

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

BETWEEN:

**Mike Restoule, Patsy Corbiere, Duke Peltier, Peter Recollet, Dean Sayers and Roger Daybutch, on their behalf and on behalf of all members of the Ojibewa (Anishinabe) Nation who are beneficiaries of the Robinson Huron Treaty of 1850**

Plaintiffs (Moving Parties)

- and -

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

Defendants (Responding Parties)

-and-

**THE CHIEF AND COUNCIL OF RED ROCK FIRST NATION, ON BEHALF OF THE RED ROCK FIRST NATION BAND OF INDIANS, THE CHIEF AND COUNCIL OF THE WHITESAND FIRST NATION ON BEHALF OF THE WHITESAND FIRST NATION BAND OF INDIANS**

Third Parties

**AFFIDAVIT OF ALAN CORBIERE  
(Affirmed September 25, 2016)**

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I, Alan Corbiere, residing at M'Chigeeng, Ontario SOLEMNLY AFFIRM as follows:

**QUALIFICATIONS AND COMPLIANCE WITH ONTARIO RULES OF CIVIL PROCEDURE**

s. 53.03 (2.1)

1. I have been retained by the Plaintiffs herein for the purpose of and in the context of the within Litigation.

**Qualifications**

2. I am an Ojibwe-Potowatomi Anishinaabe of the Ruffed Grouse clan from M'Chigeeng First Nation on Manitoulin Island. I was educated on-reserve at Lakeview Elementary School and Manitoulin Secondary School in M'Chigeeng. I then attended the University of Toronto and earned a Bachelor of Science in Environmental Science, graduating in 1994. While pursuing this undergraduate degree I started to pursue an Anishinaabe education by attending elder gatherings, teachings and ceremonies. The University of Toronto had a vibrant Native community and I started to explore "Traditional Environmental Knowledge (aka TEK)," an area of study that explored Aboriginal science. I applied this knowledge when I was hired in 1994 by the Assembly of First Nations to work on the "Effects on Aboriginals from the Great Lakes Environment" (E.A.G.L.E.) Project, which was an environmental epidemiological study looking at the effects of contaminants on Aboriginal people through the consumption of wild game and fish. The project staff adopted a holistic Aboriginal perspective on health, looking at the spiritual, emotional, physical and mental aspects of health. One of the struggles experienced by the project staff was to address the historic effects of colonization on health, specifically the loss of language and traditions. One strategy the project implemented was to administer a land use mapping study that recorded sacred sites as well as harvesting sites. As sites were mapped, it became evident that the stories of the Anishinaabe and Haudenosaunee were integral to the worldview and these stories had to be recorded as well. It also became evident that standard land use maps could not accurately convey the Anishinaabe or Haudenosaunee understanding nor could standard epidemiological principles explicate the spiritual and emotional impacts of colonization.

3. Intellectually engaged in these issues, I enrolled in the Masters of Environmental Studies at York University in 1997. I had been exposed to various orientations to analyze the environment, such as deep ecology and feminist ecology, and I surmised that there must be an Anishinaabe ecology or and Anishinaabe environmental ethic. At the time of my studies, nobody had fully explicated an Anishinaabe environmental thought, it was, and remains under the umbrella of Native American or Indigenous Environmental Thought. Academics had studied Aboriginal land use and Aboriginal connections to the land but at a general level, not specifically Anishinaabe. I realized that an Anishinaabe environmental thought would best be expressed in its original medium, Anishinaabemowin (Ojibwe language). My masters study thus focused on researching Anishinaabe narrative and language revitalization strategies. Revitalization strategies meant adopting a triumvirate nexus of language, culture and knowledge. The implicit assumption was that one could not revitalize the language without revitalizing the culture and one could not revitalize the culture without revitalizing the knowledge. I recorded elders and transcribed their stories and published them in local newsletters and regional newspapers. I started to present my ideas based upon my academic training and the knowledge the elders had transmitted. I graduated from York with a set of multidisciplinary research skills. I moved home to M'Chigeeng in 1999 and did a contract at the Ojibwe Cultural Foundation to curate an exhibit on the residential school experience. As part of my duties I conducted secondary source research which allowed me to develop my archival research skills.
  
4. I started to network with other academics and met an Anishinaabe legal scholar Professor Darlene Johnston who gave me a cursory training on conducting archival research. With the assistance of Professor Johnston I was able to complete the archival research for purposes of the residential school exhibit. While conducting archival research I found documents that were new to me, petitions and treaties with doodem (clan) signatures on them. I had heard elders talk about the clan system but up to that point I had not seen documentary proof of it for our area. I then started in earnest to find as many petitions and documents signed with clans. I started my search at the tribal council archives and then expanded that search to the Library and Archives of Canada, the Archives of Ontario, the

Burton Historical Collection at the Detroit Public Library, the Clements and Clarke Historical Library of Michigan and the Archives of the Society of Jesus of Upper Canada (ASJUC). I incorporated my findings into presentations and many of my fellow Anishinaabeg had not seen these documents. In 2002 I also started collecting archival documents written in Ojibwe. One such document was written in June 1862 at Mitchigiwadinong (former name of M'Chigeeng First Nation) and it was about the Treaty of Niagara. Professor Johnston shared some of her documents about the Treaty of Niagara with me, one was a description of the wampum belts in the possession of the Odawa in 1840's at Coldwater, Ontario (these Odawa eventually moved to Manitoulin). I had Emrick Migwans, a long time beadworker, make replicas of the belts and then I organized an exhibit and a gathering that coincided with the 140<sup>th</sup> year since the signing of the Manitoulin Treaty of 1862. I memorized the Ojibwe speech that was written down by the chiefs and started to deliver presentations on the Treaty of Niagara and the Covenant Chain. I continued also to conduct archival and secondary source research on the Covenant Chain and the Treaty of Niagara.

5. It was through my contact with Professor Darlene Johnston that I was introduced to a group of academics and curators who had started an organization called Great Lakes Research Alliance for the Study of Aboriginal Art and Culture (GRASAC). GRASAC is collaborative research network of curators, historians, art historians, community researchers and elders who have embarked on developing an online database of museum collections. I have had the good fortune to accompany leading scholars during on site museum visits to the Canadian Museum of Civilization (now called Canadian Museum of History), National Museum of the American Indian (Washington, D.C.), Detroit Institute of Arts (Detroit), Royal Ontario Museum (Toronto), National Museums of Scotland (Glasgow, Kelvingrove and Edinburgh), National Museum of Ireland (Dublin), British Museum (London), Pitt Rivers Museum (Oxford), Musée du Quai Branly (Paris), Peabody Museum of Archeaology and Ethnography (Boston), and the McCord Museum of Canadian History (Montreal). At many of these institutions I viewed items such as wampum belts, pipes, drums, medicine pouches, and moccasins. Viewing the moccasins assisted in the overall

analysis because moccasins were decorated with geometric quillwork patterns that were also utilized on pipe stems, medicine bags, and wampum belts.

6. My experience learning Anishinaabemowin (Ojibwe) in addition to conducting oral tradition research with the elders, conducting archival research at numerous archives, and conducting museological research at numerous museums, has provided me with unique opportunities to acquire knowledge that I have assembled into various presentations. Many scholars and elders have recognized these presentations as a melding of two traditions, Anishinaabe and Western, and thus I have been referred to as an ethnohistorian by other academics, my fellow Anishinaabe call me a historian. It is the acknowledgement of both my academic peers and the Anishinaabe elders that qualify me as an expert in the field of Anishinaabe culture and history.

## **Methodology**

7. Since 2001, I have been conducting research into the history of the Anishinaabeg around the Great Lakes. I acquired academic training in qualitative and quantitative research during my undergraduate and graduate studies. I acquired archival research skills under the mentorship of Darlene Johnston Professor of Law University of British Columbia (who was at the University of Toronto Faculty of Law). This mentorship was augmented by relationships forged with other researchers in the same field who assisted me many times while on site. The primary archival repositories that I have visited and drawn upon for this report include, Library and Archives Canada, Archives of the Society of Jesus of Upper Canada (ASJUC), Archives of Ontario, Metropolitan Toronto Reference Library Baldwin Room collections (Anderson Papers, Givins Papers, Jarvis Papers), Burton Historical Collection at the Detroit Public Library, Clarke Historical Library and Holy Cross Mission Archives in Wikwemikong. I have also continued to keep current on secondary source publications on Native American history, politics, language, and ethnography with an emphasis on Anishinaabe people (Ojibwe, Odawa, Potowatomi, and Mississauga). Keeping up with the secondary source publications has increased my critical and analytical faculties. Attending and presenting at academic conferences, such as the Algonquian

conference, the American Anthropological Association Conference, the Native American Indigenous Studies Association, and Ethnohistory Conference has also assisted in the development of my analytical process and research methodology.

8. This active academic and archival study of Great Lakes Anishinaabe history has been also augmented by the oral tradition research I have conducted with Anishinaabe elders since 1990. During my graduate studies I recorded elders speaking in Anishinaabemowin about a variety of topics including history, place names, surnames, traditional practices (hunting, trapping, maple sugar making, etc), traditional beliefs (spirituality) and Anishinaabe Aansookaan (legends).
9. The archival research, museological research and oral tradition research has been informed by my active participation in language revitalization and in my role as a ceremonial attendant to elders.
10. My Curriculum Vitae is attached as Exhibit A.
11. My Instructions are found in the Terms of Reference, attached as Exhibit B.
12. The reasons for my conclusions including any factual assumptions, the research conducted and a list of documents relied upon is provided in the body of my Affidavit.
13. Wampum Belt Images are attached as Exhibit C.

### **Summary of Conclusions**

- i) **The historical circumstances and events leading up to the Royal Proclamation of 1763 and the Niagara Treaty of 1764. The reasons which prompted the Crown to issue the Proclamation, and the reasons which prompted the Crown and First Nations to enter into the Niagara Treaty.**

14. The Aboriginal people of North America have always asserted ownership to the land, they consistently stated that it was given to them by the Creator. Aboriginal people organized themselves as autonomous Nations with their own governance structures that were based on their culture, economy, governance and laws. These governance systems were enacted at council meetings. Amongst the many Nations living in North America, many had established ties of alliance for peace, and trade with each other. The forum for negotiating agreements amongst the Nations was the council fire. The media for recording the events and agreements were wampum belts. The calumet pipe was also used to record different agreements amongst the nations. An international Indigenous treaty framework, or process, had been established based upon mutually understood wampum and calumet protocols that incorporated a highly contextualized metaphoric language.
15. In order to contextualize the circumstances around the Treaty of Niagara and the Royal Proclamation, the treaty structure of the Covenant Chain and its antecedents must be explained to show how the British adopted this treaty framework that had its origins in the formation of the League of Five Nations (now called Six Nations). The Mohawk nation, a part of this League, had established ties with the Dutch on the Hudson River and they used the phrase “chain of friendship” to describe their treaty relationship. This chain was eventually lengthened to include the neighbours of the Mohawk, the Oneida, and eventually encompassing the whole League of Five Nations. The Dutch were usurped by the British, who then assumed this treaty relationship with the Six Nations. After the defeat of the French, the British incorrectly assumed that they had defeated the Western Nations, including the Anishinaabe (Ojibwe, Odawa, Potowatomi, and Mississauga) but the British were told outright by the Western Nations that they had not been conquered. The British then sought a way to establish peace and decided the best way to do so was to extend the Covenant Chain to the Western Nations.
16. This was accomplished by the British igniting council fires around the Great Lakes, specifically at Detroit, Michilimackinac and Fort Augustus (present day Green Bay, Wisconsin).

ii) The events which occurred at the Niagara Treaty Council, the attendees, the purpose of the gathering and the outcome. The manner and means by which the terms of the treaty were recorded. The exchange of Wampum Belt(s) at the Treaty Council.

17. The 1764 Niagara Treaty was momentous because it established the diplomatic foundation of the Covenant Chain relationship between the British and the Western Nations. The Covenant Chain signified mutual respect, reciprocity and good faith. The agreement was figuratively referred to as a chain because it bound multiple parties together in an alliance. The 1764 Treaty of Niagara was attended by representatives of the British Crown, specifically the Superintendent of Indian Affairs, and chiefs and warriors from 24 different Nations with an estimated total 2000 Aboriginal people in attendance.

18. The purpose of the gathering was to secure and establish long term peace between Britain and Aboriginal Nations (Western and Eastern Confederacy). The outcome was that many Aboriginal representatives entered into the Covenant Chain which re-established trade, created a process for conflict resolution, and re-established the annual delivery of presents, which symbolized the recognition of the treaty. Finally, and most importantly for the Western Nations, was the acknowledgement and recognition of Aboriginal ownership of the land. From the Aboriginal perspective the Niagara Treaty assured them that they maintained their freedom, their land, and re-established trade with the British and re-established the annual delivery of the presents. From the British perspective, they developed a way to legally purchase lands west of the Appalachians and south of the Hudson's Bay Company's territorial claim.

19. The terms of the treaty were recorded by giving calumets, exchanging wampum belts and presenting medals, all of which served as mnemonic representations of the treaty process. Subsequent speeches delivered in councils between the British and the Western Nations show a high degree of mutual understanding because the speeches were metaphorical. The principal metaphors of the treaty relationship include the "road of peace," "the mat (which meant land/ territory)," "igniting the council fire," "warmth (delivery of presents),"

"the high hill/ mountain (establishing a fort or post)," "the tree of peace (flag pole)," all of which were understood by the chiefs of the Western and Eastern Nations and the agents of Indian Affairs. These metaphors will be explained to demonstrate how the formulaic speeches were a codification of both the Royal Proclamation and the Covenant Chain as agreed upon at the Treaty of Niagara. The symbols on the wampum belt delivered at Niagara in 1764 represents a melding of two literary traditions, one based on geometric shapes woven onto wampum belts and the other alphabetic and numeric. The Great Covenant Chain of 1764 has hexagons and diamonds of the pre-existing wampum tradition but also includes numbers and letters of the western tradition. This section explains the shared understanding entered into at Niagara and perpetuated at various council fires around the Great Lakes, including Michilimackinac, St. Joseph's Island and Manitoulin Island.

**iii) The nature of the relationship forged as a result of the Niagara Treaty of 1764.**

20. The British sought to bring the Western Nation into the relationship that is referred to as the Chain of Friendship or the Silver Covenant Chain. The Covenant Chain was promoted as a framework for lasting peace. Although the British had conquered the French, the Western and Eastern Nation chiefs declared they continued to hold onto their independence and freedom and had not been conquered. Part of solidifying the treaty relationship meant establishing ties or bonds of kinship, fictive kinship. Subsequent to the Treaty of Niagara, the Western Nations were adopted by the King of Great Britain as his children, and they adopted him as father. The key to understanding the relationship forged at the Treaty of Niagara rests on understanding the set of fictive kinship terms: father, elder brother, younger brother, and children, which when examined more closely, reveal that the Western Nations and the British had different world views which influenced their interpretations of those kinship terms. The Western Nations understood that the British had committed to a more onerous role because a father has to dote on his children and provide for them indiscriminately, whereas a child does not have too many obligations to the father. The Western Nations did not conceive a father to be authoritative. The

adoption did not mean the Western Nations were subjects of the Crown, in fact the Western Nations continued to maintain their autonomy and independence.

21. According to the Niagara Treaty, the Western Nations understood that they held title to their lands, maintained their autonomy, re-established fair trade relationships with the British, secured themselves protection from unscrupulous traders, secured a process for restitution of fraudulent land purchases and established annual gift giving wherein the British gave tribute to the Western Nations for using the land.
22. By annually delivering the presents to the Western Nations at the various outposts, the British were abiding by the terms of the Treaty of Niagara and the Royal Proclamation. By delivering ample presents the British were the generous living father. By settling disputes with traders, the British played the protective father to his children. By going to war against Great Britain's enemies the Western Nations were fulfilling their role as children in the treaty. By maintaining peaceful relations with the fur traders and allowing them to trade in their country without pillaging them, the Western Nations were being obedient children.

**iv) The conduct of the parties vis-à-vis the terms of the Treaty and the relationship it forged, in the period subsequent to the Niagara Treaty.**

23. The Anishinaabeg and the British had decided to quit fighting and agreed to enter into a treaty of defensive and offensive alliance. The Anishinaabeg understood that by extending the Great Covenant Chain Wampum belt, the British had assured their autonomy, independence and land rights. The relationship was further solidified, in the eyes of the Western Nations, when they adopted the British as their father. The Western Nations did not view a father as an authoritative figure but one who was to provide for his children's wants and needs.
24. The British promised to deliver warmth (a metaphor for the annual 'Indian presents') to the country of their allies, the Western Nations. The alliance was tested during the American

Revolution, the Battle for the Ohio Valley and the War of 1812. During each of these times of tribulation, the Crown, through delegated representatives such as the Lieutenant Governors, Commanders-in-Chief, and Superintendent Generals of Indian Affairs presented additional wampum belts that depicted the Covenant Chain in order to strengthen the alliance. Sir John Johnston, Sir Guy Carleton, Lieutenant Governor Simcoe, Lieutenant Governor Gore, Commander in Chief General Prevost, Lieutenant Governor Bond Head, all presented wampum belts to representatives of the Western Confederacy. Each of these colonial figures delivered a wampum belt in their own name but each made reference back to the Covenant Chain of Friendship in their speeches. Thus the British continued to adhere to the Covenant Chain and the Royal Proclamation because they continued to deliver presents. Upon receiving the new wampum belts that bound the ties even stronger, the Western Nations understood that the tenets of the Covenant Chain as agreed to at Niagara in 1764, were still adhered to. Since the Treaty of Niagara incorporated terms within the Royal Proclamation, the tenets of the proclamation were reinforced and strengthened by the delivery of wampum by Lieutenant Governors and Commanders-in-Chief.

25. After military threats subsided, however, the British began to neglect the maintenance of the relationship with Western Nations by diminishing the so called Indian Presents. It fell upon the Western Nations to bring out the wampum belts to remind the British of the mutual engagements entered into at the Treaty of Niagara. The chiefs and orators of the Western Confederacy maintained the belts but also the talk contained therein. By bringing the belts out and reciting the speech that accompanied the belts, the chiefs were maintaining the treaty relationship.
- v) **What the Proclamation and the Niagara Treaty say about Indian lands, land rights and the process for sharing or surrendering of Indian lands.**
26. In 1848, the Crown summoned the Anishinaabeg of the North Shore of Lake Huron and Superior to discuss the possibility of entering into a treaty. The Crown specified the need to identify the owners of the land in order to obtain consent for the surrender of title. They

questioned the Anishinaabeg claim to the land and requested proof of ownership as a requirement of a treaty.

27. When asked to provide confirmation of their autonomy and title, the Anishinaabeg orators demonstrated the understanding that their title and ownership had never been extinguished or relinquished. There was an awareness that a treaty process existed to cede territory and they asserted their right to the land. There was also an awareness of the stipulations of the Royal Proclamation regarding the purchase of land.
28. Principles of autonomy, title and reciprocity were inherently included in the text of the Royal Proclamation. These principles were affirmed by William Johnson at the Treaty of Niagara in 1764. Aided by wampum protocol and the accompanying 'talk on the belt' (speeches), the chiefs and warriors of Lake Huron and Superior understood that they still owned the land and recalled that they had not been asked to surrender the land, nor had their ancestors.

i) **The historical circumstances and events leading up to the Royal Proclamation of 1763 and the Niagara Treaty of 1764. The reasons which prompted the Crown to issue the Proclamation, and the reasons which prompted the Crown and First Nations to enter into the Niagara Treaty.**

29. The Anishinaabeg<sup>1</sup> believe that they were placed on North America by the Great Spirit.<sup>2</sup> The Odawa have stated in council, and to Indian Agents, that the creator had placed them on Manitoulin Island.<sup>3</sup> The Anishinaabeg believe that they were placed in specific areas

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<sup>1</sup> In the Ojibwe language (Anishinaabemowin), Anishinaabeg is the plural form of Anishinaabe, which is the self designation in Ojibwe for "human" but through time came to be translated as "Indian." Benton Banai provides the etymology as "Gitchie Manito them lowered man to the Earth. Thus, man was the last form of life to be placed on the Earth. From this Original Man came the A-nish-i-na'-be people. In the Ojibway language if you break down the word Anishinabe, this is what it means: Ani "from whence" Nishina "Lowered" Abe "The male of the species" (Benton Banai 1988, p. 3).

<sup>2</sup> Benton-Banai 1988, p. 3.

<sup>3</sup> The Odaawaa (Odawa/ Ottawa) Anishinaabe name for Manitoulin Island is Odaawaa Mnis 'Island of the Ottawa.' Odawa Chief Ocaitau (Okedaa) stated at this council "Father - When the Great Master of Life first made us, he set us down on the Ottawas Island (an island in Lake Huron)," in *The Ottawa [Odawa], Chippawas [Ojibwe]*,

by the creator and that they were given everything they needed to survive in that region. Indeed many nations have a creation story about being placed in their homeland by the creator, even the Anishinaabe clans have an origin story that is tied to a specific place.<sup>4</sup> The Ojibwe of Sault Ste. Marie stated that the creator had sent a bird, Ajijaag, the crane, to Sault Ste. Marie to populate and rule the rapids.<sup>5</sup> A persistent belief and sentiment held by the Anishinaabe is that the creator, Gichi-Manidoo, Gizhe-Manidoo,<sup>6</sup> bequeathed the land to their ancestors and they became the heirs and owners of the land that they inhabited. In fact, Mackinac Ojibwe Chief Minwewe (aka Minavavana)<sup>7</sup> stated this succinctly, "These lakes, these woods and mountains, were left to us by our ancestors. They are our inheritance; and we will part with them to none. Your nation supposes that we, like the white people, cannot live without bread and pork and beef! But, you ought to know, that He, the Great Spirit and Master of Life, has provided food for us, in these spacious lakes, and on these woody mountains."<sup>8</sup> The Anishinaabeg of Michilimackinac, Manitoulin Island and Sault Ste. Marie definitely believed that the creator had placed them at various places in the Great Lakes area.

30. The Anishinaabeg also believed in a great uncle, that some call a trickster, but some also viewed as a creator or progenitor – Nenbozhoo (Nanabush, Waynaboozhoo and written as Michabous in the Jesuit Relations).<sup>9</sup> The stories of Nenbozhoo tie all of the Anishinaabeg together. The adventures, follies and escapades of the Anishinaabe's uncle created a bond between the people whether they were originally from the Ottawa River area, or

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and Winabagoes [Winnebago], *Indians assembled at Drummonds Island 7<sup>th</sup> July 1818*, LAC RG 10 Vol. 32, pp: 19172 – 19177. On June 5 1839, Odaawaa chief Assiginack told Henry Schoolcraft that the Odaawaa were created on Manitoulin, Henry Rowe Schoolcraft, 1851, Personal Memoirs of a residence of thirty years with the Indian tribes on the American Frontier, passage dated 1839, June 26<sup>th</sup>, p. 658.

<sup>4</sup> Bohaker 2006, Johnston 2004, p. 6.

<sup>5</sup> William Kabaoosa in Jones 1916, p. 388.

<sup>6</sup> Gichi-Manidoo is literally 'great spirit/ mystery' and Gizhe-Manidoo is literally 'benevolent, loving spirit'.

<sup>7</sup> Also known as Minwewe, Menehwehna, "The one with the silver tongue," and Grand Saulteaux and Gichi-Ojibwe. David A. Armour, "MINWEWEH, Le Grand Saulteaux," in EN:UNDEF:public\_citation\_publication, vol. 3, University of Toronto/Université Laval, 2003–, accessed September 3, 2015, [http://www.biographi.ca/en/bio/minwewe\\_3E.html](http://www.biographi.ca/en/bio/minwewe_3E.html).

<sup>8</sup> Henry 1809, p. 42.

<sup>9</sup> A comparative analysis of the legends collected by Frank G. Speck, 1915, "Myths and Folk-lore of the Timiskaming Algonquin and Timagami Ojibwa" with those published by Margaret Cote 2011, "Nenapohs ähtahsökëwinan Neanapohs Legends: Narrated by Saulteaux Elders," reveal a great deal of consonance. Nenabosh stories were told from as far east as Barriere Lake (in northern Quebec) to the Plains amongst the Saulteaux.

migrated to the Rainy River area. Nenbozhoo left his mark on the land. The Anishinaabeg as hunters and gatherers knew of these places because they had heard of them in the aansookaanan/ aadizookaanag<sup>10</sup> 'sacred winter stories.' The Anishinaabeg told stories of the great flood. The Anishinaabeg also told stories of how Nenbozhoo tried to kill a giant beaver that was menacing the people.<sup>11</sup> The giant beaver made a giant dam at present day Sault Ste. Marie.<sup>12</sup> This dam resulted in the formation of Lake Superior, which the Anishinaabeg called Ojibwe **Gichi-gami** 'Great Lake of the Ojibwe'. In order to kill this beaver, Nenbozhoo changed himself into a giant as well and made himself a spear and spear head. Nenbosh dropped this spear head and spear handle at Michigwadinong "Bluff in the shape of the Spear head," which is now called the Cup and Saucer on Manitoulin Island.<sup>13</sup> Nenbosh knew that the beaver had two houses, one at Isle Royale close to Thunder Bay, Ontario, and the other at Michipicoten Island. Nenbosh then jumped upon one of the beaver's houses at Michipicoten Island in an attempt to draw the beaver out. After Nenbosh jumped back onto the shore he slipped on some mud and left an imprint of his behind on the rocks on the shore. Nenbosh then said, "No matter, let my grandchildren that shall live hereafter have it to laugh at."<sup>14</sup> Nenbosh then busted up the dam at Sault Ste. Marie which resulted in the creation of all of the little islands along the north shore of Lake Huron. Nenbosh chased the beaver eastward, the beaver swam up the French River and in his attempt to elude Nenbosh, he scampered and scraped up all kinds of rocks and debris, thereby creating the Recollet Falls. Although Nenbosh was able

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<sup>10</sup> Aansookaan is the word for 'legend' in Manitoulin dialect (Rhodes 1993, p.5). In the western Ojibwe and eastern Ojibwe the word is Aadizookaan (Nichols and Nyholm 1995, p.16).

<sup>11</sup> Song and Tales by Louis Goodchild, 1959-60, Collected by Ghislaine Lecours, Canadian Museum of Civilization (III-G-4m, Box 42, f.3).

<sup>12</sup> Coatsworth 1991, pp: 17 – 22.

<sup>13</sup> "Nanabozhoo's Beaver Hunt: When Nanabozhoo was pulling down the dam of the great beaver at Powting (Sault Ste. Marie); the lumps of earth he threw behind him formed the islands about Nibish Hog [lake] and Sugar Island. He is now sitting as a rock near [Gargantua]. His point spear lies as a long sharp rock on east side of West Bay = Mitchgwednong [Michigwadinong]. The lower terrace is the point of the spear, the rest = the handle. [A drawing shows the bluffs from side profile, showing the spear handle is higher than the spear point, a.c.] N.B. The Indians everywhere around L. Huron know about the legend of this rock although they may not be clear as to the rest of the story." Legends - James Nawigizhik, 1893, Library and Archives of Canada, Bell Papers, MG 29, B15, Vol. 54, File 24.

<sup>14</sup> Jones 1917, p. 431.

to kill some of the beaver's children he was unable to kill the parent but he followed the beaver all the way out to the St. Lawrence.<sup>15</sup>

31. In his recent book, Timothy Cochrane points to this story as the Anishinaabeg grand narrative connecting people from the Ottawa River out to Kaministiquia River at the west end of Lake Superior.<sup>16</sup> Indeed, the paraphrased, abbreviated version of the above story, drew from sources like Odawa historian Andrew J. Blackbird (1887), storyteller John Pinesi (1902) from Fort William, Ontario, James Nawigizhik (1893) from Manitoulin Island, Joseph Missabi (1891) from Henvey Inlet on the Georgian Bay and John Debassige (1997) from M'Chigeeng First Nation, Louis Goodchild from Pic River (1959 – 60).<sup>17</sup> The story was widely told, details may have varied but the overarching narrative that Nenbozhoo changed the landscape and imbued it with meaning and teachings for his "grandchildren" or "nephews" is the salient point.
32. It is the stories, the land marks, the teachings, and the belief that the land was their inheritance given to them by their ancestors, and ultimately by the creator, that gave the Anishinaabe the understanding that they were the owners of the land.
33. Their ownership was threatened by the so-called "Iroquois Wars" of the 17<sup>th</sup> century. It was during this time of war and displacement that different people moved into the territory of the Lake Superior Ojibwe. The Jesuits recorded the displacement and the migrations of various peoples. The dreaded Naadowe<sup>18</sup> slaughtered and displaced many people from Huronia and even displaced the Nipissing people who resided around the lake of their name and along the French and Ottawa River. Some of the Nipissing moved as far as

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<sup>15</sup> "Nanabozhoo hunts the Manitou-Amik." Indian Legends – Joseph Missabi, Library and Archives of Canada, Bell Papers, MG 29, B15, Vol. 54, File 19.

<sup>16</sup> Cochrane 2009, p. 47 – 49.

<sup>17</sup> Songs and Tales by Louis Goodchild, 1959, Canadian Museum of Civilization (III-G-4m, Box 42, f.3).

<sup>18</sup> This is an Ojibwe term that has been translated as enemy but it is also a species of snake. John Pinesi told William Jones that it meant Adder (Jones 1919, p. 284). The Ojibwe used the term for the Six Nations. The diminutive form of the word was rendered by some French as Naudauessioux (instead of Naadowens) which the Ojibwe used to refer to their other enemies, the Sioux. The French then cut the word and used the end to refer to that nation. The Ojibwe word for the Sioux is Bwaan (Nichols and Nyholm 1995, p. 39, Baraga 1992, p. 97)

Lake Nipigon on the north end of Lake Superior while others remained in their homeland.<sup>19</sup> This historic tie between the Nipissing and the people living along the north shore of Lake Superior is important to historical events because the mobility of the Nipissing aid in the dissemination of information. The Nipissing also assist in spreading wampum diplomacy and protocol to more northerly areas and groups.<sup>20</sup>

34. Another group that was displaced by the Haudenosaunee were the Hurons. Many were killed, others were absorbed into the Haudenosaunee confederacy and others, namely the Petun (Tionontate eventually becoming known as the Wyandot, Wayandotte, Wendat) moved with the Anishinaabeg to Michilimackinac, Chequamigon (Keewenaw Peninsula), and as far west as the Mississippi, and eventually returning and settling for a time at Green Bay.<sup>21</sup> During this time the Anishinaabeg re-grouped and fought the Haudenosaunee and sent them back south of the great lakes. The Haudenosaunee sued for peace and gave a wampum belt to the Anishinaabeg. This belt was entrusted to the chief of the Caribou clan at the Narrows (Lake Simcoe). The exact date of this peace treaty is not known but the 'talk' on the belt was recorded by the Reverend Peter Jones of the Mississaugas of the Credit River in 1840. According to the minutes of two separate councils the belt had 5 symbols on it with a white path in the middle of the belt running its length. The Mohawk Chief read the belt to the Ojibwe chiefs gathered and confirmed that his ancestors had indeed given that belt to the ancestors of the Ojibwe. He then recited the 'talk':

Firstly, the council fire at the Sault Ste. Marie has no emblem, because then [sic] the council was held. Secondly, the council fire as [sic] Manitoulin has the emblem of a beautiful white fish; this signifies purity, or a clean white heart—that all our hearts ought to be white towards each other. Thirdly, the emblem of a beaver, placed at an island on Penetanguishew [sic] Bay, denotes *wisdom*—that all the acts of our fathers were done in wisdom. Fourthly, the emblem of a white deer placed at Lake Simcoe, signified *superiority*; the dish and ladles at the same place indicated abundance of game and food. Fifthly, the eagle perched on a tall pine tree at the Credit denotes

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<sup>19</sup> Harris (ed), 1987, Plate 35.

<sup>20</sup> Legal scholar John Borrows stated that Sir William Johnson convinced members of the Algonquin and Nipissing nations present at Oswegatchie to act as messengers and invite the Western Nations to Niagara for July 1764 (Borrows 1998, p.162).

<sup>21</sup> Tanner 1987, p. 35. At this time some of the Huron moved east to Lorrette north of Quebec City (Labelle 2013).

*watching, and swiftness in conveying messages. The eagle was to watch all the council fires between the Six Nations and the Ojebways; and being far-sighted, he might, in the event of anything happening, communicate the tidings to the distant tribes. Sixthly, the sun was hung up in the centre of the belt, to show that their acts were done in the face of the sun, by whom they swore that they would forever after observe the treaties made between the two parties.*<sup>22</sup>

35. The important point is that this treaty was concluded at Sault Ste. Marie, a place where many Anishinaabeg gathered to fish, feast, council and socialize. The second point to note is that the treaty was in the form of a wampum belt. The third point is that this treaty was a codification of the Haudenosaunee's recognition of the various clans at specific council fires to be the true owners of that territory,<sup>23</sup> a point that will be discussed later. Lastly, it must also be stated that the Haudenosaunee and the Anishinaabeg concluded this peace on their own, without any moderation or facilitation from any colonial entity. No specific date has been attributed to this treaty council at Sault Ste. Marie but based upon the oral tradition this treaty likely happened between the mid to late 1690's. It was concluded before the Great Peace of 1701.
36. Around the turn of the 18<sup>th</sup> century, the Haudenosaunee's military power waned and they did not want to continue the war with the Anishinaabeg.<sup>24</sup> The French also wanted war to cease because it had a detrimental effect on the fur trade. The French, under Governor Callière, called for a grand council to be held at Montreal. This is now known as the Great Peace of Montreal in 1701. This treaty gathering was attended by 1300 Native people with representatives from 39 nations, including the Odawa and Huron from Michilimackinac area, the Saulteurs (Ojibwe) from Sault Ste. Marie, and the Cree and Ojibwe from the "shores of Lake Superior."<sup>25</sup> Another group attended called the "Gens des terres" or "Inlanders," Havard stated these people may be related to the Cree.<sup>26</sup> The "Gens de Terre" were likely the people called "Noopiming dazhi-ininiwag" 'People of the hinterland or

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<sup>22</sup> Jones 1861, p. 121. Also Meetings of a General Council Meeting, January 22, 1840, LAC RG 10, Vol. 1011, pp: 85 – 86.

<sup>23</sup> Johnston 2004.

<sup>24</sup> Morito 2012, p. 17; Eid 1979, Havard 2001.

<sup>25</sup> Havard 2001b, p. 31.

<sup>26</sup> Havard 2001, p. 120.

inland'.<sup>27</sup> In the Historical Atlas of Canada, the "Noupiming daci irinouek" are located in area on the north shore of Lake Superior.<sup>28</sup>

37. This treaty was attended by many Native people from far and wide, with some definitely coming from Sault Ste. Marie and north of Sault Ste. Marie as well as the west end of Lake Superior. Although the main impetus for the gathering was to secure a peace amongst the nations so that the fur trade could thrive again, the western representatives took the opportunity to trade. In fact a trade fair was hosted by the merchants of Montreal.<sup>29</sup> Note that this treaty was not held to cede territory to the French, nor to the Haudenosaunee.<sup>30</sup> The Anishinaabeg left this treaty as owners of their territory and as an independent people, not indentured to the French. Another point that must be stressed is that each nation in attendance received a wampum belt (called collar [coliers] by the French). Governor Callière, at the conclusion of the treaty negotiations addressed all in attendance, "I attach my words to the collars I will give to each one of your nations so that the elders may have them carried out by their young people." In this manner the Governor was conforming to the manner that the Native nations conducted peace negotiations as well as outfitting them with the appropriate medium (wampum) that conformed with how they kept records. The Governor continued, "I invite you all to smoke this calumet which I will be the first to smoke, and to eat meat and broth that I have prepared for you so that I have like a good father the satisfaction of seeing all my children united."<sup>31</sup> By concluding the negotiations

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<sup>27</sup> Gregor McGregor told linguist Leonard Bloomfield a story about the Haudenosaunee coming to raid up in Lake Huron country. They were lured to Whitefish River (north shore of Lake Huron) where they were defeated by the "Noopiming dazhi-niniwag" (Nichols 1988, p. 114 - 115). The 1671 map of Louis Nicholas has the name "Noupiming=dach=iriniouek" and he located them northwest of Sault Ste. Marie and east of Lake Nipigon (Gagnon et al 2011, p: 94-95). Nicolas also did a portrait of a man of that nation which appears on p. 115. Andrew J. Blackbird called these people "Backwoodsmen" and said that they had the rabbit for their clan, which he called emblem (Blackbird 1887, p.81). The term is a relational one and was used to contradistinguish the people living along the shores of Lake Superior, who were called Gichi-gamiwininiwag, meaning "sea people" in reference to living along the shore of Lake Superior (William Jones, "Ethnographic and Field Notes on the Ojibwa Indians." American Philosophical Society, Collection Call no. 497.3J71). In an agreement between the North West Company and the Ojibwe of Grand Portage in 1798, the name "Kitchicamingue Indians" was used (LAC RG10, Series A, Vol. 266, pp: 163151 – 163155).

<sup>28</sup> Harris 1987, Plate 35. Greater detail about the term "Gens de Terres" is covered in Adolph M. Greenburg and James Morrison, 1982. "Group Identities in the Boreal Forest: The origin of the Northern Ojibwa." In Ethnohistory 29 (2): 75 – 102.

<sup>29</sup> Havard 2001b, p. 35.

<sup>30</sup> Havard 2001, p. 186.

<sup>31</sup> Havard 2001, p. 136.

with a smoke of the calumet, he was solidifying the agreement. By feasting his guests, he was also honouring them, by brokering the peace, he was acting the role of father (as mediator), and this provides an excellent example of what British officials would come to call "the French manner of treating with the Natives."

38. While the French hosted all of these nations, the British also hosted a grand council at Albany in which they solidified their ties to the Five Nations.<sup>32</sup> The competition for furs intensified and colonial powers vied for partnerships and alliances. In fact prior to the 1701 conferences at Albany and Montreal, several British records indicate that British sent emissaries into the *Pays d'en Haut*<sup>33</sup> to establish relations with the Waganhaas, Ottawa, Mississauga, Miami, Illinois, Dionondades (Huron), and others. These same records also reveal that the group called the "Waganhaas," (Ottawa and their allies) entered the Covenant Chain<sup>34</sup> alliance with the British on 5 August 1684. The British again made a treaty with seven nations (castles) of the Dowanganhaas on 14 July 1701.<sup>35</sup> Similarly, Morito (2012) noted that a group called the "Wississachoos," who he identified as possibly being the Mississauga, entered the Covenant Chain on 31 January 1707. Lastly, the Odawa treated with the British and their allies the Five Nations at the Onondaga council fire on 4 – 5 June 1710. Two messengers reported to the British at Albany that:

When we came into the Castle we were sent for into the Genr Assembly, Where we found 3 Wagenhaes or Uttawawas singing the Song of Joy. They had long Stone Pipes in their hands & under the Pipes hung feathers as big as Eagles Wings. When they left off singing well we filled the Pipes & let them smoak, when they had done, they filled the Pipes & let us smoak – this is the token of friendship ... One of the 5 Nations then stood up & spoke, "Brethren

<sup>32</sup> The Five Nations later accepted the Tuscarora into their league and then became known as the Six Nations.

<sup>33</sup> Havarad defines the *Pays d'en Haut* as "The Great Lakes Region" (Havarad 2001, p. 4). Widder states that the *pays d'en haut* means the "upper country" (Widder 2013, p. xix). Podruchny adds more specificity, "Literally translated as 'the country up there,' or 'upper country,' the term *pays d'en haut* referred to areas 'upriver' [...] by the late seventeenth century, the term came to be widely used for the fur-trading territory mainly around the Great Lakes. After the mid-eighteenth century, the boundaries of the *pays d'en haut* moved farther west and north" (Podruchny 2006, p. xii.)

<sup>34</sup> The Covenant Chain had its antecedents in negotiations conducted between the Dutch and the Mohawks on the Hudson River. Some scholars posit that the treaty of "tying hands in friendship" was first formed in 1618. Another scholar counters that the relationship evolved from a rope to an iron chain in 1659. The eminent Iroquoian scholar Francis Jennings offers the founding of the Covenant Chain as 1643 or 1645 (Morito 2012, p. 28).

<sup>35</sup> Morito 2012, p. 38.

we being now to speak of Peace I desire that we may lay aside all heart burnings against each other & behave with that Meekness wch becomes Brethren.<sup>36</sup>

39. A Seneca replied, "Go with us to your brother Corlaer,<sup>37</sup> The Doors stand open for you, The Beds are made for you from the Senecas Country to the Habitation of Corlaer, the Path is secure & there is no ill in our Country." An Odawa then addressed all those assembled, "Brethren here I am, you have told me the Doors stood open, the Beds made, yr Pots boiled & the Path was secure from the Sennecas Country to the Habitation of Corlaer. Let it be so. And gave a Belt of Wampum."<sup>38</sup>
40. This passage does not reveal where these Odawa came from (Michilimackinac or Detroit or St. Joseph) but the passage provides a sample of the protocol with which the nations employed when dealing with each other such as offering tobacco to visitors, allowing them to smoke first, then taking a turn to smoke their calumet. The passage also reveals the metaphors that the Nations employed when speaking in diplomatic settings. These metaphors would remain for years and likely pre-date significant colonial presence. The metaphor of the kettle (also called the common dish or pot), the secure path (also clear road or smooth waters), pots boiled indicating peaceful intentions to feed guests, and beds made (usually mats) to indicate hospitality and territoriality. The British would learn the meaning of these metaphors, master them and incorporate them into their diplomatic dealings with the Western Nations.
41. The British achieved some success in luring the Anishinaabeg of Sault Ste. Marie and environs to trade with them at Albany. In fact they were having so much success that the French felt it necessary to establish a post at Sault Ste. Marie in 1750. Louis Legardeur, Sieur de Repentigny, built a fort there, "in order to stop the savages of the northern posts

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<sup>36</sup> Morito 2012, p. 38.

<sup>37</sup> Corlaer is the name given to the Governor of New York which became a title in testimony to the services rendered by Arent van Curler (Corlaer) who negotiated the first treaty between the Mohawk and the Dutch. The title was bestowed to Governor Edmund Andros, circa 1675, and it was used by his successors (Jennings et al, 1985, p. 235).

<sup>38</sup> Morito 2012, p. 38 – 39.

who go and come to and from the English, to break off the trade they carry on with them.”<sup>39</sup>

42. The northern Anishinaabeg were getting better trade value with the British and sometimes they just claimed that they were getting better trade value so that the French traders would have to lower their prices.<sup>40</sup> The British may have provided leverage in bargaining but the French had married into Anishinaabe society and became not only fictive kin but real kin.<sup>41</sup> This became a powerful connection when war finally broke out between the colonial powers.
43. French officers arrived at Michilimackinac on 10 August 1754 for the purpose of gaining warriors from the surrounding nations to join their fight against the English. The officer who led the ‘recruitment’ remained at Michilimackinac for 12 days and “he met with twelve hundred men from sixteen nations on three occasions.” The tribes represented were “Huron, Ottawas, Sauteux, Algonquins, Potowatomies, Outagamis or Foxes, Miamis, Mississaugas, Mascoutens or the Fire Tribe, Puants, Sioux, Kickapoos, Malomines or Fallavoines, Assinaboinies, Pawnees, and Weas [Ouiatenon].”<sup>42</sup>
44. The French recruitment mission had been a success. The Odawa, Ojibwe, Menominee, Potowatomi and others from the Michilimackinac borderland had fought alongside the French and soundly defeated the British under General Braddock at Fort Duquesne in 1755.<sup>43</sup> These warriors continued to fight against the British for five more years. Captain Louis-Antoine de Bougainville, aide-de-camp to General Marquis de Montcalm, noted that there were 1,799 Western Indians at Fort William Henry in July 1757 including Odawa

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<sup>39</sup> Widder 2013, p. 27.

<sup>40</sup> For further information about Anishinaabe trade protocol and “playing off” the French and British traders, refer to Bruce White’s 1987 article “A Skilled Game of Exchange: Ojibway Fur Trade Protocol,” *Minnesota History*, 50 (Summer): 229-40.

<sup>41</sup> Fictive kin is a term used to refer to the social process in which the Anishinaabeg (and other groups) created a familial relationship with newcomers through adoption. The most famous example is the adoption of the French and British King as the Great Father. The purpose of establishing fictive kin was to expand social relationships and obligations, a father would provide for his child and not deny their requests to fulfill their needs (Miller p. 32 - 33).

<sup>42</sup> Widder 2013, p. 10.

<sup>43</sup> Widder 2013, p. 20; White 1991, p. 243.

from L'Arbre Croche, Saginaw, and Detroit plus four more settlements; Ojibwe from five settlements, including Chagouamigon (Chequamigon); Potowatomi from St. Joseph and Detroit.<sup>44</sup> In 1759, grandson of the Odawa chief Nissawakwat (La Fourche), mixed blood Charles-Michel Mouet de Langlade, led a "force of twelve hundred Ojibwe, Menominee, Fox, Sac, Sioux, and Cree from Michilimackinac down the Ottawa River to New York, where they hoped to help the French in what turned out to be their unsuccessful defense of Fort Niagara."<sup>45</sup> It should be noted that it was Sir William Johnson who played a lead role in taking Fort Niagara and the Western Nations associated him with that battle.<sup>46</sup>

45. Despite the combined efforts of the French and the Western Nations, the tide of war started to turn. Supply lines were obstructed, the Western warriors and chiefs had families to care for and feed and many perhaps started to perceive that the tables had turned in favour of the British. Some nations started to meet with the British and checked out the terms of peace. This was not a surrender, the Anishinaabeg never conceded defeat.
46. On the 8 August 1759 Deputy Agent of Indian Affairs, George Croghan met with the "Chiefs and Warriors of the Delawares, Shawnesse, Wayondotts, Twigtwees, Ottawas, Chepawas, Cucuskees and Putawatimes," at the council house in Pittsburgh. Croghan opened the council and stated "I was glad to see so great a number of my Brethren from so many different Nations met together to brighten and strengthen the Chain of Friendship between them and us," and he then delivered a String of Wampum.<sup>47</sup> Unfortunately, as with many other British colonial officials, Croghan did not list the chiefs' names nor where they came from. Interestingly though he stated that they came to "brighten and strengthen the Chain of Friendship." This reference to the 'Chain of Friendship' pre-dated the 1764 Treaty of Niagara but it acknowledged the pre-existing entries into the chain mentioned above. Whether Croghan knew of these earlier entries (1701, 1710, etc) is unknown but

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<sup>44</sup> Widder 2013, p. 21.

<sup>45</sup> Widder 2013, p. 21.

<sup>46</sup> On 31 July 1761, Sir William Johnson requested the assistance of the Mississauga Chief Wabbicornicot to accompany him to Detroit to treat with the Western Nations there. Sir William stated "he was pleased to find what he had sayed [sic] to their Nation on the reduction of Niagara had produced the desired effect," meaning that the Mississauga and others were attached to the British, LAC RG 10, Vol. 7, p. 77- 79, C-1222.

<sup>47</sup> Croghan quoted in Kent et al (eds) 1976, p. 507.

he would have known that the Delaware and the Shawnee, who had both been displaced from their eastern territories, had already been part of the 'Chain'.

47. The council proceeded with the Delaware speaker 'Beaver' speaking on behalf of the Western Nations, assuming their position of 'grandfathers' of the confederacy.<sup>48</sup> He performed the condolence ceremony, figuratively using a feather dipped in oil to clean the ears of the participants so that all may hear the message he had to parlay. The Beaver then talked about the peace that he had been charged to work towards. He had fourteen belts of wampum from the English, the Six Nations, the Delaware and others. He stated that these nations "were willing to take fast hold of the Chain of Friendship subsisting between the English and all Nations of Indians living to the Sunrising." He continued, "Uncles & Cousens this Belt which you see me hold in my hand I will join with these fourteen Belts to assure all Nations to the Sun rising that your Nations have agreed to the Peace confirmed here the 9<sup>th</sup> of the last Month between the Deputys of your Nations (who came with me here for that purpose) & our Brethren the English" he placed the belt beside the other fourteen belts and promised to send them to their respective countries. The Beaver then picked up another belt and said, "I assure you by this Belt, that the Peace was settled here between your Deputys and our Brothers the English in the manner I have informed you, and they have taken to your Country the Belts of Confirmation given to them."<sup>49</sup>
48. International, some say intertribal, protocol dictated that the host welcome guests with the condolence ceremony. This ceremony was meant to prepare people to engage in the council by wiping away the tears shed for loved ones who had passed away since the last meeting, clearing the throat so that one could speak clearly, and cleaning the ears in order to hear the message.<sup>50</sup> The guests then also performed the condolence ceremony. In this instance the British extended the 'Chain of Friendship' to deputies of the western nations, including Ojibwe and Odawa people. Not only did the British extend the chain but the

<sup>48</sup> The Delaware were acknowledged as an 'older stock of people' by the Ojibwe, Odawa, Potowatomi and Shawnee and thus were called grandfathers by all of these nations (Jones 1861, p. 116).

<sup>49</sup> Croghan quoted in Kent et al (eds) 1976, p. 507.

<sup>50</sup> Fenton 1985, p: 18 – 19.

relationship was also confirmed by a chosen speaker for the Western Nations. At this point we cannot determine the identity of the participants of this conference but we do know that the wampum belts were sent out.

49. Next the "Principal Warrior of the Delawares" rose and spoke. He stated that they, the Delaware and the Shawnee, had started the war, "We and our Grand Children the Shawnesse began the War in this Country, The Wise Men of all of our Nations have made Peace with our Brethren the English, and as the Peace is very agreeable to us, we by this Belt of Wampum take the Hatchet we sent you out of your Hands, and we pull up a large Pine Tree & bury it deep in the Ground, treading down the Earth firm about all the spreading Roots of the Tree that the Hatchet may never be found more." Here the Delaware took the blame for sending war belts to the Western Nations and now the Delaware wanted to broker the peace. The Delaware had long interaction with the Five Nations and during that time, some of the metaphors used, such as the 'tree of peace' (usually stated as a pine) had been adopted.<sup>51</sup> The tree of peace is famously associated with the founding of the League of Iroquois but the Tree of Peace was also mentioned at the Great Peace of Montreal in 1701, a treaty that had participants from as far west as the Mississippi.<sup>52</sup> Recall as well that the Haudenosaunee gave a wampum belt to the Anishinaabeg at Sault Ste. Marie and that one of the symbols on the belt represented an eagle on a tall pine tree at the mouth of the River Credit,<sup>53</sup> thus the Western Nations were familiar with the metaphor.
50. The following year, on November 5, 1760, Deputy Superintendent George Croghan met a group of 30 Odawa on the south shore of Lake Erie. The Odawa had hoisted the British colours so Croghan met with them, smoked the calumet, and gave them a 'dram,' he then recorded the following:

I called a meeting of all the Indians and acquainted them of the Reduction of Montreal, and agreeable to the Capitulation we were going to take possession of Fort D'Troit, Missemakinack, Fort St.

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<sup>51</sup> Jennings et al (eds) 1985, p. 122.

<sup>52</sup> Havard 2001, p. 144.

<sup>53</sup> Jones 1861, p. 121.

Joseph's & c. and carry the French Garrisons away Prisoners of War & Garrison the Forts with English Troops, that the French Inhabitants were to remain in possession of their property on their taking the Oath of Fidelity to His Majesty King George, and assured them by a Belt of Wampum that all Nations of Indians should enjoy a *free Trade with their Brethren* [emphasis added] the English and be *protected in peaceable possession of their hunting Country* [emphasis added] as long as they adhered to his Majestys Interest. The Indians in several Speeches made me, expressed their satisfaction at exchanging THEIR Fathers the French for their Brethren the English who they were assured were much better able to supply them with all necessaries, and then begged that we might forget every thing that happened since the commencement of the War, as they were obliged to serve the French from whom they got all their necessitys [sic] supplyed [sic], that it was necessity and not choice that made them take part with the French which they confirmed by several Belts and Strings of Wampum.<sup>54</sup>

51. First of all, Croghan informed the Odawa of the capitulation and he also informed them that the British were to take over the forts but named three specific ones that the Anishinaabe had a known affiliation to, namely Detroit, Michilimackinac and St. Josephs.<sup>55</sup> Croghan had dealt with chiefs and warriors for years and had obtained intelligence from his informants so he knew that the Western Nations wanted to have a fair trade, maintain their land and more importantly, they wanted to maintain their freedom.<sup>56</sup> Croghan specifically addressed these concerns by stating that the nations would be "protected in the peaceable possession of their hunting country." The principal Odawa chief then arose, pointed out two of his young men and stated that they were deputized to conduct business for his nation, he then said, "Brother to Confirm what we have said to you I give you this Peace Pipe which is known to all the Nations living in this Country and when they see it they will know it to be the Pipe of Peace belonging to our Nation, then [he] delivered the Pipe."<sup>57</sup>
52. The diplomatic interactions thus far demonstrate the primacy of wampum and the calumet. Both the calumet and wampum were given as pledges of a chief's or a nation's word. Both

<sup>54</sup> Croghan quoted in Reuben Gold Thwaites 1966, p. 104 – 105.

<sup>55</sup> St. Josephs here refers to the fort established along the river of the same name on the south east shore of Lake Michigan, not St. Joseph's Island that the British would later occupy.

<sup>56</sup> Croghan wrote to William Johnson that "We may say that we have beat the French; but we have nothing to boast from the War with the Natives" (Croghan in Dowd 2002, p. 55).

<sup>57</sup> Croghan quoted in Reuben Gold Thwaites 1966, p. 105.

were also offered as invitations, for a peace council, or to join a war party. There are numerous references in the colonial records wherein chiefs and speakers of various nations delivered a pipe to a commanding officer and stated that their pipe was "known by all the Nations."<sup>58</sup> A serious diplomatic gaffe was made by the British in the summer of 1760 when a delegation of Ottawas and Ojibwas visited Niagara only to discover that the wampum and calumets that they had presented the previous year had been sent to Amherst as war trophies and curiosities for his cabinet.<sup>59</sup>

53. By treating wampum and pipes as collectibles Amherst showed the chiefs and warriors that he did not value their ways. Amherst's disdain for the Western Nations and Indians in general, affected his policy and often times nullified the work that his Indian Agents did on the ground. Despite the gaffe, Croghan again met with the Wendat, Potowatomi, and Odawa in the council house at Detroit on 4 December 1760. He summoned them to the council so that they could witness the fort changing hands from French to British. He also took the opportunity to point out that the Western Nation's French 'Fathers' were now British subjects. Croghan ordered the Anishinaabeg to "look on them as such & not to think them a separate People."<sup>60</sup> Croghan also promised by the delivery of a wampum belt that the Western Nations would have "free open Trade with your Brethren the English & be protected by his Majesty King George now your Father and my Master." At this point Croghan attempted to have the British King recognized as the new 'Father' but that was premature. Once again, the representative of the Crown promised protection to the Western Nations if they abided by the peace and did not harm any of the King's subjects. Croghan concluded his speech by referring again to the Covenant Chain:

Brethren: On Condition of your performance of what has been said to you I by this Belt renew and brighten the ancient Chain of Friendship between his Majestys Subjects, the Six United Nations and our Brethren of the several Western Nations to the Sun setting and wish

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<sup>58</sup> On 11 September 1761 at a Detroit council, Mississauga Chief Wabbcommicott presented a calumet to the Mohawks and declared "this pipe which is known by all the Nations here, I give to you Brethren of the Mohocks, to smoak [sic] out of it in your councils with your brother Warraghiyagey." Proceedings at a Treaty held at Detroit by Sir William Johnson, LAC RG 10, Vol. 6, pp: 100 – 117.

<sup>59</sup> Dowd 2002, p. 58.

<sup>60</sup> Croghan quoted in Reuben Gold Thwaites 1966, p.114.

it may continue as long as the Sun and Moon give light. A Belt  
[...]<sup>61</sup>

A Wendat<sup>62</sup> (Wyandot) Chief replied on behalf of the Western Confederacies:

Brethren: [...] we assure you our Hearts are good towards our Brethren the English, [...] ***All the Indians in this Country are Allies to each other and as one People***, what you have said to us is very agreeable & we hope ***you will continue to strengthen the Ancient Chain of Friendship*** [emphasis added]

A Belt.<sup>63</sup>

54. On behalf of the Western Confederacy, the unidentified Wendat Chief accepted that the “Ancient Chain of Friendship” had been renewed and strengthened while reminding Croghan that the Western Nations were united. Noteworthy is that fact that he did not address the English as ‘Father’ but as ‘Brethren,’ he continued:

Brethren: Yesterday you desired us to be strong and preserve the Chain of Friendship free from rust, Brethren look on this Friendship Belt where we have the Six Nations and you by the hand; this Belt was delivered us by our Brethren the English & the Six Nations when first you came over the great Water, that we might go & pass to Trade where we pleased & you likewise with us, this Belt we preserve that our Children unborn may know.<sup>64</sup>

55. The Wendat speaker reminded Croghan that there already was a pre-existing relationship and showed him the belt to prove it. The belt was specifically tied to trade with each other though. Philosopher Bruce Morito (2012) noted that the origin story of the Covenant Chain made use of an evolution from a rope to an iron chain and finally to a silver chain of friendship; Morito equated the chain’s material with the level of ‘friendship’:

Origin narratives almost always include a description of growth and transformation (e.g. from a rope to an iron chain to a silver chain). These descriptions represent the Covenant Chain’s evolutionary character. Members viewed the Chain as having evolved from purely economic trading arrangement into a military alliance and political arrangement. Utility had been the principal motive for initiating the relationship (symbolized by a rope and articulated in the phrase

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<sup>61</sup> Croghan quoted in Reuben Gold Thwaites 1966, p.115.

<sup>62</sup> The Wyandot/ Wendat/ Huron were the “uncles” of the Western Confederacy and often served as speakers in council, but were also the keepers of the council fire, and thus, keepers of the wampum belts that concerned the Western Confederacy.

<sup>63</sup> Croghan quoted in Reuben Gold Thwaites 1966, p.118.

<sup>64</sup> Croghan quoted in Reuben Gold Thwaites 1966, p.119.

"finding one another useful"). At the same time, origin stories also mention that the relationship transformed into something considerably more robust... despite its utilitarian basis, the partnership had evolved into a conflict resolution forum characterized by justice, familial loyalty, fairness, and lawfulness, and parties drew attention to this evolution when they emphasized that the relationship was no longer bound by a rope or even an iron chain but by a silver chain.<sup>65</sup>

56. This belt the Wendat chief referred to likely had three men holding hands on it representing each nation which could be read as representing alliance but the chief specifically stated that the belt represented a trading relationship between the British, Six Nations and Western Confederacy with free passage between countries. The Wendat chief, on behalf of the Western Confederacy, wanted to take a step back and ensure that the fair trade was re-established in their country. The Chief also stated "we hope *you* [emphasis added] will continue to strengthen the Ancient Chain of Friendship."<sup>66</sup> The chief placed the onus on the British to strengthen the chain and told them how they could do so, which was re-establishing fair trade. In case the chief was being too subtle, he decided to be forthright and stated, "Brethren: We heard what you said yesterday it was all good but we expected [...] that you would have settled the prices of goods that we might have them cheaper from you than we had from the French as you have often told us."<sup>67</sup> And if his words were not enough, the chief even delivered a wampum belt from the warriors "to request of you to be strong" on behalf of the women and children for the purpose of having goods cheap. Next the Wendat chief pointed out that they recognized a new era was dawning and that the diplomatic forms that had been utilized thus far had to be re-instated with the young men. This was an oft used statement in council to urge colonial officers to have patience.<sup>68</sup> "Brethren you have renewed the Old Friendship yesterday, the Ancient Chain is now become bright, it is new to our young Men, and Brethren we now take a

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<sup>65</sup> Morito 2012, p. 27.

