

## The Six-Nations Indians in the Province of Ontario, Canada.



THE Six-Nations Indians of Ontario, consisting of the Mohawks, Cayugas, Onondagas, Oneidas, Senecas and the Nanticoke Delawares, Tutleos and Tuscaroras forming the sixth nation in the ancient confederacy, was once famous for the power and extent of territory over which these Romans of the west swayed, unequalled by any other barbaric power in the new world.

At the conclusion of the American War of Independence, following the fortunes of the British, they migrated into Canada, receiving in lieu of their possessions on the south shore of Lake Ontario a grant on the River Ouse, or Grand River, from Sir Frederick Haldimand, some time His Majesty's Captain-General and Governor-in-Chief of the Province of Quebec and Territories, afterwards the Provinces of Ontario and Quebec, by an instrument dated at the Castle of St. Lewis, Quebec, the twenty-fifth day of October, in the year of our Lord 1784, and in the twenty-fifth year of His Majesty's reign. This grant was confirmed by letters patent under the Great Seal, by the issue of a second instrument by Governor J. G. Simcoe, dated January 14th, 1793, at Government House, Navy Hall, Niagara, C. W.

The migration of the Six Nations was through the expressed vow of Captain Joseph Thayendanagea Brant to either "sink or swim" with the British—the Six Nations ever fighting bravely side by side with their British allies, who on many subsequent occasions have shown their tenacity of faith in promises made by their forefathers.

Two years after the English gained possession over the Dutch rule in the new world, in 1666, at Albany, the first treaty of alliance between the Crown of England and the Six Nations took place in the months of May, July and August. The records of these solemn memories have ever been held most sacred by the Indians throughout all the generations now past. The national records of the whole confederacy are vested in the memories of the Fire-keepers, the Onondagas, with the aid of wampum belts. The women of the Six Nations are always held to be safe and reliable authority upon important matters affecting the welfare of the Indian people in general. The powers invested in womankind by the ancient Six Nation people, is not generally known. Instead of the woman being subject to her "lord and master," she is supreme in her own family. She directs the education of her offspring; her wishes in public matters are always asked for and acted upon, so far as the judgment of a "united council" will wisely concur. The council itself is a body composed of men nominated to the position by some of the women of the different tribes, to certain hereditary chieftainships, guided by clans or totems (odarah).

The clan, or totem, system completely reverses the modern idea of tracing relationship; instead of the father, it is the mother's clan from whom the eligibility of office must emanate. The council, as a body, has veto power against the women's nominee, for such causes as murder, treason and lunacy. Adultery may not have been considered a crime until the introduction of Christianity. This is not strange, considering the supreme powers of the women; the very ancient custom among the North American Indians allowing the woman to have more than one husband, if it suited her fancy. There seems to be no reason for supposing the Indian of the present day to be an example excelling his ancient forefather in the matter of morals. Report after report all declare the Indian to have followed more quickly the vices of the European than the virtues so strenuously set forth by many of our most zealous missionaries.

For many years the Indians have regarded the two instruments recorded in the office of the Secretary and Registrar, granting to the "Six Nations Indians" certain lands bordering on the Grand River, as a myth, notwithstanding the fact that a

parchment copy is at the present day in possession of the Six Nations, through the care and anxiety of the descendants of that great Mohawk Loyalist, Brant. Therefore the following extract from the proceedings of the Legislative Assembly of Upper Canada may be the means of restoring confidence in the present generation of Indians, and further encourage them and their posterity to improve and excel in the arts of peace as their forefathers excelled in the arts of war.

A serious item might be referred to just here—that is, the existence, in the minds of the Indians, as the story of ages, handed down from the father to son, of an explicit understanding between the white man and the Indian, regarding their occupation in peaceful enjoyment, each following the peculiar customs of their ancestors, without interference one with the other, in a vast country like Canada.

Within the memory of aged Indians on the Six Nations reserve, a change has come by the act of British North America, transferring all Indian affairs to the Federal Government of Ottawa. This point has never been rightly understood by the Indians. They argue, most logically, and declare their fathers have always maintained a direct communication with the Mother Queen of Britain, and have never been harrassed by the schemes of political fortunes.

“EXTRACT FROM THE JOURNALS OF ASSEMBLY OF UPPER CANADA,  
FIRST SESSION, 13TH PARLIAMENT, 7TH WILLIAM IV.,  
FEB. 11TH, 1837.

