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# Frank Speck and the Moisie River Incident: Anthropological Advocacy and the Question of Aboriginal Fishing Rights in Quebec

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**Abstract:** This article examines Frank Speck's role as a mediator of Aboriginal resource rights in early 20th-century Canada. I examine how Speck's role as an ethnologist was deeply informed by his role as an advocate. Similarly, I will show how the work he carried out as an advocate was informed by the ethnological data he collected. I explore an incident that occurred while Speck was working in the field in 1912, within the context of the development of colonial regulations to control and administer a national fisheries policy in Canada and Quebec during the 19th century. I illustrate why traditional Aboriginal patterns of land-use and conservation were in opposition to the increasing presence of colonial regimes and their administration and regulation of a growing salmon fishery in Quebec. I draw connections between the history of this conflict and the emerging science of anthropology in the early 20th century, exploring the relationship between ethnology and advocacy during the early years of anthropology in Canada.

**Keywords:** Frank Speck, anthropological advocacy, 19th century Quebec salmon fishery, Aboriginal fishing rights, history of anthropology

**Résumé:** Cet article examine le rôle de Frank Speck en tant que médiateur dans le domaine des droits des autochtones au début du vingtième siècle au Canada. Je démontre comment son rôle d'ethnologue a été profondément marqué par son rôle d'intervenant. Parallèlement, je veux montrer comment le travail qu'il a accompli en tant qu'intervenant a été influencé par les données ethnologiques qu'il a recueillies. J'utilise un incident qui est survenu alors qu'il était sur le terrain en 1912, dans le contexte du développement des règlements coloniaux pour contrôler et administrer les pêcheries au Canada et au Québec au dix-neuvième siècle. Je montre pourquoi les modèles traditionnels d'utilisation des terres et de conservation étaient à l'opposé de la présence croissante des régimes coloniaux et de leur contrôle d'une industrie des pêches grandissante au Québec. J'établis des liens entre l'histoire de ce conflit et la science naissante de l'anthropologie au début du vingtième siècle, en approfondissant les relations entre l'ethnologie et l'intervention politique durant les premières années de l'anthropologie au Canada.

**Mots-clés :** Frank Speck, intervention et anthropologie, pêche au saumon au 19<sup>ième</sup> siècle au Québec, droits de pêche des autochtones, histoire de l'anthropologie

## Introduction

The Moisie River...one of the great tributaries of the St. Lawrence has always been considered one of the best salmon rivers in the world. It is especially celebrated for the size of its fish, some of which weigh from 30 to 45 lbs. (Anonymous, 1895)

The renown acquired for years by our splendid salmon and trout rivers and our lakes so lavishly scattered over the whole surface of the province of Quebec has had a twofold result: it has attracted an ever increasing number of foreign sportsmen and has raised the leasing value of our rivers. (Anonymous, 1895)

This article examines one particular incident that occurred in 1912 at Moisie River on the north shore of the St. Lawrence River in the province of Quebec, Canada. When Frank G. Speck travelled to the north shore during the summer of 1912 to collect ethnological "specimens" for Edward Sapir and the newly opened Victoria Memorial Museum in Ottawa, Canada, his credentials as an anthropologist and his connection with a government department in Ottawa enabled him to help mediate a long-standing dispute between Aboriginal and non-Aboriginal peoples. While highlighting Speck's role as an advocate, this incident provides a backdrop for an analysis of the development of Federal and Provincial fishing regulations in the province of Quebec and the subsequent effect of these regulations on the Aboriginal peoples of the area. The incident at Moisie River ultimately foreshadows Speck's future work on issues of Aboriginal territoriality and resource rights in eastern Canada, northern Ontario and the northeastern United States, highlighting the history behind the shaping of anthropological advocacy practices in Canada during the 20th century.

An examination of Speck's role as a mediator of Aboriginal resource rights helps to challenge the extreme theoretical positions that currently portray

anthropologists and anthropological practices as contributing factors to the overall colonial suppression of Aboriginal peoples in Canada and elsewhere in the world (see Asad, 1973; Kulchyski, 1993; Livingstone, 1992; Trask, 1993; Tuhwai Smith, 1999). This article provides a specific account of how Speck worked in many capacities to intervene in the ongoing colonization of Aboriginal lands in Canada. I ultimately suggest that Speck's role as an ethnologist deeply informed his role as an advocate; simultaneously how the ethnological data he collected informed much of the work he carried out as an advocate.

### **Anthropology and Advocacy: (Re)-considering the Theory of Practice**

Since the early 20th century anthropologists have been struggling with issues involving the adoption of advocacy positions (La Rusic, 1985: 22). Perhaps the best-known example of anthropological advocacy in Canada stems back to 1914, when a handful of anthropologists, including James Teit, Edward Sapir and Franz Boas, actively advocated against the strict enforcement of an anti-potlatch clause in the Canadian *Indian Act*. The Anthropology Division at the Victoria Memorial Museum in Ottawa openly criticized this initiative of the Department of Indian Affairs, (Cole, 1990: 101). Invoking understanding, tolerance and justice, Harlan Smith, head of the Archaeological Division at the Victoria Memorial Museum in Ottawa, argued that the Canadian government failed "to even try and understand the other fellow's point of view and the real working of his customs" (Cole, 1990: 130). Edward Sapir, Chief Ethnologist of the Anthropology Division at the Victoria Memorial Museum in Ottawa, pointed out to Duncan Campbell Scott, the Superintendent General of the Department of Indian Affairs, that enforcement of an anti-potlatch law would prove to have a very negative effect on those Aboriginal people on the Northwest Coast of British Columbia who practiced the tradition. Sapir felt that it "was high time that white men realized that they are not doing the Indians much of a favour by converting them into inferior replicas of themselves" (Cole, 1990: 131). Sapir stressed that any attempts to force adherence to an anti-potlatch law would result in "maladjustment and unhappiness for the worthier members, degeneration for the less worthy" (Cole, 1990: 131). Franz Boas also pointed out that an anti-potlatch law would bring about extreme hardships for those Aboriginal peoples who practised the tradition. The anti-potlatch law, Boas argued, would result in a "complete demoralization of their business system" and Aboriginal

peoples would be paralyzed by the sudden valuelessness of their blankets, coppers and other material goods (Cole, 1990: 130). Although sections relating to the strict enforcement of the anti-potlatch law were written into the *Indian Act* in 1918, and subsequently dropped in 1951, it is clear that those anthropologists closely associated the practitioners of the potlatch tradition attempted to have the law revoked, or at least to mitigate its enforcement.

The early anthropological works of Erasmus (1954), Barnett (1956), Foster (1962), Paul (1955), and the Berreman-Gough-Gjessing (1968) debate of the 1960s, all foregrounded some of the contemporary issues surrounding the questions of anthropological advocacy, including the effects of technology on traditional life-ways (Gough, 1968) and the moral and ethical responsibilities of the social scientist (Berreman, 1968; Gjessing, 1968). In the United States, the work of Sol Tax and the Fox Indian Project in Tama, Iowa, from 1938 to 1962 and the American Indian Chicago Conference in 1961<sup>1</sup> are excellent examples of some of the contemporary advocacy work initiated between anthropologists and Aboriginal peoples. Similarly, the work of Harry Hawthorn et al. (1966) and the McGill-Cree project<sup>2</sup> of the 1960s, reflect some of the types of sociopolitical support anthropologists have actively offered Aboriginal peoples in Canada. Robert Paine (1985) has suggested that the role of "concerned" advocacy in anthropology is in fact contradictory. Although advocacy may situate the anthropologist in a position "damaging to the academic canons of the discipline," Paine argues that it may also be liberating, forcing the discipline to "reflect upon the philosophical and moral canons behind the academic ones" (Paine, 1985: iii). The role of the advocate, Paine suggests, is to handle information, "making things explicit that have been left vague, interpreting what has not been understood or even propagating what has not been heard before" (1985: xiv). Georg Henriksen (1985) argues that the impetus behind anthropological advocacy is not merely handling information but processing and presenting the information. The role of the anthropologist as advocate, Henriksen argues, is therefore to "deliver sound social-scientific arguments that can be used to support the people and societies we study" (1985: 121). David Maybury-Lewis (1985: 147), however, suggests that advocacy also requires the "ability to study our society (or other 'modern industrial societies') with a detachment similar to that we strive for in studying the exotic." Such an analysis of one's own society, Maybury-Lewis contends, "requires the ability to analyze

national policies, development ideologies and the workings of bureaucracies with a detachment that enables us to see beyond their familiar obfuscation and self-deceptions" (1985: 147). The role of advocacy, according to Maybury-Lewis, is to, in some manner, influence the complex ideological processes that work to subsume and suppress the "underprivileged" of society. Yet, as Robert Paine notes, the anthropologist as advocate is faced with a task of brokering between contending parties—one dominant and one underprivileged—or, in other words, working as "a mediator of an issue between them" (Paine, 1985: xv).

In contrast, K. Hastrup and P. Elsass (1990) argue that to be advocates, anthropologists have to step outside of their professions, because no "cause" can be legitimated in anthropological terms. Hastrup and Elsass suggest that although ethnographic knowledge may provide an important background for individual advocacy, the rationale for advocacy is never ethnographic—and hence never anthropological. Advocacy, they believe, always "remains essentially moral in the broadest sense of this term" (1990: 301). Thus, advocacy would rely on and, in fact, be born out of the subjective norms and values of the advocate. This poses a threat to the perceived objective stance of the anthropologist as observer. Hastrup and Elsass note that the concept of advocacy therefore immediately acknowledges the position of the anthropologist as an intermediary—a position in which anthropologists may find themselves more by circumstance, than by scholarly plan, and "the involvement may be a simple corollary to engagement in the fieldwork of dialogue" (1990: 302). According to Hastrup and Elsass, advocacy is therefore a "personal obligation in the local and social context" (1990: 302-303).

