

THE UNIVERSITY OF CALGARY

Conflicting Outlooks: The Background to the 1924 Deposing
of the Six Nations Hereditary Council

by

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Abstract

The Dominion government deposing of the Six Nations Hereditary Council at Grand River in 1924 was highly significant at the time, and it remains so today. This thesis seeks to explain this event through examination of the political history of the Six Nations from the 1870s through 1924. Factionalism, a longstanding belief in sovereignty, and a local reform movement remained constant throughout these years. At the turn of the century a burgeoning Six Nations nationalism found expression in a number of unrelated claims against the government and other First Nations. Nationalism continued to grow through the first two decades, fueled principally by the Department's encroachment on Council's traditional jurisdiction. In order to defend Council's local autonomy, the Chiefs fought for recognition of their claim to sovereignty first domestically and then internationally, eventually provoking the Department of Indian Affairs into imposing an elective system.

Acknowledgments

This thesis, for whatever it is worth, is the product not simply of my efforts, but of the innumerable and important contributions of family, friends and fellow academics. I am, perhaps, most indebted to my supervisor, Donald B. Smith, whose sound advice, attention to detail, encyclopedic knowledge and above all, constant prodding, played no small role in bringing this thesis to fruition. Your passion and dedication has instilled in me a new found respect and admiration for the historical method and our exceptional subject: the past. Next I would like to thank the Department of History secretaries, especially Olga Leskiw. Your awing administrative knowledge and friendly, caring attitude ensured that deadlines and requirements were met, and that the process in general was a more personal, less intimidating one.

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I would like to thank my wife Yuko and my family for their unending, unconditional and sometimes undeserved belief in me. You have been, through the years, my greatest supporters and I am at a loss to express both my gratitude and my indebtedness to you. Without your help there would be no thesis for which to write an acknowledgment page.

Lastly, I would like to give special thanks to Sally Weaver. Dr. Weaver was,

before her tragic death in 1993, one of the foremost students of the Grand River Iroquois in the nineteenth and twentieth centuries. Her work has had an incalculable influence on my conception and writing of this thesis. I am profoundly indebted to her.

for Yuko

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Notes on Style

Capitalization

In Council minutes from the period, the words “Council” and “Chiefs” are, with few exceptions, capitalized. Out of respect for the body which forms the primary subject of this thesis as well as the people to whom it catered and caters, this capitalization is maintained. Hence all references to the Six Nations Hereditary Council, Confederacy, League, and Chiefs are capitalized. Where no reference is made specifically to the Six Nations Council, Chiefs, Hereditary system, capitalization is not employed. Thus “Hereditary System” refers to the system at Grand River and “hereditary system” refers to such systems in general. Additionally when reference is made to specific groups at Six Nations capitalization is also employed (i.e., Conservative, Traditionalist, Progressive, Warrior, Reformer, Dehorner, etc.)

Footnote Style - Archival Materials

As is customary, all footnote citations indicate the archive, collection (if applicable), volume number and specific file number where the material can be found. Since most of the records in the Record Group 10 collection at the National Archives of Canada have been microfilmed, knowing the reel number on which a particular volume and file are to be found is necessary if one is to find the file in question. In order to help other readers in locating the specific materials used in this thesis, therefore, the appropriate reel number has been included after the file number. Thus in a typical citation such as the following one:

NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195.

- “NAC” stands for National Archives of Canada
- “RG 10” stands for Record Group 10 - Records Relating to Indian Affairs
- “vol.” stands for volume number
- “file” stands for file number (“1A, Pt.2” is not a page reference but a

- further file specification - there are no page references to RG 10 files)
- “C-11195” identifies the reel on which the volume and file are to be found.

Additionally, in order to simplify the identification of archival sources, the abbreviation “*Ibid.*” is only used to abbreviate the archival location if the same location is referenced twice **in the same footnote**. In connection with references to secondary sources such as articles and books, “*Ibid.*” is used to abbreviate the second occurrence of the same source in two **consecutive footnotes**.

Ex. ¹ D. C. Scott to John Harold, M. P., 7 May 1920. NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195; D. C. Scott to John Harold, M. P. 26 October 1920.
Ibid.

Ex. ¹ Noon, *Law and Government*, 49. ² *Ibid.*, 51.

Abbreviations

All abbreviations should be duly noted in the text, but for easier identification here is a list some of the most common:

- “SGIA” stands for “Superintendent General of Indian Affairs”
- “DIA” stands for “Department of Indian Affairs”
- “DSGLA” stands for “Deputy Superintendent General of Indian Affairs”
- “CM” stands for Six Nations Council Minute(s)
- “NAC, RG 10” stands for National Archives of Canada, Record Group 10 (records relating to Indian Affairs).

Use of the Terms “Progressive”, “Traditional” and “Conservative”

In keeping with usual practice in the scholarly literature on the Six Nations, the term “Progressive” is used to refer to Six Nations individuals who in their acceptance of Christianity, farming, western education, and the nineteenth and early twentieth century social creed of “progressivism”, more readily adopted the customs and values Euro-

Canadian society. “Traditionalist”, and “Conservative” on the other hand, are used to refer to those Six Nations members who embraced the religion of Handsome Lake (The Longhouse Religion) and who were far more circumspect about internalizing Euro-Canadian cultural forms. These terms are, admittedly, conspicuously value-laden, but there are, as yet, no satisfactory substitutes. In the nineteenth and early twentieth centuries these two classes of people would probably have called themselves “Deists” (Traditionalists) and “Christians” (Progressives), but from the point of view of an academic study, these terms fail to capture the extensive, distinct political and social values which characterized these groups above and beyond their religious beliefs. Modern Six Nations people are cognizant of these terms and as far as the present author is aware, do not find them objectionable.

Introduction

At approximately 11 a.m. 7 October 1924, Col. Cecil E. Morgan, the Department of Indian Affairs Superintendent for the Six Nations, accompanied by a small contingent of RCMP officers and a reporter from the *Brantford Expositor*, appeared at the Agricultural Hall at Oshweken. Present for the Superintendent's momentous proclamation were nineteen of the forty-six members of the Six Nations Hereditary Council. Morgan first read the Order in Council abolishing the Hereditary Council and then outlined voting arrangements for the community's first elective council. Upon hearing the proclamation, the Chiefs rose solemnly and congregated outside. In all this, rather paradoxically given Morgan's fears and careful, surreptitious preparations, there was no violence nor even any harsh words for Morgan or the RCMP – a rather anti-climactic finish for a struggle which had been carried on in earnest for over three years, and which had been mounting for more than a decade.

How did this confrontation develop? Why did the government depose the Council in 1924? In answer this thesis argues: first that the seeds of confrontation can be found in the 1880s and 1890s and perhaps indirectly in the 1870s; and secondly that the Department of Indian Affairs deposed the Council not for 'Progressive' or 'Reformist' reasons but because the confrontation with the Six Nations had become a major political embarrassment nationally and internationally, and because the Department could not save face except by re-asserting control over the Six Nations. Put simply, the Department of Indian affairs deposed the Hereditary Council because it was the most politically expedient 'solution' to the conflict.

The Six Nations Hereditary Council was the modern descendant of the League or Confederacy of the Iroquois, originally conceived most authorities believe, some time in the mid-fifteenth century.¹ From the perspective of the French, Dutch and British, the first

¹There is disagreement as to when the league was actually founded, though most agree that this occurred sometime between 1400 and 1660. For a discussion of the divergence of opinion, see Elizabeth Tooker, "The League of the Iroquois: its History, Politics and Ritual" *Handbook of North American Indians* Vol. 15 *The Northeast*, Bruce

Europeans to come into contact with the Iroquois, the League's rich lore, sophistication and perhaps most markedly, great civil and military traditions earned it ascendancy over other First Nations in Northeastern North America. Lewis Henry Morgan, one of the earliest students of the League a century and a half ago, commented, "To the Iroquois, by common consent, has been assigned the highest position among the Indian races of the continent...In legislation, in eloquence, in fortitude and in military sagacity they had no equals."² Present day North Americans are no less intrigued by the Iroquois than their nineteenth or eighteenth century predecessors.

An enormous body of literature on the Iroquois exists, which comprises both popular and scholarly works. For over half a century, American and Canadian scholars have met at the Annual Conference on Iroquois Research to share ideas, research and dialogue on this fascinating people and their traditions. Yet the majority of scholarly works treat the seventeenth or eighteenth centuries, while the nineteenth and twentieth centuries receive less attention. Moreover, the Six Nations in Ontario in the nineteenth and twentieth centuries remain relatively untouched in the published literature after 1841, the time at which Charles Johnston's useful collection of documents, *The Valley of the Six Nations*,³ ends.

A limited number of published primary and secondary ethnological works cover the nineteenth century history of the Iroquois on the Grand River. Men such as Horatio Hale, Edward Chadwick, and J. N. B. Hewitt, are the best known nineteenth century contributors. Lewis H. Morgan is also important for his work on the neighbouring Seneca of western New York.

G. Trigger, Volume Editor, (Washington, D.C.: Smithsonian Institution, 1978), 418–442.

²Lewis Henry Morgan, *The League of the HO–DE–NO–SAU–NEE or Iroquois*, Vol. 1. (New York: Burt Franklin, 1901, c1851), 51–2.

³Toronto: University of Toronto Press, 1964.

Horatio Hale was enthralled with the League's long, splendid history. His *The Iroquois Book of Rites*⁴ grew out of this interest and of his discovery, in the early 1870s, of two manuscript copies of the ancient rites used to mourn chiefs and 'requicken' new ones in their place, at Condolence Councils. Hale became friends with three prominent Six Nations Chiefs who helped him to transcribe the work: George H. M. Johnson, George's father John 'Smoke' Johnson, and John Buck. Hale is very useful both for understanding the Confederacy Council in its ideal form, and for his comments on the Six Nations in the nineteenth century.

A contemporary and a friend of Hale's was Lewis Henry Morgan. Morgan's ethnological work among the Seneca of Western New York paralleled that of Hale's in Iroquoian linguistics. Morgan's two volume study of the Confederacy, *League of the Ho-de-no-sau-nee or Iroquois* remains the most comprehensive delineation of Iroquois culture yet written. Like Hale, Morgan is essential to scholars seeking to understand the influences of traditional culture on the modern Longhouse peoples and even the highly acculturated Christians.

Other authors to have worked with the Six Nations include Edward M. Chadwick, J. N. B. Hewitt, and Alexander A. Goldenweiser. Chadwick's *The People of the Longhouse*⁵ is a valuable taxonomy of the material and spiritual culture of the Iroquois, based on his work with the Grand River Iroquois in the late nineteenth century. His comparison of traditional Council procedure with procedure as it had evolved by the nineteenth century is especially useful. Also valuable is his "Roll of Chiefs" (in *The People of the Longhouse*) which describes most Chieftainship titles including those "extinct" at Grand River and which links these to the individuals who held them at the time. Hewitt's, and Goldenweiser's greatest contribution to the scholarly literature of the Six Nations

⁴Toronto: University of Toronto Press, 1963

⁵Toronto: Church of England Publishing Co. Ltd., 1897.

consists in their transcription of oral recountings of the lengthy Deganawidah story and Condolence rites.⁶

Several studies of the Grand River community in the mid-twentieth century include those of Annemarie Shimony, John Noon and Sally Weaver. Shimony conducted extensive field work among the Conservative population at Six Nations in the 1950s which resulted in her monumental *Conservatism among the Iroquois at the Six Nations Reserve*.⁷ Without touching in depth on the unseating of the Six Nations Hereditary Council in 1924, she explains the mechanisms of cultural conservation which have allowed the Traditional community at Six Nations to maintain their ethnic integrity in spite of the overpowering nature of the off-reserve consumer society and interference from governmental institutions. Her insights into the Conservative belief system provide information very useful for understanding the actions of the Conservative Chiefs on Council. Additionally, her thorough knowledge of Iroquois institutions such as the clan, nation, and League governments provide interesting clues to the process of the League's appropriation of national and clan-related functions and its metamorphosis into a community or municipal government.

⁶Both men worked with John Arthur Gibson a renowned Seneca Traditionalist and ritualist. J. N. B. Hewitt transcribed Gibson's version in 1899 and this was revised by Chiefs Abraham Charles, John Buck, sr., and Joshua Buck in the early twentieth century, and eventually translated by William Fenton, in 1941. In 1912, Gibson gave a second, revised and substantially longer recounting (the most comprehensive in existence) and this was transcribed by A. A. Goldenweiser. This version was translated by William Fenton with the help of Simeon and Hardy Gibson, and Howard and James Sky. Most recently the Goldenweiser manuscript (1912) has been "newly elicited, edited and translated" by Hanni Woodbury in collaboration with Reg Henry and Harry Webster. See Hanni Woodbury, ed. with Reg Henry and Harry Webster *Concerning the League. The Iroquois League Tradition as Dictated in Onondaga by John Arthur Gibson* 1992. Originally transcribed by A. A. Goldenweiser (Winnepeg, Manitoba: Algonquian and Iroquoian Linguistics, 1992).

⁷New Haven, Connecticut: Yale University Press, 1992, c1961.

John A. Noon, writing in the late 1940s, offers a somewhat more detailed analysis of the events of 1924 in his *Law and Government of the Grand River Iroquois*.⁸ According to the author, grievances originating in the nineteenth century fueled the Sovereignists' campaign and effectively undermined the position of the Moderates who sought a *rapprochement* with the Department. Noon, however, is primarily concerned with the aggrandizement of Council's legislative and 'coordinative' role in the community and hence his analysis of the events of 1924 is only incidental. For instance, while he uses Council Minutes extensively to demonstrate the new legislative functions of Council in the reserve era, his account of the deposing of the Hereditary Council is based almost solely on oral tradition.

James E. Benincasa has contributed directly to the literature on the 1924 deposing of the Six Nations Council with his "Cultural Divisions and the Politics of Control: The Canadian Removal of the Six Nations' Hereditary Council in 1924".⁹ Benincasa commendably rejects the notion that the events of 1924 can be explained solely with reference to the Sovereignists' embarrassment of the Canadian government. He argues that the cultural-political history of the Grand River Iroquois must be taken into account and employs what he terms the "'Berkhoferian' model [derived from the work of American historian Robert F. Berkhofer] of Native political leadership."¹⁰ While his interpretation is an interesting one, a satisfactory understanding of the background to the 1924 deposing as well as of the cultural history of the Iroquois as a whole is sacrificed in favour of a focus on a cultural-political theory which appears to be no better than common sense.

The undisputed authority on the political history of the Grand River Iroquois and on the Christian, Progressive population, was anthropologist Sally Weaver. Her numerous

⁸New York: Viking Fund, 1949.

⁹MA Thesis, University of Western Ontario, 1994.

¹⁰Benincasa, iii.

contributions include *Medicine and Politics Among the Grand River Iroquois*;¹¹ “Small Pox or Chickenpox: An Iroquoian Community’s Reaction to Crisis, 1901–1902.”¹²; “The Iroquois: The Consolidation of the Grand River Reserve in the Mid–Nineteenth Century, 1847–1875”; and “The Iroquois: The Grand River Reserve in the Late Nineteenth and Early Twentieth Centuries, 1875–1945”.¹³ Also, at the moment of her death in 1993 she left behind a very detailed, unpublished manuscript entitled “Iroquois Politics, 1847–1940”, now in the archives of the Canadian Museum of Civilization, in Hull Quebec, in the Sally M. Weaver Collection. Weaver’s explanation of the 1924 unseating however, while careful and extremely thorough, leaves out some of the general historical context of the time which can now be derived from consideration of the microfilmed records of the Department of Indian Affairs, (RG 10) held at the National Archives of Canada.¹⁴ Additionally, her work displays a strong bias toward the Progressive at the expense of the Conservative Hereditary Chiefs. This thesis seeks to give a more balanced treatment of the two socio-religious groups, in particular, attempting to better understand the motivations of the Conservative Chiefs and their less easily elicited contribution to Council politics.

The Council which united the Five and later Six Nations (Onondaga, Mohawk, Seneca, Oneida, Cayuga and Tuscarora), represented one of the more elaborate and sophisticated forms of government in Native North America. According to the founding myth of the League, the Peacemaker together with his disciple Hiawatha (of no relation to Longfellow’s literary character), united the warring Five Nations, forming the great

¹¹Publications in Ethnology, No. 4, (Ottawa: National Museum of Man, 1972).

¹²*Ethnohistory*, 18 (4):361–378.

¹³Both in *Aboriginal Ontario. Historical Perspectives on the First Nations* Edward S. Rogers and Donald B. Smith, eds. (Toronto: Dundurn Press, 1994). Pp. 182-212, and 213-257, respectively.