“Mr. Boulton, seconded by Mr. McNab, moves that an humble address be presented to His Excellency, the Lieutenant-Governor, praying that he will be pleased to cause the Trust Deed, or copy thereof, of the Indian lands of the Six Nations Indians, to be laid before the House, and that the thirty-first rule of this House, so far as it relates to this matter, be dispensed with, and that Messieurs McKay and Caldwell be a committee to draft, report and present the same. Division on motion carried by a majority. Yeas, 33. Nays, 3.

“M. BURWELL, Chairman.

“Mr. McNab, from the Committee to draft an address to His Excellency the Lieutenant-Governor, for a copy of the

Trust Deed of the lands of the Six Nations, reported a draft, which was received and read twice.

“ORDERED, That the address be engrossed, and read a third time this day.

“JOHN B. ROBINSON, Speaker.

“Legislative Council Chamber,

“15th day of February, 1837.

“Pursuant to the order of the day, the address to His Excellency the Lieutenant-Governor, on the subject of Trust Deeds for Indian Lands, was read the third time and passed, and is as follows :

“To His Excellency Sir FRANCIS BOND HEAD, Knight Commander of the Royal Hanoverian Guelphic Order, Knight of the Prussian Military Order of Merit, Lieutenant-Governor of the Province of Upper Canada, etc., etc., etc.

“May it please Your Excellency :

“We, His Majesty’s dutiful and loyal subjects of the Commons of Upper Canada, in Provincial Parliament assembled, humbly pray that Your Excellency will cause to be laid before this House the Trust Deed, or copy thereof, by which the Indian lands of the Six Nations are held.

“ARCHIBALD McLEAN, Speaker.

“Commons House of Assembly,

“16th day of February, 1837.

“Mr. McNab, from the committee to wait upon His Excellency the Lieutenant-Governor with the address of this House for a copy of the Indian Trust Deed, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

“‘Gentlemen,—I shall direct the proper officer to prepare a copy of the document requested in the address, in order to its being laid before the House of Assembly.’

“CHARLES RICHARDSON, Chairman.

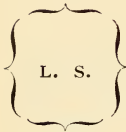
“Committee Room, 15th day of February, 1837.

“‘F. B. HEAD, the Lieutenant-Governor, transmits to the House of Assembly, in compliance with its address of the 16th instant, the accompanying copies of two instruments recorded in the office of Secretary and Registrar of the Province, granting

to the Six Nations Indians certain lands bordering on the Grand River.

“ ‘Government House, 22nd February, 1837.’

[COPY.]



“ FREDERICK HALDIMAND, Captain-General and Governor-in-Council of the Province of Quebec and Territories depending thereon, etc., etc., General and Commander-in-Chief of His Majesty's Forces in said Provinces and the Frontiers thereof, etc., etc., etc.

“ WHEREAS, His Majesty having been pleased to direct, in consideration of the attachment to his cause manifested by the MOHAWK Indians, and of the loss of their settlement which they thereby sustained, that a convenient tract of land under his protection should be chosen as a safe and comfortable retreat for them and others of the Six Nations, who have either lost their settlement within the territory of the American States or wish to retire from them to the British, I have, at the earnest desire of many of these His faithful allies, purchased a tract of land from the Indians situated between the lakes Ontario, Erie and Huron, and I do hereby, in His Majesty's name, authorize and permit the said Mohawk Nation, and such others of the Six Nations Indians as wish to settle in that quarter, to take possession of and settle upon the banks of the river running into Lake Erie, allotting to them for that purpose six miles deep from each side of the river, beginning at Lake Erie and extending in that proportion to the head of the said river, which them and their posterity are to enjoy forever.

“ Registered,  
 “ 20th March, 1795.  
 “ Wm. JARVIS.

“ GIVEN UNDER my hand and Seal-at-Arms at the Castle of St. Lewis, at Quebec, this twenty-fifth of October, one thousand seven hundred and eighty-four, and in the twenty-fifth year of the reign of our Sovereign Lord, George the Third, by the grace of God, of Great Britain, France and Ireland, King, Defender of the Faith, and so forth.

“ FRED'CK HALDIMAND.

“ By His Excellency's command.”

“ SECRETARY AND REGISTRAR’S OFFICE,  
“ Upper Canada, 20th Feb., 1837.

“ I certify that the foregoing is truly copied from the Registry in this Office of the Original Patent in Book A, folio 8.