<sup>66</sup> Croghan quoted in Reuben Gold Thwaites 1966, p.119.

<sup>67</sup> Thwaites 1966, p. 119.

<sup>68</sup> Earlier in the council the speaker actually said "We are like a lost People, as we have lost many of our principal Men, & we hope you will excuse us if we should make any Mistakes," Croghan quoted in Reuben Gold Thwaites 1966, p.119.

faster hold of it than ever we had & hope it may be preserved free from rust to our posterity.”<sup>69</sup> The Wendat then delivered a wampum belt of 9 rows.

57. Shortly after this conference, the commanding officer at Detroit, Captain Donald Campbell remarked that he would “have a great trouble in that [Indian] Department,” noting that the French dealt with and treated the Anishinaabeg in a different manner. He noted that the four nations, Odawa, Potowatomi, Ojibwe and Wendat, living around Detroit visited the commanding officer often and asked for provisions, presents and rum, he ruefully noted “I have nothing to give them.”<sup>70</sup>
58. The conference at Detroit was also attended by Lieutenant Colonel Robert Rogers, who was ordered to proceed to Michilimackinac and take command of that fort, and remove the French garrison. During the month of December, with many Anishinaabeg in attendance, a delegation of Ojibwe from Sault Ste. Marie and Lake Superior showed up to meet with the commanding officer. Captain Campbell noted, “The Indians here are in great distress for want of Ammunition. I have had two of the Tribes that depend on Michilimackinac that come at a great distance – they were absolutely starving, their whole subsistence depends on it [provision of ammunition].”<sup>71</sup> Under these dire circumstances, Robert Rogers met with and executed a treaty with these Ojibwe chiefs for land along the south shore of Lake Superior, between the Ontonagon and Copper Rivers on 23 December 1760. These Ojibwe from Lake Superior had come to Detroit accompanied by Jean-Baptiste Cadot, an influential French fur trader who married an Ojibwe woman.<sup>72</sup> Other chiefs who signed the deed were Kecke bahkonce, Ogemawwas, Nawkusich, Moyettueyea.<sup>73</sup> These chiefs gave Rogers a wampum belt confirming the transaction.<sup>74</sup> On the same day Rogers entered

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<sup>69</sup> Ibid, p. 119.

<sup>70</sup> Captain Donald Campbell to Colonel Henry Bouquet, 11 December 1760. Michigan Pioneer and Historical Society, 1911, Vol. XIX: 48.

<sup>71</sup> Captain Donald Campbell to Colonel Henry Bouquet, 23 December 1760. Michigan Pioneer and Historical Society, 1911, Vol. XIX: 50.

<sup>72</sup> Widder 2013, p. 65 – 66.

<sup>73</sup> Written as Kecke bahkonce but the ‘kecke’ is ‘keche’- “gichi-” meaning large or great but the “bahkonce” is incomprehensible as written. Gichi-bashkoons (still meaningless but Gichi-bizhikiins would be great calf); Ogemawwas is likely Ogimaans ‘Little Chief’, Nawkusich is likely NawKeesick - Naawgiizhig ‘Middle of the sky’, Moyettueyea is incomprehensible as written. Widder 2013, p. 255.

<sup>74</sup> Wampum belt is kept at Detroit Historical Society, Detroit, Michigan.

into another agreement but with chiefs from Sault Ste. Marie area. The deed was for a track of land on both sides of the St. Mary's river. The document is difficult to read but the signatory chiefs appear to be Kacbeach "Chief of the falls of St. Mary", a second signature is illegible but written beside his mark is "Chief of the warriors"; this name is followed by MusquawKesick and kenoshe.<sup>75</sup> The arrival of these Lake Superior and Sault Ste. Marie chiefs at Detroit to gather information demonstrates the distances that the chiefs traveled but also reveals that the Anishinaabeg may not have been as isolated as popularly portrayed and thus it is conceivable that a representative from the north may have been at various Detroit councils.

59. After taking over the Fort Detroit in 1760, the Commanding officer, Captain Campbell, was not outfitted with enough supplies to deliver presents to the various chiefs, and in fact, his commanding officer General Amherst actively dissuaded him from doing so. Campbell realized however, that if he was to live peaceably with the surrounding Indians, he would have to deliver presents because it was part of their protocol. Captain Campbell, and other officers stationed at various forts in the *pays d'en haut*, were put in a difficult situation because they had not been given orders by General Amherst to deliver presents, especially larger ones, to the chiefs and warriors. The delivery of presents adhered to Anishinaabe protocol, built trust and solidified good faith between the British and the Anishinaabeg. Not adhering to the long standing custom, the British raised suspicions and actually diminished trust.<sup>76</sup> This trust was further diminished when the Anishinaabeg witnessed the show of British force that came to garrison the outposts. Captain Campbell at Detroit wrote to Colonel Bouquet, thanking him for providing some necessities, "I can never too much acknowledge your attention to the support of this Post, you have sent me what was most wanted." Campbell informed Bouquet that he was compelled to give a large quantity of powder to the Western Indians visiting the post. He noted that it was the custom to wait on the commandant for a present of ammunition and provisions, and that "it would not be prudent in me to deviate from it in my present situation... I assure you I am much put to it how to behave in Indian affairs, as I have no orders on that Head... I wish

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<sup>75</sup> Musquawkesick is likely Miskwaa-giizhig 'Red Sky', kenoshe is like ginoozhe 'Pike' and Kacbeach, Widder 2013, p. 258.

<sup>76</sup> Widder 2013, p. 67.

the Indian Trade was put on good footing, they complain of our prices and that we do not take all their Pelletries [sic] from them.”<sup>77</sup> Captain Campbell experienced increased trepidation and in late June [1761], summoned the leaders from the Detroit villages and the Seneca deputies for a council in an effort to allay his suspicions but also to serve a warning to the chiefs and warriors. He told those assembled that he suspected that they held ill intentions. Campbell believed that the unrest was localized to Detroit and that he could contain it by keeping the Detroit area chiefs and warriors loyal but worried that the Mississauga Anishinaabe would “secure all the Northern Nations who are entirely influenced by the Nations here.”<sup>78</sup>

60. Stability and peace required that trust be established between the Western Nations and the British. Denying provisions and ammunition did not build a relationship of trust. Orders from Amherst to discontinue the delivery of presents made life precarious for those in the field. Amherst wanted to incorporate, what he understood to be Britain’s new territory, into the empire by imposing terms of peace for the establishment of a fair fur trade wherein the Anishinaabeg and other Aboriginal people could earn their living by trade, not by presents. However, officers stationed at the posts in the *pays d'en haut* lived a different reality and some purchased presents from area traders and delivered them to the chiefs and warriors, much to Amherst’s consternation and disapproval. The work of establishing peaceful relations by the British officers at the posts was undermined by Amherst’s policies and views.<sup>79</sup> Regarding the policy and practice of giving presents, Amherst wrote to Johnson on 9 August 1761:

You are sensible how averse I am, to purchasing the good behaviour of Indians, by presents, the more they get the more they ask, and yet are never satisfied; wherefore, a Trade is now opened for them, and that you will put it under such Regulations, as to prevent their being imposed upon, I think it much better to avoid all presents in future, since that will oblige them to supply themselves by barter, and of Course keep them more constantly employed, by means of which they will have less time to concert, or carry into execution any

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<sup>77</sup> Captain Donald Campbell to Colonel Henry Bouquet, 21 May 1761. Michigan Pioneer and Historical Society, 1911, Vol. XIX: 67 - 68.

<sup>78</sup> Widder 2013, p. 69.

<sup>79</sup> Widder 2013, p. 60.

Schemes prejudicial to his Majesty's Interest; and to abolish entirely every kind of Apprehension on that account, the keeping them scarce of ammunition is not less to be recommended; Since nothing can be so impolitick as to furnish them with the means of accomplishing the evil which is so dreaded.<sup>80</sup>

61. Amherst was incapable of building the necessary mutual trust because he did not trust the "Indians" nor the French. Furthermore, Amherst had a low opinion of Aboriginal people. He thought they were lazy, untrustworthy and insatiable. Amherst summed up his views by stating that "without Our Assistance they must all Starve."<sup>81</sup> Historian Keith Widder succinctly stated that:

Amherst's attitude seems to have been that Native people should be thankful for being conquered and then spared by the British, who then were willing to trade with them. The Indians, however, understood the stoppage of gifts as a sign that Britain considered them to be a conquered people – a notion they rejected. The lack of presents threatened the Indians' place in the social and political order of the *pays d'en haut*.<sup>82</sup>

62. Amherst's views were based upon his erroneous belief that the Western Nations had been conquered along with their French allies. Ironically, Sir William Johnson and George Croghan held that the Indians had not been conquered and they recommended a policy informed by the 'French manner' of dealing with 'Indians', that is to say delivering presents.<sup>83</sup> George Croghan explained in an undated letter to Sir William Johnson that the French had delivered ample presents to the Nations and:

never sent them away empty, which will make it difficult & troublesome to the Gentlemen that are to command in their Country for some time, to please them & preserve Peace, as they are a rash inconsiderate People and don't look on themselves under any obligations to us, but rather think **we are obliged to them for letting us reside in their Country** (emphasis added). As far as I can judge of their Sentiments by the several Conversations I have had with them, they will expect some satisfaction made them by Us, for any Posts that should be established in their Country for Trade.<sup>84</sup>

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<sup>80</sup> Amherst quoted in Widder 2013, p. 104.

<sup>81</sup> Dowd 2002, p. 73.

<sup>82</sup> Widder 2013, p. 104.

<sup>83</sup> White 1991, p. 258.

<sup>84</sup> Croghan to Johnson undated in Thwaites 1966, p. 172.

63. Although Amherst viewed the presents as “emblematic of the problems with existing relationships with the Indians,”<sup>85</sup> he was blinded to the fact that Croghan had understood, namely, that the presents were a form of rent. Refusing to pay the rent was going to have consequences.

64. Sir William Johnson wrote to the Board of Trade and stated that the French had won over the Indians through “an infinity of presents” and that the Western Nations were accustomed to receiving presents as tribute for sharing their land. Johnson informed the board that if the presents were cut off or severely diminished in quantity, “doubts and suspicions” would plague the minds of the Western and Six Nations.<sup>86</sup> Johnson then stated that there were “necessary expenses” to maintain but it would be better to gradually wean the Indians from presents over time. Johnson confidently stated to the Board that if the post commanders adhered to his regulations, the trade would prosper, and as such would show that the British were living up to their word by caring for the Natives’ interest. Johnson stressed the importance of assuring the Indians “that His Majesty intended to do them justice regarding their lands.”<sup>87</sup> Johnson feared that if the presents were cut off too soon, the land settled too quickly, the Natives would think that the British were trying to diminish their standing in their own land, which would unnecessarily provoke the Natives to violence.

65. Captain Campbell, commander at Detroit, had already detected simmering hostile intentions at Detroit. He also was wary that the feeling could spread north because he thought the ‘Northern Nations were entirely influenced’ by the nations living around Detroit. The chiefs and warriors around Detroit did have an influential role on the chiefs and warriors of the north and frequently parlayed information and strategy to them but the northern people were their own masters. This network of shared goals and shared channels of information between the Anishinaabeg of Detroit and the Anishinaabeg of Lake Superior had its parallel with the fur trade as well as the British army. Flow of

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<sup>85</sup> White 1991, p. 257.

<sup>86</sup> Widder 2013, p. 106.

<sup>87</sup> Widder 2013, p. 106.

commands and directives were passed from colonial officials at Niagara to colonial officials at Detroit, then to the outposts. The key difference between these parallel channels of information (Anishinaabe and colonial) was that the Northern Anishinaabeg were not answerable to the Detroit Anishinaabeg but the Michilimackinac commander reported to the commander at Detroit.<sup>88</sup>

66. Sir William Johnson decided that it would be good policy to re-enforce the peace treaty entered into by his deputy Croghan at Detroit in 1760; he therefore set out to meet the nations of Detroit. Johnson had also started to hear rumours that the Western Nations were colluding to strike the English and thought a show of force might quell such intentions, if that were ineffective, at least he would be able to collect information firsthand. The council was convened on 9 September 1761 with Deputy Superintendent George Croghan and Captain Balfour of Gage's regiment present as well as representatives of the "Wiandots [Wyandot, Wendat], Saguenays [Saginaws], Ottawas [Odawa], Chipeweighs [Ojibwe], Powtowatamis [Potawatomi], Kickaposs, Twightwees, Delawares, Shawanise [Shawnee], Mohicons, Mohocks [Mohawks], Oneidas & Senecas."<sup>89</sup> Sir William started by conducting the condolence ceremony, wiping away the tears and clearing the throats of the assembled chiefs. He informed the chiefs that he was appointed by the King himself to be the Superintendent of Indian Affairs for the northern district. Sir William then stated that he was instructed to:

light up a large Council Fire at my house in the Mohocks [sic] country for all Nations of Indians in amity with his subjects, or who were inclined to put themselves under his royal protection to come thereto and receive the benefit thereof. This fire yields such a friendly warmth that many Nations have since assembled thereto, and daily partake of its influence. I have therefore now brought a brand thereof with me to this place with which I here kindle up a large Council fire made of such Wood as shall burn bright and be unextinguishable, whose kindly warmth shall be felt in, and shall extend to the most remote Nations and shall induce all Indians even from the setting of the sun to come hither and partake thereof.

*Gave a belt of nine rows<sup>90</sup>*

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<sup>88</sup> Widder 2013, p. xxvii.

<sup>89</sup> Proceedings at a treaty held at Detroit by Sir William Johnson Baronet with the Sachems and warriors of the several Nations of Indians there assembled, 9<sup>th</sup> September 1761. NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>90</sup> Ibid.

67. Lighting the council fire was a solemn act, and lighting the fire on behalf of the King with a brand from an existing fire was an important gesture for diplomatic relations because the council fire then represented continuity and conformity with an existing official diplomatic centre. Philosopher Morito noted of the initial council fires that “origin stories were recorded as far back as 1691 (probably earlier) at Albany, one of two council fires. The other was at Onondaga. Council fires were official places where treaties were negotiated and conflicts handled.”<sup>91</sup> By igniting a fire at Detroit (then a council fire of the French King and the Western Nations), Sir William was signifying the official transformation of Fort Detroit from a centre of commerce to a place where they could “polish the chain,” that is air grievances, settle disputes, and enter into treaty negotiations. The council fire served as a beacon, a light to dispel darkness, and a flame to warm up. The inextinguishable council fire was also a reference to the place where the presents were distributed, so literally, the ‘warmth’ around the council fire was also a reference to the cloth, blankets and rum that warmed the people who came to partake.<sup>92</sup>

68. Next Sir William Johnson informed the Western Nations gathered at Detroit that “His Excellency General Amherst is well pleased to hear of your friendly behaviour toward His Majesty’s troops at their taking possession of th[is] place last year” which was not a total lie but also not the whole truth.<sup>93</sup> However, Sir William then reminded those assembled that they had made promises “of becoming our friends and allies and of **renewing the old Covenant Chain** [emphasis added] at the meeting then held here in presence of Mr. Croghan my Deputy.”<sup>94</sup> Sir William then offered to brighten and strengthen the chain by delivering another one:

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<sup>91</sup> Morito 2012, p. 27.

<sup>92</sup> In 1818 at a council on Drummond Island, Odawa Ocaitau (Okedaa), held the 1764 wampum belt in his hands and recalled the words of Sir William Johnson, “I will call you my children, will send warmth (presents) to your Country, and your families shall never be in want,” the secretary wrote down turns of phrases and then provided the meaning in brackets. In this case ‘warmth’ was a reference to presents. Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818. LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>93</sup> Proceedings at a treaty held at Detroit by Sir William Johnson Baronet with the Sachems and warriors of the several Nations of Indians there assembled, 9<sup>th</sup> September 1761. NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>94</sup> Ibid.

Brethren - With this belt, in the name of his Britannick Majesty, I strengthen & renew the antient [sic] Covenant Chain formerly [ex]isting between us that it may remain bright and lasting to the latest ages, earnestly recommending it to you to do the same and to hold fast thereby as the only means by which you may expect to become happy & flourishing people. *Gave the Belt of the Covenant Chain containing 20 rows*<sup>95</sup>

69. There is no description of what this belt looks like, whether it took the form of the belt in image 1 (Mohawk British Chain) or image 2 (Delaware-Penn Belt) nor is there any information of its fate. Next Sir William stated that on behalf of General Amherst he was there to offer clemency to those who had joined the French in fighting against the British. He also informed the chiefs and warriors that the King and his representatives would promote an "extensive plentifull commerce on the most equitable terms" if they entered "into an offensive and defensive alliance with the British Crown."<sup>96</sup> Johnson also claimed that he was charged but also inclined to serve the Western Nations and that he would work to promote their interest and welfare. One of the metaphors of promoting interest and welfare was "smoothing the road." Johnson told the assembled chiefs that "I do by this belt of wampum [9 rows] offer my assistance to make the road of peace even, broad, and easy for travelling as far as the setting of the sun." Lastly and perhaps most importantly Johnson had stated:

Brethren - I can with confidence assure you that it is not at present, neither hath it been his Majesty's intentions to deprive any Nations of Indians of their just property by taking possession of any lands to which they have a lawfull [sic] claim, farther than for the better promoting of an extensive commerce for the security and protection of which, (and for the occupying of such [post] as have been surrendered to us by the Capitulation of Canada) troops are now on their way. I therefore expect that you will consider and treat them as Brethren and continue to live on terms of the strictest friendship with them and as I now declare these, his Majesty's favourable intention to do you justice. I expect in return that nothing shall on your part be wanting to testify the just sense which you all conceive of his Majesty's favour and of your earnest desire to live with the British subjects on the terms of friendship and alliance. *Gave a belt of 7 rows*<sup>97</sup>

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<sup>95</sup> Ibid.

<sup>96</sup> Ibid.

<sup>97</sup> Ibid.

70. Just like Croghan the year before, Johnson assured the Western Nations that the British were not there to deprive them of their land. Recall that the previous year at Detroit, Croghan had stated that he assured the nations that they would be “protected in the peaceable possession of their hunting country.”<sup>98</sup> The following day the chiefs responded to Sir William Johnson. The Wendat Chief Anáiása expressed the Western Nations thankfulness for “the council fire which you have kindled at this place,” and he promised that “it shall be our constant study to renew and keep it continually up so that we may always partake thereof.” He continued, “Brother – We thank you for renewing the old Covenant Chain subsisting between our ancestors and yours, and we on our part heartily concur with you therein and with this belt we now renew and strengthen it and shall hold fast by it forever.”<sup>99</sup> Chief Anáiása also pointed out that the union secured with the “strong chain” would be manifested in “plenty of goods and that at a cheaper rate.” Again the Western Chiefs pointed out that they required better terms for the trade. On behalf of the Western Nations, Chief Anáiása addressed the issue of ownership of land:

Brother – It gives us great satisfaction to hear that the King has no intention to deprive us of our Lands (of which we were once very apprehensive) and as to the troops who are now going to distant posts, we are well pleased therewith and hope they will look upon and treat us as Brethren in which light they shall always be esteemed by us, as we are determined to live on the best terms with them. A belt<sup>100</sup>

71. In 1760 George Croghan had told a delegation of Western Chiefs that their lands were safe, and he sealed that statement with wampum. Once again a representative of the Crown, a higher ranking official than Croghan, assured the Western Chiefs of the possession of their land. Sir William had also sealed these words with wampum. The chiefs of the Western Nations then told the representatives of the Crown that they were glad to hear that the King was not going to “deprive” them of their lands.

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<sup>98</sup> Croghan quoted in Reuben Gold Thwaites 1966, p. 105.

<sup>99</sup> Proceedings at a treaty held at Detroit by Sir William Johnson Baronet with the Sachems and warriors of the several Nations of Indians there assembled, 9<sup>th</sup> September 1761. NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>100</sup> Ibid.

72. After this 1761 Detroit Treaty, Captain Balfour was sent to Fort Michilimackinac to hold a council with the assembled chiefs and warriors. His dual purpose appears to have been to take over the fort and establish the fur trade with British traders instead of the French traders. He decided, much like General Amherst, that the best way to accomplish this was through a show of force. He was also ordered by Johnson to promote the Covenant Chain as the framework for diplomacy and peace. The council was on 29 September 1761 and in attendance were the Ojibwe and Odawa from the surrounding environs, specifically including those of Sault Ste. Marie and L'Arbre Croche. Two chiefs were listed - "Quieouigoushkam" (Kewaykishgum, Kewigushum), a chief from L'Arbre Croche, and "Kipimisaming, a Delaware who lived with and acted as spokesman for the Ojibwe at Sault Ste. Marie, and men from their villages."<sup>101</sup> Balfour welcomed the chiefs and then started his speech by scolding them for joining the French in taking up arms against the British. Balfour then conducted the condolence ceremony using strings of wampum to bury the bones of those killed during the war. He, too, like Johnson earlier in the month at Detroit, "lighted a 'fire of peace, friendship, & Concord,' to serve as a symbol that the road to 'peace & good friendship' was open to all 'Nations of Indians' coming under 'it's influence."<sup>102</sup> Similarly, Balfour then held up a wampum belt and presented it to the Ojibwe and Odawa "to renew ancient 'Treatys of peace and alliance,' or the Covenant Chain." He explained that Johnson had recently renewed the agreements and understandings of the Covenant Chain with "your Chiefs, or their Deputys at Detroit and at Niagara."<sup>103</sup> Balfour concluded by assertively stating that "British arms had conquered the French and become 'Masters of the Dominions of the King of France in Canada.'"<sup>104</sup> This statement contradicts those made by Croghan and Johnson at Detroit, both of whom had stated that the Western Nations were to retain their country, with Johnson elaborating and stating that the British King only wanted the posts.

73. The Odawa speaker Quieouigoushkam deferred a positive or negative response and stated that the majority of his chiefs had left for the hunt and that he did not have the

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<sup>101</sup> Widder 2013, p. 82.

<sup>102</sup> Widder 2013, p. 82.

<sup>103</sup> Widder 2013, p. 82.

<sup>104</sup> Widder 2013, p. 82.

authority to enter into negotiations and therefore left the ‘Belt of Alliance’ with the Ojibwe.<sup>105</sup> This demonstrates that the chiefs were deputized to listen to the “news” from colonial officials at the council fire, the chiefs were also deputized to deliver pre-approved messages on behalf of their people but they were not authorized to make a decision without first consulting the rest of their band and fellow chiefs. This type of consensus decision making was utilized by the Anishinaabeg and it frustrated colonial officials who wanted to deal with one man and get a prompt answer.

74. At this same council, the Delaware Chief Kipimisaming then rose to reply on behalf of the Ojibwe. First he thanked Balfour for covering the graves of their dead and igniting the council fire. Kipimisaming lamented that the Ojibwe had lost so many of their wise people and their chiefs but he took the opportunity to warn Balfour that some of the young people were foolish and were “likely to ‘commit some follys, and strike you.’”<sup>106</sup> Captain Balfour then re-issued his stern warning to the assembled chiefs, urging them not to attempt to strike the British for it would lead to their destruction.
75. The British Indian Department maintained intelligence and continuously heard rumours of a potential outbreak of violence. As the garrisons changed from French to British, and the British army stationed more soldiers at the outposts, the Western Nations grew suspicious again. Sir William Johnson wrote to the Board of Trade in August 1762, and laid out the long term strategy of his Indian policy. He remarked that the Six Nations and the Western Nations, had an increased suspicion and jealousy of the British due to their growing power and population. Johnson “advised that the British take ‘quiet possession of our distant posts,’ and increase ‘settlements on the back parts of the Country.’ In a few years ‘a well Setled [sic] Frontier’ would be strong enough to resist Indian hostilities.”<sup>107</sup> In the meantime, Sir William sent another emissary to collect more information from the northern outposts.

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<sup>105</sup> Widder 2013, p. 83.

<sup>106</sup> Widder 2013, p. 83.

<sup>107</sup> Widder 2013, p. 96.

76. That summer, Lieutenant Thomas Hutchins, was sent to explore the outposts in the *pays d'en haut* and gather as much information as possible. A council was convened on 4 June 1762 at Michilimackinac which was attended by "eighty Odawa and sixty Ojibwe," the emissary explained that Johnson had sent him to visit the posts, merely to show that he was living up to his promise to ensure their welfare and happiness. The Odawa and Ojibwe met with the emissary and after he delivered his speech he gave a wampum belt to the chiefs but did not give them any presents or rum. The next day the Odawa expressed their gratitude that Sir William had sent Hutchins and further they stated that Johnson's words at Detroit last September had proved to be truthful.<sup>108</sup> The Odawa speaker assured Hutchins he should disregard "any bad reports Concerning us... we have no evil in our Hearts against the English but are entirely reconciled to them and will do all in our Power to advise our Young People to behave well."<sup>109</sup> Hutchins did not provide a present at the conclusion of the council and the gathered chiefs and warriors expressed their disappointment to the interpreter. The British were saying the right things but their words were not backed up with actions, specifically delivering presents to the owners of the land.

77. West of Michilimackinac, at La Baye,<sup>110</sup> British officer Lieutenant Gorrell likewise faced the dilemma of having no presents, provisions or ammunition to give to the chiefs and warriors of the area Western Nations. Lieutenant Gorrell met with the chiefs on May 23, 1762 and delivered a speech that utilized much of the same precepts and phrases that Sir William utilized. He too, like Balfour, scolded the chiefs for joining French against the British. Gorrell had procured enough wampum from the traders and made belts in order to perform the condolence ceremony. He used the wampum belts to "wipe away all the Blood that was spilled, and bury all the bones of your Brethren that remain unburied in the face of the earth," and used the belts "to open a Passage" to their hearts to "speak honestly."<sup>111</sup> Gorrell, like Balfour, stated that:

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<sup>108</sup> This response by the Odawa proves that the Odawa of Michilimackinac at least heard about the proceedings of the council at Detroit, if not proving their attendance.

<sup>109</sup> Widder 2013. P. 112.

<sup>110</sup> Present day Green Bay, Wisconsin.

<sup>111</sup> James Gorrell. "Journal of Events at Fort Edward Augustus." 1761 October 12 to 1763 August 13. Gage Papers, AS 138:4. William L. Clements Library, University of Michigan.

I also light a Fire of pure Friendship, and Concord in order to afford a sweet and agreeable Heat to all those who approach the same, and for all Indian nations that are willing to partake of its influence, and come within its Reach; and that nothing may prevent their coming to it, I clear a great Road from the Rising to the Setting of the Sun, and remove all Obstructions so as all Nations with Freedom and Safety may travel to it.<sup>112</sup>

78. The British, through its commanding officials and their Indian agents, had lit council fires at Detroit, Michilimackinac, La Baye and St. Josephs, in addition to the council fires already in existence (Fort Niagara, Fort Pitt and Johnson's house). The British had also figuratively cleared a road from the 'rising of the sun to its setting.' Gorrell also stated to the chiefs and warriors that if they were aggrieved and had "just complaints against" traders, they were to come to this fire to seek protection and justice.<sup>113</sup> By taking hold of the 'ancient chain of friendship' and, "by their good Behaviour" the chiefs and warriors made "themselves worthy of his Royal Bounty and favour."<sup>114</sup> These are the same elements that Sir William Johnson and George Croghan had been using to conduct business. In this manner the British had spread the Covenant Chain right across the great lakes to as many Native nations as they could. Lieutenant Gorrell then "presented more belts to renew ancient treaties made between the English and the Indians' ancestors and recently reconfirmed by their 'neighbouring Chiefs at Niagara and Detroit.'"<sup>115</sup>
79. Lieutenant Gorrell also utilized the same phrase that Balfour had used, when he stated that Great Britain had defeated France, and thus all Canada had been "ceded to the English King my Master and your Father."<sup>116</sup> Despite the fact that the Western Nations had not yet adopted the British King as father, nor did they acknowledge that the French could cede the land to the British, the Menominee chief responded and said they "would

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<sup>112</sup> James Gorrell. "Journal of Events at Fort Edward Augustus." 1761 October 12 to 1763 August 13. Gage Papers, AS 138:4. William L. Clements Library, University of Michigan.

<sup>113</sup> James Gorrell. "Journal of Events at Fort Edward Augustus." 1761 October 12 to 1763 August 13. Gage Papers, AS 138:4. William L. Clements Library, University of Michigan.

<sup>114</sup> James Gorrell. "Journal of Events at Fort Edward Augustus." 1761 October 12 to 1763 August 13. Gage Papers, AS 138:4. William L. Clements Library, University of Michigan.

<sup>115</sup> Ibid.

<sup>116</sup> Ibid.

partake with pleasure of the Influence of the pure Fire of Friendship I had lighted for them, as there was so good a Road to it.”<sup>117</sup>

80. While the British army and Indian Affairs officials toured around the great lakes visiting outposts and igniting council fires, the Odawa Chief Pontiac had started fires of his own. In the summer of 1762 there was a secret council that was held in the Odawa village south of Detroit. Widder stated that “the significance of this conference was not in the substance of the secret deliberations, but in the number of nations touched by it... the conference connected Indians from Michilimackinac, Detroit, the Wabash country, and the Ohio country in a common purpose – how to break the yoke of British power that was causing them so much grief.”<sup>118</sup> Chiefs and war chiefs from the four principal villages at Detroit (Odawa, Ojibwe, Potowatomi and Wendat) hosted the nations living beyond Michilimackinac around Lake Superior and La Baye. Those attending this secret meeting were then charged with disseminating the message to the Shawnee, Six Nations, Miami, Wea and Kickapoo.
81. One of the results of this initial meeting was that subsequent meetings had more representation, which was also a drawback due to the attention it drew. On April 27, 1763, the Odawa chief Pontiac told his version of the vision of the Delaware Prophet, Neolin, to 460 warriors and chiefs of various nations.<sup>119</sup> After this meeting war belts were sent out to various directions. On May 5, 1763, Pontiac sent a belt to the Saginaw Ojibwe, informing them of his intentions to take Fort Detroit and inviting them to join him. Another belt was sent to the Odawa at Michilimackinac but they never received it, however, the Ojibwe of Michilimackinac knew of Pontiac’s intentions.<sup>120</sup> Pontiac then laid siege upon Detroit while other allied groups took the offensive in their respective territories.

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<sup>117</sup> Ibid.

<sup>118</sup> Reportedly “two Frenchmen dressed as Indians accompanied the Lake Superior Indians” (Widder 2013, p. 101).

<sup>119</sup> Dixon 2005, p. 106.

<sup>120</sup> Widder 2013, p. 139

82. The story of the attack on Fort Michilimackinac is well known and often cited.<sup>121</sup> On June 2, 1763, the Ojibwe of Michilimackinac, led by chief Minwewe, staged a game of lacrosse against the Sauk (Sac), who reportedly were not a part of the plot to gain entry into the fort. As the game intensified, more soldiers left the fort to watch the game, when all of a sudden the ball was thrown into the fort. Pretending that it was part of the game, the players ran in to retrieve the ball but on their way in they were outfitted with weapons by women who were stationed at the entrance. The battle was quick, 21 British soldiers were killed, and 17 more were held captive, including Captain Etherington.<sup>122</sup> The Odawa surrounding Michilimackinac were kept in the dark about this plan. William Warren later reported from his sources that the Ojibwe thought that the Odawa were too closely attached to the English and suspected that they might tell the British of the impending attack.<sup>123</sup> Their suspicions were well founded, grandson of the L'Arbre Croche Odawa Chief Nisawakwat, Charles Langlade told Captain Etherington, commanding officer at Michilimackinac that the Anishinaabeg were planning an attack. Etherington, however, had just finished a council with area chiefs and was confident that their pledge of peace was going to stand.<sup>124</sup> Ojibwe Chief Minwewe, who played a large part in the taking of the fort, also reported later that he had told very few of his own people for fear that the word would get out. Secrecy was of paramount importance to the endeavour but it had a drawback – other people were not informed and thus not on board.

83. Once the Odawa of L'Arbre Croche had heard the news of the capture of the fort they sent scouts to determine what had happened. The scouts returned, reported that the Ojibwe had captured the fort and the commanding officer. A party of Odawa warriors set out to the fort the next day and took the prisoners from the Ojibwe, including Captain Etherington, for themselves to ransom at Montreal.<sup>125</sup> Etherington convinced the Odawa to send a message to Captain Gorrell at La Baye. Once Gorrell heard the news, he immediately summoned a council with the Menominee. He informed the Menominee that their enemies, the Ojibwe, had taken over Fort Michilimackinac and that he required their

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<sup>121</sup> Dowd 2002, p. 93.

<sup>122</sup> Dixon 2005, p. 122.

<sup>123</sup> Widder 2013, p. 137.

<sup>124</sup> Widder 2013, p. 137

<sup>125</sup> Dixon 2005, p. 122; Widder 2013, p. 141.

assistance in re-taking the fort. He delivered wampum to the chiefs and they readily agreed since two of their men had recently been killed by Ojibwe from that area.<sup>126</sup> Lieutenant Gorrell's diplomacy and gift giving, or rather his disobedience to Amherst's instructions, had placed him and his fellow British officers in a stronger position because he could call upon the assistance of the Nations around Green Bay (La Baye), which he did. He summoned another council with the Sac, Fox, Ho-Chunk and Menominee on June 19 securing their alliance and participation to travel to Michilimackinac.<sup>127</sup> Gorrell left La Baye on 21 June 1763 with sixteen rank and file, joined by 90 men from Sac, Fox, Ho-Chunk and Menominee.

84. On 29 June 1763 Gorrell and his party were met by an Odawa courier bearing four peace pipes and a letter from Etherington. After smoking the pipes, the party set out the following morning to L'Arbre Croche where they were greeted by a *feu de joie* and were then presented with nine peace pipes.<sup>128</sup> The chiefs and warriors from La Baye then met with the Odawa of L'Arbre Croche and the Ojibwe of Michilimackinac. The following week was spent in deliberations and finally all came to an agreement but Gorrell and Etherington were not privy to the council, they had to watch from the sidelines in a passive role supplying provisions, gifts and wampum.<sup>129</sup> This episode again demonstrated that the Western Nations could and did settle matters amongst themselves. They did not always need a 'father' to mediate disputes. At this council the nations of La Baye had renewed their alliance with the Odawa of L'Arbre Croche by delivering wampum, in turn the Odawa reciprocated by giving wampum and a gift of powder and other goods.<sup>130</sup>
85. At the completion of the negotiations amongst the Menominee, Ho-Chunk, Sac, Fox, Odawa and Michilimackinac Ojibwe, the Ojibwe were sent to Captain Etherington's tent on July 13 and presented their case. The Ojibwe stated to Etherington that it was not because of the Odawa that he and the remainder of his troops survived, rather they said,

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<sup>126</sup> Widder 2013, p. 153.

<sup>127</sup> James Gorrell. "Journal of Events at Fort Edward Augustus." 1761 October 12 to 1763 August 13. Gage Papers, AS 138:4. William L. Clements Library, University of Michigan.

<sup>128</sup> Ibid.

<sup>129</sup> Widder 2013, p. 159

<sup>130</sup> James Gorrell. "Journal of Events at Fort Edward Augustus." 1761 October 12 to 1763 August 13. Gage Papers, AS 138:4. William L. Clements Library, University of Michigan.

"but it was on Accot [sic] of the Indians that came from La Bay [...] with their pipes full Tobacco for them to smook [sic] and that they were well under Arms Ready to fire upon us they were Oblidged to Lay down their Arms on accot of an Old Alliance Between them they Likewise said although It was not them that strucke [sic] it was their own Nation that first begun the War at De Troit and Encouraged them to do the same."<sup>131</sup> Once again, the primacy of the pipe, tobacco and wampum was on display. The British already knew the power of these instruments yet General Amherst continued to collect these items as curiosities.<sup>132</sup>

86. The Odawa then took the prisoners to General Gage in Montreal. Some of these chiefs, namely Negominey (Egominey) would proceed to the Treaty of Niagara in 1764 and be regaled and rewarded with presents and a medal.<sup>133</sup> Captain Etherington made special mention that it was the Ojibwe of Michilimackinac who had acted on their own. He went out of his way to explain to General Gage that the Ojibwe of Sault Ste. Marie had not participated in the hostilities.<sup>134</sup> The fact that the Captain and a few of his men were returned to the British went a long way to re-establishing trust between the British, the traders and the Western Nations, but much still remained to be done before trust was fully restored.<sup>135</sup> The good will gesture of returning Captain Etherington and the surviving soldiers now had to be reciprocated by the British.
87. The situation in the *pays d'en haut* had boiled over into war and crown officials realized that a different approach was required to achieve peace. However, when General Amherst heard of the capture of Michilimackinac and other forts, he wrote to Gage on July 2, 1763 and stated "money must not be spared on such occasions, the just and villainous Behaviour of the Savages shall be punished as they deserve & I will make no peace with them till I have brought them to such a State, that they shall be afraid ever to think of

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<sup>131</sup> James Gorrell. "Journal of Events at Fort Edward Augustus." 1761 October 12 to 1763 August 13. Gage Papers, AS 138:4. William L. Clements Library, University of Michigan.

<sup>132</sup> Phillips 2011, p. 111.

<sup>133</sup> Blackbird 1887, p. 9.

<sup>134</sup> Widder 2013, p. 162.

<sup>135</sup> Widder 2013, p. 167.

making such another attempt.”<sup>136</sup> At this point, while Amherst remained, there would be two trains of thought on how to settle matters, Amherst wanted war and Johnson favoured conciliation by presents. Historian Gregory Dowd noted that “The British colonial administration ... was not known for frequent and close consideration of American Indian affairs... but the final peace with France and the outbreak of Pontiac’s War in 1763 had made it clear that more regulation was needed, and both events encouraged the British Board of Trade to shift from casual review to fast action.”<sup>137</sup> Similarly, Anishinaabe legal scholar John Borrows noted that “Often, both First Nations and settlers used crass power and force to confront these difficulties. The discontent caused by this conflict [Pontiac’s War] necessitated the formulation of principles to mediate First Nation/ settler contention.”<sup>138</sup> Both Borrows and Dowd point to the formulation and publication of the Royal Proclamation as the means by which the British Government wanted to curb the violence and restore, peace order and law. The Royal Proclamation was hastily drafted and sent to America to be implemented. The Proclamation arrived in North America in December 1763.<sup>139</sup>

88. In the meantime, Amherst was recalled and General Thomas Gage took over as Commander in Chief of the British forces. General Gage wanted to end the war and sought the advice of Sir William Johnson. Sir William recommended that they enter into a “Treaty of Offensive and Defensive Alliance” and listed specific principles that this treaty should embody, Johnson stressed that the Crown should “... assure them of a Free Fair & open trade, at the principal Posts, & a free intercourse, & passage into our Country, That we will make no Settlements or Encroachments contrary to Treaty, or without their permission. That we will bring to justice any persons who commit Robberys [sic] or Murders on them & that we will protect & aid them against their & our Enemys [sic] & duly observe our Engagements with them.”<sup>140</sup> After he advised General Gage what the treaty should contain, Johnson informed him how this treaty was to be delivered and effected:

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<sup>136</sup> Quoted in Widder 2013, p. 175.

<sup>137</sup> Dowd 2002, p. 177.

<sup>138</sup> Borrows 1998, p. 159.

<sup>139</sup> Dowd 2002, p. 179.

<sup>140</sup> Johnson to Gage, Feb. 19, 1764. SWJP, Vol. IV, p. 328.

At this Treaty wheresoever held we should tye [sic] them down (in the peace) according to their own forms of which they take the most notice, for Example by Exchanging a very large belt with some remarkable & intelligible figures thereon, Expressive of the occasion which should be always shewn at public Meetings, to remind them of their promises... The use of frequent Meetings with Indns [sic] is here pointed out, They want the use of letters, consequently they must frequently be reminded of their promises, & this custom they keep up strictly, amongst themselves, since the neglect of the one, will prove a breach of the other.<sup>141</sup>

89. Sir William Johnson had known, and had been telling the Western and Six Nations that the King did not want their land, just the posts. He had also heard the Western and Six Nations complain about the price of goods and that they wanted a fair and open trade. Lastly, based upon his interactions with chiefs of the Western Nations, Johnson realized that the Anishinaabeg were a proud independent people who did not view themselves as conquered or subjects of any King, and as such he had to adjust his negotiating strategy accordingly to account for this. Sir William Johnson, an expert cultural mediator, knew that the Western and Six Nations were not going to accept a piece of paper written in a language that they did not understand, he knew that a wampum belt was required. As a mediator, he knew that he had to meet the Nations halfway or on the "middle ground" if there were going to be a lasting peace based on trust and good faith.<sup>142</sup>
90. In the period after the capture of Fort Michilimackinac the whole area around Michilimackinac and Lake Superior remained in a state of distrust. Alexander Henry had escaped from the so-called "Massacre at Michilimackinac" with assistance from Charles Langlade, and his adopted brother Wawatam. However, remaining around Michilimackinac was dangerous. Eventually he scurried away from danger as a stowaway when Madame Cadotte and her entourage allowed him to board their canoe as they headed back to Sault Ste. Marie. While at Sault Ste. Marie, the Ojibwe chief Matchikewis came looking for Henry, intending to take him to Detroit as prisoner or kill him. Again, Henry was spared by the intercession of the Cadottes. Fortunately messengers arrived

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<sup>141</sup> Johnson to Gage, Feb. 19, 1764. SWJP, Vol. IV, p. 330.

<sup>142</sup> White 1991.

from Niagara with a wampum belt and a copy of the Royal Proclamation.<sup>143</sup> A council was convened and the messenger addressed the chiefs and warriors:

My friends and brothers, I am come, with this belt, from our great father, Sir William Johnson. He desired me to come to you, as his ambassador, and tell you, that he is making a great feast at Fort Niagara; that his kettles are all ready, and his fires lit. He invites you to partake of the feast, in common with your friends the Six Nations, which have all made peace with the English. He advises you to seize this opportunity of doing the same, as you cannot otherwise fail of being destroyed; for the English are on their march, with a great army, which will be joined by different nations of Indians. In a word, before the fall of the leaf, they will be at Michilimackinac, and the Six Nations with them.<sup>144</sup>

91. Henry wrote that this speech alarmed the chiefs and men of the Sault but they decided to send 20 deputies to Niagara to meet with Sir William Johnson. Henry asked the chief (who he did not identify but was possibly Michael Cadotte who Henry said the Ojibwe regarded as a chief) if he could accompany the deputation, which was granted. After all that had happened and the ill feelings that persisted, the chiefs were still reticent to go down to Niagara. The chiefs decided to put the question to the spirit and they summoned a jiisakiwi-nini (shaking tent shaman).
92. After the jiisakaan (Shake tent) was set up and the requisite tobacco offered, the chief then asked the head spirit, Mishikenh (Snapping Turtle) if the British were preparing for war against the Anishinaabeg and whether or not there were a large contingent of troops at Fort Niagara. Mishikenh departed to seek the answer to the queries, he crossed Lake Huron, proceeded to Fort Niagara and seeing no great amount of soldiers there, proceeded to Montreal, where he saw a great many boats filled with soldiers, "in number like the leaves of the trees."<sup>145</sup> These soldiers in the boats were coming to make war. The chief asked one more question, "If the Indians visit Sir William Johnson, will they be received as friends?" To which Mishikenh replied, "Sir William Johnson will fill their canoes with presents; with blankets, kettles, guns, gun-powder and shot, and large barrels of rum,

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<sup>143</sup> Borrows 1998, p. 162.

<sup>144</sup> Henry 1809, p. 165.

<sup>145</sup> Henry 1809, p. 171.

such as the stoutest of the Indians will not be able to lift; and every man will return in safety to his family.”<sup>146</sup> The crowd around the jiisakaan (Shake Tent) clapped their hands and declared their intention to go to Niagara. Henry and a deputation of 16 Anishinaabeg left for Niagara on June 10, 1764.<sup>147</sup>

93. The following day Henry and his fellow travellers landed at the mouth of the Mississauga River on the north shore of Lake Huron where they were well received and enjoyed a feast. After the feast a council was held and Henry was requested to “recommend the village the Sir William Johnson.”<sup>148</sup> On June 14<sup>th</sup> the travellers arrived at the village on La Cloche island only to see that the majority of people had left for Niagara. After a few more days, they reached Matchedash Bay<sup>149</sup> and portaged en route to Lake Simcoe. Between Matchedash and Lake Couchiching they met with “several lodges of Indians containing only women and children, the men being gone to the council at Niagara.” After weeks of travel, the entourage finally came within sight of Fort Niagara but hesitated, and decided not to go over until the next day, apparently still apprehensive. The next day they decided to cross the river to enter the fort but first “painted themselves with the most lively colours, in token of their own peaceable views, and after singing the song which is in use among them on going into danger, they embarked, and made for Point Mississaki, which is on the north side of the mouth of the river or strait of Niagara.”<sup>150</sup> Henry then proceeded to Fort Niagara and was greeted by Sir William Johnson.
94. Henry’s Ojibwe companions must have stayed on the West side of the Niagara River because on July the 31<sup>st</sup> 1764 Sir William Johnson crossed the River and had a General Meeting with all the Western Indians in their Camp and delivered the “great Covenant Chain, 23 Rows broad, & the Year 1764 worked upon it, worth above. £30.”<sup>151</sup>

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<sup>146</sup> Henry 1809, p. 171.

<sup>147</sup> Henry 1809, p. 173.

<sup>148</sup> Henry 1809, p. 175.

<sup>149</sup> Also spelt as Matchedushk in historic documents.

<sup>150</sup> Henry 1809, p. 181.

<sup>151</sup> Sir William Johnson Papers, Vol. XI: 309-313.

95. Odawa Chief Pontiac had been compelled by the actions of the British, and inspired by the message of the Delaware Prophet Neolin, to gather chiefs and warriors in order to drive off “those dogs clothed in red.” Chief Pontiac assembled a sizable force of warriors from Detroit, Saginaw, the Thames and Grand River; a force composed of Odawa, Potowatomi, Ojibwe, Wendat, and Mississauga. Some have viewed his efforts as a tragic failure because he was unable to take Fort Detroit. However, through his and the efforts of many others, the British had to take notice and come to the negotiating table.

ii) **The events which occurred at the Niagara Treaty Council, the attendees, the purpose of the gathering and the outcome. The manner and means by which the terms of the treaty were recorded. The exchange of Wampum Belt(s) at the Treaty Council.**

96. The short answer to issue ii) is that long term peace was established (which was not a foregone conclusion at the time) utilizing a long standing treaty framework called the Covenant Chain, which is based upon mutual respect, reciprocity and good faith. The treaty was attended by representatives of the British Crown, specifically the Superintendent of Indian Affairs for the northern district, and chiefs and warriors from [24] Nations with a reported total of up to 2000 Aboriginal people.<sup>152</sup> In order to explore this multifaceted issue, the origins of the Covenant Chain have to be further explicated.

97. The modern Haudenosaunee confederacy maintained an oral tradition of the Covenant Chain as it related to the Six Nations. They recall that the Mohawks had met the Dutch on the Hudson River and then made a pact with them to trade together and bind themselves together with strong cords of friendship. They found that their relationship was going well, and they decided that rope was not strong enough to reflect the nature of their relationship, so an iron chain of friendship was cast and used to bind the two together. At some point, the Dutch were replaced by the British nation, who assumed the responsibilities of the chain. The British and Haudenosaunee found that iron rusted easily, and if the chain rusted, it might just as easily break, plus it was not very valuable. They decided that a

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<sup>152</sup> Kellogg 1935, p. 34.

silver covenant chain should be cast and polished annually. The British then worked to extend this silver covenant chain of friendship to the Western Nations. In doing so, a multiplicity of terms arose that essentially meant the same but had differing contexts:

The terms *Covenant Chain*, *Silver Covenant Chain*, and *Chain of Friendship* refer roughly to the same type of treaty relationship, although distinctions can be drawn between the Silver Covenant Chain, which allied New York with the Six Nations, and the Covenant Chain or Chain of Friendship, which allied the colony of Pennsylvania with the Six Nations, the Delaware, and the Shawnee... Francis Jennings views the Pennsylvania Chain, for example, as completely separate from the Iroquois Covenant Chain. He refers to Governor Patrick Gordon's description of the Delaware-Crown relationship as a "Strong Chain of Friendship," whose beginning can be traced to 1682, when William Penn, founder of the colony, made a separate treaty with the Delaware.<sup>153</sup>

98. The above explanation reveals that the British or sects of British in America, extended the idea of the cord and/ or chain of friendship to different nations that they lived amongst. In fact there are different examples of wampum belts that depict the chain of friendship. The first image is a belt currently housed at the Canadian Museum of History (refer to image 1). It was collected from the Mohawks.<sup>154</sup> The two men holding the rope or chain are separated by a distance which is indicated by having both men stand at either end of the belt, this is a Haudenosaunee Covenant Chain belt. The next belt is one that is currently housed at the Philadelphia Museum of History at Atwater Kent and it depicts the Delaware-Crown relationship (refer to image 2).<sup>155</sup>

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<sup>153</sup> Morito 2012, p. 18.

<sup>154</sup> Great Lakes Research Alliance for the Study of Aboriginal Art and Culture (GRASAC) Database for Canadian Museum of History (formerly Canadian Museum of Civilization) III-I-35 lists that this belt was presented by Mr. Peter Hill collected by John Gibson, circa 1886, originated from Grand River, Ontario.  
[https://grasac.org/gks/gks\\_heritage\\_item.php?id=366](https://grasac.org/gks/gks_heritage_item.php?id=366)

<sup>155</sup> This belt is currently housed at the Historical Society of Pennsylvania Collection at the Atwater Kent Museum of Philadelphia. The belt was donated by John Granville Penn in 1859 to the society. Upon donating the belt to the society, Penn stated, that the central figures "of an Indian grasping with the hand of friendship the hand of a man evidently intended to be represented in the European costume, wearing a hat... can only be interpreted as having reference to the treaty of peace and friendship" (Newman 2012, p. 124). Anthropologist F.G. Speck showed pictures of this belt to 2 Six Nations Chiefs and they noted that the 'hat' was actually a feather and represented the Native (Newman 2012, p. 129).

This second wampum has two men in the centre of the belt holding each other's hands.<sup>156</sup> This image, of two men holding hands, would be used numerous times throughout the British "Indian" relationship. Of the two figures, one represented a "white man" and the other a "red man." At a council in 1731 the Delaware were told that William Penn had declared that "his people and ye Indians should be the same" and so "he made a strong chain of Friendship with them which has been kept bright to this day."<sup>157</sup> Taking each other by the hand, linking arms, or holding a chain became synonymous with the Covenant Chain and the British used the motif on wampum belts multiple times up to the War of 1812.

99. Another image that became intimately and inextricably tied to the Covenant Chain was the image of a moored ship. The ship was filled with presents for Britain's allies. A succinct explanation of the relationship was orated by Chief Canasatego at the Treaty of Lancaster, in 1744:

We saw what sort of People they were, we were so pleased with them, that we tied their Ship to the Bushes on the Shore; and afterwards, liking them still better the longer they stayed with us, and thinking the Bushes to [sic] slender, we removed the rope, and tied it to the Trees; and as the Trees were liable to be blown down by high winds, or to decay of themselves, we from the Affection we bore them, again removed the Rope, and tied it to a strong and big Rock (*here the Interpreter said, They mean the Oneida country*) and not content with this, for its further Security, we removed the Rope to the big Mountain (*here the Interpreter says they mean the Onandago country*) and there we tied it very fast, and rolled Wampum about it; to make it still more secure, we stood upon the Wampum, and sat down upon it, to defend it, and to prevent any Hurt coming to it, and did our best Endeavors that it might remain uninjured for ever. During all this Time the New-comers, the *Dutch*, acknowledged our Right to the Lands, and solicited us, from Time to Time, to grant them parts of our Country, and to enter into League and Covenant with us, and to become one People with us.<sup>158</sup>

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<sup>156</sup> A second belt that is practically the same as this is currently held by the Royal Ontario Museum and was collected from the Munsee-Delaware First Nation in Ontario. The colour schema are inverted, positive and negative. Royal Ontario Museum Catalogue 911-3-130 (see figure 3).

<sup>157</sup> Newman 2012, p. 118.

<sup>158</sup> Canasetoga quoted in Morito 2012, p. 25 – 26.

100. Similar to the previous mentioned evolution, in which the cord of friendship starts as a rope, then to iron, and finally to silver, likewise this cord goes through an evolution but not in material used but in distance and in places to which it is anchored. The more time lapsed and the more trust that was established between the Haudenosaunee and the newcomers, the closer they allowed the ship to be secured to. At first the ship is somewhat insecurely tied to bushes, then to a tree which was susceptible to rot and decay, the Haudenosaunee thought it best to secure the vessel to a "big rock" which is a metaphor for the Oneida country and the Oneida people. Thus the Covenant Chain was extended from the Mohawk on the Hudson River to the Oneida. In the longhouse tradition, the Mohawks are the keepers of the eastern door of the confederacy. Second to them are the Oneida.<sup>159</sup> Finally the rope was moved a "big mountain" meaning the Onondaga country. In the Haudenosaunee confederacy (League of Five Nations) the central council fire is located in the Onondaga country. Thus tying the cord to the Onondaga country is akin to attaching the whole Haudenosaunee confederacy to the newcomers. This is particularly reinforced when it is said that wampum was used to secure the rope to the mountain and that the Haudenosaunee first stood and then sat upon the wampum in order to keep it safe and defend it. Thus the rendition told by Canasetoga reveals the channels through which the chain proceeded, finally being adopted by the whole Iroquois confederacy, then called the Five Nations. Significantly, Canasetoga deliberately pointed out that the Dutch had "acknowledged our Right to the Lands, and solicited us, from Time to Time, to grant them parts of our Country." Here the cord is explicitly tied to Haudenosaunee ownership of land as well as to the process of granting parcels of it to the Dutch and British for their use.

101. Enter William Johnson, an enterprising Irish man who was appointed a 'Colonel of the Six Nations,' and rose to cultural mediator par excellence by taking up residence in the country of the Haudenosaunee, learning their language, trading with them, fighting with them and fathering children among them. William Johnson was an ambitious man and took to learning all about his allies by living amongst them but also studying records that pertained

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<sup>159</sup> The territory of the Haudenosaunee confederacy is conceived as a one long house stretching across the south shore of Lake Ontario. The territory was claimed territorially by the nations, from east to west: Mohawk, Oneida, Onondaga, Cayuga and Seneca in the west. Refer to map in Richter and Merrell, 2003, p. 2.

to them. He demonstrated his knowledge to the Haudenosaunee when he met them at their central council fire at Onondaga on 25 April 1748. He told the assembled chiefs, warriors and clan mothers:

It may seem strange to you that a Foreigner should know this, But I tell you how I found out some of the old Writings of our Forefathers which was thought to have been lost and in this old valuable Record I find, that our first Friendship Commenced at the Arrival of the first great Canoe or Vessel at Albany, at which you were much surprized [sic] but finding what it contained pleased you so much, being Things for your Purpose, as our People convinced you of shewing you the use of them, that you all Resolved to take the greatest care of that Vessel that nothing should hurt her Whereupon it was agreed to tye her fast with a great Rope to one of the largest Nut Trees on the Bank of the River But on further Consideration in a fuller meeting it was thought safest Fearing the Wind should blow down that Tree to make a long Rope and tye her fast at Onondaga which was accordingly done and the Rope put under your feet That if anything hurt or touched said Vessel by the shaking of the Rope you might know it, and then agreed to rise all as one and see what the Matter was and whoever hurt the Vessel was to suffer. After this was agreed on and done you made an offer to the Governoeur [sic] to enter into a Band of Friendship with him and his People which he was so pleased at that he told you he would find a strong Silver Chain which would never break slip or Rust to bind you and him forever in Brothership together and your Warriours [sic] and Ours should be one Heart, one Head, one Blood & ca and that what happened to the one happened to the other. After this firm agreement was made our Forefathers finding it was good and foreseeing the many Advantages both sides would reap of it, Ordered that if ever that Silver Chain should turn the least Rusty, offer to slip or break, that it should be immediately brightened up again, and not let it slip or break on any account for then you and we were both dead.<sup>160</sup>

102. Johnson, an admitted 'foreigner,' established the procurement of his knowledge from "writings of our Forefathers" but his speech contained many of the same elements that Chief Canasetoga had conveyed. The Dutch were not mentioned nor were the Mohawk and Oneida specifically. Johnson did mention the boat and noted "that you all Resolved to take the greatest care of that Vessel that nothing should hurt her," which also served as a metaphor to protect the trade and traders because "what it contained pleased you so

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<sup>160</sup> Johnson quoted in Morito, 2012, p 26 – 27.

much, being Things for your Purpose."<sup>161</sup> Johnson stated that the boat was initially secured to a tree on the bank of a river by a rope but fearing its safety, a "long rope" was then used to secure it at Onondaga. The people at Onondaga then stood upon the rope to further secure it. By standing on the rope, the people would be able to detect any disturbance "by the shaking of the Rope." If the rope was shaken, the Haudenosaunee were to "rise all as one" to investigate the disturbance and if necessary take military action.<sup>162</sup> Johnson stated that the Haudenosaunee would enter into a "Band of Friendship" with the Governor and his people. The Governor in turn found a strong silver chain to bind them together so that together they would be "one Heart, one Head, one Blood & ca and that what happened to the one happened to the other." Both were obliged to keep the chain free from rust and to never let it slip or break.

103. Sir William Johnson then met again with the Haudenosaunee on 23 June 1755 and delivered the following speech:

Behold Brethren these great books, 4 folio volumes of the records of Indian Affairs which lay upon the table before the Colonel. They are records of the many Solemn Treaties and the various Transactions which have passed between your Forefathers and your Brethren the English, also between you here present & us your Brethren now living. You well know and these books now testify that it is almost 100 years since your forefathers & ours became known to each other.<sup>163</sup>

104. In the above Sir William Johnson expressly made two connections: the first between the written record and the oral tradition and secondly between the past "100 years" and the present, thus establishing a continuity of forms, usages and principles with himself and the forefathers. Sir William continued:

That upon your first acquaintance we shook hands & finding we should be useful to one another entered into a Covenant of Brotherly Love & mutual Friendship. And tho' we were at first only ties [sic]

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<sup>161</sup> Ibid.

<sup>162</sup> Shaking the belt or the rope or the cord became an enduring symbol in diplomacy between the Haudenosaunee and the British. After 1761, this also became an enduring symbol in diplomacy between the British and the Western Confederacy, which will be explained later in this report.

