

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

DAY 5 / VOL 5
May 13, 2019



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

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

Court File No. 94-CQ-50872CM

ONTARIO

SUPERIOR COURT OF JUSTICE

B E T W E E N:

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

Plaintiffs

- and -

THE ATTORNEY GENERAL OF CANADA,
HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, THE
CORPORATION OF THE COUNTY OF GREY, THE
CORPORATION OF THE COUNTY OF BRUCE, THE
CORPORATION OF THE MUNICIPALITY OF NORTHERN
BRUCE PENINSULA, THE CORPORATION OF THE TOWN OF
SOUTH BRUCE PENINSULA, THE CORPORATION OF THE
TOWN OF SAUGEEN SHORES, and THE CORPORATION OF
THE TOWNSHIP OF GEORGIAN BLUFFS

Defendants

Court File No. 03-CV-261134CM1

A N D B E T W E E N:

CHIPPEWAS OF NAWASH UNCEDED FIRST NATION and
SAUGEEN FIRST NATION

Plaintiffs

- and -

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

Defendants

--- This is VOLUME 5/DAY 5 of the of the trial
proceedings in the above-noted matter, being
held at the James Mason Memorial Culture and
Recreation Centre, 47 French Bay Road,
Southampton, Ontario, on the 13th day of May
2019.

B E F O R E: 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 David Feliciant, Esq., for the Defendant,
14 & Jennifer Le Pan, Esq., Her Majesty the
15 & Richard Ogden, Esq., Queen in Right of
16 & Julia McRandall, Esq., Ontario.

17
18
19
20 REPORTED BY: Helen Martineau, CSR.

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: VERNON ROOTE

Examination In-Chief by Mr. Townshend425

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 |
|-------|--|------|
| 3958 | Document SC0062, letter to The Honourable Stéphane Dion from Chief Akiwenzie and Chief Vernon Roote. | 503 |
| 3959 | Document SC0063, letter to Chief Vern Roote and Chief Akiwenzie from the Honourable Stéphane Dion. | 505 |
| 3960 | Document SC0047, letter dated October 15th, 2004, from Gary Penner to Roger Townshend. | 507 |
| 3961 | Document SC0061, letter dated November 15th, 2004, from Gary Penner to Roger Townshend. | 509 |

10:02:58
10:03:02
10:03:02
10:03:04
10:03:05
10:03:08
10:03:10
10:03:11
10:03:13
10:03:15
10:03:18
10:03:21
10:03:26
10:03:40
10:03:42
10:03:47
10:03:47
10:03:50
10:03:53
10:03:54
10:03:58
10:03:59
10:04:02
10:04:11
10:04:12

1 --- Upon commencing at 10:02 a.m.
2 THE COURT: Good morning,
3 Mr. Townshend.
4 MR. TOWNSHEND: Good morning, Your
5 Honour.
6 THE COURT: Please go ahead with your
7 next witness, sir.
8 MR. TOWNSHEND: Thank you. I want to
9 first acknowledge we're at a new location. This
10 is in the territory of the Saugeen Ojibwe Nation
11 and this is in the community called Saugeen.
12 My first witness is Mr. Vernon Roote.
13 If he could step forward to the witness stand?
14 THE REGISTRAR: Good morning, sir.
15 THE WITNESS: Morning.
16 THE REGISTRAR: Would you like to make
17 an oath on the holy book or make a solemn
18 affirmation to tell the truth?
19 THE WITNESS: You'll have to speak a
20 little louder, sorry.
21 THE REGISTRAR: Would you like to make
22 an oath on the holy book or make a solemn
23 affirmation to tell the truth?
24 THE WITNESS: I would like to use my
25 Feather.

10:04:13 1 THE REGISTRAR: Thank you. Can you
10:04:14 2 please state and spell your first and last name
10:04:17 3 for the record?
10:04:31 4 THE WITNESS: My Anishinaabemowin name
10:04:32 5 is M'kdaa Moos-Cuss and my given English name is
10:04:37 6 Vernon Roote.
10:04:41 7 THE REGISTRAR: Can you spell it for
10:04:42 8 us, sir?
10:04:46 9 THE WITNESS: It is spelled, my
10:04:47 10 English name is spelled V-E-R-N-O-N R-O-O-T-E.
10:04:53 11 THE REGISTRAR: Thank you.
10:04:54 12 Do you affirm that this Eagle Feather
10:04:57 13 symbolize your direct connection to the Creator
10:05:00 14 for your people and your hold it in the spirit
10:05:03 15 of honour and truth, and the evidence you shall
10:05:08 16 give in this matter shall be the truth, the
10:05:10 17 whole truth and nothing but the truth?
10:05:13 18 THE WITNESS: Yes.
10:05:14 19 THE REGISTRAR: Thank you. You may be
10:05:14 20 seated.
10:05:14 21 VERNON ROOTE: Sacred Eagle Feather
10:05:14 22 Affirmation.
10:05:18 23 EXAMINATION IN-CHIEF BY MR. TOWNSHEND:
10:05:32 24 1 Q. Good morning, Mr. Roote. Your
10:05:34 25 Anishinaabe name, maybe you can say that more

1 slowly and explain what it means?

2 A. Yes. My name is M'Kdaa Moos-Cuss
3 the -- the name given to me a number of years
4 ago represents the black blue heron. And that
5 name was given to me in the community of
6 Wikwemikong.

7 2 Q. And how old were you at that
8 time?

9 A. I was approximately 6-years-old
10 when it was given to me.

11 3 Q. And what is your Dodem or Clan,
12 in English?

13 A. The spiritual Dodem is a bear,
14 and the Clan that I am originally from is of the
15 bear as well.

16 4 Q. Could you tell us your date and
17 place of birth please?

18 A. My birth date is November 1st,
19 1948 in the community of -- in this community of
20 Saugeen.

21 5 Q. Can you tell us the names of your
22 parents please?

23 A. My father was Uriel Roote and my
24 mother was Gretta Nawash.

25 6 Q. And the parents of Uriel Roote?

10:07:11 1 A. The parents of Uriel Roote were
10:07:13 2 Alex Roote and Isabel Roote
10:07:18 3 7 Q. And the parents of Gretta Nawash?
10:07:21 4 A. The parents of Gretta was Roy
10:07:24 5 Livingston Nawash and Roseanne Nawash.
10:07:34 6 8 Q. And is the Nawash family
10:07:35 7 descended from Chief James Nawash?
10:07:41 8 A. Yes, it is.
10:07:43 9 THE COURT: Just, sir, Mr. Roote, if
10:07:45 10 you wouldn't -- Mr. Roote if you wouldn't mind,
10:07:48 11 sliding your chair a bit to the left so I can
10:07:50 12 see you better that would be helpful.
10:07:54 13 THE WITNESS: Sorry.
10:07:54 14 THE COURT: That's okay. A little
10:07:56 15 further would be great. A little further to the
10:07:58 16 left. Thank you very much, that's helpful.
10:08:03 17 Please go ahead.
10:08:06 18 BY MR. TOWNSHEND:
10:08:06 19 9 Q. I'd like you to talk about the
10:08:09 20 various jobs you've had during your career, I
10:08:12 21 believe you started in 1970?
10:08:18 22 A. Yes. I started working for the
10:08:20 23 community in June 15th of 1970, and worked in
10:08:29 24 various positions within the organization.
10:08:33 25 I was first trainee to become a

1 leasing manager. And that was -- that went on
2 for about a year, a year and a half. And the
3 Band Council at the time decided to change my
4 role and I became a Band administrator for the
5 community.

6 After becoming a Band administrator I
7 also took on the role as the economic
8 development officer for the community, and that
9 was for about four years.

10 And the other years representing the
11 community were in a leadership capacity.

12 10 Q. So were you elected councilor and
13 when?

14 A. I was first elected as Chief in
15 1975 and then again back in 1985 as Chief, but
16 in between 1981 and '83 I was a Band councilor.

17 11 Q. And after that what happened?

18 A. In 1985 I was a Chief of this
19 community for approximately six years; and after
20 that I went on to become the Deputy Grand Chief
21 of the Union of Ontario Indians for a further
22 six years; and then after that I was also the
23 Grand Chief of the Union of Ontario Indians for
24 a further six years; and then I returned home
25 and became, again, a Chief of this community for

1 two years; and after that I was a councilor for
2 another two years.

3 And I tried to retire after that and I
4 went back one more term as a Chief and finally
5 retired in 2016.

6 12 Q. And what is your first language?

7 A. My first language of course is
8 Anishinaabemowin. I was unable to speak the
9 language until I was about 7-years-old when I
10 went to school at the day school that was
11 located here in Saugeen.

12 13 Q. And can you talk about your
13 process of educating yourself in your culture?

14 A. In the cultural sense, first of
15 all, I was taught by my grandfather. And in the
16 language, of course, we had talked about the
17 different styles of life and -- that had to do
18 with medicines, and also the outlook on how we
19 were going to pray for different times to the
20 Spirit and to the Creator.

21 And then once that in my early age had
22 taken place I went to school and was introduced
23 to the European way of education.

24 And in that education I learned the
25 different religious and also went to United

1 Church to try and understand the teachings of
2 the Bible versus the teachings that my
3 grandfather had given me.

4 After that I continued on to school
5 and finished my high school. And once I
6 finished that I got my employment with the Band
7 Council after that.

8 14 Q. So in the 1990s what further
9 steps did you take in educating yourself in your
10 culture?

11 A. The ongoing education of culture,
12 of course, was always close to me. And in the
13 '90s I was introduced more to the culture
14 within Ontario, within our Great Lake system.

15 And that particular type of ceremony
16 that I was introduced to was called a "rain
17 dance". The rain dance is a similar to the sun
18 dance that's exercised out in -- out west.

19 And in the rain dance procedure we
20 needed to understand more about the ways of our
21 ceremonies and our ways of life through song,
22 through different prayers and also how we can
23 conduct ourselves to be of a better human being
24 in our lives.

25 15 Q. Can you talk about the groups in

10:14:20 1 which you participated in rain dances and sun
10:14:24 2 dances?

10:14:30 3 A. The groups or areas where I
10:14:33 4 participated were on Manitoulin Island; and also
10:14:38 5 I went to Manitoba a few times to participate in
10:14:43 6 their sun dance as well, and in a little
10:14:47 7 community called Selkirk. Mostly the rain
10:14:51 8 dances took place in the east on Manitoulin
10:14:54 9 Island and as well as Walpole Island.

10:15:06 10 16 Q. Are you a Pipe Carrier?

10:15:11 11 A. Yes. I was given the opportunity
10:15:14 12 to carry a pipe from one of the -- the
10:15:21 13 traditional people involved with the rain dance.
10:15:25 14 And they felt that it was appropriate for me to
10:15:28 15 carry a pipe.

10:15:34 16 17 Q. Can you talk about the
10:15:35 17 significance of the pipe?

10:15:39 18 A. The pipe is a sacred item and it
10:15:42 19 is used for prayer. We put tobacco into the
10:15:49 20 pipe and we smoke the tobacco, and the meaning
10:15:54 21 behind that, from the English version, is to put
10:16:00 22 prayers into the smoke and into that prayer and
10:16:05 23 so that the Creator can get the -- and hear the
10:16:15 24 prayers from us through that sacred item.

10:16:20 25 18 Q. What responsibilities does a Pipe

10:16:21 1 Carrier have?

10:16:25 2 A. In -- the qualifications of a
10:16:29 3 Pipe Carrier one must try and abide by the Seven
10:16:37 4 Grandfather Teachings and try and be the best
10:16:42 5 human being that they can be for everyone.

10:16:46 6 And so those kind of responsibilities
10:16:48 7 are viewed upon by those who give the pipe to
10:16:53 8 the individual to use.

10:17:10 9 19 Q. You wrote a book called "K'an Das
10:17:13 10 Win" I'd just like you to explain what your
10:17:16 11 purpose was in writing that book?

10:17:22 12 A. The book that I put together was
10:17:26 13 meant to help students, and perhaps those people
10:17:33 14 who were asking of my past and my involvement
10:17:41 15 and working with the community and people.

10:17:46 16 The book is broken down into seven
10:17:51 17 teachings. And in those seven teachings I try
10:17:56 18 and make a biography of myself, and also the
10:18:00 19 events that I was involved with so that people
10:18:05 20 can understand that if you're going to obtain
10:18:08 21 trust and respect from people throughout the
10:18:12 22 land, and throughout the community, then you
10:18:15 23 must act in a certain way and try and be that
10:18:19 24 person that they expect you to be in a good way.

10:18:27 25 So I tried to put all that together in

1 the book so that students who are asking me to
2 come and speak about myself at local high
3 schools perhaps, whatever event took place, and
4 I was able to use that as my guiding -- my
5 guiding speech or guiding teaching to them.

6 20 Q. So I would like to move to kind
7 of traditional knowledge that has been passed
8 down to you. And I'd like you to talk about the
9 different kinds of Anishinaabe groups, and I'm
10 talking about before the Indian Act existed.
11 What's your understanding of different groups,
12 which are talked about in the literature?
13 There's Confederacy, Nation, Tribe, Band, Clan.
14 I'd like you to talk about these groups, how you
15 understand them and how they relate to each
16 other?

17 A. I spent a lot of time doing
18 research in my education, and also trying to
19 piece together the oral history that was
20 explained to me by my Elders.

21 And by piecing those together I
22 eventually understood that in the Great Lakes
23 there was a Three Fires Confederacy, much like
24 other confederacies that are being discussed
25 further south.

1 But in the Great Lake system there
2 were three main Nations of people, and those
3 Nations of people were Ojibweg, Odawak, and
4 Bode'wadmig. Those pronunciations are the
5 Anishinaabemowin pronunciation. The spelling, I
6 believe, is bastardized a number of times in
7 trying to name the actual Nation.

8 The understanding that I received with
9 those three great Nations is that they each had
10 a role, and in that role they were -- they had
11 responsibilities. Such responsibilities as the
12 Ojibweg, they were the providers, the food
13 providers; the people that basically looked
14 after the people within the community.

15 The Odawak, they were the warriors of
16 the Nations; and they were the protectors of the
17 Nation and they would be charged with that type
18 of -- that type of work.

19 And Bode'wadmig, the word stems from
20 the word "bodawe ", which is a fire. And we --
21 in our belief system have a belief about fire
22 and a sacred fire. And so that name comes from
23 them as the spirit keepers, the ones who look
24 after the sacred fire. And they are -- we'll
25 say they are the ones that were asked to be --

10:22:25 1 we'll, say in charge of any spiritual work and
10:22:34 2 ceremonies that would take place.

10:22:36 3 Now, the other Nations that existed
10:22:39 4 besides the three within the Great Lake system
10:22:41 5 there are a number of them as well. A couple
10:22:44 6 that I can mention is Menominee, they also were
10:22:49 7 involved in the Nation of the Three Fires
10:22:54 8 Confederacy.

10:22:56 9 And as well as the Saukings, and the
10:23:01 10 Saukings especially I look at because we are a
10:23:05 11 part of that group because of the address that
10:23:10 12 was given to us when the Treaty of 1836 was
10:23:14 13 made, number 45 and a half, it addresses us as
10:23:18 14 the Saukings. So that portion of the nationhood
10:23:23 15 that we are as Saukings are part of another
10:23:28 16 Nation, and part of that Nation, to my
10:23:30 17 understanding, had went towards Wisconsin area.
10:23:36 18 So the break-up of that particular Nation, the
10:23:40 19 Saukings. Some came here and some went over to
10:23:47 20 Wisconsin.

10:23:53 21 There are a few other Nation, of
10:23:55 22 course attached with the Three Fires
10:23:56 23 Confederacy. There are the Fox, and the -- and
10:24:01 24 a number of others as well as an example of the
10:24:07 25 size and the number of Nations involved within

1 the Great Lake system back then.

2 21 Q. And how did you learn the
3 information you are just giving us?

4 A. The information, that oral
5 information is -- it comes from a number of
6 people that I've talked to, but also at the same
7 time reading some of the documents that have
8 been produced over a number of years.

9 The people that were involved in my
10 life, especially at the beginning, well, of
11 course my grandfather, Livingston, who worked
12 for the Band Council for about 30 years as a
13 secretary. I often heard him talking about the
14 different Nations and how structures existed
15 outside of our territory.

16 I also had the opportunity to listen
17 to my other grandfather, Alex Roote about some
18 of the activities that were here in our
19 territory and surrounding us.

20 The more recent individuals that I
21 spoke with and listened to in my employment
22 years were Chief James Mason who I spent a great
23 deal of time with.

24 I also spent time with people like Roy
25 Wesley and Robert Nashkewa. Those individuals

1 would talk a lot about the past history and the
2 oral history that they knew.

3 But not only that, other people come
4 to mind when I start thinking about all the
5 information that I received. The individuals
6 like Wilmer Nadjiwon, who I spoke with a number
7 of times because we connected because we're
8 involved with the Grand Chief positions within
9 the Union of Ontario Indians a while back, and
10 we used to chat and talk about the history. And
11 so he would mention some of those past oral
12 history items.

13 Also another person that I can think
14 of that I spoke a lot about in terms of history
15 and heard his opinion too as well was Frank
16 Solomon, who was a Chief up in
17 Neyaashiinigmiing. And that also was of great
18 assistance to me in my learning capacity at the
19 time.

20 Not only that but other community
21 members here in Saugeen also were always part of
22 opinions here and there that took place in their
23 viewpoints about the history.

24 22 Q. Can you talk about the role of
25 the local Anishinaabe group that used to be

10:27:40 1 called "Band" and is now usually called "First
10:27:43 2 Nation"?

10:27:54 3 A. The introduction to the name,
10:27:56 4 "First Nation" came from the National Indian
10:28:00 5 Brotherhood. The National Indian Brotherhood
10:28:03 6 hood was an organization across Canada that came
10:28:09 7 booing to discuss issues related to our
10:28:16 8 communities through the Indian Act, or
10:28:20 9 activities involving the Indian Act.

10:28:23 10 And through those many discussions
10:28:27 11 there was a point in time where the Chiefs, when
10:28:31 12 they got together, said they didn't like the
10:28:33 13 name of an "Indian Reserve" and that they would
10:28:37 14 like to change that particular heading, because
10:28:41 15 we were all addressed as "Indian Reserves".

10:28:46 16 And those titles or names had numbers
10:28:53 17 attached to them such as, this community, this
10:28:57 18 community's officially Saugeen Indian Reserve
10:29:01 19 Number 29; and other communities close by, such
10:29:06 20 as Chief's Point, Chief's Point Indian Reserve
10:29:10 21 Number 27; and of course the Cape Croker
10:29:19 22 Community, Neyaashiinigmiing they are addressed
10:29:21 23 officially legal name is Cape Croker Indian
10:29:26 24 Reserve Number 28 I believe.

10:29:30 25 And so the name, the actual name of

1 the "Indian Reserve" was really despised by the
2 Chiefs and they said they wanted to change it;
3 and address people and make people know that we
4 are the First Nations of the country and that we
5 would use the title of "First Nations" in our
6 community rather than the Band or tribe. We
7 would call ourselves the "First Nations".

8 23 Q. So, traditionally, that is before
9 the Indian Act, which Anishinaabe group would
10 make decision about land and resource use?

11 A. The decision-making process that
12 I had heard over time was that there were
13 headsmen, of course, and there were those who
14 were helpers to the headsmen and part leadership
15 within the community; perhaps they were family
16 members that were heads of families and they
17 would part of that decision-making process.

18 To my understanding the consultation
19 that would take place within our communities
20 would be -- would involve a lot of those headmen
21 and headpeople of families, and they would
22 discuss whatever issues that would take place.

23 In a much bigger picture of
24 decision-making, such as the Three Fires
25 Confederacy, all of those leaders would come

10:31:29 1 together in one and decide what avenue to take
10:31:34 2 or what kind of decision that needed to take
10:31:37 3 place.

10:31:38 4 But in our community we would have the
10:31:42 5 appointed leaders come together, along with
10:31:45 6 their helpers, I guess at this time we could use
10:31:48 7 the terminology of "councilors" that would be
10:31:54 8 together, and also those family, those family
10:32:00 9 heads to come together and discuss whatever the
10:32:04 10 issue might be that needed to be decided upon.

10:32:19 11 24 Q. So supposing an Anishinaabe
10:32:22 12 person from Manitoulin, for example, wanted to
10:32:27 13 come here and hunt, what would you expect to
10:32:30 14 happen?

10:32:42 15 A. This required some
10:32:45 16 decision-making, of course, which at this point
10:32:49 17 that I understand it to be if anybody were to
10:32:56 18 come they would ask the community heads for that
10:32:59 19 permission. And it would be similar to anyone
10:33:05 20 wanting to come to live in the area or even pass
10:33:11 21 through in the area. They would look to the
10:33:14 22 head and the leaders of the community for
10:33:24 23 permission and -- or the decision that was
10:33:25 24 needed to enact whether it would be hunting or
10:33:30 25 fishing along the way as they passed through.

10:33:33 1 So the decision making was usually
10:33:37 2 done by the heads of the -- and leaders of a
10:33:41 3 community.

10:33:45 4 25 Q. What would be the consequence if
10:33:47 5 this custom of asking permission were not
10:33:50 6 followed?

10:33:55 7 A. Some of the consequences that
10:34:01 8 would take place would be some form of
10:34:14 9 banishment from the territory.

10:34:19 10 That banishment also plays a role
10:34:22 11 within the community as well, but in terms of a
10:34:24 12 visitor coming along and being -- let's say,
10:34:32 13 ousted out of the community there would be, of
10:34:36 14 course, the role of the policeman, whatever the
10:34:41 15 policeman's role would be in the community.

10:34:44 16 As I said before, the Odawa's played
10:34:48 17 the role as the warriors. And within that
10:34:54 18 make-up of the community there would be people
10:34:57 19 appointed as the so-called "policemen", and they
10:35:03 20 would be the sort of the watch dogs of the
10:35:07 21 community as well. And they would be charged
10:35:09 22 with removing the individual or making sure the
10:35:11 23 individual left the territory.

10:35:14 24 And in terms of within the actual
10:35:19 25 territory that's -- that's a question for a

10:35:25 1 different time.

10:35:36 2 26 Q. Now, instead of it being another
10:35:40 3 Anishinaabe group it were an Aboriginal group of
10:35:43 4 a different type, for example, the
10:35:45 5 Haudenosaunee, who wanted to come here what
10:35:48 6 would you expect would happen in that case?

10:35:55 7 A. Well, naturally, if there was any
10:36:00 8 kind of number of people involved out of that
10:36:05 9 there would be some kind of a war that would
10:36:09 10 break out if there was a large number of people
10:36:11 11 coming into the area, and if they were going to
10:36:15 12 try and take over.

10:36:19 13 But if there was a small number then
10:36:21 14 that could be taken care of by those charged
10:36:28 15 with policing of the territory.

10:36:30 16 But at the -- when we think about the
10:36:40 17 other tribe coming in to either do harm or to
10:36:46 18 take over our -- whatever that might look like,
10:36:52 19 of course our people would be up in arms about
10:36:58 20 that. And they would -- they would have the
10:37:06 21 role of opposing the visitors from coming in.

10:37:15 22 And sometimes the -- that opposition
10:37:20 23 of course would take up arms on both sides and
10:37:23 24 that would break out in war.

10:37:31 25 27 Q. Supposing the Haudenosaunee

10:37:33 1 wanted to come in peace, how would you expect
10:37:35 2 them to do that?

10:37:41 3 A. My understanding of that would be
10:37:43 4 that they would be sending runners and people
10:37:48 5 ahead of time, ahead of their group to address
10:37:52 6 that particular issue of peace.

10:38:02 7 And if there was nobody coming and
10:38:04 8 they had a number of people coming then of
10:38:06 9 course you would think that they were invading
10:38:07 10 the area. But if there was an individual coming
10:38:11 11 up and saying that they wanted to discuss peace
10:38:13 12 then that's what the issue would be at the time.

10:38:24 13 28 Q. If Europeans wanted to come into
10:38:25 14 your territory what would you expect of them?

10:38:37 15 A. There's -- it's a two-part
10:38:46 16 answer. The first part of the answer, which is
10:38:47 17 easy, as the factual information that was --
10:38:53 18 that's out there in the history books how they
10:38:56 19 approached the communities with the gifts, that
10:39:01 20 we know.

10:39:02 21 The other answer to that, of course,
10:39:06 22 is our people, through oral history, I had heard
10:39:10 23 that they would come and approach our
10:39:15 24 individuals who were within our communities to
10:39:22 25 address those were of the similar nature. And

10:39:27 1 they would also bring gifts and trinkets, and
10:39:30 2 whatnot, to our people so that they can get that
10:39:38 3 form that they needed to address the issue of
10:39:43 4 visitation.

