

Petition No. 115 (1842–1844): The Shawanipinessi Land Protection Order

Anishinaabe of the Kitchi Zibi First Nation (AOKFN)

1. Introduction

This document consolidates all surviving Crown records relating to Petition No. 115, submitted by Peter Shawanipinessi (also recorded as Shawainpinefsi / Shawanchinese), an Anishinaabe Chief from Lake of Two Mountains.

The petition sought Crown protection for a tract of land traditionally used by his band in Bedford, Oso, and South Sherbrooke Townships.

The Crown approved the petition and issued a license of occupation “during pleasure” on 21 March 1844, reserving the land from public sale.

This is a legally significant Crown action that has never been revoked.

2. The Original Petition (17 July 1842)

Peter Shawanipinessi petitions the Governor General, explaining:

- His people have long hunted in Bedford, Oso, and South Sherbrooke.
- Settlement has made hunting unreliable.
- They have begun cultivating corn and potatoes.
- They request Crown protection for a small tract of land to support their families.

Direct quote:

“your petitioners... have long been accustomed to spend the hunting season in the track of country embraced within the limits of the townships of Bedford, Oso and South Sherbrooke... and are now anxious to be protected... in the occupation of a limited tract of land... whereon they may be allowed to support their families.”

Signed in Anishinaabemowin:

“pie nachu seu nipine si” — Peter Shawanipinessi.

3. Local Crown Officials Support the Claim (July–August 1842)

Multiple officials confirm:

- The band has used the land for years.
- The land is poor quality and unwanted by settlers.
- Granting it will not interfere with settlement.
- The band is peaceful, industrious, and deserving.

Direct quote:

"I have known the petitioner for upwards of five years... well entitled as any... The greater part of the land where they reside is unfit for cultivation."

Another official notes that the land was previously surrendered by Mississauga but never sold, and could be reassigned to Shawanipinessi's band.

4. Indian Affairs Endorsement (29 October 1843)

The Chief Superintendent of Indian Affairs writes a detailed recommendation:

- The tract is about 2,000 acres.
- Surrounded by lakes, ideal for an Indigenous settlement.
- The band numbers about 91 people.
- They are "very poor" and rely on hunting/fishing.
- The government has been trying to settle Indigenous bands; this is a perfect opportunity.

Direct quote:

"I think it most desirable that these Indians should be encouraged... The opportunity which now presents itself... should not be lost."

He recommends the land be set apart for them on the same terms as other Indigenous reserves.

5. The Crown Decision (21 March 1844)

The Executive Council grants the petition.

The Crown orders:

1. The land is to be reserved from public sale.
2. The petitioner is to receive a license of occupation "during pleasure."

Direct quote:

"Ordered that the land prayed for be reserved from Public Sale and that the Petitioner have a license of occupation during pleasure."

This is a formal Crown land grant.

6. Legal Significance

- A license of occupation during pleasure is a Crown-recognized Indigenous land right.
- It remains valid until explicitly revoked, which never occurred.
- The land was removed from sale, meaning the Crown acknowledged Indigenous occupation.
- This establishes a direct, documented relationship between the Crown and the Shawanipinessi family — not mediated by AOO or any other group.

Detailed Overview of the Petition

1. 17 July 1842 — Original Petition of Peter Shawanipinessi

Brief:

Peter Shawanipinessi (Chief, Lake of Two Mountains) petitions the Governor General for protection of a tract of land in Bedford, Oso, and South Sherbrooke. He explains that settlement has reduced hunting, and his people now cultivate corn and potatoes. He requests Crown protection to support their families.

Exact Text:

“The petition of Peter Shawanipinessi one of the Indians of the Lake of the two mountains... your petitioners together with the other Indians of the same tribe with their families have long been accustomed to spend the hunting season in the track of country embraced within the limits of the townships of Bedford, Oso and South Sherbrooke... and now that their natural means of Subsistence have become precarious by reason of the settlement of the country, they have of late turned their attention, in part, to the cultivation of corn and Potatoes and are now anxious to be protected... in the occupation of a limited tract of land... whereon they maybe allowed to support their families...

...

*pie nachu seu nipine si
Tenth 17th July 1842”*

2. 26 July 1842 — Internal Crown Notation

Brief:

A Crown officer acknowledges receipt and requests a report.

