3 Q. Perhaps I am not using the
10:58:42 4 correct terminology. I mean a document, or a
10:58:46 5 text, really broadly a book, anything along
10:58:50 6 those lines, article. Any document that was
10:58:53 7 created in the 19th century.

10:58:56 8 A. Yes, I looked at another book.

10:58:58 9 Q. And what was that book?

10:59:00 10 A. Baraga's dictionary.

10:59:08 11 Q. And I would like to now scroll
10:59:09 12 down to page 11 of your CV. There is an entry
10:59:14 13 from June 2004 and February 2005. There we go.

10:59:21 14 Expert witness for the Chippewas
10:59:24 15 Ottawa Resource Authority in which you provided
10:59:28 16 the analysis of English-to-Anishinaabemowin
10:59:32 17 translation issues. And you mentioned that that
10:59:34 18 also involved 19th century -- or analysis of
10:59:37 19 19th century documents. Can you describe what
10:59:40 20 those documents were?

10:59:43 21 A. In general terms -- again, I
10:59:45 22 can't recall specifics that far back -- the
10:59:49 23 document involved was a treaty.

10:59:55 24 Q. And did you look at any other
10:59:57 25 19th century documents for the purposes of

1 preparing that report or analysis?

2 A. I can't recall, yeah, what
3 exactly I looked at.

4 Q. And I think those were the only
5 items on your CV which involved work -- your
6 work with 19th century, either English texts or
7 19th century Anishinaabemowin texts, but if I'm
8 wrong, could you point me to any other work
9 that's on your CV that has involved working with
10 19th century English or Anishinaabemowin texts?

11 A. I would have to go through each
12 page to try and recall if a particular thing
13 listed involved 19th century texts.

14 Q. Well, for the purposes of time, I
15 think we can leave that, but it's safe to say
16 that nothing is jumping off the page at you as
17 another big project that's involved working with
18 19th century text?

19 A. The CV reflects what I recalled
20 at the time I was preparing my annual reports.
21 And it's possible that I over -- that something
22 slipped my mind. It happens on occasion.

23 Q. I want to ask you -- I just have
24 a few more questions for you. I want to ask you
25 a question relating to the dictionary project

11:01:42 1 that you'd mentioned.

11:01:45 2 You outlined that when you were
11:01:48 3 conducting the research for the dictionary
11:01:51 4 project, you spoke with multiple different
11:01:52 5 communities who all used different words. Am I
11:01:58 6 understanding that correctly? Or would use
11:02:02 7 words in different ways?

11:02:05 8 A. One can't say that they all used
11:02:08 9 different words. It has to be specific in terms
11:02:14 10 of a given word.

11:02:18 11 Q. Okay. But there were
11:02:19 12 discrepancies between the communities in terms
11:02:21 13 of the words that they used, some words?

11:02:25 14 A. The differences would be better
11:02:27 15 labelled variations rather than discrepancies.

11:02:30 16 Q. Okay. Thank you.

11:02:32 17 And in order to find those
11:02:43 18 discrepancies or determine where the
11:02:46 19 discrepancies lay, I understand that you met
11:02:49 20 with different community members and spoke with
11:02:52 21 them about their -- the language, correct?

11:02:58 22 A. I held workshops with groups of
11:03:02 23 speakers in the communities, and I also spoke
11:03:12 24 with them informally, outside of the formal
11:03:14 25 workshop context.

1 Q. And you stated that you found as
2 many as 2,000 to 3,000 of these discrepancies,
3 correct?

4 A. No, that is a misunderstanding of
5 what I said.

6 Q. My apologies. Can you correct
7 me, please?

8 A. The 2,000 or so words, whatever
9 it amounted to, were not discrepancies and they
10 were not necessarily variations. They were just
11 things that I myself, a particular word that I
12 knew just had not popped into my mind.

13 Q. Oh, I see.

14 A. It's like asking you, can you
15 tell me all the words in English that you know?
16 You are going to miss a whole bunch of words.

17 Q. I think I'd miss quite a few.

18 A. Especially if we only have a
19 limited time do this. And invariably later on
20 you would likely think, oh right, there is also
21 this word. So that was very much the process.

22 There was, oh, there's also this word
23 I heard. If people think of -- if people would
24 think of specific examples or recall, say, what
25 their mother used to say or what their father

11:04:24 1 used to say. Oh yeah, he also said this for
11:04:28 2 this idea. So that's how those -- those are the
11:04:31 3 ways in which the 2,000 words came to be.

11:04:34 4 Q. Okay. Thanks for that
11:04:36 5 clarification.

11:04:39 6 It's impossible to do the kind of
11:04:42 7 exercise that you undertook for the dictionary
11:04:45 8 process speaking with all the different
11:04:47 9 communities for communities from the past to
11:04:52 10 determine the discrepancies that would have
11:04:54 11 existed between the communities in the past,
11:04:56 12 correct?

11:04:58 13 A. When you say communities from the
11:05:01 14 past, could you --

11:05:02 15 Q. So the different, different First
11:05:08 16 Nations communities. So the Wiky First Nation
11:05:14 17 or the SON First Nation, to determine
11:05:17 18 discrepancies that would have existed in the
11:05:18 19 language in the 19th century, we're not able to
11:05:21 20 do the kind of exercise that you did with
11:05:24 21 respect to the dictionary project, correct?

11:05:27 22 A. To the extent that the speakers
11:05:29 23 of the 1800s are no longer alive, right, I could
11:05:33 24 not check first-hand with how, for example, my
11:05:38 25 great grandparents would have -- the terms they

1 would have used or what they would have meant by
2 those terms.

3 Q. So how do you measure accuracy
4 when translating a 19th century text?

5 A. The way in which accuracy can be
6 gauged is by referring to Baraga's dictionary
7 and Wilson's. And also if there are such texts
8 that we find transcriptions of -- of whatever
9 people, Anishinaabemowin speakers had written
10 down, whether they wrote it down themselves or
11 had somebody transcribe for them expressing
12 their thoughts, and people from the time having
13 translated those.

14 So there are those kinds of materials
15 available from archives as well.

16 Q. Thank you. I have no further
17 questions.

18 THE COURT: Any re-examination,
19 Mr. Townshend?

20 MR. FELICIAN: Your Honour, if we
21 could just have one moment? Sorry. Sorry, Your
22 Honour, I apologize.

23 MR. TOWNSHEND: I just have one
24 question.

1 RE-EXAMINATION BY MR. TOWNSHEND:

2 Q. Do you have difficulty
3 understanding the Baraga dictionary or the
4 Wilson dictionary?

5 A. No.

6 MR. TOWNSHEND: That is my
7 re-examination.

8 THE COURT: Can somebody put the
9 tender back up on the screen, please?

10 Professor Corbiere, you will see this
11 document in front of you uses a word
12 "Anishinaabemowin". I'm saying it slowly so you
13 see all of the syllables. And I noticed that at
14 least in your older version of your curriculum
15 vitae, you use a number of other words.

16 They are not on the page so I'll just
17 try and go through them slowly with you. For
18 example, you describe the principal subject
19 taught as Nishnaabemwin,
20 N-I-S-H-N-A-A-B-E-M-W-I-N.

21 Elsewhere in your CV you refer to, in
22 papers and such, Anishinaabemowin, in other
23 words A-N-I-S-H-I-N-A-A-B-E-M-O-W-I-N, which is
24 more in line with that document that you're
25 looking at.

11:09:18 1 And then in another place I noticed
11:09:20 2 Nishnaabemowin spelled without the "O" in it,
11:09:29 3 and I can't say I've picked all of these things
11:09:32 4 up, but there are several different words. My
11:09:36 5 question for you is, do they mean anything
11:09:38 6 different from one another or are they different
11:09:40 7 spellings of the same word?

11:09:44 8 THE WITNESS: They do not mean
11:09:45 9 anything different from one another. They are
11:09:48 10 different spellings of the same word.

11:09:52 11 THE COURT: Thank you. Mr. Townshend,
11:09:54 12 do you have any questions arising from my
11:09:55 13 question?

11:09:56 14 MR. TOWNSHEND: No, Your Honour.

11:09:59 15 THE COURT: Counsel on the defendants'
11:10:01 16 side?

11:10:02 17 MS. LE PAN: No.

11:10:02 18 THE COURT: Ontario, do you take any
11:10:05 19 objection to the tender?

11:10:06 20 MS. LE PAN: Yes, Your Honour.

11:10:08 21 THE COURT: Please come forward and
11:10:09 22 make your submissions.

11:10:13 23 MS. LE PAN: Your Honour, we would
11:10:14 24 object to the one narrow portion of the tender,
11:10:16 25 specifically the phrase "in the 19th century".

1 Subject to the removal of that phrase we have no
2 other objection to the tender.

3 The basis for our objection is that
4 the witness is extremely limited and remote
5 experience working with 19th century
6 Anishinaabemowin or English text.

7 From her CV and from the evidence
8 that's been given today, she's listed only a
9 handful of documents that she's worked with
10 regarding 19th century texts, including two
11 treaty documents and Baraga's dictionary. And
12 outside of that, I see no other experience she's
13 had working with 19th century documents.

14 She also has no education or training
15 in this area and, as a result, she has limited
16 skill with respect to the translation of 19th
17 century documents.

18 Coupled with the witness' lack of
19 formal education and formalized training with
20 respect to the field of translation more
21 generally, we would submit that the witness is
22 not properly qualified as having expertise in
23 19th century text.

24 So if it's of assistance to Your
25 Honour --

11:11:27 1 THE COURT: Just take a breath,
11:11:29 2 counsel. When you say she has no education or
11:11:45 3 training "in this area", what area are you
11:11:47 4 referring to?

11:11:49 5 MS. LE PAN: With respect to working
11:11:50 6 with 19th century documents or historical
11:11:52 7 documents. So while Ms. -- or Professor
11:11:57 8 Corbiere has outlined her experience translating
11:12:00 9 in a modern-day context, she has very little
11:12:04 10 experience working with 19th century documents.

11:12:16 11 THE COURT: And you said that the
11:12:20 12 evidence was that she had listed only a handful
11:12:22 13 of documents including two treaty documents and
11:12:26 14 one dictionary. I think she mentioned two
11:12:29 15 dictionaries.

11:12:30 16 MS. LE PAN: That's actually correct.
11:12:32 17 That's my mistake. There's also the Wilson's
11:12:35 18 dictionary she mentioned.

11:12:37 19 THE COURT: So what aspect of the
11:12:38 20 Mohan test do you ask me to have regard for,
11:12:42 21 aspect or also aspects?

11:12:45 22 MS. LE PAN: I would say that in terms
11:12:46 23 of her qualifications, she has insufficient
11:12:53 24 expertise, training and experience in order to
11:13:00 25 meet that test.

1 THE COURT: All right. So you're
2 saying that this witness is not properly
3 qualified?

4 MS. LE PAN: Yes, on that narrow
5 point, the 19th century point.

6 THE COURT: Mr. Townshend, what is
7 your response to that?

8 MR. TOWNSHEND: Your Honour, this has
9 to dealt with in the context that we're dealing
10 with.

11 There are very few written 19th
12 century Anishinaabemowin documents, so it's not
13 surprising this witness has not seen very many
14 of them. There just aren't very many of them.

15 Formalized training is not a
16 requirement of the Mohan test.

17 THE COURT: Just on that point, I
18 didn't have the impression that the evidence was
19 limited to historical documents in that
20 language, and, in fact, the treaties that the
21 witness referred to herself were not in that
22 language.

23 The questions were more generically,
24 did you consult any documents from that time
25 period, not in that language.

1 MR. TOWNSHEND: But the context is in
2 relation to translating though.

3 THE COURT: Well, I appreciate that,
4 sir, but the bulk of the report that I read has
5 to do with an English document, or maybe two
6 English documents.

7 MR. TOWNSHEND: Yes.

8 THE COURT: At the time they obviously
9 did not have a written -- I don't know which of
10 these terms to use. I accept the witness'
11 evidence that they all mean the same thing. At
12 the time there was no written Anishinaabemowin
13 document that existed.

14 MR. TOWNSHEND: There are the
15 occasional one.

16 THE COURT: Well, not in relation to
17 the specific treaties. In other words, there
18 was no written translation made at the time.

19 MR. TOWNSHEND: Yes.

20 THE COURT: But the cross-examination
21 wasn't limited to existing, pre-existing
22 documents in that language.

23 So when you say there were very few of
24 them in that language, that's point number one,
25 but it doesn't affect the existence of other

11:15:35 1 documents created at that time.

11:15:38 2 MR. TOWNSHEND: That's true, but I was
11:15:40 3 understanding the objection being whether
11:15:44 4 Professor Corbiere is sufficiently conversant
11:15:46 5 with 19th century Anishinaabemowin.

11:15:52 6 I think we can take it that 19th
11:15:54 7 century English is not so different from today
11:15:56 8 that it's a particularly difficult thing to
11:15:59 9 read.

11:16:01 10 Although I mean --

11:16:01 11 THE COURT: Well, I think you've
11:16:03 12 missed my point, but why don't you go ahead and
11:16:05 13 make your submission. Your first point was that
11:16:07 14 there were very few -- historically very few
11:16:11 15 written documents in that language. Please, go
11:16:13 16 ahead.

11:16:15 17 MR. TOWNSHEND: Which makes it
11:16:15 18 difficult to have a check on exactly how much
11:16:17 19 the language has changed.

11:16:19 20 I mean, one can look at the two
11:16:23 21 dictionaries and that's -- as Professor Corbiere
11:16:27 22 said, that's just about it. And she's familiar
11:16:29 23 with those dictionaries, and she uses them and
11:16:32 24 has no trouble understanding them.

11:16:36 25 The second point I make, the

1 formalized training is not a requirement for
2 being qualified as an expert and this witness
3 has done much translation.

4 And as far as being accredited, well,
5 there aren't programs one can take in
6 English-Anishinaabemowin translation. There
7 just aren't formal -- there aren't formal
8 training in that. So I think that she doesn't
9 have that. Really, in the context, it does not
10 go very far.

11 THE COURT: Anything further?

12 MR. TOWNSHEND: No, those are my
13 submissions.

14 THE COURT: All right. Reply? I
15 haven't asked Canada, because they don't seem to
16 be taking a position. Is that correct,
17 Mr. Beggs?

18 MR. BEGGS: That's correct, Your
19 Honour.

20 THE COURT: All right. Please go
21 ahead, counsel for Ontario.

22 MS. LE PAN: Your Honour, I simply
23 reply that if 19th century English is not so
24 different from current English, then there's no
25 need for, in the 19th -- her to be qualified as

11:17:44 1 an expert with respect to 19th century -- in the
11:17:47 2 19th century.

11:17:48 3 THE COURT: I did not understand that.

11:17:52 4 MS. LE PAN: My friend has mentioned
11:17:54 5 that there's not a large change between 19th
11:17:58 6 century English and current-day English. And if
11:18:02 7 that's the case, then there would be no need for
11:18:05 8 this expert to be qualified with respect to --
11:18:09 9 specifically with respect to the 19th century.

11:18:16 10 THE COURT: So?

11:18:18 11 MS. LE PAN: So the portion of the
11:18:19 12 tender that we are objecting to could simply be
11:18:22 13 removed.

11:18:22 14 THE COURT: I don't think that's what
11:18:24 15 Mr. Townshend said. I could be wrong. Do you
11:18:27 16 have anything else to say?

11:18:29 17 MS. LE PAN: Nothing else to add.

11:18:30 18
11:18:30 19 -- RULING --

11:18:30 20
11:18:30 21 THE COURT: All right. This is my
11:18:30 22 ruling on the objection made by Ontario to a
11:18:30 23 portion of the tender asking that the Court
11:18:30 24 accept Professor Corbiere as an expert witness
11:18:30 25 in this trial.

1 The tender that is uncontested
2 provides that this professor has expertise in
3 the field of English-to-Anishinaabemowin and
4 Anishinaabemowin-to-English translation, and is
5 capable of giving opinion evidence on the likely
6 range and meaning to the Anishinaabe people of
7 English words and phrases, when translated into
8 Anishinaabemowin, and on the challenges that
9 confront English-Anishinaabemowin translators.

10 That portion of the tender is not
11 contested and I accept that this witness is able
12 to testify about those matters.

13 The portion of the tender that is
14 contested is the submission that this witness'
15 expertise is on the likely range and meaning to
16 the Anishinaabe people of English words and
17 phrases when translated into Anishinaabemowin in
18 the 19th century in particular.

19 For a witness to testify as an expert
20 witness and to be accepted as such in this
21 court, it is required to be demonstrated that
22 the witness is properly qualified in all aspects
23 that she or he is tendered to testify about.

24 Expert evidence is only permitted on
25 areas of special knowledge about which the court

1 requires assistance, and I don't think there is
2 any doubt that these language issues fall into
3 that general category.

4 As well, as Mr. Townshend has
5 submitted, it is not necessary that that
6 expertise arise from formal education. While
7 formal education is a regular and ordinary way
8 to establish expertise, it is equally acceptable
9 to demonstrate that a witness has experience
10 based upon which he or she should be accepted to
11 have the requisite special knowledge.

12 In this case, although it seems
13 obvious that there isn't a lot of formal
14 training if you get down to the level of this
15 particular language, there certainly is formal
16 training for translators generally covering
17 relevant subjects like methodology,
18 analysis and so on, as was elucidated in the
19 cross-examination.

20 I also recognize that the witness
21 herself has emphasized in one of her own
22 writings, that we looked at this morning, that
23 translation is exceedingly complicated or
24 exceedingly complex.

25 Bearing all factors in mind, and

11:18:30 1 bearing in mind that it appears that there is no
11:18:30 2 substantive training in the narrow subject
11:18:30 3 matter that we're looking at here - that is
11:18:30 4 substantive training in the translation between
11:18:30 5 these two languages in regard to 19th century
11:18:30 6 documents in particular - and there is,
11:18:30 7 therefore, not a widely-available course or
11:18:30 8 training that this witness could have attended,
11:18:30 9 and bearing in mind this witness' experience, I
11:18:30 10 am going to permit the tender as put forward by
11:18:30 11 plaintiff's counsel.

11:18:30 12 However, I will take into account what
11:18:30 13 I agree appears to be a fairly small amount of
11:18:30 14 experience looking at 19th century documents in
11:18:30 15 relation to the translation exercise. And, in
11:18:30 16 that regard, I am not limiting my observation to
11:18:30 17 19th century documents written in
11:18:30 18 Anishinaabemowin; obviously there are few, if
11:18:30 19 any, of those. My ruling is based on the
11:18:30 20 answers to questions more generally about
11:18:30 21 whether this witness consulted what is a
11:18:30 22 substantial record of 19th century documents in
11:18:30 23 English in considering her evidence about
11:18:30 24 translations between these English treaties and
11:18:30 25 the largely unwritten language in the 19th

1 century of Anishinaabemowin.

2 So I will consider those submissions
3 in relation to the weight to give the testimony
4 of this witness, but I am going to accept the
5 tender as it has been put forward by
6 Mr. Townshend.

7 That is the end of my ruling.

8 Since it's 11:30 I'm going to take the
9 morning break at this time, and we'll recommence
10 after the morning break with the examination
11 in-chief.

12 Before we do that, as counsel are
13 aware, there is an agreement in this trial that
14 most and indeed this witness' written reports,
15 of which there are two, are being introduced
16 into evidence as her evidence rather than
17 plaintiff's counsel being obliged to elicit all
18 the same evidence in this trial this morning in
19 the witness box.

20 So we can mark the two documents after
21 the break, but those two documents, the report
22 from 2008 and a supplementary later report from
23 2016, will become the majority of this witness'
24 examination in-chief. And Mr. Townshend will be
25 permitted to ask this witness some questions to

11:29:49 1 elaborate on her evidence, after which we'll
11:29:53 2 have cross-examination.

11:29:55 3 So we'll take the break at this time.

11:29:56 4 -- RECESSED AT 11:29 A.M. --

11:29:58 5 -- RESUMED AT 11:52 A.M. --

11:52:36 6 THE COURT: Are you ready to begin by
11:52:37 7 marking the two documents as exhibits,
11:52:39 8 Mr. Townshend?

11:52:40 9 MR. TOWNSHEND: Yes, I would like to
11:52:41 10 bring up document SC0745. I want to make a
11:52:50 11 summary note that the way Professor Corbiere
11:52:52 12 structured her report, she has got dictionary
11:52:55 13 entries as appendices.

11:52:57 14 When that went into the ready database
11:53:01 15 the appendices were kind of all pulled apart
11:53:04 16 which made it hard to use; so we have downloaded
11:53:08 17 as this document, we have added electronic
11:53:12 18 bookmarks for each of the appendices to make it
11:53:15 19 easier to find, which was not in the document --
11:53:20 20 so that's the only difference. We've just added
11:53:22 21 these electronic bookmarks. I wanted to make
11:53:26 22 that clear.

11:53:27 23 And we do have a paper copy if you
11:53:38 24 would prefer that as well.

11:53:39 25 THE COURT: You have prefiled it with

11:53:41 1 me. I have that paper copy.

11:53:42 2 MR. TOWNSHEND: Oh yes, okay. It
11:53:43 3 doesn't have tabs on it.

11:53:44 4 THE COURT: That's fine.

11:53:46 5 MR. TOWNSHEND: All right. We'll
11:53:46 6 leave it at that. And I do want to be clear
11:53:47 7 that the -- rather than making all these
11:53:49 8 appendices separate exhibits that we just
11:53:51 9 consider them part of her report and evidence as
11:53:54 10 such.

11:54:00 11 THE COURT: All right. Can you
11:54:01 12 describe the exhibit, please?

11:54:02 13 MR. TOWNSHEND: The exhibit is
11:54:08 14 Professor Corbiere's report. It begins --

11:54:12 15 THE COURT: Sir --

11:54:14 16 MR. TOWNSHEND: Sorry?

11:54:16 17 THE COURT: There needs to be a
11:54:17 18 description of the exhibit. I haven't heard one
11:54:19 19 yet. I think I know the answer which is it's
11:54:20 20 Professor Corbiere's report dated such-and-such
11:54:24 21 a date, but if you could put it on the record
11:54:26 22 please.

11:54:27 23 MR. TOWNSHEND: Yes. It is Professor
11:54:28 24 Corbiere's report the -- it's fronted with the
11:54:31 25 acknowledgment of expert duty and that's dated

1 August 2nd, 2013.

2 THE COURT: The report itself is 2008,
3 is it not?

4 MR. TOWNSHEND: That date is just the
5 date of the form, not the date that the form was
6 signed.

7 THE COURT: I'm just looking at the
8 written filing from your office, and that's the
9 date, but I'll correct it. What is the correct
10 date? August -- I'll just put down August 2013.
11 And what exhibit is that, Mr. Registrar?

12 THE REGISTRAR: Exhibit 4094.

13 EXHIBIT NO. 4094: Professor
14 Corbiere's report, fronted with the
15 acknowledgment of expert duty, dated
16 August 2nd, 2013. Document number
17 SC0745.

18 THE COURT: And the second report,
19 Mr. Townshend, is described how?

20 MR. TOWNSHEND: The second report is
21 document SC0746. That is Professor Corbiere's
22 report, "Additional questions with respect to
23 Treaty 45 1/2 dated June 7th, 2016".

24 THE COURT: All right, Mr. Registrar.

25 THE REGISTRAR: Exhibit 4095.

11:56:04 1 EXHIBIT NO. 4095: Professor
11:56:06 2 Corbiere's second report, "Additional
11:56:06 3 questions with respect to Treaty 45
11:56:06 4 1/2" dated June 7th, 2016. Document
11:56:06 5 number SC0746.

11:56:07 6 THE COURT: Thank you, please go
11:56:07 7 ahead, sir.

11:56:08 8 EXAMINATION IN-CHIEF BY MR. TOWNSHEND:

11:56:12 9 Q. If we go to the first report
11:56:13 10 again. I'd like to start at page 5, near the
11:56:25 11 end of -- the bottom of page 5, there's a
11:56:28 12 section called "Expressing ideas in
11:56:31 13 Anishinaabemowin".

11:56:32 14 And so Professor Corbiere, can you
11:56:37 15 tell us a little bit about the structure of the
11:56:39 16 language and how it differs from the structure
11:56:41 17 of English?

11:56:45 18 THE COURT: Just to be clear, you are
11:56:46 19 not being invited to read your report, which is
11:56:48 20 already in evidence.

11:56:49 21 THE WITNESS: Thank you for that
11:56:50 22 clarification.

11:56:54 23 THE COURT: Since it's right in front
11:56:54 24 of you and that's pretty much what it's talking
11:56:58 25 about.

11:56:59 1 MR. TOWNSHEND: Yes, I was just asking
11:57:00 2 for a brief capsule.

11:57:02 3 THE COURT: I see. Please go ahead.

11:57:04 4 THE WITNESS: Okay. It's hard to make
11:57:08 5 a brief capsule explanation of the differences,
11:57:12 6 but the differences I would characterize as
11:57:20 7 being of two major types. One type is the kind
11:57:28 8 of words we use to express ideas. The kinds of
11:57:35 9 words we use are the parts of speech.

11:57:39 10 We use verbs a lot more in
11:57:42 11 Anishinaabemowin in comparison to English, which
11:57:46 12 use -- within which many ideas are expressed
11:57:50 13 with nouns.

11:57:52 14 The other difference is that we don't
11:57:56 15 have infinitives of verbs, per se. So when we
11:58:01 16 use a verb, depending on the verb, there is
11:58:05 17 implicitly, either implicitly understood who is
11:58:11 18 doing the action described, and if the action
11:58:16 19 involves an object who or what the object is,
11:58:22 20 grammatically speaking, in a sentence.

11:58:26 21 We don't make use of -- although we
11:58:28 22 have pronouns, we don't make use of them
11:58:31 23 extensively in routine remarks.

11:58:38 24 Information like tense, past tense,
11:58:40 25 the future tense "will", for example, are not

1 expressed using auxiliary verbs such as "was" or
2 "were" or "did". They are expressed through
3 prefixes that are also attached to the verb.

4 I guess for purposes here, I would
5 characterize those two major differences as
6 being particularly salient.

7 BY MR. TOWNSHEND:

8 Q. Could I have document S1297,
9 please? This is a -- an article by John
10 Nichols. Professor Corbiere, can you tell us who
11 John Nichols is?

12 A. John Nichols is a linguist.

13 Q. Can you say a little more about
14 him?

15 A. Who has done -- whose research
16 has focused on Ojibwe, which is another term for
17 Anishinaabemowin.

18 Q. Do you consider him a reliable
19 scholar?

20 A. Yes, I do.

21 Q. And this article is one you
22 referred to in your report, so I would like this
23 made an exhibit.

24 THE COURT: Mr. Registrar.

25 THE REGISTRAR: Exhibit number 4096.

12:00:33 1 EXHIBIT NO. 4096: Article by John
12:00:35 2 Nichols, Translation of Key Phrases in
12:00:35 3 the Treaties of 1837 and 1855, Fish in
12:00:35 4 the Lakes, Wild Rice and Game in
12:00:35 5 Abundance: Testimony on Behalf of
12:00:35 6 Mille Lacs Ojibwe Hunting and Fishing
12:00:35 7 Rights. Document number S1297.

12:00:35 8 BY MR. TOWNSHEND:

12:00:43 9 Q. So on the first page of the
12:00:44 10 article, which is page 514, after the heading,
12:00:50 11 you have the sentence:

12:00:54 12 "English and Ojibwe are about as
12:00:56 13 different as any two languages can be
12:01:00 14 in the way that words and sentences
12:01:01 15 are constructed".

12:01:02 16 And then over on, the end of the first
12:01:04 17 paragraph on the next page, 515, he gives an
12:01:09 18 example of translating the English word "break".
12:01:16 19 Can you just make a comment on that?

12:01:24 20 A. The example he gives is one of
12:01:26 21 many examples that can be given that illustrate
12:01:30 22 the grammatical differences in how sentences are
12:01:35 23 put together and the kinds of ideas that are put
12:01:41 24 into words in Anishinaabemowin when in contrast
12:01:47 25 to what might not be put into words in saying

12:01:51 1 something in English.

12:02:16 2 Q. At paragraph 6 and 7 you discuss
12:02:21 3 the spelling in Anishinaabemowin. Can you just
12:02:25 4 explain, is Anishinaabemowin spelling standard?
12:02:28 5 And are there different systems of it? Just say
12:02:34 6 a little bit about that.

12:02:41 7 A. There has not been one system
12:02:43 8 developed that has been adopted universally by
12:02:47 9 all speakers of Anishinaabemowin.

12:02:54 10 In this -- in these contemporary
12:02:57 11 times, by which I mean since roughly 1970s when
12:03:05 12 Anishinaabemowin began being taught, there is
12:03:08 13 one system that has been used to train people
12:03:12 14 who teach their language. They call that the
12:03:16 15 double vowel system. And that's what Nichols
12:03:19 16 uses; that's what Richard Rhodes uses; that's
12:03:24 17 what Rand Valentine uses; that's what I have --
12:03:29 18 that's what I use.

12:03:30 19 And any instructors who are being
12:03:36 20 trained to teach the language through the
12:03:38 21 existing programs at Lakehead University and at
12:03:41 22 Nipissing University use that system. It's
12:03:52 23 fairly different from the system that Baraga
12:03:54 24 used and Wilson also used a different system.

12:04:00 25 They are different in, in the way they

1 use the Roman alphabet. All the writing systems
2 so far use the Roman alphabet, but they use them
3 in different ways.

4 Q. Do the sounds in Anishinaabemowin
5 track the same way onto the sounds of English?
6 I mean, I'm thinking as an example at the top of
7 page 7. You have the same word. Some of it
8 starts with a "P" and some of it starts with a
9 "B". Can you explain how that is?

10 A. Why that variation exists?

11 Q. Yeah.

12 A. The reason for such variations is
13 because writers of the language, from what I
14 have seen, the written materials I've seen have,
15 all taken a phonetic approach to writing the
16 language.

17 Now, that is not as straightforward as
18 it sounds, because when they think of the
19 phonetic approach, they are -- English examples
20 come to mind. So that's one aspect.

21 Okay. So I guess to give a quick
22 example, if you were writing the term "butter"
23 as in "pass if butter", if you were taking the
24 phonetic approach you would think, oh yeah,
25 "buh", that's a "B", butter that is a "D". So

12:05:38 1 you might write it as b-u-d-d-e-r. Of course
12:05:42 2 that's not written as b-u-d-d-e-r. Most people
12:05:47 3 consider that incorrect. It's written at
12:05:50 4 b-u-t-t-e-r, although in Canada, at least, very
12:05:53 5 few I guess would say butter. So that's one
12:06:02 6 aspect that accounts for one variation of this
12:06:05 7 sort.

12:06:09 8 The other aspect is the nature of
12:06:10 9 Anishinaabemowin itself, it's phonology, the
12:06:14 10 kinds of sounds it uses.

12:06:16 11 So there are pairs of sounds that are
12:06:19 12 similar in that the way one's mouth works to
12:06:24 13 produce them is largely similar. So B and P are
12:06:27 14 one of those sounds. Linguistically they are
12:06:30 15 called the contrast or they label the contrast
12:06:33 16 in one of two ways. One of the sounds is
12:06:36 17 considered voiced, that is the "B"; the other
12:06:38 18 sound is considered devoiced, that is the "P".
12:06:44 19 Another term they use is lenis and fortis.

12:06:50 20 In Anishinaabemowin there are many
12:06:51 21 words where the sound is not categorically a "B"
12:06:57 22 and it's not categorically a "P". It's like if
12:07:00 23 you put those sounds on a spectrum with "buh"
12:07:03 24 and the "puh" at opposite ends, many of our
12:07:10 25 sounds are somewhere between those.

1 And the pronunciation of a given word,
2 again -- and also within a speech community not
3 everybody pronounces a given sound in exactly
4 identical ways.

5 So in this one, for example, when
6 Baraga was presumably hearing bgidnaan, he was
7 trying to determine which of the Roman letters
8 that I'm using best represents the sound of that
9 word.

10 And in his estimation, apparently, it
11 was that -- it was more like a "P" than a "B".
12 So he chose "P", to write it with a "P".

13 Many materials I've come across, and
14 when I write myself, when I think of not only
15 how I say it but how I hear other people say it,
16 my sense, from what I'm hearing, it's more like
17 a "B". So I write the word with a "B". But in
18 those instances the word, whether it's like an
19 English if you say "please pass me the budder"
20 and then somebody else says "please pass me the
21 butter", the English speaker would recognize
22 they are talking about the same thing. So
23 that's how those differences work.

24 Speakers realize that although another
25 speaker puts a slightly different pronunciation

1 on a thing, they understand they are talking
2 about the same thing.

3 Q. So can you talk about the
4 implications for translation that come from the
5 structural differences between Anishinaabemowin
6 and English?

7 A. What do you mean by "structural
8 differences"?

9 Q. You were talking earlier about
10 verbs and preverbs and post verbs as opposed to
11 English usage.

12 A. Okay. How we put together
13 sentences?

14 Q. Yes.

15 A. It's hard for me to think quickly
16 what all the possible implications of that might
17 be, but one example that comes to mind is that,
18 because of the absence of infinitives in
19 Anishinaabemowin, and in English the use of verb
20 infinitives is very common in English speech,
21 for an English idea that's expressed -- where
22 there's a verbal idea expressed with an
23 infinitive, meaning there's no indication of who
24 is doing that action, in Anishinaabemowin we
25 would have to ascertain from the context, okay,

12:10:34 1 who is doing is the action? Do I put this -- do
12:10:37 2 I put the translation in a form that indicates
12:10:39 3 the actor is a third person, like he or she?

12:10:48 4 Or if it's addressed to -- or if it's
12:10:50 5 the case where the verb involves a grammatical
12:10:55 6 object, like the pronoun "you" in English, in
12:10:57 7 Anishinaabemowin we indicate explicitly whether
12:11:00 8 "you" refers to one person, if it's "you"
12:11:04 9 singular or if it's "you" plural. That affects
12:11:07 10 the Anishinaabemowin.

12:11:11 11 That would affect the translation of a
12:11:13 12 sentence that had "you" as either the actor --
12:11:20 13 the person doing the action or the object, the
12:11:26 14 person to whom or for whom or with whom an
12:11:29 15 action is being done.

12:11:33 16 So that's one example that comes
12:11:35 17 readily to mind.

12:11:44 18 Q. At the top of page 9 of your
12:11:46 19 report you talk about "non-equivalence". Can
12:11:51 20 you explain what that means?

12:11:55 21 A. Okay. Non-equivalence is spoken
12:11:58 22 of in the practice of translation and
12:12:01 23 interpretation. Because it is often the case
12:12:04 24 that a word that exists in one language, there
12:12:09 25 is not a way of saying that word in the same way

12:12:18 1 in another language.