In response to Hastrup and Elsass, Merrill Singer (1990: 548) suggests that anthropological advocacy is possible, ultimately "putting knowledge to use for the purpose of social change." Unlike Hastrup and Elsass, Singer contends that advocacy within anthropology recognizes the dialectical relationship between culture and history, stressing that "all action, including inaction, unfolds in a world...of 'open veins'" (1990: 548). Singer ultimately recognizes that culture is not a driving, determinate force, but a product of ongoing social interactions and that "knowledge generation and knowledge utilization are inseparable" (1990: 549-550). In this sense, the product and process of sociopolitical experiences hold the potential to deeply affect and implicate anthropologists and the work that they produce.

## **To Strike a Good Blow or Catch a Good Fowl: Aboriginal Peoples and the North-Shore Quebec Salmon Fishery**

During the spring and summer of 1912, Frank Speck, a young anthropologist from the University of Pennsylvania and former student of Franz Boas, planned to return to the north shore of the St. Lawrence on his way to Newfoundland and Labrador to resume the ethnological work he had started with the Innu two years previously. The timing of Speck's excursion<sup>3</sup> to the field coincided nicely with Edward Sapir's desire to complete the Victoria Memorial museum's collection of Aboriginal material from northeastern Canada (see Sapir, 1911). Both students of Boas, Sapir and Speck had maintained a good friendship throughout their years as graduate students at Columbia University in New York. Sapir's appointment to Ottawa as Chief Ethnologist of the newly established anthropology division at the Victoria Memorial Museum, provided Speck with a chance to fund his return to the north shore. On March 6, 1912, Sapir wrote to Speck that "it would be highly convenient for you to pick up some museum material for us when up at Lac. St. John" (Canadian Museum of Civilization [CMC], Frank Speck correspondence [FSC] Box 634 F1, March 6, 1912). In response to Sapir's request, on March 28, Speck was hopeful that he could "get [Sapir] a representative lot of stuff." However, he noted to Sapir that acquiring such a representative lot of Aboriginal material culture from northern Quebec, Labrador and Newfoundland would require more time, for "a reconnaissance is necessary for such a large area" (CMC, FSC, March 28, 1912).

Before leaving to Newfoundland, Speck travelled to the Innu communities of Sept-Iles, Moisie River, Lac St. Jean and Natashquan, along the north shore of the St. Lawrence River. While visiting these communities Speck hoped to collect ethnological specimens for the Victoria Memorial Museum. One of the Innu communities Speck visited was at the mouth of the Moisie River, and while there he was shocked to discover that the Innu were forbidden to fish salmon for either sustenance or livelihood. The situation at Moisie River in 1912 was the cumulating of more than 50 years of jurisdictional and administrative measures that effectively excluded the Innu from participating in the salmon fisheries on the north shore in Quebec. Since the mid-19th century, the Innu at Moisie River and Sept-Iles were entangled in a web of federal and provincial regulations and fisheries resource policies that prevented Aboriginal involvement in the use and development of the Quebec salmon fisheries.<sup>4</sup>

The importance of salmon and the traditional role of fishing for the Innu cannot be understated. It is crucial to understand the critical significance of the lakes, rivers and coastal waters in relation to the land—a position that is not subordinate to hunting and trapping, but mutually supportive. The consequences of prohibiting Aboriginal peoples from utilizing the salmon resources they had traditionally depended on were disastrous. By disrupting and forcefully changing the traditional lifestyles and land-use patterns of the Innu at Moisie, the provincial and federal governments had detrimentally and negatively impacted the well-being of the Innu.

A comparable set of circumstances was simultaneously developing in British Columbia, in the Fraser River Valley in 1913. As Andrea Laforet (1998: 100) points out, the construction of a Canadian National Rail (CNR) line through the Fraser valley in 1913 caused a rockslide that effectively blocked the Fraser River and stopped the upriver passage of sockeye salmon. In 1914, regulations were set in place that denied the Aboriginal residents access to the much-needed salmon stocks of the Fraser River. The consequences of one year without fishing were severe. In 1914, the Chief of the Spuzzum people, James Paul Xixnez, explained the seriousness of the situation to a Royal Commission on Indian Affairs:

Whose fault was it that I hadn't sufficient food to eat this year? Who was the cause of our poverty—it was not my fault that to-day we are poor—I was stopped from providing myself with food—Noone should be stopped with providing themselves with food—When they came to stop me they told me if I did not obey I would be put in gaol. (quoted in Laforet, 1998: 100)

Laforet points out that the decline in fish stocks was drastic: from the usual hundreds formerly dried by each family for the winter, in 1914, each family had no more than 40 fish per household (1998: 100).

Since time immemorial, a group of Innu peoples fished the Moisie River, principally for salmon during the spring and early summer months. The traditional pattern of land-use was cyclical. In the fall, Innu families would return to the bush to hunt and trap game, depending upon the meat and furs to survive through the long cold winters. When the spring came, melting the lake and river ice, families would return along the inland waterways to their summer encampments on the coast. On their way to the coast, many stops would be made to fish the plentiful spring salmon runs in the Moisie River. The salmon caught during these periods would provide enough food to live comfortably on the coast during the spring and summer months. As well, during the mid-

summer months groups of Aboriginal fishermen would frequent the river to fish the midsummer salmon runs. The salmon caught during the last salmon run would be smoked or dried, providing enough food for families to return to the bush and begin preparations for the winter hunt (Clément, 1993: 87-89; Parenteau, 1998: 4).

From as early as 1844, the Hudson's Bay Company (HBC) was actively involved in salting and shipping Moisie River salmon from the Sept-Iles post on the north shore of the St. Lawrence River to Quebec City. It is unclear whether the HBC employed Aboriginal peoples in these fishing operations. Since 1836, the Hudson's Bay Company shared a monopoly on the fishing privileges of the north shore of the St. Lawrence with the Labrador Company. In an 1844 report on the Hudson's Bay Post at Sept-Iles, HBC factor Alexander Robertson wrote, "The extension of the fisheries [to Moisie River] has thus been attended with success, and much indication of the returns of fish, at a comparative trifling expense" (National Archives of Canada [NAC], 1844). By 1850, the HBC Post at Sept-Iles had established active and prospering salmon fisheries at Moisie River and, by mid century, the HBC occupied all the fishing posts from Tadoussac to Olomanshipu, averaging an annual haul of 500 barrels of salmon from the Moisie River (NAC, July 24, September 4, 1850) and 300 barrels from the St. Jean, Mingan and Natashquan rivers (Panasuk and Proulx, 1979: 204). Due to the large catches in 1850 and prospects for increased yields in the salmon harvest of 1851, the HBC post at Sept-Iles commissioned, in the spring of 1851, the building of salmon sheds on the banks of the Moisie River to hold the catch of 1851. In August of that year, the HBC fishery on the Moisie was bustling. In a letter to the post at Sept-Iles, HBC Factor, George Henderson wrote, "I went down to visit the fishing stations and found them all taking from 50-60 salmon pieces, and every thing that could contain salmon was full....There will be about 200 pieces of salmon here this summer" (NAC, August 1, 1851).

In 1845, the Innu on the north-shore of the St. Lawrence petitioned the colonial government of Lower Canada for recognition of their hunting and fishing rights. The petition was spurred on by the increasing monopoly of hunting and fishing privileges granted to the Hudson's Bay and Labrador Companies. The Innu petitioned to have their hunting and fishing rights assured and guaranteed under the provisions of the Royal Proclamation of 1763 (Panasuk and Proulx, 1979: 204). Four years later, in 1849, Father Flavien Durocher, an Oblate missionary also petitioned the colonial government on behalf of the Innu at Moisie River and the

other Aboriginal peoples on the north shore, demanding that the Governor of Lower Canada recognize and affirm the Aboriginal rights of the Innu on the north shore. The Honorable L.H. Lafontaine, a representative of the colonial government, promised Durocher that the government of Lower Canada would do everything in its power to grant land next to the Bersimis and Outardes rivers to the Innu on the north shore land for hunting. However, no land or water was ever granted for hunting and fishing and the demands of the Innu fell ultimately on deaf ears (Panasuk and Proulx, 1979: 204).

In Upper Canada a similar situation with regards to Aboriginal fishing rights was also unfolding. From as early as 1829, Aboriginal peoples in Upper Canada had been asserting their Aboriginal fishing rights in petitions to the government of Upper Canada.<sup>5</sup> Although petitions of these sort would fail to yield results 10 years later in Lower Canada, in Upper Canada, the petitions helped to persuade the government to pass legislation in 1829 protecting Aboriginal fishing rights. In 1829, the government of Upper Canada made it unlawful for any person or persons to fish in “any mode or manner” upon the lands and waters reserved for the Mississauga First Nation on the Credit River, “against the will of the said Mississauga people, or without the consent of three or more of their principal men or chiefs” (Hansen, 1991: 3). By 1840 the government of Upper Canada passed further legislation to control the quality of fish caught for commercial purposes. This legislation enabled the governor and Lieutenant-Governor of Upper Canada to appoint fish inspectors in “every district of the province to inspect and grade all fish that was packed in barrels” (Hansen, 1991: 4). Subsequently, in 1845 restrictions on salmon fishing in Upper Canada were increased, making it illegal to fish any rivers or creeks emptying into Lake Ontario. Notably, however, this early legislation placed no restrictions on Aboriginal fishing rights in Upper Canada.