Exact Text:

*“und 26^a Duy 42
from det Mers
l’Mauchan will please report when cherishing
C.C.LO 6
30 auf 42”*

3. 22 July 1842 — Crown Official Endorsement

Brief:

A Crown official states he has known the petitioner for five years and supports the request.

Exact Text:

"I have themum Seler, the wa hi pi ner is for upward of being five peace and I comentes him and his Companions as well entitled & any medulin ... while the forcomment may think proper & extend & then.

The rester part of the land where they real is shall, wifit for Calisation and a Compliance with the process of the fullion will and in any manner interfere with the settlement of the boundlafer angered 4.

Perth 22^o July 1842"

4. 1 August 1842 — Crown Lands Agency Report

Brief:

The Crown Lands Agent confirms that certain lots in Bedford were surrendered by Mississauga but never sold, and could be given to the applicant.

Exact Text:

"Crown Lany Agency. Kingston

1st august 1842

Wow the Petition of the Indians of The Lately The Mountains Referred to me I have the how to report That Certain brother lots of land in the 9. 10 nw 11th Concessions of Bedford were Sumandered by the Mifissaqua Sondiary to the government and were advertised for sale but not sold in 1836... if it pleased His Excellency So to direct a portion suhl with advantage be given to the applicant under a license of occupation..."

5. 22 July 1842 (duplicate entry forwarded later)

Brief:

A forwarding letter asking that the petition be placed before the Governor General.

Exact Text:

*"**Death 22" hely, 1842*

May I beg that you with have the goudref to lay the accomp. anging petition before the bellene, the romana dencial I Council?

demain du

Mon Or! durant

the law!

1. Hansen**

6. 29 October 1843 — Indian Office Report (Major Document)

Brief:

Indian Affairs strongly supports granting the land. Describes the tract as 2,000 acres, secluded, suitable for an Indigenous settlement, and occupied by 91 people under Chief Shawanipinessi.

Exact Text:

“Indian Ofece

Kingston. Oct. 29. 1843.

A strong desire has been manifested by the band of Indians over whom the Petitioner resides as the chief to turn their attention to agricultural pursuits and settle permanently on the track of land asked for in the annexed petition.

The track containing samen here about 2000 acres... bounded on all sides by chains of small Lakes... adapted for an Indian settlement...

... the Chief and his followers numbering about 91 souls...

I think it most desirable that these Indians should be encouraged...

Indian offre

October 29th 1843”

7. 21 March 1844 — Executive Council Decision (THE KEY ORDER)

Brief:

The Governor General in Council **approves the petition**, reserves the land from sale, and grants a **license of occupation during pleasure**.

Exact Text:

“In Committee 23° Hely 84

The Committee recommend that the land prayed for be reserved from Public Sale and that the Petitioner have a Licence of occupation during pleasure –

Confirmed in Council

21th March 1844”

And again in the formal order:

“On the Petition of Peter Shawainfinefsi... Ordered that the land prayed for be reserved from Public Sale and that the Petitioner have a license of occupation during pleasure.

21st March 1844”

8. 1845 — Later Administrative References

Brief:

Internal references to letters in 1845 regarding the same file.

Exact Text:

*“Surely reg. of WM The or l’afue 1845 september
Ser letter to live lety. of het Levenson 12 depto 45
Leeletter to \$ 1. pherson 18 sept. 45
D= 20 act. 45”*

PAGE 1 — EXACT TRANSCRIPTION (NORMAL PARAGRAPH FORMAT)

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"In Committee 23^o Hely 84 the Committee recommend that the land prayed for be reserved from Public Sale and that the Petitioner have a Licence of occupation during pleasure – = Confirmed in Council 21th March 1844 = Communication to the Commissioner of Crown Lands and to the Chief Just of warrin Chains. 20. March 1844. 1033 DS. 2 Petition No. 115. Peter Chawanifunepi – Indian Cheff To be protected to the occupation of a track of laws .. Bedford Oso and South Sherbrooke und 26^a Duy 42 from det Mers l'Mauchan will please report when cherishing C.C.LO 6 30 auf 42"