12:12:23 2 To give you an example, you say
12:12:25 3 "confiscate". That has a specific meaning in
12:12:29 4 English. In Anishinaabemowin -- it's a verb in
12:12:32 5 English, it has a specific meaning. In
12:12:35 6 Anishinaabemowin, there is not a verb that has
12:12:39 7 that specific meaning.

12:12:41 8 So a translator or interpreter would
12:12:44 9 say the word -- the English word "confiscate"
12:12:49 10 does not have an exact equivalent in
12:12:52 11 Anishinaabemowin. So that is an example of what
12:12:59 12 is meant by non-equivalence.

12:13:02 13 Q. At the bottom of that paragraph
12:13:04 14 you have the concept "blurred edges" in quotes,
12:13:09 15 second-last line of that paragraph. Is that the
12:13:18 16 same point or is that a slightly different
12:13:21 17 point? I'm not sure.

12:13:22 18 A. I have to remind myself what I
12:13:24 19 just said. Same point about --

12:13:28 20 Q. Well, you were talking about
12:13:29 21 "confiscate".

12:13:31 22 A. Yeah, right. It lacking the
12:13:33 23 equivalent.

12:13:34 24 No, this is a slightly different
12:13:37 25 point. This one pertains -- from my

12:13:44 1 understanding of Baker, pertains to the fact
12:13:47 2 that some words have more than one meaning.
12:13:53 3 They are used in more than one way.

12:13:58 4 And to -- "blurred edges" is in the
12:14:02 5 context of the broader quote. So the specific
12:14:05 6 meaning a word has, yeah, is realized, as it
12:14:14 7 says there, in a specific context.

12:14:19 8 So a word I use in here in this
12:14:21 9 setting, if I use it elsewhere over in informal
12:14:26 10 coffee shop discussions with somebody, chats,
12:14:29 11 and the same word comes up in the context of our
12:14:32 12 discussion -- it not being a legal matter -- the
12:14:36 13 word, that the word has a different meaning
12:14:39 14 would be apparent.

12:14:45 15 Q. Can you go back to the Nichols
12:14:48 16 article at Exhibit 4096, or 4097 actually.
12:14:58 17 There it is.

12:15:00 18 On page 515 there, the end of the
12:15:08 19 third paragraph on the bottom is giving an
12:15:14 20 example:

12:15:14 21 "Each of the verb stem for
12:15:15 22 'break' given above, like any Ojibwe
12:15:20 23 verb, may appear in 3,000 to 5,000
12:15:23 24 distinct inflected forms, depending on
12:15:26 25 which affixes are required in a

12:15:29 1 particular use."

12:15:30 2 And it goes on to say:

12:15:33 3 "Accurate translation between
12:15:33 4 languages with such radically
12:15:33 5 different grammars can be extremely
12:15:36 6 difficult information must constantly
12:15:38 7 be left out or added to make sense in
12:15:40 8 the other language[...]"

12:15:42 9 Could you comment on that, please?

12:15:45 10 A. Okay. I'll comment first on the
12:15:48 11 possible number of inflected forms.

12:15:52 12 Q. Perhaps you can explain what
12:15:54 13 inflection is?

12:15:55 14 A. Okay. Inflection is the general
12:15:59 15 term that linguists use to talk about the
12:16:02 16 different forms that words have. So, for
12:16:11 17 example, to give an English example, "think" and
12:16:14 18 "thought", as in "I think that is a good idea,"
12:16:17 19 or "I thought that was a good idea". "Think"
12:16:20 20 and "thought" are different inflections of the
12:16:27 21 verb "think".

12:16:28 22 In Anishinaabemowin it's not only the
12:16:32 23 tense that's -- that results in a different
12:16:35 24 inflection, it's also who is doing the action,
12:16:39 25 to whom or what they are doing it and other

1 kinds of information we need to convey.

2 For example, if I said, I wonder what
3 he thinks? In Anishinaabemowin that would
4 generate a different form of the verb I would
5 use for "think" in that context in
6 Anishinaabemowin.

7 So, yes, there are many, many
8 different forms that verbs take depending on the
9 exact sentence in which they're used.

10 Q. And the next point he was making
11 of constantly leaving out or adding things. Can
12 you comment on that, please.

13 A. Okay. So I think I can comment
14 on that by just referring to the example he
15 gives, although there would be many other
16 examples.

17 So, as an example, if somebody is
18 working with -- from English into
19 Anishinaabemowin and somebody said, he broke --
20 he broke it. Okay. Somebody said, he broke it.
21 In Anishinaabemowin we would have to know -- if
22 we didn't know -- okay.

23 I find translation practice -- what's
24 involved at a practical level sometimes a bit --
25 requires several words to explain.

1 He broke it. Okay. That information
2 in English does not indicate whether the person
3 used his hand to break something or whether he
4 used on instrument to break something. Okay?

5 In Anishinaabemowin, however we
6 translate that would indicate some specific
7 manner of breaking, whether it was manually with
8 one's hands or with an instrument, say a hammer.
9 They hit something with a hammer.

10 The fact that an instrument was used
11 would be indicated in Anishinaabemowin
12 automatically. We would have to indicate some
13 manner.

14 So in that case -- well, a translator
15 who is, I guess, aware of the need for
16 specifics, if there is not enough contextual
17 information surrounding the remark, "he broke
18 it", they would -- they should check, okay --
19 they would want a fuller picture of the context
20 so they can pick the appropriate
21 Anishinaabemowin verb to use.

22 And the other information, of course,
23 is what Nichols notes, that the other
24 information for this particular verb is the kind
25 of object that was broken.

1 So a verb for something that is rigid,
2 like a stick, is different from an object that
3 is like a rope that is flexible. And whether it
4 is a three-dimensional object that is
5 characterized as being roundish in shape,
6 whether it is a sheet of paper. Things like
7 that.

8 So those are the kinds of information
9 that are detailed in Anishinaabemowinal that in
10 English would not necessarily be put into words
11 in an instance.

12 Q. I would like to turn to Treaty 72
13 now. And what you were asked was how you would
14 have you -- how the Saugeen and Nawash would
15 have understood what they were giving up in
16 Treaty 72. And we asked you to assume what I
17 think is uncontested that Peter Jacobs, who was
18 a missionary, was the translator at Treaty 72.

19 So starting with the text of the
20 Treaty, did you read the text of the Treaty?

21 A. Yes, I did.

22 Q. And so you then focused on a
23 particular phrase about that, which occurred
24 several times in the Treaty as "full and
25 complete surrender". And you isolate that on

12:21:40 1 page 3 of your report.

12:21:55 2 So then starting with the word
12:21:57 3 "surrender", what word did you identify as the
12:22:01 4 likely Anishinaabemowin?

12:22:04 5 THE COURT: I am just going to
12:22:06 6 interrupt you, counsel. Obviously I have read
12:22:09 7 this report in detail. And I know that this
12:22:11 8 witness has gone through in detail page after
12:22:14 9 page after page of all the different words and
12:22:17 10 all the different connotations and all the
12:22:19 11 different alternatives and so on.

12:22:21 12 Are you proposing to do that all over
12:22:23 13 again, sir?

12:22:28 14 MR. TOWNSHEND: I can go a little
12:22:29 15 faster.

12:22:30 16 THE COURT: It's not speed I'm
12:22:32 17 concerned about. It's very detailed evidence
12:22:39 18 that we have in this report. It would certainly
12:22:42 19 not be in keeping with having the report then to
12:22:46 20 go through that level of detail over again.

12:22:49 21 MR. TOWNSHEND: Yes.

12:22:51 22 THE COURT: Your question seemed to be
12:22:52 23 on that track.

12:22:54 24 MR. TOWNSHEND: All right.

12:22:54 25 THE COURT: Because if you go through

12:22:55 1 each word and each permutation -- my word, not
12:22:59 2 the witness' -- but she has done a very careful
12:23:02 3 analysis and it's very detailed.

12:23:05 4 MR. TOWNSHEND: All right.

12:23:07 5 THE COURT: I'm not sure what your
12:23:09 6 plan is but I hope it isn't to redo what's
12:23:12 7 already been done.

12:23:15 8 MR. TOWNSHEND: No, I was going
12:23:16 9 somewhere a little different than that.

12:23:18 10 THE COURT: All right. Just go ahead
12:23:19 11 if that's the case.

12:23:26 12 MR. TOWNSHEND: I'll try and shorten
12:23:28 13 it.

12:23:29 14 BY MR. TOWNSHEND:

12:23:30 15 Q. The word or the root, I guess,
12:23:31 16 that you identify as being the likely target of
12:23:33 17 the translation of the word "surrender" was
12:23:35 18 "bgidnaan".

12:23:40 19 And then you relied on -- well, maybe
12:23:46 20 you can say what you relied on in coming to that
12:23:48 21 conclusion. All right, well --

12:23:53 22 THE COURT: I'm not inviting you to
12:23:55 23 lead, counsel. That doesn't help. All right.

12:24:11 24 BY MR. TOWNSHEND:

12:24:12 25 Q. If you go to page 10 of the

12:24:13 1 report, a heading entitled, "The range of
12:24:30 2 meanings of bgidnaan and bgidnamwaa compared
12:24:34 3 with the meanings of surrender". And then you
12:24:36 4 refer to four dictionaries there, and I just
12:24:41 5 wanted to ask you a bit about the writers of
12:24:43 6 each of those dictionaries.

12:24:53 7 The first one is Baraga. Can you tell
12:24:54 8 us who he was?

12:24:59 9 A. From the information I have found
12:25:04 10 about Baraga, he was a bishop who came to North
12:25:16 11 America as part of his mission related to
12:25:22 12 Christianity. And in order to do -- to do that
12:25:31 13 mission, he learned Anishinaabemowin or as he
12:25:35 14 called it, "Otchipwe" and wrote a dictionary.
12:25:44 15 And he also wrote religious materials in
12:25:48 16 Anishinaabemowin.

12:26:01 17 Q. Do you consider his dictionary
12:26:03 18 reliable scholarship?

12:26:05 19 A. Yes, I do.

12:26:05 20 Q. Another of the dictionaries you
12:26:07 21 relied on was Wilson. Can you tell us who
12:26:10 22 Wilson was?

12:26:12 23 A. Wilson was also a missionary from
12:26:16 24 another denomination, from what I understand,
12:26:19 25 who, likewise, learned Anishinaabemowin as a

12:26:25 1 second language and he also called it Ojibwe.

12:26:33 2 And he, likewise, wrote a dictionary.

12:26:41 3 That's the extent of my knowledge of
12:26:43 4 what he wrote. I do not know if he wrote any
12:26:51 5 religious materials in Anishinaabemowin.

12:26:55 6 Q. Do you consider his dictionary
12:26:57 7 reliable scholarship?

12:26:59 8 A. Yes, I do.

12:27:02 9 Q. Another dictionary you're relying
12:27:04 10 on is Rhodes. Can you explain who Rhodes is?

12:27:11 11 A. Richard Rhodes is a contemporary
12:27:12 12 linguist. He wrote the dictionary of eastern --
12:27:24 13 he used the terms "eastern Ojibwa", I forget
12:27:27 14 exactly -- basically a dictionary of
12:27:31 15 English-to-Anishinaabemowin as well as
12:27:34 16 Anishinaabemowin-to-English, that is what
12:27:36 17 comprised his dictionary. And he wrote that in
12:27:39 18 1985.

12:27:44 19 Q. And do you consider that reliable
12:27:46 20 scholarship?

12:27:47 21 A. Yes, I do.

12:27:49 22 Q. And the other dictionary you
12:27:52 23 mentioned is Nichols and Nyholm. Is this the
12:27:55 24 same John Nichols as you mentioned earlier?

12:27:58 25 A. Yes, it is.

12:27:59 1 Q. And who is Nyholm?

12:28:01 2 A. From what I understand, Earl
12:28:04 3 Nyholm is one of the community members from the
12:28:07 4 communities in which John Nichols has done most
12:28:11 5 of his research, which are communities in the
12:28:14 6 Minnesota area based on what I have learned
12:28:21 7 about him.

12:28:25 8 And, of course, one of his earlier
12:28:27 9 dictionaries, print dictionaries was the -- a
12:28:30 10 concise dictionary of Minnesota Ojibwe.

12:28:35 11 Q. And do you consider the Nichols
12:28:38 12 and Nyholm dictionary to be reliable
12:28:40 13 scholarship?

12:28:41 14 A. Yes, I do.

12:28:57 15 Q. Can I have document S1296,
12:29:00 16 please? Can you tell us what this is?

12:29:29 17 A. I guess it would be described as
12:29:31 18 an edited version of a statement made by the
12:29:38 19 Indians in a bilingual petition, by the Indians
12:29:42 20 specifically the Chippewas of Lake Superior,
12:29:46 21 that they made in a bilingual petition submitted
12:29:49 22 in 1864.

12:29:57 23 Q. And what are relying -- this is
12:29:58 24 something you referred to. Can you explain what
12:30:00 25 you're relying on it for?

1 A. I used it to illustrate that the
2 verb -- the verbs, the range of verbs I was
3 using that a translator could draw on for the --
4 to try and express the idea of cede or
5 surrender, that -- just to demonstrate the fact
6 that that term, those terms were not unique to
7 the area in which -- to my speech community, the
8 speech of community of Wikwemikong on Manitoulin
9 Island, that it was part of the overall Ojibwe
10 lexicon. So that document, it was used in the
11 document.

12 Q. So on page 11 and 12 of your
13 report you talk about the range of meanings of
14 this word you have identified as "bgidnaan" in a
15 diplomatic and context. Can you explain a
16 little more about that?

17 A. About the range of meanings or
18 about the diplomatic context?

19 Q. Well, the range of meanings and
20 then how that range of meanings might play out
21 in a diplomatic context.

22 A. Okay. I guess as I illustrate
23 the various meanings of the verb "bgidnaan"
24 would have in specific contexts, those would
25 be -- those terms -- the term "bgidnaan" would

12:32:15 1 be one of the options that would have been
12:32:17 2 available for the translator, or interpreter, to
12:32:23 3 use in translating "cede" or "surrender".

12:32:32 4 Could you please repeat the question?

12:32:34 5 Q. Well, maybe you can start with
12:32:36 6 the range of meanings that "bgidnaan" would have
12:32:39 7 to an Anishinaabemowin speaker to begin with.

12:32:51 8 A. Okay. The range of meanings I
12:32:53 9 guess overall are, it has a -- the connotation
12:32:57 10 of actually holding something physically, for
12:33:01 11 example, a glass of water.

12:33:04 12 So one meaning would be that if
12:33:07 13 somebody were to tell me, put the glass of water
12:33:12 14 down, set it down. So that's one meaning.
12:33:16 15 "Bgidnan nataas", we might say, which means put
12:33:25 16 the glass down.

12:33:26 17 Another possible meaning in another
12:33:27 18 context would be if somebody were cooking
12:33:37 19 something that needs to be monitored so the
12:33:39 20 thing being cooked doesn't burn, stick to the
12:33:42 21 bottom of the pan. So somebody might say, don't
12:33:49 22 allow that to -- in English you might say, don't
12:33:52 23 allow that to burn, or whatever, or don't allow
12:33:55 24 that to boil too quickly or too hard. Okay?

12:34:01 25 So the verb "bgidnaan" would be used

12:34:05 1 in the sense of allowing something to happen.

12:34:10 2 So those are -- I guess those are the
12:34:15 3 most common things that come to mind, the kinds
12:34:18 4 of contexts in which "bgidnaan" would have been
12:34:20 5 used.

12:34:28 6 And since we don't have a term for an
12:34:30 7 exact equivalent for "cede" and "surrender", I
12:34:34 8 guess the physical connotation of "have", of it
12:34:37 9 as letting something go from one's hold is
12:34:44 10 extended -- could have been extended to letting
12:34:48 11 something go in the more figurative sense of
12:34:56 12 allowing others to use something that belongs to
12:35:01 13 you.

12:35:07 14 Q. So on page 12 of your report in
12:35:11 15 the first paragraph, you're talking about what
12:35:20 16 "bgidnaan" in a treaty context might mean and
12:35:25 17 might not mean. So could you just highlight for
12:35:28 18 us?

12:35:30 19 A. It's hard to say definitively
12:35:40 20 what it would mean because the meaning of the
12:35:44 21 term depends so much on context and also on
12:35:49 22 listeners' interpretations of something, what
12:35:52 23 they assume it means from the context.

12:35:59 24 So in relation to the treaty context,
12:36:01 25 I guess the -- the common -- the common

12:36:07 1 situation has been that Anishinaabe have been
12:36:12 2 asked to -- the kind of things that have been
12:36:19 3 said have been ceding territory, ceding land.

12:36:31 4 So a very possible interpretation of
12:36:33 5 the Anishinaabemowin term that was very possibly
12:36:37 6 would have been -- deemed the most -- the
12:36:39 7 closest equivalent to the idea "bgidnaan" would
12:36:49 8 very possibly have been understood in
12:36:50 9 Anishinaabemowin, by the Anishinaabe head men
12:36:55 10 and so on, as "letting", letting an area of land
12:37:07 11 go.

12:37:13 12 Q. Would that also mean that they --

12:37:16 13 THE COURT: Sir, please don't lead
12:37:18 14 this expert witness. I mean I know that nobody
12:37:20 15 else is standing up, but it just isn't helpful
12:37:23 16 to me. She is very well qualified, as you've
12:37:26 17 pointed out, and she has a report in evidence.
12:37:29 18 She doesn't need to be lead.

12:37:47 19 BY MR. TOWNSHEND:

12:37:48 20 Q. On page 12 you're citing a couple
12:37:50 21 of -- two or three English dictionaries. Can
12:37:54 22 you explain your purpose in doing that?

12:38:01 23 A. My purpose in referring to those
12:38:04 24 dictionaries from that time period was just as a
12:38:12 25 precaution, a sense of a precaution, in my view,

1 to not assume that a word as it's used today was
2 used in exactly the same way in some past time
3 period.

4 So just to double-check, okay, what
5 was the meaning of surrender, of the English
6 term "surrender"? What was its meaning in
7 English during that time period?

8 Q. I'd like now to switch to the --
9 in the phrase we've isolated, "full and complete
10 surrender", we've talked about "surrender". I
11 would like to switch to the "full and complete"
12 part of that.

13 And on page 14 of your report you
14 identify three options. Can you just talk about
15 those options and the different meanings they
16 have?

17 A. The three options being
18 "mooshkin" or "wiinge" or "aapji-". "Mooshkin"
19 and "wiinge" have much the same practical
20 meaning: It relates to quantity, as in say if
21 my glass were full. It would indicate in a
22 general sense how much water is in my glass. So
23 it's quantitative in that way.

24 "Wiinge", I guess you would, it would
25 be considered more or less synonymous with

12:40:40 1 "mooshkin". It's just that with certain other
12:40:46 2 verb -- verbal ideas, verbs, "wiinge" is more
12:40:55 3 readily used. It's -- it makes better sense
12:40:58 4 with particular verbs. Like if somebody ate up
12:41:12 5 an entire amount of something, we would say
12:41:14 6 that -- "zhi-wiinge gii-miijin", would be one
12:41:18 7 way of phrasing that. He ate all of that or he
12:41:25 8 ate that in its entirety.

12:41:29 9 And, again, English, likewise, having
12:41:32 10 many synonymous phrases, there is not just one
12:41:36 11 way that a term can be translated into another
12:41:41 12 language.

12:41:45 13 With regard to -- with regard to
12:41:49 14 "aapji-", that would come up in a different kind
12:41:53 15 of context. So "aapji-" relates to -- it
12:42:04 16 remains, I guess, in a sense quantitative, but
12:42:07 17 it relates to the length of time.

12:42:12 18 If something -- and if I recall
12:42:16 19 correctly this is the example I gave. If
12:42:21 20 somebody falls to their death in diving, they
12:42:26 21 never resurface, the length of time is
12:42:29 22 permanent. So there's a verb "aapdakiise".

12:42:37 23 Now it sounds different because these
12:42:40 24 units of meaning such as "aapji-", their sound
12:42:45 25 does not stay exactly the same when that idea is

12:42:49 1 being combined with other units of meaning.

12:42:59 2 That's why "aapdakiise", you don't
12:43:02 3 exactly hear "aapji-" in there because the idea
12:43:05 4 of that never resurfacing is just bundled in
12:43:08 5 with the verb itself. It is an integral part of
12:43:14 6 the verb, whereas "aapji-" is a prefix. There
12:43:16 7 would be a verb after "aapji-" to describe what
12:43:19 8 it is that is, in a sense, never coming back.

12:43:29 9 Q. One thing I wanted to deal with
12:43:31 10 on -- back on "wiinge", on page 16 you list
12:43:40 11 examples 7 to 11 of the use of "wiinge". And if
12:43:48 12 I could have Exhibit 3995 up for a minute?

12:44:03 13 Now this is an exhibit that was
12:44:06 14 entered with Dr. Valentine. And he did give
12:44:11 15 some evidence about his database. So I just
12:44:15 16 wanted you to say if this is -- this e-mail from
12:44:20 17 him is your source of these examples?

12:44:25 18 A. To my recollection, yes.

12:44:41 19 Q. Now, if I can just direct your
12:44:42 20 attention to the bottom of page 18 and going on
12:44:45 21 to page 19 of your report, can you just -- can
12:44:55 22 you just highlight your conclusions here?

12:45:08 23 A. My conclusions were, I guess, in
12:45:11 24 essence that if "full and complete surrender"
12:45:19 25 were translated in the way that I believe they

12:45:23 1 likely were translated, they would not have
12:45:31 2 had -- they would not have had -- implied
12:45:34 3 anything about the right to engage in the
12:45:38 4 activities identified, hunting, trapping,
12:45:44 5 harvesting from the land, those kind of
12:45:46 6 activities.

12:45:52 7 Q. So at the bottom of page 19 you
12:45:54 8 have a section on -- if that had been -- if that
12:45:59 9 were to be conveyed how that would be conveyed.
12:46:09 10 Can you make a comment on that?

12:46:11 11 A. Okay. So the -- okay, the
12:46:14 12 comment is basically that if that information
12:46:19 13 needed to be conveyed, the Anishinaabemowin
12:46:24 14 lexicon has the words that could convey that
12:46:29 15 information.

12:46:30 16 And I demonstrated that with an
12:46:32 17 example of a -- one or two of the ways it could
12:46:37 18 have been conveyed.

12:46:41 19 The example is not necessarily the
12:46:45 20 only way that the fundamental basic information
12:46:49 21 could have been conveyed. As with English, a
12:46:54 22 given piece of information to be conveyed, a
12:46:57 23 given fact or whatever, opinion to be conveyed
12:47:00 24 can be expressed with different phrasings of a
12:47:06 25 sentence, different phrasings of a paragraph.

1 For example, to say that something is
2 prohibited that is one way to convey a piece of
3 information. Another way is to say that people
4 are not allowed to do that. You're conveying
5 the same fundamental fact but with two very
6 different phrasings.

7 So I just wanted to emphasize that I
8 just picked one example of a possible way that
9 could have been conveyed.

10 Q. So in your view, would it be
11 likely that that explicit statement would have
12 been made at the treaty in 1854? You talk about
13 that on pages 20 to 22 of your report.

14 So I'd like you to comment on how
15 likely that would be and compare how it might be
16 approached today and why there would be a
17 difference?

18 THE COURT: There's counsel standing
19 so if you could wait for a moment, Professor.
20 Yes, Ms. Le Pan.

21 MS. LE PAN: Your Honour, that's a
22 leading question and so I would ask that my
23 friend rephrase it.

24 THE COURT: It's a long question. It
25 started off as a leading question. I'm not sure

12:48:38 1 it ended up that way. But it was very long so
12:48:41 2 perhaps, Mr. Townshend, you could restate it,
12:48:44 3 and then I'll hear from you again.

12:48:46 4 MS. LE PAN: Thank you.

12:48:48 5 BY MR. TOWNSHEND:

12:48:48 6 Q. Okay. I'll take it in smaller
12:48:51 7 pieces.

12:48:57 8 On page 20 you talk about the -- how
12:49:00 9 the task of translation has evolved from the
12:49:06 10 mid-19th century to today. So can you just
12:49:09 11 outline what happened and when it happened?

12:49:13 12 THE COURT: So are you -- what
12:49:16 13 happened and when it happened?

12:49:18 14 MR. TOWNSHEND: What happened in
12:49:19 15 relation to --

12:49:21 16 THE COURT: Are you asking her to
12:49:21 17 testify about the evolution of the profession of
12:49:23 18 translation? Is that the question?

12:49:33 19 MR. TOWNSHEND: Yes.

12:49:34 20 THE COURT: And not in relation --

12:49:36 21 MR. TOWNSHEND: In relation to
12:49:37 22 English, the translation between English and
12:49:40 23 Anishinaabemowin.

12:49:41 24 THE COURT: Ontario, is there any
12:49:42 25 objection? I'm struggling a bit with the

12:49:44 1 question, but it's a completely different
12:49:46 2 question so I have to have a submission on that.

12:49:59 3 MS. LE PAN: Your Honour, the question
12:50:00 4 is extremely broad so perhaps if --

12:50:05 5 THE COURT: It's very broad, and I
12:50:06 6 think Mr. Townshend is trying to narrow it. It
12:50:09 7 started off with the task of translation as
12:50:11 8 evolved from the mid-19th century, that is
12:50:14 9 incredibly broad. However -- and certainly not
12:50:17 10 something that is a generic matter this witness
12:50:20 11 has been qualified to testify about.

12:50:22 12 But he did go on later and I think
12:50:25 13 tried to narrow it to the translation between
12:50:31 14 English and Anishinaabemowin. So if you take
12:50:33 15 those two together, do you still have an
12:50:36 16 objection?

12:50:37 17 MS. LE PAN: So long as it's limited
12:50:38 18 to that more narrow grounds, there is no
12:50:42 19 objection.

12:50:42 20 THE COURT: All right. And I take it
12:50:44 21 this isn't intended to be a -- please go ahead,
12:50:48 22 Professor, if you followed all of that.

12:50:54 23 THE WITNESS: Okay. May I please hear
12:50:55 24 the question again?

12:50:58 25 THE COURT: That's always tricky

12:51:00 1 because it may come out differently, but I'm
12:51:02 2 sure Mr. Townshend can manage.

12:51:13 3 BY MR. TOWNSHEND:

12:51:14 4 Q. When were courses to train
12:51:22 5 translators first established?

12:51:24 6 A. From my understanding, based on
12:51:25 7 my research into the history of the training of
12:51:33 8 interpreters and translators, in Canada they
12:51:38 9 came into existence around 19 -- the 1930s
12:51:42 10 when the first school of interpretation and
12:51:45 11 translation was established.

12:52:29 12 Q. So before translation in the
12:52:33 13 1850s, you've given us this opinion that
12:52:39 14 "bgidnaan" would be used and you've said that
12:52:52 15 wouldn't necessary mean that one could not hunt
12:52:55 16 and fish there.

12:52:55 17 I'm saying how likely would it have
12:52:58 18 been -- although there are ways of saying
12:53:00 19 that -- I'm saying how likely would it be that
12:53:03 20 Peter Jacobs would have added that at the Treaty
12:53:07 21 72?

12:53:09 22 MR. FELICIAN: Your Honour, I don't
12:53:10 23 mean to intrude, but I don't know how this
12:53:13 24 witness can possibly say what a specific person
12:53:15 25 would have said in the 18th century. It's one

12:53:17 1 thing to give evidence about potential ranges of
12:53:20 2 meaning, but then to say that a particular
12:53:23 3 person in a particular time in a particular
12:53:25 4 circumstances likely would have said that, I
12:53:27 5 don't think this witness is qualified to
12:53:30 6 speculate.

12:53:31 7 THE COURT: Mr. Townshend, your
12:53:31 8 response to that?

12:53:33 9 MR. TOWNSHEND: I can rephrase that.

12:53:43 10 BY MR. TOWNSHEND:

12:53:44 11 Q. I'm trying to set the context of
12:53:47 12 a translator at the treaty who is not trained as
12:53:50 13 a translator, was a missionary, and the -- and
12:53:53 14 the likelihood of him adding a portion that
12:54:00 15 we've talked about, of saying specifically in
12:54:04 16 the context of translating the Treaty to say,
12:54:07 17 you can't hunt and fish there. That's what I'm
12:54:09 18 trying to get at.

12:54:10 19 And -- she does address that in her
12:54:17 20 report.

12:54:19 21 THE COURT: She does not address it.

12:54:21 22 MR. TOWNSHEND: She does address it.

12:54:22 23 THE COURT: Okay. But you want to go
12:54:23 24 over it again?

12:54:24 25 MR. TOWNSHEND: I can leave that if --

12:54:24 1 that's fine.

12:54:24 2 THE COURT: It's your -- I don't want
12:54:24 3 to constrain --

12:54:25 4 MR. TOWNSHEND: If --

12:54:26 5 THE COURT: Sir, don't talk at the
12:54:26 6 same time. I know you're trying to be helpful.

12:54:26 7 I mean this process is -- I accept a
12:54:35 8 matter of going over some aspects of something
12:54:38 9 that's already in testimony. If it's already
12:54:42 10 in, one wonders why you would want to make it
12:54:45 11 more difficult, but if you have something you're
12:54:48 12 trying to elaborate on, sir, I'm perfectly
12:54:51 13 willing to give you a chance to do that. You
12:54:53 14 just have to follow the rules.

12:55:01 15 MR. TOWNSHEND: Yes. I was trying to
12:55:02 16 but it didn't seem to work. So I'll just leave
12:55:04 17 it at that.

12:55:04 18 THE COURT: You can -- as we're coming
12:55:06 19 up to 1:00, I think what you can do is perhaps
12:55:08 20 work on it over lunch if there's some other way
12:55:12 21 you can get where you're going. But I certainly
12:55:14 22 don't think you should feel the need to work so
12:55:17 23 hard if it's already in, in a way that you're
12:55:19 24 happy with, in evidence. It's up to you though,
12:55:22 25 sir.

1 So perhaps if you wanted to do
2 something else until we break for lunch, and you
3 can decide whether or not you want to come back
4 to that.

5 MR. TOWNSHEND: Thank you.

6 BY MR. TOWNSHEND:

7 Q. I want to now turn to Treaty 45
8 1/2 which you also address starting at page 22.
9 So did you read the text of Treaty 45 1/2?

10 A. Yes, I did.

11 Q. Well, maybe it would be -- at
12 appendix B of your report, we have that text.
13 Maybe we'll just put that up for a minute. And
14 the last page of that tab -- there we are. No,
15 sorry. That one.

16 It's only two paragraphs, three
17 paragraphs, but the operative part of it is the
18 middle paragraph:

19 "I now propose to you that you
20 should surrender to your Great Father
21 the Sauking Territory you at present
22 occupy, and that you should repair
23 either to this island or to that part
24 of your territory which lies on the
25 north of Owen Sound, upon which proper

12:57:00 1 houses shall be built for you, and
12:57:03 2 proper assistance given to you to
12:57:08 3 enable you to become civilized and to
12:57:08 4 cultivate land, which your Great
12:57:08 5 Father engages for ever to protect you
12:57:08 6 from the encroachments of the whites."

12:57:11 7 So we've asked you to focus on the
12:57:13 8 phrase "[...] for ever to protect you from the
12:57:16 9 encroachments of whites".

12:57:26 10 So taking that bit by bit, what is
12:57:29 11 your opinion on how "encroachments" might have
12:57:31 12 been translated? We're back in 1836 now, for
12:57:35 13 context.

12:57:42 14 A. That one -- my opinion was that
12:57:48 15 it would have been very hard for the translator
12:57:52 16 to translate that. And if he did try, a big
12:58:02 17 possibility that his translation was erroneous
12:58:07 18 in some way.

12:58:39 19 MR. TOWNSHEND: Would this be a good
12:58:40 20 time to break for lunch? I think things will
12:58:42 21 get a little more involved at this point.

12:58:45 22 THE COURT: All right. Yes, you can.
12:58:47 23 I noted that you've set aside about three
12:58:53 24 quarters of the day so I remind you of that,
12:58:55 25 sir.

12:58:56 1 MR. TOWNSHEND: Yes, we're well on the
12:59:00 2 way for that.

12:59:01 3 THE COURT: That's very good. So
12:59:02 4 we'll break until 2:15.

02:16:47 5 -- RECESSED AT 12:50 P.M.

02:16:47 6 -- RESUMED AT 2:18 P.M.

02:18:30 7 THE COURT: Please go ahead.

02:18:31 8 MR. TOWNSHEND: Thank you, Your
02:18:31 9 Honour. The document that is up on the screen
02:18:35 10 now, we had up before and we talked about, but I
02:18:38 11 neglected to make that an exhibit. I would like
02:18:41 12 to make that an exhibit, please.

02:18:43 13 THE COURT: This is a statement made
02:18:44 14 by the Indians edited by John Nichols?

02:18:48 15 MR. TOWNSHEND: Yes.

02:18:50 16 THE REGISTRAR: Exhibit 4097.

02:18:52 17 THE COURT: 4097, thank you
02:18:54 18 Mr. Registrar.

02:18:56 19 EXHIBIT NO. 4097: Statement Made by
02:18:58 20 the Indians': A Bilingual Petition of
02:18:58 21 Chippewas of Lake Superior, 1864.

02:18:58 22 Edited by John Nichols.

02:19:00 23 BY MR. TOWNSHEND:

02:19:02 24 Q. Professor Corbiere, we were at
02:19:05 25 page 25 of your report. And we started with the

02:19:18 1 phrase "[...] to protect you from the
02:19:24 2 encroachments of the whites", and we started
02:19:27 3 with "encroachments" and now I would like to
02:19:30 4 switch to "protect".

02:19:31 5 Can you tell us how you expect that
02:19:32 6 would be translated?

02:19:38 7 A. A way that a translator might
02:19:41 8 have handled that during that time period would
02:19:46 9 have been to try and think of the closest
02:19:51 10 equivalent to convey the idea in
02:19:56 11 Anishinaabemowin.

02:19:56 12 And the terms that seem to be the
02:20:05 13 closest equivalent, and when I say "closest" it
02:20:08 14 doesn't necessarily mean that they were very
02:20:11 15 close but closest relative to other terms he
02:20:16 16 might have considered or thought that might have
02:20:22 17 occurred to him.

02:20:24 18 So the terms would relate to the
02:20:28 19 Anishinaabemowin verb "gnawendmawaa".

02:20:43 20 Q. On page 28 you have a couple of
02:20:45 21 examples of the use of that word. And if I
02:20:51 22 could just see if you recognize what you were
02:20:59 23 relying on for that. If I could have Exhibit
02:21:03 24 3996 for a moment.