¹⁴Weaver’s systematic analysis of Chieftainship titles, Council composition, and Reformer composition, adds to our understanding of the events but at the same time limits the suitability of this work to an academic audience.

Confederacy and the Great Peace. No longer would the individual nations war amongst themselves, and those who wished to join their confederacy and “take shelter beneath the Tree of the Long Leaves”,¹⁵ would be welcomed. Those who refused to join in the Great Peace, were considered enemies and dealt with accordingly.¹⁶ Appointments to Council were based on hereditary chieftainships which passed matrilineally through the female heads of the extended families which possessed the lineages.

The Council was symbolically modeled after the duality of male and female and the kinship ties of siblings, relatives and extended families.¹⁷ Moieties in Iroquois society and

¹⁵A. C. Parker, “The Constitution of the Five Nations or The Iroquois Book of the Great Law” *New York State Museum Bulletin*, No. 184, (Albany: University of the State of New York, 1916.) (Reprint, W. Guy Spittal, ed., Ohsweken Ontario: Iroqrafts, 1991), 9.

¹⁶ The Deganawidah story or founding myth of the League has long fascinated students of the Iroquois and is discussed or retold by numerous scholarly and popular articles and books. See for instance, Arthur Parker, “The Constitution of the Five Nations”; Horatio Hale *The Iroquois Book of Rites*; Paul A.W. Wallace *The White Roots of Peace* (Reprint, Oshweken, Ontario: Iroqrafts, 1997, c1946); J. N. B. Hewitt, “Legend of the Founding of the League,” *American Anthropologist* 5 (1892): 131-148; William Fenton, “Seth Newhouse’s Traditional History and Constitution of the Iroquois Confederacy” *Proceedings of the American Philosophical Society* 93 (2): 141-58. Fenton, “Problems in the Authentication of the League of the Iroquois. Neighbours and Intruders: An Ethnological Exploration of the Hudson’s River.” *National Museum of Man, Canadian Ethnology Service, Mercury Series Paper 39*, Laurence M. Hauptman and Jack Campisi, eds. Ottawa, Canada; Duncan C. Scott ed., “Traditional History of the Confederacy of the Six Nations” *Proceedings and Transactions of the Royal Society of Canada*, Vol.5 Ottawa, 1911; Hanni Woodbury, ed. with Reg Henry and Harry Webster *Concerning the League*.

¹⁷Because of the divergent military and political interests of the individual nations, numerous mechanisms functioned within Council to bind the nations to one another and encourage cooperation. As in intra tribal Councils, moieties in the League fulfilled an essential function in helping the opposing group to deal with the death of their leaders. The symbolic fulfilment of what was, of course, a kin function helped to bind individual members both, through the catharsis brought by the condolence ceremony and by instilling the notion that the League was an extended family. A further mechanism meant to foster cohesion was the extension of clans across tribal boundaries. For more on this see B. H. Quain, “The Iroquois,” *Cooperation and Competition among Primitive Peoples*. (New York: McGraw-Hill, 1937), 263-4.

in Council effectively represented the male/older vs. female/younger duality the Iroquois perceived in nature. On one side of council sat the Mohawk and Seneca – the male or older brothers moiety – while on the opposing side, ‘across the fire’ sat the Cayuga, Oneida, and later the Tuscarora and other adoptees. The Onondagas, acting as fire keepers or chairmen, sat in the middle. The Onondaga, Seneca and Mohawk were variously referred to as the Three Brothers, the Older Brothers, or Uncles, while the Cayuga, Oneida and Tuscarora were also variously called the Four Brothers, Younger Brothers, or Nephews. As fictive kinship ties were established between Council’s moieties, the League was often described as one Longhouse – the traditional abode for an extended family. The Five (and later Six) Nations were symbolically represented as eating from one bowl, with one spoon, and therefore as being one mind.¹⁸ As in families, respect and reciprocity¹⁹ governed Council proceedings. Matters for discussion were passed ‘over the fire’ from older to younger moieties and when one moiety lost a Chief it was the responsibility of the other to console and perform the Condolence ceremony for the dead Chief.²⁰

Like much of the detail regarding the specific functions of particular institutions in Iroquois society²¹ a complete understanding of the traditional functioning of the

¹⁸Parker, “The Constitution of the Five Nations,” 45-46.

¹⁹William Fenton, “Structure, Continuity, and Change in the Process of Iroquois Treaty Making” *The History and Culture of Iroquois Diplomacy. An Interdisciplinary guide to the Treaties of the Six Nations and Their League*, Francis Jennings et al. eds. (New York: Syracuse University Press, 1985), 10-11; Daniel K. Richter, *The Ordeal of the Longhouse. The Peoples of the Iroquois League in the Era of European Colonization* (Chapel Hill, N.C.: University of North Carolina Press, 1992), 29.

²⁰For an excellent introduction to the rich symbolism of the League see William Fenton, *The Great Law and the Longhouse. A Political History of the Iroquois Confederacy* (Norman Oklahoma, Oklahoma Press, 1998); Fenton, “Structure, Continuity and Change”; Fenton, “This Island, The World on the Turtle’s Back” *Journal of American Folklore* 75 (1962): 283-300; Elisabeth Tooker, “The League of the Iroquois: Its History, Politics and Ritual” *Handbook of North American Indians. Vol. 15 The Northeast*. Pp. 418-441.

²¹For an example of this confusion, see Shimony’s discussion of the currently problematic nature of the clan as an exogamous unit. Shimony, 27-34.

Hereditary Council has been obscured by time, adaptation to changing conditions and acculturation. Compounding this confusion over specifics is the fact that the Great Law (*Gayanashagowa*) is an ideal delineation of Council procedure and was and is only partially reflected in actual practice. The brief discussion that follows focuses on Council procedure as it is described in the Great Law.

Council deliberations were to follow a very strict protocol. The Onondaga act like an executive of a sort: they decide if a matter warrants the opening of Council, they announce the matter(s) for discussion, they ritually open Council with an address of thanks and finally, they ratify (or veto) the decisions of the other two principal groups, the older and younger moieties.²² The senior Seneca-Mohawk side must first decide on a matter, from whence, they pass the matter ‘over the fire’ to the junior Cayuga-Oneida-Tuscarora who then must agree amongst themselves. In ideal form, discussion occurs only among specified Chiefs within each nation and proceeds from nation to nation, with those who abstain from discussion, announcing the decisions of their fellow Chiefs. The pattern of discussion among groups and a chair/spokesperson, as well as discussion moving to consistently higher levels of agreement, is thus reflected both in the Council as a whole and within each moiety and each nation.²³

Chieftainship titles dating to the League’s inception pass matrilineally through the female heads of families which hold the titles. Each title is symbolized in Iroquois’ political imagery by a head of antlers. The Council is represented as being a circle of Chiefs so that if a Chief should leave the circle (as in death or deposing) his horns will catch on the horns of the other Chiefs, the title will remain within the Confederacy and the Confederacy will be perpetuated.²⁴ Appointments are made by the matron (usually the eldest female of the extended family which possesses the title) although there is disagreement as to what degree she decides independently or with the sanction of other females and males of the

²²Parker, 31-3.

²³Ibid., 31, 99-100.

²⁴Parker, 45.

clan or Confederate Chiefs.²⁵ As the matron appoints the Chief, she likewise deposes the Chief who consistently neglects or acts contrary to the best interests of his people.²⁶

The League proved an effective form of government in Aboriginal and colonial times. Through the seventeenth century the Confederacy's military prowess was such that it instilled fear in the hearts of most colonials, foe and friend alike. However losses through diseases such as smallpox, increasing casualties in warfare, a diminishing number of Iroquois adoptives as well as a defection of many Iroquois to the two French mission stations near Montreal, weakened the military power of the League.²⁷ In 1701 the Iroquois

²⁵Seth Newhouse's version of the constitution foresees the potential involvement of all the women and men of the clan, as well as the Confederate Lords of the same clan, should there be disagreement. (Parker, 44). The Chief's version of the constitution, on the other hand only cites the "women who have the lordships" and not the other two groups. (Parker, 97). A. A. Goldenweiser gives a further formula: in this formula the main decision resides with the matron, although the male and female members of the clan are allowed to take part in the discussion. Ultimate sanction rests with the Chiefs of the phratry of the deceased Chief, with the opposing phratry and finally with the Council as a whole. A. A. Goldenweiser, "Functions of Women in Iroquois Society," *Iroquois Women. An Anthology*. W. G. Spittal, ed., (Ohsweken, Ontario: 1996): 51. Elizabeth Tooker maintains that the matron of the family chose the Chief after consulting with her female kin. Tooker, "Women in Iroquois Society," *Iroquois Women. An Anthology*, 202.

²⁶Again, however, there is some disagreement over the exact course to be taken in warning and deposing a Chief. In the Chief's version, the offending Councillor will receive warnings first from the matron, then the head warrior of the clan, and finally the head warrior of the League before being deposed. (Parker 106) In the Newhouse version, however, the Chief receives three warnings as before but the responsibility for registering a complaint rests with the "men or the women of the Confederacy" in general, not specifically with the matron. (Parker, 34).

²⁷In fact, Daniel K. Richter has convincingly shown that more important than economic motives for the Iroquois, was the need to replace friends and family lost through perpetual warfare and devastating outbreaks of disease. See Richter, "War and Culture: The Iroquois Experience" in *The Native Imprint* Vol. 1: to 1815. Olive Patricia Dickason, ed. (Athabasca, Alberta: Athabasca University Educational Enterprises, 1995). Pp. 371-406. For a comprehensive discussion of the seventeenth century 'wars of the Iroquois' and the factors leading to a policy of peace and neutrality see Richter, *The Ordeal of the Longhouse*, Chapters 4-9.

sued for peace with the French and attempted to maintain a policy of aloof neutrality in subsequent European conflicts.

During the first two eighteenth century European wars in North America – Queen Anne’s War, 1701–1713 and King George’s War, 1744–1748 – the majority of Iroquois remained neutral, but in the closing years of the Seven Years’ War, 1754–1760, most of the Mohawks eventually joined the victorious British.²⁸ Throughout the eighteenth century, the position of neutrality and lack of serious conflict within the League helped the Iroquois to preserve their autonomy. During the American Revolutionary War, however, the bloody nature of the fighting, and especially the Natives’ considerable need for trade goods made neutrality difficult to maintain²⁹: most Mohawk, Seneca, Cayuga and Onondaga eventually fought for the British, while a portion of the Oneida and Tuscarora sided with the Americans. Individual nations would in time come to fight against each other, and with this civil war underway, and a unified policy unattainable, the Confederacy officially ‘covered’ the Council fire at Onondaga in 1777.

Following the American razing of much of the Iroquois homeland in 1779, the Six Nations moved the Council fire to Buffalo, and a parallel Council fire was ‘rekindled’ in Ontario after the arrival of roughly 2000 Iroquois Loyalists under War Chief Joseph Brant to the Grand River.³⁰ Whereas many of the American Iroquois found themselves settled as individual nations or small clusters of nations, the Grand River community had an unequal representation of all Six Nations, and so the Confederacy was re-established there as the official governing body of the territory. It grew to fill the voids created by the decline in

²⁸Barbara Graymont, *The Iroquois in the American Revolution*. (Syracuse N.Y.: Syracuse University Press, 1972), 147.

²⁹*Ibid.*, 89, 91, 112.

³⁰Presently there are 15 Iroquois communities mostly clustered on either side of the Canadian/American border. Though traditional Councils continue to operate (unofficially) in a few of these communities, the majority have adopted electoral systems of governance. Seven of the communities are Christian, while the remainder have both Christian and Conservative populations.(William C. Sturtevant, “A Structural Sketch of Iroquois Ritual” in *Extending the Rafters. Interdisciplinary Approaches to Iroquoian Studies*, 133-152.

influence of national and clan governments, evolving, over the course of the nineteenth century into something of a municipal or town government. The 1924 deposing of this ancient form of government did not bring about its extinction – the Chiefs continue to meet to this day to discuss reserve business and perform traditional rites within the Longhouse community – but it did represent the end of the Canadian government’s recognition of the Council and at least its official role in governing the Six Nations community.

This event was highly significant in 1924 and remains so today.³¹ The question of why the government took this action, is thus a very important one. Throughout the nineteenth century, but especially in the latter half, the Six Nations were the show piece of the Department of Indian Affairs.³² Agriculture at Six Nations was quite successful by the late nineteenth century.³³ In contrast with conditions on the prairies at the turn of the century, the Six Nations were wealthy, almost completely self-sufficient, and highly acculturated.³⁴

³¹Though the Canadian government has begun to discuss reserve matters unofficially with the Confederacy Chiefs, they have yet to recognize the Confederacy as the official government. Matching the Canadian government’s refusal is the Chiefs and their supporters’ determination to one day re-establish Confederacy rule of the reserve. In 1959 and 1970 in attempted *coup d’états*, the Chiefs physically ousted the elected Council and proclaimed the Confederacy the legitimate and sovereign government of the reserve. On 20 January, 1998 the Chiefs again asserted their claims by ‘retaking’ the old Council house (now the Six Nations Public Library). Though this latest act was largely symbolic and was designed principally to “raise awareness in the community” it nevertheless underlines the continuing import of this political controversy. Andrea Buma, “Confederacy claims old council chambers” *Tekawennake*, 28 January 1998.

³²Sally Weaver, “Iroquois Politics,” 62; Alexander Morris, *The Treaties of Canada with the Indians of Manitoba and the North-West Territories, including the Negotiations on Which They Were Based, and Other Information Relating Thereto*, (Toronto: Belfords, Clarke & Co., 1971, c1880), 201.

³³ Weaver, “The Iroquois: The Grand River Reserve in the Late Nineteenth and Early Twentieth Centuries, 1875–1945,” 213–257, 223–224.

³⁴*Ibid.*, 217–232. In fact one politician optimistically looked forward to the day when “the Indians in the Northwest...became as intelligent as those in [the county of]

The 1924 deposing is all the more remarkable when placed in the context of government Indian policy in the later nineteenth and early twentieth centuries. With the *Gradual Civilization Act* of June 1857, a new course was adopted with regard to the place of First Nations within what was to be Canada. Instead of the of First Nations ruling themselves on government-protected reserves, through voluntary enfranchisement both First Nations populations and lands were to be gradually absorbed into the larger Euro-Canadian society.³⁵ When this new policy met with staunch resistance from Indian leaders the government concluded rightly, that traditional governments were dissuading their followers from accepting the new direction in policy and from seeking enfranchisement. The 1869 “Act for the gradual enfranchisement of Indians” or 1869 *Indian Act*, allowed the government impose elected councils on bands as a means of overcoming the independent authority of the traditional leaders.³⁶ This legislation³⁷ empowered elected

Brant.” John Leslie and Ron Macguire, eds. “The Historical Development of the Indian Act.” (Department of Indian Affairs Internal Working Paper, 1978), 67.

³⁵ John S. Milloy, “The Early Indian Acts: Developmental Strategy and Constitutional Change,” *As Long as the Sun Shines and Water Flows. A Reader in Canadian Native Studies*. Ian A. L. Getty, and Antoine S. Lussier, eds. (Vancouver: University of British Columbia Press, 1990), 58-60; John L. Tobias, “Protection, Civilization, Assimilation: An Outline History of Canada’s Indian Policy,” *Ibid.*, 42.

³⁶Milloy, 61, 62.

³⁷The 1869 legislation established representation along the lines of one Chief for every thirty band members or one principal Chief and two secondary Chiefs for every two hundred band members.(Leslie and Macguire, 65) Elected Chiefs would remain in power for a term of three years, but could be deposed by the Governor General for immorality, dishonesty or intemperance.(Milloy, 62; Leslie and Macguire, 65) In this early legislation traditional Chiefs would be permitted to remain until death or improper conduct occasioned their removal.(Leslie and MacGuire, 65) In what became known as the *Indian Act* of 1876, the legislative competence (slightly expanded from 1869) included such matters as 1) care of public health; 2) repression of intemperance and profligacy; 3) prevention of cattle trespass; 4) maintenance of roads, bridges, ditches and fences; 5) construction and repair of public buildings; 6) establishing pounds and appointment of pound keepers; 7) locating community land.(Leslie and MacGuire, 66) All by-laws were subject to approval by the Governor General.