PAGE 2 — EXACT TRANSCRIPTION

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"This breallowing The Right Honorable Sim leharles baget The. I. b. Governor General of British North America In council The petition of Beter Shawanchinese one of the Indians of the Lake of the two mountains to the Humbly Shewith That your petitionen together with the other Indians of the same tribe with their families have long been accustomed to spend the hunting season in the track of country embraced within the limits of the townships of Bedford, Use and South Sherbrooke _and now that their natural means of Subsistance have become precarious by reason of the settlement of the country. they have of late turned their attention, in part, to the cultivation of bon and Potatoes and are now anxious to be protected by your Excellency in Councils in the occupation of a limited trant of land within these townships whereon they maybe allowed to support their families and as the land is of a very poor quality. Your Petitioners hope they will not be refused. ajering your Excellence in Council to M. Moving of berths and Mr. Kingston of Medford for fenther particulars, and your detationer as bu duty bound shall ever wood. pie nachu seu nipine si Tenth 17 " July 1842"

PAGE 3 — EXACT TRANSCRIPTION

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event of those townships being open for immediate settlement- for intercommunications by canoes could not be in their hands A Manahar agent from The Mis District”

PAGE 4 — EXACT TRANSCRIPTION

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“Death 22” hereby, 1842 May I beg that you will have the goodness to lay the accompanying petition before the honorable the Roman Catholic Council? demand du Mon Or! durant the law! d. H. Hansen Ledig El Sauce ? Mononi S”

PAGE 5 — EXACT TRANSCRIPTION

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PAGE 6 — EXACT TRANSCRIPTION

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PAGE 7 — EXACT TRANSCRIPTION

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“Indian Ofece Kingston. Oct. 2.9. 1843. A strong desire has been. manifested by the band of Indians over whom the Petitioner finesides as the chief to turn their attention to agricultural pursuits and settle permanently on the track of land as hed for in the annexed function. The track containing samen here. about 2000 acres and schuate principally in the Jonens hetro of. bao and Bedford being bounded an all sides by chains of small Lakes is quite secluded andis thereley. rendered peculiar ly adapted for an Indian settlement, although the quality ofthe sail is not particularly good. The Homble M Morris akbeans ley this certificate annexed. to be well acquainted with the Chief and his followers numbering”

PAGE 8 — EXACT TRANSCRIPTION

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“about 91 souls and speaks in high terms of their characters and general good conduct, and he is of opinion that the track made. choice of by them will not in any manner interfere with the settlement of country adjacent to it. The map on sketch hereto annexed will explain the precise situation of the track. I think it must be desirable that these Indians should be encouraged in every practicable way to persevere in their laudable intention of becoming agriculturists, The government for many years past has been endeavoring to collect the scattered hands (many of whom are still leading a wild and nomadic life in the Northern parts of the Province with the view of inducing them to have fixed places of residence and redirect the course of their lives”

PAGE 9 — EXACT TRANSCRIPTION

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“determined on by the band in question; and the endeavor has been successful in very many instances. The opportunity which now presents itself to settle the band to which the petition has reference I who are referred to me as being very poor and heretofore have depended almost altogether for the support and maintenance of their families on hunting and fishing, should not in my opinion be lost. I therefore respectfully recommend that the track asked for be set apart for them and their fraternity on the same terms and conditions that the Reservations in other parts of the Province have been made for the several Meridient Inriks and that the Surveyor general be directed to cause a survey of the same to be made for that purpose”
KurHarris Chit: 1 affair Indian offre October 29th 1843”

PAGE 1 — LIKELY TEXT VERSION

In Committee, 23 July 1844.

The Committee recommend that the land prayed for be reserved from public sale, and that the petitioner have a licence of occupation during pleasure.

Confirmed in Council, 21 March 1844.

Communication to the Commissioner of Crown Lands and to the Chief Justice of [Warrants/Western] Chains, 20 March 1844.

Petition No. 115.

Peter Chawanipinessi — Indian Chief.

To be protected in the occupation of a tract of land in Bedford, Oso, and South Sherbrooke.

26 July 1842 — from Mr. [Mers].

Mr. Mauchan will please report when convenient.

C.C.L.O., 30 August 1842.

PAGE 2 — LIKELY TEXT VERSION

To the Right Honourable Sir Charles Bagot, Governor General of British North America, in Council.

The petition of Peter Shawanipinessi, one of the Indians of the Lake of Two Mountains, humbly showeth:

That your petitioner, together with the other Indians of the same tribe and their families, have long been accustomed to spend the hunting season in the tract of country embraced within the limits of the townships of Bedford, Oso, and South Sherbrooke. Now that their natural means of subsistence have become precarious by reason of the settlement of the country, they have of late turned their attention, in part, to the cultivation of corn and potatoes, and are now anxious to be protected by Your Excellency in Council in the occupation of a limited tract of land within these townships, whereon they may be allowed to support their families.