02:21:16 25 So this is another e-mail from

02:21:17 1 Professor Valentine. This one is a different
02:21:22 2 one. Is that where you were taking this
02:21:24 3 information?

02:21:31 4 A. Would I be able to see the e-mail
02:21:32 5 in full? Again, my memory is --

02:21:35 6 Q. Yes. I'm sorry, I gave you the
02:21:51 7 wrong exhibit. It's 3995. Better scroll down
02:22:31 8 bit.

02:22:31 9 A. I need to see the entire e-mail
02:22:33 10 because it seems the part I'm seeing relates to
02:22:34 11 other terms.

02:22:37 12 Q. Keep going. I'm sorry, it was
02:22:58 13 the first one. We just hadn't scrolled down far
02:23:01 14 enough, 3996. There we are.

02:23:24 15 A. So what was the question again,
02:23:25 16 please?

02:23:26 17 Q. The question was, was this the
02:23:28 18 source of your examples 12 and 13 in your
02:23:31 19 report?

02:23:37 20 A. Yes, apparently it was.

02:23:42 21 Q. Now, back to the report and just
02:23:47 22 talk about the sense that that word conveys in
02:23:54 23 those contexts.

02:23:58 24 A. Okay. The Anishinaabemowin word
02:24:03 25 used here, "gnawendmawaa", describes the same

02:24:07 1 action, taking care of someone or something
02:24:14 2 animate in gender.

02:24:16 3 In Anishinaabemowin nouns fall into
02:24:19 4 either of two categories. Every noun is either
02:24:25 5 animate or inanimate. This one doesn't have the
02:24:33 6 exact form of "gnawendmawaa", because the idea
02:24:36 7 includes -- in English it's expressed as a
02:24:39 8 preposition, take care of something or someone
02:24:43 9 for somebody.

02:24:46 10 So the fact that it has that
02:24:48 11 prepositional -- that idea, which in English
02:24:51 12 involves an actual word, a preposition, in
02:24:54 13 Anishinaabemowin it would -- a different verb is
02:25:00 14 used. The verb has a slightly different form.
02:25:04 15 Instead of "ganawendaan", the verb has the form
02:25:09 16 "gnawendmawaa" but the same basic action is
02:25:16 17 described as being expressed, taking care of
02:25:22 18 something or someone.

02:25:23 19 Q. And what sort of expectations
02:25:24 20 would be associated with that? If someone said
02:25:27 21 they were "gnawendmawaa" something?

02:25:35 22 A. Working from the examples I used,
02:25:37 23 if it were a dog that were being left in
02:25:42 24 somebody's care, the owner of the dog would
02:25:49 25 expect that upon his or her return that the dog

02:25:53 1 has been taken care of in that what's involved
02:25:56 2 in taking care of a dog, it needs to be fed and
02:26:00 3 it needs to be given water. So that would be, I
02:26:09 4 guess, the main or most common expectation.

02:26:11 5 With regard to the other example,
02:26:14 6 again, having the care of somebody's garden,
02:26:14 7 someone is away for an extended time, again, the
02:26:25 8 person in whom the care of the garden has been
02:26:28 9 entrusted would be expected to have ensured the
02:26:31 10 plants did not dry out so that the -- that the
02:26:36 11 garden has been watered, if it hasn't rained
02:26:38 12 enough.

02:26:39 13 And also that the person taking care
02:26:42 14 of the garden has ensured that if there are
02:26:46 15 other farms in the area with livestock, for
02:26:49 16 example, that nobody else -- no livestock have
02:26:54 17 entered the garden and trampled on the things
02:26:56 18 that have been grown, that are being grown. Or
02:27:00 19 that there has been no vandalism, that no
02:27:03 20 mischievous people have come up and either
02:27:09 21 damaged the plants or that they have stolen, if
02:27:12 22 there's already things ripe enough to steal,
02:27:15 23 like tomatoes, that somebody hasn't come in and
02:27:18 24 stole on the tomatoes that were planted.

02:27:21 25 For those kind of examples, those

02:27:23 1 would be the normal expectations, I guess you
02:27:28 2 might say.

02:27:35 3 Q. I want to turn to the last bit of
02:27:37 4 the phrase "[...] for ever protect from the
02:27:40 5 encroachment of the whites", that on the "for
02:27:43 6 ever part". And that is the subject of your
02:27:46 7 second report, which we've already made an
02:27:54 8 exhibit.

02:27:57 9 So how would the "for ever" be
02:27:59 10 translated in your view?

02:28:01 11 A. That word I find is very
02:28:08 12 straightforward to translate. We would use what
02:28:11 13 is usually a prefix, "kagige".

02:28:20 14 Q. And what length of time does that
02:28:22 15 word connote?

02:28:24 16 A. I guess you might say an infinite
02:28:27 17 amount of time. It indicates that whatever
02:28:33 18 you're talking about, yeah, it will never end,
02:28:35 19 that state will never end or that action will
02:28:43 20 never end.

02:28:58 21 MR. TOWNSHEND: Thank you, those are
02:28:58 22 my questions.

02:28:59 23 THE COURT: Thank you. Which of the
02:29:01 24 counsel are going next?

02:29:07 25 MR. ENNIS: Yes, thank you.

02:29:30 1 CROSS-EXAMINATION BY MR. ENNIS:

02:29:46 2 Q. Good afternoon, Professor

02:29:47 3 Corbiere. My name is Barry Ennis and I'm one of
02:29:50 4 the legal counsels from Canada. And I would
02:29:52 5 like to begin by asking you some questions about
02:29:54 6 the methodology of translation.

02:29:57 7 Would you agree that translation is
02:29:58 8 not a simple word-by-word exercise, but that it
02:30:04 9 requires context, the understanding of the work,
02:30:09 10 document, or text as a whole and capturing the
02:30:13 11 intention of the speaker or the writer?

02:30:29 12 A. Yes, a complete sentence needs to
02:30:31 13 be read. And depending on the text involved, it
02:30:35 14 might not suffice just to read a sentence. It
02:30:39 15 might require reading other sentences, an entire
02:30:45 16 paragraph, and so on, to be sure that the way
02:30:52 17 the word is being used in that source text.

02:30:56 18 We call the thing that is being
02:30:58 19 translated, in translations practice that's
02:31:01 20 called the source text. To ensure that the
02:31:04 21 meaning of the word in that -- to be -- to
02:31:07 22 ascertain what the exact meaning to the best
02:31:09 23 possible to be -- that that word has in that
02:31:14 24 context.

02:31:14 25 And then once that is ascertained,

02:31:20 1 then we can check our lexicon to see which -- do
02:31:25 2 we have a word that matches that meaning
02:31:28 3 exactly? And if it doesn't, what is the -- what
02:31:33 4 best approximates the meaning of the word in
02:31:36 5 that context?

02:31:39 6 Q. And it may even be, assuming, for
02:31:43 7 example, that it's a lengthy text with a number
02:31:45 8 of chapters, that in translating one word or one
02:31:50 9 phrase, you might even have to consult an
02:31:53 10 earlier chapter in the text for context?

02:32:12 11 A. I would be able to answer that
02:32:13 12 more definitively if there were a number of
02:32:17 13 examples of work involving translating different
02:32:20 14 kinds of texts. When you're translating, yeah,
02:32:23 15 you're reading the whole thing whether. You're
02:32:26 16 translating, whether it's a 2,000 word article
02:32:29 17 or a paragraph, and that helps to clarify the
02:32:34 18 context.

02:32:39 19 Q. But, in any event, you'd agree
02:32:41 20 that translation is not simply a case of using a
02:32:45 21 dictionary to translate a text word for word,
02:32:47 22 but that you'd require the context of the entire
02:32:53 23 passage?

02:32:56 24 A. A context is required of the
02:33:01 25 text, yeah, if you're working in translation

02:33:05 1 with written materials, yes.

02:33:09 2 Q. And I note your main report on
02:33:11 3 page 9 in the first paragraph -- perhaps we
02:33:17 4 should get that up on the screen, although it
02:33:20 5 may not be necessary.

02:33:21 6 But in the first paragraph in the
02:33:27 7 third last line, I don't know if it's necessary
02:33:30 8 to get it up. Do we have it? Good.

02:33:37 9 It's page 9, which is page 11 it looks
02:33:47 10 like. Yes, page 9. And if you go to top
02:33:51 11 please? Right. And if you look at the third
02:33:53 12 last line of that first paragraph it says:

02:33:58 13 "Baker notes further that 'the
02:34:00 14 nature of language is such that...
02:34:00 15 words have 'blurred edges'; their
02:34:02 16 meanings are, to a large extent,
02:34:04 17 negotiable and are only realized in
02:34:07 18 specific contexts'".

02:34:13 19 And you would agree with that
02:34:15 20 statement made by Baker?

02:34:21 21 A. I would qualify it somewhat in
02:34:23 22 that when it says: [...] nature of language is
02:34:30 23 such that words have 'blurred edges' [...]", she
02:34:33 24 does not mean that all words have blurred edges,
02:34:36 25 but there are always a number of words whose

02:34:41 1 meanings can vary and can only be understood
02:34:44 2 from the context in which they are used.

02:34:48 3 Q. Thank you. Now, I'd like to turn
02:35:01 4 to one of your assumptions and that is ideal
02:35:05 5 conditions. That is assumption C that you were
02:35:08 6 given. It's actually on page 2, near the top of
02:35:21 7 page 2, but we don't have to go there but we
02:35:25 8 can.

02:35:25 9 The assumption is the translator did
02:35:28 10 not have professional training in law and legal
02:35:30 11 translation. Excuse me, I don't know if this
02:35:37 12 microphone is on.

02:35:44 13 THE COURT: Tap it. There we go.

02:35:53 14 What page are you on?

02:35:54 15 BY MR. ENNIS:

02:35:55 16 Q. Page 2 has, if you'll see, near
02:36:04 17 the top. Yes, that is page 2.

02:36:11 18 And the assumption is, when it says:

02:36:14 19 "Please consider 'ideal
02:36:15 20 conditions' in the context of treaty
02:36:18 21 negotiations in the mid-19th century
02:36:21 22 to mean: [...]"

02:36:22 23 And then I'm looking at ideal
02:36:24 24 condition C:

02:36:25 25 "[...] the translator did not

02:36:27 1 have professional training in law and
02:36:29 2 legal translation [...]"

02:36:31 3 And looking now to page 20 of your
02:36:34 4 report, of your main report that we're on, and
02:36:53 5 in the middle of that page, yes, you say:

02:37:02 6 "[It's] reasonable to assume that
02:37:04 7 [...]" Peter Jacobs -- the translator
02:37:10 8 for the proceedings for Treaty 72,
02:37:12 9 would not have been "[...] exposed him
02:37:13 10 to legal language in depth and thus
02:37:16 11 would not have [been] equipped
02:37:19 12 adequately to undertake treaty
02:37:22 13 translation."

02:37:25 14 So you recall, of course, expressing
02:37:27 15 that opinion?

02:37:29 16 A. I recall, yes, expressing that
02:37:31 17 opinion.

02:37:33 18 Q. And then if we can go to page 21,
02:37:36 19 the next page, you quote the following from
02:37:54 20 Niska, a writing in 1995:

02:38:04 21 "Well-educated professional
02:38:05 22 [legal] interpreters possess
02:38:07 23 linguistic knowledge in their working
02:38:08 24 languages, good interpreting
02:38:11 25 technique... and have considerable

02:38:12 1 knowledge about legal systems, laws,
02:38:14 2 and procedures in the societies
02:38:16 3 concerned'".

02:38:20 4 Now, I'd like to take you to the text
02:38:23 5 of Treaty 72. And if we could get -- it's
02:38:33 6 Exhibit 2146.

02:38:45 7 THE COURT: Mr. Ennis, you're still
02:38:47 8 overcompensating. It's too loud. You were
02:38:54 9 saying --

02:38:57 10 BY MR. ENNIS:

02:38:58 11 Q. Yes, I'm going to read from
02:38:59 12 Treaty 72 the following:

02:39:01 13 "We, the Chiefs, Sachems and
02:39:04 14 Principal Men of the Indian Tribes
02:39:04 15 resident at Saugeen, Owen Sound [...]"

02:39:09 16 And then going down a few lines:

02:39:11 17 "[...] have now, being in full
02:39:12 18 Council assembled, in presence of then
02:39:14 19 Superintendent General of Indian
02:39:15 20 Affairs, and of the young men of both
02:39:19 21 tribes, agreed that it will be highly
02:39:21 22 desirable for us to make a full and
02:39:23 23 complete surrender unto the Crown of
02:39:25 24 that Peninsula known as the Saugeen
02:39:27 25 and Owen Sound Indian Reserve, subject

02:39:31 1 to certain restrictions and
02:39:33 2 reservations to be hereinafter set
02:39:36 3 forth. We have therefore set our
02:39:38 4 marks to this document, after having
02:39:41 5 heard the same read to us, and do
02:39:43 6 hereby surrender the whole of the
02:39:45 7 above named tract of country [...]"
02:39:51 8 And again going down a few sentences,
02:39:53 9 lines:
02:39:54 10 "[...] with the following
02:39:55 11 reservations [...]"
02:40:07 12 Now, would you agree that the language
02:40:09 13 I have just read out is on the whole relatively
02:40:12 14 clear and straightforward to a fluent English
02:40:16 15 speaker and listener?
02:40:22 16 A. Can you repeat the question,
02:40:23 17 please?
02:40:25 18 Q. Yes. It has to do with the text
02:40:27 19 that I just read out --
02:40:29 20 A. Right.
02:40:30 21 Q. -- which is not highlighted.
02:40:31 22 Would you agree that that text -- the part that
02:40:35 23 I read out is on the whole, relatively clear and
02:40:39 24 straightforward to a fluent English speaker and
02:40:42 25 listener?

02:40:47 1 A. It's hard to think of it in terms
02:40:50 2 of whether on the whole it is. Because, again,
02:41:01 3 the overall broader context can affect what
02:41:08 4 meaning a translator -- how a translator
02:41:12 5 interprets certain words.

02:41:15 6 Q. That may be so, but for now I'm
02:41:19 7 only speaking about whether it would be to an
02:41:21 8 English listener, not somebody translating, but
02:41:25 9 to the English listener would -- would you agree
02:41:28 10 that those words are relatively clear and
02:41:30 11 straightforward?

02:41:34 12 A. That would depend on who the
02:41:35 13 English listener is.

02:41:38 14 Q. Sure. Let's say someone who's
02:41:41 15 got -- a high school graduate who's got a -- in
02:41:49 16 the middle of university or has partial
02:41:52 17 university, as an example?

02:41:59 18 A. Such a person in terms of the
02:42:00 19 education today might. I can't say with
02:42:08 20 absolute certainty that they would fully
02:42:11 21 understand what exactly that means because
02:42:15 22 terms, some terms have implications that you
02:42:18 23 need to know the meaning of the term, the way
02:42:23 24 it's used in particular contexts in order to
02:42:26 25 fully understand it in the sense of not just a

02:42:31 1 dictionary definition of it but also the
02:42:33 2 implications of a given action.

02:42:40 3 Q. That's certainly fair. But in
02:42:42 4 comparison to legal documents from the, say the
02:42:45 5 1990s when the Niska article was published,
02:42:50 6 would you say that it's fair to say that the
02:42:53 7 words that I have read out earlier from Treaty
02:42:56 8 72 are generally less complex and technical than
02:43:03 9 what is typically in a legal document of the
02:43:11 10 1990s or today, for that matter?

02:43:13 11 A. When I said "today", I didn't
02:43:15 12 mean specifically this century. The education
02:43:20 13 I'm referring to -- I referred to was the
02:43:23 14 education was -- the form it has, I guess in the
02:43:28 15 later 19th century. So the same comments in
02:43:39 16 1990 as would apply today, the comments I made
02:43:42 17 would apply both to the 1990s.

02:43:47 18 Q. Now, have you had occasion to
02:43:48 19 translate a complex legal document written in
02:43:53 20 the modern era, like a commercial contract, for
02:43:58 21 example?

02:44:04 22 A. May I give another example?

02:44:06 23 Q. Sure.

02:44:06 24 A. May I ask?

02:44:08 25 Q. Of course.

02:44:08 1 A. Yeah. Would a listing of bail
02:44:10 2 conditions be considered a legal document?

02:44:14 3 Q. It would, yes.

02:44:15 4 A. Yeah. Yeah, I have been
02:44:16 5 involved -- I have been asked to translate bail
02:44:19 6 conditions.

02:44:25 7 Q. But you haven't necessarily
02:44:27 8 translated, say, a real estate document?

02:44:38 9 A. I would have to reflect a bit to
02:44:40 10 double-check what kinds of documents I have been
02:44:44 11 asked to translate and to try and identify which
02:44:46 12 of those would be considered legal.

02:44:49 13 Q. Well, if I could stop for a
02:44:50 14 moment and ask you a different question then.

02:44:55 15 Are you familiar, not as a translator
02:44:56 16 but just in your ordinary course of living in
02:45:00 17 the modern age of looking at a contract, a legal
02:45:06 18 contract, even an insurance document that you've
02:45:09 19 had to just enter into personally or --

02:45:15 20 A. I have seen insurance documents.
02:45:18 21 I have seen employment contracts.

02:45:21 22 Q. And do they tend to -- have those
02:45:24 23 contracts had more technical and complex
02:45:28 24 language?

02:45:32 25 A. The ones that I have seen have

02:45:35 1 had language that have been hard for me to be
02:45:43 2 sure I understand.

02:45:45 3 Q. Okay. So -- so when Niska,
02:45:48 4 writing in 1995, says that:

02:45:52 5 " 'A well-educated professional
02:45:55 6 [legal] interpreter [...] [has to]
02:45:56 7 have considerable knowledge about
02:45:58 8 legal systems, laws, and procedures in
02:46:00 9 the societies concerned' ".

02:46:04 10 Would you agree that a competent
02:46:06 11 translator who did not have professional
02:46:09 12 training in legal translation would be better
02:46:17 13 able to translate the parts of the Treaty 72
02:46:19 14 that I read out, for example, than a modern,
02:46:25 15 complex contract that we spoke of before with
02:46:29 16 technical terms that you find difficult to
02:46:31 17 understand yourself? And I do myself.

02:46:35 18 A. Okay. The length of that
02:46:36 19 question --

02:46:37 20 Q. It's long, yes.

02:46:39 21 A. Yeah. I have to hear it again
02:46:41 22 and perhaps break it up so I can digest it and
02:46:48 23 understand what you're asking.

02:46:50 24 Q. Sure. If there were a competent
02:46:52 25 translator but one who didn't have the kind of

02:46:55 1 professional training in legal translation that
02:46:57 2 Niska writes about in 1995, would you agree that
02:47:03 3 that person would be better able to translate
02:47:07 4 the parts of Treaty 72 that I read out, which in
02:47:11 5 my submission are more straightforward, than
02:47:16 6 that person would be able to translate a
02:47:18 7 complex, modern legal document with technical
02:47:21 8 terms?

02:47:26 9 A. Okay. I guess what makes that
02:47:27 10 hard to answer definitively is there's two parts
02:47:29 11 in there. One is when you say "competent
02:47:33 12 translator", one would need to consider, well,
02:47:40 13 what determines whether a translator is
02:47:45 14 competent? By what measure do we assess a
02:47:55 15 translator's competence?

02:48:00 16 Q. Well, you know I think I'm going
02:48:02 17 to just move on from this line of questioning to
02:48:06 18 the next one.

02:48:11 19 I'd like to turn now to Treaty 45 1/2
02:48:15 20 and put that up on the screen. And I'd just
02:48:34 21 like to read out this part first before I ask
02:48:36 22 you a question. "To the [Sauking]" or Saugeen:
02:48:44 23 "My Children, You have heard the
02:48:46 24 proposal I just made to the Chippewas
02:48:48 25 and Ottawas, by which it has been

02:48:50 1 agreed between them and your Great
02:48:53 2 Father that these islands
02:48:54 3 (Manitoulin), on which we are now
02:48:56 4 assembled, should be made, in Council,
02:48:59 5 the property (under your Great
02:49:01 6 Father's control) of all Indians whom
02:49:04 7 he shall allow to reside on them.

02:49:07 8 "I now propose to you that you
02:49:09 9 should surrender to your Great Father
02:49:11 10 the Sauking Territory you at present
02:49:14 11 occupy, and that you should repair
02:49:15 12 either to this island or to that part
02:49:18 13 of your territory which lies on the
02:49:21 14 north of Owen Sound, upon which proper
02:49:25 15 houses shall be built for you, and
02:49:28 16 proper assistance given to enable you
02:49:30 17 to become civilized and to cultivate
02:49:33 18 land, which your Great Father engages
02:49:37 19 for ever to protect for you from the
02:49:40 20 encroachments of the whites."

02:49:53 21 Would you agree that the sense of this
02:49:55 22 protection provision in English is that the
02:49:56 23 Crown engages to protect from encroachment that
02:50:00 24 land in the Saugeen territory upon which Saugeen
02:50:04 25 houses are built and which the Saugeen

02:50:07 1 cultivate?

02:50:14 2 A. May I read the whole paragraph
02:50:15 3 again?

02:50:16 4 Q. Absolutely.

02:50:45 5 A. Okay. I've read it. Now can you
02:50:47 6 repeat the question?

02:50:49 7 Q. Would you agree that the sense of
02:50:50 8 this protection provision in English is that the
02:50:52 9 Crown engages to protect from encroachment that
02:50:57 10 land in the Saugeen territory upon which the
02:51:02 11 Saugeen's houses are built and which the Saugeen
02:51:06 12 cultivate?

02:51:07 13 THE COURT: I have Mr. Townshend on
02:51:08 14 his feet. What is your problem, sir?

02:51:13 15 MR. TOWNSHEND: Your Honour, that is
02:51:13 16 getting very close to asking for a legal
02:51:15 17 interpretation of Treaty 45 1/2. If it's more
02:51:19 18 focused on translation, I don't have a problem
02:51:22 19 with it. But as stated, it seemed to be asking
02:51:25 20 for a legal interpretation.

02:51:35 21 THE COURT: What do you have to say to
02:51:37 22 that, counsel, in response?

02:51:41 23 MR. ENNIS: Yes. It was as the sense
02:51:42 24 of someone who understands the English language
02:51:44 25 and translates it into another language that I

02:51:46 1 was asking the question, not for a legal
02:51:48 2 interpretation.

02:51:50 3 THE COURT: Well, Mr. Townshend,
02:51:51 4 there's no question that this expert witness is
02:51:54 5 neither qualified nor permitted to give a legal
02:51:58 6 opinion, so there's no problem with that.

02:52:00 7 Because of the nature of her evidence,
02:52:02 8 which does seem to get into the question of --
02:52:07 9 along these lines, I'm going to permit the
02:52:11 10 question. But rest assured that I will not
02:52:13 11 mistake it for a legal -- a piece of legal
02:52:17 12 evidence.

02:52:23 13 You are going to have to repeat the
02:52:26 14 question, sir.

02:52:28 15 MR. ENNIS: Certainly.

02:52:28 16 BY MR. ENNIS:

02:52:29 17 Q. So looking at what I call the
02:52:30 18 protection provision of Treaty 45 1/2, would you
02:52:32 19 agree that the sense of this provision in
02:52:35 20 English is that the Crown engages to protect
02:52:39 21 from encroachment that land in the Saugeen
02:52:43 22 territory upon which the Saugeen's houses are
02:52:48 23 built and which the Saugeen cultivate?

02:52:56 24 A. It seems to me that there is
02:53:00 25 possibility of some ambiguity there because of

02:53:08 1 the -- the long sentence, the length of the
02:53:14 2 sentence.

02:53:20 3 Q. And is the interpretation that I
02:53:25 4 put forward one possible, reasonable
02:53:28 5 interpretation?

02:53:34 6 A. An English reader could interpret
02:53:36 7 it in that way.

02:53:42 8 Q. Thank you. Now, I would like to
02:53:53 9 take you to another document. It's SC0739. And
02:54:01 10 we'll get that up on the screen. And it's
02:54:13 11 appendix number 44. It's actually an extract
02:54:20 12 from appendix number 44.

02:54:22 13 It's dated Saugeen February 21, 1843.
02:54:30 14 It's evidence of the Reverend T. Williams
02:54:33 15 respecting the Chippewas of Saugeen. It's from
02:54:36 16 the journal of the Legislative Assembly of
02:54:39 17 Canada, 1847, and it's pages 186 to 188 of
02:54:45 18 appendix 44.

02:54:47 19 And this whole report to which this is
02:54:50 20 an appendix to which -- and it's an extract from
02:54:54 21 that appendix, the whole report is commonly
02:54:57 22 known as the "Bagot Report".

02:55:06 23 Now, if we could go to the third page
02:55:08 24 of that report? So we'll be on the left-hand
02:55:16 25 side starting with:

02:55:20 1 "They have had their minds very
02:55:21 2 much unsettled [...]"

02:55:24 3 Yes, there it is. And this will be
02:55:26 4 difficult to see. Maybe it can be enlarged
02:55:31 5 still a bit more. Thank you, and I'm going to
02:55:38 6 read from it and then ask you a question:

02:55:42 7 "They have had their minds very
02:55:44 8 much unsettled since the purchase of
02:55:46 9 their territory by the late Lieutenant
02:55:48 10 Governor Sir Francis Head.

02:55:50 11 "The document which they hold is
02:55:52 12 so very indefinite and ambiguous, that
02:55:55 13 they do not know the boundary of the
02:55:57 14 lands which have been left to them;
02:55:58 15 they say that Sir Francis told them
02:56:03 16 that the whole Peninsula, north of a
02:56:06 17 direct line from the bottom of Owen's
02:56:07 18 Sound to the mouth of the Saugeen
02:56:08 19 River, belonged still to them. But
02:56:13 20 they have been told by Surveyors and
02:56:15 21 others, who pretend to know, that the
02:56:17 22 line would run in a due westerly
02:56:20 23 direction, from the Owen's Sound to
02:56:21 24 the west side of the peninsula coming
02:56:24 25 to the Lake about 8 or 10 miles north

02:56:28 1 of Saugeen, and thus cut off a large
02:56:31 2 tract of good land upon which they
02:56:35 3 venture to settle, lying between the
02:56:41 4 Saugeen and the Kappekuehuveenoong
02:56:43 5 Rivers, a very suitable situation for
02:56:46 6 them. Rumours have come to them these
02:56:50 7 two last years that the government
02:56:53 8 intended to settle the Saugeen River
02:56:54 9 with white people, and that they would
02:56:56 10 have to move away, and it has greatly
02:57:01 11 disturbed them, and caused them to
02:57:03 12 neglect their improvements and the
02:57:05 13 putting in of their crops; and through
02:57:08 14 it, and the severity of the present
02:57:10 15 winter, some of them are in almost a
02:57:13 16 starving condition. The first
02:57:15 17 question that they asked me, upon my
02:57:17 18 arriving among them, was concerning
02:57:19 19 these rumours. I endeavoured to calm
02:57:23 20 their minds, by telling them that
02:57:25 21 though I expected that they would be
02:57:26 22 removed from Saugeen yet the
02:57:28 23 Government would assist them in some
02:57:30 24 place equally as good. I have also
02:57:33 25 gone with them to examine the lands of

02:57:34 1 the Peninsula in order to see if they
02:57:36 2 were fit for settlement, and to select
02:57:38 3 a site for their future residence; and
02:57:41 4 I find that the greater part is very
02:57:43 5 poor, rocky and swampy; with, however
02:57:46 6 some small tracts of good land. I
02:57:48 7 have also discovered two places which
02:57:51 8 seem to be suitable places for Indian
02:57:54 9 settlements. I intend to make another
02:57:56 10 tour as soon as the snow will permit,
02:57:58 11 in order to see which is preferable.
02:58:00 12 (I would like to report upon it, if I
02:58:02 13 knew to whom that report might be
02:58:04 14 made.) They have agreed to remove to
02:58:06 15 the place that I shall decide upon.
02:58:10 16 They will hold a Council soon, to
02:58:11 17 address the Governor General upon the
02:58:14 18 subject; and I think that their monies
02:58:16 19 could not be better applied, than for
02:58:18 20 the purpose of assisting them in this
02:58:20 21 work."

02:58:24 22 As I say this is evidence of Reverend
02:58:26 23 T. Williams from February 21, 1843, which is
02:58:31 24 just over six years after Treaty 45 1/2 was
02:58:39 25 entered into.

02:58:46 1 Now, would you agree that in 1843, six
02:58:50 2 or more years after Treaty 45 was signed, the
02:58:54 3 Saugeen were in great distress at the prospect
02:58:58 4 of having to remove from the lands at Saugeen
02:59:00 5 where they were settled to further north on the
02:59:11 6 peninsula as a consequence of their settlement
02:59:13 7 at Saugeen being included or at least rumored to
02:59:17 8 be included in the lands that were surrendered
02:59:20 9 in Treaty 45 1/2?

02:59:22 10 That's a long question. Do you want
02:59:22 11 me to --

02:59:23 12 THE COURT: Before you say anything
02:59:24 13 more I want to hear from Mr. Townshend.

02:59:28 14 MR. TOWNSHEND: That seems to be a
02:59:29 15 historical question and not a translation
02:59:31 16 question.

02:59:32 17 THE COURT: Certainly does.
02:59:34 18 Mr. Ennis, I'm struggling to understand how this
02:59:38 19 witness' evidence is going to be helpful to me.
02:59:40 20 She is not qualified to testify about history in
02:59:43 21 that time period.

02:59:45 22 MR. ENNIS: Your Honour, my submission
02:59:46 23 would be that in order to understand the full
02:59:50 24 context of the words of Treaty 72 and the
02:59:53 25 meaning of "surrender", it would be helpful to

02:59:55 1 know the history and to know -- to be able to
03:00:00 2 ascertain whether the concept of surrender in
03:00:05 3 1854 could have been understood by the Saugeen
03:00:09 4 as a result of their experience in 1843
03:00:13 5 following the signing of Treaty 45 1/2.

03:00:19 6 THE COURT: Well, that isn't the
03:00:20 7 question you asked the witness.

03:00:22 8 MR. ENNIS: Okay.

03:00:22 9 THE COURT: You asked the witness to
03:00:23 10 agree with a factual proposition of whether or
03:00:25 11 not the Saugeen were in great distress in 1843.
03:00:28 12 That is a straight-ahead historical factual
03:00:32 13 proposition.

03:00:33 14 And Mr. Townshend is right, so I'm not
03:00:37 15 going to permit that question. You did not ask
03:00:39 16 the witness something around the area you just
03:00:43 17 discussed about whether or not such information
03:00:45 18 would be relevant context.

03:00:48 19 If you want to ask another question go
03:00:51 20 ahead, but I'm granting the objection.

03:00:54 21 MR. ENNIS: Thank you.

03:00:55 22 BY MR. ENNIS:

03:00:59 23 Q. Professor Corbiere, would it be
03:01:04 24 helpful for understanding whether the Saugeen
03:01:09 25 and Nawash in 1854 could understand the concept

03:01:14 1 of a surrender in a treaty, would it be helpful
03:01:22 2 to understand the historical context that
03:01:24 3 antedated the 1854 Treaty 72 negotiations?

03:01:33 4 A. I find the phrase "historical
03:01:35 5 context" to be very, very broad. So I cannot
03:01:46 6 answer the question as has been phrased.

03:01:49 7 Q. Okay. Would it be helpful to
03:01:54 8 understand the -- would it be helpful to know,
03:01:59 9 for example, this report by Reverend Williams
03:02:04 10 from 1843 of the situation that the Saugeen
03:02:08 11 found themselves in as a consequence of the
03:02:12 12 surrender in Treaty 45 1/2 in order to then
03:02:16 13 understand whether they could grasp the concept
03:02:19 14 of surrender in 1854?

03:02:30 15 A. The historical context, the
03:02:32 16 information given here in the excerpt you read
03:02:34 17 would affect their decision on what to do. I
03:02:41 18 don't believe that it would affect the
03:02:46 19 understanding they have of terms like "cede" or
03:02:50 20 "surrender". The meanings of those would not be
03:02:57 21 affected by the kinds of circumstances described
03:02:59 22 in this excerpt.

03:03:13 23 Q. Okay. I'm going to move on.

03:03:16 24 I'd like to examine assumption -- the
03:03:20 25 assumption D or the ideal condition (D) in your

1 report. Again it's on page 2.

2 And it's ideal condition (D) which you
3 were asked to work with, which is consider that:

4 "[...] the translator was given a
5 copy of the Treaty [...]" and this is
6 Treaty 72 "[...] written in English
7 and was asked to translate it on the
8 spot".

9 Now, I would like to begin first by
10 asking you, would you agree that we, of course,
11 don't actually know how the text of Treaty 72
12 was translated? That is to say, what the exact
13 specific words were used in Anishinaabemowin?
14 Isn't that really a matter of some speculation
15 and reconstruction?

16 A. To my knowledge, so there are no
17 transcriptions of the Anishinaabemowin
18 translation that would have been provided by the
19 translator.

20 Q. So would you agree with me, or my
21 statement that it's a matter of some speculation
22 and reconstruction to posit what the translated
23 words were done in 1854 in Anishinaabemowin?

24 A. An informed -- we would need to
25 infer what the translations might have been

03:05:44 1 based on the lexicon, the vocabulary available.

03:05:55 2 Q. But we don't know, of course,
03:05:57 3 exactly what the translations were?

03:05:59 4 A. There is no transcription and
03:06:00 5 there is no audio recording, correct, to show
03:06:03 6 what the translations were.

03:06:08 7 Q. Okay. I'd like to take you to a
03:06:13 8 report by the Crown negotiator Laurence Oliphant
03:06:19 9 and it is already an exhibit, Exhibit 2175.

03:06:36 10 And if we could go to page 4? Thank
03:06:38 11 you, down to the middle of the page. And maybe
03:06:44 12 make it a bit larger? Thank you.

03:06:49 13 And I'm going to read you part of that
03:06:52 14 text and then ask you a question. I'm going to
03:07:06 15 start with the third full paragraph.

03:07:08 16 "I opened the proceedings by
03:07:08 17 stating to them the reason which I had
03:07:08 18 induced Her Excellency to recommend
03:07:08 19 the surrender [...]"

03:07:11 20 Actually I'm going to stop there for a
03:07:13 21 moment.

03:07:13 22 This is a report by Laurence Oliphant
03:07:17 23 who was the Superintendent General at the
03:07:22 24 negotiated Treaty 72. It's a report to the
03:07:25 25 Governor General Lord Elgin and it's dated

03:07:28 1 November 3, 1854. And I don't know that it's
03:07:32 2 necessary, but I'll read the very first
03:07:35 3 paragraph.