10:39:57 5 29 Q. If your community received a
10:39:58 6 request from people to come into their territory
10:40:00 7 what options would there be? Could there be a
10:40:05 8 "yes" or a "no"? Or can you talk about that?

10:40:14 9 A. Yes, there could be an answer of
10:40:19 10 yes or no given. It would be dependent on the
10:40:24 11 individual asking. We would look at the
10:40:29 12 reasoning behind anyone coming to the community
10:40:33 13 to live. If they were coming to live as part of
10:40:37 14 our community in relation to establishing a
10:40:47 15 family and being part of the community that
10:40:52 16 would be acceptable, but at the same time if
10:40:55 17 that person was more of a -- of an individual
10:40:59 18 that was not wanted from other communities then
10:41:05 19 we would have to have a serious look at really
10:41:08 20 the background and the reason for that person
10:41:11 21 coming to live, much like we have today. As an
10:41:14 22 example, do you allow people of wrongdoing to
10:41:22 23 come and live in your community?

10:41:30 24 30 Q. If a group came in whose
10:41:31 25 intentions were considered to be hostile what

1 would happen?

2 A. Sorry, can you repeat that?

3 31 Q. If a group was coming in and your
4 people judged that they were coming in with
5 hostile intentions, what would happen?

6 A. Well, in a hostile type of
7 environment, of course, that's where war would
8 break out and everybody would be up in arms for
9 that type of involvement.

10 32 Q. In such a case would you enlist
11 the help of other Anishinaabe groups in the
12 area?

13 A. Yes, such as the Huron people,
14 they were located alongside our territory. And
15 the arrangement between the Huron people and
16 then our people were that if one needed help,
17 physical help in terms of war or assisting in
18 those kind of activities that they would be
19 willing to help each other.

20 And one of the examples would be the
21 Huron who had difficulty in the lower end of
22 Georgian Bay, had -- they had difficulty once
23 with the Iroquois people, the Haudenosaunee, and
24 they had asked then -- and they would have
25 runners come to our area and ask for our help in

1 terms of assisting with the confrontation at
2 that time.

3 33 Q. And how did you learn about these
4 customs of control of the territory?

5 A. These were mentioned by a number
6 of people that I had previously mentioned
7 because they had the -- their understanding and
8 their oral history as well from their ancestors
9 and they were passing that on to me.

10 34 Q. So I'd like to take you sort of
11 around Lake Huron and Georgian Bay and ask you
12 about the relationships you have had with the
13 Aboriginal people in different places around
14 that.

15 So perhaps start at the -- say the
16 mouth of the French River at the northeast
17 corner of Georgian Bay. Who is living there and
18 what kind of a relationship do you have with
19 them?

20 A. Well, I'll begin with the
21 personal relationship and work backwards from
22 that.

23 In my term my father had the
24 opportunity to have a vehicle back in the early
25 '50s. And in that period of time he perhaps,

1 I would say, exposed me to other communities,
2 and travelled to other communities to visit,
3 such as the one of Wikwemikong where I was given
4 a spiritual name.

5 And at that location in Manitoulin
6 Island there was a relationship with that
7 community and the language I was familiar with
8 and I'll be -- the family of the Ojigs in
9 Manitoulin I was able to communicate with very
10 well.

11 So my parents, my grandparents as
12 well. And when we travelled to that area to
13 visit that was the exposure for me.

14 But not only that community, we went
15 around and my father addressed and showed me
16 that there are other communities in Manitoulin
17 as well, and that's where the old Highway 6 was
18 going through up towards Sudbury. And we went
19 around that particular area.

20 And when we done that we went to
21 communities along the French River area. And in
22 the French River area we stopped at Henvey
23 Inlet, at that time we called that "Pickerel".
24 And we were introduced, again, to another family
25 of people that had similar linguistic language

1 to ours and so we were able to communicate
2 there.

3 I must say that in travelling in that
4 time we had a person with us and that person was
5 Robert Nashkewa, we called him "Bob". And
6 that's the time that I was able to listen to Bob
7 and the stories and the oral history that he had
8 carried. And in doing so I had that opportunity
9 to listen to him through the travels.

10 We stopped at Shawiningan, and of
11 course Parry Sound, and being introduced to
12 those communities along the way. And then of
13 course coming around towards the bottom end of
14 Georgian Bay we had -- we had Christian Island
15 at the time. Today they have a name and they're
16 called Beausoleil. At the time we called that
17 community Chimnissing, that's their Anishinaabe
18 name.

19 So that circle route around Georgian
20 Bay introduced me to other communities. But
21 that was only the one side. We also had
22 travelled across the other way into -- as
23 another circle tour in Michigan where, again, we
24 were introduced to other communities.

25 When we went to the Sault Ste. Marie

10:48:59 1 area and crossed over all the communities along
10:49:03 2 the way were also addressed to me as their
10:49:07 3 location.

10:49:08 4 And for me to understand that there
10:49:11 5 were communities in Michigan as well. Knowing
10:49:16 6 that northern end of Michigan the community
10:49:25 7 called Sault Ste. Marie Tribe really didn't
10:49:29 8 exist at the time because they didn't have the
10:49:34 9 recognition of being a community. But my father
10:49:39 10 had addressed that there were some people that
10:49:41 11 lived in that area.

10:49:45 12 So my introduction to locations of
10:49:47 13 people and communities was given.

10:49:54 14 We also stopped at another community,
10:50:00 15 which was almost similar in name to ours, and
10:50:04 16 that was called also Saugeen, I guess. And
10:50:09 17 north of Bay City, Michigan. And that community
10:50:19 18 has -- when you look on the map is directly
10:50:21 19 across from the entrance of Saugeen River. And
10:50:26 20 so that community, having the same name and some
10:50:28 21 of the names that were similar to our area, kind
10:50:33 22 of led me to believe that we were connected in
10:50:35 23 some way or another at the time.

10:50:43 24 And of course coming back home we
10:50:45 25 would cross the Port Huron area and, again,

1 being introduced to communities like
2 Aamjiwnaang, which was Sarnia, and towards
3 Kettle Point and back home here.

4 So that introduction to me was given
5 when I was a young -- at a young age to
6 understand that there were other communities
7 around the Great Lakes and around our two-lake
8 systems of Georgian Bay and Lake Huron.

9 The other, of course, is the oral
10 history where the knowledge of where our people
11 were, and the different stories that have been
12 told, such as the migration story, and such as
13 all the different other war-time stories,
14 meaning war-time stories of the British and the
15 French having their war systems within Upper
16 Canada.

17 So that all of that combined together
18 is something that I contribute to my education
19 of understanding the communities and where they
20 were, how they -- how they lived, I guess,
21 and -- in their areas as well and the way of
22 survival.

23 35 Q. If you can just go to the map to
24 your right? And you mentioned a number of names
25 of communities and I think they're relatively

1 easy to find, but if you can just point out on
2 the map, for the benefit of the court, where
3 these places are? So maybe you can start with
4 Henvey Inlet?

5 THE COURT: Which exhibit are you
6 referring to?

7 MR. TOWNSHEND: This is Exhibit W.

8 THE COURT: All right.

9 THE WITNESS: This community of Henvey
10 Inlet, Pickerel is located up in the French
11 River area. And the French River of course is
12 an outlet from the Lake of Nipissing. And in
13 that area I had the opportunity to learn about
14 the different families that were there.

15 There was also a -- I must not forget
16 that there were families there attached to
17 Rabbit Island of Wikwemikong as well. So there
18 were two or three different families in that
19 community.

20 BY MR. TOWNSHEND:

21 36 Q. You've also mentioned
22 Wikwemikong, can you point that out?

23 A. Wikwemikong is in Manitoulin
24 Island. That's in the east end of Manitoulin
25 Island.

10:54:03 1 37 Q. And you were talking about Sault
10:54:05 2 Ste. Marie?

10:54:06 3 A. Sault Ste. Marie, they have a
10:54:08 4 name of Sault Ste. Marie, Anishinaabe name is
10:54:11 5 Bawating, and that's located up in this area.

10:54:23 6 38 Q. And you were mentioning the
10:54:26 7 community of Saginaw in Michigan?

10:54:29 8 A. There is another community right
10:54:30 9 directly across north of Bay City, and they --
10:54:33 10 they had the name Saugeen, with a different
10:54:38 11 spelling.

10:54:47 12 39 Q. You also mentioned Aamjiwnaang,
10:54:48 13 which is also known in Sarnia?

10:54:51 14 A. Michigan comes down here and the
10:54:53 15 border of Port Huron, Sarnia, is attached right
10:54:57 16 in that corner area, Aamjiwnaang is their
10:55:02 17 Anishinaabe name.

10:55:04 18 40 Q. And there's also Kettle Point.
10:55:06 19 Did you mention Kettle Point?

10:55:08 20 A. Kettle Point is just north of
10:55:10 21 Sarnia and it is south of Goderich in the area
10:55:17 22 of Grand Bend.

10:55:20 23 41 Q. Is that one of the communities
10:55:21 24 you visited?

10:55:24 25 A. Yes, at the time.

10:55:29 1 42 Q. And then you mentioned Christian
10:55:31 2 Island, now known as Beausoleil?

10:55:38 3 A. Christian Island, for me I know
10:55:39 4 it as the Anishinaabe name of Chimnissing. I
10:55:46 5 guess the Indian Affairs name is Christian
10:55:49 6 Island Indian Reserve, and today they call it
10:55:53 7 Beausoleil.

10:56:05 8 43 Q. So traditionally did your
10:56:09 9 grandfather tell you about how one would keep an
10:56:12 10 eye out for travelers on Lake Huron?

10:56:17 11 THE COURT: Sir, can Mr. Roote sit
10:56:21 12 down?

10:56:22 13 BY MR. TOWNSHEND:

10:56:22 14 44 Q. Yes, please sit down.

10:56:23 15 A. Okay. On this answer I would
10:56:25 16 like to show Your Honour the map.

10:56:27 17 THE COURT: All right.

10:56:28 18 THE WITNESS: Using the map.

10:56:34 19 The time of -- and I'm going use the
10:56:39 20 word "marauders" because that's the name that
10:56:43 21 kind of stuck out in the stories that I heard
10:56:53 22 from my grandfather.

10:56:55 23 The marauders existed, whether they
10:56:57 24 would be people that were of -- that had -- that
10:57:00 25 were thieves, perhaps. And those thieves would

1 go in the dead of night and steal and things
2 like that.

3 So when we talk about the marauders
4 coming around, and I also include the name of
5 travelers as well, we would have lookouts along
6 the Bruce Peninsula at the high points along the
7 Bruce Peninsula. And in those high points there
8 would be sort of the watchers, and if they seen
9 something going along the lake they would give
10 notice in a way, perhaps through smoke signals
11 or even runners.

12 People had the opportunity to run a
13 long ways and they were fit back then to do
14 that.

15 And so they would look -- be the
16 watchers throughout the Bruce Peninsula at the
17 different high points. And they would look
18 at -- and protect our community by looking out
19 from those locations.

20 BY MR. TOWNSHEND:

21 45 Q. Thank you, you can sit down.

22 Do you know why your parents and
23 grandparents took you to visit these different
24 communities?

25 A. I'm sorry?

10:58:53 1 46 Q. Do you know why your parents took
10:58:54 2 you to visit these different communities around
10:58:57 3 Lake Huron and Georgian Bay?

10:59:08 4 A. The one reason was to get a name
10:59:17 5 for myself. It was felt that I needed a name, a
10:59:25 6 spiritual name, and that was the one reason why
10:59:29 7 we travelled to Wikwemikong.

10:59:34 8 But the other -- of course, I don't
10:59:35 9 know what the other reason would be. I would
10:59:38 10 imagine it's the exposure to me, and what was
10:59:44 11 the opportunity for me to -- to see what was
10:59:50 12 going on back in the '50s and at such an early
10:59:56 13 age.

10:59:58 14 47 Q. Did your parents have a prior
11:00:00 15 relationship? Were they meeting people they
11:00:03 16 already knew?

11:00:08 17 A. I believe we have relatives up in
11:00:09 18 Wikwemikong and I purposely addressed the Ojigs
11:00:16 19 as our family, and that would be coming from the
11:00:19 20 Alex Roote side of the family.

11:00:33 21 48 Q. I'd like to shift topics here.
11:00:36 22 Can you talk about how you view lakes and
11:00:39 23 waters? Do you view them differently than dry
11:00:42 24 land or how do you view them?

11:00:44 25 A. I must apologize, my hearing aids

1 sometimes don't work very well. I have to ask
2 you to repeat the question.

3 49 Q. Sorry. I'd like you to talk
4 about how you view lakes and rivers and waters.
5 Do you look at them in a different way than you
6 look at dry land? Or just talk about how you
7 think of them.

8 A. The importance of water is equal
9 to land as equal to air.

10 One of our teachings, and I will start
11 with that, is that Mother Earth is something
12 that we must cherish as part of our teachings.
13 Mother Earth provides three things to us, that's
14 the land, the water and the air.

15 And it's our job to keep Mother Earth
16 clean. We must keep the air clean and we must
17 keep the water clean as well as the land. It is
18 our belief system, it is how we understand life
19 to be.

20 Each river, each bay of water provides
21 life for us, such as the fish that exist within
22 the water, and that is survival for us of food.

23 But water is also not only important
24 in the area of providing food. We must look at
25 water in a much different way that average

1 citizen doesn't look, and that is we are born
2 with water. We are born out of water.

3 So there are four types of water in
4 our teachings that we must honour. And the most
5 important one, of course, is birth, where the
6 woman has provided us with life from the water.

7 And so understanding that one
8 particular teaching we put value to all of the
9 water around. And so all the rivers, all the
10 lakes all the bodies of water are all one within
11 our territory.

12 And the land it is measured by a
13 certain way, boundaries are created, and that
14 was something that our people never looked at in
15 terms of specific lines and specific boundaries
16 put on to anything, because we are here as part
17 of Mother Earth. And that is our belief system.
18 And that is something that we look at in the
19 importance of water.

20 50 Q. Can you talk a bit about the
21 spiritual aspects of water and the ceremonies
22 related to water?

23 A. To go on with the honour and
24 respecting the water. Of course we have
25 ceremonies and we call them today "water

1 ceremonies". And we have that responsibility to
2 the women to pray to the Water Spirit, and that
3 the Water Spirit will help to look after our
4 people.

5 The Water Spirit is something that we
6 also believe in in our belief system, and that
7 is part of our Creation Story, and part of the
8 importance of connection with life.

9 So when we think about honouring we do
10 ceremonies, and in that ceremony with the water
11 ceremony we have the women lead that. And then
12 we pray to -- we pray to God and we pray to the
13 Water Spirit and all the other spirit helpers
14 involved with life.

15 51 Q. Do you have responsibilities to
16 the water as a man, Anishinaabe man?

17 A. Yes, we do. It is also our
18 responsibility to look after the water, to the
19 best of our ability. And that is not to pollute
20 the water and to try and keep water clean as the
21 best way we know how.

22 The ceremonies, of course, if there
23 are no ceremonies taking place we as individual
24 men need to stop and recognize by offering
25 tobacco into that water from time-to-time. So

11:08:16 1 it's not just only at specific ceremonial times,
11:08:23 2 but we must constantly be aware of the
11:08:26 3 importance and the cleanliness of the water by
11:08:31 4 giving thanks through tobacco in the water.

11:08:40 5 52 Q. So how important is the water to
11:08:42 6 you?

11:08:50 7 A. Water is important for us here
11:08:55 8 because that's part of our territory. We
11:09:06 9 sustain our survival through the use of the land
11:09:15 10 by hunting and the use of water by fishing, and
11:09:23 11 that makes our survival of our lives by the
11:09:32 12 importance of having water around us.

11:09:39 13 The territory was something that we
11:09:48 14 looked at in terms of what was included in that
11:09:58 15 Treaty. And my grandparents and other people
11:10:03 16 have always said, "Well, that water is ours
11:10:08 17 because it's our way of life and our way of
11:10:11 18 survival. We did not give any of that away."

11:10:19 19 If people were looking at land then
11:10:22 20 they were only looking at land and not the
11:10:24 21 water. So we value the land as part of our
11:10:31 22 territory and part of us.

11:10:38 23 53 Q. How did you learn about our
11:10:40 24 responsibilities to the water?

11:10:51 25 A. Those responsibilities we learned

1 through time and through ceremony. I went to
2 many ceremonies that are called "rain dance
3 ceremonies". And through those four-day
4 sessions a lot is talked about, different
5 teachings. And so we are reminded of those
6 teachings through that ceremony, but also other
7 ceremonies as well.

8 It's not only that ceremony. Many
9 other ceremonies remind us of the importance of
10 water for us; and that without water it would be
11 like living in a desert and that we wouldn't be
12 able to survive here because we are who we are,
13 what we are, here in this location.

14 54 Q. And you understand that you have
15 responsibilities to the earth more generally?

16 A. Yes. The responsibilities are
17 there all the time for us; and it's difficult at
18 times to sit in a political forum where there is
19 no respect for water, land or air.

20 55 Q. And how did you learn of these
21 responsibilities?

22 A. The responsibilities of our
23 teachings come from ceremonies, they come from
24 teachings of people who have held the teachings
25 for as long as they have lived, and where they

11:13:43 1 have received their teachings from and how they
11:13:47 2 continued to educate us and also into the
11:13:55 3 future.

11:13:57 4 And those teachings do not come from
11:14:04 5 the European way of life. They come from
11:14:08 6 Anishinaabe way of life.

11:14:12 7 And so the difference is having two
11:14:18 8 different ways of life to live. It's like
11:14:22 9 living in two worlds and it's hard to balance
11:14:26 10 that out at times.

11:14:44 11 56 Q. So what is your understanding of
11:14:45 12 the geographic extent of Saugeen Ojibwe
11:14:49 13 traditional territory?

11:14:58 14 A. My understanding of the so-called
11:15:03 15 "boundaries" of the Anishinabek of the Sauking
11:15:10 16 Nation is that by starting at a point, we'll say
11:15:22 17 Goderich, it goes both ways at that point; out
11:15:30 18 to the international boundary and into the land
11:15:34 19 of Goderich; and the Goderich area there's a
11:15:41 20 Maitland River watershed, and the watershed is
11:15:45 21 the boundary; and that goes towards the east and
11:15:53 22 it comes to the area around the Shelburne,
11:15:58 23 Orangeville area of the Grand River; and then it
11:16:04 24 goes up towards the watershed area of the Beaver
11:16:09 25 River.

1 And then, of course, from the Beaver
2 River watershed area it goes north into the
3 Georgian Bay; and when it gets up to the tip of
4 the Bruce Peninsula, we know it as the Saugeen
5 Peninsula, it goes around and includes the
6 now-known as Fathom Five Federal Provincial
7 Park, or Federal National Park, and it
8 encompassed those islands and goes around and
9 goes right out to the international border
10 again. That is my understanding of the
11 territory of the Nation.

12 57 Q. Does the map to your left, which
13 is Exhibit P, is that consistent with what you
14 just described?

15 A. Yes, it shows approximately the
16 location of my understanding.

17 58 Q. And how did you learn about this?
18 The extent of Saugeen Ojibwe territory?

19 A. I've learned this through two
20 methods. One method, of course, was looking at
21 the history and the documents that are -- that
22 are here with us today; but also hearing the
23 oral history from listening to my ancestors and
24 their stories of how the territory looked like,
25 and to their understanding, and how the Treaties

11:18:32 1 came about and how the Treaties were measuring
11:18:35 2 the land and the areas that Upper Canada people
11:18:42 3 wanted at the time.

11:18:49 4 59 Q. You said there were two methods?

11:18:51 5 A. Yeah.

11:18:52 6 60 Q. What was the second?

11:18:53 7 A. The other, of course, is the
11:18:54 8 oral, the oral history that I had heard from my
11:19:00 9 ancestors and friends. And, of course, the
11:19:04 10 other one is the factual history of notes that
11:19:11 11 are here.

11:19:19 12 61 Q. Now, if you were forced to leave
11:19:23 13 your homeland and not return what would that
11:19:26 14 mean to you?

11:19:33 15 A. I guess I would feel pretty sick
11:19:36 16 because I would not -- I wouldn't have a home to
11:19:39 17 go to. This is my home, there's no question
11:19:47 18 about that. And to be removed from your home I
11:19:53 19 don't -- I don't think I would be able to cope
11:19:56 20 with that. It's the territory I grew up in and
11:20:07 21 I don't think -- I wouldn't be able to cope
11:20:11 22 living someplace else because -- it just
11:20:18 23 wouldn't be -- I would be lost.

11:20:29 24 62 Q. Your Honour, at this point I want
11:20:30 25 to change the maps that are on display so would

11:20:32 1 you care to take a break?

11:20:37 2 THE COURT: Would you prefer to take

11:20:38 3 an early break, sir, for that?

11:20:40 4 MR. TOWNSHEND: Or I can just change

11:20:41 5 the map then.

11:20:42 6 THE COURT: We can if you wish to,

11:20:43 7 sir.

11:20:44 8 MR. TOWNSHEND: Pardon?

11:20:44 9 THE COURT: Are you suggesting an

11:20:45 10 early break or do you just want to walk over

11:20:47 11 here and change the maps?

11:20:49 12 MR. TOWNSHEND: I'm in your hands.

11:20:51 13 Either one is fine.

11:20:53 14 THE COURT: But what's your

11:20:53 15 preference, sir?

11:20:54 16 MR. TOWNSHEND: Let's take an early

11:41:47 17 break.

11:41:49 18 THE COURT: Okay. We'll break for 20

11:41:51 19 minutes.

11:41:51 20 -- RECESSED AT 11:20 A.M. --

11:41:53 21 -- RESUMED AT 11:47 A.M. --

11:47:44 22 THE COURT: Please go ahead.

11:47:47 23 BY MR. TOWNSHEND:

11:47:48 24 63 Q. Mr. Roote, when you were talking

11:47:52 25 earlier about seeking permission to come into

11:47:55 1 the territory from other -- from outsiders, you
11:48:00 2 made a kick reference to "gifts". And can you
11:48:03 3 explain more about the significance of gifts in
11:48:05 4 that context?

11:48:15 5 A. Yes. "Gifts", of course, meaning
11:48:23 6 the blankets, and pots, and different items one
11:48:31 7 could use in the -- I guess in a camp fire
11:48:37 8 setting. I'm not sure about mirrors or anything
11:48:41 9 like that, but gifts like were -- token gifts
11:48:45 10 were offered in that way.

11:48:53 11 64 Q. Is that a required part of
11:48:55 12 seeking permission?

11:48:58 13 A. That is not. In our belief, our
11:49:04 14 belief system is if you wish to hear or ask for
11:49:12 15 something we use tobacco to do that. And by
11:49:17 16 asking the individual that you want to hear
11:49:23 17 something you offer tobacco to.

11:49:29 18 Just like, example is here that I was
11:49:33 19 offered tobacco by both governments to be able
11:49:37 20 to speak and give knowledge of what I know. So
11:49:49 21 that was a request that was given from them to
11:49:59 22 me. So the belief system is different.

11:50:01 23 And at the time, I guess, those gifts,
11:50:04 24 I suppose, were meaningful in the approach given
11:50:09 25 to our people.

11:50:16 1 65 Q. Were gifts expected of people --
11:50:18 2 from people who were asking to enter the
11:50:20 3 territory?

11:50:26 4 A. I don't believe the gifts are
11:50:32 5 expected in that way. The method of giving
11:50:42 6 gifts would be sort of exchange of something of
11:50:47 7 value, if there was something of value to be
11:50:51 8 exchanged.

11:50:53 9 The -- my understanding is that our
11:50:59 10 people would use tobacco to exchange discussions
11:51:06 11 in whatever that discussion would be.

11:51:13 12 So the actual exchange would be
11:51:20 13 dependent on whatever reason that would be
11:51:24 14 given. Like, in terms of if you were going to
11:51:27 15 exchange land that would be a whole different
11:51:31 16 meaning within our -- within our Nations.

11:51:48 17 66 Q. And now I'd like to talk about if
11:51:51 18 there are specific locations in Saugeen Ojibwe
11:51:56 19 Nation territory that have specific spiritual
11:52:01 20 ties.

11:52:02 21 And there's a map, Q, behind you to
11:52:05 22 your right, and if you can sort of talk about
11:52:09 23 some of the ones that you know about?

11:52:15 24 THE COURT: Sorry, Mr. Townshend, can
11:52:18 25 you repeat the question please?