<sup>163</sup> Johnson in Morito 2012, p. 24.

together by a Rope, yet lest this rope grow rotten & break we ties ourselves together by an Iron Chain. Lest time or accident might rust & destroy this Chain of Iron, we afterwards made one of Silver, the strength and brightness of which would subject it to no decay.<sup>164</sup>

105. Sir William Johnson outlined the evolution of the cord of friendship from rope to iron to silver covenant chain, which accorded to history, the records of Indian Affairs, and to the oral tradition of the Haudenosaunee. Next he stated that the covenant chain was adopted by the whole confederacy when it was tied to the “immoveable mountains”:

The ends of this Silver Chain we fix't to the Immovable Mountains, and this in so firm a manner that no Mortal enemy might be able to remove it. All this my Brethren you know to be Truth. You know also that this Covenant Chain of Love and Friendship was the Dread & Envy of all your Enemies & ours, that by keeping it bright & unbroken we have never spilt in anger one drop of each other's blood to this day.<sup>165</sup>

106. Next Johnson reminded those in attendance that the chain was built upon love and friendship but that this also made it the “dread and envy” of their mutual enemies. Johnson also made the claim that they never spilt each other's blood. Johnson then stated to the chiefs and warriors that the strength, which can be read as success, of the relationship was due to the annual councils to brighten and polish the chain. ‘Brightening’ and ‘Polishing’ the chain were synonymous and both were used to refer to the act of holding council to settle any disputes:

You well know also that from the beginning to this time we have almost every year, strengthened & brightened this Covenant Chain in the most public & solemn manner. You know that we became as one body, one blood & one people. The same King our common Father that your enemies were ours that whom you took into your alliance & allowed to put their hands into this Covenant Chain as Brethren, we have always considered and treated as such. If you will now stand by & uphold the Covenant Chain of your Forefathers; if you will continue to be dutiful & faithful Children of the Great King of England your Father; if you will be true Brothers to the English, and neither enter into any under handed agreements with the French, or any

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<sup>164</sup> Ibid, p. 24.

<sup>165</sup> Ibid p. 24.

Treaties with them against your Brethren the English, if you will do this with sincerity & keep it truly & honestly.

I am now ready with this Belt in the Great King your Father's name, to renew, to make more strong & bright than ever, the Covenant Chain of Love and Friendship between all the English upon this Continent & you're the Confederate Nations here present, all your Allies and dependents and that it now be agreed between us, that those who are Friends or Enemies to the English shall be considered such by the Confederate Nations their Allies & Dependents & that your Friends and Enemies shall be ours. Here the Union Belt was given.<sup>166</sup>

107. At this council, or rather this particular 'chain polishing,' Johnson felt the need to remind the Haudenosaunee of their forefathers', and their previous commitments, in order to prevent any potential alliances between the Haudenosaunee and the French. The Haudenosaunee also portended to have the Delaware, Shawnee, Mohican (Mohegan) and others as "dependents," a claim the British were all too eager to perpetuate and promote.<sup>167</sup> The above quote also demonstrates that the Haudenosaunee, even though they were willingly part of the Covenant Chain, were not subjects of the British Crown, and thus maintained their independence and autonomy, and had to be annually courted, especially if warriors were to be called into action. That is why Johnson had to again stretch his hand forward and offer another belt of the covenant chain, the "Union Belt." The covenant chain was a process not an event, a process that required annual meetings to maintain open communication, mutual agreement and thus, harmonious relations.
108. In 1748 and 1755 Sir William Johnson re-iterated the history of the development of the covenant chain based upon his reading of the records but also upon reflection of his time in the longhouse. As previously mentioned, philosopher Bruce Morito called these re-iterations "origin stories"<sup>168</sup> and explained the role they played in the development of a highly contextualized diplomatic language and discourse. The origin stories told and re-told to each treaty partner codified historical events and actual locations in the speeches exchanged around the council fire. Mutual understanding was developed through a shared set of metaphors. The main point is that the origin story of the covenant chain

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<sup>166</sup> Johnson in Morito 2012, p. 24 – 25.

<sup>167</sup> White 1991, p. 352.

<sup>168</sup> Morito 2012, p. 30.

appears simplistic, however, it is rooted in historic events and actual places (Onondaga and Albany), the historic facts were converted into highly contextualized language that was more symbolic and metaphoric in character. In fact when Sir William lit the council fire at Detroit and Balfour lit the council fire at Michilimackinac, new places were added to the story and it moved beyond Onondaga and Albany to include places of reference that were important to the Western Nations. Sir William understood the process of encoding information and tying it to wampum protocol so that the Western Nations would understand it and maintain it for their purposes. Understanding these metaphors provide a more nuanced and complete interpretation of the events surrounding the 1764 Treaty of Niagara.

109. Sir William Johnson had learned about the Covenant Chain from the Haudenosaunee as well as from his study of the records of Indian Affairs. Although the Covenant Chain or the Chain of Friendship had been earlier agreed upon as a treaty by Algonquian speaking people, such as the Delaware and the Ottawas (Odawa), Sir William Johnson made it British policy to extend that relationship even further and disseminated the Covenant Chain of Friendship to nations as far west as the Mississippi. By 1762 the British had lit council fires at Detroit, Michilimackinac, La Baye and St. Josephs. Prior to 1760 the majority of the Western Nations were allied with the French and thus, if they had agreed to a chain of friendship, they were not strongly bound by it and it may have been set as a trading relationship instead of a military or political one. Sir William Johnson and his deputy George Croghan had worked hard to extend the Covenant treaty relationship to the Western Nations. Therefore, it is important to show examples of their understanding of the Covenant Chain relationship and this is done by looking at the speeches they made to the Western Nations in 1759, 1760, 1761, and then adding in Balfour's speech at Michilimackinac in 1762, and Gorrell's speech at La Baye in 1762 and 1763. A core set of symbols emerges. The paramount symbol is obviously the chain which is often equated with taking each other by the hand, the second symbol is the inextinguishable fire or council fire, also often mentioned is the road (often associated with peace), a tree and a mat, a moored ship and directions to ignore 'bad birds,' that is, to listen only to delegated Indian Affairs officials. All of these symbols were utilized prior to the Treaty of Niagara in

1764 and all of these symbols were used afterward to typify the treaty and the relationship afterward.

110. Armed with this knowledge that was founded on years of practice, Sir William stated to General Gage in February 1764 that the proposed peace treaty should "assure them of a Free Fair & open trade, at the principal Posts, & a free intercourse, & passage into our Country, That we will make no Settlements or Encroachments contrary to Treaty, or without their permission. That we will bring to justice any persons who commit Robberys [sic] or Murders on them & that we will protect & aid them against their & our Enemys [sic] & duly observe our Engagements with them."<sup>169</sup> The above are basically the terms of the treaty and they coincide with the precepts of the Royal Proclamation. Johnson told General Gage what should be included in the treaty, next he told him how it was to be effected:

In my opinion a Treaty of Offensive & Defensive Alliance would be the best, as we should then have a right to claim their assistance on occasion, & they would hardly ever desire ours for anything more than Arms & Ammunition which it would be our interest to give them in a War with one another... At this Treaty wheresoever held we should tye [sic] them down (~~in-the-peace~~) according to their own forms of which they take the most notice, for Example by Exchanging a very large belt with some remarkable & intelligible figures thereon, Expressive of the occasion which should be always shewn at public Meetings, to remind them of their promises and that we should Exchange Articles with the Signatures of the Chiefs of every Tribe; (~~Some of the five Nations have but Three, the Western Indians several!~~). The use of frequent Meetings with Indns [sic] is here pointed out, They want the use of letters, consequently they must frequently be reminded of their promises, & this custom they keep up strictly, amongst themselves, since the neglect of the one, will prove a breach of the other."<sup>170</sup>

111. While Johnson stated that the purpose of the frequent meetings was to remind the Western Nations of their promises, it actually worked the other way too, the Anishinaabeg took the opportunity to remind the British of their promises. Johnson's recommendation to Gage here also reflects the fact that Johnson recognized the difference between

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<sup>169</sup> SWJP, Vol. IV, p. 330, Johnson to Gage, Feb. 19, 1764.

<sup>170</sup> SWJP, Vol. IV, p. 330, Johnson to Gage, Feb. 19, 1764.

Anishinaabe customs based on orality, symbols and mnemonics instead of relying on the literacy based Euro-Western tradition. Not only did Johnson have to have these precepts translated in numerous languages but he also was tasked with encoding these concepts into the diplomatic discourse that he knew the Western Nations understood.

112. Seemingly, Gage understood and based on Johnson's recommendation to utilize the Anishinaabeg's "own forms," that is mnemonic devices, Gage ordered that medals be crafted. Gage reported "The Reverse [of the medal] is not the King's Arms, but represents an Englishman and an Indian in Friendly Conversation. I suppose these would do for you as well as the old pattern... They are larger than yours..."<sup>171</sup> Johnson wanted to deliver these medals at the grand council held in Niagara in July 1764 where the western confederacy formally entered into the Covenant Chain alliance. This medal would serve as a mnemonic device associated with the promises the British made to the Western Nations (Anishinaabeg) at Niagara when the Great Covenant Chain Wampum belt was given. The medal indeed served the Anishinaabeg, "whose want of letters," used the picture on the medal as a reference. The two figures, one Anishinaabe and an Englishman, sit on a mat under a tree smoking (see fig. 9).
113. Preparations were made, the medal was struck and delivered in time to be presented at Niagara to the various chiefs, the provisions ordered, and presents ready for distribution and the new wampum belt crafted. It is not apparent who actually made the 1764 wampum belt but Sir William Johnson had to have a hand in its design. The belt had the date 1764 woven into it, as well as two men holding hands in the centre of the belt, their hearts shown, and on either side of the men were two hexagons with an image inside it representing the links of the chain (refer to figure 5 and Figure 7). Hexagons on wampum belt usually represent a council fire.<sup>172</sup> At the left end of the belt is an incomplete diamond which is then joined by a second complete diamond, followed by the number 17, then the

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<sup>171</sup> Gage to Johnson, New York, June 10<sup>th</sup> 1764. SWJP, Vol. IV, p. 446-447.

<sup>172</sup> A. F. Hunter reported that the hexagons represented council fires when he published the notes of Rev. George Hallen who had sketched the belts in 1852. Hallen borrowed the belts from Odawa Chief J. B. Assiginack, and took the time to make notes as well. Hunter 1901, p. 52 – 54.

chain links. To the right of the two men in the centre are two more chain links then the number 64 followed by another chain link and an incomplete chain link or diamond. Many wampum belts, particularly road belts, have the main motif go right the end of the belt indicating that the treaty or agreement the belt represents perpetuity or eternity. This version of the Covenant Chain suggests the existence of prior treaties because the left end of the belt starts with a half formed image. The right end of the belt, with an unfinished diamond or chain link, suggests the belt will continue on into the future. Another interpretation was shared by elders. The elders suggested putting the two ends together, forming two complete diamonds on the belt (see figure 8).

114. Another wampum belt was prepared for the upcoming congress was the one commonly called the “24 Nations Wampum Belt” but is the document representing the British’s promise to deliver presents to the Eastern and Western Confederacy forever. The ship at the right end is the boat loaded with goods for the 24 nations that are bound together, holding the cord of friendship that is secured to the boat. The mountain or rock at the left end of the belt represents all of North America, or the rock at Quebec (see figure 6 & 7).
115. Sir William Johnson then prepared his speeches and “lit his fires and hung his kettles” in anticipation of greeting thousands of Native people from numerous nations.

#### **The attendees at the Treaty of Niagara.**

116. First and foremost a caveat must stated. The caveat being that entering the Covenant Chain alliance with the British, which was done at the Treaty of Niagara, should not be viewed as a singular event but as a process. There have been many times when various members of the Western and Eastern Confederacy have entered and exited the Covenant Chain (refer to other parts of this report). In fact, members of the Western Confederacy entered the Covenant Chain at Detroit in 1761 when Sir William Johnson went there for the express purpose of inviting them to partake. Likewise, the Treaty of Niagara did not include the Odawa Chief Pontiac, he entered the peace in 1766 at Oswego. Ergo, the

1764 Treaty of Niagara was not the only time for members of the Western Confederacy to enter into peaceful alliance with the British, the alliance known as the Covenant Chain.

117. Sir William Johnson had summoned many Nations to Niagara to enter into a general peace and according to Louise Phelps Kellogg, "Johnson reported that over 2 000 western Indians were present."<sup>173</sup> There is no roll call of all the chiefs present but the following list of Nations in attendance was published in Sir William Johnson's papers.

NATIONS AT INDIAN CONGRESS AT NIAGARA: Indians at the Congress at Niagara, July 1764.

Mohawks	45
Caenawagues	1
124	
Canyesadaguss	1
Schahanies	14
Canajoxeris	57
Oneydas & Tusceroras	120
Onendagas	115
Aquagaws	117
Senecas	178
Tennessess	273
Cayugas	146
Menomenies	99
Jibbeways	71
Ottawas	173
Huron & Wyandots	16
Foxes & Sacs	27
women & children	150
Total	1725 <sup>174</sup>

118. This above list is not comprehensive or complete because it excluded the Algonquins, Cree (Christinox, Christinaux, Cristineaans, etc), Nipissings, Potowatomi (Pottowatomies, etc) and Puans (Puoans, Winbigoos, Winnebago, etc). As proof that Johnson had met with these Nations, in his own papers it is recorded that on 11<sup>th</sup> July 1764 Sir William Johnson met with "The Ottawas, Chipweighs, Cristineans & Nipissins"<sup>175</sup> Similarly, on 8<sup>th</sup> July 1764 Sir William Johnson met with the Six Nations as well as the following members of the Western Confederacy, who were labelled as Western Nations: "Chippaways,

<sup>173</sup> Kellogg 1935, p. 34.

<sup>174</sup> Sir William Johnson Papers, Vol. XI, p. 276.

<sup>175</sup> Sir William Johnson Papers, Vol. XI, p. 264.

Menomoneys, [Saikis], Pottowatomies, Puans, Hurons, Christineaux and Toughkaminimons.”<sup>176</sup> Note that the Potowatomis did not make it on the above list.

119. In his thesis “The Chain,” legal historian Paul Williams published a roll call of nations that attended the Treaty of Niagara. Williams’ list has the nations categorized into “Western” and “Eastern” confederacy. The list identifies the 24 Nations represented on the 24 Nations Wampum Belt. Williams stated that the following 11 nations represented the Western Confederacy: Chippewas, Crees, Ottawas, Hurons, Menominees, Algonquins, Sacs, Nipissings, Foxes, Toughkamiwons, and Winnebagoes. Williams noted that the Algonquins and Nipissings were counted twice, once for the Western Confederacy and a second time for the Eastern Confederacy (along with Six Nations and some Mohawk villages that Johnson counted as separate Nations).<sup>177</sup>
120. Even more information is provided in Sir William Johnson’s papers, particularly the council proceedings. Many times he, or his secretary, listed the names of chiefs he met with on that particular day. It was a month long meeting with people coming and going all the time and thus no comprehensive attendance list or roll call exists. The following is a list of chiefs of the Western Nations that met with Sir William at Niagara in 1764. It was compiled from the published papers of Sir William Johnson.

**Algonquin & Nipissing:** Wabikackeck or White Hawk “a Chipeweigh Warrior Alg. & Nip.”<sup>178</sup>  
**Chipeweigh (Ojibwe):** Shownannicaboa, Kagaisse, Sowwongibbey<sup>179</sup>

**Christinox (Cree):** Ogewetassin<sup>180</sup>

**Mississauga:** Wabbicommicott (Wabbicomicot),<sup>181</sup> Weynakibio,<sup>182</sup> Estawabey,<sup>183</sup>

**Menominees (Manominis, Menominee, Falsavoines, Folles Avoines):** Grand Pee, Chicconaway, Succamoy or “Musket”, Wabashogo or “White Crab”, Wenosachey or “Bever [sic]”.<sup>184</sup>

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<sup>176</sup> LAC, MG 19, F35, Series 1, Lot 619, pp: 1 – 2.

<sup>177</sup> Williams 1982, p. OJ4.

<sup>178</sup> Sir William Johnson Papers, Vol. XI, p. 264. Interesting that Waabi-gegek (Wabikackeck) is listed under 3 Nations: Ojibwe, Algonquin and Nipissing.

<sup>179</sup> SWJP, Vol. XI, p. 264.

<sup>180</sup> SWJP, Vol. XI, p. 264.

<sup>181</sup> SWJP, Vol. XI, p. 306.

<sup>182</sup> SWJP, Vol. XI, p. 307.

<sup>183</sup> SWJP, Vol. XI, p. 307.

<sup>184</sup> SWJP, Vol. XI, p. 274

**Ottawas:** Bindanouan (Bildennawan, Bildanouan, Bindanowan, Bindanouan)<sup>185</sup>, Cashkokey, Teckamus, Otchinggwas, Pemmassad, Shawwamusse, Otchibauscasigon<sup>186</sup>, Kiocuskum (Kiwegoshkum), Egorniney (Egominey, Negominey), Nosawaquet (Nissawaquot, etc)<sup>187</sup>, Mackakeeman (Mechukimon), Piggagun (Piggagoonin)<sup>188</sup>  
**Puans** (Puoans, Winnebago, Ho-Chunk): Winosigo<sup>189</sup>  
**Reynards** (Fox, Outagamies): Nonoh<sup>190</sup>  
**Sauk** (Sakis, Sakeys): Weshion<sup>191</sup> (perhaps also spelt as Washiboo)<sup>192</sup>, Akousy (Aukussey),<sup>193</sup>  
**Toughkamawiman** (Toughkamiwan): Shuckey "The Crane"<sup>194</sup>

121. Another source that provides more names of various chiefs are the chiefs' certificates and medals that Sir William Johnson presented while at Niagara.<sup>195</sup> Not all of the presentations made it into Sir William's published papers. The British had crafted a special medal with the date 1764 on it and along the top of the medal was the phrase "Happy While United." The medal has an Indian and an Englishman sitting under a tree smoking a pipe with a fire smouldering in the background, on the opposite side was the King in his armour (see figure 9 & 10). These were large medals given specifically to the chiefs who were deemed to represent their respective nation. Sir William Johnson had ordered that 60 of these medals be made for the express purpose of delivering them at Niagara to chiefs in exchange for their French medals.<sup>196</sup> One of these medals is currently housed at the Library and Archives of Canada's National Medal Collection<sup>197</sup> but there is

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<sup>185</sup> SWJP, Vol. XI, p. 270.

<sup>186</sup> SWJP, Vo. XI, p. 264.

<sup>187</sup> Kiocuskum, Egorniney, Nosawaquet and Mackakeeman are listed in Sir William Johnson Papers Vol. XI, p. 273.

<sup>188</sup> Sir William Johnson Papers, Vol. XI, p. 285.

<sup>189</sup> SWJP Vol. XI, p. 305.

<sup>190</sup> SWJP Vol. XI, p. 305.

<sup>191</sup> SWJP Vol. XI, p. 300.

<sup>192</sup> SWJP Vol. XI, p. 305.

<sup>193</sup> SWJP Vol. XI, p. 302.

<sup>194</sup> Sir William Johnson Papers, Vol. XI, p. 298. The Toughkamiwan are people from Rainy Lake or Lac de la Pluie. "According to Abbé Dugas, this native name Takimamiwen is a corruption of the Cree Taki Kimiwen, "It always rains" (Maynard 2012, p. 6). According to a French voyageur named Joseph Derouen (Drouin), the people living at Rainy Lake and Lake of the Woods in 1760 were "Saulteaux" and "Gens des Terres or Maskigons." (Joseph Derouen, "Voyage de Montreal .. a La Mer de l'ouest, 25 December 1760." Quoted in Antoine Champagne, *Nouvelle Etudes sur les Verendrye et le Poste de l'Ouest*, Quebec: Les Presses de l'Universite Laval, 1971: 64, 141-142.

<sup>195</sup> The following list appears in Wilson Hamilton 1995, p. 151, "Aukussey, chief of Onisquathona Puonas, Washiboo, chief warrior of the Sakis, Nonoh chief of the Renards, Winosigo chief of the Puoans, Wabbicomicot chief of the Toronto Chippawa, Estawaby elder brother of Wabbicomocot, Weynakibio brother-in-law of Wabbicomicot."

<sup>196</sup> Wilson Hamilton 1995, p. 150.

<sup>197</sup> Library and Archives Canada, National Medal Collection, catalogue No. H1612.

no accompanying certificate with it nor any information as to who owned it. Smaller medals were also delivered to chiefs deemed to be minor or councillors.

122. In contrast to the above example of a medal with no provenance, there is a chief's certificate at the Wisconsin Historical Society's library that was made out to Menominee Chief Ogemawnee [Ogemawinini] "Old king." The certificate has Johnson's signature and states "Given under my hand and seal at arms at Niagara the first day of August 1764." It should be noted that there is no mention made of the medal that would have accompanied this certificate.<sup>198</sup> Likewise, there is another chief's certificate with the same date at the William Clements Library but made out to "Akowawbomye – A Chief of the Ottawaw Nation."<sup>199</sup> Similarly there is no mention as to the whereabouts of the medal that would have accompanied the certificate. Note that neither of these two chiefs' names appeared on the list above that was compiled by perusing the published and unpublished William Johnson papers.
123. In 2009 a medal and certificate were sold at auction.<sup>200</sup> The certificate was in the name of Ottawa (Odawa) Chief Negominey and dated 1 August 1764, at Niagara, but the difference was that the family had kept both the small medal and the certificate. On the back of the certificate were the names of the chiefs and heirs who had possessed and safeguarded the medal and certificate since 1764.<sup>201</sup> It should be noted that Negominey is Egominey. It is interesting to note that this chief was remembered and written about by the Odawa chief cum author Andrew J. Blackbird in his book "History of the Ottawa and Chippewa Indians of Michigan." Blackbird reported in 1887 that:

Ego-me-nay – Corn Hanger – was the head counselor and speaker of the Ottawa tribe of Indians at that time, and according to our knowledge, Ego-me-nay was the leading one who went with those survivors of the massacre [Michilimackinac], and he was the man who made the speech before the august assembly in the British council hall at Montreal at that time. Ne-saw-key – Down-the-hill –

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<sup>198</sup> Kellogg 1935, p. 34.

<sup>199</sup> Sir William Johnson Papers Vol. XI, p. 277.

<sup>200</sup> <http://www.midnorthmonitor.com/2009/12/09/king-george-iii-medal-auctioned-off>

<sup>201</sup> A. O., Williams Papers, F 4337-3-0-24 Subscriptions/ Lists - Spanish River], Massey Stn, Algoma Dist., Spanish River Reserve, Band No. 2, 10<sup>th</sup> May 1904.

the head chief of the Ottawa Nation, did not go with the party, but sent his message, and instructed their counselor in what manner he should appear before the British Government. My father was a little boy at that time, and my grandfather and my great grandfather were both living then, and both held the royal rank among the Ottawas. My grandfather was then a sub-chief and my great-grandfather was a war chief, whose name was Pun-go-wish.<sup>202</sup>

124. The existence of the medal and the certificate directly associated with Egominay/Negominey is an exception to the sources utilized because his name is also written in the proceedings of conferences held at Niagara. Furthermore, Egominay/Negominey's name is also reported in the oral tradition of his band, as re-told and published by Andrew J. Blackbird.
125. Johnson stated that upwards to 2000 "Western Indians" were at Niagara but only 33 individuals from the Western Nations have been identified, therefore other sources must be consulted. Since the medals and certificates have been extricated from the heirs of those chiefs who attended, some archive and museum records were consulted, but again, there is such a paucity of information in the museum card catalogue that it is imperative that the oral tradition also be consulted because it is just as important as the written documents, which are incomplete.
126. In some cases the oral tradition was written down by Anishinaabe authors (such as Andrew J. Blackbird and Peter Jones) other times that oral tradition has been recorded by ethnologists and anthropologists. William Jones, a Fox Indian who studied under Franz Boas, was one such ethnologist. Jones recorded William Kabaoossa of Garden River retelling a story that Jones entitled "Origin of the Ojibwas":

A home was made on the south shore of the rapids, and it was called Bowā'ting ('rapids'). This was the first town that was founded by the Crane, and it became the centre of the Ojibwa nation and power. The head chief of all the Ojibwas lived at this place. His clan was the Crane (adcidcā'k). Wâbangi<sup>203</sup> was the chief when white men came

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<sup>202</sup> Blackbird 1887, p.9.

<sup>203</sup> It should be noted that at the Great Peace of Montreal of 1701, the Saulteurs (Ojibwe of Sault Ste. Marie) were represented by Chief 8abangué (Waabange), which is close to the time "when the white man came to the Ojibwas" (Havard 2001, p. 117, 121).

to the Ojibwas... Shingwā'kōns (Little Pine Tree) is William Kabaoosa. Tagwāgānē is George Kabaoosa. Pabāmāsinōkwe is Sofia Kabaoosa. These are brothers and sisters, and stand in the eighteenth generation. Tagwāgānē, the chief after whom George is named, was chief when America and England were at war. He went to Niagara at the time, and made an agreement with England. England promised to grant presents to his people every year till the end of time. A round medal was given him, the circular object denoting that the friendship would never end.<sup>204</sup>

127. The Anishinaabeg had also adopted the practice of naming a descendant after a grandfather in order to perpetuate the memory of the deeds and accomplishments of their ancestors. In this case, the Kabaoossa (Gabaossa) family maintained an oral tradition based upon naming practices as well as the care of medals and other heritage items and according to their oral tradition, Tagwāgānē was the chief when the Ojibwe entered into a treaty with the British that guaranteed presents forever.<sup>205</sup> Gabaoosa stated that this occurred when American and England were at war which may actually refer to when Sir John Johnston (Sir William's son and successor in the Indian Department) re-pledged the Covenant Chain belt in 1786 after the American Revolution.
128. However, it may also be that the Saulteurs (Ojibwe) were represented by Chief Tagwāgānē at the Treaty of Niagara, but the records maintained by Sir William Johnson do not provide a name for the Ojibwe Chief from Lake Superior. For example, at the "conference with the Ottawas, Chipeweighs, Nipissins & c" held on 13 July 1764, the speeches of Odawa Chief Bindanouan were noted but whenever the "Chipeweigh Chief" addressed Sir William, a name was never provided,<sup>206</sup> in fact it was left blank in the manuscript too. It was recorded that Sir William Johnson had again met with members of the western confederacy on July 17 – August 4, 1764, but this time the "Chipeweighs of Toronto, of Lake Huron, and Lake Superior," were specifically noted and differentiated as separate groups but their chiefs were not identified.<sup>207</sup> Then once again the Ojibwe chief

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<sup>204</sup> Jones 1916, p. 388-389.

<sup>205</sup> In 1798 Tacoacanais (Tagwāgānē) signed a document that ceded the north side of St. Mary's river to the Northwest Company. ("Surrender of land at Sault Ste. Marie to the Northwest Company 10 August 1798". Russell Papers, AO, MS 75). Tagwāgānē was reportedly the maternal grandfather of Ojibwe Chief Shingwaukonse, signatory to the Robinson Huron Treaty.

<sup>206</sup> Papers of Sir William Johnson Vol. XI, p. 270.

<sup>207</sup> Although it is known that Chipweigh Chief Wabbicomicot was the chief of Toronto, SWJP Vol XI, p. 306.

was unnamed on 31 July 1764. This is more puzzling because it is when Sir William Johnson presented the “Great Covenant Chain” wampum belt to the Western Confederacy but stated that “I desire that after you have shewn this Belt to all the Nations you will fix one end of it with the Chipeweights at St. Mary’s, whilst the other end remains at my house.”<sup>208</sup> It was recorded that “a Chipeweigh chief arose & said – Brother – I am of the opinion that it is best to keep the Belt of the Covenant Chain at Michilimackinac.”<sup>209</sup> Even at the most seemingly important moment of the conference, the secretary and Sir William failed to provide the name of the Ojibwe chief from Sault Ste. Mary, the chief could very well have been Gabaoosa’s ancestor Ojibwe Chief Tagwāgānē. Historian Theresa Schenck noted that when Sieur de Repentigny established a fort at Sault Ste. Marie in 1750 he listed the Taco8agané as the first chief.<sup>210</sup> Searching through contemporary sources, in particular, Alexander Henry’s account of his time at Sault Ste. Marie did not yield the name of Tagwāgānē. Henry only noted chief Mutchikiwish because he thought Mutchikiwish was going to do him harm. Afterward, Henry did note that “sixteen Saulteurs, or Chipeways of the Sault de Sainte-Marie,” had accompanied him to Fort Niagara, but he did not provide any of their names.<sup>211</sup>

129. Later, George Gaboosa would take to writing as well. Some of his papers are in the archives of the Smithsonian Institute and there is a manuscript of his writing in the Canadian Museum of History. In that manuscript he expressly stated that he wanted to correct the false history that was being disseminated at the time. He divided his manuscript into broad categories, one of which was entitled “The Historic Period.” In that chapter he dealt with treaties and he wrote down what was told to him about the promises that the British made during the Treaty of Niagara. He associated the treaty not only with the wampum belt but with the medal that was given to his ancestor:

My agreement will be as good when you arise in the bright spring morning as you see the sun arising over the hills like a big fire to warm yourselves. Thus my promise will be as good as the sun & it

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<sup>208</sup> SWJP Vol. XI, p. 309.

<sup>209</sup> SWJP Vol. XI, p. 311.

<sup>210</sup> Schenck 1997, p. 76.

<sup>211</sup> Henry 1809, p.183.

will last as long as it will arise & set. And I will be as your Father & I will take care of you as a father takes care of his loved children. And remember that I have promised you an everlasting friendship. The envoy then took a medal & said, 'You all see this medal is round, it has no end,' then taking the chief by the hand said, "I take you for ever to be my child."<sup>212</sup>

130. The available evidence strongly indicates that the Ojibwe of Sault Ste. Marie were in attendance at the Treaty of Niagara. It was specifically recorded in Sir William Johnson's papers that on July 13, 1764, he met with members of the Western Nations and was address by an unidentified "Chief of the Chipeweys" who stated:

Brother - Hearken to what I have now to say: I have been away at St. Marys where I have resisted all the Sollicitations [sic] of your Enemys who sent me three belts of Wampum which I disregarded. I have been this Summer at La Baye where I told your Enemys that I was coming to you but they disregarded me, had I Known what was intended ag[ains]t you, you sho[ul]d not have Suffered the loss you did: for my part I always endeavoured to preserve peace & have become a great Sufferer & very poor by the War. I Know nothing of the War nor can I fix it with certainty on any Nation - As it is now too late & we want to consult together we must defer saying anything till tomorrow.<sup>213</sup>

131. This unidentified chief did not state his residence but gave both St. Mary's and La Baye as places where he had been. The next day the same group of people met with Sir William and made a reply to his direct questions about prisoners and perpetrators. Again the unidentified "Chipeweigh chief" stated that they knew nothing of the matter, and stated outright, we "Know nothing of w[hat] you asked us Yesterday":

Brother - We resolved to wait your arrival here & to attend to w[hat] you said. We are not of the same people as those resid[in]g ab[out] Michilimackinac we only heard at a distance that the Enemy were Killing y[our] people, on which we covered our heads, a I resolved not [to] suffer my people to engage in the War I gathered them together & made them sit still... We have lived by ourselves two days Journey from Toronto.<sup>214</sup>

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<sup>212</sup> George Gaboosa 1927 Manuscript CMC III-G-17M, Box 28 F. 1, p. 5.

<sup>213</sup> At a Conference with the Ottawas, Chipeweys, Nipissins & c in the presence of the Six Nations. July 12th 1764 P.M., Sir William Johnson Papers, Vol. XI, pp: 267 – 273.

<sup>214</sup> At a Conference with the Ottawas, Chipeweys, Nipissins & c in the presence of the Six Nations. July 12th 1764 P.M., Sir William Johnson Papers, Vol. XI, pp: 267 – 273.

132. Not only did they plead that they had no knowledge of the plans to take the fort but they also distanced themselves from the area. In his recent book, historian Keith R. Widder noted that "In 1760, perhaps 250 Ojibwe lived at Sault Ste. Marie."<sup>215</sup> He also elaborated and stated that people could identify with an area but that a number of bands could be from that same area, "For the Ojibwe, 'village' meant their band and their family group, not a particular location or a cluster of dwellings. For example, members of at least three bands lived in the Ojibwe settlement at Sault Ste. Marie in 1760, but they did not remain together all year. Across Lake Superior country the Ojibwe lived together in their larger settlements in the summer, but in autumn single families or small bands dispersed to their winter hunting grounds located along rivers and streams probably no more than fifty miles away from their summer sites."<sup>216</sup>

133. Thus there could be at least three chiefs identifying with the Sault Ste. Marie location. In fact on 23 December 1760 Robert Rogers met with and executed a treaty with Ojibwe chiefs for land along the south shore of Lake Superior, between the Ontonagon and Copper Rivers. These Ojibwe from Lake Superior had come to Detroit and ended up signing a deed. The legible names of the chiefs include Kecke bahkonce, Ogemawwas, Nawkusich, Moyettueyea.<sup>217</sup> These chiefs gave Rogers a wampum belt to confirming the deed.<sup>218</sup> On the same day Rogers entered into another agreement but with chiefs specifically from Sault Ste. Marie area. The deed was for a track of land on both sides of the river. The document is difficult to read but the signatory chiefs appear to be Kacbeach "Chief of the falls of St. Mary", a second signature is illegible but written beside his mark is "Chief of the warriors"; this name is followed by MusquawKesick and kenoshe.<sup>219</sup> The doodeums of these chiefs were not drawn onto the parchment.

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<sup>215</sup> Widder 2013, p. 36.

<sup>216</sup> Widder 2013, p. 37.

<sup>217</sup> Written as Kecke bahkonce but the 'kecke' is 'keche'- "gichi-" meaning large or great but the "bahkonce" does not mean anything. Gichi-bashkoons (still meaningless but Gichi-bizhikiins would be great calf); Ogemawwas is likely Ogimaans 'Little Chief', Nawkusich is likely NawKeesick - Naawgiizhig 'Middle of the sky', Moyettueyea undecipherable. Widder 2013, p. 255.

<sup>218</sup> Wampum belt is kept at Detroit Historical Society, Detroit, Michigan.

<sup>219</sup> Musquawkesick is likely Miskwaa-giizhig 'Red Sky', kenoshe is like ginoozhe 'Pike' and Kacbeach. Widder 2013, p. 258

134. The year after the Treaty of Niagara, Monsieur Marsac, an emissary of Sir William Johnson, went to the northern Western Nations to conduct the adoption ceremony, making the British King the Great White Father. He had 17 wampum belts made. He had delivered 4 belts to the Ojibwe at Saginaw Bay, forwarded another four belts to the Commandant at Michilimackinac, who was to then forward them to La Baye for the commanding officer there to deliver with the speech. Monsieur Marsac arrived at Michilimackinac 27 April 1765 with the remaining 9 wampum belts. He delivered four belts to the Ojibwe of Michilimackinac, two to the Odawa of L'Arbre Croche, and two to the Ojibwe of Sault Ste. Marie. He wrote to Captain Campbell at Detroit and reported that he had delivered the belts to the various chiefs and provided the names of the chiefs for each locale. He listed Tacoagamet, Cakéhyache and AndéeKouiasse as the Sault Ste. Marie Chiefs.<sup>220</sup> In 1765 the British poorly spelt the chiefs names because there was no standardized orthography that adhered to British conventions. However, it is very likely that Tacoagamet is Gabaoosa's ancestor "Ojibwe Chief Tagwāgānē." The spelling of that name in the modern orthography would be Dagwaagane.<sup>221</sup> Mixed blood historian William W. Warren wrote about a crane clan chief named Tug-waug-aun-ay who was hereditary chief at La Pointe, Shagawaumikong (Chequamigon). Tug-waug-aun-ay was "about 60 years of age" in 1852.<sup>222</sup> However, Tug-waug-aun-ay's ancestors had migrated to La Pointe from Sault Ste. Marie, home of the crane clan.<sup>223</sup> The Ojibwe had adopted the practice of remembering ancestors by bestowing their names unto descendants, thereby perpetuating their deeds and accomplishments.<sup>224</sup> It is likely therefore, that the Tug-waug-

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<sup>220</sup> An Address in French & Translated delivered to Ojibwe & Ottawa of Michilimak [sic], L'Arbre Croche, Sault Ste. Marie & Saguinan. Mon'r Marsac to John Campbell, Detroit 29<sup>th</sup> July 1765. SWJP Vol. IV: 803 – 808.

<sup>221</sup> A different individual, Mijen Tangaugan, from L'Arbre Croche had a similar name. His name was name was translated as "Cabane d'Automne (autumn cabin)." Adding "e" at the end changes this word into a verb, meaning "he dwells in an autumn cabin" but as a name becomes 'Autumn cabin dweller'. The word Dagwaaganed is the changed conjunct form of this name literally meaning 'He who dwells in the wigwam of Autumn.' Annales de L'Association de la Propagation de la Foi, Vol. 4, No. XXIII, Janvier 1831, p. 544.

<sup>222</sup> Warren stated that Tug-waug-aun-ay had died "two years prior," assuming he meant 1853, the date of publication. Warren 1984, p. 90.

<sup>223</sup> Warren 1984, p. 88.

<sup>224</sup> "The Captain of the Beaver Nation having died three years before, his eldest son had invited various tribes to attend the games and spectacles which he wished to hold in his father's honor. He intended, too, to take this opportunity to resuscitate him, as they say, by taking his name; for it is customary to recall the illustrious dead to life at this Festival, by conferring the name of the deceased upon one of the most important men, who is considered his successor and takes his place." Thwaites 1899, p. 137.

aun-ay William Warren wrote about, the one who lived from circa 1790 – 1850 was named after his grandfather.

135. William Warren in his "History of the Ojibway People" also noted Chief Au-draig-we-os (Aandeg-wiyyaas) 'Crow Flesh,' who was a chief of the Loon clan. This is likely just a different spelling of AndéeKouiasse. His grandson, Gichi-weshkii (Keche-waishkee "Great Buffalo) was a contemporary of Tugwaug-aun-ay's.<sup>225</sup> The third name listed was Cakéhyache which is also likely the chief who signed the treaty with Rogers at Detroit in 1760. The name was written on that document as Kacbeach "Chief of the falls of St. Mary." The spelling of Kacbeach is likely a mistranscription of Kackeach which more closely resembles Cakéhyache, which would be spelt in the modern orthography as Gaagigeyaash. The name was passed down and by the mid-nineteenth century there was a chief named Gitchee-Kawgaosh,<sup>226</sup> who was also a contemporary of both Tug-waug-aun-ay and Keche-waishkee, all living along the south shore of Lake Superior between Sault Ste. Marie and La Pointe. Gitchee-Kawgaosh 'Forever soaring,' was also of the crane clan.
136. Sir William reported that "concerning the Western Inds [sic] who turned back from Carillon & who attended the Congress at Niagara, they were some Ottawaes [sic] from St. Marys with a few Nipissins. The Folles Avoins attended the Congress, as did the Sakis, Reynards, Puans & c., ... The Sioux did not attend, they are on verry [sic] bad terms with some of the upper Chippeweys but there were some of the Christineaux from the Neighbourhood of Hudsons Bay, and also others from the North West Side of Lake Superior, who had no hand in the War, these are rather remote to give us much trouble, but as I looked upon it to be necessary to all Nations of Inds [sic] (particularly those who trade at our Factories or Posts) a favourable impression of ye English, I dismissed them with a Present, as well as the rest."<sup>227</sup>

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<sup>225</sup> Warren 1984, p. 87.

<sup>226</sup> Schenck 1997, p. 26.

<sup>227</sup> SWJP Vol. XI:336 – 337.

### **The purpose of the gathering and its outcome.**

137. The purpose of gathering at Niagara was to establish peace between the Western Nations and the British. Tied to the establishment of peace was re-establishing the trade, establishing a process to settle disputes, re-establishing the delivery of presents to the Western Nations, and lastly, but perhaps of paramount importance was the acknowledgement and recognition of Aboriginal ownership of land. This was expressed in the Royal Proclamation of 1763 in the following manner:

And whereas it is just and reasonable, and essential to Our Interest and the Security of Our Colonies, that the several Nations or Tribes of Indians, with whom We are connected, and who live under Our Protection, should not be molested or disturbed in the Possession of such Parts of Our Dominions and Territories as, not having been ceded to, or purchased by Us, are reserved to them, or any of them, as their Hunting Grounds;<sup>228</sup>

138. The Crown also strengthened this clause further by stipulating that it was their "Royal Will and Pleasure [...] to reserve under our Sovereignty, Protection, and Dominion, for the use of the said Indians, all the Lands and Territories not included within the Limits of Our said Three new Governments [excluding Hudsons Bay territories as well]." Further, the Crown stipulated in the Proclamation that no private purchases were to be transacted between Indians and individuals and that any individual who was settled in the area described were to remove themselves and settlement was forbidden in that specified area. The sole entity mandated to purchase land from the Indians was the Crown. The government could then appoint officials to host a "publick Meeting or Assembly" to purchase lands in the name of the Crown.<sup>229</sup> Lastly, the trade "shall be free and open to all our Subjects" provided that the traders purchased licences and follow the regulations and abide by the commissaries. All of which had to be explained to the Western and Eastern confederacies, as well as accepted by them.

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<sup>228</sup> 1763, October 7, by the King. A Proclamation. Brigham 1911, p. 215.

<sup>229</sup> 1763, October 7, by the King. A Proclamation. Brigham 1911, p. 217.

139. Sir William Johnson had invited many nations from around the Great Lakes to come and partake in the treaty negotiations and to enjoy the warmth of the King's Council Fire. Sir William's mandate was to end the war and secure peace. It is seemingly at cross purposes then that the British Government had sent the army to also subdue the holdouts. Colonel Bradstreet and Colonel Bouquet had marching orders and in fact Sir William Johnson also wanted to enlist his new brethren to join the forces against the King's enemies as demonstration of their sincerity. At Niagara on 8 July 1764, Sir William addressed both the Six Nations and the Western Confederacy and stated:

but as for those nations who have obstinately maintained the War & thereby justly merited our highest resentment, they must expect nothing but punishment & to which end an army is now assembled at this place & will proceed agt them supported by a large number of those Indians most zealous in defending the subjects of Great Britain & in punishing the guilty. Those troops will proceed immediately whilst my business is to settle matters with you here<sup>230</sup>

140. Sir William then met with the Western Nations again in the presence of the Six Nations on July 13, 1764 and stated again that the British were going to send armed forces against those that remained "obstinate":

Brethren - The unjust War Commenced by many of the Western & other Nations leaves me little reason to Expect that we can rely much upon their Sincerity, and the great King finding all other methods ineffectual has been obliged to send an Army with a large body of good Inds, under an Experienced Officer now at this place, in order to bring all obstinate Nations to a Sense of their folly, [...] I Expect that you will first declare who were the Promoters of the War & the causes they assigned, for so high a breach of their Agreement. A Belt<sup>231</sup>

141. On Saturday July 14 an unidentified Ojibwe Chief claimed that he and his people had no knowledge of the war and that they were not the same Ojibwe people as those around Michilimackinac who had taken the fort. After the chief had continued his speech, 18 of his

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<sup>230</sup> Niagara 8<sup>th</sup> July 1764, At a convention of the Chiefs and Warriors of the Six Nations & Western Nations, LAC, MG 19, F35, Series 1, Lot 619, pp: 1 - 2.

<sup>231</sup> At a Conference with the Ottawas, Chipewaighs, Nipissins & c in the presence of the Six Nations. July 12th 1764 P.M., Sir William Johnson Papers, Vol. XI, pp: 268.

young men went and sat across from Sir William and the chief continued, "Brother: Hearken to what I say. We have attended to your desire of Yesterday & in consequence of it, here are 18 of my people who shall joyn [sic] the Army, the rest not being here."<sup>232</sup> Alexander Henry also wrote that he had a force of Ojibwe warriors consisting of "sixteen Saulteurs, or Chipeways of the Sault de Sainte-Marie," plus the "eighty Matchedash Indians." This formed an "Indian battalion" of which Henry was the leader. Henry set out with only 10 of the battalion and the rest promising to join the next day. Henry waited the next day only to find that they left for home.<sup>233</sup> By this time the congress had not been completed but demonstrations of sincerity were required.

142. At the beginning of this conference with the Western Nations, July 13, the speaker had delivered a calumet to Sir William on behalf of the Menominee. The Menominee arrived and joined the council on July 17<sup>th</sup> and Sir William felt it necessary to repeat his statement about the Army:

Brethren - The Menomeneys [Menominee] & Ottawas of La Bay. Before your Arrival at this Place, I had a General Meeting with your Brothers the Ottawas, Chippeweys, & c wherein I explained to them the Occasion of my coming here, and the cause that the Army was going against our Enemies, that the Officers commanding the Troops was directed to go against those Nations, who continued obstinate,<sup>234</sup>

143. One of the unstated purposes of the gathering at Niagara was for the British to show their strength. However, this show of force was also used to show the King's mercy and capacity to forgive. In this regard, the information obtained from the Spirit Mishiikenh (Snapping Turtle) at the shaking tent ceremony in Sault Ste. Marie proved to be true. Mishiikenh had travelled south to determine whether the British had assembled an army and he was also asked how many soldiers there were. Mishiikenh reported to the chiefs

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<sup>232</sup> At a Conference with the Ottawas, Chipeweys, Nipissins & c in the presence of the Six Nations. July 12<sup>th</sup> 1764 P.M., SWJP, Vol. XI, p. 272.

<sup>233</sup> Henry 1809, p. 175- 176.

<sup>234</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. Niagara July 17 - August 4, 1764, Sir William Johnson Papers, pp: 278 – 281.

and warriors at the Sault that the British were assembling an army and that there were more red coats at Montreal than there were leaves on the trees.<sup>235</sup> He advised the chiefs that they would never be able to defeat them all. Recall also that Mishiken was asked if Sir William would accept the Anishinaabeg as friend or foe, and Mishiken said that Sir William had his kettles lit and was ready to accept the people as friend. Despite this assurance by the Mishiken, the chiefs and warriors who had accompanied Alexander Henry were reluctant to cross the river once they arrived at Niagara for fear of retribution.

144. However, the chiefs and warriors were compelled to come to Niagara to treat because of the lack of goods in their territories as a result of the stoppage of traffic due to the war. Many of the chiefs, warriors and deputies came and requested trade. The Odawa of Michilimackinac made these intentions very clear on July 19, after making mention of their deeds conveying the surviving members of the garrison at Michilimackinac to Montreal, their speaker stated:

Brother – [...] We hope you will pity us and that we may meet with the same treatment here we did last year at Montreal, when we escorted the garrison there. We are in great **want of Trade** [emphasis added]. Our families in much distress. We beg you will permit us to trade as we have some furs and that the Trade may be reasonable. We hope the Traders will take a Buckskin as a Beaver and two doeskins as of the same value. Also, four raccoons for a beaver and one bearskin, two small beavers to be as one and that you will take our deerskins. *A Belt of 8 rows.*<sup>236</sup>

145. The Odawa stated that they were in want of trade and this appears to have been the principal reason that they did not join the Ojibwe of Michilimackinac when the Ojibwe took Fort Michilimackinac. The Odawa even suggested a range of prices. To this request for trade, Sir William responded that he had wanted a more thorough answer to his question. He wanted the Odawa to provide names of the instigators and to turn them in as well as return prisoners, panis (slaves), and deserters. He also wanted the Odawa and others to make restitution to the traders, but did not really state what form that restitution would take. Sir William then allowed a trade for two days, partly as a reward for the Odawas past

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<sup>235</sup> Henry 1809, p. 171.

<sup>236</sup> At a congress with the Ottawas & c at Niagara on July 19<sup>th</sup> 1764, LAC RG 10, Vol. 7, p. 139 – 144, C-1222.

actions. He strictly limited the trade to two days and "after which all Trade must be stopped until our Enemies are reduced. It is therefore your Interest to support us in bringing them to submission. They are your enemies as well as ours. They are the occasion of your being so poor and without Trade and until they are humbled, you cannot expect it as formerly."<sup>237</sup> Sir William tried to use the trade as means to build allegiance but also to create division amongst the Western Nations.

146. Later that month, the Toughkamawiman<sup>238</sup> arrived from Rainy Lake (near present day Fort Frances) and made a similar request to Sir William, "Brother - We are therefore come down through a bad and Briary Road to see the English, and to desire Trade." Shuckey, the speaker then laid down a large beaver blanket and a calumet.<sup>239</sup> The trade was very important and it was one of the negotiating chips that the British could and did use effectively against the Western Nations. Many of the Western Nations had actually brought furs down with them in anticipation of trading. This is reminiscent of the Great Peace of 1701 at Montreal when Governor Calliere set aside a few days for an open trade.<sup>240</sup>
147. In fact trade was so important that two years later (1766), Odawa Chief Pontiac thanked Sir William for re-establishing the trade at Detroit. He said, "Father – We thank you for the goodness you have for us in sending plenty of merchandize to Detroit, this will be a great means of promoting a good understanding between us, as it will enable us to cloath our children well."<sup>241</sup> The key point is that trade was "a great means of promoting a good understanding between" them.
148. The outcome of the treaty gathering at Niagara was that many of the Western Nations entered into the Covenant Chain with the British. From the Native point of view, the outcomes meant that they maintained their freedom, their land, re-established the trade

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<sup>237</sup> At a congress with the Ottawas & c at Niagara on July 19<sup>th</sup> 1764, LAC RG 10, Vol. 7, p. 139 – 144, C-1222.

<sup>238</sup> Recall that Derouen (Drouin) referred to these people as "Saulteaux."

<sup>239</sup> July 27<sup>th</sup> [1764] Sachims and Chiefs of Toughkamawiman waited on Sir Wm. SWJP, Vol. XI, p. 298.

<sup>240</sup> Havard 2001, p. 127.

<sup>241</sup> Proceedings at a Congress with Pontiac and Chiefs of the Ottawas, Pautawattamies, Hurons and Chippawaes begun Tuesday July 23, 1766. O'Callaghan 1856, p. 859.

and re-established the annual delivery of presents. The British established, in their eyes, a means to orderly and legally purchase lands west of the Appalachians, and south of the Hudsons Bay Company claim.

**The manner and means by which the Treaty was recorded.**

**Part 1: The British perspective**

149. The most succinct terms of the proposed treaty was provided by Sir William Johnson to General Gage in February 1764. Sir William wrote that the proposed peace treaty should "assure them of a Free Fair & open trade, at the principal Posts, & a free intercourse, & passage into our Country, That we will make no Settlements or Encroachments contrary to Treaty, or without their permission. That we will bring to justice any persons who commit Robberys [sic] or Murders on them & that we will protect & aid them against their & our Enemys [sic] & duly observe our Engagements with them."<sup>242</sup> Sir William called this a "Treaty of Offensive and Defensive Alliance."
150. The Treaty of Niagara does not have a document, per se, that detailed the terms and was signed and countersigned by the British and the chiefs of the Western Confederacy. However, early at the congress, Sir William met with the Six Nations and some members of the Western Confederacy (specifically the Wendat) and referred to an earlier meeting:

I now meet you in conformity to your transactions at my house last April and to give you the highest proof of his Majesty's Clemency. I am impowered [sic] to treat with you concerning peace agreeable to the Preliminary Articles then signed by your Deputys [sic] all which I expect will be fully complied with for without it you must expect to meet with the punishment which you undoubtedly deserve... whilst my business is to settle matters with you here on so good a footing as to prevent all quarrels hereafter and secure to themselves that happiness & security which without us they can never enjoy, there only remains on your parts a strict compliance with your engagements & that you will strictly conform to & subscribe to the sevl [sic] Articles of peace agreeable to the Preliminary signed by your Deputys [sic] before me.<sup>243</sup>

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<sup>242</sup> SWJP, Vol. IV, p. 330, Johnson to Gage, Feb. 19, 1764.

<sup>243</sup> Niagara 8<sup>th</sup> July 1764, At a convention of the Chiefs and Warriors of the Six Nations & Western Nations, LAC, MG 19, F35, Series 1, Lot 619, pp: 1 – 2.

151. It is unclear if Sir William was talking only to the Six Nations or if he included members of the Western Confederacy, but the Wendat had signed articles peace.<sup>244</sup> However, as more representatives from the west arrived, Sir William met Chiefs of the Odawa, Ojibwe of Toronto, Lake Huron, and Lake Superior, the Nipissing, Algonquin, Menominee, Ottawas of La Bay, the Six Nations, & Indians of Canada on July 17, 1764 and stated his purposes for inviting them to Niagara:

I was to receive the Concessions of, and Settle a Peace with those Nations who were disposed to Yield, after which you should all have Trade; but 'till that was effected, his Majesty would not permit it, and that some of the young Men Should Join our Troops, and Indians, as a proof of their Sincerity and Attachment, and that if they expected a Trade upon good Terms, they must admit of a Fort at Michillimackinac [sic], with the particulars of which, and their Compliances, you are all acquainted. I shall therefore, now speak to you in general on the Subject of this Meeting. *A Belt*<sup>245</sup>

152. The first and main purpose of the meeting was to secure peace. After peace was accomplished, the trade could be re-established and in order to do that, the Western Nations had to allow the Fort at Michilimackinac to be safely garrisoned again. Sir William continued to detail further details of the terms of the peace:

Brethren - All that is wanting on your Parts to attain this is that you never more listen to Stories told you by People who have nothing to do with the Management of Indian Affairs, that you shut your Ears against all bad Birds, and be no longer deluded by their Whistling, that, when any evil Reports prevail, you cast your Eyes to the Eastward, where you will find me ready to clear up mistakes, and do you Justice, that you love the English and Consider them as Brethren, that you take care of our Post at Michillimackinac [sic] and the Soldiers, and Traders there, and that you keep the Sky clear, and the Waters of the Lakes, and Rivers smooth, and even so that they may come to that Country without any Danger, & lastly that you do all in your power to procure Restitution for the Trader's Losses, and to

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<sup>244</sup> Documents Relative to the Colonial History of New York, Vol. 7: 650 – 651.

<sup>245</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. Niagara July 17 - August 4, 1764, Sir William Johnson Papers, pp: 278 – 281. It should be noted that Pondiac and his most ardent supporters did not "yield" and did not attend the Treaty of Niagara.

restore to them their Panis, and other Prisoners, now amongst your People. If you will do all this and engage to pay due Regard for the future to what I have now Recommended, I shall once more receive you into an Alliance with the English, and take care that every thing on their parts shall be strictly adhered to, to which end his Majesty purposes a Regulation of Indian Trade to correct all Abuses. A Belt<sup>246</sup>

153. In this specific speech, Sir William paraphrased most parts of the contents of his letter to Gage that he had written in February of 1764. Firstly, Sir William "assure[d] them of a Free Fair & open trade, at the principal Posts," when he stated that His Majesty would regulate the Indian Trade and correct all abuses. Secondly, he assured them of "a free intercourse, & passage into our Country," which was stated somewhat backwards in that Sir William actually stated that the Western Nations were to "keep the Sky clear, and the Waters of the Lakes, and Rivers smooth, and even so that they [soldiers] may come to that Country without any Danger," but the converse had been stated earlier when Sir William had cleared the road to his place and to Niagara. Thirdly, Sir William covered the provision "that we will bring to justice any persons who commit Robberys [sic] or Murders on them & that we will protect & aid them against their & our Enemys," by stating to the chiefs that "you cast your Eyes to the Eastward, where you will find me ready to clear up mistakes, and do you Justice." Two days later, Sir William had stated again that if the chiefs agreed to these terms (restitution to traders etc), divulged the names of perpetrators, and gave up panis (captured slaves), then he said, "I shall give you the great Covenant Chain Belt, and I expect a large one from you which shall be carefully preserved. I shall also as a Proof of his Majesty's Bounty and Esteem give you a Present and some Rum, that your People on your return may see the kind treatment you have met with here and I hope you will continue to deserve it."<sup>247</sup> A little extra incentive, the rum, was added to bring the deal to a closure. Recall again, that the spirit Mishikenh had told the chiefs at Sault Ste. Marie that Sir William would accept them as friends and "fill their canoes with presents; [...] and large

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<sup>246</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. Niagara July 17 - August 4, 1764, Sir William Johnson Papers, p. 281.

<sup>247</sup> At a congress with the Ottawas & c at Niagara on July 19<sup>th</sup> 1764, LAC RG 10, Vol. 7, p. 139 – 144, C-1222.

barrels of rum, such as the stoutest of the Indians will not be able to lift.<sup>248</sup> The information solicited from the spirit was coming to light.

154. On July 31, 1764 Sir William crossed the Niagara river and went to see the Western Nations at their camp on what is now called the "Canadian side" of the river with the 1764 wampum belt specially crafted for the occasion and stated:

Brothers of the Western Nations, Sachims, Chiefs & Warriors - You have now been here for several days, during which time we have frequently met to Renew, and strengthen our Engagements, & you have made so many Promises of your Friendship, and Attachment to the English that there now only remains for us to exchange the great Belt of the Covenant Chain that we may not forget our mutual Engagements.

I now therefore present you the great Belt by which I bind all your Western Nations together with the English, and I desire you will take fast Hold of the same, and never let it slip, to which end I desire that after you have shewn this Belt to all Nations you will fix one end of it with the Chipaweighs at St. Mary's, whilst the other end remains at my House.—and moreover I desire that you will never listen to any News which comes to any other Quarter, if you do, it may shake the Belt.—but keep your Eyes upon me, & I shall be always ready to hear your Complaints, procure you Justice, or rectify any mistaken Prejudices, if you will strictly Observe this, you will enjoy the favour of the English, a plentiful Trade, and you will become a happy People.—On the contrary, if you listen to any People whatsoever, who do not like the English you will lose all these Blessings, and be reduced to Beggary & Want—

I hope you are a People too wise to prefer War, and Ruin to Peace & Prosperity.—you have already felt some Wants, which must make you sensible of the necessity you are under to respect, and Esteem the English.—

I Exhort you then to preserve my Words in your Hearts, to look upon this Belt as the Chain which binds you to the English, and never to let it slip out of your Hands.

Gave the great Covenant Chain, 23 Rows broad, & the Year 1764 worked upon it, worth above. £30.<sup>249</sup>

155. Sir William requested that one of the belt be fixed with "Chipaweighs at St. Mary's, whilst the other end remains at my House" but an unidentified Ojibwe Chief stood up and

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<sup>248</sup> Henry 1809, p. 171.

<sup>249</sup> July the 31<sup>st</sup> A.M.: Sir William went over the River and had a General Meeting with all the Western Indians in their camp. SWJP Vol. XI, p. 309 – 312.

addressed Sir William and stated in front of the whole assembly that "Brother - I am of Opinion that it is best to keep the Belt of the Covenant Chain at Michillimackinac, as it is the Centre, where all our People may see it."<sup>250</sup> The belt was therefore entrusted to the Odawa at Michilimackinac. Sir William then gave medals to the chiefs and "treated them all wth [sic] liquor & c."<sup>251</sup>

156. The next day Sir William met with the chiefs of the Western Confederacy again and one of the chiefs, who was unidentified but was noted to be from Michilimackinac, assured Sir William that the Western Confederacy would hold fast to the Covenant Chain, ignore 'bad birds' and that if anything was disturbing they would "cast" their eyes to him. The chief gave a wampum belt of 13 rows (no image or motif or colour recorded) and then gave a second wampum belt of 14 rows with white triangles.<sup>252</sup> Sir William assured the chiefs that their wampum belts would be kept at his house "which was the only Place for Transacting Indian Affairs, and where everything relative thereto, remained upon Record."<sup>253</sup> Sir William once again gave testimonials (chiefs certificates), medals and gorgets to numerous (but unlisted) "head warriors and Sachims."<sup>254</sup>

### **Wampum Belts Exchanged at Niagara between the Western Confederacy and the British**

157. In 1761 at Detroit, the western confederacy had spoken on numerous belts and delivered them to Sir William Johnson. The Wendat Chief Anaiasa answered Sir William with 14 belts, no description of imagery or colour was provided with the belts. The Odawa speaker Macatepilesis (Makadebinesi)<sup>255</sup> replied on behalf of the Odawa and he delivered three

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<sup>250</sup> July the 31<sup>st</sup> A.M.: Sir William went over the River and had a General Meeting with all the Western Indians in their camp. SWJP Vol. XI, p. 311.