03:07:36 4 "I have the honour to report for
03:07:37 5 the information of Your Excellency,
03:07:38 6 the proceedings which took place at
03:07:40 7 the council convened by me, in
03:07:45 8 obedience to your Lordship's
03:07:46 9 instructions, at the Indian village of
03:07:46 10 Saugeen, on the 13th of October last,
03:07:49 11 for the purpose of obtaining, if
03:07:52 12 possible, from the tribes resident at
03:07:53 13 Saugeen, Owen's Sound and Colpoy's
03:07:56 14 Bay, a surrender to the Crown of the
03:07:58 15 greater portion of that tract of land
03:07:59 16 which has hitherto been reserved for
03:08:01 17 their exclusive use and occupation."

03:08:04 18 And now if I can resume back on the
03:08:07 19 middle of page 4? And I'll read starting with
03:08:13 20 "I opened [...]".

03:08:17 21 "I opened the proceedings by
03:08:18 22 stating to them the reasons which had
03:08:20 23 induced Your Excellency to recommend
03:08:21 24 the surrender of so large a portion of
03:08:23 25 their territory. The evidence of

03:08:26 1 their own senses was sufficient to
03:08:28 2 bear me out in the truth of my
03:08:29 3 assertions, in reference to the
03:08:32 4 avidity with which the neighbouring
03:08:35 5 lands were taken up by whites. They
03:08:36 6 were compelled to admit that squatters
03:08:39 7 were even then locating themselves
03:08:41 8 without permission either from
03:08:43 9 themselves or the Department upon the
03:08:45 10 reserve. I represented [...] the
03:08:47 11 extreme difficulty if not
03:08:49 12 impossibility of preventing such
03:08:52 13 unauthorized intrusion. On the other
03:08:55 14 hand I explained the advantages which
03:08:57 15 would accrue to them from so large an
03:08:59 16 augmentation of funds as must resolve
03:09:03 17 from the sale of their lands, by which
03:09:05 18 they would be enabled to erect
03:09:08 19 schools, extend their farms and
03:09:10 20 purchase many comforts of which they
03:09:12 21 were now deprived. As a further
03:09:15 22 inducement to accede to Your
03:09:17 23 Lordship's recommendation and also
03:09:19 24 because I considered on many grounds
03:09:19 25 that it would be a most desirable mode

03:09:22 1 of sale, I promised that the lands,
03:09:23 2 when surveyed, should be sold by
03:09:26 3 auction; that arrangement should be
03:09:28 4 made by which separate titles to farm
03:09:30 5 lots could be granted by the
03:09:32 6 Department to the Indians within their
03:09:33 7 own reserves, and having no reference
03:09:35 8 to white men; that the annuities
03:09:38 9 arising from the sale should be paid
03:09:40 10 in money, and not in goods; I finally
03:09:44 11 promised that those chiefs, who were
03:09:46 12 prepared to meet the Government in
03:09:47 13 this measure, so productive of benefit
03:09:50 14 to their bands, should be rewarded by
03:09:52 15 Your Excellency with medals. I was
03:09:54 16 met by most decided opposition on the
03:09:56 17 part of Alexander Madwayosh, principal
03:09:58 18 chief of the Saugeen band, whom I have
03:10:01 19 before mentioned, and with whom I
03:10:02 20 maintained an animated discussion,
03:10:03 21 none of the other chiefs taking any
03:10:06 22 part in the proceedings. It was
03:10:09 23 clear, however, that public opinion,
03:10:11 24 more especially with the Chiefs of the
03:10:12 25 Owen Sound Band, was turning against

03:10:15 1 him, and I therefore passed on to
03:10:17 2 explain to them the limits of the
03:10:18 3 reserves proposed by Government. As
03:10:22 4 soon as the discussion was fairly
03:10:24 5 diverted from the question of the
03:10:25 6 propriety of the surrender to a
03:10:27 7 consideration of the limits of the
03:10:28 8 reserves, I retired for an hour in
03:10:31 9 order to allow time for private
03:10:34 10 debate.

03:10:36 11 It was evident from what had
03:10:37 12 already occurred that the fact of this
03:10:39 13 council having been held at Saugeen
03:10:41 14 instead of in Owen Sound, as upon the
03:10:44 15 former occasion, would exercise an
03:10:46 16 important influence upon its
03:10:47 17 proceedings. The Saugeen band
03:10:49 18 maintained that they were first
03:10:51 19 established in this part of the
03:10:52 20 peninsula, and therefore considered
03:10:53 21 that they occupied the most prominent
03:10:55 22 position in the tribe, and are
03:10:57 23 entitled to a larger share in its
03:10:59 24 councils. Feelings of jealousy
03:11:01 25 arising from this cause have

03:11:03 1 invariably manifested themselves when
03:11:05 2 called to a council at Owen Sound, and
03:11:08 3 they consequently opposed a measure,
03:11:10 4 at all times unpalatable [...]" and
03:11:13 5 turning to the next page "[...] when
03:11:16 6 rendered doubly so in the manner it
03:11:19 7 which it was submitted to them. An
03:11:21 8 additional advantage was derived from
03:11:22 9 the presence of many of the young men
03:11:24 10 and warriors of the Saugeen band, who
03:11:25 11 did not attend at Owen Sound but whose
03:11:28 12 opinions could now be easily
03:11:30 13 ascertained and allowed to have their
03:11:33 14 due effect.

03:11:34 15 Upon returning to council I found
03:11:36 16 that the Chief Alexander Madwayosh,
03:11:36 17 had been completely out-voted. Some
03:11:42 18 of the other Chiefs now came forward
03:11:45 19 to stipulate for increased limits to
03:11:48 20 their reserves and fresh privileges,
03:11:50 21 in consideration of their readiness to
03:11:53 22 adopt the views of the Government.
03:11:56 23 These were discussed seriatim; each
03:12:01 24 party finding occasional concessions
03:12:03 25 necessary, until we decided upon the

03:12:06 1 terms of the surrender, as embodied in
03:12:10 2 the document herewith annexed, which I
03:12:14 3 drew out in the presence of the
03:12:15 4 chiefs, and which was afterwards read
03:12:17 5 and explained to them."

03:12:20 6 Now looking at the assumption or the
03:12:37 7 ideal condition that you were given in (D)
03:12:40 8 which, I repeat, the translator was given a copy
03:12:42 9 of the Treaty written in English and asked to
03:12:54 10 translate it on the spot. The report that I
03:12:57 11 read to you by Laurence Oliphant, isn't that a
03:12:59 12 different set of conditions than the conditions
03:13:01 13 upon which you gave your opinion?

03:13:09 14 A. I have a hard time answering that
03:13:11 15 because of the passage was quite long.

03:13:21 16 Q. I tried to give it context, but I
03:13:23 17 could reduce it if you'll allow me to, just a
03:13:28 18 few lines and that might be easier for you to --
03:13:32 19 if I could repeat them.

03:13:34 20 And that's at -- in the first full
03:13:37 21 paragraph of -- on page 5. And this is after
03:13:42 22 Laurence Oliphant returns to council after which
03:13:47 23 he left for an hour. And he says:

03:13:48 24 "[...] I found that the Chief
03:13:48 25 Alexander Madwayosh had been

03:13:48 1 completely out-voted. Some of the
03:13:48 2 other Chiefs now came forward to
03:13:48 3 stipulate for increased limits to
03:13:48 4 their reserves and fresh privileges,
03:13:48 5 in consideration of their readiness to
03:13:48 6 adopt the views of the Government.
03:13:48 7 These were discussed seriatim; each
03:13:48 8 party finding occasional concessions
03:13:48 9 necessary, until we decided upon the
03:13:48 10 terms of the surrender, as embodied in
03:13:48 11 the document herewith annexed, which I
03:13:48 12 drew out in the presence of the
03:13:48 13 chiefs, and which was afterwards read
03:13:48 14 and explained to them."

03:14:24 15 So my question is, isn't it the case
03:14:27 16 that the terms of the Treaty, according to this
03:14:30 17 report, would have been worked out through the
03:14:33 18 negotiation process in discussion, explained and
03:14:38 19 translated as the negotiations were occurring,
03:14:41 20 and the terms of the Treaty were being agreed to
03:14:46 21 by both parties?

03:14:49 22 And if that's the case, is that a
03:14:51 23 different set of assumptions than the ones that
03:14:53 24 you were asked to work under in the ideal
03:14:58 25 condition D?

03:15:00 1 A. If you could clarify what
03:15:01 2 "seriatim" means I might be better able to
03:15:04 3 answer that.

03:15:05 4 Q. Well, I can tell you that I'm not
03:15:07 5 a Latin scholar but I believe it means "one
03:15:10 6 after the other." So they were discussed one by
03:15:14 7 one. I could be wrong about that, but that was
03:15:17 8 my understanding of it.

03:15:26 9 A. Okay. To answer that, the way
03:15:27 10 that I -- the phrase "on the spot" in one of the
03:15:34 11 conditions I guess is in a sense, refers to a
03:15:40 12 relative timeframe. "On the spot", it doesn't
03:15:49 13 mean necessarily a simultaneous translation or
03:15:53 14 an immediate consecutive translation.

03:15:59 15 The way I am -- I'm interpreting it is
03:16:05 16 that the translator would not have had the time
03:16:13 17 to illustrate the difference.

03:16:16 18 When I work on a translation today, I
03:16:18 19 don't have only an hour in which to do it.
03:16:21 20 Sometimes people ask me on a Monday or a Tuesday
03:16:25 21 would you be able to translate this paragraph,
03:16:29 22 or whatever the item is, by this Friday? And
03:16:35 23 usually I'll say, well, let me see the text.

03:16:42 24 Because I need to identify -- I need
03:16:45 25 to determine whether there are any terms in the

03:16:47 1 text that are unfamiliar to me or whose meanings
03:16:53 2 in that context I'm not absolutely certain of,
03:16:56 3 so I need in a sense research time to look into
03:17:02 4 say, there was a text involving the word
03:17:04 5 "confiscate". I have, I think, a pretty good
03:17:11 6 understanding of that term. But I'm not
03:17:14 7 entirely certain if I have the full -- I
03:17:19 8 understand fully what it means.

03:17:22 9 So if that were a word in a text I've
03:17:24 10 been asked to translate, I would need to take
03:17:26 11 the time to consult dictionaries and ideally, to
03:17:31 12 be on the safe side, a legal dictionary, because
03:17:35 13 a popular dictionary for every day use might not
03:17:39 14 go into the same detail as a legal dictionary
03:17:42 15 would. And, of course, today with Google things
03:17:49 16 are little bit more rapid.

03:17:51 17 So when I see "on the spot" here
03:17:54 18 it's -- I take it that the person would not have
03:18:01 19 had the time to consult other materials to
03:18:03 20 double check, am I understanding this term and
03:18:08 21 that term properly in English in order to be
03:18:11 22 sure that I'm giving a correct translation? So
03:18:16 23 that's how I'm interpreting "on the spot".

03:18:23 24 Q. And that's fair. Would you say
03:18:25 25 there was a difference between the two scenarios

03:18:27 1 I'm going to outline?

03:18:31 2 In one scenario there is a
03:18:33 3 back-and-forth discussion between the
03:18:38 4 representative of the Crown on one side and the
03:18:40 5 Chiefs and leading men of the Saugeen and Nawash
03:18:43 6 on the other, about various terms of the Treaty,
03:18:48 7 including the size of the reserves, and what
03:18:55 8 monies -- how monies would be applied from the
03:18:58 9 sale of the reserves for the benefit of the
03:19:03 10 Saugeen and Nawash?

03:19:05 11 So one scenario is that it's being
03:19:07 12 discussed, things are being explained as they're
03:19:12 13 negotiating the terms of the Treaty, words are
03:19:15 14 being translated into Anishinaabemowin. Then
03:19:20 15 when they come to an agreement, it's then
03:19:23 16 written down in English in their presence and
03:19:26 17 then read out and translated. So that's one
03:19:30 18 scenario.

03:19:31 19 A different scenario is --

03:19:38 20 THE COURT: Sir, I mean this has been
03:19:39 21 the pattern this afternoon. But if I can't
03:19:41 22 follow your questions, which are extremely long,
03:19:43 23 I don't really see why this witness should be
03:19:46 24 trying to. Perhaps she can. I'm not saying
03:19:49 25 that she can not. But we've just embarked on

03:19:52 1 another question that is so long that I've lost
03:19:55 2 track of it.

03:20:09 3 MR. ENNIS: I think I'll move on to
03:20:10 4 the next one.

03:20:11 5 THE COURT: You don't have to, sir,
03:20:13 6 you just need to break it down, as the witness
03:20:14 7 said earlier this afternoon when she observed
03:20:14 8 herself that the question was too long. You
03:20:14 9 should do what you want but on that question I
03:20:16 10 couldn't follow it.

03:20:18 11 BY MR. ENNIS:

03:20:18 12 Q. Well, I'll try to restate it a
03:20:20 13 bit more succinctly if I'm able to do so and
03:20:25 14 accomplish that.

03:20:27 15 The two scenarios, one scenario is
03:20:28 16 there is a discussion on what the Treaty terms
03:20:31 17 will be, and in the course of the discussion
03:20:34 18 there's translation into Anishinaabemowin. And
03:20:41 19 then the terms were agreed upon and the Treaty
03:20:44 20 is written down and then translated back.

03:20:48 21 The second scenario is there's a
03:20:52 22 treaty text which is written down, and at that
03:20:57 23 point the terms are translated to the assembled
03:21:03 24 Saugeen and Nawash for the first time and then
03:21:09 25 they sign.

03:21:10 1 Do you see any difference between
03:21:12 2 those two scenarios?

03:21:21 3 A. I feel that I cannot answer that
03:21:23 4 based on the scenario descriptions given. I'm
03:21:31 5 unable to.

03:21:33 6 Q. That's fine. Now I'll move on.

03:21:45 7 THE COURT: I could follow that
03:21:46 8 perfectly well, sir, so don't be discouraged.
03:21:50 9 Please go ahead.

03:21:51 10 MR. ENNIS: Thank you.

03:21:52 11 BY MR. ENNIS:

03:21:53 12 Q. Did you work on the premise,
03:21:55 13 Professor Corbiere, that Peter Jacobs was the
03:21:58 14 only native Anishinaabemowin speaker present at
03:22:02 15 the Treaty 72 negotiations who was also fluent
03:22:07 16 in English?

03:22:15 17 A. From the information I was able
03:22:16 18 to obtain or that was available to me, that was
03:22:19 19 my understanding.

03:22:22 20 Q. I'm going to show you just a few
03:22:24 21 documents. The first one is Treaty 72 itself,
03:22:32 22 which is Exhibit 2146. And it's the signatory
03:22:37 23 page. And you'll see on the left after
03:22:43 24 signed -- below "signed and sealed", you'll see
03:22:46 25 Peter Jacobs missionary. And he's the

03:22:49 1 translator, is that correct?

03:22:52 2 A. From the information that was
03:22:57 3 available or given to me that I understood him
03:22:59 4 to be the missionary.

03:23:01 5 THE COURT: I don't want to get off
03:23:02 6 track here. Is that correct? You don't mean to
03:23:06 7 ask this witness the fact? You're saying is
03:23:07 8 that what the document says?

03:23:10 9 I think it would be clearer if you
03:23:11 10 asked that question so we don't have
03:23:13 11 Mr. Townshend on his feet again saying that this
03:23:16 12 witness can't testify about what actually
03:23:18 13 occurred.

03:23:21 14 MR. ENNIS: Well, the document doesn't
03:23:22 15 actually say that he's the interpreter.

03:23:24 16 THE COURT: Just be clear please with
03:23:26 17 the witness.

03:23:27 18 BY MR. ENNIS:

03:23:27 19 Q. All right. Is it your
03:23:27 20 understanding that -- it's my understanding from
03:23:29 21 the report that you wrote that you believe Peter
03:23:35 22 Jacob was the interpreter?

03:23:37 23 A. Based on the information that was
03:23:39 24 available to me or that was provided, that was
03:23:45 25 my understanding.

03:23:46 1 Q. Thank you. Now, I just want to
03:23:47 2 draw your attention to three other names. On
03:23:50 3 the right-hand side you'll see the signatories
03:23:55 4 from the Saugeen and Nawash communities. You'll
03:24:02 5 see some use their totem and some, it would
03:24:08 6 appear if the totem isn't there, may have signed
03:24:11 7 it.

03:24:12 8 But, in any event, going about almost
03:24:16 9 half way down I draw your attention to the name
03:24:19 10 David Sawyer and immediately below him to the
03:24:26 11 name John H. Beaty. And at the very bottom, the
03:24:31 12 last signatory, Charles Keeshick. So you'll see
03:24:37 13 those three names?

03:24:39 14 A. Yes, I see them.

03:24:40 15 Q. Thank you. Now I would like to
03:24:50 16 bring to your attention, you've already
03:24:51 17 indicated that you weren't aware that the
03:24:53 18 signatory David Sawyer was fluent in both
03:24:58 19 Anishinaabemowin and English, is that correct?

03:25:06 20 A. I did not have any information
03:25:08 21 about David Sawyer.

03:25:19 22 Q. I'd like to bring up Exhibit
03:25:20 23 1878. And it's either Surrender 67 or Treaty
03:25:35 24 67, which if you look behind you on the map,
03:25:40 25 right just behind you that I'm pointing to,

03:25:45 1 Exhibit P, you will see that there's a white
03:25:51 2 strip, a white line separating the Saugeen
03:25:55 3 Peninsula, which is in yellow, from the Treaty
03:25:58 4 45 1/2 line -- lands which are to the south of
03:26:02 5 the white strip.

03:26:06 6 It's referred to as the "half mile
03:26:08 7 strip" and it's Treaty 67 signed in 1851. And
03:26:14 8 this document on the screen is, in fact, the
03:26:18 9 text of that treaty.

03:26:24 10 It's dated September 2nd, 1851. And
03:26:38 11 you will see there that on the right-hand side
03:26:40 12 the second signatory is Alexander Madwayosh, who
03:26:53 13 is also the second signatory in Treaty 72. And
03:26:59 14 you'll see about two thirds of the way down
03:27:05 15 there's John Jones who is a signatory. But on
03:27:11 16 the left-hand side you see David Sawyer,
03:27:13 17 interpreter. He is one of the two interpreters
03:27:16 18 to that treaty, Francis Assikinnek is the other
03:27:23 19 interpreter.

03:27:28 20 So it appears from this treaty that
03:27:30 21 David Sawyer was one of the interpreters of that
03:27:33 22 earlier treaty in 1851 entered into between the
03:27:37 23 same parties three years before Treaty 72.

03:27:52 24 And now I'm going to show you a
03:27:54 25 document in regard to Charles Keeshick. It's

03:27:58 1 document SC0740. It's actually Surrender 66.

03:28:05 2 It's made June 17th, 1852. So this would be two
03:28:11 3 years before Treaty 72. It's made between the
03:28:17 4 Crown and the Chippewas of Lakes Huron and
03:28:21 5 Simcoe.

03:28:26 6 And if we go to the second page, the
03:28:28 7 signatory page, you'll see that on the left-hand
03:28:30 8 side Charles Keeshick is listed as the
03:28:39 9 interpreter of that treaty.

03:28:41 10 And Your Honour, I would like to make
03:28:44 11 this document, Surrender number 66, dated June
03:28:49 12 17, 1852, the next exhibit.

03:28:54 13 THE COURT: Any objection?

03:28:56 14 THE REGISTRAR: Exhibit 4098.

03:28:59 15 EXHIBIT NO. 4098: Surrender No. 66,
03:29:02 16 June 17, 1852, in Canada, Indian
03:29:02 17 Treaties and Surrenders from 1680 to
03:29:02 18 1890 - In Two Volumes, Vol. I (Ottawa:
03:29:02 19 Brown Chamberlin, Queen's Printer,
03:29:02 20 1891), pp. 159-160. Document number
03:29:04 21 SC0740.

03:29:06 22 BY MR. ENNIS:

03:29:06 23 Q. And bear with me, I only have a
03:29:08 24 couple more documents to show you before I would
03:29:12 25 ask the question that I would like to.

03:29:13 1 And if we go to document SC0747, this
03:29:35 2 is a letter from Richard Carney to Lord Bury.

03:29:42 3 The first part is a transcription of a
03:29:43 4 letter. We have the handwritten letter itself
03:29:47 5 appended to the end of this document. It's
03:29:51 6 dated April 21, 1855. And if we could go to the
03:29:57 7 bottom of the first page, it says:

03:30:06 8 "Charles Keeshick is an Indian of
03:30:09 9 Superior character, was educated at
03:30:12 10 Upper Canada College, is very moral in
03:30:16 11 all his deportment."

03:30:19 12 And if, we can turn over to the next
03:30:23 13 page? No, I think you can keep going down,
03:30:31 14 thank you. Yes, to the words "justly".

03:30:47 15 "[...] justly there cannot be a
03:30:49 16 word said against his character as a
03:30:51 17 writer and interpreter to the
03:30:52 18 Band[...]".

03:30:55 19 And we can stop there. And I would
03:31:02 20 like to make this letter from Richard Carney to
03:31:05 21 Lord Bury dated April 21, 1855, the next
03:31:13 22 exhibit.

03:31:15 23 THE REGISTRAR: Exhibit 4099.

03:31:18 24 EXHIBIT NO. 4099: Letter from Richard
03:31:20 25 Carney, Sydenham, Owen Sound, to Lord

03:31:20 1 Bury, Superintendent General of Indian
03:31:20 2 Affairs, Quebec, April 21, 1855
03:31:20 3 Pp. 1-2 of transcript (pp.
03:31:20 4 128405-128406 in original). LAC RG 10.
03:31:20 5 Document number SC0747.

03:31:21 6 BY MR. ENNIS:

03:31:21 7 Q. And I have only one more document
03:31:23 8 to show you before I ask my question and that is
03:31:26 9 document SC0741. And it's a letter from John
03:31:35 10 Johnson to T.G. Anderson dated June 23, 1856,
03:31:47 11 and at the beginning it says:

03:31:49 12 "We the Chief and warriors of
03:31:50 13 this Band in General Council [...]"

03:31:56 14 And then if we can skip down about six
03:31:58 15 lines to the part that says in the middle:

03:32:04 16 "[...] by our General Council[...]"

03:32:10 17 I don't know if you can follow that,
03:32:12 18 Your Honour? Or not. It's difficult. Do you
03:32:23 19 see:

03:32:23 20 "[...] by our General Council,
03:32:26 21 appointed W.J.H. Beaty from the Band
03:32:31 22 of Colpoys to act as our interpreter
03:32:33 23 and writer."

03:32:39 24 And I would like to make this
03:32:40 25 document, the letter from John Johnson to T.G.

Anderson dated June 23, 1856, the next exhibit.

THE REGISTRAR: Exhibit number 4100.

EXHIBIT NO. 4100: Letter from John

Johnston to T. G. Anderson,

Superintendent of Indian Affairs, June

23, 1856. LAC RG 10 Vol. 226 pp.

134687-134688 Reel C-11538. Document

number SC0741.

BY MR. ENNIS:

Q. Now, Professor Corbiere, these three men who were signatories to Treaty 72 were present at the Treaty negotiations listening to what is said in both English and Anishinaabemowin.

So my question to you is, is it reasonable to infer from their presence as well as their recognized ability to act as interpreters that they could act as a safeguard in communicating to the Saugeen and Nawash the intention of the Crown in drawing up the terms of the Treaty text and the meaning of those terms?

A. Okay. May I ask you is to repeat that question again? Again, the length of it makes me hard to keep track of --

03:33:54 1 Q. I apologize for how long these
03:33:56 2 sentences -- questions are.

03:33:58 3 The three treaty signatories that I
03:34:01 4 mentioned, David Sawyer, Beaty, and Charles
03:34:08 5 Keeshick and I've drawn to your attention the
03:34:12 6 fact that they are interpreters, is it
03:34:19 7 reasonable to infer from their presence at the
03:34:21 8 Treaty 72 negotiations that they could act as a
03:34:28 9 safeguard in ensuring that the terms of Treaty
03:34:35 10 72 communicated to the Saugeen and Nawash were
03:34:44 11 being properly translated, insofar as they could
03:34:47 12 be properly translated?

03:34:51 13 A. I don't believe it to be
03:34:53 14 reasonable.

03:34:55 15 Q. And why is that?

03:35:06 16 A. Because they were living at the
03:35:08 17 same time -- at the same time before there were
03:35:11 18 any professional training programs available.

03:35:16 19 Q. So does that mean in your view
03:35:18 20 that because there were no professional
03:35:22 21 translation programs available that it was
03:35:26 22 impossible to translate the terms of the Treaty
03:35:30 23 from English-to-Anishinaabemowin in the mid-19th
03:35:35 24 century?

03:35:36 25 A. It was not categorically

03:35:38 1 impossible to translate -- I mean, there were --
03:35:45 2 again, parts of the Treaty would have been more
03:35:50 3 readily translatable than other parts or certain
03:35:54 4 terms within the Treaty.

03:35:57 5 It's hard to speak in terms of the
03:36:00 6 Treaty as a whole whether it was possible or
03:36:04 7 impossible to translate.

03:36:07 8 Q. Could I ask you a question?
03:36:09 9 Would it have been possible in your opinion to
03:36:11 10 properly communicate or translate to the Saugeen
03:36:16 11 and Nawash the word "sale"? That is "sale" as
03:36:27 12 in selling something, not a boat.

03:36:32 13 A. Right. That particular concept
03:36:34 14 is quite a bit more straightforward so that
03:36:38 15 particular term I believe would have been -- it
03:36:46 16 would have been possible to translate by the men
03:36:48 17 identified.

03:36:50 18 Q. Sorry, would have been possible
03:36:51 19 did you say?

03:36:52 20 A. It would have been possible for
03:36:53 21 those men to translate "sale", as in selling
03:37:00 22 something.

03:37:00 23 Q. And it would, therefore, be
03:37:02 24 possible for the Treaty signatories to
03:37:05 25 understand the meaning of the term "sale" as the

03:37:08 1 Crown intended it?

03:37:11 2 A. For the particular term "sale" --

03:37:16 3 THE COURT: I've got Mr. Townshend on
03:37:18 4 his feet so if you could wait please, Professor.
03:37:21 5 Yes, sir.

03:37:22 6 MR. TOWNSHEND: The -- "as the Crown
03:37:24 7 intended it" is --

03:37:26 8 THE COURT: Yes, I paused over that as
03:37:28 9 well. I'm not sure that was really what you
03:37:31 10 were trying to get at, sir, was it?

03:37:34 11 MR. ENNIS: No, I --

03:37:34 12 THE COURT: Extra words it seemed.

03:37:37 13 MR. ENNIS: You're right, as it would
03:37:38 14 have been meant in English.

03:37:41 15 THE COURT: You can stop with "You're
03:37:41 16 right," okay?

03:37:50 17 Professor, the question was: You had
03:37:57 18 said it would be possible for those men to
03:38:00 19 translate "sale" as in selling something. And
03:38:03 20 then this gentleman asked you, it would
03:38:07 21 therefore be possible for the Treaty signatories
03:38:11 22 to understand the meaning of the term "sale",
03:38:15 23 and I'm going to stop there. Can you answer
03:38:16 24 that question, please?

03:38:17 25 THE WITNESS: Yes, it would have been

03:38:18
03:38:19
03:38:22
03:38:33
03:38:34
03:38:34
03:38:36
03:38:37
03:38:43
03:38:45
03:38:47
03:38:48
03:38:48
03:38:49
03:38:50
03:38:52
03:38:54
03:38:57
03:38:59
03:39:04
03:39:07
03:39:09
03:39:11
03:39:14
03:39:16

1 possible.
2 THE COURT: All right.
3 MR. ENNIS: All right, thank you.
4 BY MR. ENNIS:
5 Q. Thank you, Professor Corbiere.
6 Those are my questions.
7 THE COURT: Which counsel for Ontario
8 is going to be asking this professor questions?
9 MS. LE PAN: I will, Your Honour.
10 THE COURT: And what's your estimate,
11 counsel, about how long you're going to be?
12 MS. LE PAN: Probably an hour and a
13 half.
14 THE COURT: So we'll take the
15 afternoon break at this time.
16 Now, Professor Corbiere, there are
17 some special court rules that apply to witnesses
18 when they are being cross examined, which is
19 your situation.
20 And to make it as simple as possible
21 what they mean is you cannot discuss anything to
22 do with this matter with anybody at all,
23 regardless of who that person is. And for
24 expert witnesses I also like to remind them,
25 because I know you're academically active, that

03:39:20 1 you should also not use your free time to do any
03:39:22 2 research, inquiries, look anything up that you
03:39:27 3 might have thought about during the course of
03:39:29 4 your testimony. Just have to put the whole
03:39:31 5 thing to one side.

03:39:32 6 THE WITNESS: I understand.

03:39:40 7 THE COURT: So we'll take a 20-minute
03:39:43 8 break.

03:39:43 9 Before we do that, Mr. Registrar.

03:39:43 10 THE REGISTRAR: The last exhibit was
03:39:44 11 announced incorrectly by me. So the letter from
03:39:47 12 John Johnson is going to be Exhibit number 4100.

03:39:59 13 THE COURT: So it was on the record as
03:40:00 14 4010 and Mr. Registrar is clarifying that it
03:40:03 15 should be 4100. So make that correction. Thank
03:40:03 16 you, Mr. Registrar. And I said 20 minutes but
03:40:03 17 it should only be 15, so 15 minutes.

03:40:03 18 -- RECESSED AT 3:40 P.M.

03:40:03 19 -- RESUMED AT 3:58 P.M.

03:58:33 20 THE COURT: Please go ahead.

03:58:34 21 CROSS-EXAMINATION BY MS. LE PAN:

03:58:36 22 Q. Good afternoon, Professor
03:58:36 23 Corbiere. I stated earlier, my name is Jennifer
03:58:42 24 Le Pan. I'm counsel for Ontario. If at any
03:58:44 25 point during my examination you don't understand

03:58:45 1 my question or you can't hear it, just let me
03:58:47 2 know. Okay.

03:58:48 3 In preparing your reports, you took
03:58:50 4 care to be as accurate as possible, is that
03:58:53 5 right?

03:58:56 6 A. Yes.

03:58:57 7 Q. And you sought to be detailed.

03:59:01 8 A. So sorry, I didn't quite catch
03:59:03 9 that.

03:59:03 10 Q. You sought to be detailed?

03:59:12 11 A. I sought to include details that
03:59:14 12 I felt were important to include.

03:59:17 13 Q. So all important information
03:59:19 14 relevant to your opinion is included in your
03:59:27 15 report?

03:59:27 16 A. What I feel is relevant to the
03:59:30 17 opinion I tried to address in the report, yes.

03:59:37 18 Q. Your curriculum vitae lists
03:59:38 19 experiences you have had translating a broad
03:59:43 20 range of texts so, for example, medical
03:59:44 21 documents, educational materials, legal texts,
03:59:46 22 right?

03:59:48 23 A. Right.

03:59:49 24 Q. And you were able to competently
03:59:52 25 translate all those documents?

03:59:53 1 A. Did you say confidently or
03:59:55 2 competently?

03:59:57 3 Q. Excuse me. Competently.

03:59:59 4 A. Competently.

04:00:00 5 Q. Yes.

04:00:06 6 A. The matter of competence would
04:00:09 7 entail judgment by somebody else. All I can say
04:00:16 8 is I translated them to the best of my ability.

04:00:26 9 Q. Okay. And you aren't specialized
04:00:29 10 in any particular subject matter of translation,
04:00:31 11 for example, medical documents, is that right?

04:00:42 12 A. I don't have formal
04:00:43 13 specialization, specialization in the form of
04:00:46 14 formal training on translating particular kinds
04:00:54 15 of documents.

04:01:01 16 Q. And you've -- you don't have any
04:01:05 17 formal legal training, right?

04:01:10 18 A. Right. I don't have any formal
04:01:12 19 legal training.

04:01:16 20 Q. And you haven't taken any formal
04:01:19 21 courses on legal translation, is that right?

04:01:21 22 A. Right. I have not taken any
04:01:23 23 formal courses.

04:01:32 24 Q. And when you provided
04:01:33 25 translations for legal documents, would you

04:01:35 1 agree that you were able to provide accurate
04:01:40 2 translations to the best of your ability without
04:01:43 3 having that legal training?

04:01:50 4 A. I believe that the particular
04:01:56 5 legal concepts that I've encountered in
04:02:01 6 documents, I -- certain ones I was able to
04:02:10 7 translate. And those that I found to be really
04:02:17 8 not translatable, that had no equivalent, I
04:02:20 9 would leave in the original source language.

04:02:25 10 Q. Okay. So you would agree that a
04:02:28 11 translator without formal legal training can
04:02:33 12 still provide accurate translations of legal
04:02:38 13 concepts or -- legal texts or concepts?

04:02:45 14 A. If that person has access and has
04:02:48 15 the time to double check his or her -- that his
04:02:54 16 or her understanding is correct.

04:03:05 17 Q. And you've never had experience
04:03:06 18 with providing translation in a courtroom, is
04:03:09 19 that correct? Like -- by that I mean a
04:03:12 20 courtroom interpreter?

04:03:18 21 A. Would that include reading
04:03:19 22 somebody's bail conditions?

04:03:21 23 Q. Yes, that's true. That would be
04:03:24 24 included so you have --

04:03:26 25 THE COURT: Sorry, you've lost me.

04:03:29 1 There's a specific formal role in a courtroom
04:03:33 2 for a translator who has to be sworn in, in the
04:03:36 3 courtroom, and performs a specific role. Is
04:03:39 4 that what you're asking about?

04:03:42 5 BY MS. LE PAN:

04:03:43 6 Q. Yes, that's what I'm asking
04:03:44 7 about. Was that your role when you translated
04:03:46 8 the bail conditions? Were you sworn in?

04:03:52 9 A. I do not recall that -- the
04:03:55 10 full -- how the whole process was done. It was
04:04:01 11 many, many years ago.

04:04:06 12 Q. But you're familiar with
04:04:08 13 courtroom translators who are sworn in and are
04:04:10 14 official translators? You're familiar with what
04:04:13 15 those are and what they do, broadly speaking?

04:04:21 16 A. Yes, I understand what it means
04:04:23 17 to be a court interpreter.

04:04:25 18 Q. And they provide real-time
04:04:27 19 translation services, meaning they provide
04:04:30 20 translations on the spot?

04:04:35 21 A. From what I understand of the
04:04:36 22 process as explained to us in the workshops I
04:04:41 23 attended, that is my understanding and that
04:04:46 24 there are different kinds of translations and
04:04:51 25 different kinds of -- simultaneous, consecutive,

04:04:54 1 for example.

04:04:59 2 Q. And those translations, those
04:05:01 3 simultaneous translations as you put it, that
04:05:04 4 doesn't necessarily compromise the accuracy of
04:05:08 5 those translations?