In 1857, the first *Fisheries Act* was enacted and the Department of Crown Lands gained the responsibility for fisheries in Upper and Lower Canada. The legislation “created a single set of regulations and set in place the structure for modern fisheries administration” (Hansen, 1991: 6; Parenteau, 1998: 6). The new laws regarding the fisheries in Upper and Lower Canada laid out specific regulations for closed seasons on salmon fishing, gear restrictions on stationary net fishing in estuaries and the requirement of providing a fish-way on mill dams. As well, a regulatory framework was established to provide for the administration of the new laws by fishery Overseers. The Overseer’s role was to ensure

that Aboriginal and non-Aboriginal anglers obeyed the new fishery regulations. In a letter to the federal Minister of Marine and Fisheries the Overseer for Moisie River noted that “an Overseer must be like the Fox in its den, perfectly recluse, in order that he may be enabled to strike a good blow when necessary or catch a good fowl” (NAC, 1894).

In response to the new *Fisheries Act*, in 1858 the Innu of Quebec twice petitioned the government of Lower Canada. In one petition, two Oblate missionaries, Louis Babel and Charles Arnaud, on behalf of the Innu at Moisie demanded that the government grant the Innu the exclusive right to fish the salmon runs in the Moisie River. The Innu felt that although the new regulations outlined in the *Fisheries Act* may have been sufficient to regulate the fishing activities of non-Aboriginal peoples, the provisions would effectively discriminate against the role fishing played in the traditional Innu lifestyle (Panasuk and Proulx, 1979: 206). In another petition that same year, a government official from Lower Canada, Hector Langevin, attempted to obtain the exclusive rights for the Innu to fish the Moisie over a 21-year period (Panasuk and Proulx, 1979: 206). Subsequently, the findings of a 1858 special report on Indian Affairs commissioned by the colonial government questioned the effect of the increasing number of non-Aboriginal peoples fishing in the rivers traditionally used by Aboriginal peoples on the north shore of the St. Lawrence. In the report, the commissioners detailed the importance of salmon in the lifestyle of Aboriginal people and argued that,

since the catching of salmon has begun to be very important in the waters off the north shore of the St. Lawrence River, the Indians find that their average existence is gradually being disrupted by the modes of fishing employed by the whites who are helping themselves without any remorse or scruples, in any way to steal the fish. (*The Journal of the Legislative Assembly of Canada*, 1858: 16: 21; my translation)

Clearly, the Commissioners’ report understood the need of the government of Lower Canada to recognize the traditional importance of fishing in the economic existence of the Innu and the detrimental effects the fishing practices of non-Aboriginal peoples were having on this economy. However, the regulations set out in the new *Fisheries Act* of 1857 gave no room for traditional Aboriginal subsistence and trading activities (Panasuk and Proulx, 1979: 206).

In 1859, an amendment was attached to the 1857 *Fisheries Act* which provided the provinces of Upper

and Lower Canada with the power for licensing “fishing stations on estuaries and the leasing of fluvial portions of rivers where the adjacent lands remained ungranted by the Crown” (Parenteau, 1998: 6). This new amendment ultimately provided the government with a method to derive a source of income from the fishery resources. Deriving such a financial resource was seen as critical for the administration of the ever expanding colonial fisheries in Upper and Lower Canada (Hansen, 1991: 6). By 1859, a blueprint for future federal fishery regulations was in place—a framework that combined both a regulatory apparatus for the administration of the fisheries and a leasing and licensing system to extract a much needed source of revenue from the fisheries, to the detriment of an Aboriginal fishery.

The fishing technologies of Aboriginal peoples were seen as impeding and, in fact, destroying the development of the ever-expanding fisheries in Canada. It was felt by some that not only did Aboriginal peoples not pay for their right to fish through leases and licences; their traditional methods of fishing were largely to blame for the decline of Atlantic salmon stocks in Lower Canada. The government of Lower Canada believed that experiments in Ireland and Scotland proved that when rivers were leased to sportsmen, the stocks of salmon increased “most wonderfully” and “the fisheries of rivers flowing through ungranted wilderness lands, which are now being destroyed in the most wasteful and reckless manner, might be preserved and rendered profitable” (Perly in Parenteau, 1998: 7). Although there was no scientific evidence suggesting that the selective fishing economies in Scotland and Ireland were effective in conserving fish stocks as well as providing revenue, in Lower Canada, it was regarded as safe and profitable to lease out the fishing rights to those rivers abundant in salmon stocks (Panasuk and Proulx, 1979: 206). The new policy of leasing out parts of rivers to sports fishermen made it virtually impossible for Aboriginal peoples to continue using the rivers as a source of much needed food and trade goods. Certain provisions outlined in a fishing lease made the lessee responsible for providing “guardians” who would “prevent the spearing of salmon” in the waters of rivers, a veiled oppressive act against the Aboriginal fishery (NAC, May 9, 1895). Although the 1857 and 1859 *Fisheries Acts*, along with their subsequent amendments, attempted to foster greater control and regulation over the fisheries in Upper and Lower Canada, the Atlantic salmon stocks in Lower Canada continued to dwindle. The rapid decline of Atlantic salmon stocks in Lower Canada by the early 1860s was

blamed largely on Aboriginal peoples and their traditional fishing patterns. However, Section 17(8) of the 1865 amendment to the 1859 *Fisheries Act* permitted Aboriginal peoples in Upper and Lower Canada the use of traditional methods to fish (An Act to provide for the better regulation and protection of fisheries. 29 Vict., Chapter XI, S. 17[8]). While these amendments addressed some of the Aboriginal concern over access to their fishery, the amendments also created resentment among the growing elite fraternity of non-Aboriginal sports fishermen in Canada (Parenteau, 1998: 9). This resentment is reflected in a statement made by J.E. Alexander concerning fishing in New Brunswick,

That the Indians must suffer starvation by being deprived of the “native liberty” to ruin our salmon fishery, is a very flimsy apology on the part of those who still desire to perpetuate so flagrant an abuse.... Were there not another salmon to be caught between Quebec and Labrador, the extinction could not occasion to Indians one tithe of Misery. (Alexander in Parenteau, 1998: 9)

As Bill Parenteau (1998: 7) points out, however, the accusations directed at Aboriginal peoples by the sporting fraternity were unwarranted. The decrease in Atlantic salmon was not due to over-fishing by Aboriginal peoples, but directly tied to the increasing establishment of natural resource exploitation by non-Aboriginal peoples on the north shore—specifically the increase in forestry and mining activities along the rivers and inland freshwater lakes. By the early 1860s natural resource exploitation and the increase of sports fishing in Upper and Lower Canada, combined with the quickening pace of the commercial fishing industry initiated by the HBC ultimately facilitated the near extinction of Atlantic salmon in Quebec rivers (Parenteau, 1998: 7-8).

Shortly after the 1859 amendment to the *Fisheries Act* was passed, an agreement was reached between the Indian Department and the Department of Crown Lands, establishing that Aboriginal peoples were subject to the provisions of the *Fisheries Act*. However, the agreement stipulated that Aboriginal peoples in Upper, not Lower, Canada were exempt from paying fees for fishery leases. The agreement stated that “in cases where the purport and object of title is to secure to the individuals and families of each tribe exclusive use of such fisheries for *bona fide* domestic consumption” Aboriginal peoples would not have to pay fishing fees (Hansen, 1991: 6). There is no indication why Lower Canada was exempted from these new provisions.

Subsequently, in 1865, two years before Confederation, a more detailed regulation regarding Aboriginal fishing rights was appended to the 1859 *Fisheries Act*. This was mainly due to incidents which had occurred in Ontario between Aboriginal fishermen and provincial and federal fisheries officials. As early as 1862, Aboriginal peoples at Manitoulin Island had successfully resisted attempts of the government to lease out the fishing rights to portions of the waters surrounding the island. The 1863 mysterious death of a federal fishery agent at Manitoulin (see Leighton, 1977; Lytwyn, 1990), ultimately persuaded the Federal and Provincial governments to focus more attention on the question of Aboriginal fishing rights in Upper Canada (Lytwyn, 1990: 22). In 1865, section 17(8) of the *Fisheries Act* was amended to allow the Commissioner of Crown Lands to

appropriate and lease certain waters in which certain Indians shall be allowed to fish for their own use as food in and at whatever manner and time are specified in the lease and may permit spearing in certain localities for bass, pike and pickerel between the fourteenth of December and the first of March. <sup>6</sup>

Following this amendment to the *Fisheries Act*, in 1866 the Commissioner of Crown Lands directed that, subject to section 17(8) of the Act, “all fisheries around Islands and fronting the mainland belonging to Indians be disposed of by the Fisheries Branch of the Department” (Lytwyn, 1990: 23). The new fishing regulations vested the ultimate authority over the question of Aboriginal fisheries in the hands of the Department of Crown Lands, furthermore it was clear that the Department had no intention to provide Aboriginal peoples with free leases to their traditional fishing grounds (Lytwyn, 1990: 23).

By the time of Confederation in 1867, the colonial governments had entrenched Aboriginal fishing rights within the context of a colonial regulatory scheme that restricted the ability of Aboriginal peoples to regulate and maintain their own fisheries. With virtually no consultation with Aboriginal peoples, the colonial government effectively constructed policies to restrict traditional Aboriginal lifestyles. The introduction of an arbitrary administrative system of licences, leases and closed seasons, and a regulatory apparatus for the enforcement of this system came into direct conflict with the traditional aboriginal fishing economy. The development of such a system was effectively established to provide Upper and Lower Canada with an ever-increasing source of revenue as well as the power to regulate and control the rapidly developing commercial fishing industry.