“ D. CAMERON, Secretary and Registrar.”

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[COPY OF SECOND DOCUMENT.]

“ J. GRAVES SIMCOE :

“ George the Third by the Grace of God, of Britain, France and Ireland, King, Defender of the Faith, and so forth.

“ TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING :

“ KNOW YE, that whereas the attachment and fidelity of the chiefs, warriors and people of the Six Nations, to us and our Government, has been made manifest on divers occasions by the spirited and jealous exertions made by the bravery of their conduct, and WE being desirous of showing our approbation of the same, and, in recompense of the losses they have sustained, of providing a convenient tract of land under our protection for a safe and comfortable retreat for them and their posterity, have of our special grace, certain knowledge and mere notion, given and granted, and by these presents, do give and grant to the chiefs, warriors, women and children of the said Six Nations and their heirs forever, ALL that district or territory of land, being parcel of a certain district lately purchased by us of the Mississagua Nation, lying and being in the home district of our Province of Upper Canada, beginning at the mouth of a certain River formerly known by the name of Ouse or Grand River, now called the River Ouse, where it empties itself into Lake Erie, and running along the banks of the same for the space of six miles on each side of the River, or a space co-extensive therewith, conformably to a certain survey made of the said tract of land, and annexed to these presents and continuing along the said River to a place called or known by the name of the Forks, and from thence along the main stream of the said River for a space of six miles on each side of the said River’s stream, or for a space equally extensive therewith as shall be set out by a survey to be made of the same to the utmost extent of the same River as far as the same has been purchased by us ; and as the same is bounded by and limited in a certain Deed made to us by the chiefs and people of the said Mississagua Nation, bearing date 7th day of December, in the year of our Lord one thousand seven hundred and ninety-two, to have and to hold the said district or territory of land so bounded by us as aforesaid, of us, our

heirs and successors, to them, the chiefs, warriors and people of the Six Nations, and to and for the sole use and behalf of them and their heirs forever, freely and clearly of and from all and all manner of rent, fines and services whatever, to be rendered by them or any of them, to us or our successors for the same, and of and from all conditions, stipulations and agreements whatever, except as hereinafter by us expressed and declared, giving and granting, and by these presents confirming to the said chiefs, warriors, women and people of the said Six Nations, and their heirs, the full and entire possession, use, benefit and advantage of the said district or territory to be held and enjoyed by them in the most free and ample manner, and according to the chiefs, warriors, women and people of the said Six Nations ; provided always and be it understood to be the true intent and meaning of these presents, that, for the purpose of assuring the said lands as aforesaid to the chiefs, warriors, women and people of the Six Nations and their heirs, and of securing them the free and undisturbed possession and enjoyment of the same, it is our Royal Will and pleasure that no transfer, alienation, conveyance, sale, gift, exchange, lease, property or possession, shall at any time be made, or given, of the said district or territory, or any part or parcel thereof, by any of the said chiefs, warriors, women or people, to any other nation or body of people, person or persons whatever, other than among themselves, the said chiefs, warriors, women and people, but that any such transfer, alienation, conveyance, sale, gift, exchange, lease or possession, shall be null and void, and of no effect whatever, and that no person or persons shall possess or occupy the said district or territory or any part or parcel thereof, by or under pretence of any alienation, title or conveyance, as aforesaid. or by or under any pretence whatever, under pains of our severe displeasure. And that in case any person or persons, other than them, the said chiefs, warriors, women and people of the said Six Nations, shall, under any pretence of any such title as aforesaid, presume to possess or occupy the said district or territory, or any part or parcel thereof, that it shall and may be lawful for us, our heirs and successors at any time hereafter to enter upon the lands so occupied and possessed by any person or persons other than the said Six Nations, and them, the said intruders, thereof and therefrom wholly to dispossess and evict, and to resume their part or parcel so occupied to ourselves, our heirs and successors—provided always that if at any time the said chiefs, warriors, women and people of the said Six Nations should be inclined to dispose of, and surrender their use and interest in the said district or territory, or any part thereof, the same shall be purchased for us, our heirs and successors, at some public meeting or assembly of the chiefs, warriors and people of the said Six

Nations, to be holden for that purpose by the Governor, Lieutenant-Governor, or person administering in Government in our Province of Upper Canada.

“ In testimony whereof, we have caused these our letters to be made patent, and the Great Seal of our said Province to be hereunto affixed.