In fact the competence and efficiency of the Six Nations Council was

councils to regulate local matters through by-laws, but subjected Indian councils to control by the Department by making their legislation subject to the approval of first the Governor General, and in later *Acts*, the Superintendent General of Indian Affairs.³⁸

Continually from the 1880s onwards federal Indian policy moved to ever greater and more extensive control of Indians.³⁹ While in the 1876 and subsequent *Indian Acts*, the legislative competence of elected councils was expanded, the elective council remained one of the government's fundamental mechanisms of control - "the means to destroy the last vestige of the old tribal system, the traditional political system"⁴⁰ – and as such, was resisted by most First Nations.⁴¹ The liberalism of the 1876 *Indian Act*, moreover, was unique: the 1869 legislation and all subsequent versions of the *Indian Act* directed that

demonstrated by its legislation of all these and other matters by the turn of the century - all through the structure of the traditional League Council. For examples of the Six Nations by-laws see, Six Nations Indians, *The Consolidated Regulations of the Six Nations Indians of the Grand River*. (Ottawa: Government Printing Bureau, 1910). For more on the expansion of juridic competence at Six Nations in the nineteenth and early century see John A. Noon, *Law and Government of the Grand River Iroquois*.

³⁸The "time, place and manner of election" moreover, were decided upon by the Superintendent General.(Milloy, 62)

³⁹Some examples of the trend towards increasing and comprehensive control are as follows. Whereas the 1869 legislation had allowed hereditary Chiefs to remain in power, 1880 amendments stipulated their eviction once elections had occurred.(Milloy, 78) The "Permit System"(a system of dubious legality which required Indians to acquire written permission before leaving the reserve) was imposed on western First Nations following the Northwest Rebellion of 1885.(Leslie and MacGuire, 90) The 1886 *Indian Advancement Act* gave the deciding vote to the Indian Agent in elective systems.(*Ibid.*, 90) 1887 Amendments empowered the Superintendent General or his deputies to summon and question Indians under oath on any "Indian matter"(*Ibid.*, 92) Indians guilty of drunkenness were liable to imprisonment of up to thirty days or a fine of up to thirty dollars. The same 1887 amendments established fines of up to \$100 or up to 6 months in jail for inmates and proprietors of prostitution houses.(*Ibid.*, 92) Finally, the 1894 *Indian Act* gave the Superintendent General authority over Indian wills by making their execution conditional upon his approval.(*Ibid.*, 96)

⁴⁰Tobias, 46.

⁴¹*Ibid*, 45-46.

elective councils were to be imposed at the Governor General's discretion, with or without band consent. And yet, although it was well within the government's power to impose an elective system on the Six Nations (as it had done in many other cases), no action was taken until 1923-4. In fact, through to the 1910s, the government demonstrated a marked resistance to the idea, most likely because it feared undermining the success story of the Six Nations. If the Department of Indian Affairs stalled throughout the nineteenth and early twentieth centuries, why did it finally act in 1924?

To answer this question one must look at the immediate and long-term context of the decision to install an elected council. Chapter One considers general background factors in the late nineteenth century which, while not linked directly to the conflict, influenced the way in which it unfolded. Issues such as the prominence of factionalism in Iroquois politics are considered. Additionally, the Chapter considers other 'constants' such as the tradition of political reform which aimed to replace the Hereditary Council with an elective one, and the longstanding belief in the political independence of the Iroquois. Each of these interrelated phenomena contributed to the conflict which developed over the course of the late nineteenth and early twentieth centuries.

Chapter Two examines the rise of Six Nations nationalism in the later 1880s and 1890s by examining Council's prosecution of three claims: the Haldimand Land claim, the Grand River Navigation Company claim and the dispute with the Mississaugas. In addition to appearing within close proximity of each other, all three claims focused on territorial expansion and/or economic retribution, indicating the nationalistic sentiments of the Six Nations Council. In all three cases, the Department of Indian Affairs was at best uncooperative and in the Haldimand and Navigation claims, the Dominion and Imperial governments' unwillingness to admit fault or responsibility led to a failure to resolve the issues. The Six Nations' inability to secure compensation from the government in both cases inadvertently encouraged the growth of nationalism and provided the Sovereignists of the 1910s and early 1920s with examples of injustice at the hands of the Dominion government.

Chapter Three examines in detail, the decline in relations between the Council and the Department from 1906 to 1920. At the start of this period, the reorganization and unprecedented sophistication of the Reform movement led the Chiefs to react defensively. Though the Reformers presented very little direct threat to Council, their activities encouraged the Department to more closely scrutinize Council affairs, to the frustration and resentment of the Council. This interference in combination with several memorable disputes caused a precipitous deterioration in Council-Department relations over the course of the 1910s. Efforts by Council to secure recognition of the sovereignty argument (discussed in Chapter One) became the primary means of defence against the Reformers, and the Department's encroachment on Council business.

Chapter Four begins in 1921, when Council embarked upon a new more aggressive campaign to win recognition of their special political status, eventually appealing to the League of Nations. Although there were repeated requests from the Reformers and later Six Nations soldiers who fought in World War I, the Department refused to depose the Chiefs due to its growing fear that unrest or even violence might result. Through the summer and fall of 1922, negotiations took place over a proposed arbitration of the disputes between the Government and Council. With the failure of these talks in early 1923, however, the Department became convinced that its only option was to remove the Sovereignists' power base, the Hereditary Council. Faced with the choice of recognizing the Sovereignists' claims and permanently relinquishing its authority over the Six Nations or removing the Sovereignists from power, it chose the latter option.

Chapter One:

The Late Nineteenth Century Background to the Confrontation

By the 1860s the Six Nations Council had established itself as the local community government. In so doing, it had appropriated many functions filled in traditional times by the extended families, clans, villages and national governments. It had evolved into an efficient, in effect, municipal council and it enjoyed largely amicable relations with the Department of Indian Affairs, for whom it often served as a showpiece. It is doubtful if even the most perceptive observer, looking ahead in the 1860s, 1870s, or even 1890s would have anticipated that relations between the Department and Council would deteriorate to such a point that Ottawa would forcibly depose Council in 1924. With hindsight, however, it is possible to see background factors which, while they did not lead to the confrontation, did influence the way in which it developed in the 1910s and 1920s.

Moving from the least to the most significant factors, the Chapter first examines factionalism between Conservatives and Progressives at Six Nations from the 1860s to 1890s. Secondly it discusses the nineteenth century history of a local reform movement begun in the 1860s, quiescent in the 1870s and early 1880s, but then reemerging, which sought the replacement of the Hereditary Council with elected representatives. Finally, the discussion moves to the topic of the Six Nations' enduring belief in their political independence. Each of these phenomena, played a distinct role in shaping the conflict of the 1910s and 1920s.

Factionalism: Conservatives vs. Progressives at Six Nations

Factionalism was a common aspect of Iroquoian politics from as far back as the era of the League's inception.¹ The original league in fact seldom formulated a unified policy as Europeans understood it², each nation often following its own self-interested external

¹In fact Deganawidah, the founder of the League, is often called the "peacemaker" for he established the Confederacy in order to bring an end to political factionalism and bloodshed between the five nations.

²Richter, *The Ordeal of the Longhouse*, 214-5.

policy.³ Factionalism persisted well into the modern reserve period. In the sixteenth, seventeenth and eighteenth centuries factionalism had existed both between Iroquois nations and among them. In the nineteenth and twentieth centuries at the Grand River it occurred between Christians and Longhouse peoples or alternatively worded, Progressives and Traditionalists.

The Traditionalist population was (and is) mainly composed of Onondaga, Seneca and Lower Cayuga (those Cayuga living near the Seneca and Onondaga in the northern part of the Six Nations territory). They constituted an estimated 20% of the reserve population.⁴ The majority of Traditionalists are non-Christians, and follow the religion of the Longhouse or Code of Handsome Lake, the product of a series of visions given to Handsome Lake, a Seneca prophet.⁵ It constitutes a comprehensive religious and social ideology, offering its members instruction in the correct ways to live and thank the Creator for His gifts which make life possible. Like many other religions, its teachings transcend(ed) its original bounds to guide members in all facets of life. Longhouse parishioners congregate(d) according to the agricultural calendar, to offer thanks and pay respect in numerous festivals, ceremonies and rituals.⁶ The Code specifically forbids the

³Factionalism has alternately been viewed as a strength and a weakness of Council structure. See Isabel T. Kelsay, *Joseph Brant, 1743-1807 : Man of two Worlds* (Syracuse: Syracuse University Press, 1984), 11, 180; Barbara Graymont, "Six Nations Indians in the American Revolutionary War" (in *The Iroquois and the American Revolutionary War 1976 Conference Proceedings*), 26; Elizabeth Tooker, "Eighteenth Century Political Affairs," *Ibid*, 3.

⁴Weaver, Table, "Longhouse and Christian Affiliation, 1865-1971," Sally M. Weaver Collection, Canadian Museum of Civilization, Ethnological Records, box 469, file 52.

⁵For an authoritative discussion of the Longhouse Religion and its founder, Handsome Lake, see A. F. C. Wallace's *The Death and Rebirth of the Seneca* (New York: Vintage Books, 1970). Also see Annemarie Shimony's *Conservatism Among the Iroquois at the Six Nations Reserve* for a comprehensive ethnographic analysis of the Conservative population at Grand River.

⁶Sally Weaver, "The Iroquois: The Grand River Reserve in the Late Nineteenth and Twentieth Centuries, 1875 - 1945," 214.

‘four evils of the Whiteman’: dancing, gambling, liquor and material wealth. In general, however, many cultural norms of European origin are rejected.⁷ The Code was, and is, a powerful force in the lives of the Longhouse peoples at Six Nations.

The Progressives or Christians constituting the majority group were (and are) made up largely of the Mohawk, Oneida, Tuscarora, and Upper Cayuga (those living in the southern part of the Grand River territory), and the dependent nations: the Delawares, Nanticokes and Tutelos. The most powerful group within the Progressive faction were the Mohawks, the largest numerical group in the community. A number of them had accepted the Christian faith a century earlier while still in the Mohawk Valley in eastern New York. In the latter half of the nineteenth century many members of this group were business-minded agriculturalists. Quite often they participated in the Six Nations Agricultural Society, founded in 1868 by two prosperous Mohawk farmers. Better educated on average than their Traditional peers, they were critical of the low level of education available on the reserve. Like their Victorian neighbours they were frequently members of popular social or philanthropic clubs, like the Temperance Society, the United Empire Loyalists, the Orange Order or the Independent Order of Odd Fellows.⁸ Additionally they were affluent in comparison to their Conservative Neighbours and some were highly successful by non-Native standards.

Despite many differences Christian and Longhouse Chiefs shared a common political belief: that the Six Nations were a sovereign entity. Ultimately both groups wanted to preserve as much local autonomy as possible, but they fought for local autonomy and recognition of their status in distinct ways. When, for instance, in the 1860s, 1870s and early 1880s the government through the local Superintendent began to put pressure on the Council to reform itself into something more along the lines of a town council, the Christian Chiefs’ progressivism clashed with the Traditional Chiefs’ desire to conserve the traditions of the ancient institution. What emerges from an analysis of these

⁷John A. Noon, *Law and Government of the Grand River Iroquois*, (New York: Viking Fund, 1949), 23-6.

⁸Weaver, “The Iroquois: The Grand River Reserve,” 218.

tensions and series of conflicts is, in fact, a recurrence of common themes and motifs – an identifiable pattern.

The social and religious divisions in the Six Nations Council preceded their arrival in the late eighteenth century, but were intensified especially following the spread of Handsome Lake's revitalization movement to Canada at the turn of the century. One of the first issues to bring these tensions to a head was the circulation of a petition in 1861-2 calling for an elective system.⁹ Isaac Powless, a literate, well-educated Mohawk, wrote and circulated the petition with the aim of reforming Council's administration of the reserve and possibly create a governing system with more to offer talented but untitled men like himself.

Council's response was fragmented: in all, three deputations waited upon the local Superintendent, only one of which seems to have been official. The first, coming in December 1861, was composed of noted Traditionalists John Buck, George Buck (both Onondaga) and Seneca Johnson (Seneca), as well as Cornelius Anderson (Nanticoke) and Peter Smith (Mohawk), the former government interpreter. Expressing what was to become a common Conservative argument in response to government legislation or reformist tendencies in Council, the Chiefs stated that their people were not ready for an elective system, but that *the Mohawks were free to come under that system if they wished*.¹⁰ A second deputation composed of many of the same men revisited the Superintendent in January 1862, to reiterate their earlier views and dismiss a rumour that

⁹Copy, Petition, Isaac Powless et al. to the Superintendent General of Indian Affairs (hereafter SGIA), 1862. Sally M. Weaver Collection, box 468, file 1. Alternatively, National Archives of Canada, Record Group 10 (records relating to Indian Affairs), vol. 402. (Henceforth abbreviated as NAC, RG 10, ...)

¹⁰For other examples of this theme with slight variation see: William Jacobs to the SGIA, October 15, 1873; Petition, Certain Chiefs and Warriors of the Six Nations, 27 April 1874. NAC, RG 10, vol. 1928, file 3249, C-11112; Copy, Petition, Certain Chiefs and Warriors of the Six Nations to the SGIA, 18 January 1875. Box 468, File 1, Sally M. Weaver Collection; Petition, Certain Chiefs and Warriors of the Six Nations to the SGIA, 17 April 1876. box 468, file 1, Sally M. Weaver Collection; Petition, Certain Chiefs and Warriors of the Six Nations to the Governor General, 2 November 1896. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

the Powless petition enjoyed wide support. Later that day, the ‘official’ deputation from Council came, composed of the Speaker, John Smoke Johnson and his son, the interpreter, George H. M. Johnson as well as four other Chiefs, most notably Seneca Johnson (of the first ‘unofficial’ deputation), as well as William Jacobs (Lower Cayuga) and Jacob General (Oneida). Unlike the two ‘unofficial’ deputations which would have allowed those Mohawks wishing an elective council to form one, the third and official deputation denied Powless and his followers the right to secede from the Confederacy.¹¹

A second issue which proved substantially more divisive was the regulation of timber on the Grand River reserve. When General Haldimand laid out the Six Nations land grant in 1784 following the American Revolutionary War, the territory had an abundance of valuable hardwoods such as oak and maple. By the second half of the nineteenth century, however, through the surrender of nearly nine-tenths of the grant and settler encroachment, both the size of their lands and the quantity of mature forest had substantially declined. In the early 1860s, therefore, the visiting Superintendent, Jasper Tough Gilkison, called for some means of regulating the sale and felling of timber on the reserve. This policy met with resistance from the ‘lower’, predominantly Longhouse followers. As early as 1865, in fact, Council divided over this issue.¹² This state of confrontation remained more or less unchanged until the early 1870s when the conflict became more intense. In early 1872, Gilkison again spoke emphatically to Council of the need for the Chiefs to take measures to protect their remaining timber. He requested that they support his bid to secure an Order in Council forbidding the unauthorized removal of timber. The Chiefs discussed the matter and on 31 January 1872, gave their consent, adding at the same time that all supported the request with the exception of the Lower Cayugas.¹³ (The Speaker did not mention the Onondagas’ dissent, but it is doubtful that

¹¹Weaver, “Iroquois Politics,” 128-9.

¹²Weaver, “Iroquois Politics,” 137.

¹³Six Nations Council Minute (hereafter CM,...) 31 January 1872. NAC, RG 10, vol. 1884, file 1259, C-11106.

they would have supported the measure given their later hostility to it.)

To the Traditionalists, the threat of restrictive legislation proved provocative on two counts. First, it denied Traditionalists the right to harvest the mature forests on their lands. Secondly, the dictated course of action went against the Longhouse's interdiction of coercive government.¹⁴ In March 1872, Traditionalists led by William Jacobs, a Lower Cayuga Chief, sent a petition to the Secretary of State for the Provinces, Joseph Howe. The petition argued that the upper tribes who were pushing for regulation had already depleted their land of all its timber and therefore were in no position to deny their brethren the same right. Additionally the Traditionalists made a plaintive appeal for compassion based on the Indians' dependence on the woods for their livelihood: "...the forest seeming to provide the only means of relief, the Indians themselves on their respective lots of land cut down and manufacture for market certain cord wood timber and Railway ties, wishing by their exertions to fend off impending distress."¹⁵

For their part, the Progressives were equally active. That same month, the Progressive-dominated Council sent a small deputation to Gilkison to inform him that they were preparing their own petition. They advised him to ignore the petition put together by Jacobs and his group.¹⁶ Two weeks later, they visited a second time. This visit appears to have been a result of Council's ongoing concerns about the implications of the 1869 *Indian Act*, but they also told Gilkison that they had deposed a Chief. William Simcoe Kerr, the Mohawk Chief in question, had earlier, on several occasions been sent as a

¹⁴The fact that Council also frequently divided over the introduction and enforcement of municipal by-laws indicates that the Traditionalists' objections to the timber legislation were not simply self-interested but were also based on their desire to prevent the League from becoming a regulatory body.