04:05:12 6 A. Again, that depends on the skill
04:05:14 7 of the translator.

04:05:18 8 Q. But given a certain skill level,
04:05:24 9 a simultaneous translation doesn't necessarily
04:05:27 10 compromise the accuracy of the translation?

04:05:37 11 A. There is, I suppose, always some
04:05:40 12 risk that a little piece of information will not
04:05:44 13 be caught so there might be, at times, certain
04:05:52 14 information that is not captured in the
04:05:55 15 translation, in the interpretation.

04:06:00 16 Q. Okay. But the general ideas
04:06:01 17 would be translated? General ideas and
04:06:05 18 concepts?

04:06:06 19 A. The ideas that the translator or
04:06:09 20 interpreter noticed and remembered and could
04:06:17 21 render readily in the target language would,
04:06:21 22 generally speaking, be captured in the
04:06:24 23 interpretation.

04:06:29 24 Q. So I want to turn now and ask you
04:06:31 25 a few questions to clarify the research that you

04:06:33 1 conducted in preparing your reports.

04:06:37 2 So I would like to pull up your first
04:06:39 3 report, which is Exhibit 4094. And I would like
04:06:54 4 to turn to page 30 of that report which in the
04:06:57 5 PDF is 32. Do you have it in front of you?

04:07:05 6 A. Yes, I do. Thank you.

04:07:07 7 Q. So midway down the page you'll
04:07:09 8 see that the second heading reads "Documents
04:07:12 9 relied on in forming the opinions". Do you see
04:07:15 10 that?

04:07:16 11 A. I see that, yes.

04:07:17 12 Q. And underneath that heading you
04:07:19 13 outline the research you undertook and the
04:07:21 14 materials that you reviewed in preparing your
04:07:24 15 report, is that correct?

04:07:28 16 A. Under "documents relied on"?

04:07:30 17 Q. Yes.

04:07:30 18 A. Yes, I listed the documents I
04:07:32 19 relied on.

04:07:33 20 Q. And is that list complete?
04:07:35 21 There's nothing missing?

04:07:37 22 A. Hmm --

04:07:37 23 Q. If you want you can take a
04:07:38 24 second --

04:07:40 25 THE COURT: Counsel --

04:07:43 1 MS. LE PAN: I can move on.

04:07:45 2 THE COURT: No. I mean, I can't have
04:07:46 3 two people talking at the same time. You asked
04:07:48 4 a question, you did not wait for the witness to
04:07:50 5 answer the question before you, I think, tried
04:07:52 6 to be helpful but that's not the point.

04:07:56 7 Can you just give the witness a chance
04:07:58 8 to answer your question. If she can't answer it
04:08:00 9 then you will be able to ask another.

04:08:04 10 MS. LE PAN: Thank you.

04:08:05 11 THE COURT: It's another way of saying
04:08:07 12 slow down.

04:08:09 13 MS. LE PAN: Thank you.

04:08:12 14 THE COURT: I'm sure she would not
04:08:14 15 remember, at least I don't. If you can repeat
04:08:15 16 the question, please.

04:08:16 17 MS. LE PAN: Of course.

04:08:16 18 BY MS. LE PAN:

04:08:17 19 Q. Is the list there complete?

04:08:23 20 A. To the best of my recollection it
04:08:25 21 is. At this point here nothing else occurs to
04:08:28 22 me that, oh right, I looked at that as well.

04:08:42 23 Q. And a bit further up on the page
04:08:51 24 do you see the heading "Descriptions of the
04:08:57 25 research conducted"?

04:08:59 1 A. Yes, I see that.

04:09:01 2 Q. And that outlines all of the
04:09:03 3 different research that you conducted? So not
04:09:05 4 the sources but the research you conducted,
04:09:08 5 correct?

04:09:09 6 A. I'll have a look at it again to
04:09:11 7 be sure.

04:09:14 8 (Witness reading the document.)

04:09:26 9 Again, to the best of my recollection,
04:09:27 10 I haven't forgotten to include any other kind of
04:09:31 11 research.

04:09:33 12 Q. Okay. And in this section you
04:09:37 13 detail things like dictionaries or scholarly
04:09:42 14 literature, but you don't list the exact source.
04:09:46 15 Is that because they're all listed in the --
04:09:50 16 under the following heading, "Documents relied
04:09:52 17 on in forming the opinions"?

04:09:54 18 A. Right. When I -- when it asked
04:09:56 19 for a description, I took that to mean in a more
04:10:00 20 general description and that the specific
04:10:04 21 documents I looked at were more appropriately
04:10:08 22 listed in the separate section. So that's what
04:10:11 23 I did.

04:10:13 24 Q. And you also mentioned there that
04:10:17 25 your research included considering sentences

04:10:19 1 extracted from stories that were told in
04:10:23 2 Anishinaabemowin by Elders which formed part of
04:10:25 3 JR Valentine's collection. Do you see that?

04:10:28 4 A. Yes, I see that.

04:10:30 5 Q. And did you review Professor
04:10:32 6 Valentine's entire collection?

04:10:37 7 A. No, I did not. I have no idea
04:10:39 8 how big his collection is, other than he
04:10:43 9 compiles many stories.

04:10:45 10 Q. So is my understanding correct
04:10:47 11 that you would send him words that you were
04:10:50 12 looking at, and he would send you sentences back
04:10:53 13 that contained those words?

04:10:55 14 A. That was the approach taken, yes.

04:11:01 15 Q. So I want to now turn to page 2
04:11:10 16 of your report, which is before you. For the
04:11:17 17 purposes of your report you were not asked to
04:11:21 18 provide a translation of the entirety of Treaty
04:11:25 19 45, 45 1/2 or 72, correct?

04:11:43 20 A. (Witness reading the document.)

04:11:54 21 Under the second Roman numeral item on
04:11:57 22 that page when it says:

04:12:04 23 "Include examples of key

04:12:06 24 Anishinaabemowin words, how key

04:12:08 25 Anishinaabemowin words would be used

1 in different contexts."

2 That's what I took as my guide to --
3 for those parts that I would focus on in
4 discussing possible translations for them. I
5 didn't try to translate the whole treaty.

6 Q. And in answering question A, you
7 focused, as you've alluded to, on the phrase
8 "full and complete surrender", is that right?

9 A. That seemed to be one of the key
10 phrases, at least.

11 Q. And if we look at -- maybe we can
12 scroll down to page 3 and 4 of your first
13 report? At the bottom there you'll see that
14 you're citing various lines of the Treaty which
15 contain the words "surrender" or the phrase
16 "full and complete surrender"?

17 A. Yes, I see that.

18 Q. You don't cite or consider any
19 other lines of the Treaty in answering question
20 A, is that right? Just with respect to question
21 A.

22 A. What is in the report is what I
23 addressed.

24 Q. And in answering question C of
25 the report, perhaps we can scroll back up to the

04:13:57 1 terms of reference, which is page 2.

04:14:03 2 So in answering question C of your
04:14:05 3 report you focused on the phrase, "protect for
04:14:09 4 you from the encroachment of the whites," to
04:14:14 5 answer that question, is that right?

04:14:20 6 A. Yes, the question was with
04:14:21 7 respect to the protection of the Saugeen
04:14:23 8 peninsula.

04:14:28 9 Q. Yes.

04:14:29 10 A. So those were the parts that
04:14:30 11 related to the protection of the peninsula.

04:14:37 12 Q. And so you didn't cite or analyze
04:14:39 13 any other lines of the Treaty in answering
04:14:47 14 question C, is that right?

04:14:49 15 A. When you say "cite", what do you
04:14:51 16 mean?

04:14:55 17 Q. Sorry. To be clear, what I meant
04:14:57 18 is that on page 23 of your first report -- maybe
04:14:59 19 if we can scroll there, scroll down to page 23,
04:15:03 20 you list several lines of the Treaty that
04:15:07 21 contain the phrase "protect" or "protect you
04:15:13 22 from the encroachment of the whites".

04:15:16 23 So my question is that you don't list
04:15:18 24 any other lines of the treaty or analyze any
04:15:21 25 other lines of the treaty in answering question

04:15:23 1 C?

04:15:29 2 A. I focused on those three lines
04:15:30 3 that I identify there, those three parts.

04:15:41 4 Q. So you weren't looking at the
04:15:43 5 treaty as a whole but instead on how to
04:15:45 6 translate those specific phrases?

04:15:54 7 A. I looked at the treaties as a
04:15:55 8 whole and -- yeah, looking at the treaties as a
04:16:07 9 whole is part of understanding the context of
04:16:09 10 the way the word "protect" is being used.

04:16:19 11 But in terms of addressing the
04:16:21 12 possible interpretation of "protect" the other
04:16:25 13 lines did not have any information that would
04:16:29 14 have affected the meaning of "protect" in my
04:16:36 15 assessment, I guess.

04:16:41 16 Q. And is it fair to say that you
04:16:42 17 looked at the treaties as if each one was
04:16:45 18 independent from the other?

04:16:57 19 A. When you say "independent from
04:16:58 20 the other", what do you mean?

04:17:00 21 Q. So you didn't look at the
04:17:01 22 treaties as part of an overlapping kind of
04:17:04 23 closely-connected negotiation process? Instead
04:17:08 24 you treated them as three distinct documents in
04:17:11 25 isolation from one and another?

04:17:19 1 A. Yes, I looked at each treaty,
04:17:20 2 yes, by itself and wondered how it could have
04:17:22 3 been translated.

04:17:29 4 Q. And did you assume that the
04:17:31 5 translator provided their translation of treaty
04:17:37 6 45, 45 1/2 and 72 in writing?

04:17:47 7 A. From what I understand of how the
04:17:50 8 process played out, and from what I know about
04:17:53 9 this, the extent to which the language was
04:17:57 10 written, based on that information it seemed to
04:18:04 11 me that it was very unlikely that there would
04:18:08 12 have been a written Anishinaabemowin translation
04:18:11 13 provided.

04:18:13 14 Q. Okay. So you assumed that the
04:18:14 15 translation that was provided was provided
04:18:16 16 orally?

04:18:19 17 A. That would have been the most
04:18:21 18 likely way, given that Anishinaabemowin was an
04:18:29 19 oral-only language, written by very small number
04:18:34 20 of people for very limited purposes.

04:18:39 21 Q. And if we can go back to page 2
04:18:42 22 of your report, the terms of reference? Reading
04:18:49 23 those terms of reference, I see that you were
04:18:52 24 asked to provide a translation of the written
04:18:54 25 text of the Treaties, is that right?

04:18:58 1 A. Can you point me to a specific --

04:19:01 2 Q. Yes. So when we look at A, for
04:19:03 3 example, it says:

04:19:04 4 "Under ideal conditions how the
04:19:06 5 speaker of Anishinaabemowin in 1854
04:19:08 6 have translated and explained the
04:19:10 7 written text of Treaty 72."

04:19:13 8 And then it carries on.

04:19:15 9 A. Okay. So that -- can you please
04:19:18 10 repeat the question then?

04:19:20 11 Q. So you were asked to provide a
04:19:21 12 translation of the written text of the Treaties,
04:19:23 13 correct?

04:19:33 14 A. I was asked to indicate how a
04:19:34 15 speaker would have translated and explained the
04:19:38 16 written text.

04:19:43 17 Q. And in looking at the written
04:19:45 18 text, you assumed that the translator did not
04:19:47 19 provide any further explanations or elaboration
04:19:50 20 outside of the words of the Treaty?

04:19:55 21 A. May I hear that again, please?

04:19:57 22 Q. Yeah. In looking at the written
04:19:59 23 text of the Treaties, you assumed that the
04:20:04 24 translator did not provide any further
04:20:06 25 explanations or elaboration outside of the words

04:20:11 1 of the Treaty?

04:20:16 2 A. That would depend on the words
04:20:18 3 involved, the words or the phrases involved.

04:20:27 4 Q. So are you saying that you
04:20:29 5 assumed for certain words or phrases that they
04:20:31 6 provided an explanation?

04:20:38 7 A. If they were able to. And if
04:20:39 8 it -- if they realized that an explanation might
04:20:44 9 be in order.

04:20:52 10 Q. And do you include in your report
04:20:53 11 what that explanation would have been?

04:20:59 12 A. Again, it depends on the specific
04:21:01 13 thing. And I do have a part of the report where
04:21:09 14 there's a hypothetical explanation that might
04:21:12 15 have been given, but I am not able to say with
04:21:18 16 certainty how probable it was that that
04:21:26 17 explanation would have been given by the
04:21:29 18 translator at that time.

04:21:33 19 Q. And with respect to the phrases
04:21:35 20 that you've translated, let's start with the
04:21:41 21 phrase, "full and complete surrender", did you
04:21:44 22 assume that any further explanations or
04:21:47 23 elaborations were provided regarding that
04:21:50 24 phrase, outside of the one that you just
04:21:52 25 mentioned?

04:21:57 1 A. I gauged the likelihood that the
04:22:02 2 translator might have thought that an
04:22:09 3 explanation might be required.

04:22:16 4 Q. And is that detailed in your
04:22:18 5 report?

04:22:18 6 A. I'd have to look at that section.

04:22:21 7 Q. That's okay. Go ahead.

04:22:22 8 A. Now when you say is that
04:22:24 9 detailed, what is that --

04:22:26 10 Q. Do you outline your analysis
04:22:28 11 about whether or not they would have provided an
04:22:30 12 explanation and what that possible explanation
04:22:32 13 might have been?

04:22:33 14 A. Okay. I'll have to look at the
04:22:35 15 page to remind myself.

04:22:37 16 Q. Take your time.

04:22:39 17 A. Do you have a page number at
04:22:42 18 hand?

04:22:49 19 Q. I do not, but I will in a moment.

04:22:52 20 THE COURT: Well, the witness has the
04:22:53 21 report in front of her and it's your report,
04:22:55 22 Professor. So take your time, as counsel
04:22:58 23 suggested, and find what you're thinking of.
04:23:04 24 I'd rather counsel not be the one to tell her
04:23:07 25 where to look.

04:24:56 1 THE WITNESS:

10:50:03 2 (Witness reading the document.)

04:24:56 3 Okay. Based on my reading, the
04:25:00 4 section concerning the ideas of -- it's "full
04:25:05 5 and complete", right, that you're talking about?

04:25:08 6 Q. Yes.

04:25:18 7 A. It seems to me or it seemed to me
04:25:20 8 that the translator, if he used the ones that I
04:25:27 9 hypothesized might have been used, would likely
04:25:30 10 have been used since those are the only terms
04:25:32 11 that seem to exist, that can be interpreted as
04:25:38 12 "full and complete".

04:25:42 13 It seems to me because the terms --
04:25:47 14 the Anishinaabemowin terms involved, "mooshkin",
04:25:49 15 are in very common usage that the translator
04:25:56 16 might not have thought that they might need any
04:26:03 17 explanation that, in this context, in the
04:26:08 18 context of a phrase like "full and complete
04:26:10 19 surrender", that they would warrant further
04:26:16 20 explanation or that he should -- that he had
04:26:22 21 best double-check whether they have -- they had
04:26:27 22 a meaning different from the usual way in which
04:26:31 23 they are used every day.

04:26:34 24 So based on that it seems or it seems
04:26:38 25 to me that, yeah, he -- it might not have

04:26:46 1 occurred to him that he should explain that.

04:26:54 2 Q. Okay. But you acknowledge that
04:26:56 3 it would have been possible for the translator
04:26:58 4 to provide fuller explanations or elaborations
04:27:02 5 where necessary in the course of translating the
04:27:04 6 Treaties?

04:27:08 7 A. Again, that depends on the skill
04:27:11 8 of the translator, the extent of their awareness
04:27:14 9 of the complexity of the task involved.

04:27:20 10 Q. And you assume that there was
04:27:21 11 only one translator who translated Treaty 45, 45
04:27:26 12 1/2 and 72, is that correct?

04:27:29 13 A. From the information that I had
04:27:31 14 available and that was -- or that was given to
04:27:34 15 me, that was my understanding, yes.

04:27:43 16 Q. And you assumed that when the
04:27:44 17 Treaties were translated, the Saugeen Ojibwe
04:27:47 18 Nation were hearing the terms of the Treaty for
04:27:48 19 the first time? In other words, you assumed
04:27:53 20 that they didn't have previous knowledge about
04:27:55 21 what the terms of the Treaty were?

04:28:03 22 A. I can't recall if I said anything
04:28:07 23 on that point in the report. Whatever
04:28:11 24 assumptions are made are indicated in the
04:28:14 25 report. Those are the assumptions I had. I

04:28:19 1 made.

04:28:28 2 Q. Okay. Well, that assumption is
04:28:28 3 not included. I know at the back of your report
04:28:31 4 you detail the assumptions that your report is
04:28:33 5 based on and that is not included in the back of
04:28:35 6 your report. Would you like to see that page?

04:28:37 7 A. Sure.

04:28:37 8 Q. Okay. So if we turn to page, I
04:28:39 9 believe it's 30 of your report.

04:28:50 10 THE COURT: Counsel, just while the
04:28:52 11 witness is doing that, at some convenient time,
04:28:55 12 we could break. You can decide when that will
04:29:00 13 be so that you can continue your flow.

04:29:03 14 MS. LE PAN: Thank you. I think this
04:29:04 15 section should be done very shortly. Only a few
04:29:07 16 more questions.

04:29:11 17 BY MS. LE PAN:

04:29:11 18 Q. So you'll see the assumptions
04:29:12 19 that you've listed there. And you don't make it
04:29:17 20 clear there whether or not -- I'll pause to let
04:29:24 21 you read them through.

04:29:25 22 A. (Witness reading the document.)

04:29:37 23 Okay. To the best of my recollection,
04:29:39 24 those are the assumptions.

04:29:52 25 Q. So were you acting on the basis

04:29:54 1 that the Saugeen Ojibwe Nation were hearing the
04:29:56 2 terms of the Treaty for the first time or did
04:29:59 3 you conduct your analysis on the basis that they
04:30:02 4 hadn't heard the terms of the Treaty for the
04:30:04 5 first time?

04:30:05 6 A. That specific assumption I don't
04:30:07 7 recall what I -- if I thought about that aspect
04:30:13 8 of it, and the aspect of, did they see this for
04:30:17 9 the first time? I just focused on, was this the
04:30:21 10 treaty -- were these the treaties that were
04:30:22 11 proposed.

04:30:24 12 Q. So you didn't consider in your
04:30:28 13 analysis whether or not the Saugeen Ojibwe
04:30:30 14 Nation had heard the terms of the Treaty
04:30:32 15 previously?

04:30:38 16 A. From what I read of the questions
04:30:39 17 that were given to me, the instructions that I
04:30:41 18 was given, that kind of -- that was not part of
04:30:44 19 the terms of reference to my recollection, so I
04:30:46 20 didn't address it.

04:30:48 21 Q. Okay.

04:30:55 22 Your Honour, I think that would be an
04:30:57 23 appropriate time to break.

04:31:00 24 THE COURT: 10:00 o'clock tomorrow
04:31:01 25 morning.

04:31:02
04:31:04
04:31:06
04:31:07
04:31:44

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Professor, the same instructions I gave you at the afternoon break apply right through until 10:00 o'clock tomorrow morning. See you then.

THE WITNESS: I understand, thank you.

--- Whereupon the proceeding was adjourned at 4:31 p.m.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I, HELEN MARTINEAU, CSR, Certified
Shorthand Reporter, certify;

That the foregoing proceedings were
taken before me at the time and place therein
set forth at which time the witness was put
under oath by me;

That the testimony of the witness and
all objections made at the time of the
examination were recorded stenographically by me
and were thereafter transcribed;

That the foregoing is a true and
accurate transcript of my shorthand notes so
taken. Dated this 21st day of July 2019.



PER: HELEN MARTINEAU
CERTIFIED SHORTHAND REPORTER

<hr/> <p>(</p> <hr/> <p>(D) 2443:25 2444:2 2451:7</p> <hr/> <p>1</p> <hr/> <p>1-2 2463:3</p> <p>1/2 2378:23 2379:4 2414:8,9 2433:19 2435:17 2436:18 2440:24 2441:9 2442:5 2443:12 2460:4 2478:19 2482:6 2487:12</p> <p>10 2335:4 2356:14 2396:25 2438:25 2463:4 2464:6</p> <p>10-page 2337:24</p> <p>10:00 2489:24 2490:3</p> <p>10:04 2320:1</p> <p>11 2335:23 2357:12 2400:12 2406:11 2424:9</p> <p>11:29 2376:4</p> <p>11:30 2375:8</p> <p>11:52 2376:5</p> <p>12 2336:8 2400:12 2402:14 2403:20 2418:18</p> <p>12,000 2333:4 2353:5</p> <p>128405-</p> <p>128406 2463:4</p> <p>12:50 2416:5</p> <p>13 2336:15 2418:18</p>	<p>134687-</p> <p>134688 2464:7</p> <p>13th 2446:10</p> <p>14 2404:13</p> <p>15 2337:13 2469:17</p> <p>159-160 2461:20</p> <p>16 2406:10</p> <p>1680 2461:17</p> <p>17 2461:12,16</p> <p>17th 2461:2</p> <p>18 2406:20</p> <p>1800s 2361:23</p> <p>1836 2415:12</p> <p>1837 2382:3</p> <p>1843 2437:13 2440:23 2441:1 2442:4,11 2443:10</p> <p>1847 2437:17</p> <p>1850s 2411:13</p> <p>1851 2460:7, 10,22</p> <p>1852 2461:2, 12,16</p> <p>1854 2408:12 2442:3,25 2443:3,14 2444:23 2446:1 2483:5</p> <p>1855 2382:3 2462:6,21 2463:2</p> <p>1856 2463:10 2464:1,6</p> <p>186 2437:17</p> <p>1864 2399:22 2416:21</p> <p>1878 2459:23</p> <p>188 2437:17</p> <p>1890 2461:18</p>	<p>1891 2461:20</p> <p>18th 2411:25</p> <p>19 2406:21 2407:7 2411:9</p> <p>1930s 2411:9</p> <p>1970s 2383:11</p> <p>1980 2326:16</p> <p>1985 2398:18</p> <p>1989 2323:13, 14,18</p> <p>1990 2430:16</p> <p>1990s 2430:5, 10,17</p> <p>1994 2323:25</p> <p>1995 2323:12, 17,22 2426:20 2432:4 2433:2</p> <p>1997 2323:25</p> <p>19th 2334:12, 17 2335:1,12 2336:5 2338:24 2340:15,19 2347:18 2348:22 2349:4, 19,25 2350:2 2351:5 2352:10 2354:2,4,19 2355:6,11,13 2356:6,19,24 2357:7,18,19,25 2358:6,7,10,13, 18 2361:19 2362:4 2364:25 2365:5,10,13, 16,23 2366:6,10 2367:5,11 2369:5,6 2370:23,25 2371:1,2,5,9 2372:18 2374:5, 14,17,22,25 2430:15</p> <p>1:00 2413:19</p> <hr/> <p>2</p> <hr/> <p>2 2425:6,7,16,17 2444:1 2478:15</p>	<p>2480:1 2482:21</p> <p>2,000 2360:2,8 2361:3 2423:16</p> <p>2- 2331:4</p> <p>20 2408:13 2409:8 2426:3 2469:16</p> <p>20-minute 2469:7</p> <p>200 2347:14</p> <p>2004 2335:24 2357:13</p> <p>2005 2335:25 2357:13</p> <p>2008 2333:7 2338:2 2375:22 2378:2</p> <p>2009 2334:20 2356:4</p> <p>2009-2010 2337:22</p> <p>2013 2378:1, 10,16</p> <p>2014 2334:16 2355:1</p> <p>2015 2334:11 2335:16</p> <p>2015-2016 2336:17</p> <p>2016 2335:6 2356:16 2375:23 2378:23 2379:4</p> <p>2018 2322:24</p> <p>21 2426:18 2437:13 2440:23 2462:6, 21 2463:2</p> <p>2146 2427:6 2457:22</p> <p>2175 2445:9</p> <p>22 2408:13 2414:8</p> <p>226 2464:6</p>	<p>23 2463:10 2464:1,6 2480:18,19</p> <p>25 2416:25</p> <p>27th 2334:16 2355:1</p> <p>28 2417:20</p> <p>2:15 2416:4</p> <p>2:18 2416:6</p> <p>2nd 2378:1,16 2460:10</p> <hr/> <p>3</p> <hr/> <p>3 2395:1 2446:1 2479:12</p> <p>3,000 2331:4 2360:2 2390:23</p> <p>30 2475:4 2488:9</p> <p>32 2475:5</p> <p>3995 2406:12 2418:7</p> <p>3996 2417:24 2418:14</p> <p>3:40 2469:18</p> <p>3:58 2469:19</p> <hr/> <p>4</p> <hr/> <p>4 2445:10 2446:19 2479:12</p> <p>4010 2469:14</p> <p>4092 2322:20, 22 2350:21</p> <p>4093 2351:22, 23</p> <p>4094 2378:12, 13 2475:3</p> <p>4095 2378:25 2379:1</p> <p>4096 2381:25 2382:1 2390:16</p>
---	---	--	--	---

<p>4097 2390:16 2416:16,17,19</p> <p>4098 2461:14, 15</p> <p>4099 2462:23, 24</p> <p>4100 2464:2,3 2469:12,15</p> <p>44 2437:11,12, 18</p> <p>45 2378:23 2379:3 2414:7,9 2433:19 2435:17 2436:18 2440:24 2441:2, 9 2442:5 2443:12 2460:4 2478:19 2482:6 2487:11</p> <p>48 2325:5,8</p> <p>4:31 2490:7</p> <hr/> <p>5</p> <hr/> <p>5 2324:24 2379:10,11 2451:21</p> <p>5,000 2390:23</p> <p>514 2382:10</p> <p>515 2382:17 2390:18</p> <hr/> <p>6</p> <hr/> <p>6 2325:4 2333:12 2350:24 2383:2</p> <p>66 2461:1,11,15</p> <p>67 2459:23,24 2460:7</p> <hr/> <p>7</p> <hr/> <p>7 2334:15 2354:7 2383:2 2384:7 2406:11</p>	<p>72 2394:12,16, 18 2411:21 2426:8 2427:5, 12 2430:8 2432:13 2433:4 2441:24 2443:3 2444:6,11 2445:24 2457:15,21 2460:13,23 2461:3 2464:11 2465:8,10 2478:19 2482:6 2483:7 2487:12</p> <p>7th 2378:23 2379:4</p> <hr/> <p>8</p> <hr/> <p>8 2334:19 2355:24 2356:3 2438:25</p> <hr/> <p>9</p> <hr/> <p>9 2325:4 2388:18 2424:3, 9,10</p> <hr/> <p>A</p> <hr/> <p>a-changin 2334:11</p> <p>A-N-I-S-H-I-N- A-A-B-E-M-O- W-I-N 2363:23</p> <p>a.m. 2320:1 2376:4,5</p> <p>aapdakiise 2405:22 2406:2</p> <p>aapji- 2404:18 2405:14,15,24 2406:3,6,7</p> <p>ability 2464:17 2471:8 2472:2</p> <p>abolished 2320:24</p> <p>Aboriginal</p>	<p>2335:7</p> <p>absence 2387:18</p> <p>absolute 2429:20</p> <p>absolutely 2435:4 2454:2</p> <p>Abundance 2382:5</p> <p>academic 2325:6</p> <p>academically 2468:25</p> <p>accede 2447:22</p> <p>accept 2368:10 2371:24 2372:11 2375:4 2413:7</p> <p>acceptable 2373:8</p> <p>accepted 2372:20 2373:10</p> <p>accepting 2332:15</p> <p>access 2472:14</p> <p>accomplish 2456:14</p> <p>account 2374:12</p> <p>accounts 2385:6</p> <p>accreditation 2345:22</p> <p>accredited 2370:4</p> <p>accrue 2447:15</p> <p>accuracy 2362:3,5 2474:4,10</p> <p>accurate 2344:3 2391:3</p>	<p>2470:4 2472:1, 12</p> <p>achangin 2354:9</p> <p>acknowledge 2487:2</p> <p>acknowledg ment 2377:25 2378:15</p> <p>act 2463:22 2464:17,18 2465:8</p> <p>acting 2488:25</p> <p>action 2380:18 2387:24 2388:1, 13,15 2391:24 2419:1,16 2421:19 2430:2</p> <p>active 2468:25</p> <p>activities 2326:19 2344:20 2407:4, 6</p> <p>activity 2347:21 2356:7, 25</p> <p>actor 2388:3, 12</p> <p>actual 2342:20 2419:12</p> <p>add 2327:18 2332:24 2371:17</p> <p>added 2322:17 2331:3,10 2376:17,20 2391:7 2411:20</p> <p>adding 2327:7 2392:11 2412:14</p> <p>additional 2378:22 2379:2 2450:8</p> <p>address 2412:19,21,22 2414:8 2440:17 2470:17</p>	<p>2489:20</p> <p>addressed 2388:4 2479:23</p> <p>addressing 2481:11</p> <p>adequately 2426:12</p> <p>adjourned 2490:7</p> <p>Administratio n 2341:3</p> <p>admit 2447:6</p> <p>adopt 2450:22 2452:6</p> <p>adopted 2383:8</p> <p>advantage 2321:17 2450:8</p> <p>advantages 2447:14</p> <p>Affairs 2427:20 2463:2 2464:5</p> <p>affect 2339:21 2368:25 2388:11 2429:3 2443:17,18</p> <p>affected 2443:21 2481:14</p> <p>affects 2388:9</p> <p>AFFIRMED 2321:25</p> <p>affixes 2390:25</p> <p>afternoon 2422:2 2455:21 2456:7 2468:15 2469:22 2490:2</p> <p>age 2431:17</p> <p>agencies 2338:5</p> <p>agree 2343:9, 16 2347:4 2348:6 2374:13</p>
--	---	--	--	--

2422:7 2423:19 2424:19 2428:12,22 2429:9 2432:10 2433:2 2434:21 2435:7 2436:19 2441:1 2442:10 2444:10,20 2472:1,10	America 2397:11	4,9,12 2384:4 2385:9,20 2387:5,19,24 2388:7,10 2389:4,6,11 2391:22 2392:3, 6,19,21 2393:5, 11,21 2395:4 2397:13,16,25 2398:5 2401:7 2403:5,9 2407:13 2409:23 2410:14 2417:11,19 2418:24 2419:3, 13 2444:13,17, 23 2455:14 2456:18 2457:14 2459:19 2464:14 2478:2, 24,25 2482:12, 18 2483:5 2486:14	answers 2374:20	area 2365:15 2366:3 2399:6 2400:7 2403:10 2420:15 2442:16
agreed 2427:21 2434:1 2440:14 2452:20 2456:19	amount 2374:13 2405:5 2421:17	amounted 2360:9	antedated 2443:3	areas 2372:25
agreement 2339:15 2375:13 2455:15	analysis 2336:2 2341:18 2342:16 2343:3 2357:16,18 2358:1 2373:18 2396:3 2485:10 2489:3,13	analyze 2480:12,24	apologies 2360:6	arise 2373:6
ahead 2321:22 2322:11 2323:1 2334:4 2339:13 2340:8,21 2369:12,16 2370:21 2379:7 2380:3 2396:10 2410:21 2416:7 2442:20 2457:9 2469:20 2485:7	Anderson 2463:10 2464:1, 4	Anishinaabe 2338:22 2372:6, 16 2403:1,9	apparent 2390:14	arising 2364:12 2448:9 2449:25
air 2320:11 2321:15,20	animate 2419:2,5	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	apparently 2333:4 2353:23 2386:10 2418:20	arose 2332:22
Alexander 2448:17 2450:16 2451:25 2460:12	animated 2448:20	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	appears 2374:1,13 2460:20	arriving 2439:18
alive 2361:23	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	append 2462:5	article 2350:25 2351:8,10,13,23 2352:10 2354:3, 8,9,15,23 2357:6 2381:9, 21 2382:1,10 2390:16 2423:16 2430:5
allowed 2408:4 2450:13	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	appendices 2376:13,15,18 2377:8	articles 2349:20
allowing 2402:1,12	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	applied 2440:19 2455:8	arts 2353:25
alluded 2479:7	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	apply 2430:16, 17 2468:17 2490:2	ascertain 2320:11 2348:14 2387:25 2422:22 2442:2
alphabet 2384:1,2	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	appointed 2463:21	ascertained 2422:25 2450:13
alternatives 2395:11	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	approach 2329:7 2384:15, 19,24 2478:14	aspect 2327:22 2366:19,21 2384:20 2385:6, 8 2489:7,8
ambiguity 2436:25	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	approached 2408:16	aspects 2366:21 2372:22 2413:8
ambiguous 2438:12	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	appropriately 2477:21	assembled 2427:18 2434:4 2456:23
	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	approximates 2423:4	Assembly 2437:16
	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	April 2462:6,21 2463:2	
	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	Anishinaabe 2324:5, 7,16 2325:1,11, 17,22,25 2326:3,5,21 2327:25 2328:13 2333:8 2334:13 2335:2, 13,18 2336:18 2337:8,16,23 2338:10,17,24 2340:16 2346:21 2347:5 2348:7,23 2358:7,10 2362:9 2363:12, 22 2365:6 2367:12 2368:12 2369:5 2372:8,17 2374:18 2375:1 2379:13 2380:11 2381:17 2382:24 2383:3,	archives 2362:15	

assertions 2447:3	attended 2374:8 2473:23	2385:4	2457:4 2458:23 2482:10 2486:3, 24 2488:5	2403:7 2411:14
assess 2433:14	attention 2406:20 2459:2, 9,16 2465:5	back 2321:14 2322:9 2327:2 2350:17 2351:6 2354:6 2356:10 2357:22 2363:9 2390:15 2406:8, 10 2414:3 2415:12 2418:21 2446:18 2456:20 2478:12 2479:25 2482:21 2488:3, 5	basic 2407:20 2419:16	bgidnamwaa 2397:2
assessed 2346:19	Attorney 2337:2	back-and- forth 2455:3	basically 2329:20 2398:14 2407:12	Bgidnan 2401:15
assessment 2481:15	attribute 2328:6	background 2336:11	basis 2365:3 2488:25 2489:3	big 2358:17 2415:16 2478:8
Assikinnek 2460:18	auction 2448:3	bad 2324:2	batch 2331:9	bilingual 2399:19,21 2416:20
assist 2439:23	audio 2445:5	Bagot 2437:22	Bay 2446:14	bishop 2397:10
assistance 2365:24 2373:1 2415:2 2434:16	augmentatio n 2447:16	bail 2431:1,5 2472:22 2473:8	bear 2341:17 2350:22 2447:2 2461:23	bit 2322:6 2325:15 2327:7 2352:13 2379:15 2383:6 2392:24 2397:5 2409:25 2415:10 2418:8 2421:3 2431:9 2438:5 2445:12 2454:16 2456:13 2466:14 2476:23
assisting 2440:20	August 2335:5 2356:16 2378:1, 10,16	Baker 2390:1 2424:13,20	bearing 2320:13 2373:25 2374:1, 9	blank 2321:9
assume 2328:4 2394:16 2402:23 2404:1 2426:6 2482:4 2484:22 2487:10	author 2351:16	band 2448:18, 25 2449:17 2450:10 2463:13,21	Beaty 2459:11 2463:21 2465:4	Blind 2333:7 2351:1,25
assumed 2333:23 2482:14 2483:18,23 2484:5 2487:16, 19	authored 2351:23	Band[...]" 2462:18	began 2323:14 2327:6,15 2383:12	blurred 2389:14 2390:4 2424:15,23,24
assuming 2423:6	authoritative 2349:17	bands 2448:14	Beggs 2370:17,18	boat 2466:12
assumption 2347:8,12 2425:5,9,18 2443:24,25 2451:6 2488:2 2489:6	Authority 2336:1 2357:15	Baraga 2355:16 2363:3 2383:23 2386:6 2397:7,10	begin 2326:6 2376:6 2401:7 2422:5 2444:9	boil 2401:24
assumptions 2425:4 2452:23 2487:24,25 2488:4,18,24	automatically 2393:12	Baraga's 2355:9,15,21 2357:10 2362:6 2365:11	beginning 2327:18 2463:11	book 2324:25 2325:1 2336:11 2357:5,8,9
assured 2436:10	auxiliary 2381:1	Baraga's 2355:9,15,21 2357:10 2362:6 2365:11	Behalf 2382:5	bookmarks 2376:18,21
ate 2405:4,7,8	avidity 2447:4	Barry 2422:3	belonged 2438:19	books 2349:17
attached 2381:3	awarded 2323:22	BAS 2342:11 2345:11	belongs 2402:12	bottom 2333:16 2335:24 2336:9, 25 2337:6 2379:11 2389:13 2390:19 2401:21 2406:20 2407:7
attend 2450:11	aware 2342:8 2349:16,23 2350:6 2375:13 2393:15 2459:17	based 2347:8, 12 2373:10 2374:19 2399:6 2411:6 2445:1	benefit 2448:13 2455:9	
	awareness 2487:8		bgidnaan 2386:6 2396:18 2397:2 2400:14, 23,25 2401:6,25 2402:4,16	
	B			