“ Witness, His Excellency, JOHN GRAVES SIMCOE, Esq., Lieutenant-Governor and Colonel-Commanding our Forces in our said Province.

“ Given at our Government House, at Navy Hall, this fourteenth day of January, in the year of our Lord, one thousand seven hundred and ninety-three, in the thirty-third year of our reign.

“ J. G. S.

“ WM. JARVIS, Secretary.”

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“ SECRETARY AND REGISTRAR'S OFFICE,  
“ Upper Canada, 21st February, 1837.

“ I certify that the within is truly copied from the Registry in this office of the Original Patent in Liber F., files 106 and 107.

“ D. CAMERON, Secretary and Registrar.”

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A commission was appointed by His Excellency, the Governor-General, comprising R. T. Pennefather, Esq., Supt. General of Indian affairs; Froome Talfourd and Thos. Worthington, “ To enquire into, and report upon, the best means of securing the progress and civilization of the Indian tribes in Canada, and on the best mode of so managing the Indian property as to secure its full benefit to the Indians without impeding the settlement of the country.” This commission followed the report of 1842 as their starting point. Messrs. Rawson, Davidson and Hepburn were the commissioners who prepared the report of 1842. The later commission reported in 1857. One particular question arises in the minds of the commissioners, whether the Government are not pledged to abide by the proclamation of 1763; a document on which many of the Indians rest their claim, in part, at least, to the lands now occupied by them. Here are the words of the proclamation, After referring to the limits of pro-



tection, under the sovereignty of "our royal will and pleasure," it proceeds :

"And whereas great frauds and abuses have been committed in the purchasing of lands of the Indians, to the great prejudice of our interest, and to the great dissatisfaction of the said Indians. In order, therefore, to prevent such irregularities for the future, and to the end, that the Indians may be convinced of our justice and determined resolution to remove all reasonable cause of discontent, we do, with the advice of our Privy Council, strictly enjoin and require that no private person do presume to make any purchase, from the said Indians, of any lands reserved to the said Indians within those parts of our colonies where we have thought proper to allow settlements."

The Crown alone could purchase lands surrendered by the Indians ; but even with the foregoing precaution laid down in the proclamation itself, the commissioners conclude :

"The Crown itself, too, while adhering to the letter of this proclamation, have, as appears in a former page of this report, purchased large tracts of lands from the Indians for a mere nominal sum, sometimes in goods, sometimes for an annuity utterly inadequate to the value of the land. The Indian property being strictly trust property, we propose, then, that three valutors should be appointed ; one by the Crown, on behalf of the Indians, another to act for the Provincial Government, while the third to be nominated by one of the superior courts in either section of the province, should it be appealed to in case of disagreement between the former two. The decision of any two of these arbitrators, when proved by the courts as above mentioned, should be final. There are, however, exceptional cases ; first, those in which grants of certain tracts have been made under the Great Seal to particular bands. Under this head would come the Mohawks of the Bay of Quinte and the Six Nations on the Grand River. These tracts, so patented, come under the proclamation for the protection of Indian lands."

From the year 1781, May 12th, to 1836, August 9th, the surrenders of Indian lands in Upper Canada amounted to 16,137,836 acres ; the consideration which the Indians received is given at £124,714 4s. 10d., or an average of about 1½d. per acre, viz., 3 cents an acre.

The commissioners of 1857 reached their conclusions, set forth, and based on the evidence of D. Thorburn, Esq., visiting superintendent to the Six Nations, and the Rev. Messrs. Nelles

and Elliott, Church of England missionaries, regarding the internal affairs of the Six Nations. Their lands originally comprised 694,910 acres, but the greater part has been surrendered at different times, and there remained in 1845, in the hands of the Indians, 55,000 acres, distributed as follows:—In Tuscarora township, 42,000 acres; in Oneida township, 8,395 $\frac{3}{4}$  acres; in Onondaga township, 1,537 $\frac{1}{2}$  acres; in Brantford, 200 acres; total, 52,133 $\frac{1}{4}$  acres. The remainder is made up by outlying farms.

The census returns show the population to be 2,550 Indians, 600 of whom are put down as "Pagans," while the work of Christianity gradually brought an average number of 75 baptisms annually into the Church of England. Five schools are maintained on the reserve with an average attendance of 150 scholars. The total number of children, of an age to attend school, is set down at 400. The Pagans did not seem inclined to take advantage of any opportunities put within their reach, saying, "We do not want any schools forced upon us."