After 1867 Canadian fisheries became the responsibility of the Federal Government. In 1868, the Federal Government passed the first national *Fisheries Act*. The initial purpose of the *Act* was based on the conservation of Atlantic fish stocks, with the “overlapping objectives of rehabilitation, regulation and enforcement” (Parenteau, 1998: 9). Federal fishery regulations and conservation principles were enacted in order to control access to fish through similar measures outlined in the prior colonial fishery regulations of Upper and Lower Canada—closed seasons and times, bans on certain types of nets and fishing practices (namely Aboriginal) and the licensing and leasing of fishing rights (Parenteau, 1998: 9). Ultimately, the new federal fishery regulations were virtually identical to their colonial precedents. The Department of Marine and Fisheries merely fine-tuned a pre-existing regulatory apparatus to effectively further exclude Aboriginal peoples from the salmon fisheries in Lower Canada.

Central to the functioning of this regulatory apparatus was “the licensing of fishing stations in the estuaries of salmon rivers; the leasing of fluvial portions of salmon rivers to sportfishing clubs; and the setting in place of an administrative regime capable of enforcing salmon fishing regulations” (Parenteau, 1998: 9). The development and entrenchment of conservation principles in the 1868 *Fisheries Act* were chiefly due to the affinity between government officials and the elite male sporting culture in North America. The Federal Government responded to the elite sporting culture’s “push for increased funding and an expanded management bureaucracy,” and in return, the sporting culture “counted on a regulatory régime favorable to recreational hunting and fishing” (Parenteau, 1998: 9-10). The political clout of the sporting culture was strong. The Federal Government could rely on the sports fishermen for key political support for the development of programs such as fish hatcheries, and the sporting fraternity could rely on the government to expand fishing laws and regulations, at the turn of the 20th century, that directly favoured the “rod and reel” approach to fishing (Legislative Assembly of Quebec, 1906; Parenteau, 1998: 10).

An immediate effect in 1868 of the relationship between the elite sporting culture and the Federal Government was the ban on the use of Aboriginal fishing technology in the provinces of Quebec and Ontario (Parenteau, 1998: 10-11). The 1868 *Fisheries Act* made it illegal to “fish for, catch, or kill salmon, trout (or ‘lunge’) of any kind, Maskinonge, bass, barfish, pickerel, whitefish, herring or shad by means of spear grapnel hooks, negog, or nishigans” (Canada, 1868). However, an exemption

was included in the clause, allowing the Minister of Fisheries to “appropriate and license or lease certain waters in which certain Indians shall be allowed to catch fish for their own use in and at whatever manner and time are specified in the license or lease, and may permit spearing in certain localities” (Canada, 1968).

### *The Moisie River Salmon Fishery*

By 1860, a large portion of the net fishing rights to the Moisie River were leased out to a Mr. Holiday, a business man from Montreal. Holiday had “established, at his own expense a fish hatchery on the Moisie River which he uninterruptedly maintained” (NAC, no date). Subsequently, in 1869, there were approximately 100 families engaged in the fishing industry at Moisie River (Annual Report of Department of Marine and Fisheries, 1869: 27)<sup>7</sup> and the Holiday fish hatchery was eventually expanded into a commercial industry. In fact, in his 1870 annual report to the Department of Marine and Fisheries, the Overseer for the St. Lawrence fisheries described the success of the Holiday operation on the Moisie: “I must say to Mr. Holiday’s credit that he is the first Canadian who originated this enterprise, and the country owes him thanks for his endeavors to improve salmon fishing, and give us this fish in a fresh state and at a cheap figure” (Annual Report of Department of Marine and Fisheries, 1870: 229). By 1871, Holiday’s commercial salmon industry on the Moisie River hauled in more than 800 barrels of salmon in one season (Annual Report of Department of Marine and Fisheries, 1872: 42). Holiday’s “success” however relied heavily on the enforcement of the federal fisheries policy and the surveillance of the Aboriginal populations who traditionally fished the salmon runs of the Moisie river.<sup>8</sup> In a letter to the Federal Minister of Marine and Fisheries in 1898, Holiday’s sons recounted the secret of their father’s success

we have taken the same precaution for the protection of the fisheries as our late father did during his life time, and have hitherto appointed, each season, guardians to prevent the spearing of salmon by the Indians in the upper waters. This together with the preserving endeavors of the lessee in enforcing the regulations by maintaining private guardians and in other ways conserving the interest in the fishery, continued to effect a permanent improvement in the fish supply of the river. (NAC, May 9, 1898)

In his 1867 annual report, the fishery Overseer for the Quebec Division, Théophile Tétu, noted to the Department of Marine and Fisheries, that provisions

outlined in the 1868 *Fisheries Act* banning the spearing of fish by Aboriginal peoples on the north shore of the St. Lawrence river were going to have a very detrimental effect on the Aboriginal population. By preventing Aboriginal peoples from spearing salmon and trout, “by the use of which hundreds of families supported themselves during summer,” Tétu stated that “these poor people, particularly on the North Shore, find themselves in a very precarious position.” The increase of non-Aboriginal settlement on the north shore and the subsequent disappearance of seal and duck, made it even harder for Aboriginal peoples to rely on a subsistence resource. Tétu pointed out that the Aboriginal person “has only the produce of his winters’ hunting to support his family with, and often, unfortunately, it is insufficient;—and what happens then?” Tétu stated that it is only on the brink of starvation that “the idea of spearing fish takes possession of [the Aboriginal person].” Tétu suggested that the only way to prevent the Innu from spearing fish was “to grant the Indians on the North Shore a larger sum of money annually, and to those on the Bay of Chaleurs agricultural implements and seed grain.” He further suggested that such assistance would enable those Aboriginal peoples on the north shore “to understand that the Government is friendly to them and only forbids them the use of the spear for the purpose of allowing salmon to increase, and [they] would no longer indulge in the use of that weapon.” In concluding, Tétu predicted that “the increase of fish in our rivers would repay the expenses incurred for the attainment of the desired object” (Annual Report of the Department of Marine and Fisheries, 1867: 26).

By 1874, the effects of federal fishery regulations banning Aboriginal peoples from fishing salmon in the Moisie and other rivers in Quebec were apparent. The lack of fish resources, combined with the growing competition for game with non-Aboriginal hunters and settlers and the waning fur trade had a devastating effect on the Innu of the north shore of the St. Lawrence (Parenteau, 1998: 14). In a 1874 letter to the Minister of Marine and Fisheries, the Minister of the Interior wrote, “the Winter hunt has been a failure and the tardy spring season threatens to bear with unusual severity on these poor people who are at present depending for a scanty substance on the proceeds of wood-cutting for the Moisie Iron Company” (NAC, April 30, 1874). Furthermore, that same year, a fishery Overseer for the Quebec division noted to the Minister of Marine and Fisheries that “it will be difficult to make a complete submission to the fishery laws for these Indians next summer, should they be exposed to the same privations as this year and left to



compare the utter state of destitution with the luxurious mode of living of the [leaseholder] who fed his dogs on food which would have kept them alive" (Annual Report of the Department of Marine and Fisheries, 1872: 44-45). In subsequent years, the condition of the Aboriginal peoples on the north shore slowly deteriorated. From 1875 until 1878, starvation was a direct result of fisheries policies and increased non-Aboriginal settlement on the north shore. In a 1878 report to the Department of the Interior, fishery Overseer Napoleon Lavoie, stated that the Aboriginal peoples from Mingan to St. Augustine were "scattered all along the coast asking for food from all comers and unable to reach the winter hunting grounds for want of provisions...it is certain that death will make a sweep through them before the middle of winter" (NAC, August 11, 1878).

The total lack of fish provisions, which traditionally would have helped to sustain the Innu on the north shore through the summer months and provide a healthy food alternative to rely on if the winter hunt was scarce, forced the Innu at Moisie and other areas along the north shore, to further rely on the Department of the Interior and the Department of Marine and Fisheries. This is illustrated in a letter to the Minister of the Interior from the Chief of Moisie River. In 1874 Minpartermismemiik Innutsimibu wrote,

...as we leave the coast, about the beginning of August to pass the winter in the Interior, we would earnestly entreat of you to extend again your goodness towards us by sending us a small supply of flour about the end of July to enable us to pass the winter without dread of starvation, it would be great relief with my own endeavors to reach the Coast with our families safely in Spring. That it would please us very much would you be agreeable to let us know your intentions towards us by the latter end of July. (NAC, May 25, 1874a)

Ironically, in 1875, due to the failure of the winter hunt, the Department of Indian Affairs authorized the Minister of Marine and Fisheries to send money to John Holiday at Moisie River to procure and provide provisions for the Innu as they made their way to the coast and their summer encampments in the spring (NAC, March 3, 1875). However, the distribution of provisions was not so fairly handed out. The policy adopted by the Department of the Interior was to give provisions only to those Aboriginal peoples who "from old age, or owing from their having many small helpless children, would require such assistance." The Department of the Interior stressed that "it would not be advantageous to

extend aid" to those "who [could] earn their subsistence by the work of their hands" (NAC, May 5, 1874b). The Department of the Interior's attempt to aid the starving Innu at Moisie and Mingan was almost a complete failure. This is illustrated in the spring of 1876 when, due to the inadequate distribution of provisions, Joseph Fournier, an Innu man from Moisie, broke into Holiday's store to take a barrel of flour to feed his family. In a letter to Holiday, the guardian at Moisie noted,