<sup>251</sup> Ibid p. 311.

<sup>252</sup> July the 31<sup>st</sup> A.M.: Sir William went over the River and had a General Meeting with all the Western Indians in their camp. SWJP Vol. XI, p. 311.

<sup>253</sup> At a Conference with the Western Indians, Niagara August the 2d 1764, SWJP, Vol. XI, p. 312 – 313.

<sup>254</sup> At a Conference with the Western Indians, Niagara August the 2d 1764, SWJP, Vol. XI, p. 313.

<sup>255</sup> Macatepilesis would be rendered today as Makade-binesi because there currently is no "I" in the Ojibwe or Odawa language. Historically, the Jesuits recorded an "I" dialect of Odawa (Thwaites 1899 contains numerous examples, especially toponyms such as Missilimackinac/ Michilimackinac which was reportedly later pronounced as Mi-shi-ne-macki-naw-g o(Blackbird 1887, p. 20) and names of nations Kilisteno = kinestino).

wampum belts of no description. Makade-binesi stated to Sir William that they were "determined as one man to hold fast by the Covenant Chain forever," but then later in the council addressed the Mohawks in attendance and interestingly stated, "Brethren – You now see that we have linked ourselves with a Chain of Iron to our Brethren the English and to you, and we hope that no person shall be able to break that Chain or dissolve our Union."<sup>256</sup> Recall that Bruce Morito had stated that the beginning of the relationship was usually a trade agreement symbolized by rope, once the treaty became one of military alliance the ties that bound were described as iron, then when the relationship became a political one it was represented by a silver covenant chain. Clearly, in 1761, the Odawa did not view the relationship as one of silver yet.

158. This changed when the Odawa and others arrived at Niagara in 1764. On July 13, 1764 Sir William Johnson met with the Odawa, Ojibwe, Nipissing and others in the presence of the Six Nations at Niagara. Sir William gave the Western Nations 3 strings of wampum and four belts of wampum. An unidentified Ojibwe chief "Gave a bunch of wampum". The next day an Ojibwe chief "Gave skins" and a "Beaver Blanket" to Sir William.<sup>257</sup> In a general congress dated July 17 – August 4, 1764, Sir William addressed the Odawa, Ojibwe of Toronto, Lake Huron and Lake Superior, the Nipissing, Algonquins, Menominee, the Odawa of La Baye, the Six Nations and the "Indians of Canada." He delivered four wampum belts that had no description. Sir William met with various members of the Western Confederacy and he finally mentioned the Covenant Chain on July 19, "Soon as matters are entirely settled and that you have answered what I last said to you, I shall give you the great Covenant Chain Belt and I expect a large one from you which shall be carefully preserved."<sup>258</sup> Sir William was given a belt of seven rows, three belts of eight rows, a belt of 11 rows and a belt of 10 rows, none of which had a description of colour or

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Makade-binesi has been translated as Black Hawk and as Black Thunderbird. Binesi in Ojibwe refers to a raptor as opposed to the generic word for birds 'bineshiinh' meaning little bird.

<sup>256</sup> Proceedings at a treaty held at Detroit by Sir William Johnson Baronet with the Sachems and warriors of the several Nations of Indians there assembled, 9<sup>th</sup> September 1761. NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>257</sup> SWJP Vol. XI: 267 – 273.

<sup>258</sup> At a Congress with the Ottawas & c at Niagara on July 19<sup>th</sup> 1764. SWJP Vol. XI, p. 286.

imagery.<sup>259</sup> In reply Sir William gave them a belt, but not the covenant chain, just one of no description.

159. On July 21, 1764, Sir William met with the Menominee and gave five wampum belts. Then on July 27 Sir William met with the Toughkamawiman (Rainy Lake Ojibwe) and was given a large beaver blanket and a calumet. Later that same day Sir William met with the Sac, Fox, Ho-Chunk (Winnebago) and was given "a black belt green painted."<sup>260</sup>
160. Another belt was given on July 29, 1764 by Sir William Johnson to the Mississaugas of Credit, or as Johnson recorded, to "Chippeweights living near Toronto." The chief, Wabbicomiccott presented his certificate and then gave Johnson a calumet and declared his determination to "hold the English fast by the Hand." Sir William acknowledged Wabbicomiccott's service at Detroit in 1761 and then he presented "a large Belt with a Figure representing Niagara's large House, and Fort, with two Men holding it fast on each side, and a Road through it, and desired that he, Wabbicomicot, and his People would come, and settle at their old Place of Abode near Toronto, and have a carefull eye always over said Fort, and Carrying Place, and see that nothing should hurt either, as they must feel the Loss as well as the English."<sup>261</sup> This is the only other belt presented at Niagara in 1764 that has any significant description. Many belts were exchanged and presented but with minimal description. On July the 31<sup>st</sup> Sir William "went over the River and had a General Meeting with all the Western Indians in their Camp" and "gave the great Covenant Chain, 23 Rows broad, & the Year 1764 worked upon it, worth above £ 30."<sup>262</sup>

## **Part 2: Diplomatic Discourse and Metaphors**

### **The Mat**

161. An enduring symbol of diplomatic relations is the mat. The mat, like many symbols, has two meanings, one that has the connotation of war and the other that connotes peace. In

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<sup>259</sup> LAC RG 10, Vol. 7, pp: 139 – 144.

<sup>260</sup> SWJP Vol. XI: 301.

<sup>261</sup> At Conference with the Toughkinawinan Indians on Saturday July 28<sup>th</sup>, at Niagara, Sir William Johnson Papers, Vol. XI: 303- 309.

<sup>262</sup> Sir William Johnson Papers, Vol. XI: 309.

his recently published study on the now moribund Huron-Wendat language, linguist John Steckley looked at the morphemes<sup>263</sup> of words for mat. He found that "...mats made from rushes, used to form war bundles or sacks of sacred items (which can be likened to portable altars), had connotations of warfare. This differed from when rush mats were called –ndat- and referred to an individual's mat used as a bed or resting place, and by extension one's place or spot in the longhouse and, more significantly, from rush mats called –ien(d)-, which referred to a mat as an image of peace. I feel that this latter distinction between 'mats of war' and 'mats of peace' was part of the dualism of Huron thought."<sup>264</sup> Searching early Ojibwe dictionaries it is evident the analysis is not as detailed as Steckley's for Huron, because there is just one word for mat *anaakan (anakan)*<sup>265</sup> "mat, floor-mat." However, the analysis that follows will reveal that nations around the Great Lakes understood and used the double meaning of 'mat' for war or peace.

162. It is useful to start with the Huron-Wendat because of their long association with the Odawa and Ojibwe (Amikwa/ Amikouais), living alongside each other by Georgian Bay and on the southeastern portion of the Bruce Peninsula. The Huron-Wendat likely introduced or re-enforced much of the international diplomatic wampum discourse. After the so called "Iroquois Wars" the Huron-Wendat, specifically the Petun, fled with the Odawa and others west and settled for a time at Michilimackinac, Chaguamigon (Chaquamigon) and also at La Baye (Green Bay).<sup>266</sup> In 1701 the Wendat settled by the Detroit river along with the Ojibwe, Odawa, and Potowatomi.<sup>267</sup> In diplomatic discourse the mat referred to many ideas. The Jesuit Pierre Potier who lived among the Huron and knew their language compiled a list of the meanings of 'mat' in Huron expressions:

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<sup>263</sup> Morphemes are parts of words that are not full words but carry meaning. Examples in English include sub- "meaning below, under, beneath etc" and tele- "spanning or over a distance, distant."

<sup>264</sup> Steckley 2007, p. 196.

<sup>265</sup> Baraga 1992, p. 27. Reverend Wilson also listed mat but employed a different orthography, he listed "mat; n.i. uhnâhkun, (pl. -un)." (Wilson 187[4], p. 288).

<sup>266</sup> Tanner 1987, p. 29 - 35.

<sup>267</sup> Kathryn Magee Labelle covers the migration of the Wendat and the alliance with the Anishinaabe in chapter 4 and 5 of her new book, "Dispersed but not destroyed." Helen Hornbeck Tanner also covers the migration in "Atlas of Great Lakes History."

to arrive on the mat of someone... is to arrive at someone's place  
to prepare the mat for someone... is to be ready to receive someone  
at one's place  
to smoke on the mat... that is to enjoy a profound peace  
a mat tainted with blood, that is (to say) to have had people killed in  
war  
to wash a mat tainted with blood, that is to say or soothe or appease  
the pain of one who had people killed in war  
to keep the bag of (wampum) necklaces on the mat... that is to wait  
for a favourable moment for deliberating on matters.<sup>268</sup>

163. First of all there is a dual meaning of the mat, it can be a mat associated with war or peace but within those two there are multiple meanings of the mat. The French were aware of the use of this term and recorded its usage at the Great Peace of Montreal in 1701. On 23 July, Huron-Wendat Chief Kondiaronk of Michilimackinac addressed Governor Calliere in front of those assembled and stated, "Our Father, you see us near your mat; it is not without many dangers that we have endured on such a long voyage. The falls, the rapids, and a thousand other obstacles did not seem so difficult for us to surmount because of the desire we had to see you and to gather together here."<sup>269</sup> In this case, Kondiaronk the Huron-Wendat Chief of Michilimackinac, employed the term 'mat' to mean "arrive at someone's place." By this time Kondiaronk had been living with Odawa and Ojibwe located around Michilimackinac for a number of years, and had likely built up a discourse of shared meaning even though the Huron-Wendat language is unrelated to Ojibwe and Odawa.

164. Prior to the Great Peace of 1701, the mat as a metaphor was recorded by the Jesuits at a "Treaty of Peace Between the French, the Iroquois, and other Nations," at Three Rivers in 1645. The deputation of Haudenosaunee (Iroquois) had a French prisoner among them who they employed to speak for them because they were releasing him as part of the terms of the treaty. The Haudenosaunee delivered 18 "presents," when delivering the "third present," the speaker said "Here is a mat or bed on which you can lie softly when you come to our country; for as we are brothers, we would be ashamed if we did not treat

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<sup>268</sup> Steckley 2007, p. 201.

<sup>269</sup> Kondiaronk quoted in Havard 2001, p.130.

you according to your deserts.”<sup>270</sup> The speaker continued with the fourth present and said “It is not enough to have good bed; the nights are cold; here is something with which to light a good fire, and to keep yourselves warm.” The Jesuit Vimont made an additional note and stated “Observe, in passing, that the Savages usually sleep close to the fire.”<sup>271</sup> In turn the Huron replied to the Iroquois at this same council with 14 ‘presents’ (wampum belts) and the final one, “the fourteenth asked that a mat – that is to say, a bed or lodging – be prepared for the Hurons who would soon go to the Hiroquois country.”<sup>272</sup>

165. The treaty was entered into to secure peace. The Haudenosaunee extended their hand to the Huron to take them as brothers and allies. Summarizing the passages of the proceedings, scholar of Iroquoian studies William Fenton remarked that “a mat suggests both hospitality and brotherhood, since siblings may share a mat. Metaphors of unity extend to sharing: to hunt together, roast meat on the same spit, eat across the fire... It is clear that the Hurons understood the same set of symbols.”<sup>273</sup> There was a mutual intelligibility of symbols in discourse amongst the Haudenosaunee and the Huron-Wendat. This mutual intelligibility or shared meaning extended to the Odawa as demonstrated at a different council in the presence of Antoine de la Mothe Cadillac. The Odawa addressed the Wendat in council and requested their aid in avenging a fallen warrior: “My brothers, [...] Our men have been killed. For a long time the bones of so-and-so, our brother, have rested in such-and-such a place. It is time that we should go and see them. Now you know that he was a brave man and worthy to be avenged. ***We have rested in peace on our mat*** [emphasis added]. Today, I arise, for the spirit who rules me has promised me broth and fresh meat.”<sup>274</sup> In this instance historian Vernon Kinietz noted that the terms “broth” or ‘fresh meat’ meant killing men and capturing prisoners,” and to “rest on the mat” is to repose and live in peace.”<sup>275</sup>

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<sup>270</sup> Quoted in Jennings, Francis et al (eds). 1985, p. 146 – 147.

<sup>271</sup> Quoted in Jennings, Francis et al (eds). 1985, p. 146 – 147.

<sup>272</sup> Quoted in Jennings, Francis et al (eds). 1985, p. 151 – 152.

<sup>273</sup> Fenton 1985, p. 129.

<sup>274</sup> Kinietz quoted in Steckley p. 200.

<sup>275</sup> Ibid, p. 200.

166. The Haudenosaunee, Huron-Wendat, and Odawa used the mat in reference to "someone's place," but also in reference to peace. The Odawa explicitly stated that they had "rested in peace on our mat." In order to see how the mat fits into the Covenant Chain and Treaty of Niagara discourse, the speech of Chief Canasetoga at the Treaty of Lancaster must be revisited. Recall that the Haudenosaunee made an alliance with the Dutch, who were replaced by the British. They had tied a vessel to slim bushes on a river bank, but liking the contents of the boat and finding them useful, the Haudenosaunee secured the boat to a tree. Still fearing the security of the vessel they got a longer rope and tied it to a big rock in the Oneida country. The whole Haudenosaunee confederacy finally accepted the relationship and thus the boat was secured to the mountain in the Onondaga country, the council fire of the Five Nations. Canasetoga said:

for its further Security, we removed the Rope to the big Mountain (here the Interpreter says they mean the Onandago country) and there we tied it very fast, and rolled Wampum about it; to make it still more secure, we stood upon the Wampum, and sat down upon it, to defend it, and to prevent any Hurt coming to it, and did our best Endeavours that it might remain uninjured for ever.<sup>276</sup>

167. The image of wrapping wampum around something, a tree or rock, and sitting on it to protect it is a recurring image and eventually became associated with the Covenant Chain. In 1796, after the Jay Treaty, the British were ordered to evacuate Fort Mackinac. The Odawa chiefs, the entrusted keepers of the 1764 Great Covenant Chain wampum belt that had been given to the Western Confederacy by Sir William Johnson at Niagara, brought that belt out in 1797, L'Arbre Croche Chief Keeminichaughan was chosen as speaker:

Father, I shew [sic] you this to let you know that we shall never part with it Sir John Johnson's Father gave it to us at Niagara, saying, Children This is my Belt, take it, let us always sit down on it and be of one mind, by doing so no bad Birds can hurt us.<sup>277</sup>

168. The Odawa, keepers of the Great Covenant Chain stated that Sir William had said to them in council that "This is my Belt, take it, let us always sit down on it and be of one mind," an expression of protection. Furthermore, when considering that Fenton had stated that

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<sup>276</sup> Canasetoga quoted in Morito 2012, p. 25.

<sup>277</sup> Duggan Journal 29 [no month listed] 1797.

"siblings share a mat" this also becomes an expression of unity, especially since the phrase, "be of one mind" is used.

169. Later that same year a council was held again at Fort Mackinac, this time the Odawa War chief Mitaminance spoke on May 11, 1797 on three strings of wampum. The second string Mitaminance stated:

I always keep in remembrance the good advice my father Governor Simcoe gave me at Detroit when he told me to sit down quiet with my Children at my Village and not listen to bad birds that when I wished to see him he was not far off and that I could see him at Niagara, that if the Americans should come to take possession of Detroit & Michilimackinac I should pass on the other side of them.<sup>278</sup>

170. The Odawa were still meeting with the British and were told to 'sit down quiet' which meant to remain at peace and not engage the enemy. Further, the admonition to not listen to bad birds was used to emphasize that they knew the proper channels of communication.

Mitaminance then picked up a wampum belt and said:

Father - I thank you again for your care of your Children, I present you this mat to sit on, tis a Mat of peace and as long as you Sit on it you will never be disturbed. If you should change your fire place take it along with you sit on it and you will be as quiet there as you are now, wherever you go take it with you and be sure of being quiet and not disturbed by bad Birds,<sup>279</sup>

171. This time Mitaminance admonished the commanding officer against listening to bad birds. Mitaminance expressly called the wampum belt a "mat of peace" and requested that the Commandant should sit on it. If the British were to "change their fire place" meaning the council fire and the fort, the commanding officer was to take the belt along because it would be recognized by all. Mitaminance then explained the imagery on the belt:

here is a mark of what I now tell you – pointing with his (^hand) fingers to the figures represented on the Belt – where I hold you by the hand and I'll never let it go, I shall be always near you ready to

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<sup>278</sup> Duggan Journal 11 May 1797.

<sup>279</sup> Duggan Journal 11 May 1797.

assist you if you should want me – here is the mark of my tribe (^presenting the Belt) as well as that of all my nation all my nation on seeing it will know it and assist you in time of trouble.<sup>280</sup>

172. This speech closely matches the speech of Canasetoga when he said the Haudenosaunee “rolled Wampum about it [the Mountain with the vessel’s rope around it]; to make it still more secure, we stood upon the Wampum, and sat down upon it, to defend it, and to prevent any Hurt coming to it.” In these two cases, sitting on the mat or on a belt of wampum does not necessarily mean peace, it means vigilantly protecting the agreement and alliance.
173. The commanding officer then replied to the chiefs the following day and stated that “their father... was very glad to see them at his fire,” and he in turn delivered a wampum to the chiefs. The chiefs were told that the wampum was given for the “purpose of keeping their fire place clean and free from all bad Branches that might stand in their way, that as long as they sat on it they would enjoy fine clear weather, that if they heard any bad Birds amongst them, they had only to look this way and they would see their Father sitting on their mat.”<sup>281</sup> In this particular passage there are two images of peace, sitting on a ‘mat of peace’ or wampum, and sitting at a fire across from each other - the council fire that was burning cleanly.
174. The Odawa of L’Arbre Croche, keepers of the Covenant Chain wampum belts, would bring the belts out frequently to remind the British of the promises they had made to the Western confederacy. Odawa Chief Keeminichaugan, who had presented the belts in 1797 at Fort Mackinac, was a war chief and orator who trained others about the meaning of the belts, specifically his nephew Jean Baptiste Assiginack.<sup>282</sup> Keeminichaugan participated in the War of 1812 and drowned on his way back from Detroit after the war.<sup>283</sup> Chief Okedaa

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<sup>280</sup> Duggan Journal 11 May 1797.

<sup>281</sup> Duggan Journal 13 May 1797.

<sup>282</sup> Bacon 1876, p. 50.

<sup>283</sup> Minutes of a council held between Colonel Mauld President, Lt. Col. McKay Superintendant [sic] and the other officers of the Indian Department present and the Ottawa Chief from L’Arbre Croche. Drummond Island 16<sup>th</sup> July 1816. LAC RG 10, Vol. 33, p. 19227.

(Ocaitau) then became the principal spokesman (giigdowninini)<sup>284</sup> for the L'Arbre Croche chiefs, the keepers of the belts. Chief Okedaa also recited the history of their interactions as well as the promises the British made when they had given the Covenant Chain wampum belt. Chief Okedaa picked up the belt on 18 July 1818 at Drummond Island, the new "council fire" of the British after the War of 1812, and in front of hundreds of chiefs and warriors of the Western Nations stated:

Father - This my ancestors, received from our father (Sir William Johnson), [superintendent of Indian Affairs] - You sent word to all your red children to assemble at the crooked place (Niagara). They all heard your voice (obeyed the message) and the next summer met you at that place - you then laid this Belt on a Mat and said - "Children, you must all touch this belt of Peace - I touch it myself that we may be all brethren (united) and hope our friendship will never cease."<sup>285</sup>

175. In this instance, Chief Okedaa stated that Sir William Johnson had "laid this Belt on a Mat" and stated that those in attendance were to all "touch" it as a symbolic gesture of their acceptance. The great Shawnee Chief Tecumseh had also ordered people at a council in 1811 to touch a belt to indicate their acceptance.<sup>286</sup> This action would be akin to smoking the pipe, indicating agreement to a proposition.
176. Odawa Chief Okedaa died in 1829 and was succeeded as speaker in British councils by Jean Baptiste Assiginack for that year.<sup>287</sup> Assiginack served as speaker for the chiefs from time to time but he also was hired as the interpreter for the British Indian Department. In 1850, J.B. Assiginack attended the Robinson treaties council and provided secondary assistance to the Indian Department delegation. Some time after that treaty the Western Nations were told that the quantity of presents were to be diminished. Jean Baptiste

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<sup>284</sup> Giigigowinini literally speaking man from giigido "he speaks" and nini "man," this word is still used but is now for a band councillor.

<sup>285</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>286</sup> "He ordered the Belt [one given by the British to the Western Confederacy but entrusted to the Shawnee] to be passed round and handled and run by every person present saying they never would quit their Father or let go his hand." Speech of Tehkumthai brother to the Shawanoe Prophet, Amherstburg 15 Nov. 1810. LAC RG 10, Vol. 27, pp: 16176 -16178.

<sup>287</sup> Minutes of the Speeches made by the different tribes of Indians in reply to Lieutenant Colonel MacKay's of the 11<sup>th</sup> of July 1829, Journal of Legislative Assembly, Appendix T, Appendix No. 48.

Assiginack wrote down his understanding of the Covenant Chain wampum belt and the Treaty of Niagara as he understood it. He too mentioned the wampum belt and called it a mat. Furthermore, he stated that the British would occupy the eastern corner of that mat:

My Children, I clothe your land, you see that Wampum before you  
me, the body of my words, in this the spirit of my words shall remain,  
it shall never be removed, this will be your Mat the eastern corner of  
which I myself will occupy.<sup>288</sup>

177. The wampum itself carried the spirit of Johnson's words. Wampum is sacred to the Anishinaabe people and each generation learned the words that accompanied the belt. The wampum belts delivered at Niagara (the 24 Nations belt and the 1764 Covenant Chain belt) were entrusted to the Odawa of Michilimackinac, who after the War of 1812 moved to Wikwemikong on Manitoulin Island, bringing the belts with them when the King's Council Fire was ignited at neighbouring Manitowaning in 1836. In 1862 the assembled Chiefs of Manitoulin, which included the descendants of the Odawa who were entrusted with the belts, wrote their understanding of the Covenant Chain and mentioned that a tree was planted, and the area around the tree was swept clean and a mat placed underneath the tree.

Minawa kigiikit mitig ninbatakichima  
manda anawaiaiwang kiminicheimiwa  
minawa nintchigada'an kiwitaiai awi mitig  
abadakisod minawa dach anakan  
nindajwegisidon missa kaikidoian.<sup>289</sup>

You said again, "Here I plant a tree in the center of your little Island and I sweep the place about this tree and I lay down a mat."

178. The Ojibwe text does not state that the mat was spread under the "tree of peace" but the evolution in diplomatic discourse can be traced back to Canasetoga's oration of 1744 at the Treaty of Lancaster when he stated that the rope that secured the British ship was tied to a tree, and then to the mountain, and finally wampum (and thus a mat) was rolled around it to secure it. Both the Haudenosaunee and British stood on that wampum and

<sup>288</sup> Petition from J. B. Assikinawk, October 10, 1851. LAC, RG 10, vol. 613: 440-443, Indian Affairs Superintendency Records Northern (Manitowaning) Superintendence Correspondence, Manitoulin Island), 1851-1855, Microfilm reel C-13, 386.

<sup>289</sup> Manitoulin Island Chiefs, Mitchigwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 - 195682.

then sat on it to protect it. Through the various stages in the economic and political alliance, the discourse evolved and morphed into the planting of a tree and a mat being laid underneath it for shade so that the allies could smoke and repose in 'profound peace.'

### **Fire and Council Fire**

179. The Anishinaabe believe that fire is an essential part of life, fire is life. In the creation story the creator makes man from earth, water, wind and fire.<sup>290</sup> The fire within is a reference to the spirit that the Anishinaabe believe ties us to the act of creation. Fire also relates us to all of creation because it is an element that was used in creating all of life. Even to this modern day the Anishinaabe continue to use fire as a metaphor for life:

Each of us carries a fire within. Whether it's through the knowledge we have, or through our experiences and associations, we are responsible for maintaining that fire. And so as a child, when my mother and father would say, at the end of the day – "My daughter, how is your fire burning?" It would make me think of what I've gone through that day -- If I'd been offensive to anyone, or if they have offended me. I would reflect on that because it has a lot to do with nurturing the fire within. And so we were taught at a very early age to let go of any distractions of the day by making peace within ourselves, so that we can nurture and maintain our fire.<sup>291</sup>

180. Fire is used for an individual metaphor but fire has also been used metaphorically, and synonymously, for lifeway. In 1845 the Jesuits started to build a church at Walpole Island, much to the consternation of the chiefs. The chiefs halted the priests and brothers from cutting down more trees and summoned them to a council. The priests knew enough to bring tobacco for the meeting. The priests noted that the elders were seated together and the chief Pitwegijig with his speaker Ojaouanon (Oshawanoo) were also present, Oshawanoo started the debate:

Tell me, my brother, if I myself went to your island, to talk against the church and to try to force you to adopt my practices, would you listen to me? Leave me therefore with the blessings of my elder; I love

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<sup>290</sup> Benton Banai 1988, p. 3; Johnston 1978, p. 12.

<sup>291</sup> Elder Lillian Pitawanakwat quoted on website <http://www.fourdirectionsteachings.com/transcripts/ojibwe.html>.

them and do not want to give them up. It is true that among our blood-brothers, there are some who have abandoned the ancient way, but that is no reason why we should do so. On the contrary, we must preserve more carefully what our ancestors have left us as our heritage. Therefore, my brother, do not flatter yourself that we are going to change. No, for my part, never - as a native person - will I forget the Great Spirit through whom all things came to be. I know what He has given me and I shall preserve it carefully. I continue to **kindle my fire, it shall never go out** [emphasis added]. This determination is nothing new; ... we do not want to adopt your religion.<sup>292</sup>

181. Chief Pitwegijig (Petrokijic), the chief at Walpole Island, in his turn used the image of the fire as the spiritual traditions that his people had been given by the Great Spirit. The next speaker at that council was the chief Pitwegijig. He too made reference to the fire:

My brother, I love my Ancestor's blessings. I certainly cherish them deeply and I want to preserve them carefully. This is how **my fire is lit** [emphasis added] and will continue to make its smoke rise up into the air... Now, my brother, look at what you have come to ask of me, what you have kept for me. After traveling long distances in every direction, you come to me, on this little island where I am living. Are you not willing to let me enjoy in peace the blessings of my Ancestor? Very soon I shall therefore have forgotten about them completely. No, that cannot happen. I remain loyal to my Ancestor. Here at least, **the fire he left me will live on for me and my children** [emphasis added]. So, my brother, do not worry about me, stop being anxious about my fate, just let me live in peace on my little island, in my poor little home.<sup>293</sup>

182. For the Anishinaabeg, fire was used by the Great Spirit to create the first man, and the first man was bestowed with a way of life that was given by the Great Spirit, and fire became a symbol of that unique way of life. Kindling and maintaining a fire in this context meant that the Anishinaabeg of Walpole Island were maintaining their way of life.
183. The fire was also used as a symbol of communal unity, strength and well being. At the King's council fire of Manitowaning in 1839, Ojibwe Chief Bamakoneshkom stated to the

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<sup>292</sup> Fr. Chazelle to a priest of the same Society. Sandwich, Ontario, January 24, 1845. Reporting a council held on July 23, 1844 at Walpole Island, Cadieux 2001, p. 297.

<sup>293</sup> Fr. Chazelle to a priest of the same Society. Sandwich, Ontario, January 24, 1845. Reporting a council held on July 23, 1844 at Walpole Island, Cadieux 2001, p. 307.

Superintendent of Indian Affairs, Samuel Peters Jarvis, that he wanted to settle his band on an island in Georgian Bay in order to re-unify them. He stated:

Father - I follow in the footsteps of the Chiefs who have preceded me. I also thank you for your goodness + mean to follow adopt your advice, but father, I must settle on the land of my fathers + farm there with my children.

Father - I ask you for the Island of Wasa-coussing [Parry Island] to assemble upon it my scattered tribe our fires are far apart, + burn darksome and low. When we are all together it will throw out a brilliant light.<sup>294</sup>

184. Here Chief Bamakoneshkam stated that he followed in the footsteps of the Chiefs who preceded him, much like Oshawanoo and Chief Pitwegijig, he was going to keep his fire going, yet start cultivating the soil as per the advice of the government. As his band, or 'tribe,' were living apart, he thought to bring the people together and thus their fires would "throw out a brilliant light." In this specific statement, the use of fire can have a double meaning because igniting a fire in a specific place was also to claim it. This was a metaphoric reference that was also used by the Haudenosaunee:

In the metaphorical speech of the Iroquois, to establish a 'fire' is to claim that place for oneself or one's tribe. To 'extinguish' or 'put out' a fire is to leave that place or remove from it those who had lived there.<sup>295</sup>

185. By starting a fire at Wasa-coussing (Wasaukosing), Chief Bamakoneshkam could have just been stating that he and his band claimed that island. Similarly, when Odawa Chief Okedaa (Ocaitau) addressed the Visiting Superintendent of Indian Affairs at Drummond Island in 1818, he held the 1764 Covenant Chain Wampum belt in his hands and reminded the British of the history of the Western Confederacy. He started with the time the French came amongst them and entered into relations, he stated:

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<sup>294</sup> Speech of the Chippewa Chief Bamakoneshkam [Bemigwaneshkang] at a council held before Colonel Jarvis at Manitowaning, August [10]<sup>th</sup>, 1839. Samuel Peters Jarvis Papers, Metro Toronto Reference Library, Box 57, p.303 – 308. Ojibwe Chief Bamakoneshkam (Bemigwaneshkang, Paimoquonaishkung, Paimoquonaiskam) of the caribou clan signed the 1836 Manitoulin Treaty (Treaty 45), the Robinson Huron Treaty (Treaty 61), and the 1862 Manitowaning Treaty (aka MacDougall, no. 92).

<sup>295</sup> Brandao 1997, p. 341, fn 27.

Father - Our ancestors one day in looking towards the rising sun saw people of a different colour to themselves and not long after they (the French) stretched out their hands to us (supplied them with goods). We were delighted at the appearance of those strangers, they treated us well & offered to become our relations (to live in their country). We consented and soon after **they kindled a fire at old Michilimackinac (built a fort)** [emphasis added] and called us their children they told us we would never be in want or miserable with them.<sup>296</sup>

186. The secretary who wrote down this oration took pains to keep the chief's turns of phrase intact and then added in parentheses the meaning of those phrases. In this instance, kindling a fire was associated with building a fort. Odawa Chief Okedaa (Ocatau) continued delivering the history lesson to the commanding officer and referred to the time when the British defeated the French and took over Fort Michilimackinac. Okedaa reminded the officer that the Ojibwe had taken over the fort in 1763 and that it was the Odawas who transported the surviving officers to safety in Montreal. Okedaa said that "our Father at Montreal was delighted at our conduct, returned us many thanks, and said he would again build a fire (a Fort)."<sup>297</sup> Once again the scribe had written down the literal words of the chief when he had said that the British would build a fire but the chief used it as a metaphor to mean they re-established the fort. This was an actual clause at the Treaty of Niagara. Sir William Johnson had addressed the Chiefs of the Western Confederacy, including the Odawa, and said "that if they expected a Trade upon good Terms, they must admit of a Fort at Michillimackinac [sic]." Sir William Johnson had then delivered a wampum belt (no description).<sup>298</sup>
187. Similarly, in 183[8] Ojibwe Chief Shingwaukonce (Little Pine) of Sault Ste. Marie<sup>299</sup> delivered a speech to the colonial officials about the location of the council fire,<sup>300</sup> which was specifically associated with the disbursement of the annual presents:

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<sup>296</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>297</sup> Ibid.

<sup>298</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. Niagara July 17 - August 4, 1764, Sir William Johnson Papers, pp: 278 – 281.

<sup>299</sup> Shingwaukonce, Chigwauk, Chingwaukonse has often been listed as the Chief at Sault Ste. Marie but eventually founded a reserve at Garden River, Ontario.

Father - You once made your great fire at the Island of St. Joseph where you planted a tree such as you have planted here and from which you have just now taken down your flag...

Father – When you laid your log, you said it would never burn out but that the smoke from it would always be seen at a great distance. You told my ancestors to bring their children and warm their hearts at the fire of this log but when I came past it to this place I could not discern the spot where the tree stood. I cleared the place and made it clean around the log and all our young children have agreed to [turn] the log and see whether they can find a dry place where a fire may be kindled.<sup>301</sup>

188. Ojibwe Chief Shingwaukonce made specific reference to the inextinguishable fire that Sir William Johnson had ignited in 1761 at Detroit; Sir William then charged Captain Balfour to ignite the inextinguishable “fire of peace, friendship & concord” at Michilimackinac.<sup>302</sup> The western nations continued to refer to an inextinguishable fire made of choice pieces of wood that the British provided.
189. Fire had multiple meanings and depending on context could be used in reference to peace or war. The Kentuckian captured and raised by the Odawa, John Tanner, wrote down some Anishinaabe songs and their accompanying pictographs with an explanation of the song’s meaning. The following song is about the Anishinaabe’s great uncle, Nenbozhoo.



**Figure 1: Na-hah-be-ah-na na-nah-boo-shoo o-tish-ko-tahn ma-jhe-ke-sha**

<sup>300</sup> Initially the presents were distributed at Michilimackinac until 1798, then they were distributed at St. Joseph’s Island from 1798 to 1812, and from 1812 to 1815 at Michilimackinac again, 1815 to 1828 at Drummond Island, 1829 at St. Joseph’s Island, then Penetanguishene from 1830 to 1836, then from 1836 to 1856 at Manitowaning on Manitoulin Island (Sims 1992).

<sup>301</sup> First Speech of Chinquakous – Young Pine. S20 James Givins, Indian Papers – Transcriptions, Metro Toronto Reference Library, Baldwin Room.

<sup>302</sup> Widder 2013, p. 82.

## He sat down Na-na-bush; his fire burns forever

Tanner provided the following explanation to the song and the pictograph:

This figure appears to be descriptive of the first assumption by Na-na-bush of his office, as friend and patron of men. He is represented as taking a seat on the ground. Fire, with the northern Indians, is the emblem of peace, happiness, and abundance. When one band goes against another, they go, according to their language, to put out the fire of their enemies; therefore, it is probable that in speaking of the perpetual fire of Na-na-bush, it is only intended to allude to his great power, and the permanence of his independence and happiness.<sup>303</sup>

190. So the phrase “to put out the fire of their enemies” was used by the Anishinaabeg as well as the Haudenosaunee. The converse of these violent overtures is that the fire “is the emblem of peace, happiness, and abundance.” The metaphor had been in use by the time the French arrived in the great Lakes area<sup>304</sup> and the British learned of it and it was incorporated into the Covenant Chain discourse. Bear in mind that when Sir William Johnson entered into the treaty with the Western Nations, he stated to General Gage that it was to be a defensive and offensive alliance, therefore one of peace and war. In the vast majority of councils, Sir William Johnson and his deputy Croghan, as well as Commanding officers Gorrell and Balfour made reference to the peaceful connotations of the fire. In 1761 Sir William stated that he was directed to light an “unextinguishable [sic]” fire at his house and that “This fire yields such a friendly warmth that many Nations have since assembled thereto, and daily partake of its influence.”<sup>305</sup> He then continued and stated that he came to light a fire using a brand from his place in order to “kindle up a large Council fire made of such Wood as shall burn bright and be unextinguishable, whose kindly warmth shall be felt in, and shall extend to the most remote Nations and shall induce all Indians even from the setting of the sun to come hither and partake thereof.”<sup>306</sup> Adjectives such as “friendly” and “kindly” convey the peaceful intentions. When Captain Balfour arrived at Michilimackinac he too, like Johnson earlier in the month at Detroit,

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<sup>303</sup> Tanner 1830, p. 351 – 352.

<sup>304</sup> Brandao 1997.

<sup>305</sup> Proceedings of a council at Detroit 9 September 1761, LAC, RG 10, Vol. 6, p. 101.

<sup>306</sup> Proceedings of a council at Detroit 9 September 1761, LAC, RG 10, Vol. 6, p. 101.

"lighted a 'fire of peace, friendship, & Concord,' to serve as a symbol that the road to 'peace & good friendship' was open to all 'Nations of Indians' coming under 'it's influence."<sup>307</sup>

191. During the 1764 Treaty of Niagara, Sir William Johnson made reference to the council fire when he welcomed the Toughkamiwan delegation, stating, "Brethren - I have with Pleasure heard your friendly Speech, and heartily bid you welcome to this *Council fire*, which is lighted for all friendly Indians, and expect, after this that they will constantly attend the same, and assist in preserving it clear, as it is intended for the Good of all well disposed Indians."<sup>308</sup> The council fire was ignited by the British but the British expected the Western Nations to assist in keeping it clean and burning pure.
192. In 1765, a delegation of Mississauga Chiefs who had not attended the Treaty at Niagara called upon Sir William Johnson with the stated intention of joining the peace. They addressed Sir William as father, and stated that they had been away at their hunting grounds when the messenger arrived at their village but now came to the inextinguishable council fire:

Father – We beg you will hear our two towns ~~Nations~~ Pemidashkondayan<sup>309</sup> and Shanneayon.<sup>310</sup> We cannot enough express our joy in seeing you the head chief of all Indians and to come and light our pipe at the great council fire which you keep always burning at your house, where all Indian Nations assemble & smoke the pipe of peace and address you as their father, and laying our petitions & grievances before you.<sup>311</sup>

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<sup>307</sup> Widder 2013, p. 82.

<sup>308</sup> On Friday the 27<sup>th</sup> July [1764] the Sachims, and Chiefs of Toughkamawiman, Sir William Johnson Papers, Vol. XI: 300.

<sup>309</sup> Pemidashkondayan spelt as Pa'mitaskwo'tayong by Chamberlain 1891, "The name given by the Indians to Rice Lake, which body of water received this last name from the whites by reason of the wild rice in which it abounds. Mrs. Bolin explained the term as signifying 'across the prairies, or burnt lands,' saying that on looking across the lake from the Indian camping ground one could see the prairies. This explanation is somewhat doubtful. In the region of Peterborough the old name is believed to have meant 'lake of the burning plains.' The word may be derived from pa'mit, 'across' and 'maskota', prairie with the locative -ong." (Chamberlain 1892, p. 62).

<sup>310</sup> Azhoonyaang 'Place of Shining waters' based upon silver zhoonyaa.

<sup>311</sup> At a meeting of a party of Mississageys [Mississauga] from La Bay Quinte Shanneyon & the River Pemidashkoudayan in the West side of Lake Ontario. Johnson Hall 20th July 1770, NAC RG 10, Vol. 9, p. 95 – 99, C-1222.

193. The Mississaugas took an ember from the great council fire and lit their pipes and smoked with Sir William Johnson, and expressed their willingness to join the Covenant Chain, thereby demonstrating that nations could and did join after the treaty of Niagara by going to the council fire at Sir William Johnson's house.

194. Council fires, like the one at Johnson's house and at Michilimackinac, were places that were officially recognized by both parties, the British and Western Nations, as "official places where treaties were negotiated and conflicts handled."<sup>312</sup> Further, the inextinguishable fire became associated with peace, abundance, and 'warmth,' which was the metaphor for the annual delivery of presents at the King's council fire. Referring back to Okedaa's speech of 1818 at Drummond Island in which he specifically referred to receiving the Covenant Chain wampum belt at Niagara from Sir William Johnson, Okedaa recalled that the British had said, "I will call you my children, will send warmth (presents) to your Country, and your families shall never be in want. Look towards the rising sun, my Nation is as brilliant as it and its word cannot be violated."<sup>313</sup> After the War of 1812, the council fire was moved from Drummond Island to St. Joseph's Island for 1829, and then to Penetanguishene, and eventually the fire was moved to Manitoulin Island where it remained until 1856. Sault Ste. Marie chief Shingwaukonse,<sup>314</sup> advocated on behalf of the Western Nations, stated that the council fire had been moved too far away from them:

Father – Many of your children live at a great distance and are too poor to come here and warm themselves at your fire.

Father - It seems to me that many of your children living on the other side of the lines will very soon become very poor [...]

Father - The children of the next generation living at this place will be able to come to the fire at St. Joseph's which we wish to light and warm themselves.<sup>315</sup>

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<sup>312</sup> Morito 2012, p. 27.

<sup>313</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>314</sup> Shingwaukonse was listed as Sault Ste. Marie Chief for many years but eventually settled at Garden River.

<sup>315</sup> First Speech of Chinquakous – Young Pine. S20 James Givins, Indian Papers – Transcriptions, Metro Toronto Reference Library, Baldwin Room.

195. Here Shingwaukonse made a special reference to the distance required for the western people to come to “warm themselves at” the King’s council fire. The reference to warming oneself at the fire is literal but also figurative because it is a reference to gathering at the council fire to receive the presents or ‘warmth’ as part of the “engagements” entered into at the Treaty of Niagara. This literal and figurative meaning of gathering around the council fire to receive ‘warmth’ was also in the speech of Jean Baptiste Assiginack in 1829 at St. Joseph’s Island. Assiginack stated:

Father – When you abandoned Mackinac, we made a **road** to this Island (St. Joseph’s) and we continued to travel it until you returned to Mackinac, at the commencement of the war [War of 1812]. After the war, you again gave up that Island to the Americans and desired that we should go to your **new fire (Drummond Island) for our clothing** [emphasis added]. We did so. You have now removed your fire to a greater distance from us. We will follow it in full confidence of **receiving our usual warmth (clothing) from it** [emphasis added].<sup>316</sup>

196. In Assiginack’s speech, a more direct link is made between the King’s Fire and receiving ‘warmth’ in the form of presents. Odawa Chief Jean Baptiste Assiginack returned to oblique references when he dictated his understanding of the wampum belts in 1851. He mentioned the council fire:

In the central part of your land I plant a big fire, it is kindled with the choicest pieces of firewood, and it shall continue to burn as long as the world shall last, and the Indians dwelling round will frequent it in order to enjoy the benefit of its warmth.<sup>317</sup>

197. Enjoying the benefit of the big fire’s warmth was also a reference to receiving the “King’s Bounty,” that is, receiving presents. The British promise to deliver presents forever was expressly encoded in the 24 Nations wampum belt that had the image of a boat that was filled with all of the necessities the nations could require (see image 6). However, receiving presents was also obliquely referred to as receiving warmth from the council fire.

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<sup>316</sup> Minutes of the Speeches made by the different tribes of Indians in reply to Lieutenant Colonel MacKay’s of the 11<sup>th</sup> of July 1829, Journal of Legislative Assembly, Appendix T, Appendix No. 48.

<sup>317</sup> Petition from J. B. Assikinawk, October 10, 1851. LAC, RG 10, vol. 613: 440-443.

In 1862 the Chiefs of Manitoulin wrote down in Ojibwe their understanding of the wampum belts and they too mentioned the fire.

**Minawa dach kigiinag ningitisimag  
ninidjanisidig minawa ashkode nindaton  
keawasonodameg. Kawika taatessinoo  
keniawasonodang kidabinojim. Minawa  
dach nindagwitoagoshimaa maba  
godawan keniawasonodawad kagocha  
wika taatessino. Kitchi manido ninondag  
nindikid gocha ninidjanisidig. Minawa dach  
tchitchikijeigan nindaton mandapi nindaton  
ninidjanissidig tchitchikijeamog manda  
kidachkodemiwa wiate inendameg. Wiateni  
nangwana ninidjanissag odachkodemiwa  
ningainendam. Missa manda kainadwaba  
ningitisimag Kin Chaganach Egoian.**

**These are the words you have said to my forefathers. “My children, I place there a fire to warm you. This fire will never go out so that your children may always keep themselves warm. Moreover I pile wood for your use as fuel. [I again say your fire] will never go out. The Great Being hears me I say so my children. Moreover again, I place a poker, here is where I leave it, my children, poke your fire if you see that it wants to go out. “Ought the fire of my children ever go out?” Such will my thought ever be. This is what you said to my forefathers you whom we call the English.<sup>318</sup>**

198. There is no mention of a poker in the proceedings of the Treaty at Niagara but Sir William Johnson did mention a brand at the 1761 Treat of Detroit. This passage demonstrates the manner in which the oral tradition aggregated information. The Anishinaabe's forefathers are mentioned, as well as their children, and of course they themselves are referenced in the present tense, thus, the speech as recited and handed down created a perpetual or living treaty in the minds of the Anishinaabeg.

### **Tree of Peace/ Flag Pole**

199. The above Ojibwe quote mentions the “tree in the center” of the Anishinaabe’s island, it is not expressly called the Tree of Peace but it is evident that it is the same metaphorical tree of peace mentioned at the 1701 Great Peace of Montreal. The Tree of Peace was also referred to by the Wendat Chief at Detroit in 1760, who stated to Croghan that “whenever we should meet in the Woods” we should “smoke under the Tree of Peace.”<sup>319</sup> After the

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<sup>318</sup> Manitoulin Island Chiefs, Mitchigwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 – 195682.

<sup>319</sup> Croghan quoted in Reuben Gold Thwaites 1966, p.119.

Treaty of Niagara, Croghan met with Pontiac and others at Detroit in 1765 and stated to the assembled chiefs:

Children: with this Belt I take the Hatchet out of your Hands & I pluck up a large tree & bury it deep, so that it may never be found any more, & I plant the tree of Peace, where all our children may sit under & smoak [sic] in Peace with their Fathers. A Belt.<sup>320</sup>

200. Erecting a tree also meant erecting a flagpole. In July 1818 when Odawa Chief Okedaa brought out the belts and explained them to the Commanding Officer, he drew attention to the time when the Ojibwe took Fort Michilimackinac in 1763 but the Odawa had saved the prisoners. The British then had to again "build a fire" that is build a fort, but also they "planted a tree":

Our Father at Montreal [...] said he would again build a fire (a Fort) and plant a tree [orig. emph.] on our lands that would never die tho' the bark would be taken off (a Flag staff) and that round the tree you would raise a strong hill (a fortification). All this my Father, has come to pass your words have been true, your words were smoothe [sic] and pleasant.<sup>321</sup>

201. Chief Okedaa expressly mentioned that the tree that was erected was the flag pole. This does not, however, preclude it being a symbol of peace though. The Ojibwe Chief Shingwaukonse also made reference to the planting of a tree in his speech when he requested that the British maintain a 'fire' at St. Joseph's Island so that the bands living further away could partake of the fire's influence:

Father - You once made your great fire at the Island of St. Joseph where you planted a tree such as you have planted here [Manitoulin] and from which you have just now taken down your flag.

Father - The tree was very tall and it could be seen from a great distance.

Father - You have taken away the flag staff and the flag under which your children were accustomed to recline and take shelter.<sup>322</sup>

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<sup>320</sup> August 27, [1765], Croghan in Gold Thwaites 1966, p. 156.

<sup>321</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>322</sup> First Speech of Chinquakous – Young Pine. S20 James Givins, Indian Papers – Transcriptions, Metro Toronto Reference Library, Baldwin Room.

202. Ojibwe Chief Shingwaukonse, then of Sault Ste. Marie, referred to the planted tree as very tall but that it had a flag on it. This flag staff was seen from a great distance and the 'King's children' reclined under that tree with the flag and took shelter. So the tree of peace was equated with the flag pole at the fort. In the Ojibwe petition of the Chiefs of Manitoulin, they wrote of the British erecting a tree in the middle of their island. They specifically wrote "mitig ninbadakishimaa" which was translated as "here I plant a tree." The literal Ojibwe word for planting is gitigaanaa, so an alternative passage could be "mitig nin-gitigaanaa." So at this point the mitig (Ojibwe for tree or stick) sounds like a flag pole because the Ojibwe word is literally 'erected' rather than 'planted.' Later in the petition, however, the chiefs write about the tree again and specifically mention that it had leaves.

awi dach mitig kawawinad kawi geiabi  
nindakadjigakwechinsi kawi nin  
ninbinakwiassi awi mitig kassa  
nindaijigakibadisissi nin kebinakwiagiba  
awisa mitig. Mandapi sa agiwi  
kenawendamonadjig manda sa niiaw missa  
ajonda wendendama wendjibinakwid maba  
sa mitig.

and that tree which you have spoken of  
does not shade us any more. It is not we  
who deprived it of its leaves [this tree], our  
mind would not be so stupid as to do such  
a thing, it is those to whom you have given  
charge over our persons, those are the  
persons whom we blame for having  
deprived the tree of its leaves.<sup>323</sup>

203. The chiefs specifically stated that the tree that was erected had leaves to recline under. This suggests that the tree was both the 'tree of peace' and the flagpole.

### High Hill

204. Inextricably tied to the tree of peace is the high hill or strong hill which is a reference to a fortification. Sir William Johnson stated in council at Detroit in 1761 and again in council at Niagara in 1764, that the British just wanted the outposts to conduct a mutually beneficial trade. The chiefs of the Western Nations agreed to that and stated that the French had only occupied the posts because of their good will. The chiefs strongly stated that the French had not purchased that land from them. This clause of the Covenant Chain was encoded into the oral tradition as erecting a tree and raising a strong or high hill. Odawa

<sup>323</sup> Manitoulin Island Chiefs, Mitchigiwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 - 195682.

Chief Okedaa, in the presence of 350 men from the Ho-Chunk (Winnebago), Ojibwe, and Odawa nations, reminded the British commanding officer at Drummond Island in 1818 of the circumstances leading up to the promises made by the British in 1764 regarding the Covenant Chain. Okedaa stated that the Odawa had gone to the 'strong place,' that is Montreal, and met with General Gage, their Great Father, who had expressed his appreciation of their conduct during the taking of Fort Michilimackinac and stated to the Odawa delegation that "he would again build a fire (a Fort) and plant a tree [orig. emph.] on our lands that would never die tho' the bark would be taken off (a Flag staff) and that round the tree you would raise a strong hill (a fortification)."<sup>324</sup> About twenty years later, Ojibwe Chief Shingwaukonse also referred to the tree and a high hill. Shingwaukonse was protesting the removal of the council fire from the Sault Ste. Marie area. The council fire was moved to Manitoulin and he stated that it was too great a distance for the Lake Superior people to visit their Father's fire to receive warmth:

Father - Many of your children live at a great distance from this island and there is a high hill between which prevents their seeing the fire which burns or the flag which floats from the staff erected at this place.<sup>325</sup>

205. The 'high hill' that Shingwaukonse referred to was Fort Brady on the south shore of St. Mary's river in American territory. The Americans had actively dissuaded and even prevented the Western Nations living within the borders of the United States from visiting the British to receive their presents.<sup>326</sup> In the same speech though, Shingwaukonse referred to the high hill in his country whereby he could see all his brethren clear out to Red River:

Father - The country where I live [there] is a high hill from which I can see all the Indians belonging to our tribe. I can see as far as the Red River, or even to this place.<sup>327</sup>

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<sup>324</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>325</sup> First Speech of Chinquakous – Young Pine. S20 James Givins, Indian Papers – Transcriptions, Metro Toronto Reference Library, Baldwin Room.

<sup>326</sup> Sims 1992, p. 80 - 85.

<sup>327</sup> First Speech of Chinquakous – Young Pine. S20 James Givins, Indian Papers – Transcriptions, Metro Toronto Reference Library, Baldwin Room.

206. Twice in the same speech, Shingwaukonse referred to a high hill, one was Fort Brady and the other was the abandoned fort at St. Joseph's. He stated that from the high hill in his country an ample view was afforded, furthermore, that high hill and its flag could be seen for miles by his western brethren.

207. The high hill with a flag became a symbol of a place supplied with ample goods and thus a place where a chief could partake in the distribution of presents and raise his influence within his band.<sup>328</sup> In 190[2] Chief John Pinesi of Fort William told Fox Linguist William Jones about his puberty fast in which it was prophesied that he would become chief:

Another time, while in a fast, I saw a mountain that was very high. And then up there at the top I beheld a pole standing, flag-pole. Far over the country was visible; a flag hung thereon. And yonder on the mountain-top was where I saw many goods, and all the various kinds of food there were, likewise silver. "That is yours," I was told. At the foot of the mountain was loose soil, but farther up at the top it was rocky. That I should thus have dreamed was on this account, by a Manitou was it willed in my behalf that the people should desire me to be chief.<sup>329</sup>

208. The fort, a place to negotiate with the British colonial representatives, a place to receive presents from the commanding officer, including marks of distinction, such as silver arm bands, silver hat bands, and of course the silver chiefs' medal, was a symbol of the alliance with the British. The reference to abundance and silver is apt considering that the foundational treaty was called the Silver Covenant Chain.

209. The 'high place' was also a node in a vast communication network. Fur traders from Montreal brought the news to the forts in the pays d'en haut. British army officials stationed at various posts also received news from head quarters and more importantly, they received orders from head quarters regarding the management of Indian Affairs. Many times messengers were sent with speeches to be read and translated to the Western Nations who congregated at the fort for that express purpose, that is, to 'polish or brighten the chain.' Sir William Johnson had told the assembled Western Nations at

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<sup>328</sup> The importance of gift giving will be dealt with in a separate section of this report.

<sup>329</sup> John Pinesi (aka Gaagige-pinesi) in Jones 1919, p. 301, 303.

Niagara in July 1764 that suitable people would be placed at the posts to mediate grievances and do them justice and if they were unable to accomplish that, the Western Nations should cast their "Eyes to the Eastward, where you will find me ready to clear up mistakes, and do you Justice."<sup>330</sup> Sir William re-iterated these promises at the Treaty of Oswego with Pontiac and other representatives of the Western Confederacy, when he said, "you likewise now see that proper officers, men of honour and probity are appointed to reside at the Posts, to prevent abuses in Trade, to hear your complaints, and such of them as they can not redress they are to lay before me."<sup>331</sup> This clause of the Treaty of Niagara and the Covenant Chain relationship was codified by the keepers of wampum belt in the following passage, as written by the Chiefs of Manitoulin in 1862.

Binawa ninidjanissidig bakwadina  
nindojonit ketchi achpadinag mi dach ajiwi  
ajasag awi pinechi ketchibichigendagosid  
waiabichkisid kakina dach kiwidaiai  
anichinabedig, mi maba geganawabameg  
kego wiijiieg, mi maba kebiganoneg win  
dach ningawindamag. Minawa  
ninidjanissidig mikan nindojonit mi dach  
mandapi epegandamog mandapi sa ogidaki  
iwi gaojitanonagog gaie nin dach pejig  
ningaganawenima awi sa bineshin  
ketchibichigendagosid, mi dach maba gego  
wiininagog mi maba kewi nondagosid  
awadi sa widjibinechiian ajaianid kakina  
dach kiwitaiai tabi ondji sagakossewag.  
Anodj kebi inwedjig kego wi agiwi  
bisindawiiegeg. Missa kainadwaba  
nindogimamibani. Mi dach maba Ottawa  
missa maba ogidaki kenawabamangid  
nongo.

Here my children I make a mountain, I  
make it high. I place there this bird, he is  
beautiful and white. All you Indians which  
are around, you will fix your looks upon  
him when ever you want to tell me  
something, it is to him that you will confide  
your words and he will make them known  
to me.  
Moreover my children, I make a road which  
will convey you here, on this height that I  
have erected for you. I also shall keep a  
very pretty bird and when I shall have any  
thing to tell you it is to him that I will speak  
in order that he may make known the  
means of supporting life to the other bird,  
and all the other birds about shall come to  
him. Those who will contradict this do not  
listen to them. This is what you have said  
to our chiefs which are gone. And this  
Ottawa, behold he was yesterday on the  
mountain to which our attention is now  
directed,

210. Sir William had stated to the Western Nations that proper people, honourable people, would be stationed at the posts and they were delegated to report the news from head

<sup>330</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. Niagara July 17 - August 4, 1764, Sir William Johnson Papers, pp: 278 - 281.

<sup>331</sup> Proceedings of Sir William Johnson with Pontiac and other Indians, July 23 - 31, 1766. O'Callaghan (ed) 1856, pp: 854 - 867.

quarters. The high hill that the Chiefs said Sir William had made was the fort in their country, where the British had ignited the inextinguishable fire, and where the British distributed warmth. Also at this high hill was placed a beautiful white bird to whom they were to convey their messages and grievances. Throughout the Treaty of Niagara, and subsequent to its conclusion, the chiefs were admonished against listening to 'bad birds.' Likewise, the chiefs admonished the British against listening to 'bad birds.' By keeping a beautiful white bird at the high hill in the Anishinaabe's country, and one at Sir William's house, the proper channels of communication were established. The white birds represented the proper officials to deal with. One of the white birds was the commanding officer at the post, the other was the Odawa Chief entrusted with keeping the wampum belt and its "talk" or "spirit of its words." The chiefs reported in Ojibwe, in their own language, that Sir William had then created a high road connecting these two high hills so that the two had a high and honorable means of communicating to each other.

### **The Road**

211. The road is a common metaphor in diplomatic relations and it occurs in the retelling of the Covenant Chain as well. In August 1759 at Fort Pitt, George Croghan met with representatives from the Western Nations, the Delaware Chief Beaver addressed all of those in attendance and stated to them that they, the Delaware, were charged with conveying the message of peace:

Uncles and Cousins – We have buried the Hatchet. With this Belt of Wampum we stop up the War Road, and clear out the Road of Peace from your Country here, which you will travel in safety to see your Brethren the English, and trade with them. We lay a great Log across the War Path over which your Warriors must not expect to pass for the future... Gave a Broad Belt.<sup>332</sup>

212. Figuratively speaking, Beaver blocked up the war road with wampum and then cleared out the road of peace with that same wampum belt. Wampum belts were used to figuratively wipe away tears, clear fire places, level and cover graves, as well as block and clear

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<sup>332</sup> Minutes of Conferences held at Pittsburgh, 7 August 1759. George Croghan in Kent et al 1976, p. 507 – 511.

roads. Two years later, in 1761 Sir William Johnson delivered a wampum belt of 9 rows to the Western Nations and cleared the road to the council fire at Detroit, he stated, "I do by this belt of wampum offer my assistance to make the road of peace even, broad, and easy for traveling as far as the setting of the sun, assuring you that whenever it may happen to be any ways obstructed, or out of order I shall use all my endeavour towards the repairing of the same and thereby keep open a friendly intercourse with our allies to the latest ages."<sup>333</sup>

213. After the Ojibwe took over Fort Michilimackinac, the Western Nations around La Baye (Green Bay) along with the Odawa of L'Arbre Croche, proceeded to Michilimackinac and removed the prisoners from the hold of the Ojibwe. The nations then made a number of wampum belts and gave some to the Ojibwe but also made a special one that they wanted to give to General Gage when they turned the prisoners over to the British at Montreal in 1763. The Odawa speaker stated:

Brother – I am desired to speak to you in Behalf of the Nations about La Bay who also are very uneasy and concerned about what happened at Michilimackinac. The following Nations take a fast Hold of your Hand and declare themselves your firm Friends and Allies – vizt – The Folsavoine [Menominee], Puans [Winnebago], Saki [Sauk], Renards [Fox], Ayoways, Fox, Sioux, and la Prairie or Illinois. All which Nations you may regard as of one mind and one body, who are Resolved to remain always in your Interest and Die with you and they by this Belt of Wampum implore you to grant them a supply of their necessaries of life by establishing a Trade with them and not, on the account of One Nation, whom they look upon as Strangers, and Disturbers of the publick [sic] Peace and Tranquility, to make all the rest unhappy.