1 BY MR. TOWNSHEND:

2 67 Q. I'm asking Mr. Roote if you would
3 identify if there are specific locations that
4 have specific spiritual meaning to your people?
5 And if you could point them out on the map and
6 talk about them?

7 A. Some of the locations that would
8 be used for our sacred areas would be in the
9 southern portion of Inverhuron. It was a
10 location that our people had used and looked
11 upon as a good place to fish and hunt, so that
12 would be looked at as a sacred area. But also
13 there's a burial site as well there. And that
14 would be one of the reasons people being there
15 is that they had buried people at the time
16 there.

17 Other sites, of course, would be --
18 going up along the shore would be the mouth of
19 the Saugeen River. And Saugeen River on the
20 north side would be another spot that would be a
21 sacred location. But because the encroachments
22 of settlers in the area that is no longer used
23 as a sacred item, but artifacts will show that
24 there was -- there are artifacts there that have
25 shown sacred ceremonies that took place there.

11:54:35 1 68 Q. Can you say more about those
11:54:36 2 ceremonies?

11:54:37 3 A. Yes. One of the ceremonies found
11:54:39 4 at the mouth of the Saugeen River is the White
11:54:42 5 Dog ceremony. And the remains of the white dog
11:54:52 6 was found in that location, and it is now in the
11:54:58 7 Bruce County Museum for safekeeping, along with
11:55:04 8 the other artifacts as well.

11:55:14 9 69 Q. Can you talk about the meaning of
11:55:15 10 the White Dog ceremony?

11:55:17 11 A. The understanding of the White
11:55:19 12 Dog ceremony is for the purpose of sacrifice,
11:55:25 13 but also to honour and ask the Creator to give
11:55:37 14 the offering to be able to accomplish whatever
11:55:52 15 the request would be. Such as, if you were
11:55:53 16 going to go into battle you would ask for speed
11:55:59 17 and agility; and so you would use the White Dog
11:56:02 18 ceremony as part of that request.

11:56:13 19 The sacred ceremony is done prior to
11:56:16 20 any kind of event taking place, whether it would
11:56:24 21 be a travelling opportunity in the Great Lakes
11:56:31 22 or the example of going into battle.

11:56:37 23 Other locations --

11:56:49 24 70 Q. Are you going to point to other
11:56:51 25 locations where there are White Dog -- maybe I

11:56:53 1 should back up a bit and ask how you come to the
11:56:58 2 conclusion that the White Dog ceremony was
11:57:02 3 taken -- was done at that place?

11:57:07 4 A. The -- my understanding of the
11:57:15 5 White Dog ceremony that was conducted by our
11:57:18 6 people back in the mid-1500s is that they used
11:57:33 7 them in their ceremonies to give them strength
11:57:34 8 and to pray, of course, to the Creator for the
11:57:36 9 outcome of either the battle or whatever the
11:57:42 10 activity was about.

11:57:44 11 The location of this one in Saugeen
11:57:48 12 River was one. There's also another location of
11:57:54 13 a burial site up on Cove Island, that's the
11:57:58 14 north end of Bruce Peninsula, that's within the
11:58:02 15 Fathom Five Park. Another location is in the
11:58:12 16 Clarksburg area in the south end of Georgian
11:58:16 17 Bay. There are remains of the White Dog
11:58:21 18 ceremony.

11:58:27 19 I have not come to any -- come to my
11:58:31 20 knowledge of any locations in the south end
11:58:33 21 along the -- let's say the Maitland River
11:58:36 22 watershed at this time. But the three locations
11:58:40 23 showing the west, the east and the north have
11:58:44 24 been addressed in the locations of where those
11:58:49 25 burials have been found.

11:58:52 1 THE COURT: Sir, can you show me the
11:58:53 2 third location again, please? The third.
11:58:57 3 THE WITNESS: The third one --
11:58:59 4 THE COURT: So we had the one on the
11:59:00 5 left, the one at the top and there was a third.
11:59:03 6 You said it was near Clarksburg?
11:59:03 7 THE WITNESS: Saugeen River.
11:59:05 8 THE COURT: Yes.
11:59:06 9 THE WITNESS: Cove Island.
11:59:07 10 THE COURT: Yes, and then the third
11:59:08 11 one?
11:59:10 12 THE WITNESS: Clarksburg.
11:59:12 13 THE COURT: I see, thank you.
11:59:16 14 BY MR. TOWNSHEND:
11:59:16 15 71 Q. You earlier told me about Dunks
11:59:19 16 Bay?
11:59:22 17 A. Yes. Dunks Bay is located also
11:59:23 18 at the tip of the north -- of the Bruce
11:59:25 19 Peninsula. And there's a cemetery in Dunks Bay,
11:59:37 20 and in going through the cemetery there's -- it
11:59:40 21 is an appropriate-looking location for a sacred
11:59:51 22 site because of the location itself. It is away
11:59:53 23 from the north wind and there's a little bay
11:59:59 24 there, and the little bay would be a secluded
12:00:10 25 area where one can do a ceremony really well.

12:00:13 1 And also, at the same time, because
12:00:15 2 there was a burial site found and taken away.
12:00:28 3 And the site found in Dunks Bay is now in the
12:00:34 4 museum of London.

12:00:39 5 72 Q. Is that a dog burial you're
12:00:41 6 referring to?

12:00:42 7 A. No, this was human remains, human
12:00:44 8 remains that are -- that we are looking at doing
12:00:49 9 repatriation soon for that -- for that site.
12:00:56 10 And the archeologist back in the 1950s took
12:01:02 11 that and put them into storage at the London
12:01:08 12 museum.

12:01:14 13 73 Q. You also told me about ceremonies
12:01:17 14 at Craigleith. Can you talk about that?

12:01:24 15 A. Craigleith, located on the base
12:01:27 16 of the Blue Mountain, there are many artifacts
12:01:40 17 located in that area in Craigleith. There was a
12:01:54 18 site -- the archeologists back in the '50s
12:01:58 19 done a site recovery in Craigleith and
12:02:03 20 addressed -- and found a number of artifacts in
12:02:06 21 that farm area. And the artifacts are -- some
12:02:13 22 are still there, but most of them have been
12:02:16 23 recovered and put into museums.

12:02:19 24 The site was known to our people;
12:02:31 25 which I had heard from my grandfather saying

12:02:34 1 that there was lots of shkikiwe on the mountain,
12:02:41 2 and that word is medicine. And when he talked
12:02:51 3 about that he explained that our people used to
12:02:53 4 go down to the base of the mountain and collect
12:02:55 5 some of that medicine, and that would be likely
12:03:02 6 the location he was referring to. I didn't know
12:03:06 7 the specifics of the location.

12:03:14 8 74 Q. We've already heard from an
12:03:16 9 earlier witness about Naotkamegwanning, that
12:03:22 10 location. Did you want to talk about that
12:03:23 11 location as well?

12:03:25 12 A. Well, Naotkamegwanning, located
12:03:28 13 in the Hope Bay area on the map, north of
12:03:35 14 Neyaashiinigmiing, is a site that Chief
12:03:46 15 Akiwenzie and I visited a couple of times and
12:03:51 16 done pipe ceremony at that particular site.
12:03:56 17 So the site is a well-known site for
12:04:03 18 spiritual reasons and it is recognized as a
12:04:11 19 spiritual site from our people.

12:04:18 20 75 Q. Can you tell us at what locations
12:04:20 21 you have conducted ceremonies and why you chose
12:04:23 22 those locations?

12:04:29 23 A. I have done ceremonies down in
12:04:33 24 Inverhuron on the south end of the territory;
12:04:39 25 also I have done ceremonies up in the north end

1 of the Bruce Peninsula. And those particular
2 ceremonies were for my particular interest of
3 having to reconnect with the spirit in our
4 territory and just not in our community.

5 I didn't feel that it was appropriate
6 just to stay within the community because our
7 territory was vast. And that the spirit we
8 believe is connected throughout the territory
9 and that is why I done ceremonies outside our
10 community.

11 76 Q. Can you point out some of those
12 specific locations?

13 A. One of the locations was
14 Inverhuron, and the other one was up in the
15 hunting ground area behind there called Emmett
16 Lake.

17 77 Q. And are there examples in the
18 east where you have conducted ceremonies?

19 A. I have done pipe ceremonies on
20 top of the high land where there's a little
21 parkette along Highway 12 in this area. I have
22 done my own personal pipe ceremonies in that
23 area a few times.

24 78 Q. This is all, for the record, this
25 is all in reference to Exhibit Q, the witness is

12:06:40 1 pointing.

12:06:55 2 I think you can sit down now, thank
12:06:56 3 you.

12:07:10 4 I'd like you to talk about the
12:07:11 5 significance of grave sites to your people.

12:07:13 6 A. Sorry?

12:07:13 7 79 Q. I'd like you to talk about the
12:07:19 8 significance of grave sites to your people.

12:07:30 9 A. Grave sites is something that our
12:07:36 10 people respect. And when we think about
12:07:45 11 different sites we honour the spirit that's
12:07:54 12 attached to that, to that site.

12:08:05 13 Perhaps the uplifting of a site that
12:08:12 14 is found and the ignorance of uprooting the
12:08:25 15 burial site is something that I despise, and
12:08:27 16 that we should honour and respect a burial site
12:08:31 17 wherever that might be. The spiritual
12:08:38 18 connection, that spirit that had used that human
12:08:46 19 form had in -- one day needs to have the
12:08:48 20 respect; and we give that respect by having our
12:08:56 21 sites looked after.

12:09:00 22 We don't return to those sites often
12:09:07 23 mainly because the spirit is around us and our
12:09:11 24 belief system. But we do go to the site every
12:09:15 25 once in a while and honour that site because of

12:09:20 1 the spiritual connection that we have.

12:09:26 2 And it's something that when a site is
12:09:35 3 taken, by means of digging it up, it's something
12:09:44 4 that hurts our feelings in term of our belief
12:09:51 5 system; and it is a disrespectful way of looking
12:09:55 6 at sites.

12:10:06 7 80 Q. Do you conduct ceremonies at
12:10:07 8 grave sites?

12:10:08 9 A. I have conducted a ceremony and
12:10:12 10 asked for forgiveness for not respecting the
12:10:16 11 spirit as well as we need to respect the spirit.

12:10:22 12 We also have done different ceremonies
12:10:26 13 in honouring the spirit that was once around
12:10:33 14 that site and is in a different site now, is
12:10:39 15 with us. So the honouring takes place once in a
12:10:45 16 while, yes.

12:10:55 17 81 Q. And how did you learn about these
12:10:56 18 customs about grave sites?

12:11:08 19 A. The -- not sure if I would
12:11:12 20 categorize them as "customs", but it would be
12:11:15 21 something that our people over the years and
12:11:17 22 centuries have looked at in terms of within our
12:11:23 23 Seven Grandfather Teachings. It's something
12:11:26 24 that still exists, although some people do not
12:11:31 25 use the traditional belief system that we have.

1 Many of us do follow the -- let's say the
2 so-called "Red Road" and the grandfather
3 teachings.

4 And looking at those teachings it's
5 all about respecting the past as well as the
6 present and the future. And so learning about
7 the respectful way to look after ourselves and
8 our lives and our spiritualism is something that
9 is with us. And we sometimes have difficulty
10 understanding that and perhaps we need to do a
11 little bit more to understand more.

12 82 Q. And from whom did you learn these
13 teachings about grave sites?

14 A. It wasn't specifically from any
15 one person. It's over the course of time and
16 hearing. You look at the knowledge of oral
17 history and you look at the present-day
18 understanding of what the teachings actually
19 mean.

20 If the teaching of respect is taught
21 then you go through that explanation, or that
22 teaching, and to respect. There are many parts
23 to that word "respect".

24 And that we would look at spiritualism
25 and one portion of it as well. So understanding

12:13:49 1 the spiritual aspect of our lives and our belief
12:13:52 2 system is incorporated within that. And it
12:13:57 3 takes place over time and with different
12:14:00 4 ceremonies.

12:14:13 5 83 Q. Is this something you began to
12:14:16 6 learn as a child or not?

12:14:18 7 A. My education started when I was
12:14:30 8 born; and the education and understanding of
12:14:37 9 some of the ways of the Anishinaabe people
12:14:43 10 started when I was very young; because my
12:14:48 11 language also played a very important part, that
12:14:51 12 I was born with the language and spoke the
12:14:54 13 language and I still continue to speak the
12:14:58 14 language today. And that explanation of things
12:15:03 15 that are talked about seemed a little different
12:15:09 16 in the context of meaning, the actual meaning of
12:15:17 17 something when we talk in our language and when
12:15:20 18 we try and use the English interpretation of it.

12:15:27 19 So my education has been through my
12:15:30 20 whole lifetime of understanding and trying to
12:15:35 21 compare two different languages and two
12:15:38 22 different definitions of whatever that meaning
12:15:46 23 might be.

12:15:48 24 And so understanding the Anishinaabe
12:15:52 25 language has given me great opportunity to

1 understand the value of the spirit and how we
2 respect the spirit, whether it be in burial
3 sites or not.

4 84 Q. Shifting topics now,
5 traditionally, such as in the 19th century, if
6 an Anishinaabe First Nation were to make
7 decisions about a treaty affecting their rights
8 in traditional territories what kind of
9 proceedings would have been expected to be
10 followed?

11 A. In important decision-making one
12 would have to use some form of ceremony to have
13 and ask for blessing, ask for guidance with the
14 spirit in whatever decision that might take
15 place.

16 It's one of those situations where if
17 we're going to take and decide on something we
18 should do ceremony before we decide on that.
19 And that ceremony will give us a feeling of
20 guidance and perhaps appropriate feeling to go
21 ahead with that decision, along with the other
22 parts of fact that might be on the table to
23 decide.

24 But our decision-making is not
25 strictly on fact, it's also our way of doing

1 things; it's another spiritual part of who we
2 are; and it is our -- it is who we are. We are
3 a race of people that have a certain belief
4 system and that's how we conducted
5 decision-making, to have ceremony before any
6 great decision were made, such as treaties.

7 85 Q. What else is required to come to
8 a decision?

9 A. Of course the -- what I had
10 explained before about the consultation that
11 might be with the community. You would have --
12 after doing ceremony and after having that part
13 you would have other discussions amongst the
14 people and the heads of the families, and for
15 them to talk about whatever that decision might
16 be -- might be that they're looking for.

17 The heads of leaders, and those kind
18 of people, would be, of course, at the -- at a
19 meeting for that purpose.

20 86 Q. Would women be involved in this
21 decision-making as well?

22 A. Yes, women would be involved but
23 not visually in terms of how we would see that.
24 The grandmothers would play an important role in
25 their discussions and we'll say in giving

12:19:51 1 guidance to the men to say what needs to be said
12:19:55 2 and what needs to be decided.

12:19:58 3 There would be a different kind of
12:20:02 4 meeting that would take place between the
12:20:04 5 grandmothers and the men involved.

12:20:14 6 87 Q. What could happen as a result of
12:20:15 7 this consultation process?

12:20:24 8 A. You would have either a "yes" or
12:20:31 9 a "no" from the types of decisions required. If
12:20:34 10 a decision required a "yes" or a "no" then
12:20:44 11 that's what they would get from all the
12:20:48 12 engagement of people discussing it.

12:20:59 13 88 Q. And how did you learn about these
12:21:00 14 customs concerning having ceremony and
12:21:03 15 consultation for major decisions?

12:21:13 16 A. How would we learn?

12:21:15 17 89 Q. How did you learn that?

12:21:17 18 A. Pardon me?

12:21:18 19 90 Q. How did you learn about that?

12:21:19 20 A. How I learned.

12:21:26 21 I, again, over the course of time
12:21:28 22 through oral history and talking with different
12:21:36 23 individuals, and hearing, and listening to them
12:21:37 24 talk I've -- I gained that knowledge.

12:21:42 25 Also by doing and being involved in

12:21:46 1 different ceremonies it was a form of education
12:21:48 2 for me throughout my time of years. I would
12:21:55 3 listen to those individuals that were -- that
12:22:02 4 were talking about different issues in regards
12:22:06 5 to customs, traditions and teachings.

12:22:16 6 91 Q. You mentioned at the very outset
12:22:20 7 of your testimony a number of people who -- from
12:22:24 8 whom you learned things. Is this the same
12:22:27 9 people we're talking about when you say -- we're
12:22:29 10 talking about now?

12:22:30 11 A. Yes and no. I can't give you all
12:22:44 12 the names that have been involved in different
12:22:54 13 ceremonies that I was with. I was involved with
12:22:58 14 so many rain dance ceremonies. There was so
12:23:01 15 many people involved there that I have problems
12:23:03 16 with memory in terms of names that were
12:23:06 17 involved. There would be -- I would say there
12:23:07 18 would be hundreds of people involved with the
12:23:09 19 rain dance ceremonies and the sun dance
12:23:12 20 ceremonies.

12:23:14 21 In terms of getting some of the
12:23:23 22 information from the names that I've given you,
12:23:26 23 those were more specifically to some of the
12:23:31 24 activities in our area and even to our history.
12:23:35 25 So listening to some of them, for example,

1 listening to Chief James Mason, it would be more
2 specific to the area of our territory and not so
3 much into the teachings and the spiritualism.

4 So over the course of time I've come
5 across a number of people that have taught me
6 and I have learned from.

7 92 Q. How long is needed to exercise
8 these customs of ceremony and of consultation
9 when there's a major decision to be made?

10 A. That length of time needed would
11 vary, I guess, from person to person. It's
12 about how much one absorbs education and how
13 much those -- all of those things come into play
14 in terms of the teachings, how well you absorb
15 all the teachings that are before you, how well
16 you absorb all the customs and traditions and
17 even having the language. The language of
18 course is very important in understanding all
19 the treaties -- the teachings, sorry.

20 The understanding of facts for
21 everything else is really incumbent on books and
22 things like that that are written.

23 93 Q. For the time required to make a
24 decision to enter a treaty, for example, in
25 order to exercise those customs properly of

12:26:05 1 having the right ceremonies and having the right
12:26:08 2 consultations, how long would that decision
12:26:10 3 take?

12:26:19 4 A. The decision to decide something
12:26:25 5 would depend on the importance of that
12:26:32 6 particular decision. If, for example, you were
12:26:38 7 involved with a treaty-making process your
12:26:43 8 ceremonies might last days, they might even last
12:26:48 9 weeks, and the discussions might even last,
12:26:58 10 again, a long time to decide. It wouldn't be
12:27:04 11 within we'll say the day.

12:27:10 12 If somebody were to put something in
12:27:11 13 front of me to sign and decide on it today I
12:27:15 14 wouldn't think that would be possible; because
12:27:19 15 the assurance of getting everybody to understand
12:27:26 16 what was being decided is a process that would
12:27:29 17 take a while to do.

12:27:48 18 94 Q. Did you hear things about the
12:27:49 19 background to Treaty 72 that's involving the
12:27:55 20 peninsula from your grandmother and others?

12:28:15 21 A. I done a research of the east
12:28:20 22 boundary in our community when I first started
12:28:25 23 working with the Band council in the '70s. And
12:28:32 24 in doing that research I interviewed a number of
12:28:40 25 people and asked them if they knew much about

12:28:42 1 the east boundary and of where the locations and
12:28:45 2 the distances and so on.

12:28:47 3 And in some of those discussions that
12:28:52 4 I had with people they didn't say too much about
12:29:01 5 the Treaty. They had general comments about
12:29:09 6 Treaty 72. Some of them had said that we did
12:29:13 7 not get what was owed to us, and that was an
12:29:19 8 understanding that they had.

12:29:22 9 And that the settlers at the time were
12:29:29 10 starting to encroach into the peninsula. And
12:29:34 11 when they started to encroach into the peninsula
12:29:38 12 they were taking out logs and selling logs and
12:29:40 13 making money off the land, and yet we were not
12:29:46 14 receiving the money that we were allotted to get
12:29:53 15 from the sale of the land.

12:29:56 16 Comments like that were given to me by
12:29:59 17 some of the people. I remember especially my
12:30:04 18 grandmother, Isabel Roote, saying a lot of those
12:30:08 19 things. And she was quite annoyed at that
12:30:15 20 particular part, that the loggers were taking
12:30:20 21 logs out and getting paid for them and not
12:30:24 22 paying for the land that they had taken the logs
12:30:29 23 from.

12:30:36 24 Other individuals had general comments
12:30:38 25 about the Treaty. I used to try and get as many

12:30:45 1 as I could alot and make any comments towards
12:30:52 2 Treaty 72. The only ones that were commenting
12:30:58 3 more about Treaty 72 were the ones that were in
12:31:00 4 leadership, such as Chief Mason that I mentioned
12:31:04 5 before, and some of the council members there.
12:31:11 6 The others that I interviewed did not give too
12:31:16 7 much information on Treaty 72.

12:31:30 8 95 Q. Did you hear if the logging --
12:31:31 9 you talked about affected hunting in the area?

12:31:44 10 A. Some of the hunters did have
12:31:54 11 their stories about how they were pushed out of
12:31:59 12 their hunting area and not to trespass into
12:32:05 13 different locations.

12:32:11 14 The activity of hunting the -- that
12:32:19 15 kind of took place more up in the northern end
12:32:22 16 of the peninsula. And if there was anything
12:32:29 17 further south I wasn't really aware of it. I
12:32:33 18 hadn't heard that much people complaining about
12:32:38 19 trespassing and hunting.

12:32:48 20 96 Q. Did the logging activity have an
12:32:49 21 impact on the decision to enter Treaty 72?

12:33:02 22 A. The complaints against Treaty 72
12:33:10 23 started shortly after the Treaty was signed, and
12:33:19 24 those were some of the reasons why complaints
12:33:22 25 started was that the settlers who encroached

1 into the area started to take out logs.

2 And when our leadership and councils
3 asked for a balance of the money that they were
4 to receive in the sale of the lots they found
5 that there was no money given to them.

6 And so that so-called bank account was
7 empty from lack of sale of the lots. And that's
8 something that I heard over and over again, were
9 people complaining that the loggers were taking
10 the logs out, making the money but they wouldn't
11 sell -- or wouldn't purchase the lot. They
12 would -- they only put a downpayment on it and
13 the Indian Agents, likely at the time, just
14 accepted that as the permission to go in and
15 start cutting.

16 97 Q. You talked a bit about this
17 earlier, about the relationship between your
18 people and the Huron Nation. Can you talk a
19 little bit more about that?

20 A. My grandfather, Roy Livingston
21 Nawash, would tell me stories about how the
22 Nottawe, and that's their Anishinaabe name,
23 Nottawe because of the location, like such as
24 Nottawasaga River that comes from the Huron
25 people. So the -- my grandfather spoke with the

12:35:42 1 Nottawe.

12:35:49 2 And those people would have a
12:35:52 3 relationship with us. And in that particular
12:35:57 4 relationship we would have the understanding
12:36:01 5 that one would help each other in terms of any
12:36:05 6 confrontation with anybody; and that we would
12:36:09 7 also trade whatever needed to be traded, such as
12:36:14 8 food items and/or even certain gifts that
12:36:24 9 were -- that were treasured amongst the people.

12:36:31 10 The understanding between the two
12:36:33 11 Nations that the Huron people would occupy the
12:36:36 12 southern portion around the Lake Simcoe, Blue
12:36:43 13 Mountain area over towards Penetang, Midland
12:36:50 14 area; and we here in turn would occupy our area.
12:36:56 15 It was something that was known as sharing of
12:36:59 16 the territory. So that relationship was a good
12:37:10 17 relationship between the two.

12:37:16 18 98 Q. I think you already mentioned
12:37:17 19 this morning the Huron having called for help.
12:37:21 20 Can you talk more about that?

12:37:23 21 A. Yes. There are many stories
12:37:26 22 about the so-called "Indian Wars". And one of
12:37:32 23 them was where the Huron had called upon us to
12:37:37 24 help them fight the Haudenosaunee.
12:37:45 25 "Haudenosaunee" is their Anishinaabe name for

12:37:51 1 the Iroquois; the Iroquois is the English name.

12:37:54 2 So the Haudenosaunee had the -- had
12:37:57 3 overcome the Nottawe up in the Penetang area and
12:38:04 4 they called for our help. And once that call
12:38:07 5 for help was out there our people went over and
12:38:12 6 help with them.

12:38:14 7 Now, some of the stories that we hear
12:38:16 8 is that there were chases that took place around
12:38:22 9 Georgian Bay and some of the -- some of the
12:38:26 10 chases went up north along Georgian Bay up
12:38:35 11 towards the north end of the peninsula, and went
12:38:40 12 around and came south along the peninsula and
12:38:43 13 the Lake Huron area.