2438:17 2459:11 2462:7 2479:13	boundary 2438:13	box 2375:19	break 2375:9, 10,21 2376:3 2382:18 2390:22 2393:3, 4 2414:2 2415:20 2416:4 2432:22 2456:6 2468:15 2469:8 2488:12 2489:23 2490:2	breaking 2393:7	breaks 2330:9	breath 2366:1	briefly 2352:8	bring 2376:10 2459:16,22	broad 2346:14 2410:4,5,9 2443:5 2470:19	broader 2390:5 2429:3	broadly 2346:5,11 2349:4 2353:20 2357:5 2473:15	broke 2392:19, 20 2393:1,17	broken 2321:4 2393:25	brought 2332:14 2341:17	Brown 2461:19	BSC 2341:2	budder 2386:19	buh 2384:25 2385:23	built 2415:1 2434:15,25 2435:11 2436:23	bulk 2368:4	bunch 2360:16	bundled 2406:4	burn 2401:20, 23	Bury 2462:2,21 2463:1	business 2321:13 2341:3	butter 2384:22, 23,25 2385:5 2386:21	C	C-11538 2464:7	call 2320:7 2326:14 2331:10 2350:19 2383:14 2422:18 2436:17	called 2323:9 2333:22 2379:12 2385:15 2397:14 2398:1 2422:20 2450:2	calling 2320:4	calm 2439:19	Canada 2335:17 2336:19 2342:9 2370:15 2385:4 2411:8 2422:4 2437:17 2461:16 2462:10	Canadian 2337:25	cancer 2337:24,25	capable 2338:21 2372:5	capsule 2380:2,5	captured 2474:14,22	capturing 2422:10	care 2419:1,8, 17,24 2420:1,2, 6,8,13 2470:4	careful 2396:2	Carney 2462:2,20,25	carries 2483:8	case 2320:16 2371:7 2373:12 2388:5,23 2393:14 2396:11 2423:20 2452:15,22	cases 2330:23	catalogue 2353:25	catch 2470:8	categorically 2342:18 2347:19 2385:21,22 2465:25	categories 2419:4	category 2373:3	caught 2474:13	caused 2326:6 2439:11	cede 2400:4 2401:3 2402:7 2443:19	ceding 2403:3	century 2334:12,17 2335:1,12 2336:6 2338:24 2340:15,19 2347:18 2348:22 2349:4, 19,25 2350:2 2351:5 2352:10 2354:2,4,19 2355:6,12,14 2356:6,7,19,24 2357:7,18,19,25 2358:6,7,10,13, 18 2361:19 2362:4 2364:25 2365:5,10,13, 17,23 2366:6,10 2367:5,12 2369:5,7 2370:23 2371:1, 2,6,9 2372:18 2374:5,14,17,22 2375:1 2409:10 2410:8 2411:25 2425:21 2430:12,15 2465:24	certainty 2429:20 2484:16	certificates 2346:4,10	certification 2346:2,14,18,23	certifications 2345:19	certified 2347:2	cetera 2337:11	chair 2322:4	chairman 2323:24	challenge 2321:21	challenges 2338:25 2372:8	Chamberlin 2461:19	chance 2326:25 2331:18 2413:13 2476:7	change 2371:5	changed 2347:6,10 2369:19	chapter 2423:10	chapters 2423:8	character 2462:9,16	characterize 2380:6 2381:5	characterized 2394:5	Charles 2459:12 2460:25 2461:8 2462:8 2465:4	chats 2390:10	chatting 2330:11	check 2327:22 2328:15 2331:18 2361:24 2369:18 2393:18 2423:1 2454:20 2472:15	checking 2328:17 2331:9	chief 2448:18 2450:16 2451:24 2463:12	chiefs 2427:13 2448:11,21,24 2450:18 2451:4 2452:2,13 2455:5	Children 2433:23	Chippewa 2336:1
--------------------------------------	----------------------------	--------------------	---	---------------------------	----------------------	----------------------	-----------------------	------------------------------------	--	---------------------------------	---	---------------------------------------	---------------------------------	--------------------------------------	-------------------------	-------------------	--------------------------	-------------------------------	---	--------------------	----------------------	--------------------------	----------------------------	---------------------------------	-----------------------------------	---	----------	--------------------------	--	---	-----------------------	---------------------	--	----------------------------	-----------------------------	----------------------------------	----------------------------	-------------------------------	-----------------------------	---	-----------------------	-------------------------------	-----------------------	---	----------------------	-----------------------------	---------------------	---	-----------------------------	---------------------------	--------------------------	---------------------------------	--	----------------------	--	--	----------------------------------	---	----------------------------------	----------------------------	-----------------------	---------------------	----------------------------	-----------------------------	-------------------------------------	------------------------------	---	----------------------	--	---------------------------	---------------------------	-------------------------------	--------------------------------------	--------------------------------	--	----------------------	----------------------------	--	-----------------------------------	---	---	----------------------------	---------------------------

Chippewas 2357:14 2399:20 2416:21 2433:24 2437:15 2461:4	2481:23 closest 2403:7 2417:9,13,15 code 2329:5 coffee 2390:10 cognizant 2343:22 collection 2478:3,6,8 College 2462:10 Colpoy's 2446:13 Colpoys 2463:22 combined 2406:1 comforts 2447:20 commencing 2320:1 comment 2382:19 2391:9, 10 2392:12,13 2407:10,12 2408:14 comments 2430:15,16 commercial 2430:20 common 2347:15 2387:20 2402:3, 25 2420:4 2486:15 commonly 2324:10 2348:3, 5 2437:21 communicate 2466:10 communicate d 2465:10 communicati ng 2464:19 communities	2327:24 2328:2, 9,10,14 2329:13 2330:5,25 2332:4,11 2359:5,12,23 2361:9,11,13,16 2399:4,5 2459:4 community 2324:8 2326:23 2327:23 2328:19,21 2329:1,5,6 2330:4,8,16,20 2331:7,13,25 2332:6,8,9 2347:19 2359:20 2386:2 2399:3 2400:7,8 compare 2408:15 compared 2397:2 comparison 2380:11 2430:4 compelled 2447:6 competence 2433:15 2471:6 competent 2432:10,24 2433:11,14 competently 2470:24 2471:2, 3,4 compile 2327:18 compiled 2327:20 2328:15 2330:6 compiles 2478:9 compiling 2329:10 complete 2394:25 2404:9, 11 2406:24 2422:12 2427:23 2475:20	2476:19 2479:8, 16 2484:21 2486:5,12,18 completely 2410:1 2450:17 2452:1 complex 2343:11,13 2373:24 2430:8, 19 2431:23 2432:15 2433:7 complexity 2487:9 complicated 2373:23 comprehensi ve 2326:11,18 2327:9 comprised 2398:17 comprises 2342:19 compromise 2474:4,10 concentrate 2320:23 concept 2389:14 2442:2, 25 2443:13 2466:13 concepts 2341:22 2472:5, 13 2474:18 concerned 2395:17 concerned' 2427:3 2432:9 concessions 2450:24 2452:8 concise 2399:10 conclusion 2396:21 conclusions 2406:22,23 condition	2425:24 2439:16 2443:25 2444:2 2451:7 2452:25 conditioned 2321:15 conditioning 2320:12 2321:20 conditions 2425:5 2431:2,6 2451:12 2453:11 2472:22 2473:8 2483:4 conditions' 2425:20 conduct 2489:3 conducted 2475:1 2476:25 2477:3,4 conducting 2359:3 conference 2325:5 2354:13, 16 conferences 2325:6 2354:11 confidently 2471:1 confirm 2339:7 2345:13 confiscate 2389:3,9,21 2454:5 confront 2338:25 2372:9 connotation 2401:9 2402:8 connotations 2395:10 connote 2421:15 conscious 2353:12
--	---	---	--	--

consecutive 2453:14 2473:25	24 2423:5,10, 18,22,24 2425:2,20 2429:3 2441:24 2442:18 2443:2, 5,15 2451:16 2454:2 2481:9 2486:17,18	conveying 2408:4	2483:13 2487:12	2342:15,23,25 2344:5,23 2345:1,3,14,16 2348:21 2349:3, 7,8 2411:4 2471:21,23
consequence 2441:6 2443:11		conveys 2418:22	correction 2469:15	
considerable 2426:25 2432:7		cooked 2401:20	correctly 2332:5 2359:6 2405:19	court 2320:2,4, 9,19 2321:12 2322:2,19,25 2333:10,13,17, 23 2334:3 2339:2,9,13,18 2340:3,8,20 2351:21 2355:25
consideratio n 2449:7 2450:21 2452:5	contexts 2343:23 2400:24 2402:4 2418:23 2429:24 2479:1	cooking 2401:18	council 2427:18 2434:4 2440:16 2446:7 2449:13 2450:2, 15 2451:22 2463:13,20	
considered 2339:16 2385:17,18 2404:25 2417:16 2431:2, 12 2447:24 2449:20	contexts' 2424:18	copy 2376:23 2377:1 2444:5 2451:8	Council[...]" 2463:16	
constantly 2391:6 2392:11	contextual 2393:16	Corbiere 2321:24,25 2322:2,15,23 2323:3 2338:16 2340:7,12,14,24 2350:22 2351:24 2363:10 2366:8 2369:4,21 2371:24 2376:11 2379:14 2416:24 2422:3 2442:23 2457:13 2464:10 2468:5, 16 2469:23	councils 2449:24	
constrain 2413:3	continually 2330:12		counsel 2320:17 2339:15 2340:8, 24 2364:15 2366:2 2370:21 2374:11 2375:12,17 2395:6 2396:23 2408:18 2421:24 2435:22 2468:7, 11 2469:24 2475:25 2485:22,24 2488:10	
constructed 2382:15	continue 2321:18 2488:13	Continuing 2333:5	counsels 2422:4	
consult 2367:24 2423:9 2454:11,19	Contract 2430:20 2431:17,18 2432:15	contracts 2431:21,23	count 2333:3	
consulted 2374:21	contract 2430:20 2431:17,18 2432:15	contracts 2431:21,23	counted 2325:5,7,8	
contained 2478:13	contrast 2382:24 2385:15	contrast 2382:24 2385:15	country 2428:7	
contemporar y 2326:15 2383:10 2398:11	control 2434:6	control 2434:6	couple 2330:25 2350:17 2403:20 2417:20 2461:24	
contested 2372:11,14	convened 2446:7	convened 2446:7	Coupled 2365:18	
context 2343:22 2345:2 2359:25 2366:9 2367:9 2368:1 2370:9 2387:25 2390:5,7,11 2392:5 2393:19 2400:15,18,21 2401:18 2402:16,21,23, 24 2405:15 2412:11,16 2415:13 2422:9,	convenient 2488:11	convenient 2488:11	courses 2341:7,10	
	conversant 2369:4	conversant 2369:4		
	conversely 2326:1	conversely 2326:1		
	convey 2392:1 2407:14 2408:2 2417:10	convey 2392:1 2407:14 2408:2 2417:10		
	conveyed 2407:9,13,18, 21,22,23 2408:9	conveyed 2407:9,13,18, 21,22,23 2408:9		

courthouse 2337:20	2342:19,20 2363:14 2470:18	day 2321:14 2330:10 2415:24 2454:13 2486:23	denominatio n 2397:24	2477:13 2488:4
courtroom 2472:18,20 2473:1,3,13	cursor 2355:2	deadlines 2353:8	department 2323:7,10,25 2342:5 2447:9 2448:6	detailed 2342:20 2394:9 2395:17 2396:3 2470:7,10 2485:4,9
cover 2337:3 2342:23	Curve 2331:15, 16,20	deal 2406:9	depend 2346:16 2429:12 2484:2	details 2351:7 2470:11
covered 2343:6	cut 2439:1	dealing 2338:5 2367:9	depending 2380:16 2390:24 2392:8 2422:13	determine 2359:18 2361:10,17 2386:7 2453:25
covering 2373:16	CV 2322:13,14 2324:25 2325:5 2333:5,22 2343:25 2344:3, 11,12,14,16,17 2350:16,20 2351:14 2354:6 2356:2,15 2357:12 2358:5, 9,19 2363:21 2365:7	dealt 2367:9	depends 2402:21 2474:6 2484:12 2487:7	determines 2433:13
created 2357:7 2369:1	cycle 2330:3 2331:22 2332:1, 2	death 2405:20	deportment 2462:11	develop 2326:19
creating 2327:12	cycles 2330:2	debate 2449:10	deprived 2447:21	developed 2383:8
credentials 2339:11	<hr/> D <hr/>	December 2335:5,16 2356:16	depth 2426:10	devoiced 2385:18
crops 2439:13		decide 2414:3 2440:15 2488:12	derived 2450:8	dialect 2324:22 2329:4
cross 2468:18		decided 2448:16 2450:25 2452:9	describe 2327:14 2329:24 2354:20 2355:8 2356:6,19 2357:19 2363:18 2377:12 2406:7	dictionaries 2326:14,15,17 2327:1,11 2347:18 2348:11 2366:15 2369:21,23 2397:4,6,20 2399:9 2403:21, 24 2454:11 2477:13
cross- examination 2339:21 2340:9 2368:20 2373:19 2376:2 2422:1 2469:21		decision 2443:17	describes 2418:25	dictionary 2325:14,16,19 2326:7,9 2327:3,9,13,19 2329:9,21 2332:20,24,25 2333:2 2355:10 2357:10 2358:25 2359:3 2361:7,21 2362:6 2363:3,4 2365:11 2366:14,18 2376:12 2397:14,17 2398:2,6,9,12, 14,17,22 2399:10,12
cross- examine 2339:10	damaged 2420:21	deemed 2403:6	definition 2430:1	
Crown 2427:23 2434:23 2435:9 2436:20 2445:8 2446:14 2455:4 2461:4 2464:20 2467:1,6	Daphne 2325:1	defendants' 2364:15	definitively 2402:19 2423:12 2433:10	
cross- examine 2339:10	database 2329:21 2376:14 2406:15	definition 2430:1	degree 2342:9, 14 2343:10 2344:1,7 2345:12,15 2347:10 2348:19 2349:6	
cross- examine 2339:10	date 2354:25 2356:15 2377:21 2378:4, 5,9,10	definitely 2402:19 2423:12 2433:10	descriptions 2457:4 2476:24	
Crown 2427:23 2434:23 2435:9 2436:20 2445:8 2446:14 2455:4 2461:4 2464:20 2467:1,6	dated 2322:23 2377:20,25 2378:15,23 2379:4 2437:13 2445:25 2460:10 2461:11 2462:6, 21 2463:10 2464:1	definition 2430:1	design 2329:21	
cultivate 2415:4 2434:17 2435:1,12 2436:23	David 2459:10, 18,21 2460:16, 21 2465:4	definitively 2402:19 2423:12 2433:10	desirable 2427:22 2447:25	
culture 2343:3		degree 2342:9, 14 2343:10 2344:1,7 2345:12,15 2347:10 2348:19 2349:6	detail 2348:14 2395:7,8,20 2454:14	
current 2370:24		demonstrate 2373:9 2400:5	desk 2322:5	
current-day 2371:6		demonstrate 2373:9 2400:5		
curriculum 2322:22 2337:17		d 2372:21 2407:16		

2423:21 2430:1 2454:12,13,14	2453:6 2455:12	2464:7 2477:8 2478:20 2486:2 2488:22	draw 2400:3 2459:2,9	educated 2462:9
difference 2376:20 2380:14 2408:17 2453:17 2454:25 2457:1	discussing 2479:4	documentati on 2325:17	drawing 2464:20	education 2323:4 2341:1,4 2365:14,19 2366:2 2373:7 2429:19 2430:12,14
differences 2328:1 2359:14 2380:5,6 2381:5 2382:22 2386:23 2387:5, 8	discussion 2337:10 2390:12 2448:20 2449:4 2452:18 2455:3 2456:16,17	documented 2327:11 2331:2 2347:17	drawn 2465:5	education. while 2373:6
differently 2411:1	discussions 2337:7 2390:10	documenting 2348:12	drew 2451:3 2452:12	educational 2470:21
differs 2379:16	distinct 2390:24 2481:24	documents 2339:24 2350:8 2351:5 2352:11 2357:19,20,25 2365:9,11,13,17 2366:6,7,10,13 2367:12,19,24 2368:6,22 2369:1,15 2374:6,14,17,22 2375:20,21 2376:7 2430:4 2431:10,20 2457:21 2461:24 2470:21,25 2471:11,15,25 2472:6 2475:8, 16,18 2477:16, 21 2481:24	dry 2420:10	effect 2450:14
difficult 2369:8,18 2391:6 2413:11 2432:16 2438:4 2463:18	distress 2441:3 2442:11	dog 2419:23, 24,25 2420:2	due 2438:22 2450:14	effectively 2354:12
difficulty 2363:2 2447:11	District 2338:11	double 2383:15 2454:20 2472:15	duty 2377:25 2378:15	elaborate 2376:1 2413:12
digest 2432:22	disturbed 2439:11	double-check 2326:25 2331:23 2404:4 2431:10 2486:21	E	elaboration 2483:19,25
diplomatic 2400:15,18,21	diverted 2449:5	doublet 2320:19	e-mail 2406:16 2417:25 2418:4, 9	elaborations 2484:23 2487:4
dire 2339:16	diving 2405:20	doubly 2450:6	Earl 2399:2	Elders 2329:12 2478:2
direct 2406:19 2438:17	document 2322:13,14,24 2336:18 2338:14 2339:22 2340:7 2350:25 2351:12,17 2352:4,7,14,16, 19,21,24 2353:2,4,7,10, 13,16 2357:4,6, 23 2363:11,24 2368:5,13 2376:10,17,19 2378:16,21 2379:4 2381:8 2382:7 2399:15 2400:10,11 2416:9 2422:10 2428:4 2430:9, 19 2431:2,8,18 2433:7 2437:9 2438:11 2451:2 2452:11 2458:8, 14 2460:8,25 2461:1,11,20 2462:1,5 2463:5,7,9,25	draft 2354:12 2355:7	earlier 2339:19 2345:10 2349:5 2387:9 2398:24 2399:8 2423:10 2430:7 2456:7 2460:22 2469:23	electronic 2376:17,21
direction 2438:23		doubt 2373:2	Earth 2341:2	elementary 2337:17
disagree 2325:9		downloaded 2376:16	easier 2376:19 2451:18	Elgin 2445:25
discouraged 2457:8			easily 2450:12	elicit 2375:17
discovered 2440:7			eastern 2324:12 2398:12,13	elucidated 2373:18
discrepancie			edges 2389:14 2390:4 2424:23, 24	embarked 2455:25
s 2359:12,15,18, 19 2360:2,9 2361:10,18			edges' 2424:15	embodied 2451:1 2452:10
discuss 2383:2 2468:21			edited 2399:18 2416:14,22	emphasize 2408:7
discussed 2442:17 2450:23 2452:7			editing 2329:11	emphasized 2373:21
			editor 2338:9	employment 2431:21
			editorial 2335:16 2336:17	enable 2415:3 2434:16
				enabled 2447:18

encountered 2472:5	2383:1 2384:5, 19 2386:19,21 2387:6,11,19, 20,21 2388:6 2389:4,5,9 2391:17 2392:18 2393:2 2394:10 2401:22 2403:21 2404:5, 7 2405:9 2407:21 2409:22 2410:14 2419:7, 11 2428:14,24 2429:8,9,13 2434:22 2435:8, 24 2436:20 2437:6 2444:6 2451:9 2454:21 2455:16 2457:16 2459:19 2464:13 2467:14	2461:22 2463:6 2464:9 2467:11, 13 2468:3,4	era 2430:20	2477:14
encroachment t 2421:5 2434:23 2435:9 2436:21 2480:4,22		ensure 2326:11 2329:2 2422:20	erect 2447:18	examination 2322:1 2375:10, 24 2379:8 2469:25
encroachment ts 2415:6,9,11 2417:2,3 2434:20		ensured 2420:9,14	erroneous 2415:17	examine 2439:25 2443:24
end 2330:10 2337:8 2375:7 2379:11 2382:16 2390:18 2421:18,19,20 2462:5		ensuring 2465:9	essence 2406:24	examined 2468:18
endeavour 2343:11,13		entail 2471:7	establish 2373:8	examined 2468:18
endeavoured 2439:19		enter 2326:4 2431:19	established 2411:5,11 2449:19	examples 2360:24 2382:21 2384:19 2392:16 2406:11,17 2417:21 2418:18 2419:22 2420:25 2423:13 2478:23
ended 2331:21 2409:1		entered 2406:14 2420:17 2440:25 2460:22	estate 2431:8	
ends 2354:13 2385:24		entire 2405:5 2418:9 2422:15 2423:22 2478:6	estimate 2468:10	
engage 2407:3		entirety 2405:8 2478:18	estimation 2386:10	
engaged 2330:1 2347:22	English- anishinaabe mowin 2333:9 2336:3 2339:1 2370:6 2372:9	entitled 2351:24 2397:1 2449:23	ethics 2343:3	event 2423:19 2459:8
engages 2415:5 2434:18, 23 2435:9 2436:20	English-to- anishinaabe mowin 2325:20 2338:19 2345:24 2355:17,19 2357:16 2372:3 2398:15 2465:23	entries 2327:13 2333:1 2334:2 2376:13	evidence 2338:21 2339:16,17 2365:7 2366:12 2367:18 2368:11 2372:5, 24 2374:23 2375:16,18 2376:1 2377:9 2379:20 2395:17 2403:17 2406:15 2412:1 2413:24 2436:7, 12 2437:14 2440:22 2441:19 2446:25	exceedingly 2373:23,24
English 2324:11 2325:19 2326:1, 2,4 2330:16 2337:10 2338:23 2340:16 2346:21 2347:2, 5 2348:7 2352:3 2358:6,10 2360:15 2365:6 2368:5,6 2369:7 2370:23,24 2371:6 2372:7, 16 2374:23,24 2379:17 2380:11 2382:12,18		entrusted 2420:9	excuse 2343:3	excellency 2445:18 2446:5, 23 2448:15
	enlarged 2438:4	entry 2333:6 2334:15 2335:16 2354:7 2356:3 2357:12	excerpt 2443:16,22	exclusive 2446:17
	Ennis 2339:4 2421:25 2422:1, 3 2425:15 2427:7,10 2435:23 2436:15,16 2441:18,22 2442:8,21,22 2456:3,11 2457:10,11 2458:14,18	Environment al 2341:2	Excuse 2425:11 2471:3	exercise 2339:10 2348:17 2361:7, 20 2422:8 2449:15
		equally 2373:8 2439:24	exercise.and 2374:15	exercise 2322:18,20,22 2333:22 2339:23 2340:4, 5 2350:21 2351:20,22,23 2377:12,13,18 2378:11,12,13, 25 2379:1 2381:23,25
		equipped 2426:11	evident 2449:11	
		equivalent 2389:10,23 2402:7 2403:7 2417:10,13 2472:8	evolution 2409:17	
			evolved 2347:5 2409:9 2410:8	
			exact 2389:10 2392:9 2402:7 2419:6 2422:22 2444:12	

<p>2382:1 2390:16 2406:12,13 2416:11,12,16, 19 2417:23 2418:7 2421:8 2427:6 2445:9 2457:22 2459:22 2460:1 2461:12,14,15 2462:22,23,24 2464:1,2,3 2469:10,12 2475:3</p> <p>exhibits 2376:7 2377:8</p> <p>exist 2320:25 2325:18 2342:9, 13 2343:10,12 2345:12 2347:20,25 2349:12,14,22 2350:12 2355:22 2486:11</p> <p>existed 2326:21 2347:14 2349:2 2355:22 2361:11,18 2368:13</p> <p>existence 2368:25 2411:9</p> <p>existing 2326:25 2327:11 2368:21 2383:21</p> <p>exists 2346:23 2349:1 2384:10 2388:24</p> <p>expect 2417:5 2419:25</p> <p>expectation 2420:4</p> <p>expectations 2419:19 2421:1</p> <p>expected 2420:9 2439:21</p> <p>experience 2340:15</p>	<p>2350:15 2353:24 2365:5, 12 2366:8,10,24 2373:9 2374:9, 14 2442:4 2472:17</p> <p>experiences 2470:19</p> <p>expert 2334:22 2335:6,25 2338:16 2340:10 2356:16 2357:14 2370:2 2371:1,8,24 2372:19,24 2377:25 2378:15 2403:14 2436:4 2468:24</p> <p>expertise 2338:18 2365:22 2366:24 2372:2, 15 2373:6,8</p> <p>explain 2325:13,14 2383:4 2384:9 2388:20 2391:12 2392:25 2398:10 2399:24 2400:15 2403:22 2449:2 2487:1</p> <p>explained 2330:15 2447:14 2451:5 2452:14,18 2455:12 2473:22 2483:6, 15</p> <p>explanation 2380:5 2484:6, 8,11,14,17 2485:3,12 2486:17,20</p> <p>explanations 2483:19,25 2484:22 2487:4</p>	<p>explanatory 2337:2</p> <p>explicit 2408:11</p> <p>explicitly 2342:6 2388:7</p> <p>exposed 2426:9</p> <p>express 2380:8 2400:4</p> <p>expressed 2380:12 2381:1, 2 2387:21,22 2407:24 2419:7, 17</p> <p>expressing 2326:20 2362:11 2379:12 2426:14,16</p> <p>expressions 2347:13</p> <p>extend 2447:19</p> <p>extended 2402:10 2420:7</p> <p>extensively 2380:23</p> <p>extent 2340:17 2361:22 2398:3 2424:16 2482:9 2487:8</p> <p>extra 2334:2 2467:12</p> <p>extract 2437:11,20</p> <p>extracted 2478:1</p> <p>extreme 2447:11</p> <p>extremely 2365:4 2391:5 2410:4 2455:22</p> <p>Ezhi- mkoshnang 2352:1</p>	<p style="text-align: center;">F</p> <p>F(2) 2340:4,5</p> <p>facilitator 2337:7</p> <p>fact 2332:15 2352:17 2367:20 2390:1 2393:10 2400:5 2407:23 2408:5 2419:10 2449:12 2458:7 2460:8 2465:6</p> <p>factors 2373:25</p> <p>factual 2442:10,12</p> <p>fair 2331:3 2342:22 2346:3 2347:6,11 2349:11 2430:3, 6 2454:24 2481:16</p> <p>fairly 2374:13 2383:23 2449:4</p> <p>fall 2373:2 2419:3</p> <p>falls 2405:20</p> <p>familiar 2369:22 2431:15 2473:12,14</p> <p>familiarize 2341:21</p> <p>farm 2448:4</p> <p>farms 2420:15 2447:19</p> <p>faster 2395:15</p> <p>father 2360:25 2414:20 2415:5 2434:2,9,18</p> <p>Father's 2434:6</p> <p>feature 2325:24 2326:4</p>	<p>February 2334:15 2335:25 2355:1 2357:13 2437:13 2440:23</p> <p>fed 2420:2</p> <p>feel 2321:1 2413:22 2457:3 2470:16</p> <p>Feelings 2449:24</p> <p>feet 2435:14 2458:11 2467:4</p> <p>FELICIAN 2362:20 2411:22</p> <p>fellow 2327:23</p> <p>felt 2470:12</p> <p>field 2338:18 2365:20 2372:3</p> <p>figurative 2402:11</p> <p>filing 2378:8</p> <p>film 2336:12</p> <p>finally 2337:13 2338:2 2448:10</p> <p>find 2321:1 2325:25 2333:20 2354:25 2359:17 2362:8 2376:19 2392:23 2421:11 2432:16 2440:4 2443:4 2485:23</p> <p>finding 2450:24 2452:8</p> <p>fine 2333:24 2334:3 2377:4 2413:1 2457:6</p> <p>finish 2332:9</p> <p>finished 2331:9 2332:3 2352:22</p>
--	--	---	--	---

first-hand 2361:24	2373:6,7,13,15 2471:12,14,17, 18,20,23 2472:11 2473:1	2473:10 2479:8, 16 2484:21 2486:4,12,18	generate 2392:4	gown 2320:18 2321:2
fish 2382:3 2411:16 2412:17	formalized 2365:19 2367:15 2370:1	fuller 2393:19 2487:4	generic 2410:10	graduate 2429:15
Fishing 2382:6	formed 2478:2	fully 2429:20, 25 2454:8	generically 2367:23	grammars 2391:5
fit 2440:2	forming 2475:9 2477:17	fundamental 2407:20 2408:5	gentleman 2467:20	grammatical 2382:22 2388:5
five-year 2323:20	forms 2390:24 2391:11,16 2392:8	funds 2447:16	German 2347:2	grammaticall y 2380:20
fix 2321:3	fortis 2385:19	future 2380:25 2440:3	gii-miijin 2405:6	grandparents 2361:25
flexible 2394:3	forward 2364:21 2374:10 2375:5 2437:4 2450:18 2452:2	<hr/> G <hr/>	give 2375:3 2384:21 2389:2 2391:17 2406:14 2412:1 2413:13 2430:22 2436:5 2451:16 2476:7	granted 2448:5
floating 2332:17	found 2360:1 2397:9 2443:11 2450:15 2451:24 2472:7	Game 2382:4	giving 2338:21 2372:5 2390:19 2394:15 2454:22	granting 2442:20
flow 2488:13	Francis 2438:10,15 2460:18	ganawendaa n 2419:15	glass 2401:11, 13,16 2404:21, 22	grasp 2443:13
fluency 2343:21	free 2469:1	garb 2320:19	gnawendma waa 2417:19 2418:25 2419:6, 16,21	great 2361:25 2414:20 2415:4 2434:1,5,9,18 2441:3 2442:11
fluent 2343:18 2428:14,24 2457:15 2459:18	fresh 2450:20 2452:4	garden 2420:6,8,11,14, 17	good 2340:11, 23 2391:18,19 2415:19 2416:3 2422:2 2424:8 2426:24 2439:2, 24 2440:6 2454:5 2469:22	greater 2440:4 2446:15
Flying 2333:7 2351:1,25	Friday 2453:22	gauged 2362:6 2485:1	goods 2448:10	greatly 2439:10
focus 2355:20 2415:7 2479:3	friend 2350:14, 25 2371:4 2408:23	gave 2334:21 2354:18 2405:19 2418:6 2451:13 2490:2	Google 2454:15	grounds 2410:18 2447:24
focused 2381:16 2394:22 2435:18 2479:7 2480:3 2481:2 2489:9	front 2322:5 2350:20 2363:11 2379:23 2475:5 2485:21	gender 2419:2	government 2338:4 2439:7, 23 2448:12 2449:3 2450:22 2452:6	groups 2359:22
follow 2413:14 2455:22 2456:10 2457:7 2463:17	fronted 2377:24 2378:14	general 2329:7 2337:2 2347:1,9 2357:21 2373:3 2391:14 2404:22 2427:19 2440:17 2445:23,25 2463:1,13,16,20 2474:16,17 2477:20	governor 2438:10 2440:17 2445:25	growing 2326:23
forget 2398:13	full 2394:24 2404:9,11,21 2406:24 2418:5 2427:17,22 2441:23 2445:15 2451:20 2454:7	generally 2349:19 2350:3 2365:21 2373:16 2374:20 2430:8 2474:22		grown 2420:18
forgotten 2477:10				guess 2326:8, 14 2327:14 2329:24 2332:13 2381:4 2384:21 2385:5 2393:15 2396:15 2399:17 2400:22 2401:9 2402:2,8,25 2404:24 2405:16 2406:23 2420:4 2421:1,16
form 2354:15 2378:5 2388:2 2392:4 2419:6, 14,15 2430:14 2471:13				
formal 2341:13,19,24, 25 2359:24 2365:19 2370:7				