¹⁵Petition, Certain Chiefs and Warriors of the Six Nations to Joseph Howe, 7 March 1872. NAC, RG 10, vol. 1855, file 26, C-11103. From 1860 to 1873 responsibility for Indian Affairs resided with the Department of the Secretary of State for the Provinces. As Secretary of State, Howe was also Superintendent General of Indian Affairs.

¹⁶Jasper T. Gilkison to SGIA, 10 April 1872. NAC, RG 10, vol. 1858, file 81, C-11103.

representative in talks with Indian Affairs officials and parliament over the 1869 *Indian Act*. According to the deputation Kerr had not fulfilled his duties in this respect and hence he was deposed.¹⁷ There is reason to suspect, however, that Kerr's deposing also had something to do with his involvement in the timber trade. For one, Kerr's brother-in-law was a railway agent,¹⁸ and much of the demand for timber came from railway companies in need of ties. Moreover, shortly after being deposed Kerr applied to Council, significantly, through Joseph Howe¹⁹ for a license to cut timber on his lands, and equally significantly, Council flatly refused.²⁰

Still vehemently opposed to any restriction on their right to cut timber, the Lower Cayugas and a couple of high ranking Onondagas petitioned Queen Victoria and Prince Arthur in June 1872. These petitions voiced discontent over the Department's attempts to "regulate the affairs of your dependent red children after the manner of the white people" and to restrict the timber trade.²¹

The Progressive-dominated Council, both irritated and worried by William Jacobs' and the Cayuga Traditionalists' frequent petitions and vocal opposition to the timber legislation, sent deputations to Gilkison in August and December 1872. The emissaries expressed concern at the Cayuga's desire to separate from the rest of the Six Nations.²² The Chiefs need not have worried for the Progressives enjoyed the full support of Gilkison and the Department. On 12 February 1873, at the request of Indian Affairs, the Privy Council passed an Order in Council forbidding the removal of all timber from the Six

¹⁷Deputation Minutes, 23 April 1872. NAC, RG 10, vol. 1858, file 168, C-11103.

¹⁸J. T. Gilkison to SGIA, 27 April 1872. NAC, RG 10, vol. 1855, file 26, C-11103.

¹⁹W. Kerr to SGIA, 26 April 1872. NAC, RG 10, vol. 1858, file 113, C-11103.

²⁰CM, 7 May 1872. NAC, RG 10, vol. 1858, file 113, C- 11103.

²¹Copy, W. Jacobs to Prince Arthur, Duke of Connaught (Undated) NAC, RG 10, vol. 1869, file 589.5, C- 11104.

²²Deputation Minutes, 31 August 1872. NAC, RG 10, vol. 860, file 170, C-15118; 4 December 1872 NAC, RG 10, vol. 1897, file 1046, C- 11105.

Nations Reserve.²³

The Traditionalists nevertheless held their ground.²⁴ Several times Jacobs contacted Joseph Howe, attempting to discredit a deputation from the Council which had supported the Order in Council.²⁵ He requested a meeting of the Conservatives with the Howe²⁶ and finally proposed that only those in favour of the act need abide by it.²⁷ Jacobs' leadership of the Conservative resistance to the Order in Council led the Council to depose him as a Chief in the spring of 1873.²⁸

Up until this point the Onondagas seem to have played a relatively minor role in the confrontation. As Council divided over the applicability of the 1869 *Indian Act*, however, and the conflict over timber regulation continued unabated, their protests became more vocal. Beginning in January 1874, they joined the Cayugas in boycotting Council proceedings, either absenting themselves completely or watching from the audience.²⁹ At the same time, John Buck, a leading Onondaga Chief and a few others published an article in the *Brantford Expositor* berating Gilkison and arguing that he had taken advantage of the Chiefs. A detailed petition to the Governor General in May 1874, recalled several of the common symbolic metaphors of Six Nations longstanding

²³Order in Council, 12 February 1873. NAC, RG 10, vol. 1881, file 1115, C-11105.

²⁴J. T. Gilkison to SGIA, 22 October 1873. NAC, RG 10, vol. 1912, file 2520, C-11110.

²⁵W. Jacobs to SGIA, 18 January 1873. NAC, RG 10, vol. 1884, file 1259, C-11106.

²⁶Telegraph, W. Jacobs to SGIA, 7 February 1873. NAC, RG 10, vol. 1884, file 1259, C-11106.

²⁷Telegraph, W. Jacobs to SGIA, 15 October 1873. NAC, RG 10, vol. 1912, file 2520, C-11110.

²⁸CM, 29 April 1873. NAC, RG 10, vol. 1897, file 1872, C-11107.

²⁹CM, 8 January 1874. NAC, RG 10, vol. 1922, file 2942, C-11111.

relationship with the English.³⁰

The Traditionalists begin by recalling the “iron chain” which had bonded the French and Iroquois together but which had been replaced by a “silver chain” joining the English and Iroquois. The qualities of these two chains - iron’s susceptibility to rust and silver’s need for habitual polishing and *renewal* - described the strength and durability of the bond between the two peoples. They next recalled a common metaphor, England’s “great sailing vessel” and the Iroquois’ “birch bark canoe” represented on the two-row wampum belt as following parallel but independent trajectories, and thereby symbolizing their independent, non-interfering political paths. Continuing the analogy, they made plain their desire to remain independent and sovereign: “But our forefathers never agreed to be put into your boat...we still hold to our agreements we have not forgotten them yet.” These metaphors were used time and again by Conservative petitioners at Six Nations as wampum had once been used, to verify their grievances and add credibility to their statements.

At exactly the same time as conflicts over timber regulation were plaguing Council politics a third contentious issue arose, the 1869 *Indian Act*. At least initially, Council seems to have been capable of formulating a unified response to the legislation, namely rejection of it.³¹ But the veneer of unity cracked at a Grand General Council held between the Six Nations and delegates from several other eastern Indian nations in July 1874. At the meeting the Onondagas, Senecas and Lower Cayugas openly disagreed with the Mohawk, Tuscarora, Oneida and the Upper Cayuga delegates. This controversy continued back at Six Nations with the Progressive group proposing to form their own Council which would exclude the ‘uncooperative’ Traditionalists. At issue, it appears, was a difference of opinion over the acceptability of the *Act*. The more ardent Conservatives

³⁰Petition, Certain Chiefs of the Six Nations to the Governor General, 27 April 1874. NAC, RG 10, vol. 1928, file 3249, C- 11112.

³¹Weaver, “Iroquois Politics,” 148; William Simcoe Kerr, *The General Council of the Six Nations and Delegates from different Bands in Western and Eastern Canada, June 10 1870*, (Hamilton, Ontario: *Hamilton Spectator*, 1870).

refused to accept the *Act* on any terms, on the principle that they were a sovereign nation and were subject to no legislation except that of their own Council.³² Certain Progressives on the other hand took a more pragmatic approach and were willing to accept sections of the *Act*, providing it did not diminish their own local autonomy.

By spring 1874, the dissatisfaction between Conservatives and Progressives over timber cutting and the *Indian Act* was causing considerable anxiety among government officials. They appointed a special committee to investigate the affairs of the Six Nations. This report was a temporary victory for the Traditionalists for it recommended a reconsideration of the 1873 Order in Council on timber cutting. Additionally it proved at least a mixed victory for the Council as a whole since the report argued for the “importance of speedily removing the evils complained of” in the 1869 *Indian Act*.³³

In a lengthy document prepared in January 1875 the Conservative faction petitioned David Laird, the Superintendent General of Indian Affairs, explaining their discontent. They requested that the *Indian Act* be applied only to those willing to accept it and they called for special legislation which would recreate the old English-Iroquois relationship as described in the Two Row wampum.³⁴ A year and half later, the Conservative faction again petitioned Laird. The petition began by repudiating the claim that the Six Nations were subjects of the British Crown. They went on to inform Laird that thenceforth, they would have nothing to do with the Progressives and that they were

³²The concepts of sovereignty and the inadmissability of foreign laws was integrated within the visual images which symbolized the Confederacy and the Hereditary Council. The Council and League are represented with a circular wampum in which exist all the Six Nations people and the traditions, values and laws of the Iroquois. If anyone were to secede from the circle through accepting another government’s laws, they must give up not only their right to citizenship but their identity as an Iroquois. A. C. Parker, 45; Darlene M. Johnston, “The Quest of the Six Nations Confederacy for Self-Determination” *University of Toronto Faculty of Law Review* 44, no.1 (1986): 9, 10.

³³Copy, Report of the Select Committee, 8 May 1874. S. Weaver Collection, box 471, file 20.

³⁴Petition, Certain Chiefs of the Six Nations to the SGIA, 18 January 1875. Copy of original. Sally M. Weaver Collection, box 468, file 1.

free to “become as your own people.” Lastly they strictly reminded Laird that “we will follow our Ancient Laws and Rules, and we will not depart from it.”³⁵

The conflict between Conservatives and Progressives gathered momentum in the late 1870s and early 1880s. In 1878, for instance, the Onondagas and Cayugas became so disillusioned with the new English-style parliamentary procedures, and the use of by-laws favoured by the Progressives, they requested to have a separate reserve and their own Superintendent.³⁶ The early 1880s proved equally difficult. When the League’s ideal of unanimous consent became impossible to achieve Council was forced to experiment with alternate procedures for decision making, such as voting as a body.³⁷

However, by the mid 1880s, external forces and internal events led to a reconciliation and realignment of purposes among Progressives and Conservatives. The passage of the 1884 *Indian Advancement Act*, which allowed the Department of Indian Affairs to establish elective councils without the consent of the community convinced Progressives of the need to present the Council as a unified, effective form of local government.³⁸ Twenty years had passed since the Powless petition but memory of it remained vivid indeed. While individual protests continued over the next several decades, these decreased in number and the Progressive-Conservative confrontation declined as a defining characteristic.

G. T. Gilkison, the Visiting Superintendent, also contributed to the conflict at Grand River. His overzealous desire for reform often served to separate Progressives and Traditionalists. He was closely associated with many of the Progressives and was in fact a personal friend of George H.M. and John S. Johnson.³⁹ In the two decades following his

³⁵Petition, Certain Chiefs of the Six Nations to the SGIA, 17 August 1876. Copy of original, Sally M. Weaver, Collection, box 468, file 1.

³⁶Weaver, “The Iroquois: Consolidation of the Grand River Reserve”, 208-9, 214.

³⁷Weaver, “The Iroquois,” 208-9.

³⁸Weaver, “The Iroquois: The Grand River Reserve,” 234.

³⁹Douglas Leighton “George Henry Martin Johnson (Onwanshyshon)” *Dictionary of Canadian Biography*, vol. XI 1881-1890 (Toronto: University of Toronto Press,

appointment in 1862, he frequently and repeatedly made speeches about the necessity of expediting Council business, evicting squatters, and of course, protecting the timber. It was Gilkison, in fact, who initially solicited from Council the decision to request the Department for an Order protecting the woods on the reserve.⁴⁰ He was thus a catalyst to change, and indirectly, to the conflicts which reform instigated in Council. His efforts to heal the divisions in Council were only half-hearted, moreover, since he found it easier to discredit the Traditionalists than he did to empathize with them.⁴¹ When Council deposed Lower Cayuga Chiefs Jacob Silversmith and William Jacobs, neither of whom he liked very much, Gilkison commented to the Secretary of State for the Provinces, I “cannot but concur in their opinion [Council], as to Mr. Jacobs... an unreasoning obstacle to business in council... [who] continues his active opposition & encouraging of others against the measures to protect their woods...”⁴² When discrediting one of William Jacobs’ numerous petitions Gilkison was even more blunt:

[he] is the principal obstacle to the harmonious working and progress of Council...he appears to do every thing he possibly can *outside* council to cause discontent...Jacobs, as I informed you, is the leading Pagan, opposed to Education and every thing in the shape of improvement, even the Agricultural society: he is full of Paganism, and if he could have his wish in selling their land, get a share of the funds, he would be off with his people to the western states.⁴³

In his response to a petition signed by a significant number of Conservatives the Six Nations Superintendent similarly made reference to the “Paganism” of the petitioners as a

1982), 451.

⁴⁰CM, 23 & 31 January 1872. NAC, RG 10, vol. 1884, file 1259, C-11106.

⁴¹Throughout these years Gilkison made numerous appeals to the Chiefs to unite in the interests of their people. In the absence of positive concessions on the issue of timber, Traditionalists must have viewed these as hollow and hypocritical. (CM, 23 October 1873 NAC, RG 10, vol. 1918, file 2802, C-11111; 17 & 20 February 1874 NAC, RG 10, vol. 1923, file 2991, C-11111; 10 March 1874 NAC, RG 10, Vol.1924, file 3056, C-11112.)

⁴²J. T. Gilkison to SGIA, 21 May, 1873. NAC, RG 10, vol. 1897, file 1872, C-11107.

⁴³J. T. Gilkison to SGIA, 19 February 1873. NAC, RG 10, vol. 1884, file 1259, C-11106. (His emphasis).

mark against them.⁴⁴

The Tradition of Reform at Six Nations

While the Progressive-led Council often had to contend with the opposition of Traditionalists both in and out of Council, the Council as a whole had also to contend with another, equally vocal group who sought the replacement of the Hereditary system with an elective one. These individuals were variously called Progressive Warriors, Reformers or Dehorners (the last in reference to their desire to remove the symbolic horns of office from the Chiefs) and they shared much in common with the Progressives on Council. The Reform movement at Six Nations began in 1861 and grew in significance through the late nineteenth and early twentieth centuries. While the tradition lasted over sixty years, the vocality of the protests varied as a result of both internal and external factors. Throughout, although the Reformers requested the Department to intervene and impose an elective Council, the Department refused. When the DIA did finally act to depose the Chiefs it did so not out of acquiescence to the Dehorners' requests but rather for self-interested political motives.

While the Reform movement saw the involvement of several generations of Dehorners over an equal number of decades, the composition of the Progressive Warriors varied little. With very few exceptions, the Warriors were Christian, young (i.e., in their thirties) often educated at the Mohawk Institute and fluent in English. They were frequently farmers or local businessmen, active in church and in the local voluntary associations such as the Orange Lodge and the Six Nations Agricultural Society.⁴⁵

Their aims remained fairly steady over time, such as improving the quality of education offered in the community and drafting by-laws principally to make the reserve smoother running and more hospitable to farmers and local merchants. At least in the nineteenth century, the goal of many Reformers seems to have been not so much to

⁴⁴J. T. Gilkison to SGIA, 21 May 1874. NAC, RG 10, vol. 1928, file 3249, C-11112.

⁴⁵Weaver, "Iroquois Politics," 291.

replace Council, as to change the way it governed the community. An act intended to install an elective council in a portion of the reserve, drafted by the Six Nations Union Association in the late 1880s, provides an apt example of the prominence of these goals. The act provided for the election of a president, vice president, treasurer, secretary and twelve other Chiefs, for a total of seventeen.⁴⁶ After loosely specifying the councillors' duties the act moves to its central subject: the adoption of by-laws for the smooth governing of the reserve. These by-laws cover such issues as the appointment of school trustees, a community health committee and the appointment of a doctor. By far the most detailed by-laws cover the trespass of domestic animals and remedy for the damage they cause. The proposed by-law for the trespass of animals specifies the amount of compensation and the rates for impounding different farm animals - issues of great importance for farmers and stockmen. To provide for the construction and maintenance of roads, ditches and fences, a by-law would institute a form of statutory labour for all males over the age of 21.

Two further comments with regard to the Reformers' goals are necessary. First, though the Dehorners were often openly opposed to the Chiefs, they shared the Traditionalists and Progressives' desire to secure greater autonomy for the Six Nations as well as their belief that the Six Nations were allies to the Crown.⁴⁷ Where they differed was in their conviction that this could best be achieved by instituting an elective system of government. Secondly, these men were, in many respects, identical to the Progressive Chiefs who sat on Council. In one significant way they differed, however: they were untitled. Lacking a Hereditary title and a willingness on the part of the Chiefs to draft these men into Council through the office of Pine Tree Chief,⁴⁸ they argued that there was

⁴⁶Extract, Minutes of the Union Association, 1 June 1887. Sally M. Weaver Collection, box 469, file 49.

⁴⁷*Ibid.*, 2.

⁴⁸The office of Pine Tree Chief was designed, in pre-contact times, to induct talented ambitious individuals into the Council, who due to their lack of titles would otherwise be unable to take part. This office bears a great similarity to that of War Chief,

no opportunity for them to take part in the government of the reserve.⁴⁹ One of their goals, then, in seeking an elective system, was to share the power the Chiefs enjoyed - a privilege they felt they deserved given their business ability and especially their education.