12:38:46 14 And once they got to a place called
12:38:52 15 Red Bay they caught up to the Haudenosaunee.
12:38:58 16 And at that time they had a battle at that place
12:39:04 17 and legend goes that the water ran red because
12:39:10 18 of the blood. And so they call that "Red Bay"
12:39:16 19 today. And that's the one story about the help
12:39:27 20 that was given to the Huron.

12:39:29 21 99 Q. From whom did you hear that the
12:39:32 22 Huron had asked for help from the Saugeen when
12:39:36 23 the Haudenosaunee were attacking them?

12:39:40 24 A. I'm sorry, the first part?

12:39:42 25 100 Q. From whom did you hear the story

12:39:45 1 about the Huron asking for help when under
12:39:48 2 attack by the Haudenosaunee?

12:39:51 3 A. I got that story from my
12:39:53 4 grandfather, Roy Livingston.

12:40:04 5 101 Q. You mentioned one battle site at
12:40:06 6 Red Bay. Are there other battle sites
12:40:09 7 associated with this war?

12:40:14 8 A. There's another story that was
12:40:18 9 also given and the Haudenosaunee, again, were in
12:40:29 10 the area. And they were at the mouth of the
12:40:33 11 Saugeen River; and when they were at the mouth
12:40:36 12 of the Saugeen River some of our people were
12:40:40 13 chased -- had chased them up the river and came
12:40:44 14 to the river flats below the church here in that
12:40:49 15 community. And in the river flats they had a --
12:40:52 16 they had a war.

12:40:57 17 When they finished their battle they
12:41:04 18 buried the remains, and the site that they had
12:41:08 19 buried people in was called the "Skull Mound".
12:41:12 20 And that location is now located at Donaldson
12:41:19 21 farm site. And archeologists have identified
12:41:26 22 that and all the information pertaining to that
12:41:30 23 sits with the Bruce County Museum now.

12:41:39 24 102 Q. From whom did you hear these
12:41:41 25 stories of battle with the Iroquois?

12:41:45 1 A. The local story here about the
12:41:47 2 Skull Mound and the Donaldson farm plot was
12:41:57 3 really a well-known story within our community.
12:42:00 4 A lot of people had known that. And there was
12:42:08 5 previous leaderships and previous ancestors that
12:42:15 6 lived here that had that for knowledge.

12:42:26 7 103 Q. You mentioned earlier this
12:42:27 8 morning your grandfather talking about
12:42:30 9 marauders. Can you say a bit more about that?
12:42:33 10 And is this talking about the same conflict or
12:42:36 11 something different?

12:42:40 12 A. Those would be conflicts taking
12:42:45 13 place from time-to-time. Marauders, as he
12:42:51 14 described it, were small groups of thieves; and
12:42:59 15 they would try and overpower a camp site and
12:43:08 16 steal whatever that was in the camp site,
12:43:11 17 whether it be -- whether it be food, whether it
12:43:15 18 be items, maybe furs, maybe even canoes. Those
12:43:26 19 different things that might have been there.

12:43:28 20 So those marauders were, I guess, sort
12:43:32 21 of all over. And some of them he said there
12:43:37 22 would be -- they would likely be of native
12:43:46 23 origin because they would try and imitate the
12:43:50 24 sounds of birds and animals. And that was one
12:43:55 25 sign to be cautious of, if you heard something

12:44:05 1 like that you had to be on the lookout for
12:44:07 2 marauders.

12:44:13 3 104 Q. Shifting topic again, who taught
12:44:16 4 you to hunt and when?

12:44:18 5 A. I was given the opportunity to be
12:44:32 6 taught how to hunt when I was 12-years-old. My
12:44:38 7 grandfather Alex taught myself and others of my
12:44:46 8 age how to hunt, and the location was up in the
12:44:52 9 hunting grounds.

12:44:56 10 And we learned to hunt the hard way
12:44:58 11 because it was so thick of underbrush. And we
12:45:07 12 had to understand and get ourselves out of being
12:45:12 13 lost by looking at the different directions and
12:45:15 14 understanding the directions we were in the
12:45:19 15 bush, such as knowing which was north and south
12:45:22 16 and east and west, and the way the moss grew on
12:45:27 17 the trees and so on.

12:45:30 18 And once we were taught how to do that
12:45:33 19 then we were taught how to track animals. And I
12:45:39 20 was taught how to be quiet and how to walk in
12:45:46 21 the bush to hunt deer. And my first -- my first
12:45:52 22 kill was when I was 12-years-old and that is a
12:45:57 23 memory that I'll never forget.

12:46:02 24 105 Q. Can you say more about the
12:46:03 25 significance of your first deer kill? Can you

12:46:09 1 say more about the significance of killing your
12:46:13 2 first deer?

12:46:17 3 A. The role of a man, the role of
12:46:24 4 making contribution to the dinner table is
12:46:28 5 something that -- is something that we don't
12:46:34 6 talk about today; and maybe perhaps we had to
12:46:39 7 endure in that lifestyle in that time.

12:46:43 8 But my honour that was given to me to
12:46:51 9 be able to hunt an animal and kill it and then
12:46:56 10 have it for our food consumption was something
12:47:01 11 of an honour that I received when I was 12 years
12:47:07 12 old; and that is something that we neglect to
12:47:16 13 teach our young ones of that responsibility.

12:47:21 14 And so that responsibility was given
12:47:22 15 to me and, as I say, I was glad to have that
12:47:28 16 honour at the time.

12:47:35 17 106 Q. Can you talk about being taught
12:47:37 18 to fish?

12:47:47 19 A. If I had a teacher to mention it
12:47:51 20 would be my mother, but she didn't teach me.
12:47:56 21 She went with me and we used to walk down to the
12:48:10 22 local creek, "sin ziibiins" is what you call
12:48:15 23 that creek in our language, "sin ziibiins", and
12:48:17 24 it's called "stoney creek".

12:48:24 25 And we would walk down there and I

12:48:26 1 would spear fish. And that was when I was --
12:48:31 2 that's where I received my first opportunity to
12:48:34 3 kill and spear a fish, and I was 11 years old.
12:48:39 4 And we had to walk back home for that, and we
12:48:50 5 were careful not to kill anything too large
12:48:53 6 because it was heavy by the time you got home.
12:48:56 7 And so we done that.

12:49:04 8 And my mother was more watching, I
12:49:06 9 guess, for me that I didn't drown or anything
12:49:08 10 like that. And she would be on the bank keeping
12:49:14 11 an eye on me.

12:49:18 12 So I'm not sure if it was a teaching
12:49:21 13 or not but it was the opportunity that I learned
12:49:24 14 to do; and that was when I was 11 years old.

12:49:32 15 107 Q. And what was the significance of
12:49:33 16 that to you?

12:49:37 17 A. Again, the significance would be
12:49:39 18 the honour to have food for the table. And that
12:49:47 19 was -- the whole purpose of that was to have
12:49:49 20 our -- to have our collection of food. And we
12:49:56 21 continued that for a long time too. And, of
12:50:01 22 course, that was the tradition of our people to
12:50:03 23 hunt and fish for food.

12:50:09 24 108 Q. What have you been taught about
12:50:11 25 fishing, such as when, where and how? What have

12:50:19 1 you been taught about fishing? Like, how you do
12:50:23 2 it? When you do it?

12:50:30 3 A. The different times to go and
12:50:31 4 fish would be -- and it goes for hunting as
12:50:37 5 well, and that term we can use today is
12:50:42 6 "conservation".

12:50:46 7 We need to look at the opportunities
12:50:51 8 that -- of reproduction in the animal kingdom as
12:50:59 9 well as in the fish kingdom. Where we do not
12:51:06 10 hunt deer, especially the female deer when they
12:51:11 11 are pregnant.

12:51:21 12 The same would not go for fish because
12:51:24 13 they were spawning and coming up the creeks to
12:51:27 14 spawn; but what we would do is be careful not to
12:51:32 15 overfish. And if you overfish, of course,
12:51:36 16 you're not going to be able to get the spawning
12:51:39 17 and then the eggs laid.

12:51:44 18 So we would take that opportunity when
12:51:46 19 the fish would be coming up into the creeks
12:51:50 20 and -- to spawn in the spring and in the fall.

12:51:57 21 Of course the commercial fishing, the
12:52:00 22 netting is -- is of a different nature and of a
12:52:05 23 different time to fish and collect fish.

12:52:15 24 109 Q. And how -- do you recall how you
12:52:17 25 learned the ethics of taking only what you need

1 and not overfishing, as you mentioned?

2 A. I'm sorry?

3 110 Q. Do you recall how you learned the
4 ethics you mentioned about fishing of not
5 overfishing?

6 A. Those ethics really are taught at
7 a young age to us to not overfish and not
8 overhunt for reasons, and so that we can have a
9 future supply of food for us. So that was a
10 sort of a natural education, a natural teaching
11 for us to be careful and work with conservation
12 of animals and fish.

13 111 Q. Can you talk about gathering
14 medicines?

15 A. Our people are very knowledgeable
16 in medicine, and unfortunately I'm not I guess
17 mainly because I depend on a local drugstore for
18 medicine.

19 But our people travelled throughout
20 our territory and they went down to Greenock
21 Swamp for a lot of medicine, and also to the
22 different parts in the territory for various
23 kinds of medicine. We have so many that I don't
24 have a list that I can offer in terms of what
25 the medicine is or how much there is, but

12:54:43 1 medicine is throughout our territory.

12:54:50 2 And when we look at medicine we even
12:54:55 3 view -- and maybe perhaps the simple example
12:54:58 4 would be the cedar. The cedar is an example.
12:55:03 5 We have cedar tea. We mix and make tea out of
12:55:11 6 the cedar to prevent and help with our colds.

12:55:17 7 And there was a documentary that was
12:55:24 8 put together by David Suzuki not too long ago
12:55:28 9 where he wanted to know why the Anishinaabe
12:55:33 10 people relied on cedar water. And what he found
12:55:39 11 was that the tips of the cedar had lots of
12:55:42 12 vitamin C in it. And so he found out that our
12:55:46 13 people absorbed vitamin C through cedar water.
12:55:53 14 And that's an example of one medicine.

12:55:56 15 112 Q. I think you told me earlier about
12:56:10 16 medicine found on the Blue Mountains, did I get
12:56:15 17 that right?

12:56:15 18 A. Yes. Some of the medicine that
12:56:28 19 is found on Blue Mountain, or at least one of
12:56:30 20 them that I can think of is called "binepin"
12:56:35 21 [ph]. I don't know the English word to address
12:56:40 22 it. It's called in our language "binepin", and
12:56:46 23 it grows on a sort of hardwood bush area and
12:56:56 24 it's sort of a vine on the ground. And we use
12:56:58 25 that for our respiratory of our system. And

12:57:03 1 when we grind that up we burn it and absorb that
12:57:07 2 into our system and it helps with our
12:57:09 3 respiratory system.

12:57:15 4 113 Q. And how did you learn about
12:57:17 5 gathering medicines?

12:57:20 6 A. The different ceremonies and the
12:57:26 7 different people that we talk to talk about
12:57:32 8 those different -- those different medicines.

12:57:38 9 This one particular medicine that I
12:57:40 10 mentioned about collecting binepin was something
12:57:46 11 that my family collected before.

12:57:59 12 The family of -- the Wesley family had
12:58:03 13 collected that. And we approached our Auntie
12:58:14 14 Mary Roote, née Wesley, one time to help us
12:58:19 15 collect binepin. And she explained to us that
12:58:24 16 she saw that when he was a young girl and that
12:58:29 17 you had to do a certain way of collecting that.
12:58:37 18 You had to collect it from the east and go
12:58:42 19 towards the west. And also there was a certain
12:58:46 20 time in the day that you could only collect it
12:58:49 21 for use.

12:58:51 22 So that's an example of one medicine.
12:58:55 23 And how we got to know how that -- how that was
12:59:01 24 collected.

12:59:05 25 114 Q. Can you talk about gathering

1 food?

2 A. Harvesting is something that our
3 people relied on. We look towards the different
4 seasons for harvesting. In the springtime, of
5 course, we would look at strawberries as one
6 berry that we would collect; and then later on
7 there would be an opportunity to collect
8 blueberries and raspberries. And in the fall,
9 of course, we would be looking at apples.

10 And all of those would be preserved by
11 our families, and it would be a sort of method
12 of collecting. Whether they be done by group or
13 just done by single families, but they would
14 look at collection of all those different fruits
15 and items for consumption in the wintertime.
16 And so they would preserve and make
17 preservatives for the wintertime so that we
18 could sustain our food.

19 115 Q. Did your family harvest wild
20 rice?

21 A. Yes. There was an opportunity to
22 get wild rice as well in this area and that
23 location is called Arran Lake today. Arran Lake
24 today does have wild rice.

25 I went to Arran Lake not too long ago

01:01:15 1 and we rode in a canoe and had a look around a
01:01:22 2 lake and we could still see wild rice growing in
01:01:26 3 the lake.

01:01:28 4 And we -- in looking at the collection
01:01:37 5 of that wild rice our people would go up the
01:01:40 6 Saugeen River and somewhere around the Saints
01:01:45 7 Creek area they would walk across the land and
01:01:51 8 go towards Arran Lake to collect that rice.

01:02:01 9 116 Q. How did you learn about gathering
01:02:03 10 food? How did you learn about gathering food?

01:02:17 11 A. I learned to gather food when I
01:02:19 12 was about 3 years old and when my grandparents
01:02:24 13 were collecting strawberries I would come behind
01:02:31 14 them and eat them. And I was -- I was being --
01:02:38 15 I was annoying them and that's how I learned
01:02:44 16 that.

01:02:47 17 117 Q. So how important was food that
01:02:50 18 was gathered to your family when you were young?

01:02:55 19 A. The importance of collection of
01:03:00 20 food is very important because we didn't have
01:03:06 21 the local Foodland stores and so we had to
01:03:12 22 collect all of our food. There were, at times,
01:03:21 23 a new-found item to use and that was called
01:03:25 24 flour. Flour would be brought into some of the
01:03:28 25 shops and we would learn to use that flour and

01:03:34 1 make bread with it.

01:03:35 2 But our people have always lived off
01:03:39 3 the land. And the understanding of hunting,
01:03:48 4 collection of meat and of fishing, collection of
01:03:54 5 fish, the meat, and of course the fruit. So the
01:03:59 6 variety of our diet consisted of all of those
01:04:03 7 things we had to rely on a great deal as we
01:04:11 8 didn't encounter any stores in our area until
01:04:14 9 the Hudson Bay Company, I guess, came around.
01:04:19 10 And at that time even then the limitation of
01:04:23 11 food that they provided wasn't our regular diet.

01:04:32 12 MR. TOWNSHEND: Your Honour, I think
01:04:33 13 this might be an appropriate time for the lunch
01:04:35 14 break.

01:04:38 15 THE COURT: It's very timely, sir.
01:04:40 16 We'll break until 2:15.

17 -- RECESSED AT 1:04 P.M. --

01:10:20 18 -- RESUMED AT 2:17 P.M. --

02:17:08 19 THE COURT: Please go ahead.

02:17:12 20 BY MR. TOWNSHEND:

02:17:20 21 118 Q. Mr. Roote, I now want to turn to
02:17:22 22 a meeting in October of 2004 between your First
02:17:27 23 Nations and Parks Canada concerning hunting in
02:17:30 24 the national park. Were you at that meeting?

02:17:40 25 A. Yes, I was.

02:17:41 1 119 Q. Can you tell us a bit about it?

02:17:43 2 A. The meeting we had at the time we
02:17:51 3 were discussing hunting rights, and I believe
02:17:58 4 the issue of what happens if a deer is shot
02:18:09 5 within the boundaries of the hunting grounds and
02:18:14 6 it goes and wanders off into the park land?

02:18:19 7 I believe that's where originally the
02:18:22 8 discussion took place. And one thing led to
02:18:27 9 another and we wound up talking about the
02:18:31 10 hunting rights that did not exist, or existed
02:18:37 11 within the park lands.

02:18:40 12 And at the time that particular
02:18:43 13 discussion we came to a stalemate because the
02:18:55 14 Parks' people at the time said, "No, you do not
02:19:00 15 have hunting rights within the park land."

02:19:07 16 120 Q. And what was your response to
02:19:08 17 that?

02:19:13 18 A. Of course our response was a
02:19:16 19 little of -- a little bit of shock and a little
02:19:20 20 bit of anger and we did not agree with response
02:19:27 21 from Parks Canada.

02:19:37 22 121 Q. Did you write a letter after that
02:19:38 23 meeting?

02:19:40 24 A. Yes. Immediately after a letter
02:19:44 25 was written and Chief Akiwenzie and myself both

02:19:53 1 signed a letter to object to that discussion we
02:20:02 2 had and the viewpoint that Parks Canada had in
02:20:05 3 regards to hunting.

02:20:08 4 122 Q. I'd like to go to document
02:20:09 5 SC0062. So if we could have that --

02:20:14 6 THE COURT: Is that an exhibit
02:20:16 7 already, sir?

02:20:17 8 MR. TOWNSHEND: No, it is not an
02:20:18 9 exhibit.

02:20:19 10 THE COURT: What's the number again?

02:20:23 11 MR. TOWNSHEND: It's SC0062.

02:20:57 12 THE COURT: Is that coming up on the
02:20:58 13 screen, sir?

02:20:59 14 MR. TOWNSHEND: No, it's not showing
02:21:01 15 up. Doesn't seem to be coming here. There it
02:21:42 16 is. If we could show the whole letter?

02:21:45 17 BY MR. TOWNSHEND:

02:21:45 18 123 Q. Is this a draft of the letter
02:21:46 19 that you sent? It should be on your screen. Is
02:21:53 20 it not showing there?

02:22:05 21 THE COURT: Mr. Brookwell, is that
02:22:07 22 screen not working?

02:22:26 23 THE WITNESS: Yes, that is the letter.

02:22:30 24 BY MR. TOWNSHEND:

02:22:30 25 124 Q. And did you send a final copy of

02:22:32 1 that letter to the Honourable Stéphane Dion?

02:22:39 2 A. Yes.

02:22:42 3 125 Q. Can we have this made as an
02:22:44 4 exhibit?

02:22:45 5 THE COURT: Any objection?

02:22:51 6 MR. BEGGS: No, Your Honour.

02:22:51 7 MR. OGDEN: No.

02:22:51 8 THE COURT: Yes, that can be the next
02:22:53 9 exhibit. Mr. Registrar?

02:22:55 10 THE REGISTRAR: The next exhibit is
02:22:56 11 going to be 3958, Your Honour.

02:22:58 12 EXHIBIT NO. 3958: Document SC0062,
02:23:00 13 letter to The Honourable Stéphane Dion
02:23:00 14 from Chief Akiwenzie and Chief Vernon
02:23:00 15 Roote.

02:23:10 16 BY MR. TOWNSHEND:

02:23:11 17 126 Q. So in paragraph 3 of that letter
02:23:12 18 it begins:

02:23:13 19 "Until now our First Nations have
02:23:18 20 had good relations with park
02:23:19 21 officials, who have respected our
02:23:22 22 hunting rights [...]"
02:23:29 23 And then the fourth paragraph reads:
02:23:31 24 "It was therefore astounding to
02:23:32 25 us that your officials would

02:23:34 1 unilaterally and categorically inform
02:23:36 2 us that our members would be charged
02:23:38 3 if they exercised their rights in the
02:23:40 4 park. None of the consultations which
02:23:42 5 have been customary in previous
02:23:43 6 dealings and are in fact
02:23:46 7 constitutionally required, have taken
02:23:48 8 place. The position taken by your
02:23:49 9 officials at last week's meeting was a
02:23:52 10 complete surprise to us."

02:23:55 11 Would you care to comment on that?

02:24:08 12 A. Oh yes, we -- we were on the
02:24:16 13 understanding and the belief that we were able
02:24:21 14 to hunt and fish within the territory of the new
02:24:29 15 formed Parks Canada; and that our privilege of
02:24:38 16 the hunting stemmed from our source of food for
02:24:43 17 our sustenance, that we would exercise that from
02:24:50 18 time-to-time so that we could use that for our
02:24:55 19 method of survival.

02:25:00 20 And when we heard it and saw that and
02:25:09 21 were at the discussion at that time we were,
02:25:17 22 again, angry because we had the flexibility
02:25:25 23 before and we were told that we did not have.

02:25:38 24 127 Q. I'd now like to bring up another
02:25:40 25 document, SC0063. This is a letter to yourself

02:26:02 1 and Chief Akiwenzie from the Honourable Stéphane
02:26:06 2 Dion. Have you seen this letter before?
02:26:10 3 A. Yes, I have.
02:26:15 4 128 Q. Is this Mr. Dion's response to
02:26:17 5 your letter?
02:26:18 6 A. Yes, it is.
02:26:27 7 129 Q. And in paragraph 2 -- oh, may we
02:26:29 8 have this as an exhibit?
02:26:32 9 THE COURT: Any objection?
02:26:35 10 MR. BEGGS: No objection.
02:26:36 11 MR. OGDEN: No objection.
02:26:39 12 THE REGISTRAR: Exhibit number 3959.
02:26:41 13 EXHIBIT NO. 3959: Document SC0063,
02:26:43 14 letter to Chief Vern Roote and Chief
02:26:43 15 Akiwenzie from the Honourable Stéphane
02:26:43 16 Dion.
02:26:50 17 BY MR. TOWNSHEND:
02:26:50 18 130 Q. Paragraph 2 of that letter reads
02:26:51 19 that:
02:26:51 20 "I understand that at a meeting
02:26:53 21 of your joint Band council on October
02:26:55 22 7th, which Parks Canada officials
02:26:57 23 attended, you requested written
02:26:59 24 reasons for the Agency's position on
02:27:02 25 this matter. As you may know Mr. Gary

02:27:05 1 Penner, the Department of Justice
02:27:07 2 litigator on the Treaty 72 file, has
02:27:10 3 written to your legal counsel,
02:27:11 4 Mr. Roger Townshend, explaining Parks
02:27:14 5 Canada's position."
02:27:15 6 Do you have any comment on that?
02:27:27 7 A. No, that's self-explanatory.
02:27:36 8 131 Q. I'd like to go to another
02:27:38 9 document, SC0047. This is a letter dated
02:27:54 10 October 15th, 2004, from Gary Penner to me.
02:28:02 11 Have you seen this letter before?
02:28:05 12 A. Yes, I have.
02:28:11 13 132 Q. Is this the letter that was
02:28:12 14 referred to in the previous exhibit as
02:28:15 15 explaining the agency's position?
02:28:16 16 A. Yes, it is.
02:28:18 17 133 Q. I'd like that as entered as an
02:28:20 18 exhibit please?
02:28:22 19 THE COURT: I'm going to ask again,
02:28:24 20 just for counsels' benefit when I say "any
02:28:27 21 objection" silence will be sufficient. You
02:28:29 22 don't have to speak individually. Any
02:28:32 23 objection?
02:28:33 24 MR. BEGGS: Yes, Your Honour.
02:28:33 25 THE COURT: All right.

02:28:33 1 MR. BEGGS: We don't have an objection
02:28:35 2 but I would like a moment to read the letter.
02:28:38 3 THE COURT: All right. Take a moment,
02:28:38 4 sir.
02:29:38 5 MR. BEGGS: (Counsel reading the
02:29:38 6 letter.)
02:29:38 7 Thank you, Your Honour, I have no
02:29:40 8 objection.
02:29:40 9 THE COURT: That will be the next
02:29:41 10 exhibit, Mr. Registrar.
02:29:44 11 THE REGISTRAR: Exhibit number 3960.
02:29:46 12 EXHIBIT NO. 3960: Document SC0047,
02:29:54 13 letter dated October 15th, 2004, from
02:29:54 14 Gary Penner to Roger Townshend.
02:29:56 15 BY MR. TOWNSHEND:
02:29:56 16 134 Q. The second paragraph reads:
02:29:57 17 "The Treaty 72 litigation does
02:30:00 18 not directly engage the issue of
02:30:02 19 hunting and fishing, however it is
02:30:04 20 Canada's position in the litigation
02:30:06 21 that Treaty 72 is a valid and
02:30:08 22 subsisting Treaty whereby the First
02:30:11 23 Nations surrendered all of their
02:30:11 24 rights, title and other interest in
02:30:11 25 the Bruce Peninsula, except for those

02:30:14 1 lands explicitly reserved to them
02:30:17 2 under the Treaty. Thus, any
02:30:19 3 Aboriginal rights that your clients
02:30:20 4 may have had to hunt or fish over the
02:30:22 5 lands that now constitute the Bruce
02:30:24 6 Peninsula National Park were
02:30:26 7 extinguished in 1854."