*A Belt denoting the Road of Peace Through all Those Nations*<sup>334</sup>

214. General Gage replied to the "Brethren of the Eight Western Nations" that the trade had been stopped because of the violence at Fort Michilimackinac and thus "the road of peace

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<sup>333</sup> September 9<sup>th</sup> 1761, Proceedings at a treaty held at Detroit by Sir William Johnson Baronet NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>334</sup> At a meeting between his Excellency General Gage and 54 Chiefs and Head Warriors of the Ottawa Nation living within 10 Leagues of Michilimackinac and 30 Chiefs of the different Nations of Indians living within the Inhabited part of Canada, held at Montreal the 9<sup>th</sup> of August 1763. NAC RG 10, Vol. 7, p. 487 – 493, C-1222. Note that the Fox (Renards) are counted twice but the Odawa are the Eighth nation represented on the belt.

and door of trade are in a manner barred, and shut up to your country."<sup>335</sup> Gage then directed the nations to go and trade at Detroit, which was a greater distance from them but he stated that the situation was too dangerous for him to send his people up to the Michilimackinac country. General Gage did present a belt to the nations and stated "but Brethren of the friendly Nations, you shall always find the road to me clear and open and shall be at all times welcome & be received with sincerity and affection."<sup>336</sup>

215. The belt Gage gave in return had no description. The "Eight Friendly Nations" delivered a "Belt denoting the Road of Peace Through all Those Nations." This belt would have had a white road of peace running the length of the middle of the belt. Eight symbols would have been placed at even intervals along the road of peace either diamonds or hexagons. The argument for diamonds is provided in numerous instances but Thomas Forsyth gave a didactic explanation of a belt that had been given by Sir William Johnson to the Western Confederacy and entrusted to the Shawnee:

The British in confederacy with the Shawanoes, Delawars, Mingoes, Wyandots, Miamies, Chipeways, Ottawas, and Pottawatimies offensive and defensive are the members of the council fire. The first nation of Indians who joined were the Shawanoes and Delawars [sic] and the other nations fell in or joined afterwards. The British as head of the confederacy have a large belt of white wampum of about six or eight inches wide at the head of which is wrought in with blue grains of a diamond shape, which means the British nation: the next diamond in the belt is the first Indian Nation who joined in alliance with the British by drawing the belt thro their hands at the council fire and so on, each nation of the confederacy have their diamond in the belt, those diamonds are all of the same size and are placed in the belt at equal distances from each other.<sup>337</sup>

216. The Shawnee cared for a belt with nine purple diamonds on it.<sup>338</sup> Note that Forsyth did not state that there was a road or a straight line connecting each. The belt the Odawa speaker delivered to Gage had eight diamonds on the belt and a straight line through the

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<sup>335</sup> Ibid.

<sup>336</sup> Ibid.

<sup>337</sup> Thomas Forsyth. 1827. Account of the manners and customs of the Sauk and Fox nations of Indians Traditions" in "The Indian tribes of the upper Mississippi valley and region of the Great Lakes," edited by Emma H. Blair, University of Nebraska Press, Lincoln, NB, pp: 188 – 190 of volume II.

<sup>338</sup> Ken Maracle, a Mohawk faithkeeper of the Longhouse told me that the diamond represented the nation. A hexagon a council fire. Personal communication with Ken Maracle August 2011.

length of the belt. The fur trader, explorer, interpreter and author John Long also provided a description of a belt that had been given to Sir William Johnson, it too had diamonds on it. The belt was:

... in several rows, black on each side, and white in the middle: the white being placed in the centre, was to express peace, and that the path between them [Shawnee and British] was fair and open. In the centre of the belt was the figure of a diamond, made of white wampum, which the Indians call the council fire. When Sir William Johnson held a treaty with the savages, he took the belt by one end, while the Indian chief held the other: if the chief had any thing to say, he moved his finger along the white streak; if Sir William had anything to communicate, he touched the diamond in the middle. These belts are also the records of former transactions.<sup>339</sup>

217. The authors of these latter two passages provided no dates associated with belts but both stated that the belts involved Sir William Johnson and it was likely after the 1764 Treaty of Niagara because the Shawnee were not listed as attendees to the conference. However, the road was mentioned at the Treaty of Niagara by the Toughkamiwans (Nations from Rainy Lake Area). They received the invitation to proceed to Niagara, travelled that great distance and stated to Sir William Johnson "Brother - We are therefore come down through a bad and Briary Road to see the English, and to desire Trade."<sup>340</sup> Then they gave a beaver blanket and a calumet to Sir William. The speaker Shuckey stated that the blanket was to serve as a bed for Sir William, and thus, served as an invitation to visit their country. Shuckey also stated that the blanket was white, just like his heart, indicating purity of intentions. Shuckey concluded by stating:

Brother - It is very hard to pass, this side of St. Mary's, the Road being very full of Brush, insomuch that we were Obliged to Open it with ou[r] hands to Save our Eyes; but we resolved nothing should hinder us from coming to your great Fire Place, the Light of which is now seen far, and near. You see our Poverty by the Smallness of our Belt this is the Road of Peace, which we will keep open & desire

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<sup>339</sup> J. Long. 1791. *Voyages and travels of an Indian interpreter and trader*. London, England, p. 47.

<sup>340</sup> Friday 27<sup>th</sup> July [1764] the Sachims, and Chiefs of Toughkamawiman waited on Sir Wm., Sir William Johnson Papers, Vol. XI, p. 298.

you will lay your foot on one End, as we shall *ours* on the *other*, then  
Nothing shall hurt us.<sup>341</sup>

218. Nations from as far west as Rainy Lake, near the present day Manitoba border came to Niagara to treat with the English. Not only did they attend, they also brought wampum belts, calumets, and beaver blankets as diplomatic gifts for the representative of the Crown. They also had heard of the "great Fire Place," and bore witness to its light. Shuckey on behalf of his people gave Sir William a belt of wampum that depicted the "Road of Peace." The interesting piece of information is that they requested Sir William to put one foot on his end of the belt, and they would do the same on their end of the belt. The imagery and the meaning is the same as that of Chief Canasetoga when he stated that the Haudenosaunee wrapped wampum around the mountain at Onondaga and then stood on that belt to detect any disruption to it, so that no harm could come to it. The symbolism of the diplomatic language ranged far and wide, in a sense, the rhetoric of the British had proven true because the road had been cleared from the 'rising to the setting of the sun'.

219. Sir William Johnson had cleared the road at Detroit in 1761, Captain Balfour cleared a road to Michilimackinac in 1761, and Lieutenant Gorrell cleared a road to La Baye in 1762. The actions of Pontiac and the Ojibwe at Michilimackinac in 1763 'closed up these roads' and thus they had to be re-opened. Some nations did not attend the Treaty at Niagara in 1764 and thus entered it afterward. The British were able to convince many chiefs to enter the peace and also convinced the chiefs to bring "Pontiac to his senses." On 27 August 1765 George Croghan met with Pontiac and "all the Ottawa Tribes, Chipwaes [sic] & Puttewatamies [sic] wth [sic] the Hurons of this Place [Detroit] & the chiefs of those settled at Sanduskey & the Miamis River." Croghan then addressed them all as children and said:

We have made a Road from the Sun rising to the Sun setting, I  
desire that you will preserve that Road good and pleasant to Travel  
upon, that we may all share the blessings of this happy Union.<sup>342</sup>

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<sup>341</sup> Friday 27<sup>th</sup> July [1764] the Sachims, and Chiefs of Toughkamawiman waited on Sir Wm., Sir William Johnson Papers, Vol. XI, p. 299.

<sup>342</sup> August 27, [1765], Croghan in Gold Thwaites 1966, p. 156.

220. Croghan had set out for the arduous task of extending the peace and binding all the nations to the Chain of Friendship. Although Pontiac was at the above conference it would be one more year before he finally took Sir William Johnson by the hand and joined the Covenant Chain at Oswego in 1766. However, Croghan continued to press on to bring some of the holdouts into the peace. Some of the holdouts included the Potowatomi. At Detroit in January 1765, the Potowatomi came to treat. They addressed Sir William Johnson as 'father' instead of 'brother' and stated:

Father – We have benifitted [sic] by your good advice, we amongst us gathered a little wampum and made a belt, at one end of which we placed your fire, in the middle ours, & at the other end that of the St. Joseph Village [sic] opening a road for them, telling them to have sense and come and speak to their father.<sup>343</sup>

221. These three Potowatomi chiefs of the Detroit area tried to broker a peace with Sir William Johnson on behalf of their western brothers at St. Josephs. In this case it was the Potowatomi chiefs who cleared the road with wampum.

222. Roads were cleared between nations, but also cleared between villages and forts. After the Treaty of Niagara, the two main forts in the west were Detroit and Michilimackinac. After the American War of Independence, the British had to evacuate Fort Mackinac and thus had to move their 'fire' to another location, which was St. Joseph's Island. In 1829, Odawa Chief and Indian Affairs Interpreter Jean Baptiste Assiginack was chosen to speak on behalf of the Odawa. He recounted the movement of the council fire:

Father – When you abandoned Mackinac, we made a **road** to this Island (St. Joseph's) and we continued to travel it until you returned to Mackinac, at the commencement of the war. After the war, you again gave up that Island to the Americans and desired that we should go to your new fire (Drummond Island) for our clothing. We did so. You have now removed your fire to a greater distance from us. We will follow it in full confidence of receiving our usual warmth (clothing) from it. As a proof of our determination, **we make a road with this Wampum**, the end of which we expect to see tomorrow

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<sup>343</sup> A Conference held at Detroit January 26<sup>th</sup> 1765, Present Machioquise, Makisabe Chiefs of the Powtowattamies of this village and Nangisse, son of the Great Chief of the St. Joseph's and Peshibaon Chief of the same village. LAC, MG 19, F35, Series 1, Lot 626, pp: 1 – 4.

(next year) at Penetanguishene, and trust it will continue clear for generations to come.<sup>344</sup>

223. Over the years, the Odawa made multiple roads to the King's fire. They used wampum to make the road, and the road got longer and longer. The Chiefs of Manitoulin also wrote about the road in their petition to the Crown in 1862.<sup>345</sup>

**Minawa ninidjanissidig mikan nindojiton mi dach mandapi epegandamog mandapi sa ogidaki iwi gaojitarmonagog.** **Moreover my children, I make a road which will convey you here, on this height that I have erected for you.**

224. The Chiefs of Manitoulin mentioned that the road was the proverbial 'high road' and would conduct them directly to Johnson's house, or rather to the representative of the Crown in Indian Affairs. The chiefs' understood that they had direct access to the Superintendent of Indian Affairs, who would later be called Superintendent General, and subsequently the Minister of Indian Affairs. The chiefs believed that they had a direct line to recourse and justice as stipulated and expressed by Sir William Johnson numerous times during his tenure as the Superintendent of Indian Affairs for the Northern District.

225. Lastly, as is the case with many metaphors, there are multiple interpretations and uses. Chief Okedaa used the image of the road to refer to the boundary between the English and the Western Nations. He had been holding the 1764 belt in hands, set it down, and then picked up eight strings of white wampum and said that Captain Roberts,<sup>346</sup> had convinced them to join the war against the Americans, against the Anishinaabeg's misgivings. "But my father, when one of your warriors (Captn Roberts Comdg) told us it was for our good, and that you would never make peace with them (the Americans) till you would drive them over the Mississippi and then you would make a large road (boundary

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<sup>344</sup> Minutes of the Speeches made by the different tribes of Indians in reply to Lieutenant Colonel MacKay's of the 11<sup>th</sup> of July 1829, Journal of Legislative Assembly, Appendix T, Appendix No. 48.

<sup>345</sup> Manitoulin Island Chiefs, Mitchigwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 - 195682.

<sup>346</sup> Captain Roberts was the Commanding officer at St. Joseph's Island prior to the outbreak of the War of 1812. He was ordered by General Brock to use his judgement in adopting an offensive or defensive position. He took the offensive and with the assistance of the Sioux, Winnebago, Menominee, Ojibwe, Odawa, and voyageurs, captured Fort Mackinac.

line) that would divide them from us, that they should never be allowed to step over it.”<sup>347</sup> In this instance, the road refers to the boundary between countries and territories. A more careful reading of the speeches is required to understand the nuances of the diplomatic discourse and metaphors of the Covenant Chain.

### Rich/ Prosperity

226. The word treaty has different connotations in modern society, especially “Indian Treaty,” because it is largely associated with land cessions, annuities and guarantee of certain rights, however the language utilized in the Covenant Chain and the Treaty of Niagara was definitely not the same as the legalese of cession treaties. The Treaty of Niagara and the Covenant Chain did not contain an explicit clause referring to annuities but the British did promise that the Western Nations and their posterity would ‘never sink into poverty.’ In fact Sir William Johnson stated in 1761 at Detroit to the Western Nations that if they took hold of the Covenant Chain they would “become a happy and flourishing people.” This statement was delivered before he gave a Covenant Chain wampum belt to the Western Confederacy, he stated:

Brethren - With this belt, in the name of his Britannick Majesty, I strengthen & renew the antient [sic] Covenant Chain formerly [ex]isting between us that it may remain bright and lasting to the latest ages, earnestly recommending it to you to do the same and to hold fast thereby as the only means by which you may expect to become happy & flourishing people. *Gave the Belt of the Covenant Chain containing 20 rows*<sup>348</sup>

227. The fate of this Covenant Chain wampum belt is unknown. It was accepted by the Huron on behalf of the Western Confederacy but it has not been positively identified in any museum collection.<sup>349</sup> The year 1761 held some promise that was quashed by General

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<sup>347</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>348</sup> September 9<sup>th</sup> 1761, Proceedings at a treaty held at Detroit by Sir William Johnson Baronet NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>349</sup> The National Museum of the American Indian has a white wampum belt collected from Silas Armstrong, the Principal Chief of the Wendat of Kansas (NMAI Catalogue # 1/2132). It has two men (purple beads) in the middle of the belt holding each other by the hand and holding canes or wampum belts in the other hand. However the belt is not 20 rows and therefore is not this particular Covenant Chain belt.

Amherst's policies, which lead to the Odawa Chief Pontiac, Seneca Chief Guyasuta and others to engage the British in 1763. Becoming a 'happy and flourishing' people does not necessarily translate into a promise of prosperity but after the battles and sieges of 1763, Sir William adopted stronger and more explicit language when he stated to the Western Confederacy at Niagara in 1764 that:

The English will deal fairly with you, they will treat you kindly, and trade with you honestly. You will grow Rich, and happy, and your Brothers Contented, so that our Union cannot be shaken. *A Belt*  
<sup>350</sup>

228. Sir William stated that the Western Nations, if they accepted the Covenant Chain, and entered into the treaty of offensive and defensive alliance, they would "grow rich." The chiefs of the Western Nations remembered this and brought it up in subsequent councils, especially at times when they felt that the British had started to diminish the quality and quantity of presents. The Western Chiefs had experienced the largesse proffered prior and during the War of 1812. Once the war ended the chiefs brought out the belts in 1817 and recited the history of the alliance as well as the promises the British made at Niagara. Chief Okedaa was the spokesperson for the Western Nations at Drummond Island and he stated:

Father - On making peace, you promised to treat us with the same attention that the French had done, that we should receive a bounty annually of fine things that would make us comfortable and happy...<sup>351</sup>

229. The chiefs often started their discourse by mentioning that they had initially been allies of the French. The chiefs would further state that the French treated them very well and then the chiefs would state that Sir William promised to treat the Western Nations even better than the French had. Chief Okedaa stated this as well:

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<sup>350</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. Niagara July 17 - August 4, 1764, Sir William Johnson Papers, pp: 278 - 281.

<sup>351</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 - 20388.

Father – [^This my ancestors received from our father (Sir William Johnson)] you sent word to all your red children to assemble at the crooked place (Niagara) they all heard your voice (obeyed the message) and the next summer met you at that place, you then laid this belt on a mat and said, "Children you must all touch this Belt of Peace I touch it myself that we may be all brethren (united) and hope our friendship will never cease, I will call you my children, will send warmth (presents) to your Country, and your families **shall never be in want** [emphasis added]. Look towards the rising sun, my Nation is as brilliant as it and its word cannot be violated... Father - When you abandoned M<sup>c</sup>kinac, you promised we would at this fire place (Drummond Island) receive every thing we could wish for to make us comfortable, until this year, your words have been true, but we have now come a great distance and all return nearly empty handed.<sup>352</sup>

230. The chiefs noticed that the presents had diminished a mere two years after the war. The chiefs cajoled the commanding officer to be more liberal and generous, which did not have the desired effect. The belts changed hands but the 'talk on the belt' remained the same.
231. At the council fire of St. Joseph's Island in 1829, Odawa Chief Assiginack, who was also an Indian Department Interpreter, served as spokesperson for the Odawa chiefs. He started his discourse by telling the commanding officer not to look upon him as a chief but merely the spokesperson for the chiefs.<sup>353</sup> He then stated to the commanding British officer, "Father – When you first came to Michilimackinac, you spoke to our ancestors. You told all your red children that they should never look for you in vain. You said, "Children when you rise in the morning (Spring) look towards me, and your wants will be supplied."<sup>354</sup> Years later, in 1851, Interpreter Assiginack was recorded detailing the history of the alliance, the talk in the wampum belts, and the beginning of the distribution of presents. His words were written done as follows:

My children, listen to me very carefully. I will tell you the early history of the British Nation to which I belong. When my great Grandfather came to the use of reason, the beginning of his existence, the Earth was covered with darkness, no light was to be seen anywhere, the whole sky also was filled, with immense darkness: whilst he was

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<sup>352</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>353</sup> Minutes of the Speeches made by the different tribes of Indians in reply to Lieutenant Colonel MacKay's of the 11<sup>th</sup> of July 1829, Journal of Legislative Assembly, Appendix T, Appendix No. 48.

<sup>354</sup> Minutes of the Speeches made by the different tribes of Indians in reply to Lieutenant Colonel MacKay's of the 11<sup>th</sup> of July 1829, Journal of Legislative Assembly, Appendix T, Appendix No. 48.

looking all round, someone spoke to him from above saying, 'Look there,' and turning towards that direction, he saw some object in the act of emerging of the colour of blood, and the unknown person said to him, 'That is the life of you British Nation, fix your eye upon it, you will observe that when it ascends high the Earth and Sky will be no longer in darkness, the Earth will grow warm, and the most magnificent flowers will begin to burst forth in every part of the Globe: just so will the prosperity of the British Nation' be cries the voice; 'Moreover when the thing is suspended in the middle of the sky, no spot of the Earth shall be left uncovered, so shall your life be, all the deep vallies will present a cheerful prospect;" These are the words spoken to my Great Grandfather by the one who addressed him from above.<sup>355</sup>

232. Assiginack was told the narrative of British hegemony and prosperity. This was associated with the sun, especially the rising red sun. The radiating sun, reaching the deep valleys, bringing forth 'magnificent flowers.' The sun, warmth, were associated with comfort, and the flowers indicative of prosperity. The chiefs of Manitoulin also recorded their version of the promises in Ojibwe in 1862. They too recounted the rising red sun but also noted that the flowers would appear all over the earth.

Mimanda keijiwebisiian inininabiiian kawita-kijig nandawabandan kidabinodjiim obimadisiwin awadi wendji mogiset kisis inabiiian kigawabama kisis tchibimiskwabikagodjing missa ajinawag amiskokwanaieian nage achpimeing dach kibiagodjing awi kisis apitchi tawasikoso missa kejinagwadinig kidabinodjiim obimadisiwin minawa dach nawadj achpiming kibiagodjing bebakiwong taijinagwadon wawasakwanen. Missa kejinagwadinig kidabinodjiim obimadisiwin. Missa iwi kaijiian kin Chaganach Egoian.

Here is the place that will be yours. When you look around you under the vaulted heaven looking for the support of your children, when your gaze turns towards the rising sun you shall see that sun rising red similar to the color of the coat that I wear, when it rises higher that same sun shall be very bright with light, there is the image of the life of your children. After that sun has been up a little longer you'll see in different places the flowers bloom. There is the image of the life of your children. That is what you said, you whom we call English.<sup>356</sup>

233. Chief Assiginack lived on Manitoulin and was an influential leader and his rendition of the alliance would have been incorporated into the 1862 petition. The Odawa as keepers of the belts, had detailed knowledge of the talk because they were entrusted to keep the talk

<sup>355</sup> Odawa Chief Jean Baptiste Assikinawk, 21st October 1851, LAC RG 10, Vol. 613, p. 440.

<sup>356</sup> Manitoulin Island Chiefs, Mitchigwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 – 195682.

and the belts. However, chiefs from the Ojibwe knew the speeches, and Ojibwe Chief Shinguakonse also re-iterated that the French had treated the Anishinaabeg well and that the British promised to do even better.

Father - You came and he disappeared but you said to the Red Man. "Be you now [in] my care. Be you now my children all that the French have done for you + much more will I do. Let the Red Warriors [cleave] to me and they shall never know want."<sup>357</sup>

234. The British had promised the Anishinaabeg prosperity if they took hold of the belt and agreed to uphold the mutual engagements made at Niagara. The chiefs reported that in the past, "your words had been true" but the diminution of the presents was a hardship to them and their people.

### **Part 3: Medals as Mnemonic Devices**

235. Sir William Johnson read extensively about the Covenant Chain and also read past treaties but his direct experience with the Haudenosaunee and other nations led him to believe that a long lasting peace could only be established utilizing existing treaty practices and customs that included gift giving, adhering to wampum protocol, calumet smoking, and condolence ceremonies. All of these were part and parcel of the Covenant Chain which had a metaphoric discourse as well as enduring symbols, such as two men holding hands on a belt, or a straight road between two countries or villages. Another symbol that became associated with the treaty was the medal, often called Indian Chief Peace Medals. These medals were more than Peace Medals, they were mnemonic devices that reminded the chiefs of the treaty discourse.
236. The Covenant Chan had antecedents and so did the medals as mnemonic devices. The French had delivered medals to chiefs and the British adopted the practice as well. On December 4, 1760 Deputy Superintendant George Croghan met with the Wendat,

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<sup>357</sup> 7<sup>th</sup> August, 1852. Speeches delivered at Manitowaning by Mo-ko-maun-ish, Wa-ka-ow-se, Chingwaukonse. LAC RG 10, Vol. 621a, p. 107.

Potowatomi, Odawa and "several of the principal Men of the Ohio Indians" at Detroit. Croghan had renewed and brightened the Chain of Friendship between the British and the Western Nations. The Western Nations accepted that this had been accomplished but the Wendat speaker stated that the chain "is new to our young men," and thus required explanation, then he proceeded to show all assembled two medals that they had in their possession. The Wendat speaker exhibited the medal and explained the image thereon, stating "Brethren: [Shewing two Medals] those we had from you as a token that we might remember our Friendship whenever we should meet in the Woods and smoke under the Tree of Peace, we preserved your token and hope you remember your promise, it was then said that this Country was given by God to the Indians & that you would preserve it for our joint use where we first met under a shade [emphasis added] as there were no Houses in those times."<sup>358</sup>

237. The medal is likely the one designed, struck and delivered by a Quaker group called the Friendly Association for Regaining and Preserving Peace with Indians by Pacific Means, who were located in Philadelphia. The medal was struck in 1757. One side had the image of King George II, the other side had the image of an Indian and Englishman seated on either side of a fire, with the Englishman (Quaker) handing a calumet to the seated Indian (refer to image 11). The sun is in the sky and a tree curves over the two providing some shade.<sup>359</sup> In her exhaustive publication on silver in the fur trade, Martha Wilson Hamilton identified the tree on the medal as the "Tree of Peace" and the fire as a "Council Fire". The medal was embossed with the date 1757 and the phrase "Let Us Look to the Most High Who Blessed Our Fathers With Peace." The medal was presented at the Treaty of Easton, Pennsylvania in October 1758. Members of the Six Nations and Delaware were in attendance as was George Croghan.<sup>360</sup> Wilson Hamilton stated that "This is thought to be the first Indian Peace Medal executed in America."<sup>361</sup> The imagery was utilized by Sir William Johnson on the certificates he gave out to chiefs (refer to image 12).<sup>362</sup>

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<sup>358</sup> Croghan quoted in Reuben Gold Thwaites 1966, p.119.

<sup>359</sup> Fredrickson and Gibb, 1980, p. 25, 77.

<sup>360</sup> Wilson Hamilton 1995, p. 146.

<sup>361</sup> Wilson Hamilton 1995, p. 146.

<sup>362</sup> However, the three known certificates dated 1764 at Niagara (Ogemawnee, Egominey and Akowawbomye) were not of this type.

238. In preparation for the Niagara peace treaty ending Pontiac's war, Sir William had requested that General Gage order some medals for the occasion. Gage reported "The Reverse [of the medal] is not the King's Arms, but represents an Englishman and an Indian in Friendly Conversation. I suppose these would do for you as well as the old pattern... They are larger than yours."<sup>363</sup> This particular medal that Gage had struck has the date 1764 embossed on it (Refer to image 9 + 10).<sup>364</sup> The medal served as a mnemonic device associated with the promises the British made to the Western Nations at Niagara when the Great Covenant Chain Wampum belt was given. The scene on the medal served the Anishinaabeg because "they want the use of letters."<sup>365</sup> The Western Nations used the picture on the medal as a mnemonic reference. The two figures, an Anishinaabe and an Englishman, sitting on a mat under a tree smoking, with a fire and woodpile in the background. Johnson concluded the peace negotiations with the Western confederacy in July 1764 and on August 1, 1764, bestowed medals and certificates to a number of chiefs. It was recorded in the official council proceedings that "Sir William then gave Medals to the Chiefs, and exhorted them to look at them often in order to remind them of their engagements."<sup>366</sup>

239. Then an unidentified chief rose and stated "Brother - We have thought of what you have said, and greatly approve of the same.—We are determined to follow your Advice, for the Good of our People.—and we shall never Swerve from our Engagements, but look at the Medals you have given us every morning."<sup>367</sup>

240. Some chiefs that attended the 1764 Treaty of Niagara left with medals. Other chiefs who had not attended the Treaty of Niagara, came to meet with Sir William Johnson afterward to enter the Covenant Chain and requested both clemency and medals. The Ojibwe Chief

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<sup>363</sup> SWJP, Vol. IV, p. 446-447, Gage to Johnson, New York, June 10<sup>th</sup> 1764.

<sup>364</sup> Wilson Hamilton reported that only 60 of these large medals were cast and delivered in 1764. The medal was re-struck but with the date 1766 and delivered at the Treaty of Oswego when Pontiac joined the Covenant Chain.

<sup>365</sup> SWJP, Vol. IV, p. 330, Johnson to Gage, Feb. 19, 1764.

<sup>366</sup> SWJP, Vol. IV, p. 446-447, Gage to Johnson, New York, June 10<sup>th</sup> 1764.

<sup>367</sup> July the 31<sup>st</sup>. A:M: Sir William went over the River and had a General Meeting with all the Western Indians in their Camp. Sir William Johnson Papers, Vol. XI: 309-313.

Kinishikapoo, who was related to the Mississauga Chief Wabbcommicott, and a known ally of Pontiac, visited Sir William in 1765. In the council room he stated that he had gone to Detroit to investigate matters and to promote peace but "found many Indians who were drunk in that quarter & Pontiac is not yet quite sober & I acknowledge I have been a little drunk myself & which I attribute to this French Medal (taking it off)."<sup>368</sup> Of course the medal did not make him drunk, but he alleged that the messages delivered by Pontiac and the French 'instigators' had been 'intoxicating' and had clouded his judgement. It may also be that the attention the French had reposed in him as a chief had gone to his head. Chief Kinishikapoo stated that "I had always a great esteem for it [the French medal]" but he decided to give it up "since it has made me drunk." Kinishikapoo did not want to surrender the French medal, he wanted it to be replaced by an English one. He then continued and stated that he left Detroit, seeing that many "Indians [sic] heads were turned" towards Niagara, "where all are at peace & quietness." He then stated to Sir William Johnson, "I came here with my brother Wabbcommicott [orig. emph.] to assure you of my fixed resolution to observe & follow your advice & the engagements I entered into - *Then delivered up a large French Medal.*"<sup>369</sup> The secretary took careful notes that reveal a good deal. First Kinishikapoo talked about the French medal as having an intoxicating effect, the secretary then noted that Kinishikapoo then removed it from his neck and talked about the peace and quiet of Niagara, visually showing that by removing the medal from his neck he could now perceive that peace. Lastly, he stated that he resolved to follow Sir William's advice and honour the engagements he entered into and then he delivered up the French medal to signify that resolution.

Sir William Johnson responded to Ojibwe Chief Kinishikapoo's speech the following day:

Brother – [...] You have done wisely in casting away that Medal which was the cause of your drunkenness. I now present you with a Medal of the Great King of England, which I desire you to wear near your heart to look upon it & thereby remember your engagements whilst you follow this advice you need not fear being anymore drunk but should you cast your eyes off of it to regard any thing else, your head may become giddy past care – take care then to respect this

<sup>368</sup> Wabbcommicott with the rest came into the Council room & requested a conference. June 4<sup>th</sup> 1765, LAC RG 10, Vol. 9, p.56 –65, C-1222.

<sup>369</sup> Wabbcommicott with the rest came into the Council room & requested a conference. June 4<sup>th</sup> 1765, LAC RG 10, Vol. 9, p.56 –65, C-1222.

Medal, to consider it as a Badge of the King's esteem & your gratitude & shut your ears against all news but what comes from his Majesty or the persons in authority under him. *Gave an English Medal*<sup>370</sup>

241. Sir William again admonished another chief to "look upon" the medal as a reminder of the "engagements." Sir William also requested that the medal be worn close to the heart. This admonishment would later become part of the discourse of alliance and chiefs would come to request a "heart" from the British, other times, particularly after the War of American Independence, the chiefs would state that they did not have "two hearts."<sup>371</sup> The medal became a symbol of alliance and its closeness to the heart re-enforced that image. Mississauga Chief Wabbcommicott stated at the same council as Kinishikapoo that "Brother Johnson – For my part I have received a medal, colours & c from you last year at Niagara [1764], which binds me to you [yet] nothing can alter my resolution."<sup>372</sup>
242. The medal itself, cast of silver and in the shape of a circle served to remind the chiefs and warriors of the Covenant Chain as well as the eternal promises made, represented by the circle that has "no beginning and no end."<sup>373</sup> Subsequent medals were made without that same pattern of the seated Englishman and Indian but these medals had the visage of George III and the obverse were the King's coat of arms. The silver and round shape of the medal in concert with the King's visage all represented the original treaty and the promises made. In 1796 Odawa Chief Mitaminance addressed the Commanding Officer at Fort Mackinac with strings of wampum, on the third branch of the strings of wampum, he said:

My father further said, My son if anything extraordinary should happen with respect to the Indians, you shall hear my voice that you may come directly to see me. I present you this medal with your

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<sup>370</sup> Wabbcommicott with the rest came into the Council room & requested a conference. June 4<sup>th</sup> 1765, LAC RG 10, Vol. 9, p.56 –65, C-1222.

<sup>371</sup> Medal as a heart see "2<sup>nd</sup> Speaker - Quaisinte," A Band of Chipawas and Minomini Indians after having received their presents, Drummond Island June 20, 1820, Archives of Ontario, F450, (Capt) Thomas Gummarsall Anderson Papers, 1814 – 1822, MS 23. Reference to two hearts, Drummond Island 30 June 1822, Indian Speech of Waiskey, LAC RG 10, Vol. 40, pp: 22048 – 22053.

<sup>372</sup> Wabbcommicott with the rest came into the Council room & requested a conference. June 4<sup>th</sup> 1765, LAC RG 10, Vol. 9, p.56 –65, C-1222.

<sup>373</sup> George Goboosa 1927 Manuscript CMC III-G-17M, Box 28 F. 1, p. 5.

Great Father King George's picture on it who sits on the other side of the Great Lake. If you should have any bad affairs Look on it and take care of it and it will banish all bad thoughts from your hearts, this is what my Father told me which I shall always remember.<sup>374</sup>

243. The chiefs of the Western Nations kept these medals as mementos of the Treaty and the alliance formed with the British. The medals were handed down to successive chiefs. Since there were only two belts given to the Western Confederacy (1764 Covenant Chain and 24 Nations belt), the medals became another means to remember the 'talk' contained in the belts. The medals served as a mnemonic device to remember the 'talk' or the 'spirit' of William Johnson's words. This was especially so for the 1764 and 1766 "Happy While United" medal with the image of the Anishinaabe and the Englishman sitting under a tree smoking a pipe while a fire smoulders in the background. This image on the medal encapsulated the tenets of the Covenant Chain, specifically the inextinguishable fire, choice pieces of wood piled to keep the fire going, the tree of peace, the mat, and the sun. The chiefs could use this image to remember other parts of the 'talk' contained in the wampum. The meaning of this symbolism endured long after the British quit delivering the presents at the council fires.
244. The chiefs of the Western Confederacy, specifically those around the north shore of Lake Huron and Lake Superior were active in trying to have the presents restored after the British quit delivering the presents in 1856. On July 3 -5, 1879 at Garden River, Ontario, a grand council was held and the assembled chiefs decided to send a petition to Lord Lorne complaining about various matters including the discontinuation of the presents. They wrote:

They were told by their Great Father, then the King of England, through his officers that the said King would not always live to look after them, and [their rights], that after his decease efforts might be made by evil disposed persons to deprive [them] of [their] presents and if they [were] ever so unfortunate as to lose them, all they would have to do would be to present the **Treaty and the medal** [emphasis added] which I give them, to my successor in the throne of England,

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<sup>374</sup> Duggan Journal 11 May 1797.

and both the covenant and the promise would be speedily and faithfully carried out, and the presents restored to them.<sup>375</sup>

245. The chiefs believed the medals were important, that they were more than heirlooms, that they actually symbolized the alliance between the British and the Western Nations. The chiefs stated that they wanted an audience with His Excellency, and if denied, they would attempt to go to England to explain the treaties to Her Royal Highness. Unfortunately, neither meetings were granted and the chiefs were unsuccessful in their bid to have the Treaty of Niagara and the Covenant Chain restored. By discontinuing the annual delivery of presents, the manifestation of polishing and brightening the Covenant Chain, the British and the successor governments “let go of their end of the belt” and thus failed to uphold their responsibilities and “mutual obligations” promised at the Treaty of Niagara.

**iii) The nature of the relationship forged as a result of the Niagara Treaty of 1764.**

246. The 1764 Treaty of Niagara was one of a number of instances in which the British sought to bring the Western Nations in the relationship that is called the Chain of Friendship or the Silver Covenant Chain. This treaty relationship was first entered into by some of the Western Nations in [1701] but more concerted efforts were made by the British after the fall of Quebec in 1760. The British then tried to assume power over the Western Nations and were immediately told by various chiefs that the French had been conquered but not the Western Nations. The Western Nations insisted on their independence and freedom. The Covenant Chain was promoted as a framework for a lasting peace by the Sir William Johnson and his Deputy George Croghan. Both representatives assured the Western Nations of their autonomy, independence and freedom by delivering speeches and wampum belts at Detroit, Fort Pitt, Niagara and Oswego. However these Crown representatives did not use the words sovereignty or the more modern term, nation to

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<sup>375</sup> To Lord [Lorne], the Governor General of the Dominion of Canada: The memorial of the Chippewa Nation of the Dominion of Canada and other Indian Tribes; viz; the Ottawas, Pottawatamis and the Shawnees, who met together on a general council held at the Garden River Reservation on the 3<sup>rd</sup>, 4<sup>th</sup>, & 5<sup>th</sup> day of July A.D. 1879. LAC RG 10, Vol. 2092, File 15434, Sep 16, 1879.

nation relationship. They couched the terminology in the highly contextualized diplomatic discourse of the Covenant Chain.

247. The relationship that was forged at Niagara (as well as Detroit, Michilimackinac, Oswego, and La Baye) was one that is now typified as nation to nation relationship. This is evident in the images of the various versions of the Covenant Chain wampum belt (refer to figures 1 – 5, 7, 13 - 16), an image of two men holding hands in close alliance. Prior to the British adopting, modifying and influencing the design of wampum belts, which they did by incorporating letters, numerals and anthropomorphic figures, the Western Nations and Six Nations used the diamond to represent a nation. The 1764 Covenant Chain wampum belt incorporated both sets of symbols, the two men holding hands, and two diamonds closely connected. By taking the ends of the belts and putting them together, the image of two diamonds are formed (see figure 8). Thus this belt is a melding of two traditions, the Western literary one (incorporating numbers and reading left to right) and the Indigenous one that used geometric shapes woven on belts to symbolize precepts.
248. The chiefs stated their autonomy numerous times but this was most forcefully stated in the *pays d'en haut* by Ojibwe Chief Minwewe when he told Alexander Henry that the British had conquered the French but not the Anishinaabe. Chief Minwewe took military action to prove his point by playing a pivotal role in the taking of Fort Michilimackinac in 1763. Pontiac had also made similar statements and he also organized armed forces to make the point. This autonomy, which the Anishinaabe usually referred to as freedom, or its converse, by stating that "we are not your slaves," was recognized and acknowledged by Sir William Johnson. In fact, Sir William Johnson vigorously argued to his superiors and colleagues that the Western Nations valued their freedom and autonomy. Sir William was alarmed when he had found out that Colonel Bradstreet had entered into a treaty with the Western Nations around Detroit in 1764 wherein it was stated that they agreed to become subjects of the King. Sir William Johnson wrote to Henry Bouquet on 6 December 1764 and expressed his alarm at the wording used in the treaty that the Western Nations signed at Detroit with Bradstreet. Johnson wrote, "I fear for the Consequences of the Words, *Subjection And Dominion* [orig. emphasis] said to be Acknowledged by the Ottawas and

Chipeweighs, they have no words to Express any thing like either; so that Whenever they discover it, then Jealousy and Resentment must be Renewed.<sup>376</sup> Earlier, in November, Sir William had written a brief on Colonel Bradstreet's conduct and noted that had the chiefs known about and understood those words in the Treaty, "it would have been verry [sic] bad Policy, being well known to all who understand anything of the transactions of these four Years past with the Inds, that a Jealousy [...] of our Grasping at their Country, was one principal reason of the present Disturbance."<sup>377</sup> Sir William feared that his efforts at Niagara would become undone by Bradstreet's actions, actions Sir William implied were uninformed and potentially dangerous.

249. Sir William told various chiefs at different times that the British acknowledged the Western Nations' independence but always took pains to remind the chiefs that the British were a mighty people, as he told Mississauga Chiefs Wabbicommicott and Kinishikapoo a year after the Treaty at Niagara:

The English are very powerfull, if further provoked, you may dearly experience it. They have **no designs either on your Liberty** or possessions [emphasis added], all they require is to live at peace with you & carry on a Trade with the several nations, the garrisons are necessary for the security of goods & stores & will not affect you, nor will his Majesty suffer any of his **Subjects to oppress you whilst you live in friendship** [emphasis added] with him and fulfill your engagements. Remember these my words, repeat them to your people at home & recommend it to them to observe them with the utmost strictness. *A belt*<sup>378</sup>

250. The Anishinaabeg had codified this understanding of autonomy differently and referred to it as being allies or friends. Sir William Johnson knew this and employed these phrases in his discourse to the assembled nations at Detroit in September 1761:

Brethren of the several Nations here assembled – Tho' the management of your affairs is the province allotted to me by His Majesty, I am not less bound by inclination than by duty to serve you

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<sup>376</sup> Johnson to Bouquet, Johnson Hall December 6<sup>th</sup>, 1764, SWJP Vol. IV, p. 610 – 611.

<sup>377</sup> Johnson's remarks on the conduct of Colonel Bradstreet, Novbr 24<sup>th</sup> 1764, SWJP Vol. IV, p. 601.

<sup>378</sup> Wabbicommicott with the rest came into the Council room & requested a conference. June 4<sup>th</sup> 1765, LAC RG 10, Vol. 9, p.56 – 65, C-1222.

and so long as you shall pay strict adherence to every part of the present treaty, I shall esteem all your Nations as **our true and natural allies, treat with you independent of any other Nation or Nations of Indians whatsoever** [emphasis added].<sup>379</sup>

251. This was not Sir William granting autonomy or independence, this was Sir William acknowledging that the Western Nations were independent and inherently autonomous.
252. Years later, Odawa Chief Okedaa, speaking on behalf of the Ojibwe, Odawa, and Ho-Chunk (Winnebago), used similar phrasing after the War of 1812 at Drummond Island. He reminded the Commanding officer that prior to that War the British had told them that when they made peace with the Americans, that “all your red Children that would join you [in the war] should be consulted, and included as your sincerest friends (allies).”<sup>380</sup> In the discourse of the Covenant Chain, being friends or allies signified independence, autonomy and freedom.
253. One complex aspect of the Covenant Chain treaty relationship is the fictive kin relationship. Fictive kinship has caused confusion because of the different roles fathers played in both societies. The European father was the authoritative disciplinarian. The Native father was neither authoritative nor disciplinarian, he was expected to provide for his children to the best of his ability and give them what they wanted and needed. The illustrative example is to refer back to the creation story of the Anishinaabe in which the earth is mother, the moon is grandmother, and the sun is father.<sup>381</sup> These planets and celestial bodies are often referred to as the first family.<sup>382</sup> The sun shines indiscriminately on all of his children and all of creation. He gives his warmth unconditionally and without favour. This is who Anishinaabe fathers were to emulate. It is apt that then, that the French adopted the sun as a symbol, especially the Sun King Louis the XIV. The Western Nations allied themselves with the French in the 17<sup>th</sup> and early 18<sup>th</sup> century but called the French King their “father” or “Great Father.” After the British defeated the French in North

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<sup>379</sup> Proceedings at a treaty held at Detroit by Sir William Johnson Baronet with the Sachems and warriors of the several Nations of Indians there assembled, 9<sup>th</sup> September 1761. NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>380</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C-11011, p. 20381 – 20388.

<sup>381</sup> Johnston 1994, p. 22 – 26.

<sup>382</sup> Benton Banai 1988, p. 2.

America, they presumed to inherit the title of “father” but the Western Nations did not call the British father. At the council held at Detroit on 4 December 1760 George Croghan told the gathered Western Nations that King of England was now their Father.<sup>383</sup> The Western Nations continued to address George Croghan as “brother.” He did not push the issue further and did not bring it up in that council again. Croghan continued to call the Western Nations “Brethren” and “Brother” and did not presume to call them “children.” Likewise, when Sir William Johnson went to Detroit in 1761 to treat with the Western Nations, he too referred to the King as their father but did not call the Western Nations children.<sup>384</sup> Even at the Treaty of Niagara in 1764, the Western Nations continued to call the British “Brethren” and likewise, the British officers continued to also call the Western Nations “Brethren.”<sup>385</sup>

254. It is important to stress that at this point in time, the alliance between the British and the Western confederacy was marked by calling each other “brother” not father and children; the adoption ceremony had not yet taken place. In his seminal study, “Give us a little milk,” Bruce White (1982) determined that certain kin had certain social obligations and that in order for fur traders and colonial diplomats to establish good relations with the Anishinaabeg, they had to become kin. White demonstrated that the social obligations between brothers was not very onerous but usually entailed an equal exchange of clothing or items. He mentioned a story in which an Ojibwe and a Sioux adopted each other by exchanging clothing, since that time they referred to each other as brother instead of enemies. This idea of brother, instead of enemy, was also recorded by Peter Jones:

A treaty of peace and friendship was then made with the Nahdoways [Haudenosaunee] residing on the south side of Lake Ontario, and both nations solemnly covenanted, by going through the usual forms of burying the tomahawk, smoking the pipe of peace, and locking their hands and arms together, agreeing in future to call each other BROTHERS. Thus ended their wars with the Nahdoways.<sup>386</sup>

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<sup>383</sup> Croghan in Thwaites 1966, p.115.

<sup>384</sup> Proceedings at a treaty held at Detroit by Sir William Johnson Baronet with the Sachems and warriors of the several Nations of Indians there assembled, 9<sup>th</sup> September 1761. NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>385</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweights of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. Niagara July 17 - August 4, 1764, Sir William Johnson Papers, pp: 278 – 281.

<sup>386</sup> Jones 1861, p. 113.

255. The Nahdoways (Haudenosaunee aka Iroquois) became brothers to the 'Three Fires' (Anishinaabeg) but the Wyandot, also Iroquoian, were also called brothers. In international diplomacy, distinction is made between elder brothers and younger brothers, an example from Miami Chief Little Turtle illustrates:

Elder brothers: I am surprised at you, my uncles, the Wyandots, and you, my grandfathers, the Delawares, and you, Shawanese, should say you were not ready. Your younger brother [Miami] expects that you will call them all together, and make them acquainted with your sentiments first, as elder brothers ought to do, and afterwards to listen to the opinion of your younger brothers.<sup>387</sup>

256. We may look at these titles, not as authoritative, but in the following manner of influence, an elder brother would have sense, an uncle has knowledge, and a grandfather has wisdom. In fact, intimately tied to age was a notion of power. Being older also meant having more responsibility but being a father meant to principally be a provider and mediator and thus had more requirements to fulfill and it was the more onerous role. The father had to give liberally to his children, conversely, the children did not have as much obligations to their father. The chiefs were regarded in a fatherly role to their band and it was often remarked by travellers and diplomats that one could tell the wigwam of the chief because it was the poorest, he had to give liberally to his band in order to maintain his influence.<sup>388</sup> In councils the chiefs referred to themselves as father to their bands. The Odawa Chief Mitaminance stated on May 11, 1797 on three strings of wampum:

I always keep in remembrance the good advice my father Governor Simcoe gave me at Detroit when he told me to sit down quiet with my Children at my Village and not listen to bad birds.<sup>389</sup>

257. Some may take this to mean his own biological children but Ojibwe Chief Bamakoneshkam also used the same analogy in 1839 at the King's council fire at

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<sup>387</sup> "Treaty of Greenville," in American State Papers, Indian Affairs, Lowrie and Clarke (eds) 1832, p. 575.

<sup>388</sup> In 1828 Giacome Beltrami visited Minnesota in 1828 and noted that remarked that, "in the distribution of presents, the chief was always last, and if nothing remained for him, he did not complain. The chiefs and their families were, in fact, the poorest among the people" (Schenck 1997, p. 82).

<sup>389</sup> Duggan Journal 11 May 1797.

Manitowaning when he stated, "Father - I follow in the footsteps of the Chiefs who have preceded me. I also thank you for your goodness + mean to fellow adopt your advice, but father, I must settle on the land of my fathers + farm there with my children."<sup>390</sup> Chief Bamakoneshkam could also be interpreted as speaking for just his biological children, but chiefs spoke for their band. The explicit case was presented by Ojibwe Chief Debassige when he wrote to the Governor General in 1877 stating that all of his band members deserved to receive the annuity from the Robinson Huron Treaty. He stated, "Sometimes my eyes fill with tears when I stop and think of my children. I speak for my fellow Indians... A large number of my fellow Indians have not been paid, even though they should have been paid for their property. May they all receive a little money as I receive some! All of those, I mean, who have not been paid. We the Chiefs are basically ashamed. Our children (that is to say, the men whose chiefs we are) regard us with envy when they see us receive a little money."<sup>391</sup>

258. The chief was regarded as a father to the band. The father was to be gentle to his children and provide for them all indiscriminately. The "chief of all the Indians" or the Superintendent of Indian Affairs was also to serve as father to all "Indians." The King of England had adopted the sun as an emblem and this fit into the Western Nations conceptualization of the father because the sun constantly provides heat and light for his children, or all of creation, and does so indiscriminately without favouritism.
259. At Fort Pitt on May 9 – 11, 1765, a congress was hosted by George Croghan and attended by the Shawnee, Delaware, Senecas and the Sanduskey Indians. Croghan informed them that the British had taken over possession of the posts from the French in the Illinois and Ohio country. He stated further that the King of England offered to "take under his Protection all the Nations of Indians in this Country to the Sun Setting," furthermore, the King had "now become their father."<sup>392</sup> These Shawnee and Delaware had not attended

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<sup>390</sup> Speech of the Chippewa Chief Bamakoneshkam [Bemigwaneshkang] at a council held before Colonel Jarvis at Manitowaning, August [10]<sup>th</sup>, 1839. Samuel Peters Jarvis Papers, Metro Toronto Reference Library, Box 57, p.303 – 308.

<sup>391</sup> Chief Debassige, Mitchikiwadnong January 27, 1877. LAC RG 10 Vol. 1996, File 6990.

<sup>392</sup> At a Meeting of the Shawanese, Delawares, Senecas and Sanduskey Indians at Fort Pitt the 9<sup>th</sup> of May 1765. SWJP Vol. XI: 726.

the Treaty at Niagara and were part of the holdouts with Pontiac. It was at this council however, that they entered the Covenant Chain and requested that the British take them and adopt them as their children. They stated:

Fathers - (For so we will call you henceforth.) - Listen to what we are going to say to you, it gave us great satisfaction Yesterday to be called the Children of the great King of England: it convinces us that your intentions towards us are upright, as we know a Father will be tender to his Children, and they more ready to obey him than a Brother, therefore we hope our father will now take better Care of his Children, than heretofore, has been done.<sup>393</sup>

260. The Shawnee, on behalf of themselves and Delaware formally accepted the British as their father at this council. They pointed out that a "Father will be tender to his Children" and hoped that their newly adopted father would "take better Care of his Children, than heretofore," which is a reference to the manner in which the British had attempted to discontinue presents and over take the land, which were contributing factors to their participation in the war against the British. The other Western nations would soon adopt the British as their father.
261. A special emissary was sent to the *pays d'en haut* to adopt the nations. The emissary reported to Commander Campbell at Michilimackinac that he had read the following speech to the Ojibwe and Odawa of Michilimackinac, the Odawa of L'Arbre Croche, Ojibwe of Sault Ste. Marie and Saginaw, to which all had agreed. The speech and wampum belt were used in the adoption of those nations as the children of the King, and he, their father:

Comrades – You have heard of the commission that I am charged with by your Brother who now wishes to adopt your [sic] for his *children* [orig. emph.] instead of Brothers as you have hitherto been. Wherefore, *children* [orig. emph.] I present you with this Belt, recommending to you not to listen to those evil birds which hover over your heads & whisper bad things in your ears. Now, Children, you see this belt which I give you, which is of the same colour with the sky, & promises everything that is pleasant & fine, and which is to

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<sup>393</sup> At a Meeting of the Shawanees, Delawares, Senecas and Sanduskey Indians at Fort Pitt the 9<sup>th</sup> of May 1765. SWJP Vol. XI: 727.

serve you as a mat to sit upon, till your Father shall [ ] you of this Belt [ ] declares to you that, if among the [ ] there shall be any found who may [ ].<sup>394</sup>

262. There was no other description of the belt other than the colour and that it too, was to serve as a mat which the children were to sit upon in peace. The emissary took pains to state that if any remaining malcontents attempt anything against the British, that they would be dealt with. However, those accepting of the new arrangement would find that their father had sent them a present of "his milk... his breasts large & full of it;"<sup>395</sup> milk was rum. The assembled chiefs replied:

Comrade – We thank you for the good news you bring us; & we [ ] the belt of our Father, whom we receive for our true Father [ ] thank our new Father for the kindness he expresses towards us, [d]on't you forget to tell our Father at Detroit that we are obliged [to] him, on account of the pity he shews [sic] towards us, our wives, and children. We have already thanked our father at Michilimackinac.<sup>396</sup>

263. The chiefs acknowledged their new father but they also took the effort to make sure that their father at Detroit was acknowledged as well. The Western Nations around Michilimackinac had significant ties to Detroit, the commanding officer and their relatives living around there.

264. Although the document was damaged and the full speech is not known, it does look like the belt given to the Western Nations about Michilimackinac re-enforced one of the initial terms of the Treaty of Niagara as detailed by Sir William Johnson, that is the relationship was one of an offensive and defensive alliance. The incomplete phrase in the speech, that the wampum belt was to "serve you as a mat to sit upon, till your Father shall [blank]," which could be filled in with the phrase 'require your services.' This interpretation is

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<sup>394</sup> An Address in French & Translated delivered to Ojibwe & Ottawa of Michimak [sic], L'Arbre Croche, Sault St. Marie & Saguinan. Mon'r Marsac to John Campbell, Detroit July 29<sup>th</sup> 1765, Sir William Johnson Papers, Volume IV, pp: 803-808. Note the square brackets indicate that the document was damaged and illegible in those portions.

<sup>395</sup> Mon'r Marsac to John Campbell, Detroit July 29<sup>th</sup> 1765, Sir William Johnson Papers, Volume IV, pp: 803-808.

<sup>396</sup> An Address in French & Translated delivered to Ojibwe & Ottawa of Michimak [sic], L'Arbre Croche, Sault St. Marie & Saguinan. Mon'r Marsac to John Campbell, Detroit July 29<sup>th</sup> 1765, Sir William Johnson Papers, Volume IV, pp: 803-808.

bolstered when considering subsequent councils wherein the British request a demonstration of fidelity by engaging an enemy.

265. Such was the case when the Potowatomi Chief Machioquise of Detroit stated to Colonel Guy Johnson that he had known that the British were offended and had a "bitter heart and wanted to know who was your real children, which you could be no otherwise convinced of than by their exerting themselves to revenge the insult you had received or by bringing the offenders to a proper submission."<sup>397</sup> The British wanted those who had entered the Covenant Chain to prove their fidelity by bringing in the warriors who had fought against them. The British continued to have difficulties bringing all the so called 'malcontents' to justice. Many feigned ignorance. Sir William later wrote to General Gage enclosing copies of the Treaty of Peace he had signed with the Huron of Detroit and the Chenussios, who claimed to have had no part in the war. Sir William had his doubts about this claim but stated to Gage in 1764 that "I know many of them could not avoid being in some degree concerned against us, Yet form the impossibility of makeing [sic] a more strict enquiry, or of punishing some without bringing on fresh troubles, which we were not able to put an end to , it was Judged adviseable to treat those Indians as People who had not Joyned in the War."<sup>398</sup> Thus clemency was granted to prevent another possible war. The threat of war dictated that the British had to negotiate with the nations as autonomous entities.

266. Three years later the Ojibwe Chief Michicowiss (Matchekwis) of Michilimackinac travelled to Johnson Hall to meet with Sir William Johnson. Sir William was away and Michicowiss parleyed with Guy Johnson:

Brother – I am very glad to see you this day and to see the sun shine so bright at this our meeting. I remember to have seen you during the war at Niagara, I hope I shall soon see my father Sir William, being his adopted child, and fast friend, and I can tell you that my people are well disposed and ready to shew [sic] their regard for the English

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<sup>397</sup> A Conference held at Detroit January 26<sup>th</sup> 1765, Present Machioquise, Makisabe Chiefs of the Powtowattamies of this village [Detroit] and Nangisse, son of the Great Chief of the St. Joseph's and Peshibaon Chief of the same village. LAC, MG 19, F35, Series 1, Lot 626, pp: 1 – 4.

<sup>398</sup> Sir William Johnson to General Gage, Johnson Hall, August 22d, 1764, SWJP Vol. XI: 337.

but towards the Mississippi the people are very bad and now meditating mischief.<sup>399</sup>

267. Here, Michicowiss called Guy Johnson 'Brother' and reserved the title 'Father' for Sir William. Michicowiss also stated that he was Sir William's "adopted child and fast friend" which he sought to prove by reporting some "bad birds" to the west.<sup>400</sup> Michicowiss, one of the principal actors in the taking of Fort Michilimackinac<sup>401</sup> stated that he was a 'fast friend' of Sir William, and thus bound to him by the chain of friendship, yet he also stated that he was his adopted child, and therefore entitled to mercy, clemency, and benevolence. Michicowiss finally got to meet Sir William days later and said to him:

Father – When I last saw you, you united my heart with yours. Mine still remains entirely devoted to you & in consequence thereof I now offer you our service as your son; and to assure you that we are ready to do whatever you desire...

268. Michicowiss expressed his willingness to act as a son and do service for his adopted father as per the terms of the Treaty of Niagara as well as the terms of the adoption. He took the opportunity to express his and his people's satisfaction with the state of the country in that obstacles and 'clouds' had been removed:

Father – We the Western People are glad to see your way so open and the sun so clear in this part of the country. We are your adopted sons and will take good notice of what you say and when I return home I shall communicate it to all my people who will follow your advice. They desired me to make haste as they are sitting still about Michilimackinac until my return. I hope that you will look upon me and use me as your son.<sup>402</sup>

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<sup>399</sup> 1768 July 10<sup>th</sup> - At a Congress held at Guy Park July the 10<sup>th</sup> with Michicowiss a Chief of the Chipeweights and some of his people. LAC RG 10, Vol. 8, p. 69 – 81, C-1222.

<sup>400</sup> Michicowiss (Matchekiwis) was likely complaining about the Sioux, historic enemy of the Ojibwe, and thus made a complaint that served Ojibwe interests if the British were to furnish the Ojibwe with arms and ammunition.

<sup>401</sup> Madjeckewiss, David A. Armour, Dictionary of Canadian Biography, [http://www.biographi.ca/en/bio/madjeckewiss\\_5E.html](http://www.biographi.ca/en/bio/madjeckewiss_5E.html)

<sup>402</sup> 1768 July 10<sup>th</sup> - At a Congress held at Guy Park July the 10<sup>th</sup> with Michicowiss a Chief of the Chipeweights and some of his people. LAC RG 10, Vol. 8, p. 69 – 81, C-1222.

269. Ojibwe Chief Michicowiss stated again that they were Sir William's adopted sons and were ready to fulfill the services to their father. Chief Michicowiss did not use the adjective 'obedient.' However, that adjective soon entered the diplomatic discourse and is problematic because of its paternalistic overtones. It is also problematic because in Ojibwe the word used for obedient is *bizindam*, which also means "he listens."<sup>403</sup> In 1770, a deputation of Mississauga chiefs from the north shore of Lake Ontario paid a visit to Sir William to state to him that they continued to abide by the Covenant Chain and were 'obedient' children:

Father – It is a long time we have not seen you, you recommended to us at Niagara where we saw you last to behave as good and obedient children ought to do, [...] we took a firm hold of your hand which you, like a father, stretched out to us, and we assure you we will not let it go as long as we live [symbol]. We address ourselves on behalf of our Nation, thro' you, to the Great King of England, ~~the hand we stretch out to the giver of life the other to you our temporal father~~ whom you represent among the Indians and beg you will assure him from us & our Nation that we are determined to behave as faithfull and obedient children ought to do, and shall always keep the good advice fresh in our memories which you in his name gave us, and call the giver of life to our assistance, to keep us sted fast in executing these our intentions.