[Fournier] had made up his mind. He had nothing and eat he must. It was the 24th of March that Fournier broke open the store. I was gone for two days....The same day others came for assistance and they broke open the store also. If they were not assisted, but having been earnestly requested to wait for my return. They did so—I was much surprised on my arrival.... I took it upon myself to give them a little flour for I feared that they would take the whole of it, there were several families who had nothing and they intended to come together. (NAC, May 1, 1876)

Furthermore, in 1878 Aboriginal fishermen at Mingan were forced to break fishery regulations in order to feed themselves and their families. In a report to the Minister of Marine and Fisheries, O.B. McGee, Fisheries Overseer for the Mingan division wrote,

On this river the Indians went up and speared in presence of Mr. Molson [the lessee] and the Guardian they took 36 salmon. The guardian wrote to me and I went up and forbid them to fish. They said they would not fish anymore and that they were starving and could not get anything to eat and that they asked Mr. Molson to give them something and he would not, and that they had to take fish to save their lives. Mr. Scott corroborated what they said that they were actually starving and that his orders from the Hudson's Bay company were not to give them anything. (NAC, 1878)

In 1875, Ontario, Aboriginal fisherman from Manitoulin Island were lifting non-Aboriginal nets they believed were "in trespass of their fishery" (Hansen, 1991: 11). In response to the growing tension in Ontario surrounding the question of Aboriginal fisheries, the Department of Marine and Fisheries, on December 7, 1875, published a circular that attempted to clarify "the exact legal status of Indians in respect to fishery laws." In the circular, the department stated,

...Indians enjoy no special liberty as regards the places, times or methods of fishing. They are entitled only to the same freedom as White men, and are

subject to precisely the same laws and regulations. They are forbidden to fish at unlawful seasons and by illegal means, or without leases or licenses. But regarding the obtainment of leases and licenses the Government acts towards them with the same generous and paternal spirit with which the Indian tribes have ever been treated under British rule. (NAC, RG 10 vol. 423: 265)

Despite the “generous and paternal spirit” of the Federal Government, the starvation of the Innu at Moisie and the other surrounding Aboriginal communities on the north shore of the St. Lawrence continued on and off for years. In fact, to feed themselves and their families Aboriginal fishermen would endanger their lives by fishing salmon. However, by the end of the 1870s, the Department of Fisheries attempted to compensate Aboriginal peoples for the loss of their salmon fisheries by licensing net-fishing stands to the Innu on the tributaries of the St. Lawrence (Parenteau, 1998: 15). By the 1880s the Department of Fisheries adopted yet another new policy that authorized non-Aboriginal settlers to operate the net-stands licensed to Aboriginal communities. Unfortunately for the Aboriginal people, the department felt that they could not be trusted to efficiently run the net-stands (Parenteau, 1998: 15).

The ideology behind the department’s new policy is reflected in Lavoie’s 1887 annual report to the Minister of Marine and Fisheries. Lavoie wrote that, “three or four years ago, when these Indians were nearly starving on the coasts of Labrador, after experiencing an unsuccessful hunt in which they nearly all perished, parties who took an interest in them made representations on their behalf.” Through this representation, the parties had “succeeded in securing them assistance in money as well as in provisions, and the privilege of fishing a salmon stand in the immediate neighborhood of Mingan River.” However, Lavoie lamented, the Innu could not “muster sufficient energy to fish this station, a proof that any other labour than that of hunting or spearing is repugnant of their tastes. When they had caught a few salmon, they allowed the nets to be washed to shore, and had it not been for Mr. Scott, the HBC Agent, these would have been left to rot on the beach.” In order to remedy the situation, and “derive some advantage from the special favour granted them by your department,” Lavoie took it upon himself “to hire a man who will fish this station for their benefit next year” (Annual Report of the Department of Marine and Fisheries, 1877: 53).

## The Changing Face of Fisheries Jurisdiction in Canada:

### *R. v. Robertson*

In 1882, the Supreme Court of Canada helped clarify what was becoming an increasing jurisdictional headache between the Federal and Provincial governments. In the case of *R. v. Robertson*, the Supreme Court of Canada ruled that the “ownership of the soils or beds of freshwater rivers did not pass to the federal government under the BNA Act.” Ultimately, the Supreme Court ruling in *R. v. Robertson* shifted the responsibility and jurisdiction of the fisheries. As a result of the Robertson ruling, the Federal Government became responsible for legislation that regulated and protected the fisheries, and the provinces now had the right “to pass any laws affecting the property in those fisheries, or the transfer or transmission of such property” (*R. v. Robertson*, 1882).<sup>9</sup> The responsibility of issuing fishing licences and leases now effectively lay with the provinces. However, throughout the 1880s and even into the early 1890s, the federal Department of Marine and Fisheries continued to enact fisheries legislation that contained enforcement provisions and provide fisheries Overseers to enforce these provisions (Van West, 1990: 44). In 1894, challenges by the Ontario provincial government to the continued efforts of the Federal Government to pass and enforce fisheries regulations and legislation were finally referred, by the Governor General in Council, to the Supreme Court of Canada. The following year, the Supreme Court ruled that the Federal Government retained their responsibility, as outlined in the BNA Act, to legislate for the protection of the inland fisheries. The Supreme Court also affirmed that provinces retained all proprietary rights to the fisheries, including the exclusive right to issue licenses for their fisheries and to enforce existing fisheries statutes [*Canada (Attorney General) v. Ontario (Attorney General)* [1895] 26 S.C.R. 444 (S.C.C.)]. The Supreme Court of Canada’s 1895 ruling was subsequently appealed by the Federal Government but upheld in 1898 by the Judicial Committee of the Privy Council [*Canada (Attorney General) v. Ontario (Attorney General)* [1898] A.C. 700 (P.C. Ont.), on appeal from (1895) 26 S.C.R. 444 (S.C.C.)].

With their new found jurisdictional powers, in 1895 the government of Quebec passed legislation establishing provincial fish and game laws in the Province of Quebec [Revised Statues of the Province of Quebec as amended by the acts 52 Vict., chap. 19, 53 Vict., chap. 20, 58 Vict., chap. 21, 59 Vict., chap. 20 and 60 Vict., chap. 21]. These laws allowed fishing “with rod and line in lakes

and rivers under the control of the Quebec government.” Authorization from the provincial Commissioner of Crown Lands was required for any other kind of fishing. The new laws stated that the right of fishing in any salmon rivers in Quebec could “only be purchased at sales by public auction [and were] granted for a period of ten years.” As well, the laws stipulated that any fisherman who was not an inhabitant of the province of Quebec was “obliged to have permits for fishing in the waters of our [Quebec] lakes and rivers. The price of these permits is determined by the Commissioner of Crown Lands but it cannot be less than \$10.00.” Residents of the province were not required to purchase such permits and were allowed to fish in any lake or river belonging to the Crown which was not leased to an individual or to a club. With respect to the lessees of lakes or rivers, the new provincial fishery laws stipulated “only one obligation of any importance viz: to send into the Department, at the close of each fishing season, a statement of the quantity and kind of fish taken” (Anonymous, 1895). A closed season was also enacted in the new fishery laws that regulated the times in which certain types of fish could be taken.<sup>10</sup> As well, a closed season was enacted on game in which “no one (white man or Indian) has a right during one season’s hunting, to take alive—unless he has previously obtained a permit from the Commissioner of Crown Lands for that Purpose—more than 2 moose, 2 caribou and 3 deer” (Anonymous, 1895).

The shifting jurisdictional boundaries on issues relating to fish and game in the 1890s had an amplified effect on the Aboriginal peoples of the north shore of Quebec. Now Aboriginal peoples on the north shore not only struggled over the question of their rights to their traditional fisheries, they also struggled with provincial game laws. Fifty years prior, Aboriginal people on the north shore were forced to fall back on scanty game resources when they were prohibited to fish their traditional fishing grounds. However, during the 1890s, the Provincial Government prohibited access to those scanty game by Aboriginal peoples. As a result of these new provincial game laws, the province of Quebec on December 21, 1895 issued a five-year moratorium on the hunting and trapping of beaver, a resource many Aboriginal peoples relied on for their livelihood (NAC, July 20, 1896). This moratorium reflected the new found powers of the province to regulate and control Aboriginal hunting and fishing activities—a struggle that continues to this day.