02:30:31 8 Do you care to comment on that,
02:30:33 9 Mr. Roote?

02:30:45 10 A. It has always been my belief that
02:30:47 11 we did not surrender any Aboriginal rights in
02:30:51 12 the Treaty of -- number 72. And those arguments
02:30:59 13 have come from a line of oral history with other
02:31:08 14 past leaders commenting on the same, where we
02:31:15 15 did not give up any Aboriginal rights; and that
02:31:18 16 the Treaty was only for the sale of land and not
02:31:23 17 for the sale of Aboriginal rights.

02:31:46 18 135 Q. I would now like to go to
02:31:48 19 document SC0061. This is a letter dated
02:32:01 20 November 15th, 2004, again from Gary Penner to
02:32:06 21 myself. Have you seen this letter before,
02:32:10 22 Mr. Roote?

02:32:16 23 A. Yes, I have.

02:32:18 24 136 Q. Is this a subsequent letter to
02:32:20 25 the previous one we just looked at?

02:32:26 1 A. Yes, I believe so.

02:32:31 2 137 Q. I would like that as an exhibit,
02:32:33 3 please?

02:32:35 4 THE COURT: Any objection.

02:32:37 5 MR. BEGGS: I would like an
02:32:38 6 opportunity to read it, Your Honour.

02:32:39 7 THE COURT: Yes, please go ahead.

02:33:12 8 MR. BEGGS: (Counsel reading the
02:33:12 9 document.)

02:33:12 10 Thank you, Your Honour, no objection.

02:33:14 11 THE COURT: Mr. Registrar.

02:33:15 12 THE REGISTRAR: Exhibit number 3961.

02:33:17 13 EXHIBIT NO. 3961: Document SC0061,
02:33:20 14 letter dated November 15th, 2004, from
02:33:20 15 Gary Penner to Roger Townshend.

02:33:20 16 THE COURT: Thank you, please go
02:33:24 17 ahead.

02:33:25 18 BY MR. TOWNSHEND:

02:33:28 19 138 Q. The third paragraph of that
02:33:31 20 letter reads:

02:33:32 21 "At present the Canada National
02:33:33 22 Parks' Act does not apply to lands
02:33:37 23 comprising the BPNP", which is Bruce
02:33:40 24 Peninsula National Park. "As a result
02:33:43 25 by virtue of a Memorandum of

02:33:45 1 Understanding between the Ontario
02:33:47 2 Ministry of Natural Resources and the
02:33:49 3 Parks Canada agency, members of the
02:33:52 4 BPNP Warden Service are authorized to
02:33:55 5 enforce the Fish and Wildlife
02:33:56 6 Conservation Act of Ontario as any
02:34:00 7 provincial conservation officer would.
02:34:02 8 Thus, any decision to enforce the law
02:34:05 9 is subject to the requirements of the
02:34:07 10 interim enforcement policy of the
02:34:09 11 Ontario Ministry of Natural Resources.
02:34:12 12 This provincial policy requires that
02:34:14 13 three criteria are to be applied by
02:34:17 14 the Parks Canada officers when
02:34:19 15 considering the application of the
02:34:21 16 provincial legislation to hunting and
02:34:23 17 fishing in the peninsula, public
02:34:27 18 safety, conservation and the wasting
02:34:28 19 of resources. If none of these
02:34:30 20 criteria are evident then no charges
02:34:33 21 will be laid."

02:34:40 22 Do you care to comment on that,
02:34:42 23 Mr. Roote?

02:34:47 24 A. Some of the conditions that are
02:34:52 25 put forward in terms of safety we do agree, in

02:35:01 1 terms of you do not shoot across the road when
02:35:05 2 there is traffic going on the road.

02:35:08 3 So when we look at the parts about
02:35:12 4 public safety we do agree with those kind of
02:35:17 5 conditions. And the conservation part we do
02:35:25 6 have a certain understanding about conservation,
02:35:30 7 and perhaps that might still be at a distance of
02:35:34 8 the definition of conservation on our -- from
02:35:38 9 our side of belief and comparison with the
02:35:45 10 conservation definition as with the MNR. But we
02:35:51 11 do agree, to a certain degree, about the
02:35:55 12 conservation issue that's at hand.

02:36:01 13 And that to me then the letter
02:36:05 14 outlines that we do have Aboriginal rights on
02:36:08 15 the Bruce Peninsula.

02:36:15 16 139 Q. Moving to another topic, did you
02:36:18 17 meet with Professor Jarvis Brownlie in 2016?

02:36:23 18 A. Yes, I did.

02:36:25 19 140 Q. Could I have Exhibit 3919
02:36:29 20 displayed, please?

02:36:30 21 Mr. Roote is this a transcript of what
02:36:42 22 you told Professor Brownlie?

02:36:45 23 A. I believe so, yes.

02:36:47 24 141 Q. Do you believe that what you told
02:36:50 25 Professor Brownlie was true?

02:36:52 1 A. Yes.

02:36:54 2 142 Q. There are just a few highlights
02:36:55 3 in this transcript that I would like to take you
02:36:57 4 to. On page 2 of the transcript you talk about
02:37:20 5 land claims having been pursued right from the
02:37:23 6 time of the Treaties. Could you expand on that
02:37:26 7 a bit please?

02:37:33 8 A. My oral history in regards to
02:37:40 9 discussions I've had and heard from my
02:37:44 10 ancestors, they had believed that there was an
02:37:51 11 opposition to the Treaty right at the beginning
02:37:58 12 because they had seen, for example, the logging
02:38:01 13 that took place in the peninsula. And that
02:38:09 14 logging, of course, did not result in any
02:38:12 15 revenue for ourselves, as promised within the --
02:38:19 16 within the Treaty.

02:38:20 17 So from that point from the beginning
02:38:24 18 there was -- it was our people that had believed
02:38:28 19 that there was wrongdoing right from the time
02:38:33 20 the Treaty was made, because there was no
02:38:36 21 payment made to us in regards to the sale of
02:38:41 22 land.

02:38:49 23 143 Q. If I could take you to page 3 of
02:38:51 24 that transcript? Near the bottom of that page
02:38:58 25 you're talking about various obstacles that

02:39:03 1 hampered your attempt to assert your rights.

02:39:09 2 You're talking about residential schools, the

02:39:12 3 Indian Act and the Indian Agent and control by

02:39:14 4 the Indian Agent. Could you expand that and

02:39:17 5 explain where that information is coming from?

02:39:24 6 A. The Indian Act, first of all, one

02:39:31 7 needs to understand the parameters of that

02:39:37 8 Indian Act and what it allows and doesn't allow

02:39:40 9 for Indians on an Indian Reserve. I use the

02:39:47 10 term "Indians" because that's what is used

02:39:50 11 within the Indian Act.

02:39:56 12 The parts within the Indian Act have

02:40:00 13 limited our voice. And that when we had

02:40:09 14 complained to the Indian Agent to send letters

02:40:12 15 to Indian Affairs and to the federal government

02:40:15 16 because of issues, sometimes that was not done.

02:40:22 17 And so the Indian Agent did not at all times

02:40:29 18 send our complaints to Ottawa.

02:40:35 19 And that when we look at that document

02:40:41 20 of the Indian Act it also prevented a lot of our

02:40:45 21 people from getting basic education beyond the

02:40:50 22 age of 16. That particular part about getting

02:40:56 23 education beyond the age of 16 was changed in

02:41:00 24 1951, prior to that many of our people could not

02:41:07 25 go beyond the age of Grade 8.

02:41:09 1 And so when we look at the
02:41:12 2 assimilation process within the Indian Act we
02:41:16 3 also come across the residential school, where
02:41:26 4 it was worded where our people were sent to go
02:41:29 5 to school and to learn the European way of
02:41:33 6 education. And in doing so the residential
02:41:38 7 school had a role to play in trying to remove
02:41:45 8 the Indian from the Indian. And that by means
02:41:52 9 as by way of punishing those residential school
02:42:00 10 students every time they had spoke the
02:42:04 11 Anishinaabe language, plus also their hair was
02:42:12 12 cut if they had long hair. So it was demeaning
02:42:18 13 in every way as well. And so any tradition that
02:42:23 14 any children had when they went to residential
02:42:26 15 school was removed.

02:42:29 16 And so the whole exercise and the
02:42:32 17 process of the Indian Act is called
02:42:34 18 "assimilation" and that assimilation process
02:42:39 19 still exists today within the Indian Act because
02:42:43 20 it hasn't been removed.

02:42:45 21 There are parts within the Indian Act
02:42:48 22 that have been removed, such as in 1960 where
02:42:54 23 the right to vote came into play; and also
02:43:03 24 another major change was in 1985 with the
02:43:06 25 membership of women was made in the Indian Act.

02:43:14 1 And from that point on, of course,
02:43:15 2 other changes have been put forward to comply
02:43:19 3 with the Human Rights Code of Canada.

02:43:22 4 But in reference to the letter and the
02:43:27 5 struggles that we had going through the early
02:43:32 6 1900s, the Indian Act had an impact on our
02:43:38 7 ability to make communication proper to the
02:43:42 8 federal government about our concerns in regards
02:43:48 9 to the Treaty and/or even the administration
02:43:54 10 within the Indian Reserve.

02:44:00 11 144 Q. On the very first part of that
02:44:01 12 answer could you explain who told you about the
02:44:05 13 Indian Agent not sending complaints on to
02:44:08 14 Ottawa?

02:44:11 15 A. I had the fortunate opportunity
02:44:16 16 to look at some of the letters that had stayed
02:44:23 17 within the Indian Agency, and some of those
02:44:30 18 letters of course had disappeared. And I also
02:44:35 19 had the opportunity to go to Ottawa and do
02:44:41 20 research work on the east boundary, and that led
02:44:44 21 me to review the -- in the archive section of
02:44:51 22 the buildings in Ottawa. And I went through the
02:44:55 23 RG10 section of documents looking for different
02:45:01 24 letters. And I could not find any letters of
02:45:04 25 complaint that I connected with the minute books

02:45:08 1 that were here on -- in our community in
02:45:12 2 relation to some of the complaints.

02:45:14 3 So from that point on I came to the
02:45:17 4 conclusion that some of the letters that have --
02:45:22 5 that were asked of -- to be sent over by the
02:45:30 6 Indian Agent from the Band council did not go
02:45:32 7 because I could not find them anywhere when I
02:45:37 8 done some of my research.

02:45:40 9 145 Q. Did previous -- did members of
02:45:43 10 councils or Band employees tell you that the
02:45:47 11 Indian Agent was not passing on their complaints
02:45:50 12 to Ottawa?

02:45:54 13 A. I'm sorry, repeat the last part?

02:45:57 14 146 Q. Were there members of former Band
02:45:59 15 councils or other staff in the Band who told you
02:46:08 16 that the Indian Agent was not passing on
02:46:12 17 complaints to Ottawa.

02:46:19 18 A. I had both from the oral history
02:46:20 19 portion heard those complaints from my
02:46:26 20 grandfather, Roy Livingston Nawash, who was a
02:46:31 21 secretary for approximately 30 years with the
02:46:33 22 Band council. He had found some of those
02:46:36 23 letters that were not sent forward in regards to
02:46:44 24 the demands of Band council.

02:46:46 25 But also I personally came across a

02:46:54 1 couple of issues where I checked, just for my
02:47:00 2 research work, regarding the east boundary that
02:47:03 3 I had looked upon within the Indian Agency
02:47:08 4 files, and I could not find any connection to
02:47:11 5 some of the concerns that our people had in
02:47:14 6 regards to the east boundary. And some those
02:47:18 7 letters did not go forward to the federal
02:47:20 8 government.

02:47:31 9 147 Q. If I could go to page 5 of the
02:47:33 10 transcript with Professor Brownlie? You're
02:47:43 11 talking about your grandparents taking you to go
02:47:45 12 and work on fruit farms in the summer and
02:47:49 13 stopping at the Indian Agent's house to get
02:47:51 14 permission to leave. Could you expand on that
02:47:54 15 please?

02:48:01 16 A. Some of the opportunities of --
02:48:04 17 in my lifetime was to accompany my grandparents
02:48:10 18 to work on the fruit farms in the south of
02:48:17 19 Ontario.

02:48:21 20 And this specific one we went to the
02:48:22 21 Clarkson/Port Credit area outside of Toronto,
02:48:32 22 outside of Mississauga today; and there was a
02:48:35 23 farm there that my grandfather had found that
02:48:40 24 they were hiring people to help them with the
02:48:46 25 harvesting of their fruit and their farm and

02:48:53 1 they found employment there for the summer.

02:48:58 2 And one summer I was -- I would say I
02:49:00 3 was approximately 7-, 8-years-old, I was riding
02:49:06 4 in the car getting ready to travel down to
02:49:10 5 Toronto for the spring season; and my
02:49:19 6 grandfather told the driver of the car to stop
02:49:21 7 at the Indian Agency building.

02:49:25 8 And when we stopped at the Indian
02:49:27 9 Agency building my grandfather got out and
02:49:31 10 spoke -- or went inside and spoke to the Indian
02:49:35 11 Agent. And at the time I did not ask any
02:49:44 12 questions why that was happening. And it was a
02:49:47 13 couple of years later that it was explained to
02:49:51 14 me that my grandfather went into the Indian
02:49:54 15 Agency building to get permission to leave the
02:49:57 16 reserve. And so that was the reason why we
02:50:04 17 stopped at the Indian Agency building is for my
02:50:06 18 grandfather to receive permission from the
02:50:11 19 Indian Agent to leave the reserve to go to work
02:50:13 20 for the summer.

02:50:15 21 148 Q. And who explained that to you
02:50:17 22 that that was the reason you were stopping?

02:50:19 23 A. That was explained to me after,
02:50:21 24 yes. That was why we stopped.

02:50:30 25 149 Q. Who explained that to you?

02:50:31 1 A. My grandmother who was there with
02:50:33 2 us.

02:50:54 3 150 Q. I'm going to page 12 of the
02:50:56 4 Brownlie transcript. You talk about fishermen
02:50:59 5 who worked for other fishermen. Can you expand
02:51:04 6 on that please? That bit is in the middle of
02:51:14 7 the page, a very short paragraph.

02:51:26 8 A. Is that the paragraph where it
02:51:27 9 starts with "Cape Croker"?

02:51:33 10 151 Q. No, it's the paragraph before
02:51:34 11 that. The paragraph reads:

02:51:55 12 "Nothing. The -- I think they
02:51:57 13 tried to exercise their fishing. Here
02:51:59 14 we had fishermen that worked for other
02:52:02 15 fishermen."

02:52:04 16 It's that last sentence I was asking
02:52:09 17 for more detail on.

02:52:14 18 A. That particular sentence refers
02:52:15 19 to the previous paragraph about the 1990s when
02:52:19 20 the Anishinabek people were asserting their
02:52:24 21 fishing rights.

02:52:34 22 152 Q. Do you have some names of
02:52:35 23 fishermen who worked for other fishermen?

02:52:42 24 A. During that time and other times
02:52:47 25 during the -- even during the '70s and '80s we

02:52:58 1 had our own people working for other fishermen,
02:53:01 2 yes. And the -- the fishing tugs out of
02:53:05 3 Southampton would hire some of our individual
02:53:09 4 people that would go and work for them in their
02:53:15 5 fishing tugs.

02:53:17 6 A couple of names would be Leonard
02:53:21 7 Roote, who was a long-time fisherman working
02:53:24 8 with one of the fishing tugs. Another
02:53:27 9 individual would be Willard Karadjizak, who is
02:53:41 10 still here with us. He was also a fisherman
02:53:47 11 that worked for some of the fishing tugs in
02:53:51 12 Southampton.

02:53:53 13 153 Q. And why do you understand they
02:53:54 14 worked for other fishermen rather than fishing
02:53:57 15 themselves?

02:54:03 16 A. Some of the reasons for that is
02:54:04 17 that they didn't have the equipment and they
02:54:11 18 didn't have the fishing tugs themselves to
02:54:13 19 operate, and so they didn't have the operation
02:54:16 20 of commercial fishing and they were employees of
02:54:22 21 other fishermen of that time.

02:54:34 22 154 Q. And just a little further down on
02:54:36 23 page 12 you're talking about being charged with
02:54:38 24 fishing at Willow Creek. Can you expand on that
02:54:42 25 a bit?

02:54:50 1 A. The fishing on Willow Creek is a
02:54:57 2 good memory for me. And it was a time that I
02:55:03 3 spent with my mother, again, fishing for our
02:55:10 4 food supply.

02:55:17 5 We had gone to Willow Creek at the
02:55:23 6 time and we collected what we needed to collect
02:55:30 7 and done our fishing there. And at that
02:55:35 8 particular time we got pulled over by the MNR.
02:55:44 9 And they had -- they charged us for fishing out
02:55:47 10 of the area, out of our territory, out of our --
02:55:54 11 I guess at the time "reservation".

02:56:00 12 So in the -- in collecting the fish
02:56:06 13 and putting them into our vehicle when we
02:56:10 14 started to make our way home we got stopped and
02:56:15 15 we got charged.

02:56:16 16 And from that charge we went to court.
02:56:20 17 We went to court approximately in June 1965.
02:56:28 18 And the judge at the time, and it was a
02:56:33 19 provincial charge, the judge had charged the
02:56:39 20 driver of our vehicle \$100. The comments made
02:56:50 21 by the judge at the time had said that because
02:56:56 22 we had used the argument of the Jay Treaty and
02:57:00 23 that we had our rights everlasting and for our
02:57:07 24 use.

02:57:15 25 But the arguments that came back from

02:57:17 1 the Judge he had said:

02:57:20 2 "I'm going to charge you \$100 and
02:57:23 3 you are charged under the provincial
02:57:28 4 law and not under the federal law."

02:57:35 5 The sentence was only the fine of
02:57:44 6 \$100, but I did distinctly remember the Judge
02:57:48 7 saying that, "You may pursue this and appeal
02:57:54 8 this charge and go to Federal Court because it's
02:58:01 9 under federal jurisdiction about the fishing."

02:58:05 10 I don't know about the fishing laws
02:58:09 11 within the federal component of the law and so
02:58:16 12 he was complying with the MNR regulations at the
02:58:20 13 time.

02:58:21 14 And so we got charged, as I said,
02:58:27 15 for -- at the time. And we were given the
02:58:33 16 opportunity to appeal the decision. However, we
02:58:42 17 could not appeal that decision mainly because we
02:58:45 18 didn't have the resources or the money to pursue
02:58:49 19 it.

02:58:50 20 155 Q. Did you ask the Band council if
02:58:57 21 they could fund that?

02:59:04 22 A. Yes, my father went to the Band
02:59:08 23 council to ask for resources to follow along
02:59:12 24 with this charge and appeal and he was denied
02:59:17 25 because there was no resources available at the

02:59:20 1 time either from Band council.

02:59:22 2 156 Q. Going to page 14 of the Brownlie
02:59:47 3 transcript, in the middle of the page there a
02:59:49 4 couple of paragraphs where you talk about your
02:59:51 5 grandfather telling you you have the right to
02:59:53 6 hunt and fish in your territory. Can you talk a
03:00:00 7 bit more about that? And when you say which
03:00:03 8 grandfather?

03:00:12 9 A. When it comes to hunting and
03:00:13 10 fishing it was my grandfather Alex Roote who was
03:00:16 11 more involved with that.

03:00:25 12 And we had at many times heard my
03:00:28 13 grandfather say that we had hunting and fish,
03:00:30 14 rights within the peninsula.

03:00:34 15 And because that -- those particular
03:00:36 16 rights were never surrendered and that the
03:00:40 17 Treaty only identified the sale of bush lots.
03:00:55 18 And so that came from -- that education part of
03:00:56 19 that oral history came from my grandfather Alex
03:00:59 20 Roote.

03:01:00 21 157 Q. On what occasions did he tell you
03:01:02 22 this?

03:01:05 23 A. We had lots of occasions to talk
03:01:10 24 and hear what grandfather had to say because we
03:01:19 25 would travel up to the Willow Creek area in

03:01:24 1 hunting times.

03:01:24 2 And when I started hunting up there at
03:01:30 3 12-years-old I continued until I was into my
03:01:33 4 mid-teens. So many years had gone by where we
03:01:39 5 travelled with grandfather back-and-forth up to
03:01:42 6 the hunting grounds.

03:01:43 7 And of course each way would take at
03:01:48 8 least an hour and a half, maybe sometimes two
03:01:50 9 hours to travel and we would have ample time to
03:01:54 10 listen and hear his words.

03:02:14 11 158 Q. Have you heard a story of the
03:02:15 12 Indian Agent burning documents?

03:02:27 13 A. In the middle of the 1950s the
03:02:32 14 Indian Agent, and I'm not exactly sure who it
03:02:36 15 was, I think it was Bouchard; he went about to
03:02:43 16 clean out the basement of the Indian Agency
03:02:46 17 building; and some of the papers that were there
03:02:55 18 he had decided to burn them; and he took them to
03:02:58 19 the local dump that we had here in the community
03:03:04 20 and went about burning some of the paper
03:03:08 21 documents that were in the basement of the old
03:03:10 22 agency.

03:03:15 23 And in doing so a couple of our
03:03:18 24 fellows, James Wesley and Alex Solomon, happened
03:03:24 25 to notice that he had taken an amount of paper

1 to burn and destroy it at the dump.

2 And when he went there and left Jim
3 Wesley and Alex Solomon went digging around to
4 see what they could salvage. And they were able
5 to salvage, I believe, three minute books; and
6 those minute books were of different times, of
7 course. And I believe those minute books are
8 still within our files within the Band office.

9 159 Q. Who was it who told you about
10 this?

11 A. At first we heard that from Jim
12 Wesley. And I also heard that from many of the
13 council members as well as Chief Mason.

14 160 Q. May I have a moment, please?
15 Those are my questions?

16 THE COURT: Thank you. Mr. Beggs, are
17 you the next questioning lawyer this afternoon?

18 MR. BEGGS: Yes, I am, Your Honour.

19 THE COURT: Please go ahead.

20 MR. BEGGS: May I have a few minutes
21 just to get the computer?

22 THE COURT: Yes, I must say I can't
23 hear you, sir, I know you're standing up because
24 you're supposed to.

25 MR. BEGGS: If I could have a few

03:05:28 1 minutes to make sure that the computers are
03:05:31 2 working properly, Your Honour?

03:05:33 3 THE COURT: Shall we -- are you
03:05:35 4 suggesting we take a break or not.

03:05:37 5 MR. BEGGS: If now is a convenient
03:05:38 6 time that would be great.

03:05:39 7 THE COURT: It's early but if it's
03:05:41 8 going to take you more than one or two minutes
03:05:43 9 maybe we go off and do that.

03:05:45 10 MR. BEGGS: Yes, I think so, Your
03:05:46 11 Honour.

03:05:48 12 THE COURT: So we'll take the
03:05:49 13 afternoon break early. It's five after 3:00 so
03:05:53 14 we'll take a 15-minute break at this time. That
03:05:56 15 will give you lots of time.

03:05:58 16 MR. BEGGS: Yes, thank you, Your
03:05:59 17 Honour.

18 THE COURT: That's fine.

19 --- Whereupon the proceedings were
20 adjourned at 3:05 p.m.

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

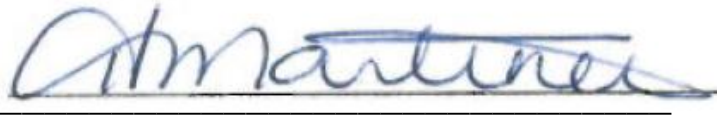
REPORTER'S CERTIFICATE

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;

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 24th day of May 2019.