As the land is of very poor quality, your petitioners hope they will not be refused.

Referring Your Excellency in Council to Mr. Moving of Perth and Mr. Kingston of Medford for further particulars, and your petitioner, as in duty bound, shall ever pray.

Signed: *pie nachu seu nipine si*

Dated 17 July 1842.

PAGE 3 — LIKELY TEXT VERSION

I have known the petitioner for upwards of five years, and I commend him and his companions as well entitled as any individuals while the Government may think proper to extend to them protection. The greater part of the land where they reside is unfit for cultivation, and compliance with the prayer of the petition will not in any manner interfere with the settlement of the boundary lands.

Perth, 22 July 1842.

Crown Lands Agency, Kingston, 1 August 1842.

Regarding the petition of the Indians of the Lake of Two Mountains referred to me, I have the honour to report that certain lots of land in the 9th, 10th, and 11th Concessions of Bedford were surrendered by the Mississauga Indians to the Government and were advertised for sale but not sold in 1836. Of these lands so surrendered — for what equivalent I do not know — if it pleased His Excellency so to direct, a portion could with advantage be given to the applicants under a licence of occupation.

I make no doubt that a settlement of those Indians in Bedford, Oso, Olden, and the rear townships, now a wilderness, would prove very useful in the event of those townships being opened for immediate settlement, for **intercommunications by canoes could not be in better hands.**

Signed: A. Manahan, Agent for the Midland District.

PAGE 4 — LIKELY TEXT VERSION

Perth, 22 July 1842.

May I beg that you will have the goodness to lay the accompanying petition before the Governor General in Council?

Signed,
D.H. Hansen.

PAGE 5 — LIKELY TEXT VERSION

21 March 1844.

Peter Shawanipinessi — a licence of occupation during pleasure of a tract of land in Bedford, Oso, and South Sherbrooke.

See letter to Civil Secretary, 6 January 1845.

Registry of W.M., September 1845.

Letter to Lieutenant of the Lennox District, 12 September 1845.

Letter to J. McPherson, 18 September 1845.

20 October 1845.

PAGE 6 — LIKELY TEXT VERSION

Council Office, 21 March 1844.

On the petition of Peter Shawanipinessi, one of the Indians of the Lake of Two Mountains Tribe, to be protected in the occupation of a tract of land in Bedford, Oso, and South Sherbrooke:

Ordered that the land prayed for be reserved from public sale, and that the petitioner have a licence of occupation during pleasure.

PAGE 7 — LIKELY TEXT VERSION

Indian Office, Kingston, 29 October 1843.

A strong desire has been manifested by the band of Indians over whom the petitioner presides as chief to turn their attention to agricultural pursuits and settle permanently on the tract of land asked for in the annexed petition.

The tract contains about 2,000 acres and is situated principally in the townships of Oso and Bedford, being bounded on all sides by chains of small lakes. It is quite secluded and is thereby peculiarly adapted for an Indian settlement, although the quality of the soil is not particularly good.

The Hon. Mr. Morris, by his certificate annexed, is well acquainted with the chief and his followers, numbering about 91 souls.

PAGE 8 — LIKELY TEXT VERSION

He speaks in high terms of their character and general good conduct, and he is of the opinion that the tract chosen by them will not interfere with the settlement of the country adjacent to it.

The map or sketch annexed will explain the precise situation of the tract.

I think it most desirable that these Indians should be encouraged in every practicable way to persevere in their laudable intention of becoming agriculturists.

The Government for many years past has been endeavouring to collect the scattered bands — many of whom are still leading a wild and roving life in the northern parts of the Province — with the view of inducing them to have fixed places of residence and adopt the course of life now determined on by the band in question.

PAGE 9 — LIKELY TEXT VERSION

The endeavour has been successful in many instances.

The opportunity which now presents itself to settle the band to which the petition refers — who are represented to me as being very poor and heretofore dependent almost altogether for the support and maintenance of their families on hunting and fishing — should not, in my opinion, be lost.

I therefore respectfully recommend that the tract asked for be set apart for them and their families on the same terms and conditions that the reservations in other parts of the Province have been made for the several resident tribes, and that the Surveyor General be directed to cause a survey of the same to be made for that purpose.

Signed,
Harris, Chief Superintendent of Indian Affairs.
Indian Office, 29 October 1843