Due to the lack of any recognized treaties between the Federal Government and Aboriginal nations on the north shore of the St. Lawrence, neither the Provincial

nor Federal governments would recognize Aboriginal traditional hunting and fishing rights. This was compounded in 1897, when the province of Quebec set apart some three hundred miles of forest land on the south-east side of the Quebec and Lac St. Jean railway as a “Parc national” in which non-Aboriginal peoples could hunt and fish with a licence. In 1897, P.L. Marcotte, the Indian Agent at Pointe Bleue, Quebec, wrote to the Deputy Superintendent of Indian Affairs to inform him of the effect of this newly established park on the Aboriginal peoples of the area. In the letter, Marcotte stressed that,

...many of our Indians who were in the habit to frequent that part of the country have been left in a great distress when they saw their traps taken away from them by the government-guardians and chased off their hunting ground. This and the forbidding of the beaver trapping up to 1900 leaves to the poor Indians a very poor show to sustain their future existence. (NAC, January 4, 1897a)

By 1898, the province’s new hunting and fishing legislation was having an increasing detrimental effect on the Aboriginal peoples of the north shore. On October 7, 1898, six Abenaki men wrote to Prime Minister, Sir Wilfrid Laurier, stating that they

are troubled with a great number of Canadian hunters who have taken up our best hunting grounds, and moreover, we are forbidden the right of killing beaver and caribou during the month of march. The close season established by law is all right as regards the Canadians as they have their livelihood, whilst the Indians, the aborigines of the country, have no other way than hunting to obtain their livelihood; therefore we pray you obtain justice for us by making an exception in our favour in the hunting regulations so as to give us a permit to hunt game everywhere from 1st of September to the 30th of April each year, which is the best season for taking these skins which are more saleable. Your game warden will agree with us that there are a hundred Canadians to ten Indians who are engaged in hunting. (NAC, 1897b)

In response to their plea to have the Federal Government recognize their Aboriginal rights, the Secretary for the Department of Indian Affairs replied to the six men that “these are matters in which the Department [of Indian Affairs] has no power to interfere as the licencing of hunting and making of regulations for the preservation of game are under the control of the provincial authorities.” Furthermore, the Secretary reiterated the Federal Government’s position with respect

to Aboriginal fishing and hunting rights on the north shore, “the Department is not aware that there was ever by Treaty or otherwise any agreement, made to reserve any of the public domain as hunting grounds for the Indians, although the same right to hunt as the rest of the community might enjoy were assured to them” (NAC, October 18, 1898).

In contrast, by 1890 the government of Quebec was generating tens of thousands of dollars annually from riparian salmon leases. Approximately 48 fishing clubs were leasing out portions of rivers in Quebec, and “at least ten of them [were] entirely composed of American citizens from New York, Boston, Philadelphia, Springfield, etc.” (Anonymous, 1895). The money laid out by these clubs and by private individuals, “both for the erection of houses and other buildings and for opening and improving the roads leading to the fishing places” amounted to a very respectable sum. As well it was felt by the provincial government of Quebec that “those who come to spend some part of the summer in their fishing places spend large sums of money in various ways and the inhabitants of the surrounding locations are the first to benefit by the money expended on these works” (Anonymous, 1895: 42). By August 1895, 60 salmon and trout rivers and a little more than 1 000 lakes in the province of Quebec were leased out to approximately 110 clubs and private individuals (Anonymous, 1895: 44). The Moisie River, in particular, was seen as “a large and handsome stream producing immense quantities of salmon of a very large size.” In 1898, the net fishing rights in the upper waters of the Moisie were still leased out to the Holiday brothers and the riparian rights to the lower portion of the river were leased out to D. Fitch and Veasey Boswell, of Quebec and Mr. Toland, of Philadelphia, “who purchased them for \$2,500” (Chambers and Davies, 1898).

### **The Moisie River Incident: Frank Speck and the Question of Aboriginal Fishing Rights in Quebec**

Only one year prior to Frank Speck’s 1912 trip to the north shore, sports fishing in Quebec was thriving so much that W. Wakeham, Inspector of Fisheries for the Inland Section of the Gulf Division reported in his annual report that “when such an enormous return is derived from the advent to the region of these sporting clubs, no commercial fishing whatever should be allowed.” The virtues of sports fishing were extolled far and wide and the government of Quebec stressed that where there was sports fishing, the waters were well protected from “poachers,” “and little illegal fishing [was] done.” As well, sports fishing infused very large amounts of money

into the provincial and local economies: “Outfitters, suppliers of all kinds, guides, guardians, boat and canoe builders, railroads and hotels, all reap a considerable harvest from the presence of the sportsmen and their families” (Annual Report of the Department of Marine and Fisheries, 1910-1911: 226-227). When Speck arrived at Moisie River in the summer of 1912 to collect material culture for the Victoria Memorial Museum in Ottawa, the tension between Aboriginal peoples, elite fisherman and government officials surrounding fish and game resources was highly volatile. Aboriginal peoples had become entwined in a web of provincial and federal regulations that worked to restrict and limit their involvement in the control and care of their traditional fishing economy—a web that was maintained by provincial and federal government officials and influenced by Canadian and American elite sports fishing fraternities. It was in this web that Speck became entangled at Moisie River in the summer of 1912.

Speck first raised the question of Innu fishing rights to Edward Sapir in a letter posted from the community of Lac St. Jean on June 26, 1912. Speck informed Sapir that the Aboriginal people at Moisie River “crowd around [him] asking to make an appeal for them” on the “grave injustices” taking place on the north shore of the St. Lawrence. He also related that chiefly due to a “prohibition to fish for salmon in the Moisie River,” the “north shore Indians...are starving off through the neglect of their officials.” Thus, as a favour, he asked Sapir to use his influence with the Department of Indian affairs, “to get some help for these north shore Indians.” More specifically, Speck requested Sapir to secure “the medical attendance the Indians so badly need and the privilege to fish in the Moisie for salmon” (CMC, June 26, FSC, 1912).

While at Moisie, Speck had learned that the Quebec government had leased the salmon rights to the river out to several rich American sport fishermen, “without consulting the poor Indians.” He told Sapir that the consequences of any Aboriginal person caught fishing were severe—they would be arrested and fined (CMC, June 26, 1912). The practice of leasing out portions of rivers rich in salmon stocks had been a common practice in the provinces of Canada for many years. However, in 1906, Quebec was the only province in Canada leasing out fishing and hunting territories. The province of Quebec felt that such a policy ultimately aided the government in the protection of fish and game resources. The participation of numerous high-ranking federal and provincial fisheries officials in the clubs that leased out hunting and fishing territories, reinforced measures for

the control and regulation of the salmon industry (Parenteau, 1998: 11). As well, the scores of private fishery guardians supplied by lessees, many vested with magisterial powers, "provided an immense boost to the chronically underfunded department in its effort to control the salmon harvest" (Parenteau, 1998: 10). The province's leasing policy also provided the provincial fisheries department with their largest source of revenue, bringing in an annual amount of \$45 769.39 in 1906—the "principal lessees [coming] from among our friends on the other side of the line 45" (Legislative Assembly of Québec, February 22, 1906). However, as a direct result of the province's fisheries resource policy, the Innu at Moisie were starving and the tensions between Aboriginal and non-Aboriginal fishermen surrounding the use of the river were intense. Speck stressed to Sapir that if the Innu at Moisie were "pressed to starvation they may cause trouble, as they are fairly numerous and the white few" (CMC, FSC, June 26, 1912).

In response to the growing tensions surrounding the salmon fisheries on the north shore and his own outrage at the injustices faced by the Innu at Moisie, Speck decided to travel to Quebec City to file a formal complaint "at the department of fisheries against selling the salmon fishing monopoly and letting the Indians at Moisie starve (!)." Speck wrote to Sapir that he had "registered a big kick with Mr. Dufault, the Minister of Fisheries and he was glad I saw him (I was backed by some 'wise ones' in Quebec)." Speck also stated that he convinced the Minister of Fisheries to send "a telegram to the fish warden at Moisie...and if the conditions were bad to allow them to take fish." However, not happy with the promise of the Minister, Speck stressed that "if they don't do something for these poor devils, I'll threaten to let the whole thing out in the Beaver and papers and that, as I happen to know from friends of the Indians in Quebec, is what some of the political groups are afraid of." At the end of the letter, he added "You didn't know I had developed into a sort of (political) missionary" (CMC, FSC, July 7, 1912).

On July 13, 1912, Sapir replied to Speck and his concerns about the condition of the starving Aboriginal people at Sept-Iles and Moisie River. He wrote that "as I do not know Mr. Pedley personally, I am having a carbon copy of my letter sent to Mr. D.C. Scott, who is Chief Accountant and at the same time Superintendent of Indian Education, and also to Mr. C.A. Cooke, a Lake of Two Mountains Iroquois in the Indian service. Both of these I know personally." In response to Sapir, Duncan Campbell Scott forwarded a telegraph from the Indian

agent at Moisie River and Sept-Iles to Sapir at the Victoria Memorial Museum. In the telegram, the agent, Mr. McDougall, stated that there was "no destitution" and that the "conditions [were] exaggerated." However, in the letter attached to the telegram, Scott informed Sapir that, "whatever he [the Indian agent] says I'm sure the Indians of the Lower St. Lawrence are in an unsatisfactory state and it is extremely difficult for the department to relieve them. We have attempted during the last few years to get them to fish in the Gulf and have supplied nets" (CMC, FSC, July 13, 1912).

In response to the situation at Sept-Iles and Moisie River, Speck wrote to Sapir and Harlan Smith that he was not at all surprised at the conditions the Aboriginal peoples on the north shore of the St. Lawrence were forced to endure (CMC, FSC, July 19, 1912). Ultimately, he concluded that the problems the Aboriginal people faced were due to the neglect of the Indian agent. Speck referred to the Indian Agent as "evidently a good enough Indian Agent, a typical one, in the job for whatever he can get and the devil with his wards" and "a bad egg [who] takes no responsibility for his Indian charges according to their testimony. Liquor and women is [*sic*] his chief interest it seems" (CMC, FSC, July 21, 1912). The biggest problem at Moisie River, Speck observed, had to do with the laws restricting Aboriginal peoples from fishing in the leased waters of the river. He stated that "as long as they cannot support themselves fishing while at the coast they have no recourse but to go inland and to hunt and starve if the game fails" (CMC, FSC, July 21, 1912). As a consequence of the lack of food, the Innu then "end up contract[ing] or fall[ing]-prey to so much disease."<sup>11</sup> Speck noted, "the greatest faults lies in the fisheries resource policies, which prevents natives from fishing in leased territories (leased to outsiders)" (CMC, FSC, July 21, 1912).