PER: HELEN MARTINEAU
CERTIFIED SHORTHAND REPORTER

| | | | | |
|--|----------------------------|--|--|------------------------------------|
| <hr/> \$ <hr/> | 120 501:16 | 152 519:22 | 512:4 | 3:00 526:13 |
| \$100 521:20 522:2,6 | 121 501:22 | 153 520:13 | 20 433:6 464:18 | 3:05 526:20 |
| <hr/> 1 <hr/> | 122 502:4 | 154 520:22 | 2004 500:22 506:10 507:13 508:20 509:14 | <hr/> 4 <hr/> |
| 1 425:24 | 123 502:18 | 155 522:20 | 2016 429:5 511:17 | 4 426:16 |
| 10 428:12 | 124 502:25 | 156 523:2 | 21 436:2 | 40 452:18 |
| 100 488:25 | 125 503:3 | 157 523:21 | 22 437:24 | 41 452:23 |
| 101 489:5 | 126 503:17 | 158 524:11 | 23 439:8 | 42 453:1 |
| 102 489:24 | 127 504:24 | 159 525:9 | 24 440:11 | 43 453:8 |
| 103 490:7 | 128 505:4 | 15th 427:23 506:10 507:13 508:20 509:14 | 25 441:4 | 44 453:14 |
| 104 491:3 | 129 505:7 | 16 431:10 513:22, 23 | 26 442:2 | 45 435:13 454:21 |
| 105 491:24 | 13 429:12 | 160 525:14 | 27 438:21 442:25 | 46 455:1 |
| 106 492:17 | 130 505:18 | 17 431:16 | 28 438:24 443:13 | 47 455:14 |
| 107 493:15 | 131 506:8 | 18 431:25 | 29 438:19 444:5 | 48 455:21 |
| 108 493:24 | 132 506:13 | 1836 435:12 | 2:15 500:16 | 49 456:3 |
| 109 494:24 | 133 506:17 | 1854 508:7 | 2:17 500:18 | <hr/> 5 <hr/> |
| 10:02 424:1 | 134 507:16 | 19 432:9 | <hr/> 3 <hr/> | 5 426:21 517:9 |
| 11 428:17 493:3, 14 | 135 508:18 | 1900s 515:6 | 3 426:11 499:12 503:17 512:23 | 50 457:20 |
| 110 495:3 | 136 508:24 | 1948 426:19 | 30 436:12 444:24 516:21 | 50s 446:25 455:12 471:18 |
| 111 495:13 | 137 509:2 | 1950s 471:10 524:13 | 31 445:3 | 51 458:15 |
| 112 496:15 | 138 509:19 | 1951 513:24 | 32 445:10 | 52 459:5 |
| 113 497:4 | 139 511:16 | 1960 514:22 | 33 446:3 | 53 459:23 |
| 114 497:25 | 14 430:8 523:2 | 1965 521:17 | 34 446:10 | 54 460:14 |
| 115 498:19 | 140 511:19 | 1970 427:21,23 | 35 450:23 | 55 460:20 |
| 116 499:9 | 141 511:24 | 1975 428:15 | 36 451:21 | 56 461:11 |
| 117 499:17 | 142 512:2 | 1981 428:16 | 37 452:1 | 57 462:12 |
| 118 500:21 | 143 512:23 | 1985 428:15,18 514:24 | 38 452:6 | 58 462:17 |
| 119 501:1 | 144 515:11 | 1990s 430:8 519:19 | 39 452:12 | 59 463:4 |
| 11:20 464:20 | 145 516:9 | 19th 478:5 | 3919 511:19 | <hr/> 6 <hr/> |
| 11:47 464:21 | 146 516:14 | 1:04 500:17 | 3958 503:11,12 | 6 426:25 447:17 |
| 12 429:6 473:21 492:11 519:3 520:23 | 147 517:9 | 1st 426:18 | 3959 505:12,13 | 6-years-old 426:9 |
| 12-years-old 491:6,22 524:3 | 148 518:21 | <hr/> 2 <hr/> | 3960 507:11,12 | 60 463:6 |
| | 149 518:25 | 2 426:7 505:7,18 | 3961 509:12,13 | |
| | 15 430:25 | | | |
| | 15-minute 526:14 | | | |
| | 150 519:3 | | | |
| | 151 519:10 | | | |

| | | | | |
|---|--|---|--|---|
| 61 463:12 | 81 475:17 | absorbed 485:9 496:13 | affected 485:9 | alot 485:1 |
| 62 463:24 | 82 476:12 | absorbs 482:12 | affecting 478:7 | amount 524:25 |
| 63 464:24 | 83 428:16 477:5 | acceptable 444:16 | affirm 425:12 | ample 524:9 |
| 64 465:11 | 84 478:4 | accepted 486:14 | affirmation 424:18,23 425:22 | ancestors 446:8 462:23 463:9 490:5 512:10 |
| 65 466:1 | 85 479:7 | accompany 517:17 | afternoon 525:17 526:13 | and/or 487:8 515:9 |
| 66 466:17 | 86 479:20 | accomplish 468:14 | age 429:21 450:5 455:13 491:8 495:7 513:22,23, 25 | anger 501:20 |
| 67 467:2 | 87 480:6 | account 486:6 | agency 510:3 515:17 517:3 518:7,9,15,17 524:16,22 | angry 504:22 |
| 68 468:1 | 88 480:13 | acknowledge 424:9 | agency's 505:24 506:15 | animal 492:9 494:8 |
| 69 468:9 | 89 480:17 | act 432:23 433:10 438:8,9 439:9 509:22 510:6 513:3,6,8,11,12, 20 514:2,17,19, 21,25 515:6 | Agent 513:3,4, 14,17 515:13 516:6,11,16 518:11,19 524:12, 14 | animals 490:24 491:19 495:12 |
| 7 | 9 | activities 436:18 438:9 445:18 481:24 | Agent's 517:13 | Anishinaabe 425:25 433:9 437:25 439:9 440:11 442:3 445:11 448:17 452:4,17 453:4 458:16 461:6 477:9,24 478:6 486:22 487:25 496:9 514:11 |
| 7 427:3 | 9 427:19 | activity 469:10 485:14,20 | Agents 486:13 | Anishinaabem 425:4 429:8 434:5 |
| 7- 518:3 | 90 480:19 | actual 434:7 438:25 441:24 466:12 477:16 | agility 468:17 | owin 425:4 429:8 434:5 |
| 7-years-old 429:9 | 90s 430:13 | address 435:11 439:3 443:5,25 444:3 496:21 | agree 501:20 510:25 511:4,11 | Anishinabek 461:15 519:20 |
| 70 468:24 | 91 481:6 | addressed 438:15,22 447:15 449:2,10 455:18 469:24 471:20 | ahead 424:6 427:17 443:5 464:22 478:21 500:19 509:7,17 525:19 | annoyed 484:19 |
| 70s 483:23 519:25 | 92 482:7 | addresses 435:13 | aid 455:25 | annoying 499:15 |
| 71 470:15 | 93 482:23 | adjoined 526:20 | air 456:9,14,16 460:19 | apologize 455:25 |
| 72 471:5 483:19 484:6 485:2,3,7, 21,22 506:2 507:17,21 508:12 | 94 483:18 | administration 515:9 | Akiwenzie 472:15 501:25 503:14 505:1,15 | appeal 522:7,16, 17,24 |
| 73 471:13 | 95 485:8 | administrator 428:4,6 | Alex 427:2 436:17 455:20 491:7 523:10,19 524:24 525:3 | apples 498:9 |
| 74 472:8 | 96 485:20 | Affairs 453:5 513:15 | allotted 484:14 | application 510:15 |
| 75 472:20 | 97 486:16 | | alongside 445:14 | applied 510:13 |
| 76 473:11 | 98 487:18 | | | apply 509:22 |
| 77 473:17 | 99 488:21 | | | appointed 440:5 441:19 |
| 78 473:24 | A | | | |
| 79 474:7 | a.m. 424:1 464:20,21 | | | |
| 7th 505:22 | Aamjiwnaang 450:2 452:12,16 | | | |
| 8 | abide 432:3 | | | |
| 8 427:6 513:25 | ability 458:19 515:7 | | | |
| 8-years-old 518:3 | Aboriginal 442:3 446:13 508:3,11,15,17 511:14 | | | |
| 80 475:7 | absorb 482:14, 16 497:1 | | | |
| 80s 519:25 | | | | |

| | | | | |
|---|--|--|---|---|
| approach 443:23 465:24 | 20,21 | background 444:20 483:19 | Beggs 503:6 505:10 506:24 507:1,5 509:5,8 525:16,18,20,25 526:5,10,16 | blueberries 498:8 |
| approached 443:19 497:13 | aspect 477:1 | backwards 446:21 | begin 446:20 | Bob 448:5,6 |
| appropriate- looking 470:21 | aspects 457:21 | balance 461:9 486:3 | beginning 436:10 512:11,17 | bodawe 434:20 |
| approximately 426:9 428:19 462:15 516:21 518:3 521:17 | assert 513:1 | Band 428:3,4,6, 16 430:6 433:13 436:12 438:1 439:6 483:23 505:21 516:6,10, 14,15,22,24 522:20,22 523:1 525:8 | begins 503:18 | Bode'wadmig 434:4,19 |
| archeologist 471:10 | asserting 519:20 | banishment 441:9,10 | belief 434:21 456:18 457:17 458:6 465:13,14, 22 474:24 475:4, 25 477:1 479:3 504:13 508:10 511:9 | bodies 457:10 |
| archeologists 471:18 489:21 | assimilation 514:2,18 | bank 486:6 493:10 | believed 512:10,18 | boing 438:7 |
| archive 515:21 | assistance 437:18 | base 471:15 472:4 | Bend 452:22 | book 424:17,22 432:9,11,12,16 433:1 |
| area 435:17 440:20,21 442:11 443:10 445:12,25 447:12,19,21,22 449:1,11,21,25 451:11,13 452:5, 16,21 456:24 461:19,22,23,24 462:2 467:12,22 469:16 470:25 471:17,21 472:13 473:15,21,23 481:24 482:2 485:9,12 486:1 487:13,14 488:3, 13 489:10 496:23 498:22 499:7 500:8 517:21 521:10 523:25 | assisting 445:17 446:1 | basement 524:16,21 | benefit 451:2 506:20 | books 443:18 482:21 515:25 525:5,6,7 |
| areas 431:3 450:21 463:2 467:8 | assurance 483:15 | basic 513:21 | berry 498:6 | border 452:15 462:9 |
| argument 521:22 | astounding 503:24 | basically 434:13 | Bible 430:2 | born 457:1,2 477:8,12 |
| arguments 508:12 521:25 | attached 435:22 438:17 451:16 452:15 474:12 | battle 468:16,22 469:9 488:16 489:5,6,17,25 | bigger 439:23 | bottom 448:13 512:24 |
| arms 442:19,23 445:8 | attack 489:2 | bawating 452:5 | biography 432:18 | boundaries 457:13,15 461:15 501:5 |
| Arran 498:23,25 499:8 | attacking 488:23 | bay 445:22 446:11,17 448:14, 20 449:17 450:8 452:9 455:3 456:20 462:3 469:17 470:16,17, 19,23,24 471:3 472:13 488:9,10, 15,18 489:6 500:9 | birds 490:24 | boundary 461:18,21 483:22 484:1 515:20 517:2,6 |
| arrangement 445:15 | attempt 513:1 | bear 426:13,15 | birth 426:17,18 457:5 | BNP 509:23 510:4 |
| artifacts 467:23, 24 468:8 471:16, | attended 505:23 | Beausoleil 448:16 453:2,7 | bit 427:11 457:20 469:1 476:11 486:16,19 490:9 501:1,19,20 512:7 519:6 520:25 523:7 | bread 500:1 |
| | Auntie 497:13 | Beaver 461:24 462:1 | black 426:4 | break 442:10,24 445:8 464:1,3,10, 17,18 500:14,16 526:4,13,14 |
| | authorized 510:4 | began 477:5 | blankets 465:6 | break-up 435:18 |
| | avenue 440:1 | | blending 478:13 | bring 444:1 504:24 |
| | average 456:25 | | blood 488:18 | British 450:14 |
| | aware 459:2 485:17 | | blue 426:4 471:16 487:12 496:16,19 | broken 432:16 |
| | B | | | Brookwell 502:21 |

| | | | | |
|---|---|--|---|--|
| <p>Brotherhood 438:5</p> <p>brought 499:24</p> <p>Brownlie 511:17,22,25 517:10 519:4 523:2</p> <p>Bruce 454:6,7, 16 462:4 468:7 469:14 470:18 473:1 489:23 507:25 508:5 509:23 511:15</p> <p>building 518:7, 9,15,17 524:17</p> <p>buildings 515:22</p> <p>burial 467:13 469:13 471:2,5 474:15,16 478:2</p> <p>burials 469:25</p> <p>buried 467:15 489:18,19</p> <p>burn 497:1 524:18 525:1</p> <p>burning 524:12, 20</p> <p>bush 491:15,21 496:23 523:17</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>call 439:7 453:6 457:25 488:4,18 492:22</p> <p>called 424:11 430:16 431:7 432:9 438:1 447:23 448:5,16 449:7,16 460:2 473:15 487:19,23 488:4,14 489:19 492:24 496:20,22 498:23 499:23 514:17</p> <p>camp 465:7 490:15,16</p> | <p>Canada 438:6 450:16 463:2 500:23 501:21 502:2 504:15 505:22 509:21 510:3,14 515:3</p> <p>Canada's 506:5 507:20</p> <p>canoe 499:1</p> <p>canoes 490:18</p> <p>capacity 428:11 437:18</p> <p>Cape 438:21,23 519:9</p> <p>car 518:4,6</p> <p>care 442:14 464:1 504:11 508:8 510:22</p> <p>career 427:20</p> <p>careful 493:5 494:14 495:11</p> <p>carried 448:8</p> <p>Carrier 431:10 432:1,3</p> <p>carry 431:12,15</p> <p>case 442:6 445:10</p> <p>categorically 504:1</p> <p>categorize 475:20</p> <p>caught 488:15</p> <p>cautious 490:25</p> <p>cedar 496:4,5,6, 10,11,13</p> <p>cemetery 470:19,20</p> <p>centuries 475:22</p> <p>century 478:5</p> <p>ceremonial 459:1</p> <p>ceremonies 430:21 435:2</p> | <p>457:21,25 458:1, 10,22,23 460:2,3, 7,9,23 467:25 468:2,3 469:7 471:13 472:21,23, 25 473:2,9,18,19, 22 475:7,12 477:4 481:1,13,14,19,20 483:1,8 497:6</p> <p>ceremony 430:15 458:10,11 460:1,6,8 468:5, 10,12,18,19 469:2,5,18 470:25 472:16 475:9 478:12,18,19 479:5,12 480:14 482:8</p> <p>chair 427:11</p> <p>change 428:3 438:14 439:2 463:25 464:4,11 514:24</p> <p>changed 513:23</p> <p>charge 435:1 521:16,19 522:2, 8,24</p> <p>charged 434:17 441:21 442:14 504:2 520:23 521:9,15,19 522:3,14</p> <p>charges 510:20</p> <p>chased 489:13</p> <p>chases 488:8,10</p> <p>chat 437:10</p> <p>checked 517:1</p> <p>cherish 456:12</p> <p>Chief 427:7 428:14,15,18,20, 23,25 429:4 436:22 437:8,16 472:14 482:1 485:4 501:25 503:14 505:1,14 525:13</p> <p>Chief's 438:20</p> | <p>Chiefs 438:11 439:2</p> <p>child 477:6</p> <p>children 514:14</p> <p>Chimnissing 448:17 453:4</p> <p>chose 472:21</p> <p>Christian 448:14 453:1,3,5</p> <p>church 430:1 489:14</p> <p>circle 448:19,23</p> <p>citizen 457:1</p> <p>City 449:17 452:9</p> <p>claims 512:5</p> <p>Clan 426:11,14 433:13</p> <p>Clarksburg 469:16 470:6,12</p> <p>Clarkson/port 517:21</p> <p>clean 456:16,17 458:20 524:16</p> <p>cleanliness 459:3</p> <p>clients 508:3</p> <p>close 430:12 438:19</p> <p>Code 515:3</p> <p>colds 496:6</p> <p>collect 472:4 494:23 497:15,18, 20 498:6,7 499:8, 22 521:6</p> <p>collected 497:11,13,24 521:6</p> <p>collecting 497:10,17 498:12 499:13 521:12</p> <p>collection 493:20 498:14 499:4,19 500:4</p> | <p>combined 450:17</p> <p>commencing 424:1</p> <p>comment 504:11 506:6 508:8 510:22</p> <p>commenting 485:2 508:14</p> <p>comments 484:5,16,24 485:1 521:20</p> <p>commercial 494:21 520:20</p> <p>communicate 447:9 448:1</p> <p>communicatio n 515:7</p> <p>communities 438:8,19 439:19 443:19,24 444:18 447:1,2,16,21 448:12,20,24 449:1,5,13 450:1, 6,19,25 452:23 454:24 455:2</p> <p>community 424:11 426:5,19 427:23 428:5,8, 11,19,25 431:7 432:15,22 434:14 437:20 438:17,22 439:6,15 440:4, 18,22 441:3,11, 13,15,18,21 444:5,12,14,15,23 447:7,14 448:17 449:6,9,14,17,20 451:9,19 452:7,8 454:18 473:4,6,10 479:11 483:22 489:15 490:3 516:1 524:19</p> <p>community's 438:18</p> <p>Company 500:9</p> <p>compare 477:21</p> <p>comparison 511:9</p> |
|---|---|--|---|--|

| | | | | |
|--|---|---|---|---|
| complained 513:14 | connected 437:7 449:22 473:8 515:25 | convenient 526:5 | Creation 458:7 | days 483:8 |
| complaining 485:18 486:9 | connection 425:13 458:8 474:18 475:1 517:4 | cope 463:19,21 | Creator 425:13 429:20 431:23 468:13 469:8 | dead 454:1 |
| complaint 515:25 | consequence 441:4 | copy 502:25 | Credit 517:21 | deal 436:23 500:7 |
| complaints 485:22,24 513:18 515:13 516:2,11, 17,19 | consequences 441:7 | corner 446:17 452:16 | creek 492:22,23, 24 499:7 520:24 521:1,5 523:25 | dealings 504:6 |
| complete 504:10 | conservation 494:6 495:11 510:6,7,18 511:5, 6,8,10,12 | council 428:3 430:7 436:12 483:23 485:5 505:21 516:6,22, 24 522:20,23 523:1 525:13 | creeks 494:13, 19 | decide 440:1 478:17,18,23 483:4,10,13 |
| comply 515:2 | considered 444:25 | councilor 428:12,16 429:1 | criteria 510:13, 20 | decided 428:3 440:10 480:2 483:16 524:18 |
| complying 522:12 | consisted 500:6 | councilors 440:7 | Croker 438:21, 23 519:9 | decision 439:10 440:2,23 441:1 478:14,21 479:6, 8,15 480:10 482:9,24 483:2,4, 6 485:21 510:8 522:16,17 |
| component 522:11 | consistent 462:13 | councils 486:2 516:10,15 | cross 449:25 | decision-making 439:11, 17,24 440:16 478:11,24 479:5, 21 |
| comprising 509:23 | constantly 459:2 | counsel 506:3 507:5 509:8 | crossed 449:1 | decisions 478:7 480:9,15 |
| computer 525:21 | constitute 508:5 | counsels' 506:20 | cultural 429:14 | deer 491:21,25 492:2 494:10 501:4 |
| computers 526:1 | constitutionall y 504:7 | country 439:4 | culture 429:13 430:10,11,13 | definition 511:8,10 |
| concerns 515:8 517:5 | consultation 439:18 479:10 480:7,15 482:8 | County 468:7 489:23 | custom 441:5 | definitions 477:22 |
| conclusion 469:2 516:4 | consultations 483:2 504:4 | couple 435:5 472:15 517:1 518:13 520:6 523:4 524:23 | customary 504:5 | degree 511:11 |
| conditions 510:24 511:5 | consumption 492:10 498:15 | court 424:2,6 427:9,14 451:2,5, 8 453:11,17 464:2,6,9,14,18, 22 466:24 470:1, 4,8,10,13 500:15, 19 502:6,10,12,21 503:5,8 505:9 506:19,25 507:3,9 509:4,7,11,16 521:16,17 522:8 525:16,19,22 526:3,7,12,18 | customs 446:4 475:18,20 480:14 481:5 482:8,16,25 | demands 516:24 |
| conduct 430:23 475:7 | context 465:4 477:16 | couple 435:5 472:15 517:1 518:13 520:6 523:4 524:23 | cut 514:12 | demeaning 514:12 |
| conducted 469:5 472:21 473:18 475:9 479:4 | continue 477:13 | created 457:13 | cutting 486:15 | denied 522:24 |
| confederacies 433:24 | continued 430:4 461:2 493:21 524:3 | Cove 469:13 470:9 | D | Department 506:1 |
| Confederacy 433:13,23 435:8, 23 439:25 | contribute 450:18 | Craigleith 471:14,15,17,19 | dance 430:17, 18,19 431:6,13 460:2 481:14,19 | depend 483:5 495:17 |
| conflict 490:10 | contribution 492:4 | creation 458:7 | dances 431:1,2, 8 | dependent 444:10 466:13 |
| conflicts 490:12 | control 446:4 513:3 | creation 458:7 | Das 432:9 | Deputy 428:20 |
| confrontation 446:1 487:6 | | creation 458:7 | date 426:16,18 | |
| | | creation 458:7 | dated 506:9 507:13 508:19 509:14 | |
| | | creation 458:7 | David 496:8 | |
| | | creation 458:7 | day 429:10 474:19 483:11 497:20 | |

| | | | | |
|--|---|---|---|--|
| descended 427:7 | 484:3 512:9 | E | enact 440:24 | Europeans 443:13 |
| desert 460:11 | display 463:25 | | encompassed 462:8 | event 433:3 468:20 |
| despise 474:15 | displayed 511:20 | Eagle 425:12,21 | encounter 500:8 | events 432:19 |
| despised 439:1 | disrespectful 475:5 | earlier 464:25 470:15 472:9 486:17 490:7 496:15 | encroach 484:10,11 | eventually 433:22 |
| destroy 525:1 | distance 511:7 | early 429:21 446:24 455:12 464:3,10,16 515:5 526:7,13 | encroached 485:25 | everlasting 521:23 |
| detail 519:17 | distances 484:2 | earth 456:11,13, 15 457:17 460:15 | encroachment s 467:21 | evidence 425:15 |
| development 428:8 | distinctly 522:6 | east 431:8 451:24 461:21 469:23 473:18 483:21 484:1 491:16 497:18 515:20 517:2,6 | end 445:21 448:13 449:6 451:24 469:14,16, 20 472:24,25 485:15 488:11 | evident 510:20 |
| diet 500:6,11 | document 502:4 503:12 504:25 505:13 506:9 507:12 508:19 509:9,13 513:19 | eat 499:14 | endure 492:7 | EXAMINATION 425:23 |
| difference 461:7 | documentary 496:7 | easy 443:17 451:1 | enforce 510:5,8 | examples 445:20 473:17 |
| differently 455:23 | documents 436:7 462:21 515:23 524:12,21 | economic 428:7 | enforcement 510:10 | exchange 466:6,10,12,15 |
| difficult 460:17 | Dodem 426:11, 13 | educate 461:2 | engage 507:18 | exchanged 466:8 |
| difficulty 445:21,22 476:9 | dog 468:5,10,12, 17,25 469:2,5,17 471:5 | educating 429:13 430:9 | engagement 480:12 | exercise 482:7, 25 504:17 514:16 519:13 |
| digging 475:3 525:3 | dogs 441:20 | education 429:23,24 430:11 433:18 450:18 477:7,8,19 481:1 482:12 495:10 513:21,23 514:6 523:18 | English 425:5, 10 426:12 431:21 477:18 488:1 496:21 | exercised 430:18 504:3 |
| dinner 492:4 | Donaldson 489:20 490:2 | educating 429:13 430:9 | enlist 445:10 | exhibit 451:5,7 462:13 473:25 502:6,9 503:4,9, 10,12 505:8,12,13 506:14,18 507:10, 11,12 509:2,12,13 511:19 |
| Dion 503:1,13 505:2,16 | downpayment 486:12 | education 429:23,24 430:11 433:18 450:18 477:7,8,19 481:1 482:12 495:10 513:21,23 514:6 523:18 | enter 466:2 482:24 485:21 | exist 449:8 456:21 501:10 |
| Dion's 505:4 | draft 502:18 | eggs 494:17 | entered 506:17 | existed 433:10 435:3 436:14 453:23 501:10 |
| direct 425:13 | driver 518:6 521:20 | Elders 433:20 | entrance 449:19 | exists 475:24 514:19 |
| directions 491:13,14 | drown 493:9 | elected 428:12, 14 | environment 445:7 | expand 512:6 513:4 517:14 519:5 520:24 |
| directly 449:18 452:9 507:18 | drugstore 495:17 | Emmett 473:15 | equal 456:8,9 | expect 432:24 440:13 442:6 443:1,14 |
| disappeared 515:18 | dry 455:23 456:6 | employees 516:10 520:20 | equipment 520:17 | |
| discuss 438:7 439:22 440:9 443:11 | dump 524:19 525:1 | employment 430:6 436:21 518:1 | establishing 444:14 | |
| discussed 433:24 | Dunks 470:15, 17,19 471:3 | empty 486:7 | ethics 494:25 495:4,6 | |
| discussing 480:12 501:3 | | | European 429:23 461:5 514:5 | |
| discussion 466:11 501:8,13 502:1 504:21 | | | | |
| discussions 438:10 466:10 479:13,25 483:9 | | | | |