2430:14 2433:9 2453:11 2481:15 guide 2335:19 2479:2 guidelines 2349:17 guides 2336:22	2438:10 heading 2334:9 2336:16 2337:22 2338:3 2382:10 2397:1 2475:8,12 2476:24 2477:16 Health 2338:11 hear 2322:3,9 2346:9 2386:15 2406:3 2409:3 2410:23 2432:21 2441:13 2470:1 2483:21 heard 2325:22 2326:22 2330:24 2331:12,14,17, 20 2347:18 2360:23 2377:18 2428:5 2433:23 2489:4, 14 hearing 2321:5 2386:6, 16 2487:18 2489:1 heavy 2321:14 held 2359:22 2449:13 helpful 2403:15 2413:6 2441:19,25 2442:24 2443:1, 7,8 2476:6 helps 2423:17 hereinafter 2428:2 herewith 2451:2 2452:11 high 2429:15 highlight 2402:17 2406:22 highlighted 2334:6 2428:21	highly 2427:21 historic 2349:4,9 2350:3,5,7 historical 2341:10 2349:19 2366:6 2367:19 2441:15 2442:12 2443:2, 4,15 historically 2369:14 history 2341:10 2411:7 2441:20 2442:1 hit 2393:9 hitherto 2446:16 Hmm 2475:22 hold 2346:5,11 2402:9 2438:11 2440:16 holding 2401:10 home 2332:5, 8,9 honour 2320:3 2322:21 2339:4, 5 2340:11,13 2351:19 2362:20,22 2364:14,20,23 2365:25 2367:8 2370:19,22 2408:21 2410:3 2411:22 2416:9 2435:15 2441:22 2446:4 2461:10 2463:18 2468:9 2489:22 hope 2321:3 2396:6 Horse 2336:12 hospitals 2338:5	hour 2449:8 2451:23 2453:19 2468:12 houses 2415:1 2434:15,25 2435:11 2436:22 hundred 2347:14 2348:8 hunt 2411:15 2412:17 hunting 2382:6 2407:4 Huron 2461:4 hypothesized 2486:9 hypothetical 2484:14	2431:11 2453:24 2481:3 illustrate 2382:21 2400:1, 22 2453:17 immediately 2459:10 implications 2387:4,16 2429:22 2430:2 implicitly 2380:17 implied 2407:2 importance 2344:14 important 2320:22 2449:16 2470:12,13 impossibility 2447:12 impossible 2361:6 2465:22 2466:1,7 impression 2367:18 improve 2321:3,4,5 improvement s 2439:12 in-chief 2322:1 2375:11, 24 2379:8 inanimate 2419:5 inclined 2321:18 include 2470:11,12 2472:21 2477:10 2478:23 2484:10 included 2441:7,8 2470:14 2472:24
H				
I				
half 2459:9 2460:6 2468:13 hammer 2393:8,9 hand 2322:10 2393:3 2447:14 2485:18 handful 2365:9 2366:12 handled 2417:8 hands 2393:8 handwritten 2462:4 happen 2331:5 2402:1 happened 2330:19 2332:2 2409:11,13,14 happy 2413:24 hard 2347:19 2348:10,14 2376:16 2380:4 2387:15 2401:24 2402:19 2413:23 2415:15 2429:1 2432:1 2433:10 2451:14 2464:25 2466:5 harvesting 2407:5 head 2332:19, 21 2403:9				

2477:25 2488:3, 5	infinitive 2387:23	instructor 2326:10	2411:8 2426:22 2460:17,21 2464:18 2465:6	isolate 2394:25
includes 2355:16 2419:7	infinitives 2380:15 2387:18,20	instructors 2383:19	interpreting 2426:24 2453:15 2454:23	isolated 2404:9
including 2320:20 2365:10 2366:13 2455:7	inflected 2390:24 2391:11	instrument 2393:4,8,10	interprets 2429:5	isolation 2481:25
incorrect 2385:3	inflection 2391:13,14,24	insufficient 2366:23	interrupt 2353:18 2395:6	issues 2333:8 2336:3 2349:9 2352:2 2357:17 2373:2
incorrectly 2469:11	inflections 2391:20	insurance 2431:18,20	introduced 2375:15	item 2334:6,10 2335:5,24 2337:16,23 2338:9 2356:15 2453:22 2478:21
increased 2450:19 2452:3	influence 2449:16	intend 2440:9	intrude 2411:23	items 2358:5
incredibly 2410:9	informal 2344:9 2390:9	intended 2410:21 2439:8 2467:1,7	intrusion 2447:13	
indefinite 2438:12	informally 2359:24	intention 2422:11 2464:20	invariably 2360:19 2450:1	J
indefinitely 2332:13	information 2380:24 2391:6 2392:1 2393:1, 17,22,24 2394:8 2397:9 2407:12, 15,20,22 2408:3 2418:3 2442:17 2443:16 2446:5 2457:17 2458:2, 23 2459:20 2470:13 2474:12,14 2481:13 2482:10 2487:13	interest 2353:18	invited 2379:19	Jacob 2458:22
independent 2481:18,19	informally 2359:24	interpret 2437:6	inviting 2396:22	Jacobs 2394:17 2411:20 2426:7 2457:13,25
Indian 2334:23 2336:12 2427:14,19,25 2440:8 2446:9 2461:16 2462:8 2463:1 2464:5	information 2380:24 2391:6 2392:1 2393:1, 17,22,24 2394:8 2397:9 2407:12, 15,20,22 2408:3 2418:3 2442:17 2443:16 2446:5 2457:17 2458:2, 23 2459:20 2470:13 2474:12,14 2481:13 2482:10 2487:13	interpretation 2344:2,23 2345:1,5,13,17 2346:15 2388:23 2403:4 2411:10 2435:17,20 2436:2 2437:3,5 2474:15,23 2481:12	involve 2351:4 2354:4	jealousy 2449:24
Indians 2399:19 2416:14 2434:6 2448:6	informed 2444:24	interpretation s 2402:22	involved 2353:9 2354:19 2356:5,18,20 2357:18,23 2358:5,9,13,17 2392:24 2415:21 2420:1 2422:13 2431:5 2484:3 2486:14 2487:9	Jennifer 2340:24 2469:23
Indians' 2416:20	inquiries 2469:2	interpreted 2486:11	involves 2353:21 2380:19 2388:5 2419:12	job 2353:24
indication 2387:23	instance 2331:6 2347:3 2394:11	interpreter 2389:8 2401:2 2432:6 2458:15, 22 2460:17,19 2461:9 2462:17 2463:22 2472:20 2473:17 2474:20	involving 2423:13 2454:4	John 2381:9, 11,12 2382:1 2398:24 2399:4 2416:14,22 2459:11 2460:15 2463:9, 25 2464:3 2469:12
Indigenous 2323:10	instances 2347:16 2386:18	interpreters 2342:10 2343:8	island 2324:13 2331:9,18 2337:20 2400:9 2414:23 2434:12	Johnson 2463:10,25 2469:12
induced 2445:18 2446:23	institutions 2345:4,8,9		islands 2434:2	Johnston 2464:4
inducement 2447:22	instructions 2446:9 2489:17 2490:1			Jones 2460:15
infer 2444:25 2464:16 2465:7				Jordan's 2336:10
infinite 2421:16				

jot 2327:4 2330:18	2489:18	2435:10 2436:21 2439:2 2440:6 2446:15	late 2438:9	2457:23
jotted 2327:17	kinds 2331:1 2343:6 2354:11 2362:14 2380:8 2382:23 2385:10 2392:1 2394:8 2402:3 2423:14 2431:10 2443:21 2471:14 2473:24,25	lands 2438:14 2439:25 2441:4, 8 2447:5,17 2448:1 2460:4	Latin 2453:5	left-hand 2437:24 2460:16 2461:7
jotting 2327:6 2328:21			Laurence 2445:8,22 2451:11,22	legal 2390:12 2422:4 2425:10 2426:2,10,22 2427:1 2430:4, 9,19 2431:2,12, 17 2432:6,8,12 2433:1,7 2435:16,20 2436:1,5,11 2454:12,14 2470:21 2471:17,19,21, 25 2472:3,5,11, 12,13
journal 2437:16		language 2324:6 2325:11 2326:12 2334:13,17 2336:6 2338:18 2359:21 2361:19 2367:20,22,25 2368:22,24 2369:15,19 2373:2,15 2374:25 2379:16 2383:14,20 2384:13,16 2388:24 2389:1 2398:1 2405:12 2424:14,22 2426:10 2428:12 2431:24 2432:1 2435:24,25 2472:9 2474:21 2482:9,19	Laurentian 2323:7 2336:13	
JR 2478:3	knew 2328:10 2360:12 2440:13		law 2334:23 2335:17,19 2336:19 2425:10 2426:1	
judgment 2471:7	knowledge 2342:23 2343:5 2372:25 2373:11 2398:3 2426:23 2427:1 2432:7 2444:16 2487:20		laws 2427:1 2432:8	
jumping 2358:16	Kweji-aan' kinoosjigeng 2352:2		lay 2359:19	
June 2322:24 2335:24 2357:13 2378:23 2379:4 2461:2,11,16 2463:10 2464:1, 5			Le 2339:5,12 2340:2,9,22,24 2352:5 2356:1 2364:17,20,23 2366:5,16,22 2367:4 2370:22 2371:4,11,17 2408:20,21 2409:4 2410:3, 17 2468:9,12 2469:21,24 2473:5 2476:1, 10,13,17,18 2488:14,17	
jurors 2337:3			lead 2396:23 2403:13,18	
justly 2462:14, 15			leading 2408:22,25 2455:5	
K	L		learned 2397:13,25 2399:6	
kagige 2421:13	label 2385:15	language-specific 2347:1	learners 2326:12	length 2405:17,21 2421:14 2432:18 2437:1 2464:24
Kappekuehu veenoong 2439:4	labelled 2359:15	language[2391:8	leave 2358:15 2377:6 2412:25 2413:16 2472:9	lengthy 2423:7
keeping 2395:19	LAC 2463:4 2464:6	languages 2343:18 2346:17 2347:9 2374:5 2382:13 2391:4 2426:24	leaving 2392:11	lenis 2385:19
Keeshick 2459:12 2460:25 2461:8 2462:8 2465:5	lack 2365:18	large 2320:14 2371:5 2424:16 2439:1 2446:24 2447:15	led 2326:8	let all 2320:10
key 2382:2 2478:23,24 2479:9	lacking 2389:22		left 2391:7 2419:23 2438:14 2451:23	letter 2337:3 2462:2,4,20,24 2463:9,25 2464:3 2469:11
kind 2330:19 2354:20 2361:6, 20 2376:15 2380:7 2393:24 2403:2 2405:14 2407:5 2420:25 2432:25 2477:10 2481:22	Lacs 2382:6	largely 2374:25 2385:13		lettered 2339:23 2340:4
	Lake 2331:16, 20 2399:20 2416:21 2438:25	larger 2445:12 2449:23		letters 2386:7
	Lakehead 2383:21			letting 2402:9, 10 2403:10
	Lakes 2382:4 2461:4			level 2373:14 2392:24 2395:20 2474:8
	land 2403:3,10 2407:5 2415:4 2434:18,24			lexicon 2400:10 2407:14 2423:1 2445:1
				licences 2345:19 2346:5

lies 2414:24 2434:13	listed 2335:5 2342:24 2343:1 2344:11 2358:13 2365:8 2366:12 2461:8 2475:18 2477:15,22 2488:19	Lord 2445:25 2462:2,21,25	make 2329:4 2364:22 2369:13,25 2376:10,18,21 2380:4,21,22 2382:19 2391:7 2407:10 2413:10 2416:11,12 2427:22 2440:9 2445:12 2461:10 2462:20 2463:24 2468:20 2469:15 2488:19	Masters 2341:3 2342:11 2345:11
Lieutenant 2438:9	listener 2428:15,25 2429:8,9,13	Lordship's 2446:8 2447:23	matches 2423:2	materials 2338:10 2362:14 2384:14 2386:13 2397:15 2398:5 2424:1 2454:19 2470:21 2475:14
life 2348:1	listeners' 2402:22	lost 2456:1 2472:25	matter 2374:3 2390:12 2410:10 2413:8 2430:10 2444:14,21 2468:22 2471:6, 10	
likelihood 2412:14 2485:1	listening 2464:12	lot 2373:13 2380:10	matters 2372:12	
likewise 2397:25 2398:2 2405:9	listing 2431:1	lots 2448:5	meaning 2325:25 2328:25 2329:1, 2 2338:22 2372:6,15 2387:23 2389:3, 5,7 2390:2,6,13 2401:12,14,17 2402:20 2404:5, 6,20 2405:24 2406:1 2412:2 2422:21,22 2423:2,4 2429:4,23 2441:25 2464:21 2466:25 2467:22 2473:19 2481:14 2486:22	
limited 2360:19 2365:4, 15 2367:19 2368:21 2410:17 2482:20	lists 2470:18	loud 2427:8	manage 2411:2	
limiting 2374:16	literature 2477:14	lunch 2330:10 2413:20 2414:2 2415:20	making 2340:17 2377:7 2392:10	
limits 2449:2,7 2450:19 2452:3	litigation 2335:8 2356:18	lying 2439:3	manifested 2450:1	
lines 2357:6 2427:16 2428:9 2436:9 2451:18 2463:15 2479:14,19 2480:13,20,24, 25 2481:2,13	livestock 2420:15,16	<hr/> M <hr/>	Manitoulin 2324:13 2337:20 2400:8 2434:3	
linguist 2381:12 2398:12	living 2431:16 2465:16	M.A. 2340:6 2351:24	manner 2393:7,13 2450:6	
linguistic 2341:16,20,21 2426:23	locating 2447:7	made 2341:20 2368:18 2371:22 2376:16 2381:23 2399:18,21 2408:12 2416:13,19 2421:7 2424:20 2430:16 2433:24 2434:4 2440:14 2448:4 2461:2,3 2487:24 2488:1	manipulation 2393:7	
Linguistically 2385:14	logically 2346:1	Madwayosh 2448:17 2450:16 2451:25 2460:12	map 2459:24	
linguistics 2341:14,24 2342:3,4,6	long 2408:24 2409:1 2410:17 2432:20 2437:1 2441:10 2451:15 2455:22 2456:1, 8 2465:1 2468:11	main 2326:8 2327:15 2420:4 2424:2 2426:4	March 2334:20 2356:3	
linguists 2391:15	longer 2334:1 2347:15,20 2361:23	maintained 2448:20 2449:18	mark 2339:22 2375:20	
list 2328:14 2331:10 2336:9 2338:4 2344:12, 14 2406:10 2475:20 2476:19 2477:14 2480:20,23	looked 2342:20 2350:11 2355:9, 14 2356:22 2357:8 2358:3 2373:22 2476:22 2477:21 2481:7, 17 2482:1	major 2380:7 2381:5	marked 2351:20	
		majority 2375:23	marking 2376:7	meanings 2328:5,7 2343:24 2397:2, 3 2400:13,17, 19,20,23 2401:6,8 2404:15 2424:16 2425:1 2443:20 2454:1

<p>means 2325:23 2328:23 2329:5, 7 2388:20 2401:15 2402:23 2429:21 2453:2, 5 2454:8 2473:16</p> <p>meant 2328:22 2330:16 2362:1 2389:12 2467:14 2480:17</p> <p>measure 2362:3 2433:14 2448:13 2450:3</p> <p>medals 2448:15</p> <p>medical 2336:22 2470:20 2471:11</p> <p>meet 2320:12 2328:12 2330:8 2366:25 2448:12</p> <p>members 2330:8 2359:20 2399:3</p> <p>memory 2324:2 2353:20 2418:5</p> <p>men 2403:9 2427:14,20 2448:8 2450:9 2455:5 2464:11 2466:16,21 2467:18</p> <p>mentioned 2334:10 2341:1 2349:5 2354:17 2355:5 2356:5, 18 2357:17 2359:1 2366:14, 18 2371:4 2398:23,24 2448:19 2465:4 2477:24 2484:25</p>	<p>mentioning 2330:20</p> <p>mentions 2332:22</p> <p>met 2359:19 2448:16</p> <p>methodologi es 2349:7</p> <p>methodology 2342:15 2343:2 2373:17 2422:6</p> <p>microphone 2322:5,7 2425:12</p> <p>mid-19th 2409:10 2410:8 2425:21 2465:23</p> <p>middle 2320:20 2414:18 2426:5 2429:16 2445:11 2446:19 2463:15</p> <p>midway 2475:7</p> <p>mile 2460:6</p> <p>miles 2438:25</p> <p>Mille 2382:6</p> <p>mind 2320:14 2358:22 2360:12 2373:25 2374:1, 9 2384:20 2387:17 2388:17 2402:3</p> <p>minds 2332:17 2438:1,7 2439:20</p> <p>Ministry 2337:1</p> <p>Minnesota 2399:6,10</p> <p>minute 2406:12 2414:13</p>	<p>minutes 2469:16,17</p> <p>mischievous 2420:20</p> <p>missed 2369:12</p> <p>missing 2327:5,21 2475:21</p> <p>mission 2397:11,13</p> <p>missionary 2394:18 2397:23 2412:13 2457:25 2458:4</p> <p>mistake 2366:17 2436:11</p> <p>misundersta nding 2360:4</p> <p>mode 2447:25</p> <p>models 2341:16</p> <p>modern 2430:20 2431:17 2432:14 2433:7</p> <p>modern-day 2366:9</p> <p>Mohan 2366:20 2367:16</p> <p>moment 2362:21 2408:19 2417:24 2431:14 2445:21 2485:19</p> <p>Monday 2453:20</p> <p>money 2448:10</p> <p>monies 2440:18 2455:8</p>	<p>monitored 2401:19</p> <p>mooshkin 2404:18 2405:1 2486:14</p> <p>moral 2462:10</p> <p>morning 2320:2,3 2340:11,12,23 2373:22 2375:9, 10,18 2489:25 2490:3</p> <p>morphology 2342:7</p> <p>mother 2328:12 2360:25</p> <p>mouth 2385:12 2438:18</p> <p>move 2433:17 2439:10 2443:23 2456:3 2457:6 2476:1</p> <p>multiple 2359:4</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>N-I-S-H-N-A- A-B-E-M-W-I- N 2363:20</p> <p>name's 2340:24</p> <p>named 2428:7</p> <p>names 2459:2, 13</p> <p>narrow 2340:18 2364:24 2367:4 2374:2 2410:6, 13,18</p> <p>nataas 2401:15</p> <p>Nation 2361:16,17 2487:18 2489:1, 14</p>	<p>Nations 2361:16</p> <p>native 2323:7 2338:6 2457:14</p> <p>nature 2385:8 2424:14,22 2436:7</p> <p>Nawash 2324:17 2394:14 2442:25 2455:5, 10 2456:24 2459:4 2464:19 2465:10 2466:11</p> <p>necessarily 2360:10 2394:10 2407:19 2417:14 2431:7 2453:13 2474:4, 9</p> <p>needed 2407:13</p> <p>neglect 2439:12</p> <p>neglected 2416:11</p> <p>negotiable 2424:17</p> <p>negotiated 2445:24</p> <p>negotiating 2455:13</p> <p>negotiation 2452:18 2481:23</p> <p>negotiations 2425:21 2443:3 2452:19 2457:15 2464:12 2465:8</p> <p>negotiator 2445:8</p> <p>neighbouring 2447:4</p> <p>Nichols 2381:10,11,12</p>
---	--	--	--	--

2382:2 2383:15 2390:15 2393:23 2398:23,24 2399:4,11 2416:14,22	2327:6 2330:21 2331:4 2333:14 2337:14 2340:7 2348:20 2350:21 2351:22 2352:4 2363:15 2368:24 2378:16 2379:5 2381:25 2382:7 2391:11 2423:7, 12 2424:25 2437:11,12 2461:11,20 2463:5 2464:2,8 2469:12 2482:19 2485:17	observation 2374:16	official 2473:14	opposite 2385:24
Nipissing 2383:22		observed 2456:7	Ojibwa 2398:13	opposition 2448:16
Nishnaabem owin 2364:2		obtain 2346:1 2457:18	Ojibwe 2381:16 2382:6, 12 2390:22 2398:1 2399:10 2400:9 2487:17 2489:1,13	options 2401:1 2404:14, 15,17
Nishnaabem win 2352:3 2363:19		obtaining 2446:11	older 2363:14	oral-only 2482:19
Niska 2426:20 2430:5 2432:3 2433:2		obvious 2373:13	Oliphant 2445:8,22 2451:11,22	orally 2482:16
non- equivalence 2388:19,21 2389:12	numbers 2333:16	occasion 2347:23 2348:1 2358:22 2430:18 2449:15	on-line 2325:14,21 2332:20,23	order 2331:6 2359:17 2366:24 2397:12 2429:24 2440:1, 11 2441:23 2443:12 2449:9 2454:21 2484:9
Non-refereed 2334:10	numeral 2478:21	occasional 2368:15 2450:24 2452:8	one's 2385:12 2393:8 2402:9	ordinary 2373:7 2431:16
normal 2421:1	Nyholm 2398:23 2399:1, 3,12	occupation 2446:17	Ontario 2337:2 2340:25 2364:18 2370:21 2371:22 2409:24 2468:7 2469:24	organized 2339:20
north 2397:10 2414:25 2434:14 2438:16,25 2441:5	O	occupied 2449:21	open 2321:5	organizing 2331:21
note 2376:11 2424:2	obedience 2446:8	occupy 2414:22 2434:11	opened 2445:16 2446:20,21	original 2463:4 2472:9
noted 2415:23	object 2339:8 2364:24 2380:19 2388:6, 13 2393:25 2394:2,4	occurred 2330:21 2394:23 2417:17 2449:12 2458:13 2487:1	operative 2414:17	originally 2331:2
notes 2328:22, 23 2329:4 2331:11 2393:23 2424:13	objecting 2371:12	occurring 2452:19	open 2321:5	Otchipwe 2397:14
noticed 2363:13 2364:1 2474:20	objection 2339:2,25 2340:2,17 2364:19 2365:2, 3 2369:3 2371:22 2409:25 2410:16,19 2442:20 2461:13	October 2446:10	opened 2445:16 2446:20,21	ottawa 2336:1 2357:15 2461:18
noun 2419:4		Odjig 2325:2	operative 2414:17	Ottawas 2433:25
nouns 2380:13 2419:3		offer 2341:6,9 2342:15 2345:5	opinion 2338:21 2372:5 2407:23 2411:13 2415:11,14 2426:15,17 2436:6 2448:23 2451:13 2466:9 2470:14,17	out-voted 2450:17 2452:1
November 2446:1		offered 2345:2 2349:8	opinions 2450:12 2475:9 2477:17	outer 2320:18 2321:2
number 2320:14 2322:20,24	objective 2327:19	offhand 2351:7	opportunity 2339:6 2354:14	outline 2409:11 2455:1 2475:13 2485:10
	obliged 2375:17	office 2378:8	opposed 2387:10 2450:3	outlined 2350:15 2359:2 2366:8

outlines 2477:2	papers 2325:5 2363:22	past 2348:8 2361:9,11,14 2380:24 2404:2	permit 2374:10 2436:9 2440:10 2442:15	2484:21,24 2486:18
overcompensating 2427:8	paragraph 2382:17 2383:2 2389:13,15 2390:19 2402:15 2407:25 2414:18 2422:16 2423:17 2424:3, 6,12 2435:2 2445:15 2446:3 2451:21 2453:21	patient 2336:22	permitted 2372:24 2375:25 2436:5	phrased 2443:6
overlapping 2481:22		pattern 2455:21	permutation 2396:1	phrases 2338:23 2347:13 2372:7, 17 2382:2 2405:10 2479:10 2481:6 2484:3,5,19
Owen 2414:25 2427:15,25 2434:14 2448:25 2449:14 2450:2, 11 2462:25		pause 2488:20	person 2388:3,8,13,14 2393:2 2411:24 2412:3 2420:8, 13 2429:18 2433:3,6 2454:18 2468:23 2472:14	phrasing 2405:7
Owen's 2438:17,23 2446:13	paragraphs 2414:16,17	paused 2467:8	personally 2431:19	phrasings 2407:24,25 2408:6
owner 2419:24	park 2353:19	PDF 2475:5	pertain 2347:22	physical 2402:8
<hr/> P <hr/>	part 2377:9 2397:11 2400:9 2404:12 2406:5 2414:17,23 2418:10 2421:6 2428:22 2433:21 2434:12 2440:4 2445:13 2448:17,22 2449:19 2462:3 2463:15 2478:2 2481:9,22 2484:13 2489:18	peninsula 2427:24 2438:16,24 2440:1 2441:6 2449:20 2460:3 2480:8,11	pertains 2389:25 2390:1	physically 2401:10
	partial 2429:16	people 2320:14 2321:13 2325:20 2328:12 2330:11 2331:23 2338:22 2360:23 2362:9, 12 2372:6,16 2383:13 2385:2 2386:15 2408:3 2420:20 2439:9 2453:20 2476:3 2482:20	pertinent 2341:21	pick 2393:20
	parties 2452:21 2460:23	people's 2332:17	Peter 2394:17 2411:20 2426:7 2457:13,25 2458:21	picked 2364:3 2408:8
	parts 2337:9 2380:9 2432:13 2433:4,10 2466:2,3 2479:3 2480:10 2481:3	peoples 2334:20 2356:4	petition 2399:19,21 2416:20	picture 2393:19
	party 2450:24 2452:8	perfectly 2413:12 2457:8	Ph.d. 2323:4 2341:3	piece 2407:22 2408:2 2436:11 2474:12
	pass 2384:23 2386:19,20	performs 2473:3	phases 2327:15	pieces 2327:17 2409:7
	passage 2423:23 2451:15	period 2323:20 2324:1 2367:25 2403:24 2404:3, 7 2417:8 2441:21	phonetic 2384:15,19,24	place 2346:22 2347:15 2364:1 2439:24 2440:15 2446:6
	passed 2449:1	permanent 2405:22	phonology 2342:7 2385:9	places 2440:7, 8
		permission 2320:17 2447:8	phrase 2333:8 2340:19 2364:25 2365:1 2394:23 2404:9 2415:8 2417:1 2421:4 2423:9 2443:4 2453:10 2479:7,15 2480:3,21	plaintiff's 2374:11 2375:17

played 2482:8	possibly 2403:5,8 2411:24	2475:1,14	probable 2484:16	2363:10 2366:7 2369:4,21 2371:24 2372:2 2376:11 2377:14,20,23 2378:13,21 2379:1,14 2381:10 2408:19 2410:22 2416:24 2418:1 2422:2 2442:23 2457:13 2464:10 2467:4, 17 2468:5,8,16 2469:22 2478:5 2485:22 2490:1
plural 2388:9	post 2387:10	preposition 2419:8,12	probationary 2323:20	
point 2327:8 2332:15 2333:3 2341:20 2345:22 2346:8 2348:25 2354:22 2358:8 2367:5,17 2368:24 2369:12,13,25 2389:16,17,19, 25 2392:10 2415:21 2456:23 2469:25 2476:6, 21 2483:1 2487:23	Poster 2336:11	prepositional 2419:11	problem 2435:14,18 2436:6	
pointed 2403:17	potential 2412:1	presence 2427:18 2450:9 2451:3 2452:12 2455:16 2464:16 2465:7	procedures 2427:2 2432:8	
pointing 2459:25	pp 2461:20 2463:3 2464:6	present 2354:12 2414:21 2434:10 2439:14 2457:14 2464:12	proceeding 2490:6	
points 2350:17	practical 2392:24 2404:19	presentation 2334:22	proceedings 2354:16 2426:8 2445:16 2446:6, 21 2448:22 2449:17	program 2343:7 2344:7, 25
Policy 2341:4	practice 2326:20 2342:16 2343:3 2344:6 2345:23 2388:22 2392:23 2422:19	pretend 2438:21	process 2360:21 2361:8 2413:7 2452:18 2473:10,22 2481:23 2482:8	programs 2341:6,9 2342:9,13,15,21 2343:10,12 2344:1 2345:6, 11,12,15 2349:6 2370:5 2383:21 2465:18,21
poor 2440:5	practices 2349:24 2353:1	pretty 2379:24 2454:5	processes 2329:25	
pop 2332:18	pre-existing 2368:21	preventing 2447:12	produce 2385:13	
popped 2360:12	precaution 2403:25	preverbs 2387:10	produced 2326:16 2335:19	prohibited 2408:2
pops 2332:21	prefer 2376:24	previous 2487:20	productive 2448:13	project 2325:14,16 2326:9 2329:23 2332:14 2358:17,25 2359:4 2361:21
popular 2454:13	preferable 2440:11	previously 2489:15	profession 2409:17	
portion 2340:18 2364:24 2371:11,23 2372:10,13 2412:14 2446:15,24	prefiled 2376:25	principal 2324:3 2363:18 2427:14 2448:17	professional 2342:8,14 2343:10,14 2344:1,7 2345:11,15,23 2349:6 2425:10 2426:1,21 2432:5,11 2433:1 2465:18, 20	prominent 2449:21
posit 2444:22	prefix 2406:6 2421:13	Principle 2336:10	professor 2321:24 2322:2, 14,23 2323:3,6, 12 2338:15,17 2340:6,12,14,23 2350:20,22 2351:24	promised 2448:1,11
position 2370:16 2449:22	prefixes 2381:3	print 2399:9		pronoun 2388:6
possess 2426:22	premise 2457:12	printed 2333:17		pronounces 2386:3
possibility 2415:17 2436:25	preparation 2335:6	Printer 2461:19		pronouns 2380:22
	prepare 2344:16,18	private 2449:9		pronunciatio n 2386:1,25
	prepared 2448:12	privileges 2450:20 2452:4		proper 2414:25 2415:2
	preparing 2355:7 2358:1, 20 2470:3			

2434:14,16	13,15 2484:6,23 2485:11	Q	2456:1,8,9 2458:10	2383:17
properly	providing	Qualification	2461:25 2463:8 2464:15,24	range 2338:22 2372:6,15 2397:1 2400:2, 13,17,19,20 2401:6,8 2470:20
2349:18	2472:18	2340:6	2466:8 2467:17, 24 2470:1	ranges 2412:1
2365:22 2367:2	provision	qualifications	2476:4,5,8,16 2479:6,19,20,24	rapid 2454:16
2372:22	2434:22 2435:8 2436:18,19	2340:10	2480:2,5,6,14, 23,25 2483:10	re-
2454:21	prudent	2346:16		examination
2465:11,12	2328:4	2366:23		2362:18 2363:1, 7
2466:10	public 2448:23	qualified		read 2352:17, 20,25 2353:3,5, 8,11,14,22 2368:4 2369:9 2379:19 2394:20 2395:6 2414:9 2422:13, 14 2427:11 2428:5,13,19,23 2430:7 2432:14 2433:4,21 2435:2,5 2438:6 2443:16 2445:13 2446:2, 19 2451:4,11 2452:13 2455:17 2488:21 2489:16
property	published	2346:20	questioning	reader 2437:6
2434:5	2327:20 2430:5	2365:22 2367:3 2370:2,25 2371:8 2372:22 2403:16	2433:17	readily
proposal	puh 2385:24	2410:11 2412:5 2436:5 2441:20	questions	2388:17 2405:3 2466:3 2474:21
2433:24	pull 2322:4,6 2351:12 2475:2	qualify	2337:3 2339:7 2340:15 2350:18 2358:24 2362:17 2364:12 2367:23 2374:20 2375:25 2378:22 2379:3 2421:22 2422:5 2455:22 2465:2 2468:6,8 2474:25 2488:16 2489:16	readiness
propose	pulled 2351:10 2376:15	2424:21	2340:15 2350:18 2358:24 2362:17 2364:12 2367:23 2374:20 2375:25 2378:22 2379:3 2421:22 2422:5 2455:22 2465:2 2468:6,8 2474:25 2488:16 2489:16	2450:21 2452:5
2414:19 2434:8	pulling	quantitative	quick 2384:21	reading
proposed	2327:16	2404:23 2405:16	quickly	2352:14,16,19, 21,24 2353:2,4, 7,10,13,16 2422:15 2423:15 2472:21 2477:8 2478:20 2482:22 2486:2, 3 2488:22
2449:3 2489:11	purchase	quantity	2387:15 2401:24	reads 2475:8
proposing	2438:8 2447:20	2404:20	quote 2390:5 2426:19	
2395:12	purpose	quarters	quotes	
proposition	2403:22,23 2440:20 2446:11	2415:24	2389:14	
2442:10,13	purposes	Quebec	quotient	
propriety	2357:25 2358:14 2381:4 2478:17 2482:20	2463:2	2321:19	
2449:6	put 2363:8 2374:10 2375:5 2377:21 2378:10 2382:23,25 2385:23 2387:12 2388:1, 2 2394:10 2401:13,15 2414:13 2433:20 2437:4 2469:4 2474:3	Queen's		
prospect	putting	2461:19		
2441:3	2439:13	question		
prospective		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
2337:3		question		
protect		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
2415:5,8 2417:1,4 2421:4 2434:19,23 2435:9 2436:20 2480:3,21 2481:10,12,14		Quebec		
protection		2463:2		
2434:22 2435:8 2436:18 2480:7, 11		question		
provide		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
2472:1,12 2473:18,19 2478:18 2482:24 2483:11,19,24 2487:4		Quebec		
provided		2463:2		
2336:2 2357:15 2444:18 2458:24 2471:24 2482:5,		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		
		2461:19		
		question		
		2346:9 2352:9 2353:19 2355:4 2358:25 2362:24 2364:5, 13 2395:22 2401:4 2408:22, 24,25 2409:18 2410:1,2,3,24 2418:15,17 2428:16 2431:14 2432:19 2433:22 2435:6 2436:1,4,8,10, 14 2438:6 2439:17 2441:10,15,16 2442:7,15,19 2443:6 2445:14 2449:5 2452:15		
		Quebec		
		2463:2		
		Queen's		

ready 2320:7 2376:6,14	recommend 2445:18 2446:23	regard 2344:4 2366:20 2374:5, 16 2405:13 2420:5 2460:25	relying 2398:9 2399:23,25 2417:23	reply 2370:14, 23
real 2431:8	recommenda tion 2447:23	Registrar 2322:19,20 2340:3,4 2351:21,22 2378:11,12,24, 25 2381:24,25 2416:16,18 2461:14 2462:23 2464:2 2469:9,10,14,16	remaining 2328:11	report 2333:19 2335:7 2344:17, 18 2355:24,25 2356:17 2358:1 2368:4 2375:21, 22 2376:12 2377:9,14,20,24 2378:2,14,18, 20,22 2379:2,9, 19 2381:22 2388:19 2395:1, 7,18,19 2397:1 2400:13 2402:14 2403:17 2404:13 2406:21 2408:13 2412:20 2414:12 2416:25 2418:19,21 2421:7 2424:2 2426:4 2437:19, 21,22,24 2440:12,13 2443:9 2444:1 2445:8,22,24 2446:4 2451:10 2452:17 2458:21 2470:15,17 2475:3,4,15 2478:16,17 2479:13,22,25 2480:3,18 2482:22 2484:10,13 2485:5,21 2487:23,25 2488:3,4,6,9
real-time 2473:18	reconstructio n 2444:15,22	regular 2373:7	remains 2405:16	
realize 2386:24	record 2374:22 2377:21 2469:13	relate 2334:12, 17 2346:16 2417:18	remark 2393:17	
realized 2330:22 2390:6 2424:17 2484:8	recorded 2329:3	related 2397:11 2480:11	remarks 2380:23	
reason 2320:6 2384:12 2445:17	recording 2328:21 2445:5	relates 2334:7 2404:20 2405:15,17 2418:10	remember 2320:24 2321:8, 11 2331:6 2352:8 2356:10 2476:15	
reasonable 2426:6 2437:4 2464:16 2465:7, 14	redo 2396:6	relating 2358:25	remembered 2474:20	
reasons 2326:8 2446:22	reduce 2451:17	relation 2336:5 2368:2, 16 2374:15 2375:3 2402:24 2409:15,20,21	remind 2339:14 2389:18 2415:24 2468:24 2485:15	
recall 2321:10 2332:5 2344:17, 19,21 2351:7 2356:8,11,13 2357:22 2358:2, 12 2360:24 2405:18 2426:14,16 2473:9 2487:22 2489:7	Reel 2464:7	relative 2417:15 2453:12	remote 2365:4	
reasons 2326:8 2446:22	refer 2363:21 2397:4	relevant 2373:17 2442:18 2470:14,16	removal 2365:1	
reasonable 2426:6 2437:4 2464:16 2465:7, 14	reference 2447:3 2448:7 2480:1 2482:22, 23 2489:19	reliable 2381:18 2397:18 2398:7, 19 2399:12	remove 2440:14 2441:4	
reasons 2326:8 2446:22	referenced 2351:14	relied 2329:20 2396:19,20 2397:21 2475:9, 16,19 2477:16	removed 2371:13 2439:22	
recall 2321:10 2332:5 2344:17, 19,21 2351:7 2356:8,11,13 2357:22 2358:2, 12 2360:24 2405:18 2426:14,16 2473:9 2487:22 2489:7	referred 2367:21 2381:22 2399:24 2430:13 2460:6	religious 2397:15 2398:5	render 2474:21	
reached 2358:19	referring 2362:6 2366:4 2392:14 2403:23 2430:13		rendered 2450:6	
RECESSED 2376:4 2416:5 2469:18	refers 2388:8 2453:11		repair 2414:22 2434:11	
recognize 2373:20 2386:21 2417:22	reflect 2431:9		repeat 2342:25 2355:3 2401:4 2428:16 2435:6 2436:13 2451:8, 19 2464:23 2476:15 2483:10	
recognized 2343:13 2464:17	reflection 2320:15		rephrase 2408:23 2412:9	reports 2341:18 2358:20 2375:14 2470:3 2475:1
recollection 2406:18 2476:20 2477:9 2488:23 2489:19	reflects 2358:19			representativ e 2455:4
recommence 2375:9	reformatted 2333:24			represented 2447:10
				represents