Initially begun in the early 1860s, the movement was largely inactive through the 1870s and early 1880s. Their presence was nevertheless a constant of which both the Chiefs and at least the local Superintendent if not his superiors, were aware. At a Council in the fall of 1873, Superintendent Gilkison acknowledged hearing of a meeting of the warriors to consider the question of an elective system, but reassured the Chiefs that he was not prepared to advocate such a change at present.⁵⁰

In the early 1880s the Six Nations Union Association formed to act as a pressure group to push the Six Nations' claim to the lands at the headwaters of the Grand River. By the late 1880s, the government's unwillingness to entertain the claims and the resulting disillusionment among Association members led to a realignment of purposes. The Association directed their attention to controlling pasturage in their section of the reserve (Tuscarora and part of Onondaga and Oneida townships), drafting by-laws for the consideration of Council. Eventually they began to consider the advantages of an elective system which would more fully serve their business interests. The pressure from this group was not great especially since it did not push the issue of an elected council, but its presence was nevertheless felt, making the Chiefs more inclined to consider adopting by-laws for the regulation of the reserve.

In the 1890s the Reform movement entered a new phase with the renewal of demands for an elected council. In 1894, following some sympathetic encouragement by

and often, as was the case with John "Smoke" Johnson, successful War Chiefs were inducted as they became older and could not longer fight. For a further description of the office see Arthur C. Parker *Constitution of the Five Nations*, 41 [Irocrafts edition].

⁴⁹Copy, Petition, Certain Chiefs and Warriors of the Six Nations to the SGIA, 1894. Sally M. Weaver, Collection, box, 468, file 1.

⁵⁰CM, 23 October 1873. NAC, RG 10, vol. 1918, file 2802, C-11111.

Deputy Superintendent General Hayter Reed⁵¹ a group of Progressive Warriors forwarded a petition to the Superintendent General asking him to intervene and abolish the Chiefs. The Warriors' complaints were an embellishment of the 1861 petition. Among other things, they accused the Hereditary Chiefs of being a "detriment to the advancement of the nation", of being "uneducated" and "incompetent", of not being representative, and of being inefficient because of their numbers.⁵² Though Reed's response was predictably favourable, the Visiting Superintendent, Edwin D. Cameron did not end up giving his opinion until much later. For a time, the issue received considerable attention at the local level both in public meetings and in *The Indian Magazine*, a local farm journal, in which the arguments of both the Warriors and Chiefs were recounted.⁵³ For unknown reasons, however, the controversy soon faded until the issue of an elected council was renewed in 1899.⁵⁴

At that time the Council forwarded to the Department a petition prepared by a group of Traditional Warriors supporting the Chiefs and carrying 423 signatures. The Progressive Warriors for their part, now asked the Department for an opinion on their 1894 petition. The local Superintendent's position was an interesting one. Acknowledging the strong support for the Chiefs by a majority of the more than 4000 Six Nations Indians, and at the same time the attractiveness of an elective system, Cameron advised the establishment of a two tier form of government in which the Chiefs would sit as senators or lords and the elected Councillors would sit as a parliament. Senior Department officials took a more conservative approach and in so doing, formulated the stock Department answer to Dehorner petitions for the next two decades: it could not contemplate acting

⁵¹Weaver, "Iroquois Politics," 292.

⁵²Copy, Petition, Certain Chiefs and Warriors of the Six Nations to the SGIA, 1894. Sally M. Weaver Collection, box 468, file 1.

⁵³Weaver, "Iroquois Politics," 296.

⁵⁴*Ibid.*, 297.

when they were “so few in number”.⁵⁵ This position eventually included the stipulation that the Progressive Warriors must have either a majority following or be able to expose the corruption or incompetence of the Hereditary Council before the Department would depose the Chiefs.

The Six Nations’ Belief in their Political Independence

As relations between the Chiefs and the Department deteriorated in the 1910s and 1920s, Council used the argument that the Six Nations were a sovereign political entity to ‘defend’ the Hereditary System and their own autonomy. In doing this, they appropriated a longstanding *popular* belief in independence and with the help of lawyers, *formalized* it and turned it into a declaration of nation-state status. In the nineteenth century, virtually all Six Nations members believed quite candidly in Iroquois sovereignty, but whether they openly challenged the government on this depended on their politics. When Council made Six Nations sovereignty the mainstay of its defence of the Confederacy, in effect, it forced the Department to choose between abolishing the Confederacy or accepting the sovereignty argument. The argument proved a superb rallying cry, one with which the Reformers’ rhetoric could in no way compare.⁵⁶

Traditionalist petitions repeatedly referred to the two row wampum, the two vessels, the silver covenant chain, or the bundle of sticks. The frequent appearance of these mnemonic devices in Traditionalist petitions indicates that they had a certifying or validating function, in essence, that they *proved* that the claims made in the petitions were truthful and valid. The mnemonic devices, a marvelous product of the rich oral-political culture of the Iroquois, served as one of the principal means by which children learned of the Six Nations’ history, their longstanding connection with the English, and above all, their rights. The strength of these devices lay in their wide dissemination - virtually

⁵⁵Weaver, “Iroquois Politics,” 301.

⁵⁶John A. Noon seems to recognize the persuasiveness of this belief: “and further discussion regarding the validity of their claim would be beside the point for regardless of the decision based upon historical evidence, the belief in their independence still persists among the Six Nations.” Noon, 59.

everyone at Six Nations knew of them and could explain them. The sovereignty argument was so appealing in large part because of its embodiment in these well known images.

The “icon” of the Progressive Mohawks, Joseph Brant, believed that the Six Nations were allies, not subjects of the British Crown.⁵⁷ Isabel Kelsay, a recent biographer of Brant, remarks of his visit with King George III, “...but if Joseph did refuse [to kiss the King’s hand] it was probably on the ground that he was the emissary of the Six Nations who were allies of the king but not his subjects. *This was certainly a distinction which he would have had firmly in mind.*”⁵⁸

After Brant’s death the Six Nations had continually reminded the colonial government of their independence. In 1839 the issue went to court and Mr. Justice Macaulay found in favour of the government.⁵⁹ Macaulay’s reasoning was quite practical: it was difficult to see how the Six Nations could claim to be of a separate nationality since many had been born on ‘Canadian’ soil and many had used the criminal law courts as citizens. The government repeatedly used this judgement (and its rationale) to deny the sovereignty claim.

For the remainder of the nineteenth century, the Progressive-dominated Council refrained from openly confronting the Dominion government on the issue. Yet, despite the 1839 ruling they continued to act and refer to themselves as “allies”. In their welcome speech to the Governor General of Canada, for instance, they assured him of their continuing loyalty and prided themselves on their status as “ancient allies” of the Crown.⁶⁰ By the same token, when William Simcoe Kerr forwarded the minutes from a Grand

⁵⁷ The existence of a widespread belief in sovereignty at the Grand River Community is recognized by numerous scholars. See for instance, Robert Surtees *The History and Culture of Iroquois Diplomacy* (79); John A. Noon (59); Sally Weaver, “Six Nations of the Grand River, Ontario” in *Handbook of North American Indians*. Vol. 15, 526.

⁵⁸Kelsay, 165 (italics mine).

⁵⁹Extract from Mr. Justice Macaulay’s report to Sir George Arthur, 1839. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

⁶⁰Unidentified clipping, NAC, RG 10, vol. 1875, file, 871, C-11105.

General Council held in 1870 he closed his letter with “Her Majesty’s most loyal allies.”⁶¹ In 1881, following the assassination of President, James Garfield, they sent their condolences to the American government and received a most cordial reply.⁶² Similarly, while Council initially refused to recognize the 1869 *Indian Act* on the grounds that the Grand River Iroquois constituted a sovereign body and were therefore exempt from Dominion laws,⁶³ under Progressive hegemony they later accepted certain sections of the *Act*.

Council took a similar position in the 1880s over issues such as the federal Conservatives’ extension of the *Electoral Franchise Act* in 1885 (which granted male status Indians in Eastern Canada the right to vote), and the *Indian Advancement Acts* of 1884 and 1890. The Chiefs initially refused to recognize the *Electoral Franchise Act* and advised their people not to vote. One of the reasons for this decision was that the Chiefs were trying to counteract the Dehorners’ arguments.⁶⁴ The Council also feared that if the Six Nations voted in federal elections they would negate the argument that they were allies of the crown. In time, however, many leading individuals on Council became involved in local election campaigns.⁶⁵ By 1896, in fact, when the *Act* was repealed, Council decidedly wanted it kept.⁶⁶ The Hereditary Council’s response to the *Indian Advancement Act*, which provided for the imposition of elected councils without the concurrence of the band,

⁶¹Kerr, *The General Council of the Six Nations*.

⁶²CM, 25 October, 1881. NAC, RG 10, vol. 1738, file 63-32, C-15023.

⁶³Weaver, “Iroquois Politics,” 148.

⁶⁴The Dehorners were quick to point out that it made no sense that they could vote federally when they could not vote locally.

⁶⁵William Smith, later Council interpreter and in the 1920s a leading Sovereignist, was a strong Liberal supporter and spoke in support of the Liberals at a convention in June 1893. Josiah Hill, Council secretary for over four decades, and A. G. Smith, a strong Dehorner, both publicly supported the Conservatives. (Malcolm Montgomery, “The Six Nations Indians and the Macdonald Franchise” *Ontario History* 57, no.1 (1965): 17.

⁶⁶*Ibid*, 289.

was simply to ask for exemption.⁶⁷

If the Progressive-dominated Council continued to follow the pragmatic course of avoiding confrontation with the Department, Traditionalists in, and out, of Council were not so subtle: they rejected the *Indian Act* on principle. In an 1874 petition the Conservatives referred to many of the old metaphors representing the English-Iroquois connection. Although much of the petition reminded the English of the solemn treaties they had entered into, it made clear that the Six Nations had no desire to become English subjects.⁶⁸ In 1876 they petitioned the Superintendent General stating their position unequivocally: “One says we are subjects to the British Government and ought to be controled [sic] under those Laws which was past [sic] in the Dominion Paliment [sic]..., and the other (that is us) says we are not subjects but we are Allies to the British Government...”⁶⁹

Traditionalist responses to the 1885 federal franchise were also more numerous and more strongly worded than Council’s. In 1887, with thinly cloaked disdain for the “election contest of Whitemen for position and power”, the Conservative Chiefs and Warriors reminded the government of Council’s initial rejection of the *Electoral Franchise Act* and petitioned for its removal.⁷⁰ Also in response to the franchise, in 1889 a small group of women petitioned Lord Stanley, the Governor General, and Prince Arthur (made an honorary Chief in 1869), objecting to the Dominion’s ‘dishonourable’ efforts to make the Six Nations British subjects through the extension of the franchise. Adding to their argument, they outlined the metaphors representing the Iroquois relationship with the English and the agreements these stood for. Having explained that each agreement

⁶⁷CM, 9 May 1890. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

⁶⁸Petition, Certain Chiefs and Warriors of the Six Nations to the Governor General, 27 April 1874. NAC, RG 10, vol. 1928, file 3249, C-11112.

⁶⁹Petition, Certain Chiefs of the Six Nations to the SGIA, 17 August 1876. Sally Weaver Collection, Box 468, file 1. Alternatively, NAC, RG10, vol. 4355.

⁷⁰Petition, Chief and Warriors of the Six Nations to the Governor General, 12 May 1887. NAC, RG 10, vol. 2319, file 69,976, C-11206.

ensured the independence of the British and Iroquois, they accused the Dominion government of breaking them by legislating for the Six Nations.⁷¹ A petition written by several Traditional Chiefs in 1896 similarly laid out the ancient treaties between the British and the Iroquois and made similar reproaches.⁷²

From the Traditionalist perspective, however, more serious than the *Electoral Franchise Act* was the *Indian Advancement Act*. While the Department's assurance that it would not force the *Act* on the Six Nations apparently satisfied the Progressives in Council, the Traditionalists were not won over. In September 1890, they petitioned the Department. As in their previous petitions they referred to the two row wampum, the silver covenant chain and the agreements represented by these mnemonic devices. Taking a step further, however, they pointed to the absence of any treaty in which the Six Nations had become British subjects and following from this, denied that the Dominion had any right to legislate for the Six Nations.⁷³ The government quickly responded. The Privy Council affirmed a report from the Superintendent General referencing the 1839 ruling and completely repudiating the sovereignty claim.⁷⁴

The tradition of factionalism among the modern Six Nations dated back hundreds of years. At the Grand River in the latter half of the nineteenth century, factionalism occurred principally between Progressives and Conservatives on Council. It remained a constant feature of Council politics, becoming especially pronounced in the 1860s, 1870s and early

⁷¹Petition, "Females members [sic] of the Mohawk Indians" to Prince Arthur, Duke of Connaught, 18 April 1889. NAC, RG 10, vol. 2178, file 36,539-1 Pt.2, C-11194. Petition: "Mohawk Womens [sic] Members of the Five Confederated Nations" to the Governor General, 2 September 1889. NAC, RG 10, vol. 2349, file 69,976, C-11206.

⁷²Petition, Certain Chiefs of the Six Nations to the Governor General, 2 November 1896. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

⁷³Petition, Certain Chiefs of the Six Nations to the Governor General, 4 September 1890. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

⁷⁴Canada, "Certified Copy of a Committee of the Honorable the Privy Council approved by his Excellency the Governor General in Council 13 November 1890". NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

1880s due partly to the efforts of J. T. Gilkison, the zealous visiting Superintendent, to initiate reform in Council. Although not a part of Council the Reformers constituted an additional faction, one separated from the Progressive Mohawk, Oneida and Upper Cayuga Chiefs simply by their lack of titles. The tradition of Reform likewise constituted a constant feature of nineteenth century Council politics and like factionalism, it continued into the twentieth century. Both traditions endured in the form of divisions between Dehorners, the Moderate supporters of the Hereditary Council and the Sovereignists, led by the charismatic Cayuga Chief, Levi General.

By the same token, the belief in Iroquois sovereignty, which provided the rallying cry for Council's defenders in the 1920s, greatly anteceded the confrontation. It was a belief nourished by the Iroquois since the time of the League's inception and one which was endorsed by most at Six Nations in the nineteenth century independent of religion or social status. Progressives, and the Progressive-led Council avoided confronting the Dominion over the subject, perhaps aware of the difficulty they would face in obtaining recognition of the claim. For the Traditionalists, on the other hand, the covenant chain, the two row wampum and the image of the two vessels - the physical representations of the English-Iroquois connection - were undeniable proof that the Iroquois had been recognized by the Dutch, then the English as a sovereign people, and it was inconceivable that the government could argue otherwise in good faith. Traditionalist petitions repeatedly cited these mnemonic devices to prove the validity of their claims, thus demonstrating the significance of these devices in the perpetuation of this belief and its widespread appeal.

Chapter Two:
Grievances and Burgeoning Six Nations Nationalism
at the Turn of the Century

New political issues in the form of land and monetary claims came to the fore in the 1880s and 1890s. The first, the one which, in retrospect, inaugurated a period of growing Iroquois nationalism and a long list of grievances was Council's claim to the lands at the head waters of the Grand River. Following on its heels were other issues such as the dispute between the Six Nations and the Mississaugas of the Credit (who resided on the Six Nations' territory) and the reclaiming of Six Nations monies and land lost in the ill-fated Grand River Navigation Company.

As well as a new unity of purpose and an interest in claims, Council also began to bring increasing sophistication to bear in the pursuit of old injustices. Committees were appointed, correspondence with the Department and the home government generally followed the protocols of English common law and the Progressive-dominated Council began to use lawyers in presenting its arguments. If, however, Council had begun to pursue its claims with an unprecedented degree of professionalism and determination, this seemed to have little effect on the Dominion and Imperial governments who, virtually without exception roundly denied them. The refusal of these governments to take Six Nations' claims seriously or perhaps more accurately their unwillingness to make even small concessions, contributed to a growing feeling of indignance and patriotism among all factions in the community.

The Haldimand Land Claim

During the American Revolutionary War the British promised the Six Nations that their lands would be protected¹ and their interests represented at any treaty with the Americans. When the Treaty of Paris was signed in 1783, however, no mention was made either of the

¹Kelsay, 155.

Indians or their lands.² Thoroughly embarrassed and fearing a reprisal on the order of that of Pontiac's war the British commander General Haldimand quickly set about securing a tract of land to replace the traditional lands of the Six Nations officially lost at the treaty signing. Joseph Brant a highly reputed war Chief and leader of a large group of Mohawk Loyalists indicated to Haldimand his desire to relocate to the Grand River Valley. Haldimand subsequently made the necessary purchase. In the summer of the following year, 1785, Brant led approximately two thousand Mohawk, Cayuga, Seneca, Onondaga, Oneida, Tuscarora, and members of several dependent nations north to Canada.³ Haldimand's written grant, while ostensibly quite straightforward, led to numerous problems of interpretation.