| | | | | |
|---|---|---|--|---|
| expected 466:1, 5 478:9 | father 426:23 446:23 447:15 449:9 522:22 | 520:1,14,21 | 518:1 | 487:8 |
| explain 426:1 432:10 465:3 513:5 515:12 | Fathom 462:6 469:15 | fishing 440:25 459:10 493:25 494:1,21 495:4 500:4 507:19 510:17 519:13,21 520:2,5,8,11,14, 18,20,24 521:1,3, 7,9 522:9,10 523:10 | four-day 460:3 | girl 497:16 |
| explained 433:20 472:3 479:10 497:15 518:13,21,23,25 | Feather 424:25 425:12,21 | fit 454:13 | fourth 503:23 | give 425:16 432:7 454:9 459:18 465:20 468:13 469:7 474:20 478:19 481:11 485:6 508:15 526:15 |
| explaining 506:4,15 | federal 462:6,7 513:15 515:8 517:7 522:4,8,9, 11 | flats 489:14,15 | Fox 435:23 | giving 436:3 459:4 466:5 479:25 |
| explanation 476:21 477:14 | feel 463:15 473:5 | flexibility 504:22 | Frank 437:15 | glad 492:15 |
| explicitly 508:1 | feeling 478:19, 20 | flour 499:24,25 | French 446:16 447:21,22 450:15 451:10,11 | God 458:12 |
| exposed 447:1 | feelings 475:4 | follow 476:1 522:23 | friends 463:9 | Goderich 452:21 461:17,19 |
| exposure 447:13 455:10 | fellows 524:24 | food 434:12 456:22,24 487:8 490:17 492:10 493:18,20,23 495:9 498:1,18 499:10,11,17,20, 22 500:11 504:16 521:4 | front 483:13 | good 424:2,4,14 425:24 432:24 467:11 487:16 503:20 521:2 |
| extent 461:12 462:18 | felt 431:14 455:5 | Foodland 499:21 | fruit 500:5 517:12,18,25 | government 513:15 515:8 517:8 |
| extinguished 508:7 | female 494:10 | forced 463:12 | fruits 498:14 | governments 465:19 |
| eye 453:10 493:11 | fight 487:24 | forget 451:15 491:23 | fund 522:21 | Grade 513:25 |
| <hr/> F <hr/> | file 506:2 | forgiveness 475:10 | furs 490:18 | Grand 428:20,23 437:8 452:22 461:23 |
| fact 478:22,25 504:6 | files 517:4 525:8 | form 441:8 444:3 474:19 478:12 481:1 | future 461:3 476:6 495:9 | grandfather 429:15 430:3 432:4 436:11,17 453:9,22 471:25 475:23 476:2 486:20,25 489:4 490:8 491:7 516:20 517:23 518:6,9,14,18 523:5,8,10,13,19, 24 524:5 |
| facts 482:20 | final 502:25 | formed 504:15 | <hr/> G <hr/> | grandmother 483:20 484:18 519:1 |
| factual 443:17 463:10 | finally 429:4 | fortunate 515:15 | gained 480:24 | grandmothers 479:24 480:5 |
| fall 494:20 498:8 | find 451:1 515:24 516:7 517:4 | forum 460:18 | Gary 505:25 506:10 507:14 508:20 509:15 | grandparents 447:11 454:23 459:15 499:12 |
| familiar 447:7 | fine 464:13 522:5 526:18 | forward 424:13 510:25 515:2 516:23 517:7 | gather 499:11 | |
| families 439:16, 21 451:14,16,18 479:14 498:11,13 | finished 430:5,6 489:17 | found 468:3,6 469:25 471:2,3,20 474:14 486:4 496:10,12,16,19 516:22 517:23 | gathered 499:18 | |
| family 427:6 439:15 440:8 444:15 447:8,24 455:19,20 497:11, 12 498:19 499:18 | fire 434:20,21,22, 24 465:7 | | gathering 495:13 497:5,25 499:9,10 | |
| farm 471:21 489:21 490:2 517:23,25 | Fires 433:23 435:7,22 439:24 | | general 484:5, 24 | |
| farms 517:12,18 | fish 456:21 467:11 492:18 493:1,3,23 494:4, 9,12,19,23 495:12 500:5 504:14 508:4 510:5 521:12 523:6,13 | | generally 460:15 | |
| | fisherman 520:7,10 | | geographic 461:12 | |
| | fishermen 519:4,5,14,15,23 | | Georgian 445:22 446:11,17 448:14,19 450:8 455:3 462:3 469:16 488:9,10 | |

| | | | | |
|--|--|---|---|---|
| <p>517:11,17 grave 474:5,8,9 475:8,18 476:13 great 427:15 430:14 433:22 434:1,9 435:4 436:1,22 437:17 450:7 468:21 477:25 479:6 500:7 526:6 Greenock 495:20 Gretta 426:24 427:3,4 grew 463:20 491:16 grind 497:1 ground 473:15 496:24 grounds 491:9 501:5 524:6 group 435:11 437:25 439:9 442:3 443:5 444:24 445:3 498:12 groups 430:25 431:3 433:9,11,14 445:11 490:14 growing 499:2 grows 496:23 guess 440:6 449:16 450:20 453:5 463:15 465:7,23 482:11 490:20 493:9 495:16 500:9 521:11 guidance 478:13,20 480:1 guiding 433:4,5</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>hair 514:11,12 half 428:2 435:13 524:8</p> | <p>hampered 513:1 hand 511:12 hands 464:12 happen 440:14 442:6 445:1,5 480:6 happened 428:17 524:24 happening 518:12 hard 461:9 491:10 hardwood 496:23 harm 442:17 harvest 498:19 harvesting 498:2,4 517:25 Haudenosaune e 442:5,25 445:23 487:24,25 488:2, 15,23 489:2,9 head 440:22 heading 438:14 headmen 439:20 headpeople 439:21 heads 439:16 440:9,18 441:2 479:14,17 headsmen 439:13,14 hear 431:23 465:14,16 483:18 485:8 488:7,21,25 489:24 523:24 524:10 525:23 heard 436:13 437:15 439:12 443:22 453:21 463:8 471:25 472:8 485:18 486:8 490:25 504:20 512:9</p> | <p>516:19 523:12 524:11 525:11,12 hearing 455:25 462:22 476:16 480:23 heavy 493:6 held 460:24 helpers 439:14 440:6 458:13 helpful 427:12, 16 helps 497:2 Henvey 447:22 451:4,9 heron 426:4 high 430:5 433:2 454:6,7,17 473:20 highlights 512:2 Highway 447:17 473:21 hire 520:3 hiring 517:24 history 433:19 437:1,2,10,12,14, 23 443:18,22 446:8 448:7 450:10 462:21,23 463:8,10 476:17 480:22 481:24 508:13 512:8 516:18 523:19 hold 425:14 holy 424:17,22 home 428:24 449:24 450:3 463:16,17,18 493:4,6 521:14 homeland 463:13 honour 424:5 425:15 453:16 457:4,23 463:24 468:13 474:11,16, 25 492:8,11,16 493:18 500:12</p> | <p>503:6,11 506:24 507:7 509:6,10 525:18 526:2,11, 17 Honourable 503:1,13 505:1,15 honouring 458:9 475:13,15 hood 438:6 Hope 472:13 hostile 444:25 445:5,6 hour 524:8 hours 524:9 house 517:13 Hudson 500:9 human 430:23 432:5 471:7 474:18 515:3 hundreds 481:18 hunt 440:13 467:11 491:4,6,8, 10,21 492:9 493:23 494:10 504:14 508:4 523:6 hunters 485:10 hunting 440:24 459:10 473:15 485:9,12,14,19 491:9 494:4 500:3,23 501:3,5, 10,15 502:3 503:22 504:16 507:19 510:16 523:9,13 524:1,2, 6 Huron 445:13, 15,21 446:11 449:25 450:8 452:15 453:10 455:3 486:18,24 487:11,19,23 488:13,20,22 489:1 hurts 475:4</p> | <hr/> <p style="text-align: center;">I</p> <hr/> <p>identified 489:21 523:17 identify 467:3 ignorance 474:14 imagine 455:10 imitate 490:23 Immediately 501:24 impact 485:21 515:6 importance 456:8 457:19 458:8 459:3,12 460:9 483:5 499:19 important 456:23 457:5 459:5,7 477:11 478:11 479:24 482:18 499:17,20 IN-CHIEF 425:23 include 454:4 included 459:14 includes 462:5 incorporated 477:2 incumbent 482:21 Indian 433:10 438:4,5,8,9,13,15, 18,20,23 439:1,9 453:5,6 486:13 487:22 513:3,4,6, 8,9,11,12,14,15, 17,20 514:2,8,17, 19,21,25 515:6, 10,13,17 516:6, 11,16 517:3,13 518:7,8,10,14,17, 19 524:12,14,16 Indians 428:21, 23 437:9 513:9,10</p> |
|--|--|---|---|---|

| | | | | |
|--|--|--|---|--|
| <p>individual 432:8 441:22,23 443:10 444:11,17 458:23 465:16 520:3,9</p> <p>individually 506:22</p> <p>individuals 436:20,25 437:5 443:24 480:23 481:3 484:24</p> <p>inform 504:1</p> <p>information 436:3,4,5 437:5 443:17 481:22 485:7 489:22 513:5</p> <p>Inlet 447:23 451:4,10</p> <p>inside 518:10</p> <p>intentions 444:25 445:5</p> <p>interest 473:2 507:24</p> <p>interim 510:10</p> <p>international 461:18 462:9</p> <p>interpretation 477:18</p> <p>interviewed 483:24 485:6</p> <p>introduced 429:22 430:13,16 447:24 448:11,20, 24 450:1</p> <p>introduction 438:3 449:12 450:4</p> <p>invading 443:9</p> <p>Inverhuron 467:9 472:24 473:14</p> <p>involve 439:20</p> <p>involved 431:13 432:19 435:7,25 436:9 437:8 442:8 458:14 479:20,22</p> | <p>480:5,25 481:12, 13,15,17,18 483:7 523:11</p> <p>involvement 432:14 445:9</p> <p>involving 438:9 483:19</p> <p>Iroquois 445:23 488:1 489:25</p> <p>Isabel 427:2 484:18</p> <p>Island 431:4,9 447:6 448:14 451:17,24,25 453:2,3,6 469:13 470:9</p> <p>islands 462:8</p> <p>issue 440:10 443:6,12 444:3 501:4 507:18 511:12</p> <p>issues 438:7 439:22 481:4 513:16 517:1</p> <p>item 431:18,24 467:23 499:23</p> <p>items 437:12 465:6 487:8 490:18 498:15</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James 427:7 436:22 482:1 524:24</p> <p>Jarvis 511:17</p> <p>Jay 521:22</p> <p>Jim 525:2,11</p> <p>job 456:15</p> <p>jobs 427:20</p> <p>joint 505:21</p> <p>judge 521:18,19, 21 522:1,6</p> <p>judged 445:4</p> | <p>June 427:23 521:17</p> <p>jurisdiction 522:9</p> <p>Justice 506:1</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>K'AN 432:9</p> <p>Karadjizak 520:9</p> <p>keepers 434:23</p> <p>keeping 493:10</p> <p>Kettle 450:3 452:18,19,20</p> <p>kick 465:2</p> <p>kill 491:22,25 492:9 493:3,5</p> <p>killing 492:1</p> <p>kind 432:6 433:6 440:2 442:8,9 445:18 446:18 449:21 453:21 468:20 478:8 479:17 480:3 485:15 511:4</p> <p>kinds 433:9 495:23</p> <p>kingdom 494:8, 9</p> <p>knew 437:2 455:16 483:25</p> <p>knowing 449:5 491:15</p> <p>knowledge 433:7 450:10 465:20 469:20 476:16 480:24 490:6</p> <p>knowledgeable 495:15</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>lack 486:7</p> | <p>laid 494:17 510:21</p> <p>lake 430:14 434:1 435:4 436:1 446:11 450:8 451:12 453:10 454:9 455:3 473:16 487:12 488:13 498:23,25 499:2,3,8</p> <p>lakes 433:22 450:7 455:22 456:4 457:10 468:21</p> <p>land 432:22 439:10 455:24 456:6,9,14,17 457:12 459:9,19, 20,21 460:19 461:18 463:2 466:15 473:20 484:13,15,22 499:7 500:3 501:6,15 508:16 512:5,22</p> <p>lands 501:11 508:1,5 509:22</p> <p>language 429:6, 7,9,16 447:7,25 477:11,12,13,14, 17,25 482:17 492:23 496:22 514:11</p> <p>languages 477:21</p> <p>large 442:10 493:5</p> <p>law 510:8 522:4, 11</p> <p>laws 522:10</p> <p>lawyer 525:17</p> <p>lead 458:11</p> <p>leaders 439:25 440:5,22 441:2 479:17 508:14</p> <p>leadership 428:11 439:14 485:4 486:2</p> | <p>leaderships 490:5</p> <p>learn 436:2 446:3 451:13 459:23 460:20 462:17 475:17 476:12 477:6 480:13,16,17,19 497:4 499:9,10,25 514:5</p> <p>learned 429:24 459:25 462:19 480:20 481:8 482:6 491:10 493:13 494:25 495:3 499:11,15</p> <p>learning 437:18 476:6</p> <p>leasing 428:1</p> <p>leave 463:12 517:14 518:15,19</p> <p>led 449:22 501:8 515:20</p> <p>left 427:11,16 441:23 462:12 470:5 525:2</p> <p>legal 438:23 506:3</p> <p>legend 488:17</p> <p>legislation 510:16</p> <p>length 482:10</p> <p>Leonard 520:6</p> <p>letter 501:22,24 502:1,16,18,23 503:1,13,17 504:25 505:2,5, 14,18 506:9,11,13 507:2,6,13 508:19,21,24 509:14,20 511:13 515:4</p> <p>letters 513:14 515:16,18,24 516:4,23 517:7</p> <p>life 429:17 430:21 436:10 456:18,21 457:6 458:8,14</p> |
|--|--|--|---|--|

| | | | | |
|---|---|---|--|---|
| 459:17 461:5,6,8 | 471:15,17 472:12 489:20 | lots 472:1 486:4, 7 496:11 523:17, 23 526:15 | maps 463:25 464:11 | Memorandum 509:25 |
| lifestyle 492:7 | location 424:9 447:5 449:3 460:13 462:16 467:10,21 468:6 469:11,12,15 470:2,21,22 472:6,7,10,11 486:23 489:20 491:8 498:23 | louder 424:20 | marauders 453:20,23 454:3 490:9,13,20 491:2 | memory 481:16 491:23 521:2 |
| lifetime 477:20 517:17 | | lower 445:21 | Marie 448:25 449:7 452:2,3,4 | men 458:24 480:1,5 |
| limitation 500:10 | | lunch 500:13 | Mary 497:14 | Menominee 435:6 |
| limited 513:13 | | M | Mason 436:22 482:1 485:4 525:13 | mention 435:6 437:11 452:19 492:19 |
| lines 457:15 | locations 449:12 454:19 466:18 467:3,7 468:23,25 469:20, 22,24 472:20,22 473:12,13 484:1 485:13 | M'KDA A 425:5 426:2 | matter 425:16 505:25 | mentioned 446:5,6 450:24 451:21 452:12 453:1 481:6 485:4 487:18 489:5 490:7 495:1,4 497:10 |
| linguistic 447:25 | loggers 484:20 486:9 | made 435:13 465:2 479:6 482:9 503:3 512:20,21 514:25 521:20 | meaning 431:20 450:14 465:5 466:16 467:4 468:9 477:16,22 | mentioning 452:6 |
| list 495:24 | logging 485:8, 20 512:12,14 | main 434:2 | meaningful 465:24 | method 462:20 466:5 498:11 504:19 |
| listen 436:16 448:6,9 481:3 524:10 | logs 484:12,21, 22 486:1,10 | Maitland 461:20 469:21 | means 426:1 475:3 514:8 | methods 462:20 463:4 |
| listened 436:21 | London 471:4, 11 | major 480:15 482:9 514:24 | meant 432:13 | Michigan 448:23 449:5,6,17 452:7,14 |
| listening 462:23 480:23 481:25 482:1 | long 454:13 460:25 482:7 483:2,10 493:21 496:8 498:25 514:12 | make 424:16,17, 21,22 432:18 439:3,10 478:6 482:23 485:1 496:5 498:16 500:1 515:7 521:14 526:1 | measured 457:12 | mid-1500s 469:6 |
| literature 433:12 | long-time 520:7 | make-up 441:18 | measuring 463:1 | mid-teens 524:4 |
| litigation 507:17,20 | longer 467:22 | makes 459:11 | meat 500:4,5 | middle 519:6 523:3 524:13 |
| litigator 506:2 | looked 434:13 457:14 459:14 462:24 467:10,12 474:21 475:22 508:25 517:3 | making 441:1,22 484:13 486:10 492:4 | medicine 472:2, 5 495:16,18,21, 23,25 496:1,2,14, 16,18 497:9,22 | Midland 487:13 |
| live 440:20 444:13,21,23 461:8 | lookout 491:1 | man 458:16 492:3 | medicines 429:18 495:14 497:5,8 | migration 450:12 |
| lived 449:11 450:20 460:25 490:6 500:2 | lookouts 454:5 | manager 428:1 | meet 511:17 | mind 427:10 437:4 |
| lives 430:24 459:11 476:8 477:1 | lost 463:23 491:13 | Manitoba 431:5 | meeting 455:15 479:19 480:4 500:22,24 501:2, 23 504:9 505:20 | Ministry 510:2, 11 |
| living 446:17 460:11 461:9 463:22 | lot 433:17 437:1, 14 439:20 460:4 484:18 486:11 490:4 495:21 513:20 | Manitoulin 431:4,8 440:12 447:5,9,16 451:23,24 | members 437:21 439:16 485:5 504:2 510:3 516:9,14 525:13 | minute 515:25 525:5,6,7 |
| Livingston 427:5 436:11 486:20 489:4 516:20 | | map 449:18 450:23 451:2 453:16,18 462:12 464:5 466:21 467:5 472:13 | membership 514:25 | minutes 464:19 525:20 526:1,8 |

| | | | | |
|-----------------------|-------------------------|------------------------|--------------------------|--------------------------|
| mirrors 465:8 | Naotkamegwa | 452:9,20 462:2 | occasions | opportunity |
| Mississauga | ning 472:9,12 | 467:20 469:14,23 | 523:21,23 | 431:11 436:16 |
| 517:22 | Nashkewa | 470:18,23 472:13, | occupy 487:11, | 446:24 448:8 |
| mix 496:5 | 436:25 448:5 | 25 488:10,11 | 14 | 451:13 454:12 |
| MNR 511:10 | Nation 424:10 | 491:15 | October 500:22 | 455:11 468:21 |
| 521:8 522:12 | 433:13 434:7,17 | northeast | 505:21 506:10 | 477:25 491:5 |
| moment 507:2,3 | 435:7,16,18,21 | 446:16 | 507:13 | 493:2,13 494:18 |
| 525:14 | 438:2,4 461:16 | northern 449:6 | Odawa's 441:16 | 498:7,21 509:6 |
| money 484:13, | 462:11 466:19 | 485:15 | Odawak 434:3, | 515:15,19 522:16 |
| 14 486:3,5,10 | 478:6 486:18 | notes 463:10 | 15 | opposing |
| 522:18 | national 438:4,5 | notice 454:10 | offer 465:17 | 442:21 |
| Moos-cuss | 462:7 500:24 | 524:25 | 495:24 | opposition |
| 425:5 426:2 | 508:6 509:21,24 | Nottawasaga | offered 465:10, | 442:22 512:11 |
| morning 424:2, | nationhood | 486:24 | 19 | options 444:7 |
| 4,14,15 425:24 | 435:14 | Nottawe 486:22, | offering 458:24 | oral 433:19 436:4 |
| 487:19 490:8 | Nations 434:2,3, | 23 487:1 488:3 | 468:14 | 437:2,11 443:22 |
| moss 491:16 | 9,16 435:3,25 | November | office 525:8 | 446:8 448:7 450:9 |
| mother 426:24 | 436:14 439:4,5,7 | 426:18 508:20 | officer 428:8 | 462:23 463:8 |
| 456:11,13,15 | 466:16 487:11 | 509:14 | 510:7 | 476:16 480:22 |
| 457:17 492:20 | 500:23 503:19 | now-known | officers 510:14 | 508:13 512:8 |
| 493:8 521:3 | 507:23 | 462:6 | officials | 516:18 523:19 |
| Mound 489:19 | native 490:22 | number 426:3 | 438:18,23 | Orangeville |
| 490:2 | natural 495:10 | 434:6 435:5,13, | officially | 461:23 |
| mountain | 510:2,11 | 24,25 436:5,8 | 438:18,23 | order 482:25 |
| 471:16 472:1,4 | naturally 442:7 | 437:6 438:19,21, | officials 503:21, | organization |
| 487:13 496:19 | nature 443:25 | 24 442:8,10,13 | 25 504:9 505:22 | 427:24 438:6 |
| Mountains | 494:22 | 443:8 446:5 | OGDEN 503:7 | origin 490:23 |
| 496:16 | Nawash 426:24 | 450:24 471:20 | 505:11 | originally |
| mouth 446:16 | 427:3,5,6,7 | 481:7 482:5 | Ojibwe 424:10 | 426:14 501:7 |
| 467:18 468:4 | 486:21 516:20 | 483:24 502:10 | 461:12 462:18 | Ottawa 513:18 |
| 489:10,11 | needed 430:20 | 505:12 507:11 | 466:18 | 515:14,19,22 |
| move 433:6 | 440:2,10,24 444:3 | 508:12 509:12 | Ojibweg 434:3, | 516:12,17 |
| Moving 511:16 | 445:16 455:5 | numbers | 12 | ousted 441:13 |
| museum 468:7 | 482:7,10 487:7 | 438:16 | Ojigs 447:8 | outcome 469:9 |
| 471:4,12 489:23 | 521:6 | née 497:14 | 455:18 | outlet 451:12 |
| museums | neglect 492:12 | | ongoing 430:11 | outlines 511:14 |
| 471:23 | netting 494:22 | O | Ontario 428:21, | outlook 429:18 |
| | new-found | oath 424:17,22 | 23 430:14 437:9 | outset 481:6 |
| | 499:23 | object 502:1 | 510:1,6,11 517:19 | outsiders 465:1 |
| | Neyaashiinigm | objection 503:5 | operate 520:19 | overcome |
| | iiing 437:17 | 505:9,10,11 | operation | 488:3 |
| | 438:22 472:14 | 506:21,23 507:1,8 | 520:19 | overfish 494:15 |
| | night 454:1 | 509:4,10 | opinion 437:15 | 495:7 |
| | Nipissing | obstacles | opinions 437:22 | overfishing |
| | 451:12 | 512:25 | opportunities | 495:1,5 |
| | north 449:17 | obtain 432:20 | 494:7 517:16 | |