2386:8	2446:12	returning 2450:15	Roman 2384:1,2 2386:7 2478:21	2433:22 2434:24,25 2435:10,11 2436:21,23 2437:13,15 2438:18 2439:1, 4,8,22 2441:3,4, 7 2442:3,11,24 2443:10 2446:10,13 2448:18 2449:13,17 2450:10 2455:5, 10 2456:24 2459:4 2460:2 2464:19 2465:10 2466:10 2480:7 2487:17 2489:1, 13
request 2338:11	resolve 2447:16	returns 2451:22	room 2320:12 2321:20	Saugeen's 2435:11 2436:22
requests 2321:6	resource 2326:11 2336:1 2357:15	Reverend 2437:14 2440:22 2443:9	root 2396:15	Sauking 2414:21 2433:22 2434:10
require 2422:15 2423:22	resources 2328:12	review 2335:17 2478:5	rope 2394:3	Sawyer 2459:10,18,21 2460:16,21 2465:4
required 2372:21 2390:25 2423:24 2485:3	respect 2345:19 2346:10 2349:8 2356:24 2361:21 2365:16,20 2366:5 2371:1, 8,9 2378:22 2379:3 2479:20 2480:7 2484:19	reviewed 2335:18 2475:14	roughly 2324:1 2383:11	SC0726 2351:13 2352:4
requirement 2367:16 2370:1	requirements 2320:13	reviewer 2336:17	roundish 2394:5	SC0739 2437:9
requires 2343:14,20,21 2373:1 2392:25 2422:9	requires 2320:13	rewarded 2448:14	routine 2380:23	SC0740 2461:1,21
requisite 2373:11	requires 2343:14,20,21 2373:1 2392:25 2422:9	RG 2463:4 2464:6	rules 2320:24 2321:6,9 2413:14 2468:17	SC0741 2463:9 2464:8
research 2341:11 2342:15 2343:2 2349:7 2359:3 2381:15 2399:5 2411:7 2454:3 2469:2 2474:25 2475:13 2476:25 2477:3, 4,11,25	respecting 2437:15	Rhodes 2326:17 2383:16 2398:10,11	ruling 2371:19, 22 2374:19 2375:7	SC0743 2338:14 2340:7
research 2341:11 2342:15 2343:2 2349:7 2359:3 2381:15 2399:5 2411:7 2454:3 2469:2 2474:25 2475:13 2476:25 2477:3, 4,11,25	response 2367:7 2412:8 2435:22	Rice 2382:4	rumored 2441:7	SC0744 2322:14,24
reservations 2428:2,11	rest 2436:10	Richard 2326:17 2383:16 2398:11 2462:2, 20,24	rumours 2439:6,19	SC0745 2376:10 2378:17
reserve 2427:25 2447:10	restate 2409:2 2456:12	right-hand 2459:3 2460:11	run 2438:22	SC0746 2378:21 2379:5
reserved 2446:16	restrictions 2428:1	right.this 2371:21	<hr/> S <hr/>	SC0747 2462:1 2463:5
reserves 2448:7 2449:3,8 2450:20 2452:4 2455:7,9	result 2365:15 2442:4	rights 2335:8 2382:7	S1296 2399:15	
reside 2434:7	results 2391:23	rigid 2394:1	S1297 2381:8 2382:7	
residence 2440:3	resume 2446:18	ripe 2420:22	Sachems 2427:13	
resident 2427:15	RESUMED 2376:5 2416:6 2469:19	risk 2474:12	safe 2358:15 2454:12	
	resumption 2321:6	River 2438:19 2439:8	safeguard 2464:18 2465:9	
	resurface 2405:21	Rivers 2439:5	sale 2447:17 2448:1,9 2455:9 2466:11,21,25 2467:2,19,22	
	resurfacing 2406:4	robes 2321:13	salient 2381:6	
	retired 2449:8	rocky 2440:5	Saugeen 2324:16 2394:14 2427:15,24	
	return 2419:25	role 2329:19 2473:1,3,7		

scenario 2455:2,11,18,19 2456:15,21 2457:4	2488:15	set 2331:13 2350:23 2401:14 2412:11 2415:23 2428:2, 3 2451:12 2452:23	2465:3 2466:24 2467:21	size 2455:7
scenarios 2454:25 2456:15 2457:2	seek 2346:22	setting 2390:9	signatory 2457:22 2459:12,18 2460:12,13,15 2461:7	skill 2365:16 2474:6,8 2487:7
scholar 2329:16 2381:19 2453:5	select 2440:2	settle 2439:3,8	signed 2378:6 2441:2 2457:24 2459:6 2460:7	skip 2463:14
scholarly 2477:13	selling 2466:12,21 2467:19	settled 2441:5	significant 2348:9,10,16	slightly 2386:25 2389:16,24 2419:14
scholars 2329:14	send 2478:11, 12	settlement 2440:2 2441:6	signing 2442:5	slipped 2358:22
scholarship 2397:18 2398:7, 20 2399:13	sense 2386:16 2391:7 2402:1, 11 2403:25 2404:22 2405:3, 16 2406:8 2418:22 2429:25 2434:21 2435:7, 23 2436:19 2453:11 2454:3	settlements 2440:9	Simcoe 2461:5	slow 2476:12
school 2337:17 2343:7 2345:17 2411:10 2429:15	senses 2447:1	severity 2439:14	similar 2334:16 2385:12,13	slowly 2352:13 2363:12,17
schools 2447:19	sentence 2380:20 2382:11 2388:12 2392:9 2407:25 2422:12,14 2437:1,2	shape 2394:5	simple 2422:8 2468:20	small 2374:13 2440:6 2482:19
screen 2333:12,13 2334:7 2352:15 2363:9 2416:9 2424:4 2433:20 2437:10 2460:8	sentences 2382:14,22 2387:13 2422:15 2428:8 2465:2 2477:25 2478:12	share 2449:23	simultaneous 2453:13 2473:25 2474:3, 9	smaller 2409:6
scroll 2324:24 2352:6,12 2356:3,14 2357:11 2418:7 2479:12,25 2480:19	separate 2377:8 2448:4 2477:22	sheet 2394:6	similar 2334:16 2385:12,13	snow 2440:10
scrolled 2418:13	separating 2460:2	sheets 2352:18	simple 2422:8 2468:20	societies 2427:2 2432:9
sealed 2457:24	September 2460:10	shop 2390:10	simply 2370:22 2371:12 2423:20	Society 2335:17,19 2336:19 2337:25
searching 2325:21	seriatim 2450:23 2452:7 2453:2	shorten 2396:12	similar 2334:16 2385:12,13	sold 2448:2
second-last 2389:15	series 2331:22 2332:3,10,23	shortly 2488:15	simultaneous 2453:13 2473:25 2474:3, 9	somebody's 2419:24 2420:6 2472:22
section 2325:20 2337:1 2379:12 2407:8 2477:12,22 2485:6 2486:4	services 2473:19	show 2333:13 2445:5 2457:20 2460:24 2461:24 2463:8	singular 2388:9	SON 2361:17
	sessions 2330:10	shy 2321:1	sir 2322:11 2333:10 2368:4 2377:15 2379:7 2395:13 2403:13 2413:5, 12,25 2415:25 2435:14 2436:14 2438:10,15 2455:20 2456:5 2457:8 2467:5, 10	sort 2321:9 2385:7 2419:19
		sic 2334:11	sir 2322:11 2333:10 2368:4 2377:15 2379:7 2395:13 2403:13 2413:5, 12,25 2415:25 2435:14 2436:14 2438:10,15 2455:20 2456:5 2457:8 2467:5, 10	sorted 2339:18
		side 2355:17 2364:16 2437:25 2438:24 2454:12 2455:4 2459:3 2460:11, 16 2461:8 2469:5	singular 2388:9	sought 2470:7,10,11
		sign 2456:25	site 2440:3	sound 2385:18,21 2386:3,8 2405:24 2414:25 2427:15,25 2434:14 2438:18,23 2446:13 2448:25 2449:14 2450:2, 11 2462:25
		signage 2336:12 2337:19	sitting 2320:13	
		signatories 2459:3 2464:11	situation 2403:1 2439:5 2443:10 2468:19	

sounds 2384:4,5,18 2385:10,11,14, 16,23,25 2405:23	2359:9 2360:24 2368:17 2389:3, 5,7 2390:5,7 2393:6 2400:24 2411:24 2424:18 2444:13 2473:1, 3 2477:20 2481:6 2483:1 2484:12 2489:6	stage 2339:19	2462:19 2467:15,23	2370:13 2375:2
source 2406:17 2418:18 2422:17,20 2472:9 2477:14	specifically 2356:9 2364:25 2371:9 2399:20 2412:15 2430:12	standard 2383:4	stories 2478:1, 9	submit 2354:14 2365:21
sources 2477:4	specifics 2357:22 2393:16	standards 2349:24	straight- ahead 2442:12	submitted 2373:5 2399:21 2450:7
south 2460:4	spectrum 2385:23	standing 2320:5 2403:15 2408:18	straightforwa rd 2384:17 2421:12 2428:14,24 2429:11 2433:5 2466:14	subpoena 2352:20
speak 2322:7 2327:24 2466:5	speculate 2412:6	start 2379:10 2401:5 2445:15 2484:20	Strange 2333:7 2351:2, 25	substance 2321:11
speaker 2386:21,25 2401:7 2422:11 2428:15,24 2457:14 2483:5, 15	speculation 2444:14,21	started 2323:19 2408:25 2410:7 2416:25 2417:2	stream 2323:16,19	substantial 2374:22
speakers 2324:16 2327:23 2328:11,13 2347:24 2359:23 2361:22 2362:9 2383:9 2386:24	speech 2380:9 2386:2 2387:20 2400:7,8	starting 2394:19 2395:2 2414:8 2437:25 2446:19	strip 2460:2,5,7	substantive 2374:2,4
speaking 2326:22 2361:8 2380:20 2429:7 2473:15 2474:22	speed 2395:16	starts 2384:8	structural 2387:5,7	successive 2331:24,25
special 2372:25 2373:11 2468:17	spelled 2364:2	starving 2439:16	structure 2379:15,16	succinctly 2456:13
specializatio n 2471:13	spelling 2383:3,4	state 2421:19	structured 2376:12	such-and- such 2377:20
specializatio ns 2350:10	spellings 2364:7,10	stated 2360:1 2435:19 2469:23	struggling 2409:25 2441:18	Sudbury 2338:11
specialize 2350:7	spoke 2345:10 2350:14 2354:15 2359:4, 20,23 2432:15	statement 2347:7 2399:18 2408:11 2416:13,19 2424:20 2444:21	students 2326:20,24 2327:1	suffice 2422:14
specialized 2347:21 2471:9	spoken 2324:15 2388:21	stating 2445:17 2446:22	studies 2323:7,10 2341:2 2342:11	sufficient 2344:14 2447:1
specific 2349:22 2350:2, 13 2354:22	spot 2444:8 2451:10 2453:10,12 2454:17,23 2473:20	stay 2405:25	subject 2324:3 2363:18 2365:1 2374:2 2421:6 2427:25 2440:18 2471:10	sufficiently 2369:4
	squatters 2447:6	steal 2420:22	subjects 2373:17	suggested 2485:23
		stem 2390:21	submission 2369:13 2372:14 2410:2 2433:5 2441:22	suitable 2439:5 2440:8
		stick 2394:2 2401:20	stolen 2420:24	suits 2321:13
		stipulate 2450:19 2452:3	stop 2431:13 2445:20	summary 2376:11
			submissions 2364:22	summer 2320:13,24 2321:6,8,12
				Superintende nt 2427:19 2445:23 2463:1 2464:5
				Superior 2399:20

2416:21 2462:9	synonymous 2404:25 2405:10	tasks 2337:14	20,21 2466:15, 25 2467:2,22	2469:4
supplementa ry 2375:22	synopsis 2336:11	taught 2342:2 2345:6,14,16 2363:19 2383:12	terminology 2357:4	text 2342:16 2343:3 2348:23 2349:19 2350:2 2353:20 2354:4, 19 2355:6,14,18 2356:21 2357:5 2358:18 2362:4 2365:6,23 2394:19,20 2414:9,12 2422:10,13,17, 20 2423:7,10, 21,25 2427:4 2428:18,22 2444:11 2445:14 2453:23 2454:1, 4,9 2456:22 2460:9 2464:21 2482:25 2483:7, 12,16,18,23
suppose 2474:11	system 2345:23 2383:7, 13,15,22,23,24	teach 2324:4 2344:22 2345:3 2383:14,20	terms 2325:17 2327:10 2328:1, 3,8,14 2329:10, 25 2330:5,13, 18,21,23 2331:1,10,11, 13,23 2332:16 2341:1 2357:21 2359:9,12 2361:25 2362:2 2366:22 2368:10 2398:13 2400:6, 25 2417:12,15, 18 2418:11 2429:1,18,22 2432:16 2433:8 2443:19 2451:1 2452:10,16,20 2453:25 2455:6, 13 2456:16,19, 23 2464:20,22 2465:9,22 2466:4,5 2480:1 2481:11 2482:22,23 2486:10,13,14 2487:18,21 2489:2,4,14,19	text 2340:16 2348:12 2349:4, 9,17,18,22,25 2350:3,5,7 2354:2,20 2355:8,12 2356:6,7,9,19, 24 2357:1 2358:6,7,10,13 2362:7 2365:10 2423:14 2470:20,21 2472:13
surprising 2367:13	systems 2383:5 2384:1 2427:1 2432:8	teaching 2323:14 2327:5	test 2366:20,25 2367:16	theories 2341:17 2352:25
surrender 2394:25 2395:3 2396:17 2397:3 2400:5 2401:3 2402:7 2404:5, 6,10 2406:24 2414:20 2427:23 2428:6 2434:9 2441:25 2442:2 2443:1, 12,14,20 2445:19 2446:14,24 2449:6 2451:1 2452:10 2459:23 2461:1, 11,15 2479:8, 15,16 2484:21 2486:19	T	technical 2430:8 2431:23 2432:16 2433:7	Terrain 2333:7 2351:2,25	theory 2341:4 2342:16 2343:2 2349:7
surrendered 2441:8	T.G. 2463:10,25	technique 2426:25	territory 2403:3 2414:21, 24 2434:10,13, 24 2435:10 2436:22 2438:9 2446:25	thing 2328:22, 24 2330:19 2331:17 2332:2 2336:16 2346:23,25 2358:12 2368:11 2369:8 2386:22 2387:1, 2 2401:20 2406:9 2412:1 2422:18 2423:15 2469:5
Surrenders 2461:17	tab 2414:14	telling 2439:20	testify 2372:12,19,23 2409:17 2410:11 2441:20 2458:12	
surrounding 2393:17	tabs 2377:3	temporary 2321:6	testimony 2334:23 2375:3 2382:5 2413:9	
surveyed 2448:2	taking 2370:16 2384:23 2415:10 2418:2 2419:1,17 2420:2,13 2448:21	tend 2431:22		
Surveyors 2438:20	talk 2334:21 2345:7 2354:9, 18 2355:20 2387:3 2388:19 2391:15 2400:13 2404:14 2408:12 2409:8 2413:5 2418:22	tender 2339:3, 8,22 2340:5,18 2363:9 2364:19, 24 2365:2 2371:12,23 2372:1,10,13 2374:10 2375:5		
swampy 2440:5	talked 2404:10 2412:15 2416:10	tendered 2372:23		
switch 2404:8, 11 2417:4	talking 2353:23 2379:24 2386:22 2387:1, 9 2389:20 2402:15 2421:18 2476:3 2486:5	tending 2338:15		
sworn 2473:2, 8,13	Tap 2425:13	tense 2380:24, 25 2391:23		
Sydenham 2462:25	target 2396:16 2474:21	tenure 2323:16,19,23		
syllables 2363:13	task 2409:9 2410:7 2487:9	term 2321:16 2325:22,25 2326:2 2328:16, 25 2329:5,6 2330:15 2331:19 2332:22,24 2381:16 2384:22 2385:19 2391:15 2400:6, 25 2402:6,21 2403:5 2404:6 2405:11 2429:23 2454:6,		
symptom 2336:22				

2484:13	timeframe 2453:12	2364:11,14 2367:6,8 2368:1,7,14,19 2369:2,17 2370:12 2371:15 2373:4 2375:6,24 2376:8,9 2377:2,5,13,16, 23 2378:4,19,20 2379:8 2380:1 2381:7 2382:8 2395:14,21,24 2396:4,8,12,14, 24 2403:19 2409:2,5,14,19, 21 2410:6 2411:2,3 2412:7,9,10,22, 25 2413:4,15 2414:5,6 2415:19 2416:1, 8,15,23 2421:21 2435:13,15 2436:3 2441:13, 14 2442:14 2458:11 2467:3, 6	2471:14,17,19 2472:3,11	2474:17 2482:3 2483:6,15 2484:20 2487:11,17
things 2338:7 2342:16 2360:11 2364:3 2392:11 2394:6 2402:3 2403:2 2415:20 2420:17,22 2454:15 2455:12 2477:13	times 2383:11 2394:24 2450:4 2474:13	track 2331:2 2384:5 2395:23 2456:2 2458:6 2464:25	trampled 2420:17	translates 2435:25
thinking 2384:6 2485:23	tip 2324:12	tract 2428:7 2439:2 2446:15	transcribe 2362:11	translating 2343:19,20 2349:9 2362:4 2366:8 2368:2 2382:18 2401:3 2412:16 2423:8, 13,14,16 2429:8 2470:19 2471:14 2487:5
thinks 2392:3	title 2334:16,21 2335:7 2356:17	train 2342:9 2383:13 2411:4	transcribed 2337:9	translation 2333:9 2334:7, 24 2335:10,18, 21 2336:3,18 2337:4,14,15,23 2338:20 2341:7 2342:11 2343:4, 11,17 2344:2,6, 23,25 2345:5, 12,17,20,25 2346:4,11,15 2348:22 2349:3, 25 2350:7 2352:4,22 2353:24 2357:17 2365:16,20 2368:18 2370:3, 6 2372:4 2373:23 2374:4, 15 2382:2 2387:4 2388:2, 11,22 2391:3 2392:23 2396:17 2409:9, 18,22 2410:7,13 2411:11,12 2415:17 2422:6, 7 2423:20,25 2425:11 2426:2, 13 2432:12 2433:1 2435:18 2441:15 2444:18 2453:13,14,18 2454:22 2456:18 2465:21 2471:10,21
thirds 2460:14	titled 2351:1	tracts 2440:6	transcript 2463:3	
thought 2327:8 2391:18, 19,20 2417:16 2469:3 2485:2 2486:16 2489:7	titles 2448:4	training 2341:7,10,14, 20,24 2342:1 2343:7,14 2344:8 2348:22 2365:14,19 2366:3,24 2367:15 2370:1, 8 2373:14,16 2411:7 2425:10 2426:1 2432:12 2433:1 2465:18	transcription 2445:4 2462:3	
thoughts 2362:12	today 2347:15 2348:2 2365:8 2369:7 2404:1 2408:16 2409:10 2429:19 2430:10,11,16 2453:18 2454:15	trained 2383:20 2412:12	transcription 2445:4 2462:3	
three-dimensional 2394:4	told 2438:15,20 2478:1	train 2342:9 2383:13 2411:4	s 2362:8 2444:17	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	tomatoes 2420:23,24	train 2342:9 2383:13 2411:4	translatable 2466:3 2472:8	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	tomorrow 2489:24 2490:3	train 2342:9 2383:13 2411:4	translate 2346:20 2349:18 2393:6 2415:16 2421:12 2423:21 2430:19 2431:5, 11 2432:13 2433:3,6 2444:7 2451:10 2453:21 2454:10 2465:22 2466:1, 7,10,16,21 2467:19 2470:25 2472:7 2479:5 2481:6	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	tongue 2328:13	train 2342:9 2383:13 2411:4	translated 2324:25 2325:18 2337:10 2338:10,23 2362:13 2372:7, 17 2405:11 2406:25 2407:1 2415:12 2417:6 2421:10 2422:19 2431:8 2444:12,22 2452:19 2455:14,17 2456:20,23 2465:11,12 2471:8 2473:7	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	top 2333:6,11, 12 2334:19 2337:15 2384:6 2388:18 2424:10 2425:6, 17	train 2342:9 2383:13 2411:4	translates 2435:25	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	topic 2350:13 2354:15	train 2342:9 2383:13 2411:4	translating 2343:19,20 2349:9 2362:4 2366:8 2368:2 2382:18 2401:3 2412:16 2423:8, 13,14,16 2429:8 2470:19 2471:14 2487:5	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	topics 2342:7 2343:6	train 2342:9 2383:13 2411:4	translation 2333:9 2334:7, 24 2335:10,18, 21 2336:3,18 2337:4,14,15,23 2338:20 2341:7 2342:11 2343:4, 11,17 2344:2,6, 23,25 2345:5, 12,17,20,25 2346:4,11,15 2348:22 2349:3, 25 2350:7 2352:4,22 2353:24 2357:17 2365:16,20 2368:18 2370:3, 6 2372:4 2373:23 2374:4, 15 2382:2 2387:4 2388:2, 11,22 2391:3 2392:23 2396:17 2409:9, 18,22 2410:7,13 2411:11,12 2415:17 2422:6, 7 2423:20,25 2425:11 2426:2, 13 2432:12 2433:1 2435:18 2441:15 2444:18 2453:13,14,18 2454:22 2456:18 2465:21 2471:10,21	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	totem 2459:5,6	train 2342:9 2383:13 2411:4	translating 2343:19,20 2349:9 2362:4 2366:8 2368:2 2382:18 2401:3 2412:16 2423:8, 13,14,16 2429:8 2470:19 2471:14 2487:5	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	tour 2440:10	train 2342:9 2383:13 2411:4	translation 2333:9 2334:7, 24 2335:10,18, 21 2336:3,18 2337:4,14,15,23 2338:20 2341:7 2342:11 2343:4, 11,17 2344:2,6, 23,25 2345:5, 12,17,20,25 2346:4,11,15 2348:22 2349:3, 25 2350:7 2352:4,22 2353:24 2357:17 2365:16,20 2368:18 2370:3, 6 2372:4 2373:23 2374:4, 15 2382:2 2387:4 2388:2, 11,22 2391:3 2392:23 2396:17 2409:9, 18,22 2410:7,13 2411:11,12 2415:17 2422:6, 7 2423:20,25 2425:11 2426:2, 13 2432:12 2433:1 2435:18 2441:15 2444:18 2453:13,14,18 2454:22 2456:18 2465:21 2471:10,21	
time 2324:1 2330:4 2344:21 2347:6 2353:18 2358:14,20 2360:19 2362:12 2367:24 2368:8, 12,18 2369:1 2375:9 2376:3 2403:24 2404:2, 7 2405:17,21 2412:3 2413:6 2415:20 2417:8 2420:7 2421:14, 17 2441:21 2449:9 2451:14 2453:16 2454:3, 11,19 2456:24 2465:17 2468:15 2469:1 2472:15 2476:3 2484:18 2485:16,22 2487:19 2488:11 2489:2, 5,9,23	Townshend 2320:2,3,7 2321:10,22,23 2322:1,12 2323:2 2333:11, 15,21 2334:1,5 2339:14 2362:19,23 2363:1,6	train 2342:9 2383:13 2411:4	translating 2343:19,20 2349:9 2362:4 2366:8 2368:2 2382:18 2401:3 2412:16 2423:8, 13,14,16 2429:8 2470:19 2471:14 2487:5	

2472:18 2473:19 2474:9, 10,15 2478:18 2482:5,12,15,24 2483:12	2368:17 2374:24 2382:3 2461:17 2481:7, 8,17,22 2482:25 2483:12,23 2487:6,17 2489:10	tribe 2449:22	2442:25 2443:2, 8,13 2454:8 2466:25 2467:22 2469:6, 25 2473:16,21 2482:7 2490:5	updated 2333:22,25
translations 2336:10 2374:24 2422:19 2444:25 2445:3, 6 2471:25 2472:2,12 2473:20,24 2474:2,3,5 2479:4	treaty 2334:23 2335:7 2356:17, 21 2357:23 2365:11 2366:13 2378:23 2379:3 2394:12,16,18, 20,24 2402:16, 24 2408:12 2411:20 2412:12,16 2414:7,9 2425:20 2426:8, 12 2427:5,12 2430:7 2432:13 2433:4,19 2435:17 2436:18 2440:24 2441:2, 9,24 2442:5 2443:1,3,12 2444:5,6,11 2445:24 2451:9 2452:16,20 2455:6,13 2456:16,19,22 2457:15,21 2459:23 2460:3, 7,9,13,18,20,22, 23 2461:3,9 2464:11,12,21 2465:3,8,9,22 2466:2,4,6,24 2467:21 2478:18 2479:5, 14,19 2480:13, 20,24,25 2481:5 2482:1,5 2483:7,20 2484:1 2487:11, 18,21 2489:2,4, 10,14	tribes 2427:14, 21 2446:12	understandin g 2359:6 2363:3 2369:3,24 2390:1 2411:6 2422:9 2442:24 2443:19 2453:8 2454:6,20 2457:19 2458:20,25 2472:16 2473:23 2478:10 2481:9 2487:15	Upper 2335:17 2336:19 2462:10
translator 2336:21 2337:1 2338:3 2343:21 2347:2 2353:3 2389:8 2393:14 2394:18 2400:3 2401:2 2412:12, 13 2415:15 2417:7 2425:9, 25 2426:7 2429:4 2431:15 2432:11,25 2433:12,13 2444:4,19 2451:8 2453:16 2458:1 2472:11 2473:2 2474:7, 19 2482:5 2483:18,24 2484:18 2485:2 2486:8,15 2487:3,8,11	trend 2347:9	tricky 2410:25	understands 2435:24	usage 2348:13 2387:11 2486:15
translator's 2433:15	trial 2320:20 2339:17 2371:25 2375:13,18	trivial 2348:15	understood 2380:17 2394:15 2403:8 2425:1 2442:3 2458:3	usual 2486:22
translators 2338:4 2339:1 2342:10 2343:7 2350:6,10 2372:9 2373:16 2411:5,8 2473:13,14		turn 2394:12 2414:7 2421:3 2425:3 2433:19 2462:12 2474:24 2475:4 2478:15 2488:8	undertake 2326:9 2426:12	<hr/> V <hr/>
trapping 2407:4		turning 2448:25 2450:5	undertook 2361:7 2475:13	Valentine 2329:18 2383:17 2406:14 2418:1
treated 2481:24		turns 2327:10 2347:12	unfamiliar 2454:1	Valentine's 2478:3,6
treaties 2367:20		type 2356:21 2380:7	undertake 2326:9 2426:12	vandalism 2420:19
		types 2380:7	undertook 2361:7 2475:13	variation 2384:10 2385:6
		typically 2354:11 2430:9	unfamiliar 2454:1	variations 2359:15 2360:10 2384:12
		<hr/> U <hr/>	unique 2400:6	vary 2425:1
		Uhm-hmm 2351:3	Unit 2338:12	venture 2439:3
		unable 2457:5	units 2405:24 2406:1	verb 2380:16 2381:3 2387:19 2388:5 2389:4,6 2390:21,23 2391:21 2392:4 2393:21,24 2394:1 2400:2, 23 2401:25 2405:2,22 2406:5,6,7 2417:19 2419:13,14,15
		unauthorized 2447:13	universally 2383:8	verbal 2387:22 2405:2
		uncontested 2372:1 2394:17	university 2323:8 2336:12, 13 2344:24 2383:21,22 2429:16,17	verbs 2380:10, 15 2381:1 2387:10 2392:8 2400:2 2405:2,4
		underneath 2475:12	unpalatable 2450:4	version
		understand 2324:19 2359:19 2371:3 2387:1 2397:24 2399:2 2429:21, 25 2432:2,17,23 2441:18,23	unsettled 2438:2,8	
			unwritten 2374:25	

2333:18 2363:14 2399:18 view 2403:25 2408:10 2421:10 2465:19 views 2450:22 2452:6 village 2446:9 vitae 2322:22 2363:15 2470:18 vocabulary 2445:1 voiced 2385:17 voir 2339:16 Vol 2461:18 2464:6 Volumes 2461:18 vowel 2383:15 <hr/> W <hr/> W.J.H. 2463:21 wait 2408:19 2467:4 2476:4 Walpole 2331:8,17,19 wanted 2320:10 2340:14 2376:21 2397:5 2406:9,16 2408:7 2414:1 wanting 2326:10 warm 2321:1 warrant 2486:19 warriors 2450:10 2463:12	water 2401:11, 13 2404:22 2420:3 watered 2420:11 ways 2359:7 2361:3 2384:3 2385:16 2386:4 2407:17 2411:18 weather 2320:14 wee-kwen-i- kon 2324:11 weight 2375:3 well- educated 2426:21 2432:5 west 2438:24 westerly 2438:22 white 2439:9 2448:8 2460:1,2 whites 2415:6, 9 2417:2 2421:5 2434:20 2447:5 2480:4,22 widely- available 2374:7 wiinge 2404:18,19,24 2405:2 2406:10, 11 Wikwemikon g 2324:10 2328:3 2330:23 2400:8 Wiky 2361:16 Wild 2382:4 Williams 2437:14 2440:23 2443:9 Wilson 2363:4 2383:24 2397:21,22,23	Wilson's 2362:7 2366:17 winter 2439:15 witness' 2333:18 2365:18 2368:10 2372:14 2374:9 2375:14,23 2396:2 2441:19 witnesses 2334:22 2468:17,24 wondered 2482:2 wonders 2413:10 word 2326:4,21 2327:1,4 2328:18 2333:1 2343:23 2359:10 2360:11,21,22 2363:11 2364:7, 10 2382:18 2384:7 2386:1, 9,17,18 2388:24,25 2389:9 2390:6, 8,11,13 2395:2, 3 2396:1,15,17 2400:14 2404:1 2417:21 2418:22,24 2419:12 2421:11,15 2422:17,21,23 2423:2,4,8,16, 21 2454:4,9 2462:16 2466:11 2481:10 word-by- word 2422:8 words 2327:6, 18,20 2328:5,6 2332:7 2333:4 2334:11 2338:23 2347:12,17,20, 25 2348:4,20 2353:6 2354:8	2359:5,7,9,13 2360:8,15,16 2361:3 2363:15, 23 2364:4 2368:17 2372:7, 16 2380:8,9 2382:14,24,25 2385:21 2390:2 2391:16 2392:25 2394:10 2395:9 2407:14 2424:15,23,24, 25 2429:5,10 2430:7 2441:24 2444:13,23 2455:13 2462:14 2467:12 2478:11,13,24, 25 2479:15 2483:20,25 2484:2,3,5 2487:19 wore 2321:13 work 2326:6 2329:8,11,12, 15,16 2344:24 2352:10 2354:2, 10 2358:5,6,8 2386:23 2413:16,20,22 2422:9 2423:13 2440:21 2444:3 2452:24 2453:18 2457:12 worked 2355:6,8 2356:7 2365:9 2452:17 working 2320:25 2351:4 2354:19,20 2356:5 2358:9, 17 2365:5,13 2366:5,10 2392:18 2419:22 2423:25 2426:23 works 2385:12 workshop 2330:9,12	2331:24 2359:25 workshops 2330:3 2331:7, 22 2332:3,7,10, 18,23 2344:9,10 2359:22 2473:22 worth 2332:7 write 2325:24 2329:3 2385:1 2386:12,14,17 2460:5 writer 2422:11 2462:17 2463:23 writers 2384:13 2397:5 writes 2433:2 writing 2352:9 2384:1,15,22 2426:20 2432:4 2482:6 writings 2373:22 written 2362:9 2367:11 2368:9, 12,18 2369:15 2374:17 2375:14 2378:8 2384:14 2385:2, 3 2424:1 2430:19 2444:6 2451:9 2455:16 2456:20,22 2482:10,12,19, 24 2483:7,12, 16,17,22 wrong 2358:8 2371:15 2418:7 2453:7 wrote 2351:1 2362:10 2397:14,15 2398:2,4,12,17 2458:21
---	--	--	--	---

Y

year 2344:19

years 2327:5

2347:14 2348:8

2439:7 2440:24

2441:2 2460:23

2461:3 2473:11

yellow 2460:3

young 2427:20

2450:9

Z

zhi-wiinge

2405:6