In the decades following the issuing of the land grant, a controversy between government officials and the Six Nations arose over whether the document bestowed full ownership (as in fee simple) or simply usufructuary rights.⁴ An issue, which in the long run, proved to be as significant was an inaccuracy (or ambiguity) in the grant with regards to the size of the tract. Although the grant specifies six miles on each side of the river for its full length, the purchase which Haldimand had made from the Mississaugas the previous spring (May 1784) did not include a section of land about forty miles by twelve miles at the head of the river. Geographic knowledge of the area was as yet only very preliminary and common wisdom held that the river's head waters stood about forty miles to the south of where they actually are. Haldimand therefore had only purchased from the Mississaugas a portion of the land actually named in the grant.⁵ The government quickly became aware of the discrepancy between the grant's specifications and the actual

²*Ibid.*, 339-343; Charles M. Johnston, "The Six Nations in the Grand River Valley, 1784-1847," *Aboriginal Ontario*, 168-9.

³Johnston, 170.

⁴Copy, Memorandum, Author unknown, DIA official. (Circa 1897) NAC, RG 10, vol. 2178, file 36, 539-1 Pt.2, C-11174.

⁵Sir P. Maitland to Lord Bathurst, 22 February 1821. NAC, RG 10, vol. 2178, file 36,539-1 Pt.2, C-11174.

purchase, but apparently assumed that the Six Nations, also aware of the difference, had no problem with it. The two groups remained in mutual ignorance of the other's understanding for a further two decades. While there is a slight hint that Brant knew of the discrepancy in 1797⁶ neither side became openly aware of the other's position until 1819, when the Chiefs suggested selling the lands at the headwaters of the river.⁷ The government informed them that they had no title to that land. Thereafter, throughout the nineteenth century, and indeed to the present day, the opposing positions of the Six Nations and the Canadian government have remained more or less unchanged.

Having discovered what they felt was an effort to deny them lands duly granted by General Haldimand and unquestionably earned through loyal service in several conflicts, the Six Nations were quick to press their claim. Presumably after receiving a negative response from the colonial government they sent a deputation to England in 1821 to plead their case with the Colonial Secretary.⁸ The response of the Colonial Secretary limited itself to Haldimand's intentions and the wording of the grant and it set the tone for most future responses to petitions on the subject.⁹ Lord Dorchester pointed out that although Haldimand seemed to grant six miles on each side of the river for its full length, he could not have intended this, nor had he the power to grant it given the limited size of the tract purchased from the Mississaugas. Moreover, argued Dorchester, Joseph Brant and several other Chiefs had approved a survey of the tract purchased from the Mississaugas in 1791 indicating that they were aware that the grant did not run the full length of the river. The Chiefs seem to have let the matter rest at the time, although most certainly they did not accept the ruling.¹⁰

⁶Memorandum.

⁷*Ibid.*

⁸Sir P. Maitland to Lord Bathurst, 22 February 1821. NAC, RG 10, vol. 2178, file 36, 539-1 Pt.2, C-11174.

⁹Memorandum.

¹⁰In an affidavit in 1887, David Hill Seneca, an aged Seneca Chief claimed that when he entered the Council fifty years earlier as a young man, he heard the Chiefs talk of

In 1882, William Smith, a young, energetic and affluent Progressive Mohawk revived the issue and over the course of the next decade it occupied a prominent place in correspondence and petitions to the Canadian and Imperial governments. By spring 1882, Smith had convinced the Chiefs of the desirability of pressing the claim.¹¹ But due to Council's initially half-hearted support¹² and the need to mobilize the labours of others both in researching the claim and in pressuring Council, Smith formed the Six Nations Union Association in the early fall of 1882. The Association raised money, employed the services of lawyers and surveyors in investigating the claim; and in 1883, jointly with Council, presented their findings to the Department. When it denied their claim, they persisted, petitioning England and sending deputations to see Sir John A Macdonald (Prime Minister and Superintendent General of Indian Affairs)¹³ and the Governor General,¹⁴ in 1885.

Meanwhile, Smith had been active outside of Council,¹⁵ petitioning the Colonial Secretary and in fact traveling to England. Although the Colonial Secretary informed Smith that he could not consider the matter as it fell within the Canadian government's jurisdiction, Smith's perseverance and the embarrassment caused by this unapproved deputation, convinced the federal government to investigate the matter. It released its report in January 1887, predictably denying the claim, and inadvertently pushing the Six Nations to turn completely to the English for redress. In early January 1888 Smith wrote

certain lands they had at the headwaters of the Grand River which had not been surveyed. He furthermore affirmed that the Council had always recognized the Haldimand 'deed' (in place of other documents) and had not felt it necessary to press their claim, trusting that the beneficence of her Majesty would be sufficient to have the claim resolved in time. Affidavit, David Hill Seneca, 25 April 1887. NAC, RG 10, vol. 2178 F.36, 539-1 Pt.2, C-11174.

¹¹CM, 14 March 1882. NAC, RG 10, vol. 2175 F.36, 301, C-11174.

¹²Weaver, "Iroquois Politics," 166.

¹³*Ibid.*, 166.

¹⁴Memorandum.

¹⁵CM, 13 August 1886. NAC, RG 10, vol. 2350, file 70,133, C-11206.

to the Colonial Secretary on behalf of the Council pleading with him to allow the Imperial government to consider the matter, as the Dominion had denied their claim and seemed unwilling to consider it any further.¹⁶ With no action forthcoming from the British, Smith traveled to England in the summer of 1889 and personally presented the Colonial Secretary a lengthy report on the subject.¹⁷ Although again claiming the matter to be out of his jurisdiction, Lord Knutsford was persuaded to give his opinion in the hopes that it might end the matter. After careful investigation he affirmed the decision of the Dominion government against the claim.¹⁸

At home on the Grand River, the fund raising activities of Council and especially of William Smith and the Union Association gained notice: the British and Canadian governments began to receive numerous petitions from people outside Council and the Association.¹⁹ The focus of these petitions also began to expand as other grievances, imagined or real, were remembered. In 1892, having received a flurry of petitions on matters as diverse as the Six Nations claim to be a sovereign power, their dissatisfaction with the Canadian government's administration of their affairs, their claim against the Grand River Navigation Company and of course their land claim to the upper Grand River Valley, the Privy Council made a lengthy reply. Having already denied the Six Nations sovereignty argument in 1890 they repeated that decision and without exception denied the validity of the petitioners' claims.²⁰

While this comprehensive repudiation of their claims did not prevent disgruntled

¹⁶Letter, William Smith (on behalf of SN Coucil) to Lord Knutsford, Colonial Secretary, 17 January 1888. NAC, RG 10, vol. 2178, file 36, 539-1 Pt.2., C-11174.

¹⁷Memorandum.

¹⁸*Ibid.*

¹⁹For example, see Petition, Chiefs and People of the Six Nations to the Governor General of Canada, March 1891. NAC, RG 10, vol. 2178, file 36,539-1 Pt.2, C-11174.

²⁰The Committee of the Honourable the Privy Council. "Memorandum re Complaints embodied in Various Petitions from the Six Nations," 17 June 1892. NAC, RG 10, vol. 2178, file 36,539-1 Pt.2, C-11174.

Six Nations members from continuing to petition the Crown, the subject and quality of these petitions underwent change. Popular, i.e., unauthorized petitions, would continue to cover a range of topics.²¹ Council's appeals, on the other hand, would become more sophisticated, involving the services of lawyers and would come to focus on other issues such as the dispute with the Mississaugas, the discontinuation of the ammunition allowance, and the Grand River Navigation Company claim.

The Six Nations-Mississauga Dispute

Another disagreement to result from the revitalized sentiments of nationalism and pride at Six Nations in the 1880s, was the land dispute between the Six Nations and the Mississaugas. In the conflict which developed between these two groups, the government played an uncharacteristically influential and deciding role, perhaps indicating the expansion of its power over local affairs. The quarrel is an important one because it provides clear evidence of the increasingly nationalistic tendencies of Council in the 1880s and 1890s. It also demonstrates a minor but growing distrust and dissatisfaction with the Department on the part of Council.

The Mississaugas originally came to reside on the Six Nations reserve in 1847. As their own territory at Port Credit, just west of Toronto, had become surrounded by non-Native settlers, and their land there was small in extent, they accepted an offer from the Six Nations Council to come and live with them.²² They called their new home on the Six Nations reserve, "New Credit". The Six Nations granted them usufructuary rights to 4800 acres later adding another 1200 acres and offered them access to timber and other resources on much the same terms the Six Nations members themselves had. In 1865, feeling somewhat uncertain of their title to the later-granted 1200 acres, (which was given solely on an oral promise), the Mississaugas applied to the Six Nations Council to have it

²¹See for example, Petition, Isaac Davis to her Majesty the Queen, Undated (Circa 1887). NAC, RG 10, vol. 2178 file 36, 539-1 Pt. 2, C-11174.

²²CM, 7, 8 April and 7 May 1847. NAC, RG 10, vol. 2358, file 72,566 Pt.1, C-11207.

confirmed in the same way that the original 4800 had been. To this request the Six Nations acquiesced.²³ Then in 1874 and again in 1877, the Mississaugas applied to Council for a full title (i.e., title in fee simple²⁴) to the land. This time, however, the Six Nations flatly refused, expressing their unwillingness to give the Mississaugas anything further.²⁵

In November 1886, Council informed the Mississaugas that they wished to repossess their lands as they had experienced substantial growth in population and they felt that the Mississaugas had abused the grant given them in 1847-8.²⁶ The Six Nations Council made three propositions, which if accepted would allow the Mississaugas to stay: first that New Credit “amalgamate” with the Six Nations; second, that they repay the money (with interest) that Council had paid for the squatters’ improvements on the tract of land given to the Mississaugas; and third that they pay for the land, the value of which would be arrived at by an independent commission. Council promised compensation for improvements, but threatened the Mississaugas that if they did not vacate the reserve by the date specified (November 1887) or agree to the proposals, they would sell the land to the government and the Mississaugas would be forced to negotiate a usufructuary agreement with the federal government or buy the land.²⁷

²³CM, 22 August 1865. NAC, RG 10, vol. 2358, file 72,566 Pt.1, C-11207.

²⁴Although in the government’s view the Six Nations themselves did not own the reserve in fee simple and could therefore not grant the same to the Mississaugas, the Mississaugas do not seem to have been apprised of this, for they asked for full ownership of the land.

²⁵CM, 30 January, 1847; 13 February, 1877. NAC, RG 10, vol. 2358, file 72,566 Pt.1, C-11207.

²⁶CM, 9 November, 1886; Letter, Gilkison to DSGIA, 10 November, 1886. NAC, RG 10, vol. 2358, file 72,566, C-11207.

²⁷Another factor which may have played a role in Council’s decision to evict the Mississaugas, was the uneasiness of relations which had prevailed between these two groups throughout the nineteenth century. The Mississaugas were traditional enemies of the Iroquois from pre-contact times and in the closing years of the seventeenth century they fought a bloody war over territory in southern Ontario - a war which in their weakened state the Iroquois could not win. Although by the nineteenth century relations between the two peoples were peaceful, a dormant hatred remained, which not

The Mississaugas replied that their title was good and were certain that they had repaid the Six Nations for the squatters' improvements. Anxious to come to a settlement, however, they offered to pay the Six Nations \$10,000 in lieu of the money for improvements and for the Six Nations' withdrawal of all claims to the land.²⁸ This proved unacceptable to the Hereditary Chiefs who were, in the view of Department officials, unwilling to accept anything less than a full surrender.²⁹

Their motivation in taking up the Mississauga claim, given the Six Nations' simultaneous pursuit of several other claims against the government, was probably a nationalistic desire to reclaim territory they felt was rightfully *theirs*. In 1886, at the start of the conflict, the Six Nations gave several reasons for making the claim, all of which the Mississaugas repudiated: first that the Mississaugas had allegedly shared their land with other peoples than the Mississaugas or Six Nations; secondly, that some individuals occupied more than the customary 100 acres; and thirdly, revealing some of the jealousy they may have felt for the band and the irrelevance of their reasons, that the Mississaugas had twice as much money as the Six Nations.³⁰ Later in 1896, a committee, significantly chaired by William Smith (the same individual that was leading up the claim to the lands at the headwaters of the Grand River) researched the issue and gave other reasons for the removal of the Mississaugas. The committee argued that the Mississaugas had not adhered to the original terms of the agreement: first that Six Nations who had purchased land in

infrequently led to disagreement. Donald B. Smith, *Sacred Feathers. The Reverend Peter Jones (Kahkewaquonaby) & the Mississauga Indians* (Toronto: University of Toronto Press, 1987), 19, 29.

²⁸Memorial, DSGIA to SGIA, 13 June 1892. NAC, RG 10, vol. 2358, file 72,566, Pt.1, C-11207.

²⁹*Ibid.*; Letter, E.D. Cameron to Secretary, DIA, 20 December 1900. NAC, RG 10, vol. 2358, file 72,566, Pt.2, C-11207.

³⁰Memorial, DSGIA to SGIA, 13 June 1892; Mississaugas of the Credit, "Answer to Reasons given by the Six Nations Council why the Mississaugas of the Credit should be removed from the Land they Occupy, September 1889." NAC, RG 10, vol. 2358, file 72,566, Pt.1, C-11207.

the Mississauga section of the reserve had been evicted; second, that Six Nations visitors had been treated as trespassers; and finally that the Mississauga council had prosecuted Six Nations members for removing timber from New Credit.³¹

Having rejected each other's terms in 1886-7, the two Councils let the matter rest for the remainder of the 1880s. In 1889, a thorough search of the Department's records at Ottawa and at the Indian Agency in Brantford turned up proof only that the squatter's improvements on the 1200 acre tract of land had been paid for, leaving open the question of whether the initial grant of 4800 acres had been settled. This issue would prove troublesome, since the Mississaugas were convinced that they had paid the amount (and in any case that the statute of limitations for calling forth the debt had expired), and the Six Nations were equally determined to reclaim the same. In 1892, a lengthy memorial by the Deputy Superintendent General of Indian Affairs for the Minister summarized the facts of the case and concluded that given the two sides' contentions, there was little hope of a friendly settlement.

Having given up hope that the Department would settle the matter, the Six Nations in 1896 arranged for a committee to meet with the Mississauga Council.³² The meeting proceeded smoothly and the two Councils arranged to meet again two months later.³³ A general council held 28 May of that year, at which the two government Indian agents acted as speakers, saw ostensible agreement between the delegates. The Mississaugas agreed to the Six Nations' propositions (a slightly revised version of the agreement of 1847) and requested only that they be given one month to look further into the matter of the money for the improvements on the 4800 acre tract. The Mississauga Council then wrote the Department asking them why the monies for the improvements had not been paid and secondly, adding that as this was in their view the Department's responsibility, the Department should pay. The Department predictably denied responsibility for matters

³¹CM, 4,5 February 1896. NAC, RG 10, vol. 2358, file 72,566, Pt.1, C-11207.

³²*Ibid.*

³³CM, 7 April 1896. NAC, RG 10, vol. 2358, file 72,566 Pt.1, C-11207.

so far removed, leaving the Mississaugas to request more time from the Six Nations to search their personal papers for proof of the payment.³⁴ The Six Nations reluctantly agreed and for another four years the matter remained at a standstill.

On 15 May 1900, finally agreeing with Council that the Mississaugas had had more than enough time to come up with proof of having repaid the Six Nations, the Department requested the Mississaugas to come to terms with them. The Mississaugas agreed. On 25 September 1900, both parties signed a Deed of Settlement which finally brought the disagreement to a close.³⁵ In 1902 the Minister, Clifford Sifton, having solicited and accepted the Chiefs' understanding of the agreement, stated that it required ratification in a plebiscite of Six Nations' males.³⁶ Ratification occurred with unanimous consent on 12 December 1902 and the agreement was officially recognized by an Order in Council of 14 July 1903.³⁷

Lastly, although the dispute occasioned no open confrontation between any of the participants, the Six Nations acquired additional evidence of what they viewed as the Department's heavy-handed involvement in their affairs, as well as its indecisiveness. In a letter to the new Deputy Superintendent General, Frank Pedley, the Six Nations Superintendent commented, "I am glad to say, that the Chiefs of the Deputation have changed their opinion of the Department and they now look upon it as their friend."³⁸

³⁴E. D. Cameron to DSGIA, 24 July 1896. NAC, RG 10, vol. 2358, file 72,566, Pt.1, C-11207.