270. The Mississauga chiefs employed the metaphors of taking firm hold of their father's hand, as well as the image of their father extending that helping hand. The Mississauga gave Sir William a white belt of wampum with two figure holding hands. In between the two was a cross representing providence.<sup>404</sup> A dichotomy is also mentioned, but scratched out by the secretary, between the temporal father and the spiritual father, that is the giver of life. In later petitions chiefs of Manitoulin Island, which included Ojibwe, Odawa and Potowatomi chiefs, wrote that the King was to care for their temporal affairs and that he represented

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<sup>403</sup> **Bizindam** is an intransitive verb for the act of listening. The transitive animate form of the verb is **bizindawaan** "He listens to him," and the transitive inanimate form is **bizindaan** "He listens to it." Obedient children could be translated as **bezindamojig binoojiinyig** but this would also be understood as the 'children that listen.'

<sup>404</sup> At a meeting of a party of Mississageys [Mississauga] from La Bay Quinte Shanneyon & the River Pemidashkoudayan in the West side of Lake Ontario. Johnson Hall 20th July 1770, NAC RG 10, Vol. 9, p. 95 – 99, C-1222.

the giver of life here on earth.<sup>405</sup> Apparently, chiefs of the Western Nations were also practiced at rhetoric, however, this flattery can be traced back to the symbolism of the sun, father sun, that the British adopted which the Western Nations, particularly the Anishinaabe, associated with the role of father.

271. The British made reference to the sun in councils with the Western Nations. Sir William Johnson met with Pontiac and other representatives from the Wendat, Ojibwe, Odawa, and Potowatomi in 1766. By this time the British had adopted the Western Nations as children. He directed the assembled chiefs to look east, and they would find him:

Children – I now with this Belt turn your eyes to the sun rising where you will always find me to be your sincere friend, and from me you may depend upon hearing what is true & good, and I charge you never more to listen to those bad birds who come with false stories to lead you astray and to make you break the solemn engagements you have in the presence of the Great Spirit (who detests lyars [sic]) entered into with the Great King your Father and his people, and I exhort you all to be strong and lay fast hold of this chain of Friendship with the English, that your children seeing the advantage of it, may follow your example and may be a happy people which I should rejoice to see.<sup>406</sup>

272. Sir William Johnson made deliberate attempts to associate the British nation, himself, justice and righteousness with the east. The Ojibwe, Odawa, and Potowatomi already had symbolic associations with the east, particularly new beginnings, enlightenment and truth. Pontiac responded on behalf of the Western Nations assembled and stated:

Father yesterday you told us to turn our eyes towards the sun rising, I do and when I get home, I shall desire all the Nations to do the same, and there they will always see their Father and by stretching out their hands they can always take hold of his. A Belt of 10 Rows.<sup>407</sup>

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<sup>405</sup> Manitoulin Island Chiefs, Mitchigiwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 – 195682.

<sup>406</sup> Proceedings at a Congress with Pontiac and Chiefs of the Ottawas, Pautawattamies, Hurons and Chippawaes begun Tuesday July 23, 1766. Documents Relative to the Colonial History of the State of New York, Vol. VII, p. 857.

<sup>407</sup> Proceedings at a Congress with Pontiac and Chiefs of the Ottawas, Pautawattamies, Hurons and Chippawaes begun Tuesday July 23, 1766. Documents Relative to the Colonial History of the State of New York, Vol. VII, p. 859.

273. Pontiac also pledged to have his allies look for their father in the east. Associating the British with the colour of rising red sun was a strong one and it lasted for years. Indeed, eighty five year later, Odawa Chief Jean Baptiste Assiginack recounted the promises the British made to the Western Confederacy as represented by the wampum belts. Assiginack noted that the British had told the Anishinaabeg that the Great Spirit himself had adopted the British nation.<sup>408</sup>

Now children, hear and understand, there are only four distinguished parts of the sky, that portion where the sun rises, the south, that where he goes down, and the north: these are the only four remarkable points in it: Children you must never fix your eye upon any of the other three points, for in vain you will look to any of them for means to sustain life; let your eyes be always directed towards that quarter where the sun rises. Sometimes the sun will appear like blood, then you will say to yourselves, I see the coat of my Great Father the **protection of my life** [emphasis added]: My children you heard me say that in this the Great Spirit pointed out to me to imitate him, and this is the reason why the coat of the British Nation is red; and as the Sun will continue to appear to you so my Coat shall never be out of your sight.<sup>409</sup>

274. The sun, the colour red and the direction of the east all became associated with the British engagements entered into vis-a-vis the Covenant Chain and thus these symbols represented the nature of the relationship agreed upon at Niagara in 1764. The Chiefs of Manitoulin, keepers of the wampum belts, also wrote in Ojibwe about the red sun rising.

Mi manda keijiwebisiian inininabiian  
 kawita-kijig nandawabandan  
 kidabinodjiim obimadisiwin awadi  
 wendji mogiset kisis inabiian  
 kigawabama kisis  
 tchibimiskwabikagodjing missa  
 ajinawag amiskokwanaieian nage  
 achpimeing dach kibiagodjing awi kisis  
 apitchi tawasikoso missa  
 keijinagwadinig kidabinodjiim

Here is the place that will be yours,  
 when you look around you under the  
 vaulted heaven looking for the support  
 of your children, when your gaze turns  
 towards the rising sun you shall see  
 that *sun rising red similar to the color  
 of the coat that I wear* [emphasis  
 added], when it rises higher that same  
 sun shall be very bright with light, there  
 is the image of the life of your

<sup>408</sup> According to Assiginack, the Great Spirit told the British that they would rule the world. "These are the words spoken to my Great Grandfather by the one who addressed him from above." Odawa Chief Jean Baptiste Assikinawk, 21st October 1851, LAC RG 10, Vol. 613, p. 440.

<sup>409</sup> Odawa Chief Jean Baptiste Assikinawk, 21st October 1851, LAC RG 10, Vol. 613, p. 441.

275. The chiefs and Sir William Johnson codified the words of their foundational treaty in order to remember and recite them. The rising sun reminded the Western Nations of the colour of the coat the British wore and thus reminded them of their Great Father and the promises he made. The chiefs, whenever they met in council recited the meanings of the belt, thus summoning the spirit of Sir William Johnson's words. It is striking the level of consonance between the documented speeches of Johnson and the speeches of the chiefs as well as their petition written 85 years later. The integrity of the oral tradition relied upon an interlocking system of mnemonic devices and memorized speeches.

276. However, the eastern direction did not just represent the sun and the eternal nature of the promises, the east also represented the 'seat' of the British on Anishinaabe land. Assiginack stated that the British had given the Covenant Chain wampum belt as a mat for the Western Nations and that the British would occupy the eastern corner of it.<sup>411</sup> It was from this eastern seat that the British would watch over and protect their children. Sir William Johnson and his deputy George Croghan repeatedly told the chiefs that the British King offered them protection and that all they had to do was come east to have any disputes or grievances settled. In 1760 at Detroit Croghan told the Wendat, Potowatomi, and Odawa chiefs that "as long as you adhere to all his Majestys Interest and behave yourself[ves] well to all his subjects as faithfull allies, you may depend on having a free open Trade with your Brethren the English & be protected by his Majesty King George [emphasis added] now your Father and my Master."<sup>412</sup> The sentiment of clemency and protection was also re-iterated and sealed with wampum by Sir William Johnson at Detroit in 1761, when he stated in council that he was charged by his superiors:

to give assurances of his clemency and favour to all such Nations of Indians as are desirous to come under his royal protection, as well as

<sup>410</sup> Manitoulin Island Chiefs, Mitchigwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 – 195682.

<sup>411</sup> "My Children, ...you see that Wampum before ~~you~~ me, ... this will be your Mat the eastern corner of which I myself will occupy." Odawa Chief Jean Baptiste Assikinawk, 21st October 1851, LAC RG 10, Vol. 613, p. 440 - 443.

<sup>412</sup> Croghan in Thwaites 1966, p.115.

to acquaint you that his Majesty will promote to the utmost an extensive plentiful commerce on the most equitable terms between his subjects and all Indians who are willing to entitle themselves thereto, and to partake of his royal clemency by entering into an offensive and defensive alliance with the British Crown.<sup>413</sup>

277. As previously mentioned, but necessary to state again, Amherst's policies and actions undermined the diplomatic work of George Croghan and William Johnson. So these principles had to be re-implemented and re-stated at the peace treaty solidified at Niagara in 1764:

Brethren - All that is wanting on your Parts to attain this is that you never more listen to Stories told you by People who have nothing to do with the Management of Indian Affairs, that you shut your Ears against all bad Birds, and be no longer deluded by their Whistling, that, when any evil Reports prevail, you cast your Eyes to the Eastward, where you will find me ready to clear up mistakes, and **do you Justice** [emphasis added], that you love the English and Consider them as Brethren, that you take care of our Post at Michillimackinac [sic] and the Soldiers, and Traders there, and that you keep the Sky clear, and the Waters of the Lakes, and Rivers smooth, and even so that they may come to that Country without any Danger.<sup>414</sup>

278. Two weeks later, after more intensive negotiations, and more people had arrived, Sir William Johnson then stipulated terms of this peace treaty, and again, the principle of providing justice, settling disputes between traders and the Western Nations, was explicitly stated in council with the caveat against listening to others who had nothing to do with Indian Affairs:

and moreover I desire that you will never listen to any News which comes to any other Quarter, if you do, it may shake the Belt.—but keep your Eyes upon me, & I shall be always ready to hear your Complaints, **procure you Justice** [emphasis added], or rectify any mistaken Prejudices, if you will strictly Observe this, you will enjoy the

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<sup>413</sup> Proceedings at a treaty held at Detroit by Sir William Johnson Baronet with the Sachems and warriors of the several Nations of Indians there assembled, 9<sup>th</sup> September 1761. NAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>414</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. SWJP, Vol. XI: 278 – 281.

favour of the English, a plentiful Trade, and you will become a happy People.<sup>415</sup>

279. Establishing clear lines of communication was so important, as was identifying who was delegated to receive complaints and rectify mistakes, it was re-enforced with each group of chiefs that came in to tie their hands in friendship, that is, join the Covenant Chain. Sir William Johnson told a group of Mississaugas in 1765 that the Department of Indian Affairs would be established with appointed people:

Whenever you hear any idle reports, turn your face to me, or those under me, & there you will hear truth & all mistakes will be rectified, and so soon as the good work in which the King is now employed is finished, persons will then be appointed to hear & redress small complaints & a more regular system will be pursued, than heretofore, by which our correspondence will become more General, and the peace will be firm & lasting unless disturbed thro' the restless disposition & ill grounded jealousys [sic] of some of the Indian Nations.<sup>416</sup>

280. Sir William Johnson continued to work to establish peace across the *pays d'en haut* and one of the last to enter the peace was Pontiac himself. Pontiac did not attend the Treaty at Niagara in 1764. The precepts of that treaty had to be re-iterated to Pontiac. The same symbolic discourse was used because it essentially was the same treaty, that is, it was the Covenant Chain. Sir William addressed Pontiac and other chiefs from the Detroit area in 1766 at Oswego and told them:

you likewise now see that proper officers, men of honour and probity are appointed to reside at the Posts, to prevent abuses in Trade, to hear your complaints, and such of them as they can not redress they are to lay before me.<sup>417</sup>

281. Sir William outlined the channels of communication, which were based upon a nation to nation relationship, a relationship that respected the autonomy of the Western Nations.

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<sup>415</sup> July the 31<sup>st</sup>. A:M [1764]: Sir William went over the River and had a General Meeting with all the Western Indians in their Camp. SWJP, Vol. XI: 309 - 313.

<sup>416</sup> Wabbicomictt with the rest came into the Council room & requested a conference. June 4<sup>th</sup> 1765, LAC RG 10, Vol. 9, p.56 -65, C-1222.

<sup>417</sup> Proceedings of Sir William Johnson with Pontiac and other Indians, July 23 - 31, 1766. O'Callaghan (ed), 1856, p. 855.

Also outlined was the process to settle grievances. It must be pointed out that the protection offered by the King, through Sir William's agency, was to keep traders in check, as well as redress any other crimes committed against the Western Nations by any of the King's subjects.

Children – I assure you of the King my Masters esteem for all faithful good Indians, who duly regard their engagements and that he will by no means suffer them to be **ill used** [emphasis added], so that whenever you have any reason to complain you are to lay the matter candidly before one of the commissaries or other officers in your country, who if they can not do you justice, will report it faithfully to me, who having the entire management of your affairs, and the most ready inclination to serve you, will always study your interest, and exert myself to procure you the satisfaction you may deserve.<sup>418</sup>

282. By taking hold of the King's proffered hand, and tying it with wampum, the Western Confederacy held onto their land, maintained their freedom, solidified trade relations, secured protection from unscrupulous traders, secured a process for restitution of fraudulent land purchases by adopting the British as father. Furthermore, their father had to provide for them, that is, annually provide them with ample presents, tobacco, provisions, and milk (rum). Adopting the British as "father" could be viewed as paternalistic, however, if viewed from an informed perspective that explicates the metaphoric language and the associated mnemonic symbols, the Treaty of Niagara (which includes the Covenant Chain), demonstrates that the treaty partners had a high degree of shared understanding. The treaty and its forms demonstrate that the British met and treated with the Western Confederacy on terms the Confederacy adhered to, demonstrating that the British implicitly acknowledged the autonomy and independence of the Western Confederacy while recognizing that a mechanism was required to facilitate trade and settle disputes that did not diminish either's autonomy.
283. The treaty, coupled with the protective provisions in the Royal Proclamation should have been enough to secure the Western Confederacy, and their constituent individual bands, of their lands and territory. The chiefs certainly thought that this had been secured. Chief

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<sup>418</sup> Proceedings of Sir William Johnson with Pontiac and other Indians, July 23 - 31, 1766. O'Callaghan (ed), 1856, p. 855.

Okedaa stated his belief in the strength of the treaty in 1818 at Drummond Island, "Father - Your words were true, all you promised came to pass. On giving us this belt of peace, [orig. emph.] you said, 'If you should require my assistance, shew [sic] this belt and my hand will be immediately stretched forth to help you.'"<sup>419</sup> Likewise, the Chiefs of the North Shore of Lake Huron and Manitoulin Island gathered on 25 July 1870, smoked the pipe, and brought out the wampum belt and recited its meaning and decided to appeal to the Governor General of Canada, Sir John Young Baronet, in a petition to address multiple grievances:

Great Chief – We the undersigned Chiefs of the North Shore of Lake Huron and the Great Manitoulin Island do hereby respectfully acquaint your Excellency that we met in grand council at Little Current on the 25<sup>th</sup> July 1870 for the consideration [of] that sacred Friendship which have existed between our forefathers in the year 1786<sup>420</sup> at which time a wampum belt have been given by the British Government as an emblem of that sacred Friendship (which is now before us in our assembly) and after a long deliberations we came to the conclusion to renew that sacred Friendship by having smoked the Pipe of Peace as a token of a perpetual Friendship between the different tribes and bands assembled [...]

Great Chief – We would therefore humbly ask and entreat your Excellency to have the said sacred Friendship renewed (as we do in our part) by respecting our rights to the lands. Hunting and fishing which are virtually ours which the Great Spirit has given us many hundred years before the white man set his foot upon this good and delightful country of ours on which we were once very numerous and mighty nation but now we are small in number, your Excellency ought therefore endeavour to get the right thing done for us like a good father does with his surviving children who lost most of his children.

Great Chief – We sometimes think that the said sacred Friendship is not held so sacred as when first made.<sup>421</sup>

284. The chiefs then listed various grievances about the Fish and Game act, the selling of material procured and processed on their reserves, the Gradual Enfranchisement Act, the fact that commissioners were continually sent to harass them into ceding more land, and

<sup>419</sup> Minutes of a Council held at Drummond Island 7<sup>th</sup> July 1818, LAC RG 10, Vol. 35, C- 11011, p. 20381 – 20388.

<sup>420</sup> The 1786 Covenant Chain Wampum belt was pledged by Sir William Johnson's son and successor Sir John Johnson (see image 7). The Covenant Chain needed to be re-pledged due to the losses after the American Revolution.

<sup>421</sup> The Memorial of the Ojibwa Indians to His Excellency the Right Honorable Sir John Young, Baronet, K.C.B.G.C.M.G. Governor General of the Dominion of Canada & c & c &c, Garden River June 12<sup>th</sup> 1869 and Little Current on the 25<sup>th</sup> July 1870. LAC RG 10, Vol. 380, p. 253 – 264. This is actually two petitions, the first forwarded to the next grand council at Little Current.

they also mentioned that the islands in Lake Huron had not been properly surrendered. The Chiefs did not appeal to the Royal Proclamation to have these issues of autonomy and title settled, the chiefs pointed to the wampum belts and the pipes because that was the treaty that they understood.

iv) **The conduct of the parties vis-à-vis the terms of the Treaty and the relationship it forged, in the period subsequent to the Niagara Treaty.**

285. The period immediately following the Treaty of Niagara was still a period of uncertainty for the British because Pontiac and his allies had not entered into the peace. In fact, historian Jon Parmenter called the Treaty of Niagara a failure for Sir William Johnson because none of the Chiefs and Warriors who actually fought against the British attended.<sup>422</sup> Only after the recalcitrant chiefs and nations had witnessed the changed behaviour of the British did they join the Covenant Chain at the Treaty of Oswego in 1766.<sup>423</sup>

286. Up in the *pays d'en haut* the Ojibwe who had attacked Fort Michilimackinac once again expressed their disaffection with the British and rumours of a renewed "Indian War" were circulating in 1768. Major Robert Rogers was charged with treason and arrested, which angered Ojibwe chiefs Minweweh, Mongamick and Bonnair, all of whom had "thrown away their English colours in the Lake and [they] invited the Ottawa nation to feast with them."<sup>424</sup> Major Rogers was sent to Montreal and acquitted and the chiefs' grievances were settled and they eventually rejoined the Covenant Chain as well. From 1764 to 1781 the designated council fire of the King was at Michilimackinac, and that was where the presents were distributed. For strategic purposes, the council fire was moved in 1781 from Michilimackinac to Mackinac Island by order of Commanding officer Patrick Sinclair.<sup>425</sup> As a testament to the manner in which peace under the Covenant Chain was conducted and clemency extended, the 1781 Michilimackinac treaty was signed by a former enemy,

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<sup>422</sup> Parmenter 1997, p. 632.

<sup>423</sup> Parmenter 1997. For the treaty council proceedings consult E. B. O'Callaghan 1856, pp: 854 – 867.

<sup>424</sup> Dowd 2002, p. 238.

<sup>425</sup> Armour and Widder 1978, p. 127.

Ojibwe Chief Kitchie-Negou.<sup>426</sup> This is the same Ojibwe Chief who was known by the English as “the Grand Sable” (Gichi-negaw “Great Sand”). Seventeen years earlier Kitchie-Negou arrived at Michilimackinac after the fort had already been taken and despite his lateness, or perhaps because of it, Kitchie-negou took 5 (or 7) British captives and killed them.<sup>427</sup> The fact that this chief was not brought to “English justice” demonstrates the power relation in the *pays d'en haut*. It also demonstrates that the British adhered to the principles laid out in the Royal Proclamation and the Treaty of Niagara, which precluded such action.

287. Similarly, Ojibwe Chief Matchekewis (Majiikwis, Machiquawish, Matchekewis, Madjeckewiss, etc) also participated, and in fact, assisted in orchestrating the attack on Fort Michilimackinac.<sup>428</sup> He too was initially a sworn enemy of the British, however, in 1774 Arent De Peyster took over command of Fort Michilimackinac, was introduced to Matchekewis and apparently won him over. Matchekewis frequented Michilimackinac but resided at Saginaw and Thunder Bay, which is on the south shore of Lake Huron.<sup>429</sup> On July 16, 1774, Ojibwe Chief Matchekewis stated his fidelity to the King and expressed his regret for having played a lead role in the taking of Fort Michilimackinac 11 years earlier.<sup>430</sup> At this council the Odawa brought forth a belt that came from the Mohawks of New York. A runner had also brought a message from the Potowatomi from St. Joseph (lower Lake Michigan) that they too had received large wampum belts from the Delaware and Shawnee who were seeking allies against the “Virginians.”<sup>431</sup> The American Revolution had reached the *pays d'en haut* and the British were to test the provisions of the “Treaty of Offensive and Defensive Alliance” entered into by Sir William Johnson. Ojibwe Chief

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<sup>426</sup> The 1781 Treaty of Michilimackinac is Treaty Number 1 in Indian Treaties and Surrenders, Volume 1: Treaties 1 – 138, p. 1. Also consult Armour and Widder 1978, p. 166.

<sup>427</sup> Widder 2013, p. 152. Widder noted that Alexander Henry stated that Grand Sable killed 7 and Captain Etherington said Grand Sable killed 5 people.

<sup>428</sup> David A. Armour, “Madjeckewiss,” in Dictionary of Canadian Biography, vol. 5, University of Toronto/Université Laval, 2003, accessed July 2, 2015, [http://www.biographi.ca/en/bio/madjeckewiss\\_5E.html](http://www.biographi.ca/en/bio/madjeckewiss_5E.html)

<sup>429</sup> Armour and Widder 1978, p. 15.

<sup>430</sup> Ibid.

<sup>431</sup> Armour and Widder 1978, p. 20.

Matchekewis played a significant role in recruiting warriors to make the long trek to go fight the Americans.<sup>432</sup>

288. The rebellion of the “Virginians” prompted the British to call upon their allies and to activate one of the ‘mutual engagements’ (provisions) of the Treaty of Niagara, which was military service. On June 17, 1776, the Michilimackinac Commandant ordered that a war “party of local Ottawa and Chippewa” be assembled and then proceed to Montreal to assist in driving out the ‘Virginians’ and ‘Bostonians.’<sup>433</sup> The war party’s route to Montreal was the route used by fur traders, along the north shore of Lake Huron, to French River, then along the Ottawa River to Montreal. The war party under the able leadership of Charles Langlade, was to join the British forces against the Americans.<sup>434</sup> Before seeing the war party off, Michilimackinac Commander de Peyster stated to them that the King was looking after their best interests. He stated that the ‘Bostonians’ just wanted their land. He further stated that the fur trade would be stopped, and goods the Anishinaabeg relied upon would be in short supply if the Americans were not stopped. Again De Peyster invoked the Chain of Friendship entered into at Niagara and implied that the British, not the Americans, would treat the Western Nations as autonomous, as per the Covenant Chain.
289. Once again, the Anishinaabeg from the *pays d'en haut* were required to assist in the effort to fight the rebels. On May 29, 1778 De Peyster sent 110 warriors to Montreal, he was also expecting another force from the Green Bay area, which was to be lead by Charles Langlade and Charles Gautier. Langlade and Gautier arrived at Michilimackinac with several hundred warriors, 210 of which were Sioux, Sac, Fox and Menominee. By the end of June 1778, an estimated 550 chiefs and warriors from the Michilimackinac borderland had departed for Montreal to fight as allies of their Great Father the King of England. Again, this was done in fulfillment of one of the ‘mutual engagements’ entered into at the Treaty of Niagara, the treaty of offensive and defensive alliance. The warriors and chiefs

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<sup>432</sup> David A. Armour, “Madjeckewiss,” in Dictionary of Canadian Biography, vol. 5, University of Toronto/Université Laval, 2003, accessed July 2, 2015, [http://www.biographi.ca/en/bio/madjeckewiss\\_5E.html](http://www.biographi.ca/en/bio/madjeckewiss_5E.html)

<sup>433</sup> Armour and Widder 1978, p. 54.

<sup>434</sup> McDonnell 2001, p. 95.

were not conscripted. Unfortunately, the British army did not know how to utilize this force, and after thanking them for showing up, most were sent back home.<sup>435</sup>

290. Meanwhile, the commandant at Michilimackinac had to provision the wives of these warriors, as well as pay the chiefs and warriors, which had become a large expense due to the duration of absence from home and distance covered. One war party returned to Michilimackinac from Montreal, their clothes were rags, their guns and canoes needed repair and they demanded payment for service, which was provided.
291. As the war progressed, the rebels achieved some key victories at which point the Americans started to court the Anishinaabeg as allies. Some Potowatomi accepted belts from the rebels and this shook the confidence the northern Anishinaabeg had in their British Father. Coupled with the fact that the chiefs and warriors felt that the presents offered did not commensurate with the roles they played, the Anishinaabeg started to 'loosen their grip' on the chain of friendship. Some long standing allies started to express hesitancy to travel so far for so little in return.<sup>436</sup> This reminded the British that the Anishinaabeg, despite being allies, were not British subjects and maintained their independence. The Anishinaabeg's autonomy remained intact, which was also one of the principles of the Treaty of Niagara. The British continued to tell the Anishinaabeg that the Americans would make slaves of them. The converse of this message, is that the British would not "make slaves" of the Anishinaabeg, that is, the British recognized the autonomy and independence of the Western Nations.
292. The Anishnaabeg continued to complain about the quality and quantity of presents but in 1782, Indians from the nexus of the Lakes Huron, Michigan and Superior answered the call again and they joined the British on a raid into Ohio and Kentucky.<sup>437</sup> The distance the warriors traveled was great and it is a testament to the diplomacy of commanding officers at Michilimackinac as well as the strength of the Covenant Chain and the annual delivery of presents that assisted in securing the services of the Anishinaabe allies.

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<sup>435</sup> Armour and Widder 1978, p. 81.

<sup>436</sup> McDonnell 2001, p. 96.

<sup>437</sup> Armour and Widder 1978, p. 178.

293. In 1783 peace was established and trade could proceed and the British could start to save funds by distributing fewer presents.<sup>438</sup> However, the British were correct to fear that once the Western Nations heard the terms of peace and that they would turn on them and plunder the traders and possibly even take over the garrisons again. To prevent this General Haldimand wrote a speech that was directed to the nations around Michilimackinac explaining "that the King still considered them as his children," and that "He would continue to protect them" and would continue to send traders into their country.<sup>439</sup> Ojibwe Chief Matchekewis continued to fight the 'Big Knives' in the Ohio but finally made peace with the Americans at the Treaty of Greenville.<sup>440</sup> In fact many of the Odawa and Ojibwe from the nexus of the northern Great Lakes continued to fight the Americans.<sup>441</sup>

294. The Americans continued to push and expand westward. The Western Confederacy attempted to check that expansion and sought aid, particularly in arms, ammunition, and provisions, and even British soldiers in the field. However the British did not want to breach the Treaty of Paris with the Americans, yet they wanted to show their Western allies that they still adhered to the Covenant Chain. The British walked a delicate line, supplying their allies as per the provisions of the Treaty of Niagara, yet, not overtly arming the enemies of the Americans.

295. The first Lieutenant Governor of Upper Canada, John Graves Simcoe, was then the representative of the Crown in Upper Canada and he took pains to learn the diplomatic protocol the British engaged in with the Six Nations and Western Nations. Lieutenant Governor Simcoe admittedly wanted to reclaim territory "lost" to the Americans. Simcoe faced American charges that he was supplying provisions and arms to the Western Nations for purposes of war. Simcoe was warned by his superiors to use more discretion,

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<sup>438</sup> White 1991, p. 405.

<sup>439</sup> Armour and Widder 1978, p. 188.

<sup>440</sup> American State Papers, Indian Affairs, 4<sup>th</sup> Congress, First Session, "Treaty of Greenville," p. 579. David A. Armour, "Madjeckewiss," in Dictionary of Canadian Biography, vol. 5, University of Toronto/ Université Laval, 2003, accessed July 2, 2015, [http://www.biographi.ca/en/bio/madjeckewiss\\_5E.html](http://www.biographi.ca/en/bio/madjeckewiss_5E.html)

<sup>441</sup> Armour and Widder 1978, p. 196.

in response he asserted on January 27<sup>th</sup>, 1793, that he had explained to the American diplomat that delivering presents to the Western Nations was a long standing practice. Simcoe reported "I have endeavoured to impress upon him by Extracts from Sir William Johnson's Opinions, that our giving Provisions & Necessaries to Indians, as Possessors of the Posts, **is the result of ancient & undeviating System** [emphasis added], not directed by temporary Motives, & that the Military Orders of these Posts, are to give them on whatsoever Account they Assemble, such Supplies as may be required."<sup>442</sup> In Simcoe's opinion, informed by reading Sir William Johnson's papers, delivering the "presents" at the posts was not a move instituted by the British in order to arm the Western and Six Nations when convenient, rather it was part of a long standing system, that long standing system was actually the Treaty of the Covenant Chain, which was extended to the Western Nations at Niagara in 1764. The phrase "as Possessors of the Post" also harkens back to the speeches of the various chiefs who had stated to Sir William Johnson and George Croghan that they would allow the British to occupy the forts with the proviso that they were to be provided with "proper returns" and that a "proper satisfaction" were given to them.<sup>443</sup>

296. The British were covertly inciting the Western Nations to resist American expansion. The British, however, did not want to get into another war. So they armed the Western Nations as well as select members of the Six Nations, and met frequently with chiefs and warriors to strategize on keeping the Ohio country out of American hands. The Western Confederacy, under the leadership of the Shawnee War Chief Blue Jacket and the Miami Chief Little Turtle, delivered two successive and decisive blows against the American army, one against General Harmar<sup>444</sup> and the second against General St. Clair.<sup>445</sup> Taking lessons from these two battles, the Americans concentrated on training a more competent army and that task was assigned to Anthony Wayne.<sup>446</sup> After months of training, General Anthony Wayne met the confederacy of Western Nations at the Battle of Fallen Timbers in 20 August 1794 and soundly defeated the assembled forces. Members of the Western

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<sup>442</sup> John G. Simcoe to Alured Clarke, Navy Hall, January 27, 1793. Cruickshank 1923, Vol. I, p. 281.

<sup>443</sup> Croghan in Thwaites 1966, p. 160.

<sup>444</sup> Sugden 2000, p. 105.

<sup>445</sup> Sugden 2000, p. 115 – 117.

<sup>446</sup> Allen 1993, p. 82.

Confederacy retreated to the British Fort Miami on the Maumee River only to find that the gates had been locked.<sup>447</sup> The British abandoned the confederacy at a critical moment, this seriously “shook the belt.” The British had to take measures to re-assure their allies that the Covenant Chain was still in effect.

297. Thus Lieutenant Governor Simcoe met the Western Nations at the Confederacy’s council fire at the Wendat town on 13<sup>th</sup> October 1794. The representative of the crown delivered a long speech to justify the perfidy of the British and vilify the Americans. First, Simcoe stressed that the Western Nations entered into an alliance with the British as an Independent people, that is, as autonomous people, at the time the British took over North America from the French.<sup>448</sup> Simcoe claimed that this was enshrined in the Treaty of Paris, “In the Treaty between the English, the Conquerors, and the French, it was stipulated that your rights should be preserved, those rights which you enjoy as an **Independent People** [emphasis added].”<sup>449</sup> Not only did Simcoe state that this was enshrined in the 1763 Treaty of Paris but he also claimed that at the conclusion of the American Revolution, the King continued to view the Western Nations as autonomous and independent, “at the Peace your Father considered the Indian Nation as free and independent... he in no manner interfered in your rights admitted by European compacts as the Laws of Nations and undoubtedly those of nature.”<sup>450</sup> The principle of independence and freedom, or autonomy, is a tenet of the Covenant Chain and the 1764 Treaty of Niagara, and Simcoe affirmed that the British continued to adhere to these principles. Governor Simcoe then directly tied his speech to the Covenant Chain by bringing up Sir William Johnson’s name and attributing the long standing friendship to the King’s wisdom in selecting Sir William to broker that peace:

Children: Say! Why has their Friendships so long continued? It is, because the Wisdom of your Father appointed your late

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<sup>447</sup> Willig 2008, p. 56.

<sup>448</sup> His Excellency Lieutenant Governor Simcoe’s reply to the Indian Nations assembled at the Wyandot Village on the 13<sup>th</sup> Day of October, 1794, Simcoe Papers, Vol. III, 1794 – 1795, p. 122.

<sup>449</sup> His Excellency Lieutenant Governor Simcoe’s reply to the Indian Nations assembled at the Wyandot Village on the 13<sup>th</sup> Day of October, 1794, Simcoe Papers, Vol. III, 1794 – 1795, p. 122.

<sup>450</sup> His Excellency Lieutenant Governor Simcoe’s reply to the Indian Nations assembled at the Wyandot Village on the 13<sup>th</sup> Day of October, 1794, Simcoe Papers, Vol. III, 1794 – 1795, p. 123.

Superintendant, Sir William Johnson, to hold a Treaty [emphasis added] with all your Nations to consult what was best for your general and particular interests.<sup>451</sup>

298. Governor Simcoe specifically called the agreement a Treaty, this is significant because by the time of the Robinson Treaties, agents of the Crown would diminish the agreement and call it a custom, and not a treaty.<sup>452</sup> Lieutenant Governor Simcoe read the files of Sir William Johnson and immersed himself into a world of political diplomacy with Britain's allies. Simcoe also assured the assembled representatives of the Western Nations that the British had abided by the Royal Proclamation line:

Children: A Line between you and the British Colonies was then drawn agreeably to your pointing out and Inclination.

Children: The King's subjects were never suffered to pass this boundary and it would have continued at this day, had the King's people and those of the United States remained at one – they are now separate.<sup>453</sup>

299. Simcoe publicly claimed to affirm the Royal Proclamation as well as the "engagements" set out in the Covenant Chain, which included a recognition of land rights and ownership. The British through Simcoe this time, again accepted no blame or culpability, but freely assigned it elsewhere when Simcoe stated to those assembled that "the United States by a solemn Act formed the whole territory ceded or to be ceded by your Nations in to various States... Land-jobbers immediately came in among you."<sup>454</sup> Simcoe firmly denied that the King had not looked after their territorial interests during the peace negotiations. In fact he stated "Children: to incline the minds of your Chieftains to abandon & sell your Country falsehoods were propagated... Children: It is said that the King, your Father had ceded

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<sup>451</sup> His Excellency Lieutenant Governor Simcoe's reply to the Indian Nations assembled at the Wyandot Village on the 13<sup>th</sup> Day of October, 1794, Simcoe Papers, Vol. III, 1794 – 1795, p. 122.

<sup>452</sup> In 1836 Sir Francis Bond Head in reporting to his superiors refer to the delivery of presents as an "existing custom," (Bond Head to Lord Glenelg Jan 14, 1836). Likewise Thomas G. Anderson referred to the wampum belts as "two memoranda" that represented "all they know of the original engagements between the Government and themselves, as far as I am acquainted, is by tradition." Thomas G. Anderson, Superintendent at Manitoulin; Answers to the queries proposed by the Commission on the Indian Department in the year 1840. Journal of Legislative Assembly of the Province of Canada, 1847, Appendix T, Report on the affairs of the Indians in Canada, Section III.

<sup>453</sup> His Excellency Lieutenant Governor Simcoe's reply to the Indian Nations assembled at the Wyandot Village on the 13<sup>th</sup> Day of October, 1794, Simcoe Papers, Vol. III, 1794 – 1795, p. 122.

<sup>454</sup> Ibid.

your Lands, ceded what neither He or his Predecessors had ever claimed."<sup>455</sup> In Simcoe's rhetorical speech to the Western Nations, he stated that the British had not claimed their land. In other words, the British continued to acknowledge their title in all other areas, excluding those now claimed by the United States, but inclusive of Canada, and inclusively along the north shore of Lake Huron and Lake Superior.

300. Simcoe said all of the right things. He performed the tasks that the chiefs and orators did at councils, that is outline and detail the history of British interaction with the Western nations, only he took the British perspective. Much of it, as the above excerpts demonstrate, was in line with the Chiefs' understanding. Specifically, that the Western Nations maintained their autonomy and freedom as well as their title and ownership to the land. The Lieutenant Governor then asserted that the king, their great father, always had their best interests at heart and that his actions accordingly demonstrated this benevolence and protection:

Children: You must be convinced that your Father means everything for your welfare – I can only assure you that he will uniformly fulfill all his engagements with you, his Arms will at all times be ready to receive you and his territory open to protect and defend you from all his Enemies.

Children: The King, your Father, has always advised you to be strong & unanimous & at present it is requisite for me to repeat his constant advice to you, which is to unite as one man – With this Belt – therefore I now collect and bind you together, and recommend to you that friendship and unanimity which is absolutely necessary as well for your own interests as the general Welfare of the Country.<sup>456</sup>

301. The wampum belt Simcoe delivered re-pledged the Covenant Chain.<sup>457</sup> The belt is white to indicate peace and purity of intentions. There are two men in the centre holding hands,

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<sup>455</sup> His Excellency Lieutenant Governor Simcoe's reply to the Indian Nations assembled at the Wyandot Village on the 13<sup>th</sup> Day of October, 1794, Simcoe Papers, Vol. III, 1794 – 1795, p. 123. The chiefs in subsequent councils however, communicated a different understanding of those same events.

<sup>456</sup> His Excellency Lieutenant Governor Simcoe's reply to the Indian Nations assembled at the Wyandot Village on the 13<sup>th</sup> Day of October, 1794, Simcoe Papers, Vol. III, 1794 – 1795, p. 122

<sup>457</sup> In a letter addressed to E.A. Cruickshank, the assistant curator of Ethnology at National Museum of Natural History stated that the wampum belt in its collections had been purchased from Mr. Willis N. Tobias of Moraviantown, Ontario in 1899. The people of Moraviantown are predominantly Munsee and Delaware, both members of the Western Confederacy. W. deC. Ravenel to Cruickshank 9 December 1921, Simcoe Papers, Vol. III, 1794 – 1795, p. 126.

just like many other Covenant Chain images, with white hearts (see figure 13). The initials IGS are on the left side of the belt.<sup>458</sup> Thus, on behalf of the British, Lieutenant Governor John Graves Simcoe carried on a tradition of presenting wampum belts with the image of two men (nations) holding hands in friendship with his initials, just as Sir John Johnson had done before him.<sup>459</sup> Governor Simcoe had polished and brightened the chain and the Western Nations outwardly at least, accepted Simcoe's belt and the strengthening of the alliance it represented.

302. The following year, the Western confederacy entered into treaty with the United States of America and signed the Treaty of Greenville with General Anthony Wayne on 3 August 1795. A wampum belt was given by the United States to the Western Confederacy and entrusted to the Wendat, who were the "uncles" of the confederacy.<sup>460</sup> This peace did temporarily stem the flow of settlers but many continued to transgress the stipulated boundary thus raising the ire of the Western Confederacy. Tensions started to escalate between the Americans and the Western Confederacy, a Prophet rose amongst the Shawnee and started to galvanize the Western Nations resolve to resist American expansion by halting any further land cessions. In 1805 warriors of the northern Odawa, Potowatomi and the Sauk came to the council fire at Amherstburg with a war pipe and requested the assistance of their Great Father to attack the Americans.<sup>461</sup> The following year, a delegation was again sent to Amherstburg and the speaker stated to the commanding officer, that "[we] still strictly attended to the advice you then gave us, notwithstanding the threats of the United States and the daily encroachments they make upon our country. Now in consequence of our uneasiness our chiefs have sent us again to you in expectation we should receive your answer to our speech of last year."<sup>462</sup> The superintendants of Indian Affairs were expressly admonished against committing to the

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<sup>458</sup> The initials IGS were used in conformity with Latin practices which used the "I" for "J".

<sup>459</sup> In 1780 Sir Guy Carleton had a belt made with his initials on it and delivered it to the Six Nations, "A Great Black belt of 16 rows, with an axe at one end & the letters G.I. at the other." [Superintendent of Indian Affairs, MG19, F35, Series 1, Lot 694, p.5].

<sup>460</sup> American State Papers, Indian Affairs, p. 579.

<sup>461</sup> At a meeting with the Saakies, Fox, Northern Ottawas and Poutawatamies held at Amherstburg on the 8<sup>th</sup> June 1805. LAC RG 10, Vol. 10, p. 9600 - 9610.

<sup>462</sup> Speech of the Saakies and Potewatomies to the Superintendant of Indian Affairs, Amherstburg 28<sup>th</sup> June 1806. Claus Papers Vol. 9, p. 139.

Western Nations aspirations of going to war.<sup>463</sup> The following year Deputy Superintendent General of Indian Affairs William Claus met with the Western Nations at Amherstburg and delivered a wampum belt bearing his initials and the date 1807 (see figure 14). Once again, a representative of the crown had delivered a belt with their initials and the date of the transaction. Claus had “brightened and polished” the chain and encouraged the Western Nations a bit too much. His superior, Lieutenant Governor Francis Gore grew concerned and decided to meet with the nations at Amherstburg in 1808 in order to quell the fervour of the Western Nations. Runners were sent to the chiefs of various nations to meet the Lieutenant Governor and on 11 July 1808 at Amherstburg, Gore addressed the assembled chiefs who were waiting to hear a positive response to their request for assistance:

Children – It has been my wish and desire for a considerable time past to meet you in a General Council of all the Nations that I might personally assure you of the King your Father's constant regard for his Indian Children; and to tell you that the Treaty made at Fort Stanwix in year 1768 is still held sacred by your Great Father, as well as the Treaty made by General Simcoe. Also to renew at this Fire place the antient [sic] Friendship, which has subsisted for so long a space of time, between your Great Father, your ancestors and yourselves and [even]tually and freely to communicate to each other in conformity to the engagements entered into by your Forefathers and the English Nation... With this Belt I therefore **renew all our ancient friendship & those ancient customs** [emphasis added], which have been so wisely framed and agreed to by the general consent of all the Nations in the Country... Children – I came not to invite you to take up the Hatchet but I wish to put you on your Guard against any attempt that may be made by any Enemy whatever to disturb the Peace of your Country... Children – Make my words known and send this Belt of Amity and friendship to all the Western Nations and others who are confederates with you.

**Delivered Belt, 11550 Grains Wampum<sup>464</sup>**

303. Lieutenant Governor, representative of the crown, publicly renewed the Covenant Chain or that “antient friendship,” as well as the treaty made by General Simcoe. Lieutenant Governor Gore gave the wampum to recommend that the young men and warriors obey their “Sachems and Chiefs” meaning that peace should prevail. The belt that he delivered

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<sup>463</sup> Allen 1993, p. 112.

<sup>464</sup> Lieut Governor Gore's Speech to the Western Confederacy, Amherstburg 11 July 1808. LAC RG 10, Vol. 11, pp: 9884 – 9889.

fit the pattern set by his predecessors. Although the original belt has not been located, a sketch of the belt was made in the Claus papers which depicted two men at either end of the belt bound by a chain running through the middle of the belt with a heart in the middle (see figure 15 + 16). The initials FG and the year 1808 were woven into the belt at opposite ends to each other. Once again, the representative of the crown addressed the chiefs of the Western Nations and in open council publicly avowed and affirmed that the Covenant Chain and its tenets were upheld by the British.

304. War inevitably revisited North America. The Americans continued to push, and the Western Nations continued to push back. Great Britain finally had to also enter the fray. The Shawnee brothers Tecumseh and Tenskwatawa had adopted an idea that had been around since the time of General Simcoe, the idea of an "Indian country" that acted as a buffer state between the Americans and the British of Upper and Lower Canada. In a letter dated 9<sup>th</sup> December 1812, the Earl of Bathurst had advised the Colonial Administration of the Canadas that:

The extreme importance of securing during the continuance of hostilities with America the cordial cooperation of the Indian Tribes has been proved on so many occasions... I so entirely concur in the expediency of the suggestions contained in your dispatch as to the necessity of securing their Territories from encroachment that I have submitted it to His Majs Secretary of State of Foreign Affairs in order that whenever negotiations for Peace may be entered into the security of the Indian Possessions may not be either compromised or forgotten.<sup>465</sup>

305. In this letter the colonial administration were granted permission to live up to the tenets of the Covenant Chain and the Treaty of Niagara, specifically the tenet of providing "protection" to the Western Nations as well as recognizing land rights and ownership. The colonial administration took swift measures and appointed fur trader Robert Dickson to act as an "agent for the Western Nations" with the Odawa chief Amable Chevalier appointed to "accompany Mr. Dickson as a Lieut & Interpreter."<sup>466</sup> The two were outfitted with a

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<sup>465</sup> Extract from Earl Bathurst's letter No. 15, Select British Documents of the Canadian War of 1812, Volume III, Part II, Toronto, ON: Champlain Society, p. 718 – 719.

<sup>466</sup> Quebec Jany 14, 1813 To Genl Sheaffe from M.S. Office, [Clarke Library]

speech composed at headquarters and approved by signature of Major General de Rottenburg and Superintendent General John Johnson. The speech was crafted to woo the Western Nations to fight with the British not against them nor remain neutral. The British needed the Western Nations badly because they simply did not have the forces to counter an American invasion.<sup>467</sup> The speech made mention of Sir John Johnson's father, Sir William Johnson:

Brothers, I have been to Quebec to see the Great Chief Sir George Prevost, who holds there the place of your Father and ours, the Great King George, that I might know from him everything which relates to War, which yours and our Enemies the Big Knives are carrying on against you & us, and I am returning with his Talk to all Indians[.] Hear then what he says, and let these Strings of Wampum open your Ears to his voice The Ottawas or Others.<sup>468</sup>

306. This opening statement established the validity of the speech and hearkened back to Sir William Johnson's admonition to only listen to people who had been delegated to speak to them about Indian Affairs. The second fact, seemingly innocuous, is the mention of "his voice the Ottawas." This is a direct reference to the Treaty of Niagara when Sir William Johnson initially tried to give the belt to the Ojibwe at Sault Ste. Marie but the Ojibwe chief stood up and declared that the belt should be kept at Michilimackinac and was thus entrusted to the Odawa.<sup>469</sup> The Odawa, as keepers of the belt, were designated as the "white bird" to whom all the Western Nations should direct their attention to whenever they had anything to say to their Great Father.<sup>470</sup> This was a tenet of the Treaty of Niagara and the Covenant Chain, the establishment of the proper channels of communication. So it was fitting that Fur Trader cum Agent for the Western Nations should have Amable Chevalier as his Interpreter because he was an Odawa. The two read the speeches at

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<sup>467</sup> Allen 1993, p. 111.

<sup>468</sup> Speech of His Excellency Sir George Prevost, Baronet, Governor in Chief and Commander of the Forces in British North America, to the Deputation of Chiefs and Warriors of the Western Nations, Quebec on Thursday the 17<sup>th</sup> March 1814. LAC RG10, Vol. 12, pp: 10313 – 10316, C-11001

<sup>469</sup> July 31 [1764] Sir William went over the River and had a General Meeting with all the Western Indians in their Camp. SWJP Vol. XI: 311.

<sup>470</sup> Manitoulin Island Chiefs, Mitchigiwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 – 195682.

various places to various chiefs and warriors rounding up the forces. The next line in the official speech expressly mentioned Sir William Johnson:

My Children – It is now a longtime since you were adopted by me as my Children – Remember Sir William Johnson, he told you I never would forsake or abandon you, but on the Contrary, having pity on your wives and Children, I would send Traders amongst you with Cloathing [sic], and with Arms and Ammunition, that they might be covered, and provisions provided by your Young Men for their sustenance. How is it now? These Traders have been ruined and chased away from amongst you, and you are reduced to the hard necessity of making use of your Bows and Arrows for want of Powder to kill the Deer.<sup>471</sup>

307. In this speech the British invoked Sir William Johnson's name, by this time, years after his death, he had become revered by the Western Nations. At the Treaty of Niagara Sir William had also stipulated that traders would be re-established in the country as the Western Nations required it. Trade goods and the provision of ammunition were often equated with less toil, in contrast to hunting with bows and arrows. The speakers, on behalf of the British, also made explicit reference to the Great Covenant Chain wampum belt:

But my Children, I have not nor will I lose hold of the Belt which has been so long among you from Sir William Johnson – on the contrary, I will now make it stronger by the belt which I now present to you, and never will I leave you but as, Your Father, see that Justice is done to you by the Big Knives and that your hunting Grounds shall be preserved for your use, and that of your Children agreeably to the Treaty made at Grenville with their General Wayne some years ago.<sup>472</sup>

308. The emissaries, Robert Dickson and Amable Chevalier, referenced the Covenant Chain Belt that the Odawa kept on behalf of the Western Confederacy and offered another belt to strengthen the original belt. Furthermore, the British had heeded the concerns expressed

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<sup>471</sup> Major General Francis De Rottenburg, counter signed by Superintendent General of Indian Affairs John Johnson; To each of the tribes of Indians whom Mr. Dickson may have occasion to address, McCord Museum of Canadian History, M640 Montreal 18 January 1813.

<sup>472</sup> Major General Francis De Rottenburg, counter signed by Superintendent General of Indian Affairs John Johnson; To each of the tribes of Indians whom Mr. Dickson may have occasion to address, Museum of Canadian History, M640 Montreal 18 January 1813.

by the chiefs and knew that they wanted to retain and regain their lands. The British promised, by a belt of wampum, that the Western Nations "hunting grounds" were to be preserved for them and their children. The Odawa of Michilimackinac area had attended the Treaty of Greenville.<sup>473</sup> The Odawa and the Western Nations had maintained records, met frequently to renew "engagements" and treaties, and likewise, superintendents of the British Indian Department maintained their records. The British then invoked, by wampum, a provision of the Treaty of Niagara, the treaty of "offensive and defensive" alliance:

My Children, with this Belt I call upon you to rouse up your young Warriors and to join my Troops with the red Coats, and your ancient Brethren the Canadians, who are also my Children, in order to defend your and our country, Your and our Wives and Children from becoming Carriers of Water to these faithless people – they must be told in a Voice of Thunder that the object of the war is to secure to the Indian nations the boundaries of their Territories, and that all those who may be found withing [sic] their boundaries, shall perish if they do not immediately remove.<sup>474</sup>

309. The British summoned the warriors to defend their independence by stating that they would otherwise become "carriers of water" for the Americans. The British also called upon the warriors to "secure to the Indian nations the boundaries of their Territories." Again, the British stated that the land belonged to the "Indian nations," a principle stated in the Royal Proclamation and agreed upon by the British when they extended the Covenant Chain:

And now my Children, I invite you to the War Feast of your Father, be then courageous [sic] and Stout hearted, and depend upon it that I shall hold firmly one end of the Belt whilst you hold the other which shall bind us to assist one another against our common Enemy.<sup>475</sup>

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<sup>473</sup> At a council held at Michilimackinac on 15 October 1834, the Odawa Chief Chusco (Zhashkoonh Muskrat) said, "It is 40 winters since we first saw the Americans, when we first shook hands with you and smoked the pipe of peace with you, at Greenville Gen. Wayne the chief who led your soldiers drew lines across our lands, and they were agreed to." National American Archives, M1, 69:75 – 76.

<sup>474</sup> Major General Francis De Rottenburg, counter signed by Superintendent General of Indian Affairs John Johnson; To each of the tribes of Indians whom Mr. Dickson may have occasion to address, Museum of Canadian History, M640 Montreal 18 January 1813.

<sup>475</sup> Ibid.

310. The long standing and oft used diplomatic metaphor associated with the Covenant Chain was then stated, that is holding one end of the belt firmly while the allies held the other end just as firmly. Also provided were mnemonic devices to memorialize the principles of the Covenant Chain representing that it had been renewed in 1813:

My Children, that you may bear in mind the Alliance now renewed between you and my White Children, I give you a Flag and a Medal to be preserved in your Nation forever: By looking at this Flag you will remember it came from your English Father, and when any of my Chiefs shall see it, they will be happy to take you by the hand and do you all the good they can.<sup>476</sup>

311. This scene is reminiscent of the conclusion of the Treaty of Niagara in 1764 where Sir William Johnson had awarded various chiefs “colours” (flags) and medals of various sizes to be preserved amongst their people.<sup>477</sup> Tradition and continuity of forms were the hallmark of the oral tradition and wampum protocol.

312. The British continued to adhere to wampum protocol during the War of 1812. After the death of Tecumseh, Sir George Prevost, the governor-in-chief of British North America and Commander of the Forces, met with a deputation of Western Indians that included Odawa, Ojibwe, Sauk, Fox, and Winnebago (Ho-Chunk) among others and stated at Quebec on March 17, 1814:

My Children – Listen to my words, they are the words of truth, ... Our interests are the same. We must still continue to fight together for the king our great father considers you as his children and will not forget you or your interests at a Peace. But to preserve what we hold and recover from the enemy what belongs to us. We must make great exertions and I rely on your undaunted courage with the assistance of my chiefs and warriors to drive the Big Knives from off all our lands the ensuing summer.<sup>478</sup>

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<sup>476</sup> Ibid.

<sup>477</sup> SWJP Vol. XI: 305, 307, 311.

<sup>478</sup> Speech of His Excellency Sir George Prevost, Baronet, Governor in Chief and Commander of the Forces in British North America, to the Deputation of Chiefs and Warriors of the Western Nations, Quebec on Thursday the 17<sup>th</sup> March 1814. LAC, RG 10, Vol. 12, pp: 10313 – 10316.

313. This time wampum protocol was conducted not by emissaries but by the Governor-in-Chief. Prevost, the representative of the Crown, again stated that the British would not forget their allies at the peace, and that they were to exert themselves to regain "our lands." Reading this speech in isolation creates an erroneous impression that the Western Nations were fighting to regain British possessions as opposed to their own lands. However, coupling this speech with the previous speeches, especially that of de Rottenburg and delivered by Dickson, it becomes clear that the Western Nations were fighting for the "Indian Country" also referred to as the Indian Buffer State. Further, Prevost sealed his words with wampum,

My Children – You will not forget what I have said to you, this is my parole to the Nations (Here the Black Wampum was presented). Let them know what I have said. Tell them they shall not be forgotten by their Great Father, nor by me. (Here the Bloody Belt was presented).<sup>479</sup>

314. The presentation of a belt of black wampum indicated an invitation to war and a belt painted red indicated active war. Prevost told the deputation to tell the other nations what he had said and that he, nor the King, would forget them at the Peace, which the nations had already understood to mean that they were to be treated as allies, maintain their autonomy and regain their territory.

315. This did not happen. By the time the news came that peace had been concluded, the Western Nations had thought that they had gained ground, especially since they had successfully repulsed the American effort to re-take Mackinac and Prairie du Chien.<sup>480</sup>

316. At the end of the war Deputy Superintendent General of Indian Affairs, William Claus, Sir William Johnson's grandson, convoked the council to bury the hatchet. By command of General Drummond, Claus was to assemble the chiefs and warriors and read the terms of the Treaty of Ghent. While delivering his message, Claus had to put a positive spin and stated at Burlington on 24 April 1815 that "I am further instructed to inform you that in

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<sup>479</sup> Ibid.

<sup>480</sup> Allen 1993, pp: 164 – 165.

making Peace with the Government of the United States of America your interests were not neglected, nor would peace have been made with them had they not consented to include you in the Treaty which they at first refused to listen to." Despite the public speeches of the British the Western Nations had to contend with the reality of American hegemony and soon complained in council that the British had not represented their interests as they had promised to. Odawa chief Okedaa, with the 1764 Covenant Chain Wampum Belt in front of him, stated this in 1818 at Drummond Island:

Father - We of course supposed the enemy had been crying over your head (imploring) to be charitable to them, to make Peace, and save their lives - We were glad to hear the news, not doubting but that all you told us was now coming to pass.

Father - My heart now fails me. I can hardly speak - We are slaves and treated worse than dogs - Those bad spirits (the Americans) take possession of our lands without consulting us, [...]

Father - Our chiefs did not consent to have our lands given up to the Americans, but you did it, my Father, without even consulting us and in doing that you delivered us up to their mercy- They are enraged at us for having joined you in the play (war) and they treat us worse than dogs

Father - We implore you to open your ears, to listen to our Grievances, fulfill your promises, that we may be released from slavery, and enjoy the happiness we did previous to the War.<sup>481</sup>

317. The Western confederacy had been led to believe that all they had been told "was now coming to pass." Chief Okedaa expressly stated that the British gave up the Western Nations' land to the Americans, just as they had done after the American Revolution. They implored their Great Father to "fulfill your promises."
318. Likewise, the Sauk Chief Blackhawk also expressed surprise and dismay when he had heard that peace had been concluded, he stated that, "I believed that a happy day was at hand," but found that "these promised happy days have not yet made their appearance."<sup>482</sup> Representatives from two different nations both thought that the promises the British made, of retaining or regaining lands, and maintaining autonomy was at hand at the

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<sup>481</sup> Council No. 1 Drummond Island, 7<sup>th</sup> July 1818. LAC RG 10, Vol. 35, file No. 20460.

<sup>482</sup> Drummond Island 7<sup>th</sup> August 1817, Council No. 3

conclusion of the war. After all, they had won battles at Prairie du Chien and at Mackinac Island.<sup>483</sup>

319. The British continued to use the annual delivery of presents to relay messages, promote their policies, and settle grievances in accordance with the Treaty of Niagara. The American threat had subsided to the point that the British did not deem it necessary to maintain the Western Confederacy as an auxiliary force and thus started to seek ways to make further cuts to the expenditures accompanying Indian Affairs. One targeted area included for cuts was the Indian Presents, both in the quantity and the quality. One of the reasons the Crown hired Sir Francis Bond Head to oversee the administration of reducing expenditures was because he had success in cutting expenditures in England.<sup>484</sup> Sir Bond Head received his instructions and detailed his plan of action. The first of which was to meet with the Western Nations at the annual delivery of presents at Manitoulin Island. He wrote to his superiors:

It is my intention ...to attend this most important meeting and I trust I shall by that time be competent to give your Lordship an opinion on the first question upon which I am to report, namely, how far it may be practicable with good faith and sound policy gradually to diminish the amount of presents with a view to the ultimate abrogation of the existing custom, and whether in the mean while they might not be commuted for money payments.<sup>485</sup>

320. Sir Francis Bond Head then departed for Manitoulin on his fact finding mission but others arrived before he did. The annual delivery of presents had become a forum for various religious sects to come and proselytize and evangelize. The Methodist minister, Reverend James Evans reported that he himself had arrived at Manitoulin on Wednesday 3, August 1836. Evans described the scene of the "New Establishment" and noted that on Thursday 4 August 1836, "about ten of our brethren from Lake Superior," had also arrived. The following day, Evans wrote that those Anishinaabeg who lived close to non-Natives were opposed to Christianity, in contrast he noted, "While those from Lake Superior, and the far

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<sup>483</sup> Allen 1993, p. 162.

<sup>484</sup> Wise 2003.

<sup>485</sup> [Head no date], Bond Head to Lord Glenelg Jan 14, 1836.

west, are unprejudiced, and open to conviction, and many of them expressed their satisfaction in being informed that we propose visiting them in a tour around Lake Superior.”<sup>486</sup> The attendance of Lake Superior Ojibwe was also noted by the Reverend Adam Elliott who also attended the annual delivery of presents that year at Manitoulin, he wrote, “Many of the Chippewas were from Lake Superior as well as from parts adjacent to the Manitoulin Island.”<sup>487</sup>

321. Reverend Evans reported that the sight of the Lieutenant Governor’s canoe caused a stir, and since it was Sunday, the Native and non-Native people were congregated and celebrating mass, some remained at the service but others left to fire off a salute. Coming ashore, Sir Francis Bond Head later recalled that, “For a considerable time we indolently gazed at each other in dead silence... ‘the pipe of peace’ was introduced, slowly lighted, slowly smoked by one chief after another, and then sedately handed to me to smoke it too. The whole assemblage having, in this simple manner, been solemnly **linked together in a chain of friendship** [emphasis added].”<sup>488</sup> In this instance, Bond Head equated the smoking of the pipe with the chain of friendship, and demonstrated that he had incorporated the terminology used by the Western Nations to describe their relationship with the Crown. In his report dated 20 August 1836, Bond Head stated that he had decided to meet face to face with chiefs, warriors, and employees of Indian Affairs:

I accordingly explained my views in private interviews which I had with the Chiefs, and I then appointed a Grand Council, on which they should all assemble to discuss the subject, and deliberately to declare their opinions. When the day arrived, I addressed them at some length, and explained to them, as clearly as I was able, their real interests, to which I found them very sensibly alive.<sup>489</sup>

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<sup>486</sup> James Evans in Myers 1955.