It is unknown whether Speck took any further overt action on the political front on behalf of the Innu at Moisie River. However, Speck did stress to Sapir that working as an advocate on behalf of the Innu peoples at Moisie River and Sept-Iles "is a very deserving piece of work, better than a whole lot of this institutional charity work" (CMC, FSC, July 21, 1912).

Speck's experience at Moisie River and his frustration with the treatment of Aboriginal people by the Federal and Provincial governments in Canada, inspired him to begin writing academic pieces concerning Aboriginal resource rights. In 1912, after his visit to Moisie River, Speck published a small article entitled *Conservation for the Indians* (1912) in the *Southern Workman* and, in 1913, he published two articles in the *Red Man*,

reflecting his increasing interest in issues of Aboriginal title and resource rights. Speck's brief article in the *Southern Workman* (1912), stressed that "while certain phases of [non-Aboriginal] economic life must be adopted by the Indians, that they may continue to exist...it is just as vital for them to retain...a number of cultural and mental traits which are characteristic of them" (1912: 329).

As a follow-up to the *Southern Workman* article, Speck published an article in *Red Man* entitled "Conserving and Developing the Good in the Indian" (1913a). In this article he emphasized the need for

Well-directed philanthropy toward the Indians, not to eradicate the advantageous sides of their life for the purpose of supplanting this with a made-over white man's ideal, which he himself cannot achieve, but to provide conditions for the Indian physically and economically favorable for his own self-gained prosperity and welfare. (1913a: 464)

In response to this article, Harlan Smith, head of the Archeological Division of the Victoria Memorial Museum, wrote to Speck, "I suppose some people might say that the idea was not new, I know I have thought some things along similar lines, but just the particular twist you give it struck me as entirely new and I believe it is a big thought and one well worthy of being pushed." Smith ended the letter lamenting to Speck that "it is too bad there is not a man in every state of the United States and every province in Canada with such ideas who will fight for [the Indians]" (CMC, HSC, June 19, 1912a).

In a subsequent article in *Red Man*, Speck defended the hunting practices of "the northern Ojibways and the Montagnais of the Province of Quebec." He argued that the non-Aboriginal accusations against Aboriginal peoples regarding the "thoughtless slaughter of game" were "grossly incorrect, the Indians being, on the contrary, the best protectors of game" (1913b: 21). By introducing the concept of the "family hunting territory," Speck maintained that Aboriginal people were successfully able to regulate the killing of animals in their territories "so that the increase only is consumed, enough stock being left each season to ensure a supply the succeeding year" (1913b: 22). Thus, unlike the "white man who, instead of regarding the game supply as a heritage, treat it as a source of sport to earn credit among their friends," the Aboriginal hunters follow a "natural law of conservation, which is worth more than any written law to him" (1913b: 22). Although the emphasis of Speck's argument was on hunting, it could easily be extended to include Aboriginal fisheries.

## Conclusion

The development of colonial regulations to control and administer a national fisheries policy in Canada ultimately failed to recognize and incorporate Aboriginal needs and involvement. The failure to address Aboriginal needs and involve Aboriginal people on a policy level subsequently led to a dramatic shift in the everyday realities of the Innu living on the north shore and a drastic decline in their standard of living. Traditional Innu patterns of land-use and conservation could no longer be sustained without coming into conflict with an increasing presence of colonial regimes for the administration and regulation of the growth of salmon fisheries in Quebec.

The resulting conflict exacerbated tensions between Aboriginal peoples, government officials and non-Aboriginal fishermen. As an advocate on behalf of the Innu at Moisie River, Frank Speck was able to successfully dispute provincial regulations limiting Aboriginal use of their traditional fishing economy. Speck's actions also helped to raise awareness regarding the implicit use of power in the regulation and use of fishery resources in Quebec. It is clear that Speck's role as an advocate deeply informed his role as an ethnologist and that the ethnological data he collected informed much of the work he carried out as an advocate.

Speck's pro-active involvement and lasting contributions to the areas of Aboriginal resource use and territoriality challenge current extreme theoretical positions that characterize anthropologists and anthropological practices as contributing to the overall colonial suppression of Aboriginal people in Canada. There are no data to support the claim that Speck in any way worked in the "service of the state." What the data do suggest is that Speck worked in many capacities to intervene in the ongoing colonization of Aboriginal lands in Canada. Through additional research and analysis of Speck's work, I continue to unpack the connection between ethnology and advocacy in Canada. In particular, I am working to develop a closer analysis of the relationship between Speck's anthropological work and his critique of government Aboriginal policy in Canada and the United States.

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## Notes

- 1 The 1961 conference brought approximately 700 Aboriginal people from more than 80 different First Nations from across the United States to the University of Chicago to prepare a "Declaration of Indian Purpose." The Declaration sought for the first time to present a unified Aboriginal position statement on the relations of native peoples to the federal government of the United States. In the declaration, the various First Nations requested that the government respect aboriginal customs and aboriginal peoples in economic and social development projects.
- 2 The McGill-Cree project was a research group that analyzed the impact of natural resource development and social policy on the Crees of north-central Québec between 1964 and 1968. The project was headed by Norman Chance, then Director of the Programme in the Anthropology of Development at McGill University in Montréal, Canada. The work of the McGill-Cree project was subsequently used by the Cree of Northern Quebec to successfully negotiate the first modern comprehensive land claims settlement—the James Bay and Northern Quebec Agreement, 1976-77—with the federal government and the province of Quebec.
- 3 Speck's professional relationship with the Anthropology Division at the Victoria Memorial museum was on a freelance basis only. No copies of contracts or written agreements could be found in the archives at the Canadian Museum of Civilization, which would denote that Speck was never an "employee" of the Museum. Speck's practice as "freelance" collector would seem to be extensive, as the existence of his collections at various museums around the world would attest.
- 4 A strong argument can be made, I believe, relating to the central importance of salmon as a trading commodity and the active role Aboriginal people played in developing and sustaining the salmon fisheries in Quebec during the 17th, 18th and early 19th centuries (see Panasuk and Proulx, 1978: 204; Parenteau, 1998; Ray, 1999). Arthur Ray, for example, points out that the development of inland trading posts relied heavily on the establishment of local fisheries—without the fish resources posts would not survive. Crucial to the establishment of these local fisheries, Ray argues, was the traditional knowledge and labour of the Aboriginal peoples of the area (1999: 84). As well, in the 1867 Annual Report of the Department of Marine and Fisheries, the Overseer of the Quebec Division, details that Aboriginal people in Quebec "not only gave salmon they had speared in exchange for goods, but also sold such salmon to traders for money" (1867: 26). However, more research needs to be done in order to fully explore and analyze the history of Aboriginal involvement in the Quebec salmon fisheries.
- 5 I am referring here to the legislation passed by the colonial government of Upper Canada in 1829 in response to a petition of the Mississauga of Credit River to the Lieutenant Governor of Upper Canada. The petition stressed the concern of the Mississauga about the "many unwarranted disturbances, trespasses, and vexations, practiced by diverse idle and dissolute fisherman, and others, upon the...parcel of land and fishery" reserved for them in 1805 (Hansen, 1991: 3).
- 6 This is illustrated in the 1867 annual report of the Fishery Overseer for the Quebec Division. In his report, the overseer writes, "For Some Years past, the Government has been doing all it can to protect salmon and trout against the use by Indians of that destructive weapon the fish spear. At first, out of kindness, the Montagnais and Micmac tribes of Indians were allowed the use of the spear, and were permitted to spear both of the above kinds of fish, but on the express condition that they should kill fish in that way for their own use only, and should not sell any to white people" (Annual Report of the Department of Marine and Fisheries, 1867: 26).
- 7 This statistic does not indicate whether these 100 families were Aboriginal or non-Aboriginal or both. I would assume that it comprised of both Aboriginal and non-Aboriginal families.
- 8 This policy was so effective that the provincial government extended it into the early 1900s. "As a general rule, the lessee of lakes and rivers protect their own territories, but it is more particular waters situated in the domain of the crown which have the greatest need of watchfulness against the operations of poachers" (Legislative Assembly of Quebec, February 22, 1906).
- 9 *R. v Robertson*, (1882) 6 S.C.R. 52, 2 Cart. 65 (S.C.C.)
- 10 "Bass shall not be caught, sold or had in possession from 15th April to 15th June; Maskinongé from 25th May to 1st July; Pickerel (Doré) from 15th April to 15th May; Salmon from 15th August to 1st February; Speckled Trout from 1st October to 30th April; Grey Trout, Lake Trout or Lung from 15th October to 1st December; Ouananiche from 15th September to 1st December; Whitefish from 10th November to 1st December." Revised Statutes of the Province of Quebec as amended by the acts 52 Vict., chap. 19, 53 Vict., chap. 20, 58 Vict., chap. 21, 59 Vict., chap. 20 and 60 Vict., chap. 21.
- 11 During the summer of 1912 when Speck was in the community of Moisie River, the Innu were suffering badly from Fox Measles. This is revealed in a letter Speck wrote to Sapir informing him to "disinfect all this stuff [material culture] before exposing yourselves to it..." (CMC, FSC Box 634F2, Speck to Sapir, June 26, 1912).