³⁵"Agreement between the Six Nations of the Grand River and the Mississaugas of the Credit, 25 September 1900." NAC, RG 10, vol. 2358, file 72,566 Pt.2, C-11207.

³⁶Clifford Sifton to E. D. Cameron, 13 November 1902. NAC, RG 10, vol. 2358, file 72,566 Pt.2, C-11207.

³⁷CM, 12 December 1902; Order in Council, 14 July 1903. NAC, RG 10, vol. 2358, file 72,566 Pt.2, C-11207. The agreement saw the Mississaugas pay \$10,000 in return for a promise from the Six Nations that they would not again lay claim to the land, or the money paid for the squatter's improvements.

³⁸E. D. Cameron to DSGIA, 10 November 1902. NAC RG 10, vol. 2358, file 72,566, Pt.2, C-11207.

While this was undoubtedly a form of indirect praise for the Superintendent General's quick resolution of the problem, Cameron certainly knew well enough not to misrepresent Council's sentiments. His comment suggests an apparent dissatisfaction with the way the Department handled the dispute. If this was the case it was certainly understandable: Council through Cameron had repeatedly asked the Department to resolve the affair,³⁹ all to little avail, and worse, in Council's eyes, when the government finally did express its opinion, it favoured the Mississaugas and denied the Six Nations' right to evict them.⁴⁰

The Grand River Navigation Company Claim

The Six Nations dispute with the Mississaugas was resolved in a relatively short time in comparison to the claim against the government for their investment of Six Nations' funds and lands in the Grand River Navigation Company. This issue continued to trouble Council-government relations well into the twentieth century.⁴¹ This claim, much like the rising nationalism which supported it, straddled the nineteenth and twentieth centuries, linking the patriotism of the 1890s with its later manifestation, the vehement assertions of nation-state status of the 1910s and 1920s.

The Grand River Navigation Company officially came into being on 28 January, 1832 by an act of parliament. Stock was set at £50,000 according to an 'arrangement' (unknown to the Six Nations until later) by which each of David Thompson, William Merritt, and the Six Nations, would purchase one quarter of the total, leaving the

³⁹See for instance, E. D. Cameron to Secretary, DIA, 19 August 1898; CM, 3 March 1903; E. D. Cameron to Secretary, DIA, 10 March 1903. NAC, RG 10, vol. 2358, file 72,566 Pt.2, C-11207.

⁴⁰Hayter Reed, Memorandum, undated; Memorandum, Law Clerk, DIA to the Secretary, DIA, 13 May 1901; Secretary, DIA to E. D. Cameron, 10 May 1901. NAC, RG 10, vol. 2358, file 72,566 Pt.2, C-11207.

⁴¹In fact, the British and Canadian governments and the Six Nations have never come to any agreement on the subject.

remaining quarter to be picked up by smaller stockholders.⁴² The directors of the company were apparently assured by Sir John Colborne (Lieutenant Governor of Upper Canada and Six Nations financial trustee) that they would be granted an additional 1200-2400 acres of land which could be sold to raise working capital.⁴³ When, due to Six Nations objections, Colborne was unable to grant the lands, he was forced to buy out the two directors, Thompson and Merritt, with Six Nations funds.⁴⁴ Council eventually became aware of the government's appropriation of their funds and mounted a deputation in 1837 to protest against the investment of any further money or alienation of any more land. This protest only confirmed the government's growing suspicion that the venture was misguided. But at this stage little could be done except to regret the poor business sense of the trustees since a clause in the company's constitution threatened forfeiture of all monies paid in if payments were to cease on stock purchased. The government could either halt the payments and cut the Six Nations' losses or continue them in the hope that the company would eventually turn a profit. It chose the latter of the two evils.⁴⁵

Struggling from the start it seems, the company never managed to earn the money it needed and it soon became clear that funding beyond the initial £50,000 would be necessary to complete the work. In what proved to be a disastrous business decision for the Six Nations, the company obtained a loan from the town of Brantford for an additional £40,000, in the process, mortgaging the company.⁴⁶ It limped along for another two decades until 1861, when the town foreclosed on the loan, forcing the company into receivership. A bill introduced in 1862 prepared for the transfer of all possessions including the money subscribed by the Six Nations, to the town of Brantford. While the

⁴²Report by the Reverend Wm. Scott, Department of Indian Affairs, 1 September 1887. NAC, RG 10, vol. 2178 file 36,539-2, C-11174.(Hereafter cited as "Report")

⁴³*Ibid.*

⁴⁴Bruce Emerson Hill, *The Grand River Navigation Company* (Brantford Ontario: Brantford Historical Society, 1994), 13-14.

⁴⁵Report; Hill, 27.

⁴⁶Report.

Department tried to safeguard the interests of the Indians, its efforts were ineffectual for a similar bill was passed in 1868 which, like the first, ignored the Indians' investment.⁴⁷ By the time the company closed the Six Nations owned more than 80% of the GRNC stock and their monetary claim as of 1887, amounted to a total of approximately \$460,000 (including principal and interest from 1832 to 1887).⁴⁸

Equally damning aspects of the company's history included its sloppy record keeping⁴⁹ and the compromising interests of many of the Six Nations' so-called representatives in the government. David Thorburn, the President of the Navigation Company throughout its troubled history, was also the Six Nations Visiting Superintendent, and Commissioner of Lands.⁵⁰ John Dunn, a Six Nations trustee, one of three individuals who 'took care of' the Six Nations' capital, was a promoter and director of the Welland Canal, a personal friend of Merritt and the Receiver General, the ultimate authority in sanctioning the investment of Indian funds. When in 1839 the position of trustee was terminated, the company directors could apply directly to Dunn for further advances on Six Nations' funds.⁵¹ Sir John Colborne, the apparent initiator of the Six Nations' investment, was both Lieutenant Governor of Upper Canada and a Six Nations trustee.

The burgeoning sense of nationalism and public interest in old grievances at Six Nations⁵² soon found a further rallying point in the Navigation claim. The government's initial reaction was favourable. By 1887, the Department had prepared a lengthy report

⁴⁷*Ibid.*

⁴⁸*Ibid.*

⁴⁹Hill, 22-3.

⁵⁰*Ibid.*, 29.

⁵¹Hill, 20-21.

⁵²Consider for instance, a letter from James S. Miller to the SGIA, 6 July 1886, requesting all available information on the Grand River Navigation Company. Miller would again, in 1887, serve as a witness for David Hill Seneca's affidavit (referenced above). NAC, RG 10, vol. 2345, file 69,338, C-11205.

detailing the history of the company and the unauthorized appropriation of funds and lands in connection with it.⁵³ And by 1889, senior staff in the Department had concluded that the Six Nations had a veritable claim against the imperial government and were considering forwarding the matter to Whitehall for consideration.⁵⁴ In 1894, having become tired of the numerous private and Council-sponsored petitions⁵⁵ from the Six Nations in spite of the Privy Council's supposedly comprehensive repudiation of these claims in 1892⁵⁶, the Governor General stated unequivocally that the government would give no further consideration to matters such as the Haldimand land claim. He added, however, that if Council wished they could prepare a proper petition regarding the Navigation company and the Privy Council would duly consider it.⁵⁷

Council accepted the offer and had T.A. Snider research the claim. He drew up a petition requesting compensation for the cessation of ammunition and the loss of their investment and lands in the GRNC. One year later the Imperial government responded, denying any knowledge of, or responsibility for, the investment and placing the blame on the then Lieutenant Governor General of Upper Canada, John Colborne, and on the Colonial legislature.⁵⁸ Council seems to have let the matter rest there for the mean time, but this respite was to prove only temporary as it would from the mid-1900s take an even

⁵³Report.

⁵⁴DSGIA to SGIA, 25 October 1889. NAC, RG 10, vol. 2345, file 36,539-1 Pt.2, C-11205.

⁵⁵See for instance, Petition, Certain Chiefs and People of the Six Nations to the Governor General and Dominion Parliament, March 1891. NAC, RG 10, vol. 2178, file 36,539-1 Pt.2, C-11174.

⁵⁶See The Committee of the Honourable the Privy Council. "Memorandum re Complaints embodied in Various Petitions from the Six Nations," 17 June 1892. Referenced above.

⁵⁷DSGIA to Peter Hill, 1 May 1896. NAC, RG 10, vol. 2178, file 36, 539-2, C-11174.

⁵⁸Colonial Secretary to the Governor General of Canada, 25 July 1895. NAC, RG 10, vol. 2178, file 36, 539-2, C-11174.

more aggressive stance regarding the claim, in 1907 hiring A. G. Chisholm to prepare a comprehensive petition against the Dominion government.

Significantly, in all three disputes, the actual offence for which Council and concerned citizens sought redress occurred many years before the formulation of a claim. In the case of the Mississaugas this is perhaps the least apparent. The earliest sign of any public dissatisfaction on the part of the Six Nations was in the 1870s only a decade before Council took action to have them evicted. The Grand River Navigation Company, on the other hand, had been from its very inception a sore spot with the Chiefs and certainly after 1861, when it went bankrupt, a claim could have been put together. In the case of the Haldimand grant the length of time between offence and claim is most conspicuous. From 1819 onwards Council was aware that the government did not share its understanding of the promise, but following their trip to England in 1821, the Six Nations did not act on this until the young William Smith took an interest. Why then do these claims suddenly appear so many years after the actual grievance itself?

To be sure individuals such as William Smith and the executive of the Union Association played a substantial role in creating interest in these claims. Yet if these individuals were instrumental in building interest, the claims and thriving nationalism grew in symbiosis and soon developed a momentum all their own. The reason for the conjuncture of these ostensibly unrelated claims, then, as well as their appearance many years after the original offence, must be found in the flourishing Iroquois nationalism which affected the Council and people alike. This patriotism would perhaps prove most infectious in the Council and would continue to grow stronger down to the confrontational 1920s, evolving over this period into an uncompromising argument for Six Nations sovereignty and self-determination.

The fact that without exception the Imperial and Dominion governments repudiated or dismissed the Six Nations claims during this period acted as a catalyst in the growth of this patriotism. In the late 1890s, a vocal Mohawk named Isaac Davis made an earnest plea to the Queen to deal fairly with many of the Six Nations' grievances: "If Your

Majesty would only sanction an investigation into the affairs of the Indians there would be many old grievances wiped out.”⁵⁹ What Davis was in essence asking for was not just an investigation - there had already been numerous ineffectual government investigations. Instead, he was asking for a compromise, a willingness to take the Six Nations’ claims seriously and grant some sort of compensation. Although coming from a Conservative at Six Nations, the petition effectively captured the sentiments of most band members at the time.

⁵⁹Petition, Certain Warriors of the Six Nations to the Queen, undated. See attached letter, J.D. McLean to Isaac Davis, 18 August 1898. NAC, RG 10, vol. 2178, file 36,539-2, C-11174.

Chapter Three:

Deteriorating Relations, 1906-1920.

The formal organization of the Reformers in 1906 as the Indian Rights Association represented a far more serious threat to Confederacy rule than had been offered to this point. The Department's reaction to the growth of the movement, however, was highly conservative. With each move the Warriors made, Ottawa became more fearful of unrest and even violent resistance should a change in government take place. Accordingly, its conditions for considering an elective system became more and more out of reach. Faced with this reluctance and the reality that they would never be able to match the quotas set by the Department, the Reformers chose to try to discredit Council by revealing instances of incompetence and corruption.

This tactic proved to be, indirectly, much more effective. By the 1900s Council had evolved into an efficient, competent and proven local government. The Hereditary Chiefs were quite proud of their accomplishments and thought it natural that the Department of Indian Affairs should be willing to give them more control over local affairs. Even at the best of times, however, the Department of the late nineteenth and early twentieth centuries was a highly conservative, authoritarian institution, and with the Warrior's revelations of incompetence and corruption, senior officials in Ottawa decided that a more careful scrutinizing of Council's affairs was necessary. To the Chiefs, who were looking for more respect and independence, this trend was alarming, extremely frustrating and in the light of nationalistic sentiments which had been building since the middle 1880s, utterly intolerable. Over the 1910s, the Chiefs became increasingly opposed to bowing to the Department's will and they adopted the sovereignty argument as the principal weapon with which to defend their autonomy.

The Indian Rights Association, 1906-1910

The tradition of political Reform at Grand River entered a new phase in 1906 with the formal organization of the Dehorners in the Indian Rights Association. This new group of Reformers, in many cases the offspring of the earlier Dehorners from the 1890s, was quite

similar in social composition to its predecessors. Unlike earlier movements, however, in which the goal of an elective Council had been, perhaps, a means to an end (i.e., the federal franchise, by-laws, an improved education system) this became the primary, if not sole goal of the new Association. The organization and singleness of purpose of this group posed an unprecedented threat to the system of Hereditary Government at Six Nations.

To the Chiefs, who initially sought to compromise with the Reformers, this new development was alarming. Perhaps even more disturbing, however, was their growing conviction that the Department was encouraging, even conspiring with the Warriors. This suspicion placed strain on the Department-Council relationship, and contributed to the worsening relations between these two bodies.

For its part, the Department, while officially espousing a policy of “progress” and “advancement” reacted with increasing conservatism to the Warriors’ overtures for political change. The prospect of change became a fearful one for DIA officials who anticipated unrest and possible violence from a small section of the community should the Chiefs be deposed. On the other hand, the Warriors’ revelations of incompetence and corruption convinced Ottawa to more closely scrutinize Council business – in the end, a far more significant factor in the breakdown of relations than the Dehorner movement itself.

When the Reformers first appeared in 1906, they approached Council over the issue of education on the reserve. They asked that standards be brought in line with the provincial schools by hiring certified teachers, using provincial curriculum, and having the provincial Inspector of Schools inspect reserve schools.¹ These goals were impossible for Council to meet because of the expenses involved and the Department’s unwillingness to sanction them. Council did, however, initially try to compromise with the Reformers by discussing the community’s standards of education and trying to improve the maintenance of local schools.² With the appearance of a petition calling for an elected system in the late

¹Weaver, “Iroquois Politics, 317.

²CM, 6 June 1906. NAC, RG 10, vol. 3003, file 218,222-77; CM, 5 July 1906. NAC, RG 10, vol. 3003, 218,222-78, C-11309.

winter of 1907, however, the Association's true goal became apparent: political change.³

The petition circulated by the Dehorners made similar claims to its predecessor of 1894. It charged the existing Council with incompetence, a lack of education, lack of a representational quality and being a hindrance to the "advancement" of the Six Nations people.⁴ In April 1907 the Reformers sent a delegation to see the Superintendent General with their petition. Oliver expressed his sympathy with the Reformers' aims, but informed them "...the Department would be justified in making a change [only] if a majority of the adult males of the band would vote for a change or if they would prove sufficient charges against the Council of a character which would warrant a change in the method of election."⁵ Given that they were unlikely to exceed their present base of support, the Progressive Warriors began a campaign of character assassination designed to reveal corruption and ineptitude in Council.

The Dehorners initially limited their activities to making accusations against erring Chiefs or Council employees in an informal fashion in general Council. One of the first men to be brought up on charges, with some historical irony, was Council's future gifted rhetorician, speaker and leader. Levi General was a forest bailiff (not yet a Chief), who instead of patrolling the community for timber thieves and poachers had invited three white men onto his property, joined them in shooting ducks and proceeded to get drunk with them in his barn.⁶ In this case the Council handed the investigation over to the Visiting Superintendent who dismissed General for his impropriety. When similar charges

³CM, 5 February 1907. NAC, RG 10, vol. 3003, file 218,222-85, C-11309.

⁴Petition, Certain Chiefs and Warriors of the Six Nations to the DSGIA, 15 March 1907. NAC, RG 10, vol. 7930, file 32-32, Pt.1, C-13505.

⁵Frank Oliver to Frank Pedley, 20 April 1907. NAC, RG 10, vol. 7930, file 32-32, Pt.1, C-13505.