N

Nadjiwon 437:6

names 426:21
438:16 449:21
450:24 481:12,16,
22 519:22 520:6

| | | | | |
|--------------------------------------|---------------------------------------|-----------------------------|------------------------------|----------------------------------|
| overhunt 495:8 | 511:5 513:22 | 455:15 457:14 | 473:19,22 | position 504:8 |
| overpower 490:15 | 515:11 516:13 | 458:4 459:15,19 | place 426:17 | 505:24 506:5,15 |
| owed 484:7 | 523:18 | 460:24 463:2 | 429:22 431:8 | 507:20 |
| <hr/> | | | | |
| P | | | | |
| <hr/> | | | | |
| p.m. 500:17,18 526:20 | participate 431:5 | 465:25 466:1,2,10 | places 446:13 | positions 427:24 437:8 |
| paid 484:21 | participated 431:1,4 | 467:4,10,14,15 | 451:3 | pots 465:6 |
| paper 524:20,25 | parts 476:22 | 469:6 471:24 | 446:13 | pray 429:19 |
| papers 524:17 | 478:22 495:22 | 472:3,19 474:5,8, | 451:3 | 458:2,12 469:8 |
| paragraph 503:17,23 505:7, | 511:3 513:12 | 10 475:21,24 | play 479:24 | prayer 431:19, |
| 18 507:16 509:19 | 514:21 | 477:9 479:3,14,18 | 482:13 514:7,23 | 22 |
| 519:7,8,10,11,19 | pass 440:20 | 480:12 481:7,9, | played 441:16 | prayers 430:22 |
| paragraphs 523:4 | passed 433:7 | 15,18 482:5 | 477:11 | 431:22,24 |
| parameters 513:7 | 440:25 | 483:25 484:4,17 | plays 441:10 | prefer 464:2 |
| Pardon 464:8 | passing 446:9 | 485:18 486:9,18, | plot 490:2 | preference 464:15 |
| 480:18 | 516:11,16 | 25 487:2,9,11 | point 438:11,20 | pregnant 494:11 |
| parents 426:22, | past 432:14 | 488:5 489:12,19 | 440:16 450:3 | present 476:6 |
| 25 427:1,3,4 | 437:1,11 476:5 | 490:4 493:22 | 451:1,22 452:18, | 509:21 |
| 447:11 454:22 | 508:14 | 495:15,19 496:10, | 19,20 461:16,17 | present-day 476:17 |
| 455:1,14 | paying 484:22 | 497:7 498:3 | 463:24 467:5 | preservatives 498:17 |
| park 462:7 | payment 512:21 | 499:5 500:2 | 468:24 473:11 | preserve 498:16 |
| 469:15 500:24 | peace 443:1,6, | 501:14 512:18 | 512:17 515:1 | preserved 498:10 |
| 501:6,11,15 | 11 | 513:21,24 514:4 | 516:3 | pretty 463:15 |
| 503:20 504:4 | Penetang 487:13 488:3 | 517:5,24 519:20 | pointing 474:1 | prevent 496:6 |
| 508:6 509:24 | peninsula 454:6,7,16 462:4, | 520:1,4 | points 454:6,7, | prevented 513:20 |
| parkette 473:21 | 5 469:14 470:19 | person 432:24 | 17 | previous 490:5 |
| Parks 500:23 | 473:1 483:20 | 437:13 440:12 | policeman 441:14 | 504:5 506:14 |
| 501:21 502:2 | 484:10,11 485:16 | 444:17,20 448:4 | policeman's 441:15 | 508:25 516:9 |
| 504:15 505:22 | 488:11,12 507:25 | 476:15 482:11 | policemen 441:19 | 519:19 |
| 506:4 510:3,14 | 508:6 509:24 | personal 446:21 | policing 442:15 | previously 446:6 |
| Parks' 501:14 | 510:17 511:15 | 473:22 | policy 510:10,12 | prior 455:14 |
| 509:22 | 512:13 523:14 | personally 516:25 | political 460:18 | 468:19 513:24 |
| Parry 448:11 | Penner 506:1,10 | pertaining 489:22 | pollute 458:19 | privilege 504:15 |
| part 435:11,15,16 | 507:14 508:20 | ph 496:21 | Port 449:25 | problems 481:15 |
| 437:21 439:14,17 | 509:15 | physical 445:17 | 452:15 | procedure 430:19 |
| 443:16 444:13,15 | people 425:14 | Pickerel 447:23 | portion 435:14 | |
| 456:12 457:16 | 431:13 432:13,15, | 451:10 | 467:9 476:25 | |
| 458:7 459:8,21,22 | 19,21 434:2,3,13, | picture 439:23 | 487:12 516:19 | |
| 465:11 468:18 | 14 436:6,9,24 | piece 433:19 | | |
| 477:11 479:1,12 | 437:3 439:3 | piecing 433:21 | | |
| 484:20 488:24 | 441:18 442:8,10, | pipe 431:10,12, | | |
| | 19 443:4,8,22 | 15,17,18,20,25 | | |
| | 444:2,6,22 445:4, | 432:3,7 472:16 | | |
| | 13,15,16,23 | | | |
| | 446:6,13 447:25 | | | |
| | 449:10,13 450:10 | | | |
| | 453:24 454:12 | | | |

| | | | | |
|--|--|---|--|--|
| proceedings 478:9 526:19 | pursued 512:5 | reasoning 444:12 | regular 500:11 | request 444:6 465:21 468:15,18 |
| process 429:13 439:11,17 480:7 483:7,16 514:2, 17,18 | pushed 485:11 | reasons 467:14 472:18 485:24 495:8 505:24 520:16 | regulations 522:12 | requested 505:23 |
| produced 436:8 | put 431:19,21 432:12,25 457:8, 16 471:11,23 483:12 486:12 496:8 510:25 515:2 | recall 494:24 495:3 | relate 433:15 | required 440:15 465:11 479:7 480:9,10 482:23 504:7 |
| Professor 511:17,22,25 517:10 | putting 521:13 | receive 486:4 518:18 | relation 444:14 516:2 | requirements 510:9 |
| promised 512:15 | Q | received 434:8 437:5 444:5 461:1 492:11 493:2 | relations 503:20 | requires 510:12 |
| pronunciation 434:5 | qualifications 432:2 | receiving 484:14 | relationship 446:18,21 447:6 455:15 486:17 487:3,4,16,17 | research 433:18 483:21,24 515:20 516:8 517:2 |
| pronunciation s 434:4 | question 441:25 456:2 463:17 466:25 | recent 436:20 | relationships 446:12 | reservation 521:11 |
| proper 515:7 | questioning 525:17 | RECESSED 464:20 500:17 | relatives 455:17 | reserve 438:13, 18,20,24 439:1 453:6 513:9 515:10 518:16,19 |
| properly 482:25 526:2 | questions 518:12 525:15 | recognition 449:9 | relied 496:10 498:3 | reserved 508:1 |
| protect 454:18 | quiet 491:20 | recognize 458:24 | religious 429:25 | Reserves 438:15 |
| protectors 434:16 | R | recognized 472:18 | rely 500:7 | residential 513:2 514:3,6,9, 14 |
| provided 457:6 500:11 | R-O-O-T-E 425:10 | reconnect 473:3 | remains 468:5 469:17 471:7,8 489:18 | resource 439:10 |
| providers 434:12,13 | Rabbit 451:17 | record 425:3 473:24 | remember 484:17 522:6 | resources 510:2,11,19 522:18,23,25 |
| providing 456:24 | race 479:3 | recovered 471:23 | remind 460:9 | respect 432:21 460:19 474:10,16, 20 475:11 476:20, 22,23 478:2 |
| provincial 462:6 510:7,12,16 521:19 522:3 | rain 430:16,17,19 431:1,7,13 460:2 481:14,19 | recovery 471:19 | reminded 460:5 | respected 503:21 |
| public 510:17 511:4 | ran 488:17 | red 476:2 488:15, 17,18 489:6 | remove 514:7 | respectful 476:7 |
| pulled 521:8 | raspberries 498:8 | reference 465:2 473:25 515:4 | removed 463:18 514:15,20,22 | respecting 457:24 475:10 476:5 |
| punishing 514:9 | read 507:2 509:6 | referring 451:6 471:6 472:6 | removing 441:22 | respiratory 496:25 497:3 |
| purchase 486:11 | reading 436:7 507:5 509:8 | referred 506:14 | repatriation 471:9 | response 501:16,18,20 505:4 |
| purpose 432:11 468:12 479:19 493:19 | reads 503:23 505:18 507:16 509:20 519:11 | refers 519:18 | repeat 445:2 456:2 466:25 516:13 | |
| purposely 455:18 | ready 518:4 | Registrar 424:14,16,21 425:1,7,11,19 503:9,10 505:12 507:10,11 509:11, 12 | representing 428:10 | |
| pursue 522:7,18 | reason 444:20 455:4,6,9 466:13 518:16,22 | | represents 426:4 | |
| | | | reproduction 494:8 | |

| | | | | |
|--|---|---|--|---|
| <p>responsibilitie s 431:25 432:6 434:11 458:15 459:24,25 460:15, 16,21,22 responsibility 458:1,18 492:13, 14 result 480:6 509:24 512:14 RESUMED 464:21 500:18 retire 429:3 retired 429:5 return 463:13 474:22 returned 428:24 revenue 512:15 review 515:21 RG10 515:23 rice 498:20,22,24 499:2,5,8 riding 518:3 rights 478:7 501:3,10,15 503:22 504:3 507:24 508:3,11, 15,17 511:14 513:1 515:3 519:21 521:23 523:14,16 river 446:16 447:21,22 449:19 451:11 456:20 461:20,23,25 462:2 467:19 468:4 469:12,21 470:7 486:24 489:11,12,13,14, 15 499:6 rivers 456:4 457:9 road 476:2 511:1,2 Robert 436:25 448:5</p> | <p>rode 499:1 Roger 506:4 507:14 509:15 role 428:4,7 434:10 437:24 441:10,14,15,17 442:21 479:24 492:3 514:7 Roote 424:12 425:6,21,24 426:23,25 427:1, 2,9,10 436:17 453:11 455:20 464:24 467:2 484:18 497:14 500:21 503:15 505:14 508:9,22 510:23 511:21 520:7 523:10,20 Roseanne 427:5 route 448:19 Roy 427:4 436:24 486:20 489:4 516:20 run 454:12 runners 443:4 445:25 454:11 <hr/>S<hr/>sacred 425:21 431:18,24 434:22, 24 467:8,12,21, 23,25 468:19 470:21 sacrifice 468:12 safekeeping 468:7 safety 510:18,25 511:4 Saginaw 452:7 Saints 499:6 sale 484:15 486:4,7 508:16,17 512:21 523:17 salvage 525:4,5</p> | <p>Sarnia 450:2 452:13,15,21 Saugeen 424:10,11 426:20 429:11 437:21 438:18 449:16,19 452:10 461:12 462:4,18 466:18 467:19 468:4 469:11 470:7 488:22 489:11,12 499:6 Sauking 461:15 Saukings 435:9,10,14,15,19 Sault 448:25 449:7 452:1,3,4 SC0047 506:9 507:12 SC0061 508:19 509:13 SC0062 502:5, 11 503:12 SC0063 504:25 505:13 school 429:10, 22 430:4,5 514:3, 5,7,9,15 schools 433:3 513:2 screen 502:13, 19,22 season 518:5 seasons 498:4 seated 425:20 secluded 470:24 secretary 436:13 516:21 section 515:21, 23 seeking 464:25 465:12 self- explanatory 506:7</p> | <p>Selkirk 431:7 sell 486:11 selling 484:12 send 502:25 513:14,18 sending 443:4 515:13 sense 429:14 sentence 519:16,18 522:5 Service 510:4 sessions 460:4 setting 465:8 settlers 467:22 484:9 485:25 sharing 487:15 Shawiningan 448:10 Shelburne 461:22 shift 455:21 Shifting 478:4 491:3 shkikiwe 472:1 shock 501:19 shoot 511:1 shops 499:25 shore 467:18 short 519:7 shortly 485:23 shot 501:4 show 453:16 467:23 470:1 502:16 showed 447:15 showing 469:23 502:14,20 shown 467:25 shows 462:15 sick 463:15</p> | <p>side 448:21 455:20 467:20 511:9 sides 442:23 sign 483:13 490:25 signals 454:10 signed 485:23 502:1 significance 431:17 465:3 474:5,8 491:25 492:1 493:15,17 silence 506:21 Simcoe 487:12 similar 430:17 440:19 443:25 447:25 449:15,21 simple 496:3 sin 492:22,23 single 498:13 sir 424:7,14 425:8 427:9 453:11 464:3,7,15 470:1 500:15 502:7,13 507:4 525:23 sit 453:11,14 454:21 460:18 474:2 site 467:13 469:13 470:22 471:2,3,9,18,19, 24 472:14,16,17, 19 474:12,13,15, 16,24,25 475:2,14 489:5,18,21 490:15,16 sites 467:17 474:5,8,9,11,21, 22 475:6,8,18 476:13 478:3 489:6 sits 489:23 situations 478:16 size 435:25</p> |
|--|---|---|--|---|

| | | | | |
|---|---|--|--|---|
| Skull 489:19 490:2 | spear 493:1,3 | start 437:4 446:15 451:3 456:10 486:15 | strawberries 498:5 499:13 | 18 504:19 |
| sliding 427:11 | specific 457:15 459:1 466:18,19 467:3,4 473:12 482:2 517:20 | started 427:21, 22 477:7,10 483:22 484:11 485:23,25 486:1 521:14 524:2 | strength 469:7 | survive 460:12 |
| slowly 426:1 | specifically 476:14 481:23 | starting 461:16 484:10 | strictly 478:25 | sustain 459:9 498:18 |
| small 442:13 490:14 | specifics 472:7 | starts 519:9 | structures 436:14 | sustenance 504:17 |
| smoke 431:20, 22 454:10 | speech 433:5 | state 425:2 | struggles 515:5 | Suzuki 496:8 |
| so-called 441:19 461:14 476:2 486:6 487:22 | speed 468:16 | stay 473:6 | stuck 453:21 | Swamp 495:21 |
| solemn 424:17, 22 | spell 425:2,7 | stayed 515:16 | students 432:13 433:1 514:10 | symbolize 425:13 |
| Solomon 437:16 524:24 525:3 | spelled 425:9,10 | Ste 448:25 449:7 452:2,3,4 | styles 429:17 | system 430:14 434:1,21 435:4 436:1 456:18 457:17 458:6 465:14,22 474:24 475:5,25 477:2 479:4 496:25 497:2,3 |
| someplace 463:22 | spelling 434:5 452:11 | steal 454:1 490:16 | Stéphane 503:1,13 505:1,15 | systems 450:8, 15 |
| song 430:21 | spent 433:17 436:22,24 521:3 | stemmed 504:16 | subject 510:9 | |
| sort 441:20 446:10 454:8 466:6,22 490:20 495:10 496:23,24 498:11 | spirit 425:14 429:20 434:23 458:2,3,5,13 473:3,7 474:11, 18,23 475:11,13 478:1,2,14 | stems 434:19 | subsequent 508:24 | T |
| Sound 448:11 | spiritual 426:13 435:1 447:4 455:6 457:21 466:19 467:4 472:18,19 474:17 475:1 477:1 479:1 | steps 430:9 | subsisting 507:22 | table 478:22 492:4 493:18 |
| sounds 490:24 | spiritualism 476:8,24 482:3 | stoney 492:24 | Sudbury 447:18 | takes 475:15 477:3 |
| source 504:16 | spoke 436:21 437:6,14 477:12 486:25 514:10 518:10 | stop 458:24 518:6 | sufficient 506:21 | taking 458:23 468:20 484:12,20 486:9 490:12 494:25 517:11 |
| south 433:25 452:21 469:16,20 472:24 485:17 488:12 491:15 517:18 | spot 467:20 | stopped 447:22 448:10 449:14 518:8,17,24 521:14 | summer 517:12 518:1,2,20 | talk 427:19 429:12 430:25 431:16 433:8,14 437:1,10,24 444:8 454:3 455:22 456:3,6 457:20 466:17,22 467:6 468:9 471:14 472:10 474:4,7 477:17 479:15 480:24 486:18 487:20 492:6,17 495:13 497:7,25 512:4 519:4 523:4,6,23 |
| Southampton 520:3,12 | spring 494:20 518:5 | storage 471:11 | sun 430:17 431:1,6 481:19 | talked 429:16 433:12 436:6 460:4 472:2 |
| southern 467:9 487:12 | springtime 498:4 | stores 499:21 500:8 | supply 495:9 521:4 | |
| spawn 494:14, 20 | staff 516:15 | stories 448:7 450:11,13,14 453:21 462:24 485:11 486:21 487:21 488:7 489:25 | supply 495:9 521:4 | |
| spawning 494:13,16 | stalemate 501:13 | story 450:12 458:7 488:19,25 489:3,8 490:1,3 524:11 | suppose 465:24 | |
| speak 424:19 429:8 433:2 465:20 477:13 506:22 | stand 424:13 | | supposed 525:24 | |
| | standing 525:23 | | supposing 440:11 442:25 | |
| | | | surprise 504:10 | |
| | | | surrender 508:11 | |
| | | | surrendered 507:23 523:16 | |
| | | | surrounding 436:19 | |
| | | | survival 450:22 456:22 459:9,11, | |

| | | | | |
|---|--|--|--|--|
| 477:15 485:9 486:16 | 457:11 459:8,13, 22 461:13 462:11, 18,24 463:20 465:1 466:3,19 472:24 473:4,7,8 482:2 487:16 495:20,22 496:1 504:14 521:10 523:6 | 458:25 490:13 504:18 | 502:8,11,14,17,24 503:16 505:17 506:4 507:14,15 509:15,18 | treaty-making 483:7 |
| talking 433:10 436:13 452:1 464:24 480:22 481:4,9,10 490:8, 10 501:9 512:25 513:2 517:11 520:23 | testimony 481:7 | timely 500:15 | track 491:19 | trees 491:17 |
| taught 429:15 476:20 482:5 491:3,6,7,18,19, 20 492:17 493:24 494:1 495:6 | thick 491:11 | times 429:19 431:5 434:6 437:7 459:1 460:18 461:10 472:15 473:23 494:3 499:22 513:17 519:24 523:12 524:1 525:6 | trade 487:7 | trespass 485:12 |
| tea 496:5 | thieves 453:25 490:14 | tip 462:3 470:18 | traded 487:7 | trespassing 485:19 |
| teach 492:13,20 | thing 501:8 | tips 496:11 | tradition 493:22 514:13 | tribe 433:13 439:6 442:17 449:7 |
| teacher 492:19 | things 454:1 456:13 477:14 479:1 481:8 482:13,22 483:18 484:19 490:19 500:7 | title 439:5 507:24 | traditional 431:13 433:7 461:13 475:25 478:8 | trinkets 444:1 |
| teaching 433:5 457:8 476:20,22 493:12 495:10 | thinking 437:4 | titles 438:16 | traditionally 439:8 453:8 478:5 | true 511:25 |
| teachings 430:1,2 432:4,17 456:10,12 457:4 460:5,6,23,24 461:1,4 475:23 476:3,4,13,18 481:5 482:3,14, 15,19 | ties 466:20 | tobacco 431:19, 20 458:25 459:4 465:15,17,19 466:10 | traditions 481:5 482:16 | trust 432:21 |
| telling 523:5 | time 426:8 428:3 433:17 436:7,23, 24 437:19 438:11 439:12 440:6 442:1 443:5,12 444:16 446:2,25 447:23 448:4,6, 15,16 449:8,23 452:25 453:19 460:1,17 463:3 465:23 467:15 469:22 471:1 476:15 477:3 480:21 481:2 482:4,10,23 483:10 484:9 486:13 488:16 492:7,16 493:6,21 494:23 497:14,20 500:10,13 501:2, 12,14 504:21 512:6,19 514:10 518:11 519:24 520:21 521:2,6,8, 11,18,21 522:13, 15 523:1 524:9 526:6,14,15 | today 444:21 448:15 453:6 457:25 462:22 477:14 483:13 488:19 492:6 494:5 498:23,24 514:19 517:22 | travel 518:4 523:25 524:9 | truth 424:18,23 425:15,16,17 |
| term 429:4 446:23 475:4 494:5 513:10 | token 465:9 | told 450:12 470:15 471:13 496:15 504:23 511:22,24 515:12 516:15 518:6 525:9 | trainee 427:25 | tugs 520:2,5,8, 11,18 |
| terminology 440:7 | told 450:12 470:15 471:13 496:15 504:23 511:22,24 515:12 516:15 518:6 525:9 | top 470:5 473:20 | transcript 511:21 512:3,4,24 517:10 519:4 523:3 | turn 487:14 500:21 |
| terms 437:14 441:11,24 445:17 446:1 457:15 459:14 466:14 475:22 479:23 481:16,21 482:14 487:5 495:24 510:25 511:1 | topic 491:3 511:16 | topic 491:3 511:16 | travel 518:4 523:25 524:9 | two-lake 450:7 |
| territories 478:8 | topics 455:21 478:4 | topics 455:21 478:4 | travelers 453:10 454:5 | two-part 443:15 |
| territory 424:10 436:15,19 441:9, 23,25 442:15 443:14 444:6 445:14 446:4 | Toronto 517:21 518:5 | Toronto 517:21 518:5 | travelled 447:2, 12 448:22 455:7 495:19 524:5 | type 430:15 434:17,18 442:4 445:6,9 |
| | tour 448:23 | tour 448:23 | travelling 448:3 468:21 | types 457:3 480:9 |
| | Townshend 424:3,4,8 425:23 427:18 451:7,20 453:13 454:20 464:4,8,12,16,23 466:24 467:1 470:14 500:12,20 | Townshend 424:3,4,8 425:23 427:18 451:7,20 453:13 454:20 464:4,8,12,16,23 466:24 467:1 470:14 500:12,20 | travels 448:9 | <hr/> U <hr/> |
| | time-to-time | | treasured 487:9 | unable 429:8 |
| | | | treaties 462:25 463:1 479:6 482:19 512:6 | underbrush 491:11 |
| | | | treaty 435:12 459:15 478:7 482:24 483:19 484:5,6,25 485:2, 3,7,21,22,23 506:2 507:17,21, 22 508:2,12,16 512:11,16,20 515:9 521:22 523:17 | understand 430:1,20 432:20 433:15 440:17 449:4 450:6 456:18 460:14 476:11 478:1 483:15 491:12 505:20 513:7 520:13 |
| | | | treasury 435:12 459:15 478:7 482:24 483:19 484:5,6,25 485:2, 3,7,21,22,23 506:2 507:17,21, 22 508:2,12,16 512:11,16,20 515:9 521:22 523:17 | understanding 433:11 434:8 435:17 439:18 443:3 446:7 450:19 457:7 461:11,14 462:10, |

| | | | | |
|--|--|--|--|---|
| 16,25 466:9 468:11 469:4 476:10,18,25 477:8,20,24 482:18,20 484:8 487:4,10 491:14 500:3 504:13 510:1 511:6 understood 433:22 unilaterally 504:1 Union 428:21,23 437:9 United 429:25 uplifting 474:13 Upper 450:15 463:2 uprooting 474:14 Uriel 426:23,25 427:1 | vine 496:24 virtue 509:25 visit 447:2,13 454:23 455:2 visitation 444:4 visited 452:24 472:15 visitor 441:12 visitors 442:21 visually 479:23 vitamin 496:12, 13 voice 513:13 vote 514:23 | water 456:8,14, 17,20,22,23,25 457:2,3,6,9,10,19, 21,22,24,25 458:2,3,5,10,13, 16,18,20,25 459:3,4,5,7,10,12, 16,21,24 460:10, 19 488:17 496:10, 13 waters 455:23 456:4 watershed 461:20,24 462:2 469:22 ways 430:20,21 454:13 461:8,17 477:9 week's 504:9 weeks 483:9 well-known 472:17 490:3 Wesley 436:25 497:12,14 524:24 525:3,12 west 430:18 469:23 491:16 497:19 whatnot 444:2 white 468:4,5,10, 11,17,25 469:2,5, 17 Wikwemikong 426:6 447:3 451:17,22,23 455:7,18 wild 498:19,22, 24 499:2,5 Wildlife 510:5 Willard 520:9 Willow 520:24 521:1,5 523:25 Wilmer 437:6 Win 432:10 wind 470:23 | wintertime 498:15,17 Wisconsin 435:17,20 woman 457:6 women 458:2,11 479:20,22 514:25 word 434:19,20 453:20 472:2 476:23 496:21 worded 514:4 words 524:10 work 434:18 435:1 446:21 456:1 495:11 515:20 517:2,12, 18 518:19 520:4 worked 427:23 436:11 519:5,14, 23 520:11,14 working 427:22 432:15 483:23 502:22 520:1,7 526:2 worlds 461:9 wound 501:9 write 501:22 writing 432:11 written 482:22 501:25 505:23 506:3 wrongdoing 444:22 512:19 wrote 432:9 | young 450:5 477:10 492:13 495:7 497:16 499:18 |
| <hr/> V <hr/> V-E-R-N-O-N 425:10 valid 507:21 variety 500:6 vary 482:11 vast 473:7 vehicle 446:24 521:13,20 Vern 505:14 Vernon 424:12 425:6,21 503:14 version 431:21 versus 430:2 view 455:22,23, 24 456:4 496:3 viewed 432:7 viewpoint 502:2 viewpoints 437:23 | <hr/> W <hr/> walk 464:10 491:20 492:21,25 493:4 499:7 Walpole 431:9 wanders 501:6 wanted 439:2 440:12 442:5 443:1,11,13 444:18 463:3 496:9 wanting 440:20 war 442:9,24 445:7,17 450:15 489:7,16 war-time 450:13,14 Warden 510:4 warriors 434:15 441:17 Wars 487:22 wasting 510:18 watch 441:20 watchers 454:8, 16 watching 493:8 | <hr/> Y <hr/> year 428:2 years 426:3 428:9,10,19,22,24 429:1,2 436:8,12, 22 475:21 481:2 492:11 493:3,14 499:12 516:21 518:13 524:4 | <hr/> Z <hr/> ziibiins 492:22, 23 | |