## References

- Alexander, J.E.  
 No Date Fishing in New Brunswick and etc., *Salmon Fishing in Canada*: 329-331.
- Annual Report of Department of Marine and Fisheries  
 1867 Report of Fisheries Overseer, Théophile Tétu.  
 1870 Report of Fisheries Overseer, Napoleon Lavoie.  
 1872 Report of Fisheries Overseer, Napoleon Lavoie.
- Anonymous  
 1895 *Fish and Game in the Province of Quebec: Our Rivers and Lakes*. Quebec: Proulx and Proulx Printers.

- Asad, Talal (ed.)  
1973 Introduction, *Anthropology and the Colonial Encounter*, London: Ithaca Press: 9-20.
- Barnett, Homer G.  
1956 *Anthropology in Administration*, Evanston: Row, Peterson Press.
- Berreman, Gerald  
1968 Is Anthropology Alive? Social Responsibility in Social Anthropology, *Current Anthropology*, 9(5): 391-397.
- Canada  
1868 Statutes of Canada 31 Vict., c. 60, 183.
- Canadian Museum of Civilization Frank Speck Correspondence (CMC, FSC)  
1912 FSC, Box 634F1, Sapir to Speck.  
1912a Canadian Museum of Civilization, Harlow Smith Correspondence, CMC, HSC, Smith to Speck
- Clément, Daniel (ed.)  
1993 *Aitnanu: La vie quotidienne d'Hélène et de William-Mathieu Mark, Témoignage traduit du montagnais*, Ottawa: Musée Canadien des Civilisations.
- Cole, Douglas  
1990 *An Iron Hand upon the People: The Law against the Potlatch on the Northwest Coast*, Vancouver: University of British Columbia Press.
- Foster, George  
1962 *Traditional Cultures and the Impact of Technological Change*, New York: Harper and Row.
- Gjessing, Gutorm  
1968 The Social Responsibility of the Social Scientist, *Current Anthropology*, 9(5): 397-402.
- Gough, Kathleen  
1968 New Proposals for Anthropologists, *Current Anthropology*, 9(5): 403-407.
- Hansen, Lise  
1991 Treaty Fishing Rights and the Development of Fisheries Legislation in Ontario, *Native Studies Review*, 7(1): 1-21.
- Hastrup, K. and P. Elsass  
1990 Anthropological Advocacy: A Contradiction in Terms? *Current Anthropology*, 31(3): 301-312.
- Henriksen, G.  
1985 Anthropologists as Advocates: Promoters of Pluralism or Makers of Clients? *Advocacy and Anthropology: First Encounters*, R. Paine (ed.), St. Johns: St. Johns Institute of Social and Economic Research, Memorial University: 119-129.
- Journale of the Legislative Assemblée of Canada  
Rapports des commissaires spéciaux pour s'enquérir des affaires des Sauvages en Canada. (This report was not published until after the Confederation.)
- Kulchyski, Peter  
1993 Anthropology in the Service of the State: Diamond Jenness and Canadian Indian Policy, *Journal of Canadian Studies*, 28(2): 21-40.
- Laforet, Andrea  
1998 *Spuzzum: Fraser Canyon Histories, 1808-1939*, Vancouver: University of British Columbia Press.
- La Rusic, Ignatius  
1985 Reinventing the Advocacy Wheel, *Advocacy and Anthropology: First Encounters*, R. Paine (ed.), St. John's: Institute of Social and Economic Research, Memorial University: 23-27.
- Legislative Assembly of Quebec  
1906 Fish and Game Protection and The Fish and Game Congress of Montreal, Speech of the Honourable Jean Provost, M.P.P. Minister of Colonization, Mines and Fisheries for the Province of Quebec, Delivered in the Legislative Assembly of Quebec, February 22, 1906, Quebec: Daily Telegraph Job Printing House.
- Leighton, Douglas  
1977 The Manitoulin Incident of 1863: An Indian-White Confrontation in the Province of Canada, *The Quarterly Journal of the Ontario Historical Society*, 69(1):113-124.
- Livingstone, D.  
1992 *The Geographical Tradition: Episodes in the History of a Contested Enterprise* Oxford: Blackwell Press.
- Lytwyn, Victor, P.  
1990 Ojibwa and Ottawa Fisheries around Manitoulin Island: Historical and Geographical Perspectives on Aboriginal and Treaty Fishing Rights, *Native Studies Review*, 6(1):1-30.
- Maybury-Lewis, D.  
1985 A Special Sort of Pleading: Anthropology at the Service of Ethnic Groups, *Advocacy and Anthropology: First Encounters*, R. Paine (ed.), St. John's: Institute of Social and Economic Research, Memorial University of Newfoundland: 130-148.
- National Archive of Canada (NAC)  
1844 MG 20, B 344, HBC IM 782, Report on the Port of Sept Iles by Alexander Robertson.  
1850 MG 20, B 344, HBC IM 255, G. Henderson to HBC Post, Sept Iles.  
1874 RG 10, vol. 1939, file 3297, reel C-11113.  
1874a RG 10, vol. 1939, file 3297, reel C-11113, Minpartermismemik Innutsimibu to the Minister of the Interior.  
1874b RG 10, vol. 1939, file 3297, reel C-11113, Federal Department of the Interior Memorandum.  
1875 RG 10, vol. 1939, file 3297, reel C-11113, Minister of Marine and Fisheries to John Holiday.  
1876 RG 10, vol. 1939, file 3297, reel C-11113, Holiday to Deputy Minister of the Interior.  
1878a RG 10, vol. 2066, file 10,300, "Extract of Mr. Lavoie's Report of Progress."  
1878b RG 10, vol. 2066, file 10,300, reel C-11148, Extract from the Annual Report of O.B. McGee Fishery Overseer for the Mingan Division.  
1894 RG 23, vol. 249, file 1598, reel t-3169, Moisie River Overseer to Deputy Minister of Marine and Fisheries.  
1895 RG 23, vol. 292, file 2226 part 1, reel C-223, Holiday Bros to Minister of Marines and Fisheries; Fishing Lease of the Holiday Brothers for Portion of the Moisie River, Province of Quebec.



- 1896 RG 10, vol 6750, file 420-10, reel C- 8106, Deputy Superintendent of Indian Affairs to E.E. Tache, Assistant Commissioner of Crown Lands, Province of Quebec.
- 1897a RG 10, vol 6750, file 420-10, reel C- 8106.
- 1897b RG 10, vol 6750, file 420-10, reel C- 8106, Noel St. Aubin and Five other Abenaki Men to Prime Minister Sir Wilfrid Laurier.
- 1898a RG 23, vol. 292, file 2226 part 1, reel C-223, Holiday Brothers to Minister of Marine and Fisheries.
- 1898b RG 10, vol 6750, file 420-10, reel C- 8106, Secretary of Indian Affairs to Noel St. Aubin.
- No date RG 10, vol. 423, p. 265.
- Paine, Robert
- 1985 Introduction, *Advocacy and Anthropology: First Encounters*, R. Pained (ed.), St John's: Institute of Social and Economic Research, Memorial University: 23-27.
- Panasuk, Anne-Marie and Jean-René Proulx
- 1979 Les rivières à saumon de la Côte-Nord ou Défenve de pêcher-Cette rivière est la propriété de... *Reserches amérindiennes au Québec*, 9(3): 203-218.
- Parenteau, Bill
- 1998 "Care Control and Supervision": Native People in the Atlantic Canadian Salmon Fishery, 1867-1900, *Canadian Historical Review*, 79(1): 1-34.
- Paul, D.E. (ed.)
- 1955 *Health, Culture and Community: Case Studies of Public Reactions to Health Programs*, New York: Russell Sage Foundation.
- Perly, Moses
- 1851 *The Sea and River Fisheries of New Brunswick*, Fredericton, Legislature of New Brunswick.
- Ray, Arthur
- 1999 "Ould Betsy and Her Daughter": Fur Trade Fisheries in Northern Ontario, *Fishing Places, Fishing People: Traditions and Issues in Canadian Small-Scale Fisheries*, D. Newell and R. Ommer (eds.), Toronto: University of Toronto Press: 80-96.
- Sapir, Edward
- 1911 An Anthropological Survey of Canada, *Science*, 34: 789-793.
- Singer, Merrill
- 1990 Another Perspective on Advocacy, *Current Anthropology*, 31(5): 548-550.
- Smith, Linda Tuhwai
- 1999 *Decolonizing Methodologies: Research and Indigenous Peoples*, New York: Zed Books.
- Speck, Frank
- 1912 Conservation for the Indians, *Southern Workman*, 41: 328-332.
- 1913a Conserving and Developing the Good in the Indian, *Red Man*, 5: 463-465.
- 1913b The Indians and Game Preservation, *Red Man*, 6: 21-25.
- Thomas, J. Michel
- 1999 Ojibwa Community, Sports Fisherman, and the Ontario Government in the Early Management of the Nipigon River Fishery, *Fishing Places, Fishing People: Traditions and Issues in Canadian Small-Scale Fisheries*, D. Newell and R. Ommer (eds.), Toronto: University of Toronto Press: 170-192.
- Trask, H.K.
- 1993 *From a Native Daughter*, Maine: Common Courage Press.
- Van West, J.J.
- 1990 Ojibwa Fisheries, Commercial Fisheries Development and Fisheries Administration: 1873-1915: An Examination of Conflicting Interest and the Collapse of the Sturgeon Fisheries of Lake of the Woods, *Native Studies Review*, 6(1): 31-61.

### Legal sources

- Queen vs Robertson*, [1882] 6 S.C.R. 52 (S.C.C).  
*Canada v. Ontario*, [1898] A.C. 700 26 S.C.R. (P.C.).