<sup>487</sup> Adam Elliott to Bishop Strachan, Tuscarora [Portage/ Passage] 12<sup>th</sup> June 1838, Ontario Archives, Strachan Papers, MS 35 Reel 3. In this same letter, Elliott noted that “members of Mr. MacMurray’s congregation did not attend the council,” meaning the Garden River and Batchewana bands. Therefore the Lake Superior bands refer to more northerly bands.

<sup>488</sup> Head 1846, p. 145.

<sup>489</sup> [Head no date], Head to Lord Glenelg, Toronto, 20<sup>th</sup> August 1836, Despatch No. 70.

322. Initially, Bond Head went to Manitoulin to determine how he could save the government money by gradually discontinuing the presents.<sup>490</sup> Once he arrived and talked to various people, he had formulated more of his policy. Although Bond Head admitted to private interviews with the chiefs, a grand council was held in the open as well. Bond Head later wrote in his memoir, "The Emigrant" that:

My own speech at the Council, which was an attempt to explain to the tribes assembled the reasons which had induced their late "Great Father" to recommend some of them to sell their lands to the Provincial Government, and to remove to the innumerable islands in the waters before us. I assured them that their titles to their present hunting-grounds remained, and ever would remain, respected and undisputed [emphasis added].<sup>491</sup>

323. Sir Francis Bond Head had demonstrated his understanding of the Covenant Chain, even if it was nascent knowledge. Regarding the Treaty of Niagara and the Covenant Chain, Bond Head did assure the assembled chiefs and warriors, including those from Lake Superior, that their title to land "remained and ever would remain, respected and undisputed." This statement adhered to the clauses of the Royal Proclamation. The Reverend Evans noted that, "the speech of His Excellency was well suited to the idiom of the Indian Language and admirably adapted to gain their attention and confidence and will doubtless be remembered and frequently repeated in the depth of the wilderness."<sup>492</sup>

324. Bond Head then noted that the Anishinaabeg had deliberated amongst themselves and then appointed "one of their greatest orators to reply to me. The individual selected was Sigonah (the Blackbird),<sup>493</sup> celebrated among them for having, it is said, on many public occasions, spoken without once stopping from sunrise to sunset."<sup>494</sup> It was at this point that Asiginaak brought out the wampum belts and recited them to all assembled. Many of the chiefs and warriors would have been familiar the belts, even Indian Agent Thomas G.

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<sup>490</sup> [Head no date], Head to Lord Glenelg Jan 14, 1836.

<sup>491</sup> Head 1846, p. 148.

<sup>492</sup> James Evans in Myers 1955.

<sup>493</sup> Sigonah is Jean Baptiste Assiginack (Asiginaak), Bond Head did not spell his name correctly, or the typesetter mistook the "k" for an "h."

<sup>494</sup> [Head no date], Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> August 1836, Despatch No. 70.

Anderson was familiar with the wampum belts. Sir Francis was impressed by the reading, so much so that he later reported to Lord Glenelg on the 20<sup>th</sup> November 1836 that:

It will be asked in what way were these, our promises made – it is difficult to reply to this question, as it involves the character of the Indian race. An Indian's word, when it is formally pledged, is one of the strongest moral securities on earth - like the rainbow it beams unbroken, when all beneath is threatened with annihilation. The most solemn form in which an Indian pledges his word, is by the delivery of a wampum belt of shells – and when the purport of this symbol is once declared, it is remembered and handed down from father to son, with an accuracy and retention of meaning which is quite extraordinary. Whenever the belt is produced, every minute circumstance which attended its delivery, seems instantly to be brought to life... the wampums thus given have been preserved, and are now entrusted to the keeping of the great orator Sigonah [J. B. Assiginack], who was present at the council I attended on the Manitoulin Island in Lake Huron,<sup>495</sup>

325. Sir Francis Bond Head was impressed and as a published travel writer, he cast the Anishinaabeg as the 'disappearing, noble savage.'<sup>496</sup> This was one of his first significant interactions with Anishinaabe people, and he quickly deduced about wampum that "in every sense these hyeroglyphics [sic] are moral affidavits of the bye-gone transactions to which they relate."<sup>497</sup> However in his next sentence, he also revealed both his naiveté and his ignorance by stating that "on our part, **little or nothing documentary exists** [emphasis added] – the promises which were made, whatever they might have been, were almost invariably verbal; those who expressed them are now mouldering in their graves."<sup>498</sup> Bond Head had started his position in January of 1836 and thus likely did not read all of Sir William Johnson's papers about the Treaty at Niagara and therefore claimed that the promises were merely verbal with no written record.<sup>499</sup> Casting the treaty relationship in this manner, as merely an oral one with no documentary record, served to diminish its legitimacy in the eyes of subsequent colonial officials who privileged the

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<sup>495</sup> [Head no date], Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> November 1836, Despatch No. 95, p. 5.

<sup>496</sup> Hutchings 2009, p. 154.

<sup>497</sup> [Head no date], Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> November 1836, Despatch No. 95, p. 6.

<sup>498</sup> [Head no date], Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> November 1836, Despatch No. 95, p. 5.

<sup>499</sup> Bond Head had Superintendent James Givins request a copy of the Royal Proclamation for his perusal after the 1836 Manitowaning Treaty had already been signed, (James Givins to D.C. Napier, 20 August 1836, LAC RG10 Vol. 62 pp. 61659-60). Napier replied to the request on 6 September 1836 (D.C. Napier to James Givins, 6 September 1836, LAC RG10 Vol. 62 pp. 61709-10).

written record. Bond Head astutely deduced that, "However, the regular delivery of the presents proves and corroborates the testimony of the wampums."<sup>500</sup>

326. Analyzing Bond Head's texts reveals that he actually deferred to the Anishinaabe chiefs, specifically J. B. Assiginack, about treaty relations. This deference is evident when Bond Head stated that the promises that were made were "almost invariably verbal," but it is also evident with the metaphoric language Bond Head inserted in his reports and his published writing, especially when he referred to smoking a pipe as establishing a "chain of friendship." The metaphoric language employed by J. B. Assiginack made an impression with Bond Head, so much so that in an official report to Lord Glenelg, he quoted Assiginack (but referred to him as a warrior), comparing the King (and the British) with the sun; "When we see the sun rise in the East,' said a warrior to me at the Great Council at the Manitoulin Island, 'it is our custom to say to our young men, there is our Great Father, he warms [us], he clothes us, he gives us all we desire."<sup>501</sup> Further proof of Bond Head's deference is the fact that the first line of the Manitowaning Treaty of 1836 read, "My Children – Seventy snow seasons have now passed away since we met in Council at the crooked place (Niagara), at which time and place your Great Father, the King, and the Indians of North America tied their hands together by the wampum of friendship."<sup>502</sup> Undoubtedly, J.B. Assiginack affected the policy and perspective of Sir Francis Bond Head. Bond Head continued to view the Indigenous peoples of North America as a doomed, noble race, but instead of merely informing the assembled chiefs and warriors that the presents would be discontinued, Bond Head decided to enter into a treaty, reserving islands for them upon which to slowly disappear from the face of the earth.<sup>503</sup> Technically, the assembly did not adhere to the steps outlined in the Royal

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<sup>500</sup> [Head no date], Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> November 1836, Despatch No. 95, p. 5 - 6.

<sup>501</sup> [Head no date], Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> November 1836, Despatch No. 95, p. 5.

<sup>502</sup> Treaty 45 ½ aka 1836 Manitowaning Treaty. Indian Treaties and Surrenders, Volume 1: Treaties 1 – 138, p. 112. LAC RG 10, 1844, IT 121.

<sup>503</sup> Bond Head reported to Glenelg on 20<sup>th</sup> August 1836 that "it was evident to me that we should reap a very great benefit if we could persuade these Indians, who are now impeding the progress of civilization in U. Canada, to resort to a place possessing the double advantage of being admirably adapted to them (inasmuch as it affords fishing, hunting, bird-shooting and fruit) and yet in no way adapted to the white population." Bond Head later wrote in 1846 (p. 146) that one of the chiefs had stated in council "how continuously the race of red men had melted, and were still melting, like snow before the sun." Bond Head as a published writer perpetuated the stereotype of the doomed vanishing race (Hutchings 2009).

Proclamation and Lord Dorchester's additional instructions, which stated that an assembly intended for a treaty must be publicly and openly, stated in advance. This assembly was summoned as part of the annual delivery of presents, not for the resultant treaty. However, the chiefs in attendance accepted it as a treaty and as an open and public brightening of the Covenant Chain. The Reverend Adam Elliott reported as much, "it appeared to me that the business of the Treaty was transacted in the [simplest] [openest] and most candid manner. The meeting was held in a capacious wigwam made of bark and erected for the [ ] for the accommodation of the Indian assemblies."<sup>504</sup> Bond Head reported the treaty and acknowledged that it was not "in legal form" but noted its "equity":

I enclose to your Lordship a copy of this most important document, which, with a wampum attached to it, was executed in duplicate; one copy remaining with me, the other being deposited with a chief selected by the various tribes for that purpose. Your Lordship will at once perceive that the document is not in legal form; but our dealings with the Indians have been only in equity, and I was therefore anxious to shew that the transaction had been equitably explained to them.<sup>505</sup>

327. Sir Francis Bond Head had attached a string of wampum to the treaty, had it signed in duplicate, and left one copy with the delegated chief. Sir Francis explained that his intent was to demonstrate that the transaction was completed utilizing wampum protocol. Sir Francis Bond Head meant to conform to treaty practices of the Western Nations, as he was given to understand them, and therefore affixed wampum, and incorporated into the treaty text the metaphors that the Western Nations were familiar with, as opposed to the legalese that would come to dominant subsequent treaty texts. In this manner Bond Head's actions conformed to Sir William Johnson's recommendation "to use the forms they most readily recognize."<sup>506</sup> In fact, this is an example of a treaty concluded that made explicit reference in the text to the foundational 1764 Treaty of Niagara.

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<sup>504</sup> Adam Elliott to Bishop Strachan, Tuscarora [Portage/ Passage] 12<sup>th</sup> June 1838, Ontario Archives, Strachan Papers, MS 35 Reel 3.

<sup>505</sup> [Head no date], Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> August 1836, Despatch No. 70.

<sup>506</sup> Johnson to Gage, 19 February 1764, SWJP Vol. IV: 330 – 331.

328. The chiefs who signed this treaty were Ojibwe and Odawa. The first signatures were those of the Odawa, namely J.B. Assiginack and his son Itawashkash, both of who could write their own names. The next name was Mookomaunich (Mokomanish aka Pebamitapi) who put his X by his name, followed by Odawa Chief Kimewon who drew his Bear Doodeem. The remaining Odawa that signed this treaty were living principally around L'Arbre Croche as well, which was an area consisting of at least three villages. The other Odawa were from upper state Michigan. The Ojibwe chiefs who had signed the treaty had claims to the islands along the north shore of Lake Huron. The western most Ojibwe chief that signed this treaty was Kewuckance (Crane doodeem) of present day Thessalon; no Lake Superior chiefs signed this treaty but they were in attendance as both Reverend Evans and Reverend Elliott reported.<sup>507</sup>

329. The Odawa and Ojibwe of Lake Huron had entered into treaty with the Crown, setting aside Manitoulin and the surrounding islands as a place of refuge for any other Anishinaabeg who had wanted to settle on Manitoulin to partake of the benefits of the Government's education and 'civilization' program. The signed treaty did not expressly mention the Lake Superior chiefs, nor did their names appear on it, however, the overall proceedings was a brightening of the Covenant Chain, of which they and others were included. The Lake Superior chiefs were in attendance when the pipe of peace was smoked linking the British (represented by Lieutenant Governor Sir Francis Bond Head) and the Western Confederacy "**together in a chain of friendship** [emphasis added]."<sup>508</sup> This treaty was signed in the presence of other chiefs from territories abutting Lake Huron (Lake Superior and Lake Nipissing), and all the chiefs, warriors, orators, women, and elders departed having polished and brightened the Great Covenant Chain.

330. The Lieutenant Governor also renewed all of the tenets and principles, of the Covenant Chain and the Treaty of Niagara, including Land Ownership, Autonomy, and Protection. Bond Head renewed the provisions of Aboriginal ownership specifically assuring the assembled chiefs and warriors, including those from Lake Superior, that their title to land

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<sup>507</sup> James Evans in Myers 1955 and Adam Elliott to Bishop Strachan, Tuscarora [Portage/ Passage] 12<sup>th</sup> June 1838, Ontario Archives, Strachan Papers, MS 35 Reel 3.

<sup>508</sup> Head 1846, p. 145.

"remained and ever would remain, respected and undisputed."<sup>509</sup> This statement adhered to the clauses of the Royal Proclamation and in the eyes of the chiefs, affirmed their ownership of the land. The chiefs of Manitoulin, keepers of the wampum belt and the foundational treaty between the Western Confederacy and the British recalled this promise 26 years later when they wrote to the Governor General in July 1862.

**Minawa dach eko nijitana  
ashiningotwasswi Eko dassobibonagak  
minawa ningibiodissigona Kitchi Ogima  
Ningibi songitamagona manda  
Niminissimina tchi apitchitibendamang  
ninawi Enichinabewiiang. Wika  
waiabishgiwed tchi wibwa  
bimagoshkadjiiamind.**

**Twenty six years have elapsed since  
the governor came here to assure us  
the possession of our Island that we  
Indians should be the absolute masters  
of it and that no whites should disturb  
us.<sup>510</sup>**

331. The specific Ojibwe sentence **ngii-bi-zoongitamaagonaa** is translated as "[he] came here to assure us" but the word **ngii-bi-zoongitamaagonaa** in Ojibwe conveys much more force. The initial morpheme **zoong-** refers to strength and power. Some examples include **zoongizi** "he/ she is sturdy, firm, powerful, strong," **zoongigaabawi** "He stands strongly, (feet firmly planted)," **zoongdehe** "be courageous, (be stout-hearted)." The translation "assure" is inadequate and just does not convey the full sense of the word **n-zoongtamaagonaa**. All of the chiefs in attendance were given to understand by the words and actions of the Lieutenant Governor that their ownership of the land was secured beyond doubt.
332. The second principle or tenet that was affirmed at the 1836 Manitowaning Treaty by Lieutenant Governor was autonomy. Bond Head understood and reported that the Western Confederacy had not been defeated in battle nor conquered and he stated this understanding, "be it always kept in mind, that while the white inhabitants of our North

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<sup>509</sup> Head 1846, p. 148.

<sup>510</sup> Manitoulin Island Chiefs, Mitchigiwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 - 195682.

American Colonies are the Queen's *subjects*, the red Indian is by solemn treaty Her Majesty's *ally*.<sup>511</sup>

333. The third principle or tenet affirmed in 1836 by the Lieutenant Governor was the King's provision of protection. The Lieutenant Governor expressed this in council but also in the written text of the treaty, stating that affairs and conditions had changed since 1764:

Since that period various circumstances have occurred to separate from your Great Father many of his red children, and as an unavoidable increase of white population, as well as the progress of cultivation, have had the natural effect of impoverishing your hunting grounds it has become necessary that new arrangements should be entered into for the **purpose of protecting you from the encroachments of the whites** [emphasis added].<sup>512</sup>

334. Bond Head attempted to further explain in the text of the treaty that land was property, just like "dogs are considered among yourselves to belong to those who have reared them;" he continued that "uncultivated land is like wild animals, and your Great Father, who has **hitherto protected you** [emphasis added], has now great difficulty in securing it for you from the whites, who are hunting to cultivate it."<sup>513</sup> Bond Head also reported his understanding of the protective role the King assumed in his correspondence to Lord Glenelg by stating "The Lieutenant Governor of the Province may protect them from open violence," but that he could not protect them from vices introduced by the "white man."<sup>514</sup> This principle was also mentioned by the chiefs of Manitoulin in the 1862 petition when they stated the governor had promised "that no whites should disturb us."<sup>515</sup>

335. Sir Francis Bond Head had come to Manitoulin with the expressed purpose of diminishing expenditures as well as abrogating "the existing custom" of delivering presents, he left

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<sup>511</sup> Head 1846, p. 149.

<sup>512</sup> Treaty 45 ½ aka 1836 Manitowaning Treaty. Indian Treaties and Surrenders, Volume 1: Treaties 1 – 138, p. 112. LAC RG 10, 1844, IT 121.

<sup>513</sup> *Ibid.*

<sup>514</sup> [Head no date], Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> November 1836, Despatch No. 95, p. 4.

<sup>515</sup> Manitoulin Island Chiefs, Mitchigwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 – 195682.

having entered into a treaty that renewed and strengthened the foundational treaty – the Covenant Chain.

### **The Importance of Delivering “Warmth”**

336. The most telling example of British conduct revealing their adherence to the Covenant Chain and the 1764 Treaty of Niagara is the annual delivery of presents. From 1764 to 1856 the British delivered presents to the Western Confederacy at Michilimackinac, Detroit, Amherstburg, Mackinac, St. Joseph Island, Drummond Island, Penetanguishene, and Manitowaning. The provision of the annual delivery of presents was represented by a wampum belt called the “24 Nations” wampum belt. A description and life sized drawing of this belt and three other belts, (see figure 7) was made in 1852 by the Reverend George Hallen who had borrowed the belts from Chief J.B. Assiginack. Hallen counted the number of rows of wampum on the belt as well as the number of beads per row. Hallen recorded that the belt had “12 strings, each containing 590 beads, or a total of 7,080 beads.”<sup>516</sup> In the margins of his drawings Hallen had written “24 Nations” in reference to the 24 men on the belt. A. F. Hunter, who had published Hallen’s drawings, reported that he had been told by “the old Chief of the Oka Indians” that they too had a belt of the same pattern, that is men standing side by side with a boat at one end and a mountain or rock at the opposite end of the belt. Hunter’s informant stated that the meaning of the belt was that “the British were bound to supply the Indians with annual presents from the ship. If they should fail, the Indians would be at liberty to act unitedly to secure their just rights. The annual presents were to be given in return for the lands the white men took from the Indians. Such was the meaning of the Oka belt, and such is probably the meaning, or nearly so, of the belt of the Ottawas shown here.”<sup>517</sup> Hunter admitted that he did not have a full understanding of the meaning or the promises of the belt. Fortunately, on 21 October of 1851, someone wrote down J. B. Assiginack’s words regarding the 24 Nations wampum belt. J.B. Assiginack had long been the official interpreter for the Indian Department

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<sup>516</sup> A. F. Hunter 1901, p. 52.

<sup>517</sup> A. F. Hunter 1901, p. 54.

stationed at Drummond Island and Manitowaning.<sup>518</sup> He held that position since the end of the War of 1812. As such, J. B. Assiginack was well versed in the meaning of the wampum belts, was entrusted as keeper of the belts for a time, and had presided over the distribution of presents for many years.<sup>519</sup> Assiginack recounted the “talk” on the 24 Nations wampum belt:

The British officer put forth another Wampum having on it the figure of a ship and the Representatives of twenty four different Tribes and he spoke as follows: “My children, see, this is my canoe floating on the other side of the Great Waters, it shall never be exhausted but always full of the necessities of life for you my children as long as the world shall last. Should it happen any time after this that you find the strength of your life reduced, your Indian Tribes must take hold of the vessel and pull. It shall be out [“in” written above] of your power to pull towards you this my canoe, and when you have brought it over to this land on which you stand, I will open my hand as it were, and you will find yourselves supplied with plenty.” This is the commencement of clothing.<sup>520</sup>

337. Chief J. B. Assiginack lived on Manitoulin Island at the time this statement was taken down. It is therefore understandable that the chiefs of Manitoulin would have a similar understanding. Referring again to the Ojibwe petition written by the Chiefs of Manitoulin, there is a consonance but also minor differences. The chiefs wrote:

Minawa dach kego kigiwawindan manda  
nabikwan kiminin. Kawika  
tanawachkinessino ninidjanissidig  
nisagabikadan manda kitchimaniwa.  
Ninidjanissidig midassewan  
achinijewanan kidandatchim minik nongo  
keganoninagog. Missa iwi  
kedassogabawiieg tchiwikobidoieg manda  
kidjimaniwa. Kichpin dach ninidjanissidig  
tchitchibabigibidog gego  
kwinawabandameg. Kego nangwana  
ogwinawabandanawa ninidjaanissag  
ningainendam ningabos dach ajiwi

You afterwards promised some thing  
[mother]. “This vessel I give you, it shall  
never be empty my children. I tie a rope to  
this vessel which has become yours. My  
children you are twelve bands in number  
who hear my words, you will come in the  
same number to draw up your vessel. If  
any day my children you see something  
wanting I shall say my children are in want  
of something. I’ll go aboard the vessel, I’ll  
try to get what is wanted and I’ll ship it and  
when I shall have brought it you will then  
draw up your vessel. This is what you have

<sup>518</sup> King March 1994, p. 37.

<sup>519</sup> For a description of Assiginack in his role overseeing the distribution of presents consult Anna Jameson Brownell’s Winter Studies and Summer Rambles, p. 496 – 502. Also refer to Kane 1996, p. 7, 10 – 11.

<sup>520</sup> J.B. Assiginack, Manitowawing 21<sup>st</sup> Oct. 1851. LAC RG 10, Vol. 613, p. 443.

tchimaning ninganandawandan dach iwi    said, you whom we call English.<sup>521</sup>  
kegigwinawabandameg ningabositon dach  
kibositoian dach wikobidog manda  
kitchimaniwa missa manda kaijiian kin  
Chaganach egoian.

338. Both Assiginack and the chiefs stated that the boat would always be full. Both state that if anything is lacking (Assiginack says "strength of your life reduced") that they were to assemble, take hold of the rope that was tied to the boat, and draw it towards them. Assiginack initially referred to 24 "Tribes" and stated that "your Indian Tribes must take hold of the vessel and pull" but the Chiefs of Manitoulin specifically stated that 12 "bands" should get together and pull. This is an error, the English word should be "tribe" or "nation" but the translator used band. The number 12 though, is not an error. The Manitoulin bands refer to 12 Nations/ Tribes because they are referring only to the portion for the Western Confederacy, which was 12 Nations, the other 12 being from the Eastern confederacy, including the Six Nations.

339. The Odawa were entrusted keepers of the belts and the talk contained therein since 1764.<sup>522</sup> However that does not mean that others were ignorant of the meanings of the belts. In fact in 1852, the Superintendent of Indian Affairs informed the assembled chiefs at Manitowaning that by 1854 the presents would be reduced by half, and he asked them which of the items included as presents they could readily "despense with."<sup>523</sup> The chiefs vociferously protested. The Odawa chief Mookomaanish, one time keeper of the belts, stated at this 1852 council, "Father - The words of your Chiefs were, 'you shall have presents forever,' Father - let it be as they said."<sup>524</sup> Next the Potowatomi Chief Wacowsai (Waakaa'ose) stated, "Father - We pray of you to tell him that in former days your first men

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<sup>521</sup> Manitoulin Island Chiefs, Mitchigiwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 - 195682.

<sup>522</sup> Refer to Question 2 wherein the 12 Nations representing the Western Confederacy are listed.

<sup>523</sup> The Speeches of Mo.ko.ma.nish, Wa.ka.ow.se, Chinguakonse, 7<sup>th</sup> August 1852, Manitowaning. LAC RG 10, Vol. 621a, p. 107.

<sup>524</sup> The Speeches of Mo.ko.ma.nish, Wa.ka.ow.se, Chinguakonse, 7<sup>th</sup> August 1852, Manitowaning. LAC RG 10, Vol. 621a, p. 107.

said to us the presents should never be taken away.<sup>525</sup> Lastly, the Ojibwe Chief from Garden River, Shinguakonse stated at length:

Father - You came and he [French] disappeared but you said to the Red Man. "Be you now [in] my care. Be you now my children all that the French have done for you + much more will I do. Let the Red Warriors [cleave] to me and they shall never know want."

Father - We heard your words + we believed when you said, "You see that sun above us who daily shines to light and warm us, you see those green leaves which open out beneath his rays. You see that grass which clothes the earth, those waters which flow from the high lands towards the sea. Well! Whilst these things live your presents shall live." Can it be that this is forgotten?

Father - Shall the Indian no longer be able to draw to [the] home which it has so often gladdened that [amply freighted] vessel which was bound by the strong cord of friendship, [much] to agitate which you told him should make it appear.<sup>526</sup>

340. Ojibwe Chief Shingwaukonse, Odawa Chief Mookomaanish, Potowatomi Chief Wacowsai (Waakaa'ose) and Odawa Chief J. B. Assiginack were contemporaries, they knew each other and met with each other annually at least, if not more frequently.<sup>527</sup> Evidenced by their recorded speeches, these chiefs knew the wampum belts, they knew the promises made at Niagara in 1764 because they had heard their elders and chiefs recite the treaty at the councils held in conjunction with the annual distribution of presents. Assiginack had heard the year before that the presents were to be discontinued but the rest heard the news in council at Manitowaning. All responded that the presents were to be forever. Chief Shingwaukonse made specific mention of the sun, the trees, grass and the flowing water, that as long as these persisted, the presents would continue to be delivered. Likewise, 10 months earlier, J. B. Assiginack stated, "you spoke at the time of your

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<sup>525</sup> Ibid.

<sup>526</sup> Ibid.

<sup>527</sup> These chiefs, Assiginack, Mookomaanish, Shinguaconse and Paimoquaonashkung (Bemigwaneshkang), were recorded attending the same councils in 1829, 1838, 1839 and 1852. In 1829 Assiginack spoke on behalf of Mookomaanish and Shinguaconse spoke at the same council (Minutes of the Speeches made by the different tribes of Indians in reply to Lieutenant Colonel MacKay's of the 11<sup>th</sup> of July 1829, Journal of Legislative Assembly, Appendix T, Appendix No. 48). In 1839 Chief Shinguaconse, Mookomaanish, and Bemigwaneshkang delivered speeches that were recorded (Colonel Jarvis at Manitowaning, August 1839. Samuel Peters Jarvis Papers, Metro Toronto Reference Library, Box 57). In 1852 (The Speeches of Mo.ko.ma.nish, Wa.ka.ow.se, Chinguakonse, 7<sup>th</sup> August 1852, Manitowaning. LAC RG 10, Vol. 621a, p. 107). Anna Jameson Brownell also noted the attendance of three of these chiefs at Manitowaning, Shinguakonse, Mookomaanish and Assiginack in 1837 (Jameson 1990, p. 499 - 500).

granting the Presents, your fingers were constantly directed to the sun whilst speaking and frequently mentioned the Great Spirit: it is believed the Great Spirit yet exists, and the Sun continues to shine with splendour; but what means the report the Indians now hear that Great Fire on which you laid so much stress, would be extinguished: it is thought such a thing cannot take place.<sup>528</sup> Assiginack referred to the Great Fire and its extinguishment and equated it with the discontinuation of the presents. The presents were the embodiment and manifestation of the provisions of the Treaty. By 1850, the word "Treaty" had taken on a different connotation, especially "Indian Treaties" which were equated more with cessions than treaties (in contrast with Treaty of Ghent, Jay's Treaty) at that time.

341. The language that Shingwaukonse and Assiginack used, specifically the phrase "draw" that "vessel which was bound by the strong cord of friendship" echoed the antecedents of the Covenant Chain. During the Treaty of Lancaster in 1744, Chief Canasatego used very similar phrasing:

We saw what sort of People they were, we were so pleased with them, that we tied their Ship to the Bushes on the Shore; and afterwards, liking them still better the longer they stayed with us, and thinking the Bushes to [sic] slender, we removed the rope, and tied it to the Trees; and as the Trees were liable to be blown down by high winds, or to decay of themselves, we from the Affection we bore them, again removed the Rope, and tied it to a strong and big Rock (*here the Interpreter said, They mean the Oneida country*) and not content with this, for its further Security, we removed the Rope to the big Mountain (*here the Interpreter says they mean the Onandago country*) and there we tied it very fast, and rolled Wampum about it.<sup>529</sup>

342. Instead of "friendship" Canasatego said "Affection." However, the image of the boat tied to a rock was used again for the belt that was given to the Odawa on behalf of the 24 Nations at Niagara. Recall that Hunter reported that the chief at Oka held a similar belt but he did not state if the belt had 24 men or six. If the belt had six men holding hands with a ship at

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<sup>528</sup> J.B. Assikinawk, Manitowawning 21<sup>st</sup> Oct. 1851. LAC RG 10, Vol. 613, p. 443.

<sup>529</sup> Canasetoga quoted in Morito 2012, p. 25 – 26.

one end and a mountain at the other, that belt would presumably be an older one.<sup>530</sup> Note the persistence of symbols, enduring from 1744 to 1852 and beyond. The visual symbol conveyed the meaning easily enough, however, more metaphors were included with the rope that was tied to the boat. Chief Shingwaukonse was recorded saying, that the Anishinaabe merely had to “agitate” that “strong cord of friendship,” and that action “should make it [vessel] appear.”<sup>531</sup> Likewise, 10 years later, the chiefs of Manitoulin also referred to shaking the rope when they wrote, “Giishpin dash ni-nijaanisidig jiichiibaabiigibidoog gegoo gwiinawaabandameg,” which unfortunately was translated into English as “If any day my children you see something wanting I shall say my children are in want of something.” The key word missing in the translation is **jiichiibaabiigbidoog** “tug on the rope,” in order to give a signal that something is amiss. Shingwaukonse said that they were told to “agitate” the rope, the Chiefs of Manitoulin said “**jiichiibaabiigbidog** - tug the rope” and all will be restored. Sir William Johnson was familiar with this phrase. He had recited this phrase to the Haudenosaunee in 1748. He stated that he had read various volumes of past transactions and re-iterated them:

I find, that our first Friendship Commenced at the Arrival of the first great Canoe or Vessel at Albany, at which you were much surprized [sic] but finding what it contained pleased you so much, being Things for your Purpose, as our People convinced you of shewing you the use of them, that you all Resolved to take the greatest care of that Vessel that nothing should hurt her Whereupon it was agreed to tye her fast with a great Rope to one of the largest Nut Trees on the Bank of the River But on further Consideration in a fuller meeting it was thought safest Fearing the Wind should blow down that Tree to make a long Rope and tye her fast at Onondaga which was accordingly done and the Rope put under your feet That if anything hurt or touched said Vessel **by the shaking of the Rope you might know it** [emphasis added], and then agreed to rise all as one and see what the Matter was and whoever hurt the Vessel was to suffer.<sup>532</sup>

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<sup>530</sup> No belt has been identified but if there were one with six men holding hands with a ship on one end and the mountain at Onondaga at the other end, it would be the older belt upon which the pattern for the 24 Nations belt was based and could have been associated with the time of Canasatego.

<sup>531</sup> The Speeches of Mo.ko.ma.nish, Wa.ka.ow.se, Chinguakonse, 7<sup>th</sup> August 1852, Manitowaning. LAC RG 10, Vol. 621a, p. 107.

<sup>532</sup> Johnson quoted in Morito, 2012, p 26 – 27.

343. In a sense this belt is the complement to the 1764 Covenant Chain which shows two men bound together, one being the Englishman and the other the “Indian.” Taken together, this 24 Nations belt is the one that unites all of the nations together as one to then be bound to the English. The chiefs, governors, commanding officers and orators often mention in council that they have bound themselves together as one man. In the above quote, Sir William stated in 1748 to the Haudenosaunee that they should “rise all as one and see what the Matter was.” Later, Lieutenant Governor Simcoe stated that “Children: The King, your Father, has always advised you to be strong & unanimous & at present it is requisite for me to repeat his constant advice to you, which is to unite as one man – With this Belt – therefore I now collect and bind you together.”<sup>533</sup> Likewise, the Oka Chief told Hunter that if there were any disturbance, interruption, or delay in the delivery of presents “the Indians would be at liberty to act unitedly to secure their just rights.”<sup>534</sup> Similarly, in 1862 the Chiefs of Manitoulin wrote that they were told, by the British (Sir William), “My children you are twelve bands in number who hear my words, you will come in the same number to draw up your vessel.”<sup>535</sup> In fact, at different times, various chiefs requested that the belt be brought to their community to renew alliances. For example, on 27 June 1832, Ojibwe Chiefs Aisence and Yellowhead of Coldwater and the Narrows (near present day Orillia, Ontario) requested that the Odawa would “bring with them the Great Wampum Belt delivered into their care at Niagara by Sir William Johnson,” in order to maintain “their long established friendship.”<sup>536</sup>

344. Long after the British had discontinued delivering presents, the chiefs continued to refer to the belts as a symbol of unification. In 1869, chiefs of the North Shore of Lake Huron gathered at Garden River and wrote a petition to detail various grievances. This petition was then forwarded the following year to the chiefs of Manitoulin Island, where an addendum was added and reference to the belts were made:

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<sup>533</sup> His Excellency Lieutenant Governor Simcoe’s reply to the Indian Nations assembled at the Wyandot Village on the 13<sup>th</sup> Day of October, 1794, Simcoe Papers, Vol. III, 1794 – 1795, p. 122

<sup>534</sup> A. F. Hunter 1901, p. 54.

<sup>535</sup> Manitoulin Island Chiefs, Mitchigiwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 – 195682.

<sup>536</sup> Superintendent Anderson reports the proceedings of a meeting of the Ottawas [from] Penetanguishene with the Coldwater Indians, 27<sup>th</sup> June 1832. LAC RG 10, Vol. 51, p. 56411.

Great Chief – We the undersigned Chiefs of the North Shore of Lake Huron and the Great Manitoulin Island do hereby respectfully acquaint your Excellency that we met in grand council at Little Current on the 25<sup>th</sup> July 1870 for the consideration [of] that sacred Friendship which have existed between our forefathers in the year 1786 at which time a wampum belt have been given by the British Government as an emblem of that sacred Friendship (which is now before us in our assembly) and after a long deliberations we came to the conclusion to renew that sacred Friendship by having smoked the Pipe of Peace as a token of a perpetual Friendship between the different tribes and bands assembled.<sup>537</sup>

345. The chiefs had the 1786 Covenant Chain renewal belt in front of them. This belt was pledged to the Western Confederacy after the American Revolution by Sir John Johnson, Sir William's son. The Chiefs made specific reference to renewing the sacred friendship on their part by smoking the pipe amongst themselves. This petition did not yield the desired results, the grievances of the chiefs went unresolved so they met in council again at Garden River and resolved to send a deputation with the belts to explain the treaties of old. The petition preceded their proposed visit:

In one of the belts America and twenty four Indians are worked with Wampum beads [sic], at the other end an English ship is worked, laden with goods. The twenty four Indians are standing side by side holding each others hands and reach from America to the said English ship. They were told that if they did not get the presents, to get together and draw or pull the rope; how their wants would be known and respected. The ship would be sent, as pictured, laden with valuable presents.<sup>538</sup>

346. Once again the chiefs stated that they were promised presents forever and that all they would have to do would be to "get together and draw or pull the rope" and "their wants would be known and respected." The rest of the petition detailed grievances that went beyond the call to re-institute the annual delivery of the presents. Thus, the chiefs viewed

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<sup>537</sup> The Memorial of the Ojibwa Indians To His Excellency the Right Honorable Sir John Young, Baronet, K.C.B.G.C.M.G. Governor General of the Dominion of Canada & c & c &c, 20 July 1870. LAC RG 10, Vol. 380, p. 253 – 264.

<sup>538</sup> To His Excellency Lord [Lorne], the Governor General of the Dominion of Canada & c & c &c, the memorial of the Chippewa Nation of the Dominion of Canada and other Indian Tribes; viz; the Ottawas, Pottawatamis and the Shawnees, who met together on a general council held at the Garden River Reservation on the 3<sup>rd</sup>, 4<sup>th</sup>, & 5<sup>th</sup> day of July A.D. 1879. LAC RG 10, Vol. 2092, File 15434.

the Covenant Chain, the wampum belt that was given in 1764 at Niagara, as being treaty that encapsulated more than receiving presents of clothing, ammunition, and blankets. The Covenant Chain included the nation to nation relationship, autonomy, protection, and ownership of the land. The chiefs tried to get the representatives of the Crown to recognize and acknowledge their perspectives. Despite the chiefs' continued calls to meet to explain the "treaties" of old, they were told that they would have to receive prior permission to travel to Ottawa if they wanted to get their travel expenses covered, which was a way of limiting the chiefs from meeting with the representative of the crown, or as they called him, "the beautiful white bird."<sup>539</sup>

347. Although the written record privileges prominent chiefs such as Shingwaukonce, Mookomaanish, Okedaa (Ocaitau) and Assiginack, the northern Lake Superior bands definitely visited the King's Council Fire in order to receive warmth. The Lake Superior bands that were located around the Pic Hudson's Bay Company trading post definitely attended the council fire at Drummond Island. In the 1828 Hudson's Bay Company report on the Pic District, the factor reported that "the presents which all Indians who resort to Drummond Island receive indiscriminately from the British Government annually is a very strong inducement for the latter to go and visit a place where they are sure of having their wants partially relieved gratis – These are visits which are very prejudicial to affairs and difficult to remedy."<sup>540</sup> The Hudson's Bay Company, a private enterprise, saw the presents as detrimental to their enterprise. In 1833, the factor at Pic reported that the proximity of the HBC post to Sault Ste. Marie was a challenge to operations because goods were offered at lower rates at the Sault. He gladly reported though, that there was a marked drop in the number of Indians resorting to the Sault Ste. Marie since the British Garrison of Drummond Island had been removed to Penentanguishene. He reported that the Indians

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<sup>539</sup> On 28 August 1879 Manitowaning Indian Agent Phipps reported that a council was held at Garden River and a deputation (including Augustin Shingwauk, William Wawanosh, William Kinoshameg and others) appointed to visit Ottawa to address 'certain matters'. Phipps stated that the chiefs had been informed that "unless the object of their visit was explained to the Department and authority therefore obtained, no assistance towards paying their expenses could be obtained. I am given to understand that they possess the necessary means and do not require the aid of the Department" (LAC RG 10, Vol. 10446, p. 657). It is unknown at this time if they received an audience in Ottawa. On 11 May 1894 a circular was sent out to all the chiefs stating "that hereafter any expenses incurred by Indians going to Ottawa to lay matters before the Department will not be paid unless going there has been authorized by the Department," (LAC RG10, Vol. 10487, p. 156).

<sup>540</sup> Donald McIntosh, Pic, 15<sup>th</sup> June 1828. Report on District Pic, Hudson's Bay Company Archives, B162/e/1.

"find the distance too great to go for their annual presents – which the Natives were in the habit of receiving annually from the King's stores."<sup>541</sup> However, once the King's Council Fire was moved to Manitowaning on Manitoulin Island in 1836, the Lake Superior Ojibwe started to attend again. Reporting on the 1836 Treaty, the Reverend Adam Elliott wrote to Bishop Strachan that "Many of the Chippewas were from Lake Superior."<sup>542</sup> The Ojibwe from Lake Superior could refer to a number of bands. The Jesuits later reported from the Pigeon River Mission (south west of Fort William, Ontario) on August 25, 1849 that one of the "natives who made a trip to Manitoulin Island," arrived and he reported that "The Presents will be made too late, so everyone returns."<sup>543</sup> Five days later the Jesuits reported that "our native people return from the Sault. They did not go to Manitoulin Island; the Presents will not be distributed until October."<sup>544</sup> From as far as Pigeon River and Fort William the Anishinaabeg went to Manitowaning on Manitoulin Island to warm themselves at the King's Council Fire (receive presents). Then on July 31, 1851, a council was convened at Fort William so that the Hudson's Bay factor could distribute the annuity from the treaty. The factor explained that the treaty made no mention of clothing. "The natives were profoundly astonished. They place the blame on both Joseph [Peau de Chat] and Mr. Robinson who had clearly promised them clothing in perpetuity, without which, they said, they would have never sold their land for a mere one dollar per head."<sup>545</sup> This news alarmed the chiefs and head men of Fort William so they decided to write a petition to Lord Elgin, which was dated 3 January 1852:

Father, you said to us: my children you shall have clothing for yourself and your children, forever; it shall be delivered to where you live. You shall not be obliged to leave your little field, to abandon or to drag your children along with you to cross the great dangerous water to come for it. And we were satisfied; we touched the pen with which you wrote our names; we would have never touched it if we had heard these words. And so we have waited in vain for your ship

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<sup>541</sup> Thos. McMurray, C. F. Honble Hudsons Bay Company, Pic Establishment, Lake Superior, June 4<sup>th</sup> 1833. Hudson's Bay Archives, B162/e/3.

<sup>542</sup> Adam Elliott to Bishop Strachan, Tuscarora [Portage/ Passage] 12<sup>th</sup> June 1838, Ontario Archives, Strachan Papers, MS 35 Reel 3. In this same letter, Elliott noted that "members of Mr. MacMurray's congregation did not attend the council," meaning the Garden River and Batchewana bands. Therefore the Lake Superior bands refer to more northerly bands.

<sup>543</sup> Lonz 2010, p. 32.

<sup>544</sup> Lonz 2010, p. 33.

<sup>545</sup> Lonz 2010, p. 93 – 94.

loaded with our supplies. Someone has even told us that we will never see it.<sup>546</sup>

348. The chiefs specifically referred to the British promise that clothing would be supplied forever and they also stated that they waited for the “ship loaded with our supplies.” They continued,

Father, do not say: my children, I have not promised you clothing, or if it has been promised to you, it is not in my name. Father, I have not written down your words as you have written down mine on your paper. I have neither a pen nor liquid to write, nor paper, but I have the memory that the Great Being has given me. I heard it; you said: “My children, this is the person whom I have chosen to speak to you, he has all my authority, all my power; what he shall say to you, it is I who say it to you; what he promises you, it is I who promises you,” and he is the one there who said to us: “My children, you shall have clothing; I myself shall come to give it to you and distribute your money.”<sup>547</sup>

349. It is clear that the Ojibwe Chiefs of Fort William, as well as others, thought that receiving the annual presents was important to maintain. The annual delivery of presents was not to be supplanted by an annuity from a treaty. The presents themselves represented something more than clothing, the giving and receiving of presents was the embodying act of the continued alliance between nations.

v) **What the Proclamation and the Niagara Treaty say about Indian lands, land rights and the process for sharing or surrendering of Indian lands.**

350. In the diplomatic exchanges between the British and the Anishinaabeg of the Michilimackinac and Sault Ste. Marie area, the declaration by Ojibwe Chief Minwewe (aka

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<sup>546</sup> Point 2009, p. xvi.

<sup>547</sup> Point 2009, p. xvi – xvii.

Minavavana aka the Grand Saulteur or Gichi-Ojibwe)<sup>548</sup> to Alexander Henry is often used as an exemplar of Anishinaabe understanding of title and ownership. British fur trader Alexander Henry came to Michilimackinac to trade shortly after the fall of Montreal. Henry wrote about an encounter he had with Ojibwe Chief Minwewe, who forcefully stated to Henry in 1761:

Englishman - Although you have conquered the French, you have not yet conquered us! We are not your slaves. These lakes, these woods and mountains, were left to us by our ancestors. They are our inheritance; and we will part with them to none. Your nation supposes that we, like the white people, cannot live without bread and pork and beef! But, you ought to know, that He, the Great Spirit and Master of Life, has provided food for us, in these spacious lakes, and on these woody mountains.<sup>549</sup>

351. Chief Minwewe continued to state that the British were not “father” to the Anishinaabe, nor had the British provided presents to his people, and lastly, Minwewe forcefully stated that since Henry’s King had not entered into any treaty with the Anishinaabe, they were still at war. In his discourse, Chief Minwewe outlined a way to achieve peaceful relations, a way to live together on Anishinaabe land.
352. Eighty seven years later, at a council held in Sault Ste. Marie, the Crown summoned the chiefs and warriors from the north shore of Lake Huron and Superior to discuss the possibility of entering into treaty. The crown stated that they wanted to determine who the owners of the land were in order to obtain their consent for a surrender of lands. However, they challenged the chiefs by asking them to prove that they were the owners of the land and that a treaty was indeed required. These chiefs responded the same way that Chief Minwewe had 87 years earlier by stating that the Anishinaabeg had been placed on North America by the Great Spirit and thus were, and remained, the owners of the land. During

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<sup>548</sup> Armour, David A. “MINWEWEH, Le Grand Saulteur,” in Dictionary of Canadian Biography, vol. 3, University of Toronto/Université Laval, 2003, accessed September 3, 2015, [http://www.biographi.ca/en/bio/minwewe\\_3E.html](http://www.biographi.ca/en/bio/minwewe_3E.html).

<sup>549</sup> Travels and Adventures in Canada, and the Indian Territories between the years 1760 and 1776, in two parts. Alexander Henry. 1809. New York, NY: I. Riley. Pp: 41 – 45. [www.canadiana.org/view/35677/24](http://www.canadiana.org/view/35677/24)

the council held at Sault Ste. Marie in 1848, Fort William (Kamanitigweia) Chief Joseph Peau de Chat (Esiban-wayaan)<sup>550</sup> expressly stated to treaty commissioners:

Father – You ask how we possess this land, now it is well known that 4000 years ago, when we first were created all spoke one language, since that a change has taken place, and we speak different languages - you white people well know, and we red skins know, how we came in possession of this land, it was the Great Spirit who gave it to us from the time my ancestors came upon this earth it has been considered ours.<sup>551</sup>

353. Ojibwe Chief Shingwaukonse (Little Pine) of Garden River also expressed similar sentiments in a petition written in 1846 and signed by Shingwaukonse's headmen, they wrote:

"I call God to witness in the beginning and do so now again and say that it was false that the land is not ours, it is ours."<sup>552</sup> Upon finally receiving an audience with Lord Elgin, Shingwaukonse was able to explain his reasoning, he stated,

Why ask by what right we claim these lands? These lands where our fathers and their fathers' fathers lie buried, you must know it as every Red Skin does know it, that long before your White Children crossed the waters of the rising sun to visit us, the Great Spirit, the Red Man's God, had formed this land and placed us here, giving it to his Red Children as their inheritance.<sup>553</sup>

354. The Ojibwe Anishinaabeg believed the Creator had placed them where they lived and they understood that their title and ownership had not been extinguished or relinquished. At a council held at Sault Ste. Marie 18 August 1848, Ojibwe Chief Shingwaukonse succinctly stated the Anishinaabe position and understanding to Thomas G. Anderson who had been sent to investigate Anishinaabe claims:

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<sup>550</sup> Peau de Chat 'Skin of the Cat.' The Jesuits provided the Ojibwe name Essibanwaian, meaning Raccoon hide. DuRanquet 2011, p. 340.

<sup>551</sup> Province of Canada, "Put By" Submission to the Executive Council: 1841 – 1867, RG1, E 5, Vol. 9, 1848, Series 1, No: 1067 – 1157.

<sup>552</sup> Petition of William Shinguaconce, Henry Shingwauconce, Thomas Shinguaconce, Joseph Nabaegoshing, Nahwaquagaboo, Francis Kewahcunce, Charles Pahyahbetahsung, John Kabaoosa, James Ahbetahkeik, and George Mahgahsahsuhqua, 1846, LAC RG 10, Vol. 416, 5942.

<sup>553</sup> Montreal Gazette 7 July 1849.

we joined and were brothers (allies) with the English - at that time the English promised our Fathers, that they would never take away land from them without purchasing it - we believed their words and have not as yet been deceived, whenever the English has required any of our lands, they have held Councils, and purchased such lands as they required from us - for these reasons we consider the land to be ours, and were not a little astonished to find that the money (mineral) on our lands has been taken possession of by the white children of our Great Mother the Queen, without consulting us - we rested on the belief that it was only a preparatory step taken by the Governor to Fix a value on it and then purchase from us...

Father – When you wanted to make a strong place on our Island (St. Josephs) you called a Council of all the Indians concerned and bought the Island from us - when you smoked the pipe of peace with the big knives (Americans) you allowed them to take part of our land, they purchased them from the Indians who were living on that side of the water, and pay them every year for them but we British Indians do not share in that payment for these reasons, we think it hard that the Whites take our Lands without payment and we would like our Great Father to purchase them from us.<sup>554</sup>

355. The Anishinaabeg in 1848, just like their ancestors in 1760, knew that they were the sole owners of the land. This sentiment was expressed by various chiefs, from the Odawa Chief Pontiac to Ojibwe Chief Shingwaukonse (Zhingwaakoons). The chiefs knew their rights to the land and asserted it but it was the British who had seemed to forgotten their "engagements" as entered at the 1764 Treaty of Niagara.
356. Since the time that the British defeated the French they had tried to convince the Anishinaabeg that they, the British, owned the land. The Anishinaabeg fought back, and asserted their rights to the land and their ownership of the land. Some British officials, particularly Deputy Superintendent of Indian Affairs George Croghan and his superior Sir William Johnson, realized that the best way to move forward was to acknowledge that the Anishinaabeg were the owners of the land. Under the superintendence of Johnson, policies were promoted that sought the re-institution of the annual delivery of presents as well as instituting a process that assured the Anishinaabeg ownership of the land, and if ceded to the Crown, that benefits derived from the cession would go to the Anishinaabeg. The process of alienating land was to be conducted in an open manner and no private

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<sup>554</sup> Province of Canada, "Put By" Submission to the Executive Council: 1841 – 1867, RG1, E 5, Vol. 9, 1848, Series 1, No: 1067 – 1157.

sales were permitted between the Anishinaabeg and subjects of the Crown. This was specifically stated in the Royal Proclamation “and We do hereby strictly forbid, on Pain of Our Displeasure, all our loving Subjects from making any Purchases or Settlements whatever, or taking Possession of any of the Lands above reserved, without Our especial Leave and Licence for that Purpose first obtained... 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.”<sup>555</sup> The Royal Proclamation had also stipulated that any proposed cession be conducted in a public manner, “if, at any Time, any of the said Indians should be inclined to dispose of the said Lands, the same shall be purchased only for Us, in our Name, at some publick Meeting or Assembly of the said Indians to be held for that Purpose by the Governor or Commander in Chief of Our Colonies respectively, within which they shall lie.”<sup>556</sup>

357. Both Sir William Johnson and George Croghan had known of the Royal Proclamation and both of these representatives of the Crown publicly behaved in a manner that was congruent with the principles outlined in the Covenant Chain relationship. Further, Crown representatives smoked the calumet with chiefs and warriors, delivered wampum strings and belts to confirm their words and actions, and repeated in council the words that assured the Anishinaabeg that the British understood who the owners of the land were. During a council held on 5 November 1760 at Ashtabula Creek, George Croghan assured the Odawa by a “Belt of Wampum that all Nations of Indians should enjoy a free Trade with their Brethren the English and be *protected in peaceable possession of their hunting Country* [emphasis added] as long as they adhered to his Majestys [sic] Interest.”<sup>557</sup> During his intercourse with various nations around Fort Pitt, Croghan had heard many times, the concerns that the Nations had about the manner in which the British were acting. He reported to his superiors that the chiefs were suspicious of the British. Croghan’s public statements in council were assuring to the Western Nations but Croghan understood that these assurances had to come from his superiors as well. So in 1761, Sir William Johnson travelled to Detroit in order to extend the British Covenant

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<sup>555</sup> 1763, October 7. By the King. A Proclamation. Brigham 1911, p. 216.

<sup>556</sup> 1763, October 7. By the King. A Proclamation. Brigham 1911, p. 216 -217.

<sup>557</sup> Croghan quoted in Reuben Gold Thwaites 1966, p. 104 – 105.

Chain to the Western Nations. Further he wanted to assure the chiefs of the Western Nations that their “English brethren” meant to treat with them honourably. In Sir William’s speech he attempted to vilify the French while exalting the British:

Brethren - I can with confidence assure you that it is not at present, neither hath it been his Majesty’s intentions to deprive any Nations of Indians of their just property by taking possession of any lands to which they have a lawfull [sic] claim, farther than for the better promoting of an extensive commerce for the security and protection of which, (and for the occupying of such [post] as have been surrendered to us by the Capitulation of Canada) troops are now on their way. I therefore expect that you will consider and treat them as Brethren and continue to live on terms of the strictest friendship with them.<sup>558</sup>

358. Sir William expressly stated that the British did not intend to “deprive any Nations of Indians of their just property by taking possession of any lands to which they have a lawfull claim.” Anishinaabe legal scholar John Borrows stated that the principles of the Covenant Chain were included in the Royal Proclamation of 1763, principles of sovereignty, aboriginal title, and reciprocity were inherently and explicitly included in the text.<sup>559</sup> Sir William Johnson once again re-iterated these principles, using diplomatic metaphors, in council with chiefs, speakers, and warriors of the Western Confederacy at Niagara. On July 17, 1764, in council “with the Sachims, and Chiefs of the Ottawas, Chippeweights of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada” Sir William addressed his avowed brethren:

Brethren - You have known the English for a number of Years, though your Connections with the French prevented your having much Intercourse with them until we reduced all Canada and of

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<sup>558</sup> 1761, September 9<sup>th</sup> Proceedings at a treaty held at Detroit by Sir William Johnson Baronet with the Sachems and warriors of the several Nations of Indians there assembled. The Sachems and Warriors of the following several Nations: Wiandots, Saguenays, Ottawas, Chipeweights, Powtowatamis, Kickaposs, Twightwees, Delawares, Shawanise, Mohicons, Mohocks, Oneidas & Senecas. LAC, RG 10, Vol. 6, p. 100 – 117, C-1222.

<sup>559</sup> Borrows 1998, p. 170.

**consequence became possessed of all the Out Posts [emphasis added] which the French Governor granted us by the Capitulation.<sup>560</sup>**

359. Here Sir William Johnson acknowledged that the British were only granted possession of the “out posts” such as Fort Michilimackinac, Fort Detroit, Fort Augustus, etc., but not the land or what Croghan had called the Indians’ “hunting Country.” As he did in 1761, Sir William Johnson once again vilified the French and exalted the English:

You assisted the French during the late and preceding War and they Rewarded you for it, notwithstanding [sic] which, although we were numerous, and able, we did not attempt anything against you but considered you as a People who had been misled, and Imposed upon by them. They often sent Armies against you, killed many of your People, and meditated a Design of possessing themselves of your Country: we never attempted the one nor intended the other...<sup>561</sup>

360. Sir William avowed in open council at Niagara in 1764 that the British never attempted to kill many of the Western Nations and he also avowed that the British never attempted to possess themselves of the Western Nations’ country. The British intentions were all too clear to Neolin, Pontiac, Guyasotha<sup>562</sup> and many others. French designs and intrigues were largely directed against the British, not the Western Nations. The fact that Sir William Johnson knew that General Gage had ordered Colonel Bradstreet and Colonel Bouquet to Detroit and Ohio to subdue Pontiac and his allies belied Sir William’s stated professions. In fact Sir William Johnson made mention that if prisoners were not brought in and released, and the names of perpetrators not provided, then the British would proceed to withdraw trade and thus reduce them all. Amongst all of this rhetoric, Sir William did realize that the paramount point was that the Western Nations owned the land. Just as he had done at Detroit in 1761, Sir William Johnson again stated to the Western Nations that “All we wanted was to keep the Posts, which we took from the French, in Peace, and

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<sup>560</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. SWJP Vol. XI, p. 278 – 281.

<sup>561</sup> Ibid.

<sup>562</sup> A Seneca war chief who was instrumental in the war named after Pontiac.

Quietness, and to carry on a fair Trade at them with you for our mutual Advantage"<sup>563</sup> and thus he acknowledged that the Western Nations still owned the land except the posts. Many of the Western Nations agreed to this proposition.

361. The following year, Croghan had sent messengers to the Illinois Country to deliver messages from himself as well as the Western Confederacy and the Six Nations.<sup>564</sup> In council with Croghan on August 30, 1765 representatives from the Wabash (Ouabache) River had replied to his messages, stating:

that nothing gave them greater pleasure, than to see that all the Western Nations & Tribes had agreed to a general Peace & that they should be glad [to know] how soon their Fathers the English, would take possession of the Posts in their Country, formerly possessed by their late Fathers the French, to open a Trade for them, [...] They then spoke on a Belt & said Fathers, every thing is now settled, & **we have agreed to your taking possession of the posts in our Country** [emphasis added]. We have been informed, that the English where ever they settle, make the Country their own, & you tell us that when you conquered the French they gave you this Country. That no difference may happen hereafter, **we tell you now the French never conquered us neither did they purchase a foot of our Country, nor have they a right to give it to you**, [emphasis added] we gave them liberty to settle for which they always rewarded us, & treated us with great Civility while they had it in their power, but as they are become now your people, if you expect to keep these Posts, **we will expect to have proper returns from you** [emphasis added].<sup>565</sup>

362. In this council at Detroit in 1765, chiefs of the Western Confederacy stated that the French were allowed to settle in the country around the posts but the French had not purchased any land from them and therefore had no right to dispose of it. The chiefs plainly laid out the new arrangement, the British likewise did not own any land and they too, like the French before them, would have to deliver "proper returns" for use of the land.

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<sup>563</sup> At a General Congress at Niagara on the [17th] July 1764 with the Sachims, and Chiefs of the Ottawas, Chippeweys of Toronto, of Lake Huron, and Lake Superior, the Nipissins, Algonkins, Meynomeneys, or Falsavoins, & Ottawas of La Bay, the Six Nations, & Indians of Canada. SWJP Vol. XI, p. 278 – 281.

<sup>564</sup> Croghan Journal in Thwaites 1966, p. 159.

<sup>565</sup> Croghan Journal in Thwaites 1966, p. 159 - 160.

363. A few days later, on September 2, 1765, the Wendat of Detroit took the opportunity to remind Croghan that they too had stated the same to Sir William Johnson at Niagara the previous year. They gave Croghan a wampum belt and asked him to remind Sir William about their lands. They told Croghan that they had never sold the land to the French and "expected their new Fathers the English would do them justice."<sup>566</sup> Two days later, Odawa Chief Pontiac and several chiefs of the Odawa, Ojibwe, and Potowatomi similarly stated that the French had not purchased their land. They stated that they "hoped their Fathers the English would take it into Consideration, & see that a proper satisfaction was made to them. That their Country was very large, & they were willing to give up such part of it, as was necessary for their Fathers the English, to carry on Trade at, provided they were paid for it, & a sufficient part of the Country left them to hunt on [emphasis added]."<sup>567</sup> The Wendat Chief of Detroit, Pontiac of Detroit, the Chiefs of the Wabash area, all stated that the French did not own any of their land nor had the French purchased any of it.