The squatters, on the decision of the Court of Chancery, were paid from the general funds of the Six Nations, upwards of \$32,000 (£8,000) for their improvements, and very sensibly moved away from Indian lands.

"The revenue of the Six Nations amounted to \$39,489 annually. It is derived from the invested proceeds of their land sales. They are also proprietors of 6,121 shares, of \$25 each, of Grand River Navigation Company stock, for which the government, acting as their trustees, paid £39,256 5s. 5d. (\$153,025). This is quite unproductive, and the Indians complain of the hardship of so much of their money being alienated, without their consent, in an unproductive speculation. They also hold \$2,400 (£600) stock in Cayuga bridge, from which they receive no interest. They possess, in addition, a few shares of bank stock (£7714), which, of course, varies slightly in value, and the interest of which also fluctuates with the dividend declared by the bank. They are further entitled to the proceeds of \$30,856, which arises from mortgages given by different parties."

The report further shows that the Six Nations pay all their public officials a handsome salary, besides paying half of the expense of keeping the Indian accounts in the office of the Receiver-

General, also paying a large amount to the pensioners, viz., disabled, aged or relief.

The blue-book (issued by the order and authority of Parliament) of the department of Indian affairs, for the year 1896, which an Indian chief, speaking in the Six Nations council, characterized as the "devil," saying he could not understand its contents, though he knew the needs of the people. The area of the Six Nations reserve is given as containing 46,133 acres. Land under cultivation, 30,300 acres. Dwelling houses, 721. Population, 3,667; this figure includes those who are on the "pay list," entitled to receive "interest money;" a large number of Indians and whites living on Indian lands, but not including the officials and missionaries, making the total population considerably over 4,000. The capital sum standing to the credit of these Indians amounts to \$890,129.13. The interest on invested capital is given at \$47,075.23; of this amount \$36,202.25 was distributed, share and share alike, to those whose names appear on the pay-list in the office of the Indian Superintendent at Brantford. While the Six Nations bear all the expenses incurred on their behalf by the chiefs and officials, one could not help but conclude that it costs \$10,872.98 every year to manage the affairs of the Six Nations. The Indian Department have all along maintained that that department was powerless to allow any portion of the funds to go other than "by and with the sanction of Council of Chiefs." The council is a hereditary body, nominated to the position by the women of the various tribes and totems, with the approval of the council itself. The warriors have no voice in the affairs of the Nations. The warriors are composed of the rank and file of the people. The transactions between the Council and the Indian Department are done through the Superintendent, whose headquarters are situated at Brantford, instead of the Reserve. He receives a salary of \$1,200, with commission of 5 per cent. on collections of land sales, \$140 a year traveling expenses, and \$200 for house and office rent. The distance from his office to the Council House on the Reserve is nine miles. The Superintendent is expected to be present at the monthly council (first Tuesday in the month). At other times he is seldom on the Reserve. The office of Physician to the Indians is worth \$2,850, with a handsome new

brick residence. Medicine is a separate item, amounting to \$297.05. A report of the School Board of the Six Nations Reserve shows 504 pupils on the roll, with an average attendance of 205.1, or 40.7 per cent. Two hundred and twelve children were present when the examinations were held, and 61.3 passed 50 per cent. on the subjects of examination, viz.: Reading (only the English language is used, notwithstanding the teachers are all Indians), Dictation, Notation, Arithmetic and Grammar. The percentage of the number presented in the year 1895, and passed the examinations, was higher—70.1.

There is one matter which should not escape attention before closing the few isolated details regarding the Six Nations, and that is a reference to these much abused Pagan or heathen Indians of the Reserve. They are increasing in numbers at about the same ratio as the Christian population of the Reserve. At present 800 is a safe figure to estimate their number. They no longer represent the shiftless, do-nothing Indian, but are an industrious class, honorable in their promises and dealings with one another, and it is very seldom a Pagan is guilty of a breach of the laws of the land. They have four places of worship; they send their children to ordinary schools on the Reserve. These children study our Bible as earnestly as do the rest of the children, but refuse to be baptized in the faith. The Six Nations Council proceedings are opened and closed with thanksgiving to our Creator by the Pagan chiefs (missionaries are never present), and when an occasion occurs, like the visit of the Governor. General of Canada, Lord Aberdeen, an address of welcome is made by the Pagans.

J. OJJATEKHA BRANT-SERO.

HAMILTON, January 19th, 1898.