364. In public councils, representatives of the British Crown acknowledged that the Western Nations owned the land. The Crown also acknowledged in their Proclamation that in order for the land to be ceded it had to be done so in a public manner. In some of the early transactions, the British even delivered wampum belts to commemorate land transactions. Historian Theresa Schenck, stressed the importance of wampum belts in transactions. She stated that giving wampum at a ceremony was "a kind of treaty, an agreement, a promise to keep one's word." She noted that when Sieur de Repentigny 'took possession' of the land for his fort at Sault Ste. Marie, four strings of wampum were given to him. Some have mistakenly believed that the delivery and acceptance of the "wampum signified transfer of full title to the land," however, Schenck stated that the wampum only represented the promise to share the land, not dispose of it.<sup>568</sup> She stated that this was evident based upon subsequent actions by the area Anishinaabeg. Once the Fort de Repentigny was destroyed and Sieur de Repentigny departed, the area Anishinaabeg subsequently granted use of the same land to at least three other individuals including Jean Baptiste Cadotte, Robert Rogers and Alexander Henry. In this transaction Robert

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<sup>566</sup> Croghan Journal in Thwaites 1966, p. 159.

<sup>567</sup> Croghan Journal in Thwaites 1966, p. 160.

<sup>568</sup> Schenck 2002, p. 118.

Rogers was given a wampum belt to seal the deal.<sup>569</sup> After these men left, the area chiefs also entered into negotiations with other individuals to use the land as well. Significantly, Schenck concluded that "In the meantime the native inhabitants never left the lands in question because it was always their intention to share them."<sup>570</sup> In the above land transactions wampum belts were used.

365. Similarly, the Ojibwe of Michilimackinac entered into treaty negotiations with Lieutenant Governor Patrick Sinclair in 1779 when he decided to move Fort Michilimackinac and to Mackinac Island. Before the Ojibwe left for their winter hunt, a string of wampum was presented and the "chief agreed to permit Sinclair 'to cut down some brush' that winter. Before winter set in, soldiers of the King's Eighth set to work cutting trees and transporting buildings to the island."<sup>571</sup> The important point was that Lieutenant Governor Sinclair knew to initiate discussions with a string of wampum prior to entering into negotiations. The subsequent spring, 1780, Sinclair explained to "chiefs from eight nations" that the move to the island was for defensive purposes. He also explained that whites were to be given lots on the island but "they would not hold title to it. The King maintained control over these properties."<sup>572</sup> The following year, on 12 May 1781, five Ojibwe chiefs: Kitchi-negou or Grand Sable, Pounas, Koupe, Magousseihigan and Okaw signed the Treaty with their doodems transferring Mackinac Island over to King George III for "more than a dozen canoe loads of presents worth £ 5,000 New York Currency." Fulfilling protocol, Lieutenant Governor Sinclair gave a seven foot wampum belt to the Ojibwe chiefs as a "lasting memorial."<sup>573</sup>
366. For a short period of time, the British continued to engage the Western Nations with wampum, particularly when requesting aid to fight their enemies. However, wampum belts were also used briefly for land transactions. This represented a continued adherence to the Western and Eastern Confederacy's manner of conducting economic, military and

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<sup>569</sup> Wampum belt is kept at Detroit Historical Society, Detroit, Michigan. Widder 2013, p. 255.

<sup>570</sup> Schenck 2002, p. 118.

<sup>571</sup> Armour and Widder 1978, p. 127.

<sup>572</sup> Armour and Widder 1978, p. 143.

<sup>573</sup> Armour and Widder 1978, p. 166. Treaty No. 1, Island of Michilimackinac. Indian Treaties and Surrenders, 1891, Volume 1, Treaties 1 – 138, p. 1.

political business. The last notable land transaction in which a representative of the Crown utilized wampum was the 1836 Manitowaning Treaty. The treaty reportedly had strings of wampum attached to the parchment, which are now missing.<sup>574</sup>

367. The 1836 Manitowaning Treaty is significant because it clearly referenced the Treaty of Niagara. The first line of the Treaty text is "My Children- Seventy snow seasons have now passed away since we met in council at the Crooked Place (Niagara), at which time and place your Great Father, the King, and the Indians of North America tied their hands together by the wampum of friendship."<sup>575</sup> The 'wampum of friendship' is of course the Covenant Chain. The other reason that this treaty is significant is because after 1836, Manitowaning became the King's Council Fire where all his 'red children', including those from Lake Superior, came to receive 'warmth,' that is presents. The 1836 Manitowaning Treaty was entered into by Sir Francis Bond Head after he heard Odawa Chief Jean Baptiste Assiginack recite the 1764 Covenant Chain Wampum belt and the 24 Nations belt. A direct connection was thus made between land, treaty, wampum protocol, the Covenant Chain, and the principles of the Royal Proclamation, which Sir William Johnson had converted into the diplomatic language of the Covenant Chain. The chiefs of the north shore of Lake Huron and Lake Superior had seen the belts many times, and had heard the 'spirit of Sir William Johnson's words' recited often when they attended the distribution of presents.
368. The keepers of the wampum belts, the Odawa of Michilimackinac area, specifically the Odawa of L'Arbre Croche, moved to Manitoulin Island in the years after 1836 and brought the belts with them.<sup>576</sup>
369. In July 1862 at Michigwadinong<sup>577</sup> the Chiefs and warriors of Manitoulin gathered for a council to oppose any proposed treaty to cede Manitoulin. The chiefs decided to write

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<sup>574</sup> Bond Head to Lord Glenelg, Toronto, 20<sup>th</sup> August 1836, Despatch No. 70.

<sup>575</sup> Treaty 45 ½ aka 1836 Manitowaning Treaty. Indian Treaties and Surrenders, 1891, Volume 1: Treaties 1 - 138, p. 112. LAC RG 10, 1844, IT 121.

<sup>576</sup> Petition of the Ottawa, 19 August 1840 by Augustin Hamelin and Johnston. National American Archives, NAM M234, R424: 265.

<sup>577</sup> Currently called M'Chigeeng First Nation.

down their understanding of the wampum belts in order to prevent the island from being ceded. The chiefs, as keepers of the foundational treaty between the British and the Western Nations, tried to bring the British back to the basics, to remind them of the original agreements because it was apparent to the chiefs that the British no longer abided by the initial rules set out when the Treaty of Niagara was agreed upon.

370. Numerous times, chiefs of the Western Nations were recorded calling this treaty sacred. This was communicated in Ojibwe by the Chiefs:

**Ambe ninidjanissidig. Kitchi manito  
ninondag ejiganoninagog. Banima  
pachagichkibikak mitchi boni ijiwebak  
manda ejiganoninagog... Kitchi manido  
ninondag nindikid gocha  
ninidjanissidig.<sup>578</sup>**

**Come on my children the Great Being is  
witness of what I say to you. When the  
world shall return to darkness it is then  
only that these things [that I say to you]  
will end... The Great Being hears me I  
say so my children.**

371. The Chiefs of the Western Nations had handed down their understanding of the 1764 Treaty of Niagara and considered the treaty that these wampum belts represented as sacred. The Anishinaabeg understood that these belts represented their autonomy (freedom/ independence). The Anishinaabeg also understood that these belts represented the Crown's acknowledgement that the Anishinaabeg owned the land. The first lines of the petition clearly reference this:

**Keiabi ningikendan  
kaijigaganonadwaba ningitisimag  
apitch wakwadjiwinaadwa awimigasoian.  
Niwi akonajawa maba  
kigitchigamimiwang wabimadabid.  
Oganidibendan kidabinodjim odakim  
awadi waianag agigaganonadwaba  
ningitisimag. Mi manda keijiwebisiian...  
Mi sa iwi kaijijan kin Chaganach egoian.**

**I know how you have spoken to my  
forefathers when you bid them go to  
war. "I wish to chase anyone [away]  
who comes near your lake." Your  
children shall possess their lands  
yonder - did you say this to my  
forefathers at the place where the water  
runs into the sea [Niagara]? Here is the  
place that will be yours. That is what  
you [to us], you whom we call the  
English.**

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<sup>578</sup> Manitoulin Island Chiefs, Mitchigwadinong, June 27<sup>th</sup> 1862. Ojibwe Text has been transliterated from: LAC, RG 10, Vol. 292, Reel C-12 669, File # 195683 - 195687. Original English translation LAC RG 10, Vol. 292, pp: 195678 - 195682.

372. In this passage the chiefs referred to the boundaries that would come to be known as the "Royal Proclamation Line." The significant fact here is that the Anishinaabeg pointed to the wampum belt and its 'talk' as the British promise to them that they retained ownership to the land outside of the 13 colonies (which eventually became the United States of America). The area beyond the 13 colonies was a vast area.

373. The chiefs of the north shore of Lake Huron and Lake Superior knew the tenets of the Covenant Chain and the promises represented on the 24 Nations wampum belt. The chiefs knew the importance of wampum. The chiefs abided by wampum protocol and handed down their understanding of the Treaty of Niagara by reciting the wampum belts in council. By 1847 the chiefs knew that prospectors, miners, timber companies and others coveted their land. The chiefs of the north shore of Lake Huron and Lake Superior knew that they still owned the land and they knew that they had not surrendered the land, nor had their ancestors. Chief Peau de Chat succinctly conveyed their understanding in 1848:

after a time the whites living on the other side of the Great Salt Lake, found this part of the world inhabited by the red skins, the whites asked us Indians, when there were many animals here, would you not sell the skins of these various animals for the goods I bring – our old ancestors said yes! I will bring you goods – they the Whites did not say anything more, nor did the Indians say anything. I did not know that he said come I will buy your land, everything that is on it, under it & c & c he the white said nothing about that to me and this is the reason why I believe that we possess the land up to this day ... He the English did not say, I will after a time get your land, or give me your land, ... When the war was over, the English did not say I will have your land, nor did we say you may have it and this father you know, this is how we are in possession of this land.<sup>579</sup>

374. The chiefs insisted that their ancestors had never given up their land. The chiefs insisted that they had not given up their land to the Crown either, therefore the Anishinaabeg understood that they continued to own the land, because it was given by the Great Spirit. After 1764, and prior to 1850, the British recognized the Western Nations' right to the land, that is, the British had abided by the Treaty of Niagara and the Royal Proclamation. Only when there was a significant change in personnel at the Department of Indian Affairs, and

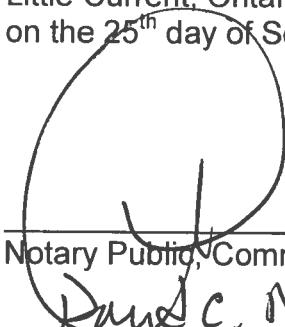
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<sup>579</sup> Minutes of a council held by T. G. Anderson V.S.I.A. at Sault Ste. Marie on Friday the 18<sup>th</sup> day of August 1848, August 19, 1848, Continuation of the council. RG 1, E5 series 1, vol. 9, no. 1067-1157.

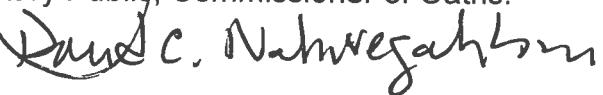
a discontinuation of corporate memory and practice, only then did the British start to disregard wampum protocol and diminish its importance and relegate the belt to an heirloom instead of a treaty.

375. I make this affidavit in support of the plaintiffs' motion and for no other purpose.

AFFIRMED BEFORE ME at  
Little Current, Ontario,  
on the 25<sup>th</sup> day of September, 2016



Notary Public, Commissioner of Oaths.



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Alan Corbiere



Court File No: C-3512-14 and C-3512-14A  
The following is **EXHIBIT "A"**  
referred to in the AFFIDAVIT OF ALAN CORBIERE  
affirmed the 21<sup>st</sup> day of September 2016

*A Commissioner, Public Notary, etc*

## **Exhibit A:**

### **CURRICULUM VITAE: ALAN THEODORE CORBIERE**

Anishinaabemowin Revival Program Coordinator  
Lakeview School, M'Chigeeng First Nation

**E-mail:** [alcorbiere@gmail.com](mailto:alcorbiere@gmail.com)

**Tel.:** (705)377-4367

**Hm:** (705)377-5877

**Mail:** P.O. Box 297, 18 Lakeview Drive, M'Chigeeng, ON, P0P 1G0.

**Date of Birth:** 26 May 1969.

### **APPOINTMENTS & EMPLOYMENT:**

Program Coordinator, Anishinaabemowin Revitalization Program, Lakeview Elementary School, M'Chigeeng, Ontario

Professor (Part time, intermittent), Native Studies, University of Sudbury  
Indigenous Faculty member and Anishinaabe Traditional Knowledge Holder, Kenjgewin Teg Educational Institute, M'Chigeeng, Ontario

Executive Director, Ojibwe Cultural Foundation, M'Chigeeng, Ontario, Canada

Curator, Historian and Cultural Programmer, Ojibwe Cultural Foundation, M'Chigeeng, Ontario, Canada

Member, Great Lakes Research Alliance for the Study of Aboriginal Art and Culture

### **EDUCATION**

Masters in Environmental Studies, York University, 2000.

Bachelor of Science, University of Toronto, 1994.

### **MUSEUM PROFESSIONAL EXPERIENCE**

Ojibwe Cultural Foundation, 2006 – 2012. Acted in dual role as curator and executive director. Curated three museum exhibits: **Ogimaawin**: "Marks of Chieftainship" (2011), **Gashkibidaagan**: "Medicine Pouches of the Anishinaabe" (2010), Ashwiwin "Implements of War" (2009). Other exhibits were developed and hosted at the Ojibwe Cultural Foundation museum but these three entailed borrowing items from other museums such as the Canadian Museum of History (then Canadian Museum of Civilization), Canadian War Museum, McCord Museum, Library and Archives Canada, and private collections. Was responsible to record and fill out conditions report, loan requests, arrange travel, hiring conservators, designers to mount exhibit as well as arrange shipping and handling of museum items. Assisted with packing and unpacking of items upon arrival and departure at the Ojibwe Cultural Foundation.

Attended "Travelling Exhibits Workshop for Native Museums" training session hosted by the National Museum of the American Indian, Smithsonian Institute, for 3 separate week long sessions in Washington, D.C.. The session provided in house training on museological research, archival research, in order to provide Native American museum professionals with training to create and develop their own travelling exhibit. The session was a collaboration between 12 Native American curators from different tribal backgrounds who identified the content of the exhibit, selected the items to exhibit, and to write the text and finally fabricate the kiosk.

A contributing member of the Great Lakes Research Alliance for the Study of Aboriginal Art and Culture (GRASAC), which is a research collective consisting of curators, academics, and community activists, who contribute to the development of an online database of museum collections from around the world with the goal to enhance digital access and foster knowledge exchange amongst scholars and community people. As a member of GRASAC, I have attended on site museum trips to the following museums: National Museums of Scotland (Glasgow and Edinburgh), Kelvingrove Museum, Hunterian Museum (2006); British Museum, Pitt Rivers Museum in Oxford, England (2007); National Museum of Ireland (2010); Detroit Institute of Art, Detroit, MI (2010); National Museum of Natural History, Smithsonian Institute, Washington, D.C. (2012); Musée du Quai Branly, Paris (2013), Musée d'Yverdon, Switzerland (2013); A GRASAC site visit entails attending member to contribute by performing various duties such as videorecording, measurement, retrieval, and interpretation of items in collection to enter into the GRASAC database.

Have also conducted individual museological research at McCord Museum of Canadian History, National Museum of the American Indian, Royal Ontario Museum and the Andrew J. Blackbird museum (Harbour Springs).

Have conducted archival research at the Library and Archives Canada, National Archives of the United States, Burton Historical Collection, Detroit Public Library (Detroit, MI), the Archive of the Jesuits in Canada (Montreal and formerly Toronto), the Bentley Historical Library (Ann Arbor, MI), the Clarke Historical Library (Mount Pleasant, MI), and National Anthropological Archives, Washington D.C.

Was selected to attend training session Benchmarks to Historical Thinking Workshop, Ottawa, Ontario, July 2010, which focused on teaching history in a more dynamic way that included items in museum collections.

## TEACHING

Introduction to Nishnaabemwin, University of Sudbury, Sudbury, Ontario, 2011

Introduction to Nishnaabemwin, Kenjgewin Teg Educational Institute, M'Chigeeng, Ontario, 2011

Intermediate Nishnaabemwin, Kenjgewin Teg Educational Institute, M'Chigeeng, Ontario, 2011

Aboriginal Languages in the Contemporary Context, University of Sudbury, Sudbury, Ontario,

## CURATORIAL WORK

My first job as curator was at the Ojibwe Cultural Foundation in 2001. I was contracted to research, develop and curate an exhibit on the residential school experience. I conducted archival research, curated an art exhibit of paintings focussed on the residential school experience, and organized workshops for residential school survivors to create works of art to process their healing. A catalogue called "Remembrance, Reflection, Rejuvenation: Healing from the residential school experience through the arts" was self published by the Ojibwe Cultural Foundation.

The next exhibit, or rather mini-exhibit, I curated was called "The Sword of Mookomaanish aka 'Chief Little Knife'." This exhibit showcased a silver mounted sword that was presented to Odawa Chief Mookomaanish in 1815 for an act of bravery and compassion during the War of 1812. Other items from the War of 1812 were also exhibited at the Ojibwe Cultural Foundation museum. The next exhibit was "The Manitoulin Treaty of 1862." This exhibit was held in 2002, the 140th anniversary of the signing of the Treaty. The exhibit featured excerpts from petitions and treaty councils alongside historic portraits of chiefs. Most of the portraits were painted by Paul Kane in 1845. Photographic reproductions were used in the exhibit, not the original paintings. The next exhibit was "Gchi-Miigisaabiigan 'The Great Wampum of 1764'." This exhibit was a scaled back version of a grander exhibit that was not funded. The exhibit utilized photographic reproductions, excerpts from recorded speeches, and replica wampum belts. The wampum belts symbolize the Anishinaabe-British relationship and serves as the basis for the treaty in which the British promised to deliver 'Indian presents' to the Anishinaabeg and allied tribes. These exhibits were developed before I had any training but were well received by the community and this led me to further pursue museological, archival and oral tradition research. In fact, for the last decade my professional career has been focussed on trying to utilize all three disciplines to create a more holistic version of the Anishinaabe story.

As an Anishinaabe curator, duties have included:

- Creating museum and art exhibits.
- Working with artists to curate exhibits.
- Researching motifs, symbols, technique and cultural symbolism of colour.
- Consulting with elders, traditional ceremonial leaders, elected leaders, and community historians about the appropriateness of exhibiting various items in museum collections as well as researching their cultural meaning and significance.
- Conducting oral tradition research and making direct or indirect connections to historic and contemporary art.
- Compiling a database of items in various museums that originate from Manitoulin Island as well as any that are significant to the Anishinaabeg (Ojibwe, Odawa, Potowatomi).

- Writing newsletter articles to the regional community, Native and non-Native, about items in museum collections in an effort to disseminate information but also to educate the general public.
- Research, develop and create exhibits that would entice the public to patronize the Ojibwe Cultural Foundation to generate funds to assist in operations, due to perennial underfunding.
- Deliver presentations and opening addresses for museum and art exhibit openings.

## **AWARDS**

2013 Appointed to Kenjigewin Teg Educational Institute Indigenous Faculty as a Tradition Keeper

2011 Given a traditional star blanket by the Chief and Council and Elders of Wikwemikong in recognition of the research conducted

## **GRANTS RECEIVED**

2010 Ontario Arts Council \$ 9 500.00 to run a summer arts camp.

2009 Canada Council for the Arts \$ 20 000.00 Bimidaabiiganige: Woven bags project

2009 Ontario Arts Council, \$ 18 000.00 for 'Aankesidoodaa: Let's pass it on" a multidisciplinary arts programming teaching traditional crafts and contemporary arts to Aboriginal youth.

2009 Canadian Heritage, Museum Assistance Program, \$ 57 799.00 for "Nandobani: On the Warpath" pt.2.

2008 Canadian Heritage, Museum Assistance Program, \$ 47 657.00 for "Nandobani: On the Warpath" pt.1.

2008 Ontario Trillium Foundation \$ 25 000.00 to host an Anishinaabe Art Camp for Youth

2008 Ontario Arts Council, Aboriginal Arts Education Project, "Wesiinhik Kinoomaagewag" \$ 12 000.00.

## **MUSEUM COLLECTIONS SURVEYED**

British Museum; Canadian Museum of History; Canadian War Museum; Royal Ontario Museum; National Museum of Natural History, Smithsonian Institution; National Museum of the American Indian; National Museums of Scotland; Pitt Rivers Museum; Hunterian Museum; Kelvingrove Museum; University of Pennsylvania Museum of

Archaeology and Anthropology; Detroit Institute of Art, McCord Museum of Canadian History, Peabody Museum of Archaeology and Ethnology,

### SELECTED PUBLICATIONS [\* indicates refereed publication]

\*2014 (with Heidi Bohaker and Ruth B. Phillips) 'Wampum unites us: Digital access, interdisciplinarity and Indigenous knowledge – situating the GRASAC Knowledge Sharing Database'. In Raymond Silverman, editor, *Museum as Process: Translating local and global knowledges*. Routledge, New York, NY.

2014 'Jean Baptiste Assiginack: The Starling aka Blackbird' on the website ActiveHistory.ca, <http://activehistory.ca/2014/11/jean-baptiste-assiginack-the-starling-aka-blackbird/> November 12.

2014 'Mookomaanish: The Damn Knife (Odaawaa Chief and Warrior) on ActiveHistory.ca <http://activehistory.ca/2014/10/mookomaanish-the-damn-knife-odaawaa-chief-and-warrior/> October 8.

2014 'Wampum, kin, alliance: Situating Tecumseh within the Western Confederacy' in *Bonnie Devine: The Tecumseh Papers*. Exhibition Catalogue, curated by Srimoyee Mitra, Art Gallery of Windsor, Windsor, ON.

2014 'Anishinaabeg in the War of 1812: More than Tecumseh and his Indians,' on ActiveHistory.ca <http://activehistory.ca/2014/09/anishnaabeg-in-the-war-of-1812-more-than-tecumseh-and-his-indians/> September 10.

\*2013 (with Crystal Migwans) 'Animikii miinwaa Mishibizhiw: Narrative images of the Thunderbird and the Underwater Panther' in David Penney and Gerald McMaster, eds., *Before and After the Horizon: Anishinaabe Artists of the Great Lakes*, Smithsonian Institution's National Museum of the American Indian, Washington, D.C., pp:37 – 50.

2013 'Ojibwe Chief Shingwaukonse: One who was not Idle' in Muskrat Magazine, [http://www.muskratmagazine.com/home/node/131#.Uhv2tz\\_AG-c](http://www.muskratmagazine.com/home/node/131#.Uhv2tz_AG-c),

\*2013 'Naadowek: An Anishinaabe perspective on the Iroquois' in Sylvia S. Kasprycki, editor, *On the Trails of the Iroquois*, Kunst- und Ausstellungshalle der Bundesrepublik Deutschland GmbH, Bonn, Germany, pp: 34 – 38.

2013 'Their own forms of which they take the most notice: Diplomatic metaphors and symbolism on wampum belts.' In Alan Ojiig Corbiere, Mary Ann Naokwegijig Corbiere, Deborah McGregor and Crystal Migwans, eds., *Anishinaabewin Niiwin: Four rising winds*, Ojibwe Cultural Foundation, M'Chigeeng, ON, pp: 47 – 64

2012 'Mookomaanish: The damned knife' In Alan Corbiere, Deborah McGregor and Crystal Migwans, eds., *Anishinaabewin Niswi: Deep roots, new growth*, Ojibwe Cultural Foundation, M'Chigeeng, ON, pp: 55 - 84.

\*Summer 2012 'Anishinaabe Headgear: Symbolic, cultural and linguistic meanings', in *American Indian Art Magazine*, pp: 38 – 47.

2011 'Mii oodi gaa-zhiwebak: Looking at place names in oral history,' In Alan Corbiere, Deborah McGregor and Crystal Migwans, eds., *Anishinaabewin Niizh: Culture movements, critical moments*, Ojibwe Cultural Foundation, M'Chigeeng, ON, pp: 82 - 97.

2011 'Gechi-Pitzijig Dbaajmowag: The Stories of Our Elders, A Compilation of Ojibwe Stories, with English Translations.' Translated by Kate Roy and Evelyn Roy. Transcribed by Evelyn Roy. Edited by Alan Corbiere, Ojibwe Cultural Foundation, M'Chigeeng, Ontario.

\*2010 (with Crystal Migwans) 'Foundations: Carl Beam's work and continuing influence among Manitoulin's Anishinaabek, Alan Corbiere and Crystal Migwans, in Greg Hill, editor, *Carl Beam: The poetics of being*, National Art Gallery of Canada, Ottawa, pp: 49 - 60.

Ojibwe Cultural Foundation Newsletter 2006 - 2012, Contributing lead writer

\*2003 'Exploring Historical Literacy in Manitoulin Island Ojibwe,' in H.C. Wolfart, editor, *Papers of the 34th Algonquian Conference*, Winnipeg: Algonquin Conference.

\*2000 'Reconciling Epistemological Orientations: Towards a Wholistic Education,' in *Canadian Journal of Native Education*, Vol. 24(2), 2000, 113 - 119.

#### **Video Clips:**

"Wampum Belts and the Anishinaabeg" Presentation to Robinson Huron Chiefs at Algoma University, September 9, 2014.

<https://www.youtube.com/watch?v=fyPrMlvEJrs>

"The 250th Anniversary of the Treaty of Niagara" Lecture delivered at the University of Toronto, Centre for Aboriginal Initiatives, June 19, 2014

<https://www.youtube.com/watch?v=aGMlyGtyT7E&feature=youtu.be>

"Manitoulin Island First Nation building bilingual community: New constitution will give First Nations the ability to alter school curriculum to teach Anishnaabe language"

[www.cbc.ca/news/canada/sudbury/story/2012/07/03/sby-first-nation-language.html](http://www.cbc.ca/news/canada/sudbury/story/2012/07/03/sby-first-nation-language.html)

"Episode 3: The Spirit of Stories-Ojibwe"

[www.mushkeg.ca/fot2%20episodes/Se2\\_Ep3/fot\\_season\\_two\\_ep3.html](http://www.mushkeg.ca/fot2%20episodes/Se2_Ep3/fot_season_two_ep3.html)

2008 featured prominently on "Island of Great Spirit: The legacy of Manitoulin" DVD produced by Ontario Visual History project. The episode was aired on TVO.

## **SELECTED CONFERENCE PAPERS and LECTURES**

2015 'Wampum belts and the Treaty making process.' Ontario Ministry of Education, Toronto, Ontario, January 12, 2015.

2014 'How museums can assist with Language revitalization', Recovering Voices Panel, Smithsonian Institute, Organizer, presentation at the American Anthropological Association, Washington D.C., December 3 – 7.

2014 'The Covenant Chain and the Treaty of Niagara' lecture at Osgoode Law School, York University, November 17, 2014.

2014 'Covenant Chain, Representing the Crown and the necessity of Corporate Memory' presented to the Aboriginal Studies Initiative, University of Toronto, August 1, 2014.

2014 'The Anishinaabeg and the Covenant Chain' presented at the 250th Anniversary commemoration of the Treaty of Niagara, Fort Niagara, Lewiston, NY. Lieutenant Governor of Ontario, David Onley in attendance.

2014 'The Treaty of Niagara' presented to the Law Society of Upper Canada, Toronto, Ontario, June 19.

2014 'Language revitalization and Technology' at Speech Acts and Joyous Utterances: Translating, Teaching, Learning and Living Indigenous Tribalographies Conference, University of Toronto, 19-22 June 2014.

2014 'Zhiibaaskogeng: Setting the net under the ice' co-presented with George L. Corbiere at the Anishinaabemwin Teg Language Conference, March 2014.

2014 'Wiigwaaskeng: Working with Birchbark' co-presentation with Theodore and Myna Toulouse at Annual Anishinaabemowin Teg Language Conference, March 2014.

2013 'Mii sa gaa-izhiyan: That's what you said to me' at Montreal Institute for Genocide Studies - Conference: Plundered Cultures - Stolen Heritages, November 2013

2013 'Miigis, Miigis-apikan, giigdowin: Wampum, symbols and diplomacy' presentation delivered at Ontario College of Art and Design University, 9 March 2013.

2012 'Anishinaabeg Nandobaniwag: From obscurity to recognition or More than just Tecumseh' presentation at Six Nations Polytechnic conference commemorating the 200th anniversary of the War of 1812.

2011 'Walking and talking with Nanabush: A multimedia Anishinaabe language resource' presented at Circle of Light Conference: First Nation, Metis and Inuit Education conference, Toronto, Ontario, November.

2009 'Wiikwaan: Anishinaabe Headgear, Historical and contemporary perspectives', presented at Native American Art Studies Association Conference 2009, Norman, Oklahoma.

2008 'Gkinwaajchigan: Marks of distinction' presented at the American Society for Ethnohistory conference, Oregon, November 4.

2005 'Colonialism from a Historical Perspective' – Plenary Session, 2nd Annual Chiefs of Ontario Indigenous Youth Symposium on Social Development, Thunder Bay, Ontario, March 20 – 21.

2005 'Gchi-Miigaadim: The Great War of 1812', 11th Annual Anishinaabemowin Teg Language Conference, Sault Ste Marie, Michigan, March 31 – April 3.

2004 'Wampum Belts of Manitoulin Island', 10th Annual Anishinaabemowin Teg Language Conference, Sault Ste Marie, Michigan, March 25 – 28.

2004 'Nishnaabe-gikendaaswin gaye ezhi-yaaying', 8th Annual Elders Conference, Algoma University, Sault Ste Marie, On, March 13, 2004.

2003 'Wampum Belts,' *35th Annual Algonquian Conference*, London, Ontario, October 23 – 25, 2003.

2002 'Gii-Nishnaabebiigewag G-mishoomsanaanig: Our Grandfathers used to Write in Ojibwe,' *Canadian Indigenous Native Studies Association Annual Conference*, Ontario Institute for Studies in Education, University of Toronto, Toronto, Ontario, May 2002.

2002 'Our Grandfathers used to Write in the language', Nishinaabemwin Teg Annual Language Conference, Sault Ste. Marie, April 2002.

2001 'Thunderbirds in the Classroom: Exploring Nishnaabe Language and Phenomenology of Thunder,' *Canadian Indigenous Native Studies Association Annual Conference*, University of Saskatchewan and Saskatchewan Indian Federated College, Regina, May.

2001 'Nimkiig: Thunderbirds,' Nishinaabemwin Teg Annual Language Conference, Sault Ste. Marie, April.

## **BOARDS**

Currently a Board Member of the Great Lakes Research Alliance for the Study of Aboriginal Art and Culture.

Currently a member of the Ad Hoc Planning Committee for the annual Anishinaabewin Conference, a multidisciplinary conference focussed on Anishinaabe life, culture, language and art, hosted by the Ojibwe Cultural Foundation, commenced 2010.

Previously a Board Member to Anishinaabemowin Teg Language Conference.

## WORK IN PROGRESS/PLANNED

*Geyaabi ningikendaan: I still know how you spoke to me* – A collection of speeches by Anishinaabe chiefs. The book is a collection of historic speeches and petitions from 1760 to 1910 with an opening essay on diplomatic protocol and metaphoric language.

*G-mishoomisinaanig gii-anishinaabebii'gewag: Our ancestors wrote in our language*. A collection of letters and petitions written in Ojibwe, transcribed into the double vowel orthography and translated into English with an introductory essay on Anishinaabe literacy.

*Gchi-gimaabaniig Mnidoo-mnising: Great Chiefs of Manitoulin and area*. The book will be comprised of biographical essays on chiefs and hereditary chieftainship lines. An opening essay on traditional governance, chieftainship and associated positions will be included as well as a chapter on the clans of the area.

Court File No: C-3512-14 and C-3512-14A

The following is **EXHIBIT "B"**

referred to in the AFFIDAVIT OF ALAN CORBIERE  
affirmed the 25<sup>th</sup> day of September, 2016

*A Commissioner, Public Notary, etc*

## **Exhibit B:**

### **Schedule B - Terms of Reference for Alan Corbiere**

#### **A. Ontario *Rules of Civil Procedure*, s. 53.03(2.1)**

In compliance with the Ontario *Rules of Civil Procedure*, s. 53.03(2.1), the Expert's Report shall contain the following information:

1. The expert's name, address and area of expertise.
2. The expert's qualifications and employment and educational experiences in his or her area of expertise.
3. The instructions provided to the expert in relation to the proceeding.
4. The nature of the opinion being sought and each issue in the proceeding to which the opinion relates.
5. The expert's opinion respecting each issue and, where there is a range of opinions given, a summary of the range and the reasons for the expert's own opinion within that range.
6. The expert's reasons for his or her opinion, including,
  - a) a description of the factual assumptions on which the opinion is based,
  - b) a description of any research conducted by the expert that led him or her to form the opinion, and
  - c) a list of every document, if any, relied on by the expert in forming the opinion.
7. An acknowledgement of expert's duty (Form 53) signed by the expert.

#### **B. Background to the Litigation**

##### **a. Robinson Huron Treaty (RHT) Action**

NC Firm commenced a legal action in the Ontario Superior Court of Justice in Sudbury (File No. C-3512-14) on behalf of the beneficiaries of the Robinson Huron Treaty of 1850

(“Robinson Huron Treaty Anishinabek” or “RHT Anishinabek”), to pursue a claim for annuities, against the Crown in right of Canada (Canada) and the Crown in right of Ontario (Ontario).

The following 21 bands (“RHT First Nations”) have beneficiaries within their populations and are collectively successors to the signatories of the Robinson Huron Treaty of 1850: Atikameksheng Anishnawbek, Aundeck Omni Kaning First Nation, Batchewana First Nation of Ojibways, Dokis First Nation, Henvey Inlet First Nation, Magnetawan First Nation, M’Chigeeng First Nation, Mississauga #8 First Nation, Nipissing First Nation, Ojibways of Garden River First Nation, Sagamok Anishnawbek, Serpent River First Nation, Shawanaga First Nation, Sheguiandah First Nation, Sheshegwaning First Nation, Thessalon First Nation, Wahnapitae First Nation, Wasauksing First Nation, Whitefish River First Nation, Wikwemikong Unceded Indian Reserve No. 26, and Zhiibaahaasing First Nation.

These 21 RHT First Nations have authorized the following representative plaintiffs to pursue this litigation, namely: Mike Restoule, a member of Nipissing First Nation; Patsy Corbiere, a member and Chief of Aundeck Omni Kaning First Nation; Duke Peltier, a member and Chief of the Wikwemikong Unceded Indian Reserve No. 26; Peter Recollet, a member of Wahnapitae First Nation; Dean Sayers, a member and Chief of Batchewana First Nation; and Roger Daybutch, a member of Mississauga #8 First Nation. The claim does not include, and the representative plaintiffs do not purport to represent, the Temagami First Nation.

The title of the action is as follows:

**Mike Restoule, Patsy Corbiere, Duke Peltier, Peter Recollet, Dean Sayers and Roger Daybutch, on their own behalf and on behalf of all members of the Ojibewa (Anishinabe) Nation who are beneficiaries of the Robinson Huron Treaty of 1850, Plaintiffs**

and

**THE ATTORNEY GENERAL OF CANADA, THE ATTORNEY GENERAL OF ONTARIO  
and**

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, Defendants**

The claim is for a variety of relief, including compensation, an order for an accounting and a declaration that the Crowns are in breach of an obligation in law, under the Robinson Huron Treaty of 1850, based on the principle of the Honour of the Crown and the doctrine of fiduciary obligations, to increase the annuities to which the beneficiaries are entitled under the treaty, both in the past and going forward.

Formal notice of the claim was given to both Crowns in September 2012. The action was commenced shortly thereafter. The pleadings have been completed:

- The Plaintiffs' Statement of Claim was issued on September 9, 2014, attached;
- Canada filed its Statement of Defence to the RHT Action and Crossclaim against Ontario, attached;
- Ontario has filed its Statement of Defence, attached; and
- RHT also filed Replies to Ontario and Canada's defences, attached.

Though the pleadings raise a number of issues, the RHT Action will proceed by way of summary judgment/expedited summary trial ("summary proceeding") with respect to part of the Claim and will not address all of the issues in the Claim.

#### **b. Red Rock and Whitesand Actions**

A similar claim was filed in Superior Court in Thunder Bay in 2001, by two bands, *Red Rock* (File no. 2001-0673) and *Whitesand* (File no. 2001-0674) initiated as separate claims in 2001 and consolidated in 2004: *Red Rock First Nation and Whitesand First Nation v Canada and Ontario* (Court File CV-01-0673). The claims are under the Robinson Superior Treaty, which contains a similar augmentation clause in its written text. Pleadings

have been completed in those cases and discoveries are in progress. Ontario has issued a third party claim in the RHT Action, against Red Rock and Whitesand First Nations.

It is proposed that the summary judgment proceedings for the RHT Plaintiffs' case and the Third Parties' (Red Rock and Whitesand) case be heard together, in parallel or simultaneously by way of identical or complementary summary judgment motions. The defendants would answer both cases. Evidence that is common to both and specific to each plaintiff group would be presented in a manner to be determined.

### **c. Summary Judgment/Expedited Summary Trial and Issues to be Determined**

As aforesaid, the RHT Action will proceed by way of summary judgment/expedited summary trial ("summary proceeding") with respect to part of the claim in the Statement of Claim.

**Main Issue:** The main issue to be determined is whether, since 1850 the Crown has been and remains legally obligated under the Robinson Huron Treaty of 1850 to increase the annuity under the Treaty from time to time if the territory subject to the Treaty produced or produces an amount which would enable it to do so without incurring loss, and that the size of the increase of the annuity is not limited to an amount based on one pound per person.

**Particular Issues that May be Addressed:** The plaintiffs acknowledge that in addressing this motion, any of the parties may address and seek determination of particular issues, including:

(a) the meaning and legal effect of the phrase "such further sum as Her Majesty may be graciously pleased to order" in the written text of the Treaty;

- (b) whether the revenues that are to be taken into account in determining whether "the territory subject to the Treaty produced or produces an amount which would enable it to do so without incurring loss" are restricted to Crown revenues from the territory;
- (c) whether gross or net revenues are to be taken into account in determining whether "the territory subject to the Treaty produced or produces an amount which would enable it to do so without incurring loss";
- (d) what principle or principles govern the determination of the amount of the increased annuities;
- (e) whether the provision that "the amount paid to each individual shall not exceed the sum of one pound provincial currency (\$4) in any one year, or such further sum as Her Majesty may be graciously pleased to order" should be indexed for inflation.

**Issues that will not be Addressed:** There is agreement that none of the parties will seek adjudication on the technical defences in this summary process (i.e., defences based upon statutes of limitation, *res judicata*, *laches* and *acquiescence*), nor will the parties seek adjudication on the attribution of liability as between Canada and The Attorney General of Ontario and Her Majesty the Queen in Right of Ontario ("Ontario"). The parties also agree that they do not want the issue of quantum to be before the court in this summary process.

### **C. The Nature of the Opinion: Ethno-history from the Anishinabe Perspective**

A report is required setting out the ethno-historical context from the Anishinabe perspective to contribute to an informed understanding of the Robinson Huron Treaty and the issues in this proceeding.

### **D. Background -- *The Robinson Huron Treaty of 1850***

William Benjamin Robinson was mandated by the Crown to pursue treaty negotiations with the Anishinabek north of Lakes Huron and Superior. A Treaty Council was held in early September 1850, which resulted in two treaties, the Robinson Superior Treaty (RST), signed on September 7, 1850, and the Robinson Huron Treaty (RHT), signed on September 9, 1850, both at Sault Ste. Marie, in the Province of Canada.

Under the written terms of the RHT, the chiefs and principal men are to receive as consideration, among other things, a lump sum payment of 2000 pounds of good and lawful money of Upper Canada, plus a perpetual annuity. The annuity clause in the RHT provides as follows:

the further perpetual annuity of six hundred pounds of like money, the same to be paid and delivered to the said Chiefs and their Tribes at a convenient season of each year, of which due notice will be given, at such places as may be appointed for that purpose...

The written terms of the RHT also provide for the augmentation of the perpetual annuity, as follows:

The said William Benjamin Robinson, on behalf of her Majesty, who desires to deal liberally and justly with all her subjects, further promises and agrees, that should the Territory hereby ceded by the Parties of the 5 second part at any future period produce such an amount as will enable the Government of this Province, without incurring loss, to increase the annuity hereby secured to them, then and in that case the same shall be augmented from time to time, provided that the amount paid to each individual shall not exceed the sum of one pound Provincial Currency in any one year, or such further sum as Her Majesty may be graciously pleased to order; and provided further that the number of Indians entitled to the benefit of this treaty shall amount to two-thirds of their present number, which is fourteen hundred and twenty-two, to entitle them to claim the full benefit thereof. And should they not at

any future period amount to two-thirds of fourteen hundred and twenty-two, then the said annuity shall be diminished in proportion to their actual numbers.

In his report to Col Bruce, Superintendent General of Indian Affairs, after the Treaty Council, Robinson provided the following rationale for the augmentation clause:

Believing that His Excellency and the Government were desirous of leaving the Indians no just cause of complaint on their surrendering the extensive territory embraced in the treaty and knowing there were individuals who most assiduously endeavoured to create dissatisfaction among them, I inserted a clause securing to them certain prospective advantages should the lands in question prove sufficiently productive at any future period to enable the Government without loss to increase the annuity. This was so reasonable and just that I had no difficulty in making them comprehend it, and it in a great measure silenced the clamor raised by their evil advisors.

#### **E. Scope of Expert Report and Issues to which this Expert Report Relates**

The Expert shall prepare a report, in the form of an affidavit, which is a narrative of the ethno-historical context from the Anishinabe perspective, for the period 1760 to approximately 1850 and beyond as appropriate, which is necessary to develop a complete understanding of the Robinson Huron Treaty, for the purposes of the issues in this case.

The Expert will describe the Anishinabe-Crown relationship during that period from the Anishinabe perspective making reference to the metaphors utilized in the diplomatic discourse. He will also make reference to key Anishinabe historical figures, as well as Crown figures and the roles they played in the Anishinabe-Crown relationship, particularly with regard to key developments such as the Royal Proclamation of 1763, the Niagara Treaty of 1764, the 1836 Treaty and the Robinson Treaty of 1850.

In describing the Anishinabe-Crown relationship from the Anishinabe perspective, the Expert will also identify and explain relevant Anishinabe mnemonic devices, including wampum belts, medals, flags, as well as photographs, images, and metaphorical diplomatic symbols and language.

The Expert shall make use of historical documentary sources, particularly those written in the Anishinabe language, oral historical sources, as well as ethno-historical sources, including items or images of material culture.

#### **F. Research Materials and Timeline**

In pursuing this mandate, the Expert will research, consider and review, as he deems appropriate, all relevant materials, historical information and records.

The Expert will deliver a draft report by **September 15, 2016**, and a final report by **September 30, 2016**.

Court File No: C-3512-14 and C-3512-14A

The following is **EXHIBIT "C"**

referred to in the AFFIDAVIT OF ALAN CORBIERE  
affirmed the 25<sup>th</sup> day of September, 2016

*A Commissioner, Public Notary, etc*

### Exhibit C: Wampum Belt Images

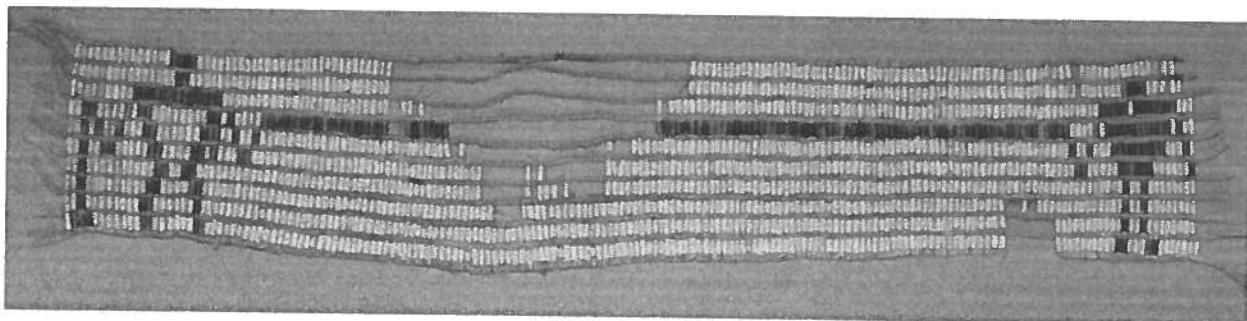


Figure 1: Chain belt collected from Six Nations currently housed at the Canadian Museum of History, CMC III-I-35.

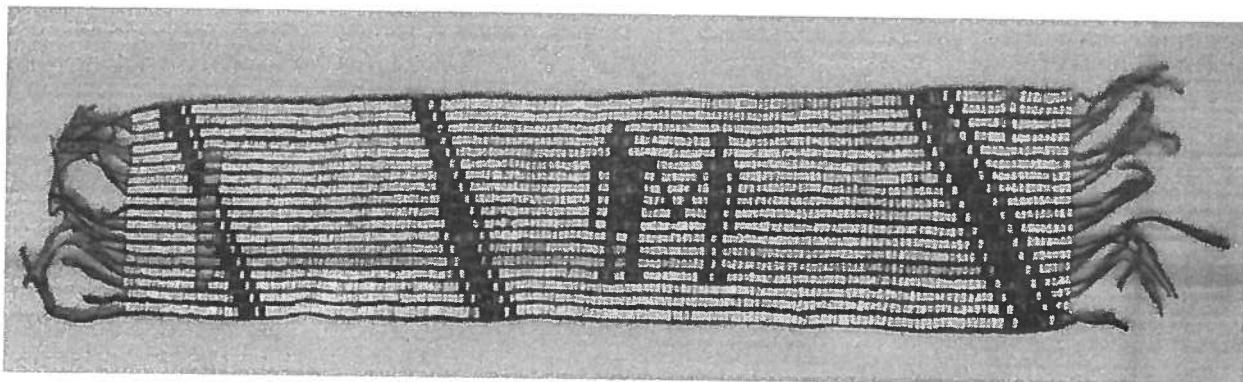


Figure 2: Penn Wampum Belt currently housed at the Atwater Kent

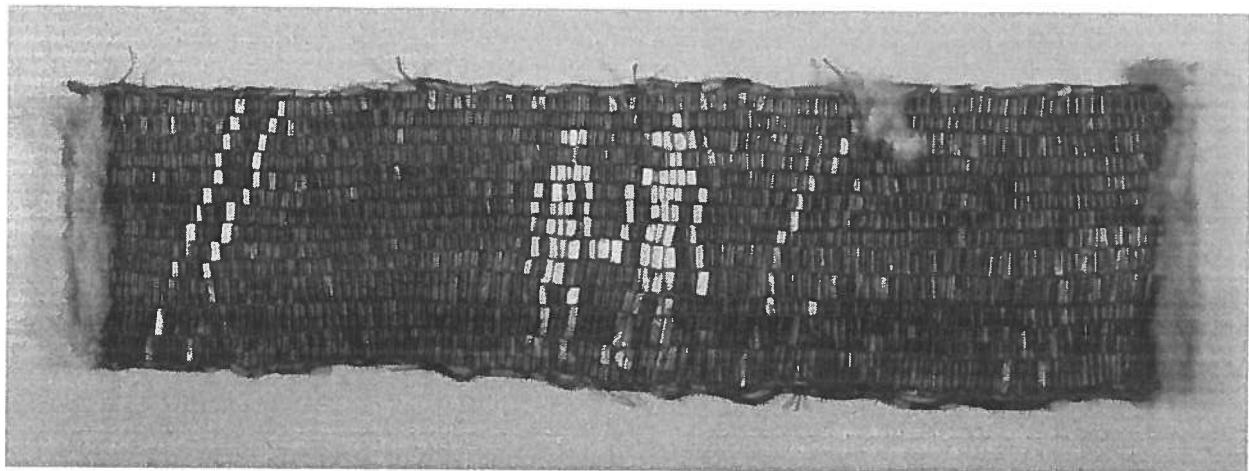


Figure 3: Wampum Belt collected from Chief Waubuno (John P. Wampum) at Munceytown, Ontario in 1887, currently housed at the Royal Ontario Museum, Toronto, Ontario ROM 911-3-130B, HD6364/2B.

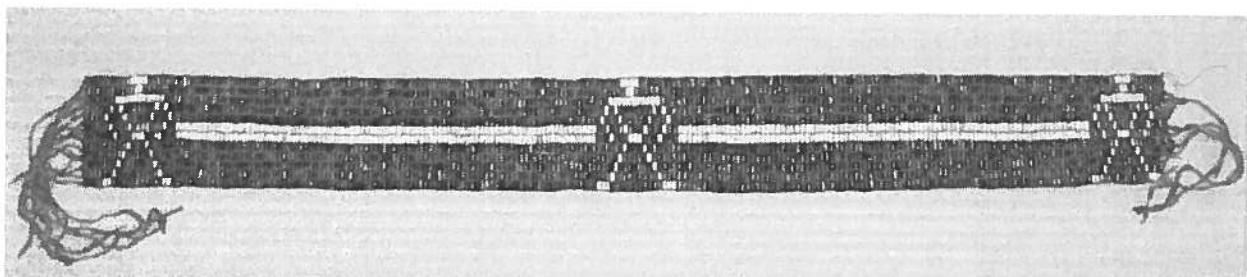


Figure 4: Wampum held at McCord Museum M1912, a suggestive possibility of the belt the Wendat referred to in 1759 about the trading relationship between the Western Nations, Six Nations and the British.

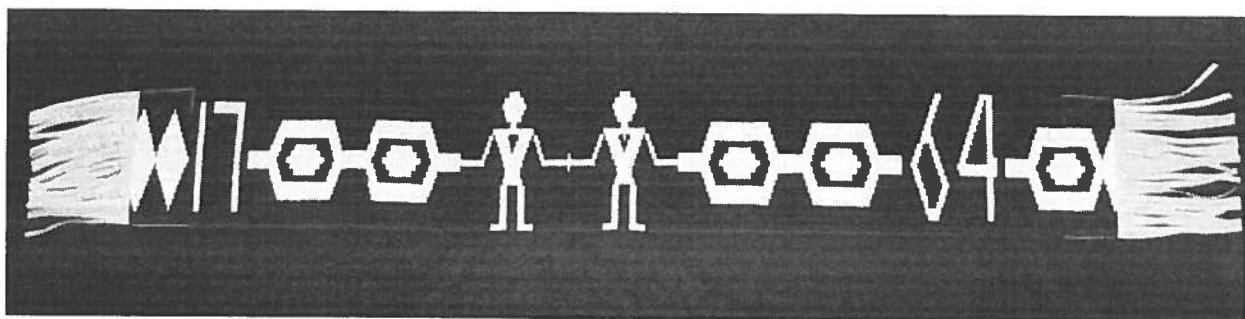


Figure 5: Great Covenant Chain Wampum Belt re-made by Emrick Migwans, M'Chigeeng First Nation, based upon information from Paul Kane's sketchbook and Reverend Hallen's notes on wampum belts held by the Odawa.

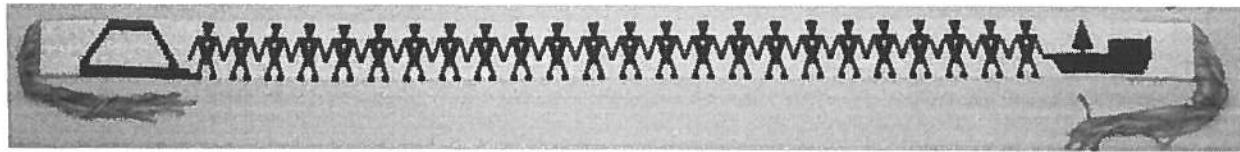


Figure 6: Presents or 24 Nations Belt delivered by Sir William Johnson to the Western Nations. The ship to the right is to be full of presents and delivered every year to the council fires or posts.

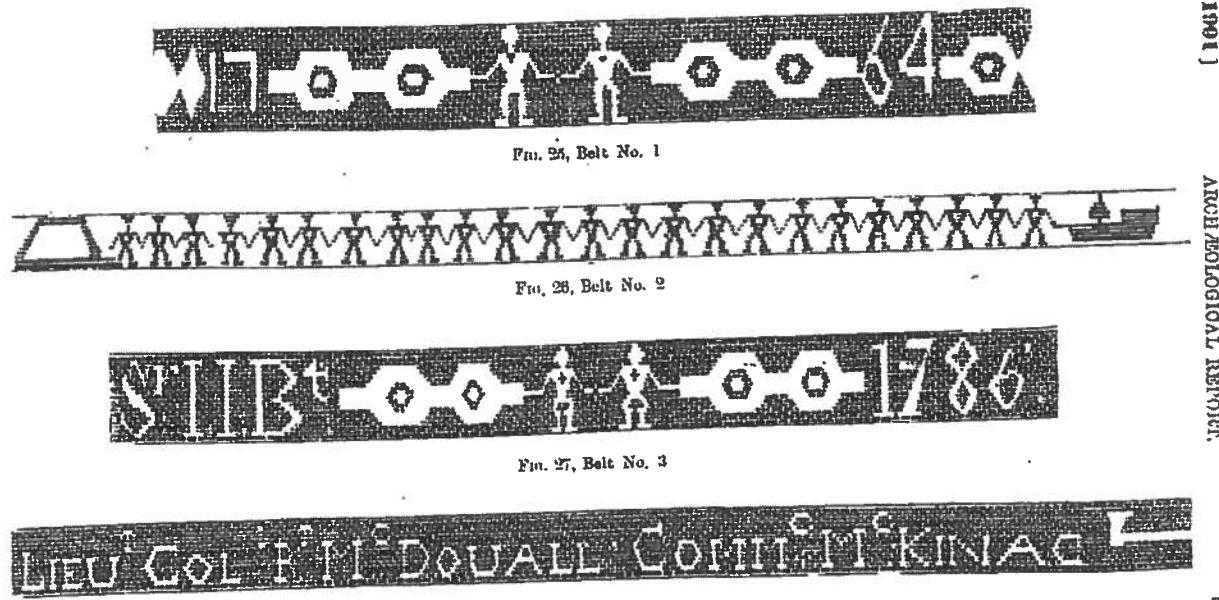


Figure 7: Wampum Belts in the possession of Jean Baptiste Assiginack and documented by Reverend Hallen.

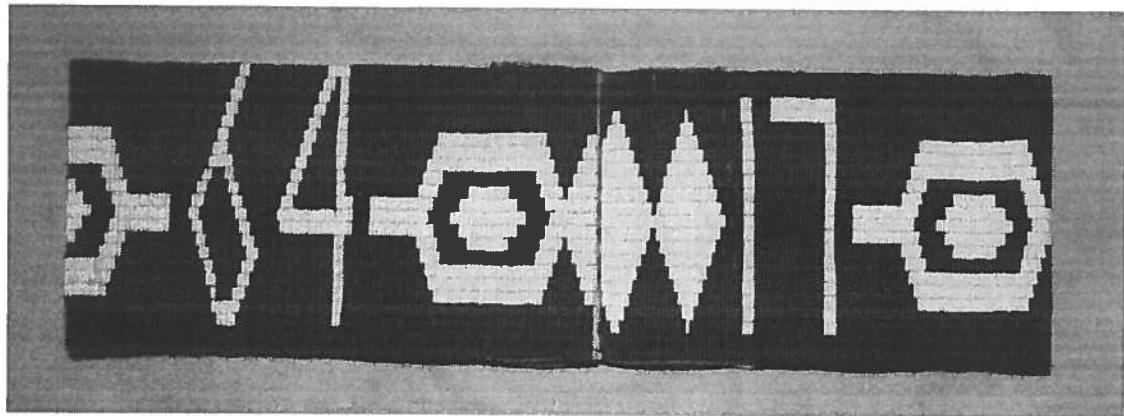


Figure 8: 1764 Covenant Chain belt joined end to end



Figure 9: Happy While United Medal given by Sir William Johnson to various Chiefs at Niagara in 1764.



Figure 10: Obverse to "Happy While United" Medal, LAC #200519



Figure 11: Quaker Peace Medal that incorporated the motifs of the Covenant Chain.



Figure 12: Sir William Johnson's Chief Certificate



Figure 13: Wampum Belt presented to Western Nations by Governor Simcoe E201156, National Museum of Natural History, Smithsonian Washington DC.

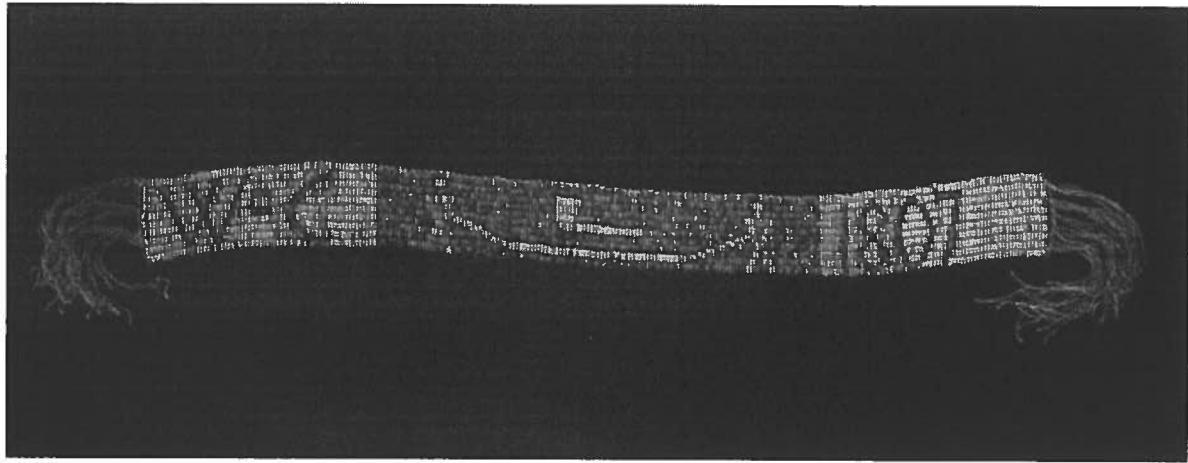


Figure 14: William Claus Belt, National Museum of American Indian, 1/4004

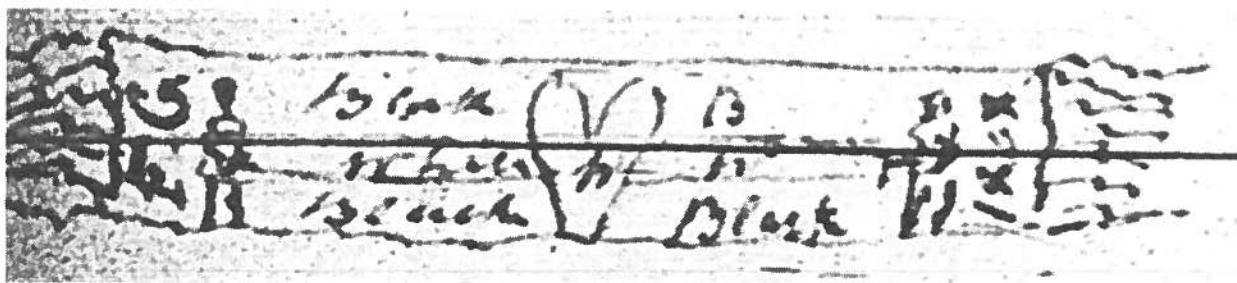


Figure 15: Sketch of 1808 Gore Wampum belt, Claus Papers.



Figure 16: Francis Gore Replica based upon description and bead count. Made by Brian Charles.