⁶CM, 3 September 1907. NAC, RG 10, vol. 3004, file 218,333-92, C-11309; CM, 8 October, 1907. NAC, RG 10, vol. 3004, file 218,222-93, C-11309.

were laid against Chiefs, however, to the Warriors' chagrin,⁷ the Council accepted their repentance in traditional form, and the Department maintained its habit of non-intervention in the deposing and appointing of Chiefs.⁸

Having to this point failed to attract the Department's attention, the Association laid several further charges against Council for mismanagement of estates and land, bribery and generally biased dealings. These charges were properly notarized and a second delegation carried them to Ottawa for Department perusal. Again, however, the Department remained unimpressed and restated its earlier position.⁹

Had the Hereditary Chiefs known that the Department's attitude towards the question political change was growing progressively cooler, the threat posed by the Dehorners might not have appeared so substantial. As it was, however, the Chiefs did not recognize the Department's growing conservatism. In fact, from their perspective it seemed that the Department was fostering, even conspiring with the Reformers. From the first appearance of the Reform petition, in fact, Council suspected that the acting Visiting Superintendent Ramsden had encouraged the Warriors.¹⁰ Council later accused Major Gordon Smith, Ramsden's replacement, of secretly passing correspondence between the Dehorners and the Department. Smith admitted he had forwarded letters for the Reformers, but denied having in any way encouraged them. In the Chiefs' eyes this was a rather poor excuse and their dissatisfaction was evident: "the official channel of communication must start from this Council as it always was the rule for over a century. Why did the Department depart from it now and cause all this trouble and disquietude

⁷E. Powless, Secretary, Warriors Association to DSGIA, 13 September 1909. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.

⁸Weaver, "Iroquois Politics," 336.

⁹Memorandum, Frank Pedley, 27 April 1908. NAC, RG 10, vol. 7930, file 32-32, Pt.1, C-13505.

¹⁰CM, 5 February 1907. NAC, RG 10, vol. 3003, file 218,222-85, C-11309. The Chiefs went so far as to accuse Ramsden in open Council and he was obliged to defend himself, stating that he had known nothing of the petition until the very night before.

amongst our people?"¹¹ Although this event took place early in 1909, it remained vivid in the Council's collective memory at the beginning of 1910. When Smith gently rebuked Council for not supporting him over the past year, the Chiefs retorted that any lack of harmony was due to the Department's failure to respect established rules regarding official communications.¹²

When the motives of the Dehorners became clear, Council began putting together its own petition in favour of the existing political system¹³ and requested permission to send a deputation to Ottawa to discuss the matter. The Department declined, showing how seriously it took the option of political reform. To the Council, however, this refusal signaled the Department's unwillingness to consult with them. Council repeated their request in September, and December 1907, and again in January 1908.¹⁴ Eventually after protesting strongly over the Department's apparent willingness to receive the Reformers' delegations - they had by this point received two - it granted Council an audience in May 1908.¹⁵ The Department's unwillingness to give to the Hereditary Chiefs any of the Dehorners' correspondence and petitions, also troubled them.¹⁶

In the spring of 1909, the Warriors Association held their third annual meeting at which they discussed electoral districts for the reserve. Although in the light of the

¹¹CM, 11 March 1909. NAC, RG 10, vol. 3007, file 218,222-111, C-11309.

¹²CM, 4 January 1910. NAC, RG 10, vol. 3008, file 218,222 -123, C-11310.

¹³CM, 7 February 1907. NAC, RG 10, vol. 3003, file 218,222-85, C-11309.

¹⁴CM, 4 December 1907. NAC, RG 10, vol. 3005, file 228,222-95, C-11309; CM, 11 September 1907. C-11309, vol. 2004, file 218,222-92, C-11309; CM, 7 January 1908. NAC, RG 10, vol. 3005, file 218,222-97, C-11309.

¹⁵CM, 6 May 1908. NAC, RG 10, vol. 3006, file 218,222-111, C-11309.

¹⁶CM, 3 April 1907. NAC, RG 10, vol. 3004, file 218,222-86, C-11309. Council asked that the Department return the petition on the grounds that some of the people who signed it might have been misled and thought they were signing a petition for some other cause. Council's later decision to create a committee to notarize complaints from those who claimed to have been deceived into signing, (CM, 11 March 1909. NAC, RG 10, vol. 3007, file 218,222-111, C-11309) appears to add credibility to their claim. The Department, however, refused to release the materials fearing that reprisals might result.

Dehorners' failure to win concessions from the Department, this was little more than an exercise, in Council's eyes it indicated the future possibility of an election most likely under the Department's sponsorship.¹⁷ Council's reaction was uncharacteristically speedy and harsh. It resolved that henceforth all such meetings would be considered unlawful assemblies and would be prosecuted by a representative of Council under the criminal code.¹⁸ Balancing carrot with stick, however, Council offered an amnesty of one month to all those willing to divorce themselves from the Progressive Warriors' 'subversive' activities.¹⁹

Although in banning the Warriors' meetings the Chiefs might have exaggerated the degree to which "serious agitation and disaffection" existed on the reserve, this seemed to be increasingly the way the Department perceived the issue of electoral change. Their willingness to counsel change declined continuously, as a result. Shortly after the Warriors' infamous third annual meeting, the Association president wrote to Ottawa indicating the Reformers' willingness to have the question considered in a referendum providing that the format was secret ballot.²⁰ Despite the obvious appeal of having the

¹⁷Weaver, "Iroquois Politics," 338.

¹⁸CM, 1 April 1909. NAC, RG 10, vol. 3007, file 218,222-111, C-11309.

¹⁹Besides these measures and Council's efforts to send a deputation to Ottawa, one of the other ways in which Council 'defended' the Confederacy was to have the Deganawidah myth or Six Nations 'constitution' committed to paper. An ambitious Traditionalist named Seth Newhouse had earlier written his own version of this myth, largely as a 'corrective' to the innovation he saw in Council protocol. Newhouse had suggested that the Chiefs publish his version but apparently the two could not agree on whether or not the author should receive compensation. In 1909, faced with this new threat, Council appointed a committee of its own Chiefs, including the renowned Traditionalist and informant, John Arthur Gibson, to write this story. These were later published, Newhouse's version as Arthur C. Parker, ed. "The Constitution of the Five Nations, or the Iroquois Book of the Great Law." (*New York State Museum Bulletin*, No. 184, Albany, 1916.) and the Chiefs' as Duncan C. Scott ed., "Traditional History of the Confederacy of the Six Nations" (*Proceedings and Transactions of the Royal Society of Canada*, Vol.5 Ottawa, 1911.)

²⁰H. C. Ross, to DSGIA, 22 February 1909. NAC, RG 10, vol. 7930, file 32-32, Pt. 1, C-13505.

question decided democratically, the Department's response virtually overlooked the offer. Instead the reply focused on the difficulties of ensuring tribal representation, suggesting to Council that the Department favoured the status quo.²¹

In the spring of 1910, the Dehorners sent a delegation to Ottawa for a third time. They presented the Department with a second petition, worded the same as the first, but with different signees, and representing again, approximately 25% of the community. This time the Department's response was even more careful: "...in a matter of such importance as the *radical* change referred to, it is necessary for the Department to go slowly, and the Minister has decided that he will not sanction the change until it shall have been shown that there is a *substantial and permanent majority*, say 66 2/3 [i.e., 66% or 2/3^{rds}] in favour of the same."²² This growing conservatism was quite discouraging for the Dehorners²³ and probably best explains their withdrawal from public opposition in the 1910s. While the tradition of Reform would persist through the 1910s and early 1920s, it was not before the 1920s that the Reformers again became publicly active.

In later years, the push for an elective council came from a number of the 300 Six Nations men who fought in World War I without the approval of the Chiefs. While the Chiefs made contributions to the war effort, their refusal to come to the aid of the British Empire, unless formally invited as allies of the British Crown, appeared to many of the soldiers and families of soldiers to be an act of disloyalty and in light of the great purpose of the war, undemocratic. In fall of 1917 a group of slightly over fifty Six Nations soldiers petitioned the Department, promising to do "all in our power to rid our Nation of the said [Hereditary] council and in its place to establish a government representative of the people."²⁴

²¹CM, 6 April 1909. NAC, RG 10, vol. 3007, file 218, 222-112, C-11310.

²²F. Pedley, to H. H. Miller, 20 April 1910. NAC, RG 10, vol. 7930, file 32-32, Pt.1, C.13505. (Emphasis mine).

²³Weaver, "Iroquois Politics," 349.

²⁴Copy, Petition, Certain Six Nations Warriors to the Department (unspecified), 8 August 1917. Sally M. Weaver collection, box 468, file 1.

In 1919 a second petition written by the families and friends of those who had fought appeared, also asking emphatically for the replacement of the Confederacy with an elected system. Powerfully written, this petition played upon the heady Canadian nationalism at the end of the war: "...and we hope and pray that the Canada, for which our husbands, fathers, brothers and friends fought and died may see fit to grant this change."²⁵ The petition went on to accuse many of the Chiefs of hypocrisy and disloyalty, to the point of being pro-German as well as enumerating the ways in which they had "abandoned" the soldiers. The petition was signed by some 160 people. While both petitions did not evidence majority backing, their appeals to democracy and Canadian nationalism must have had great emotional impact. By 1919, moreover, relations between the Chiefs and the Department were quite poor. And yet again, the Department did not act. It might sympathize with the ideals expressed in the two petitions and it might espouse "advancement" in its annual reports, but in the case of the Six Nations, the perceived threat of unrest and potential violence proved an effective deterrent to change.

If the Reform movement itself had proven to be of little direct threat to the Confederacy, the same can not be said for the increasingly strained relations between Department and Council, resulting principally from the Department's continued and close supervision of Council business. The direct threat of Reform was only short lived, lasting from 1906 through 1910. The growing tensions between Council and Ottawa, in part inaugurated by the Dehorner's revelations of corruption, proved to be much longer lasting and far more significant in terms of the breakdown in relations and Council's eventual deposing.

Adding Insult to Injury: Departmental Interference and the Defence of Local Autonomy

Disagreements between Council and the Department over the Chiefs' decisions (or jurisdiction) developed over a wide range of issues. Most frequently disputes arose over

²⁵Petition, People of the Six Nations to the DSGIA, 1 September 1919. NAC, RG 10, vol. 7930, file 32-32, Pt.2, C-13505.

officials paid out of Six Nations funds and hired by the Department or over local matters such as contracts and wills. These conflicts proved increasingly vexing for the Chiefs and contributed substantially to the breakdown in relations between the government and Council, and to the Council's hardline tactics adopted in the early 1920s.

The Council of the 1890s and 1900s was highly efficient as a community government when compared to its predecessors. It transacted a large amount of business, met usually eight to ten times a year, and had adopted numerous minor structural changes in order to expedite business. While much of business centred around such matters as wills, settling disputes, public works and land transactions, the Chiefs also held positions on the School Board and looked after health matters on the reserve. Additionally, although tensions still existed between Progressives and Conservatives they appear very rarely and then only in Council minutes in the early part of this period.

Ironically, at the very moment when Council was perhaps the most efficient, the Department began to clamp down.²⁶ Once begun in 1908-9, the Department's increased interference frequently led to disagreements over officials, such as the Interpreter, Secretary and Medical Superintendent (reserve doctor), who, though paid from Six Nations funds, were usually chosen by the Department.²⁷ In November 1911, Council tried to dismiss its interpreter of many years William Smith.²⁸ Council made this decision on the

²⁶ In fact, while the Department's increased scrutiny of Council affairs would considerably spur the Chiefs to demand more autonomy, there are indications that they were beginning to make those demands well before the Government 'clamp down'. (CM, 4 July 1906. NAC, RG 10, vol. 3003, file 218,222-78, C-11309). At this time Council was already asking for more autonomy in handling its internal affairs.

²⁷ Although the New England Company missionaries who worked in the community were not affiliated with the Department, by the 1900s the Chiefs had become embroiled in a number of land disputes with the Company so the missionaries were *personae non gratis* as far as Council was concerned. In the 1910s and 1920s Council called repeatedly for the removal of NEC representatives from the School Board. (CM, 4 November 1912. NAC, RG 10, vol. 3014, file 218,222-169; CM, 3 January 1922. NAC, RG 10, vol. 1744, file 63-32, Pt. 14, C-15025.)

²⁸ CM, 10 November 1911. NAC, RG 10, vol. 3011, file 218,222-145, C-11310.

grounds that he only knew Mohawk and consequently, people of the reserve were often forced to hire their own interpreter to conduct business.²⁹ The Department refused to recognize this decision saying that Smith had been interpreter for long enough for his services to have been proven useful and that if there were complaints these should have been voiced earlier.³⁰ Smith's service notwithstanding the Chiefs felt it was their prerogative to appoint whom they wished: "the Officials are paid out of their [the Six Nations'] own private funds in trust with the Government...[and]...the Six Nations Council and the people... are the best judges as to who will best serve their interests..."³¹ At this early stage, the Chiefs were still willing to compromise or at least not force the issue. While they tried on two other occasions to dismiss Smith,³² he remained at his post.³³

As far as the Hereditary Chiefs were concerned the position of Secretary like that of interpreter was one about which they were "the best judges." In January of 1915 Council appointed Asa R. Hill as secretary after the death of Josiah Hill, secretary for four decades.³⁴ The Department objected to this appointment probably because traditionally it

²⁹CM, 10 November 1911. NAC, RG 10, vol. 3011, file 218,222-145, C-11310. The real reason was probably Smith's support for an elective Council. During the 1910s and 1920s a number of 'irregular' depositions took place, most of these because of support for the Dehorners or a lack of 'commitment' to the Confederacy (alternately construed as sympathy with the Department). Smith signed a 1910 Dehorner petition. (Table, Sally Weaver, "1910 Dehorner Petition," Sally M. Weaver Collection, box 470, file 14.) As an example of the complexity of personal relationships, and realignments, Smith became one of the Sovereignists' greatest supporters up until his death in March 1923 at the age of 82. (A. R. Hill to D.C. Scott, 8 March 1923. NAC, RG 10, vol. 2285, file 57,169-1B, Pt.3)

³⁰CM, 12 January 1912. NAC, RG 10, vol. 3011, file 218,222-147, C-11310.

³¹*Ibid.*

³²CM, 4 November 1912. NAC, RG 10, vol. 3014, file 218,222-169, C-11311; CM, 2 December 1913. NAC, RG 10, vol. 3014, file 218,222-170, C-11311.

³³Minutes of 3 March 1914 (NAC, RG 10, vol. 3015, file 218,222-173, C-11311) reference Smith as the official interpreter.

³⁴CM, 18 January 1915. NAC, RG 10, vol. 1739, file 63-32, Pt.4, C-15023.

had appointed the secretary and because Hill had relatives in other official positions.³⁵ Council then sent a deputation to discuss the issue. The Department agreed to allow the Chiefs to choose their own secretary providing they opened the position again and gave all applicants a fair chance.³⁶ But when the Chiefs did reopen the position, their frustration over the Department's meddling was evident, for they refused to forward the applications to the Department.³⁷ The Department continued to dispute Hill's appointment, two months later writing a letter in support of J. W. M. Elliot, a prominent Chief, for secretary.³⁸ A meeting with the Inspector of Indian Agencies again apparently settled the issue, but as of the fall of 1916, Hill had still not been paid.³⁹

In later years Hill's secretaryship continued to be at least mildly contentious. In 1917, at the Department's insistence the Chiefs again opened the position of secretary to applicants. Just one day later, however, "after due consideration on each and every one received" the Chiefs decided in favour of Asa R. Hill.⁴⁰ Council's claim to have given "due consideration" notwithstanding, opening the position and then filling it the next day was clearly an exercise simply designed to affirm the original decision. In June 1918, Council decided to grant Hill a raise because of his continually increasing work load. The DIA again challenged this leaving Council to reaffirm its earlier decision and demand that Hill

³⁵CM, 12 March 1915. NAC, RG 10, vol. 1739, file 63-32, Pt.4; CM, 19 May 1915. NAC, RG 10, vol. 1739, file 63-32, Pt.4, C15023.

³⁶CM, 23 March 1915. NAC, RG 10, vol. 1739, file 63-32 Pt.4, C-15023.

³⁷CM, 30 March, 1915. NAC, RG 10, vol. 1739, file 63-32 Pt.4, C-15023.

³⁸CM, 4 & 5 May 1915. NAC, RG 10, vol. 1739, file 63-32 Pt.4, C-15023. It appears that J. W. M. Elliot had privately complained to the Department about not being given a fair chance at the job, for on the following day, 5 May, Council deposed him. The Chiefs had a great dislike for private correspondence between Six Nations individuals and Department officials.

³⁹CM, 19 May 1915. NAC, RG 10, vol. 1739, file 63-32, Pt.4; CM, 13 September, 1916. NAC, RG 10, vol. 1740, file 63-32, Pt.6, C-15023.

⁴⁰CM, 3 & 4 April 1917. NAC, RG 10, vol. 1741, file 63-32, Pt. 7. C-15024.

receive his back pay.⁴¹ Then, rather ironically given their many battles in support of Hill as secretary, Council dismissed him in October 1922.⁴²

The office of Medical Superintendent had been a sore spot with the Chiefs throughout the latter half of the nineteenth century and this changed little in the twentieth century. However, whereas in the nineteenth century Council had been relatively circumspect about complaining too loudly about the doctor, Councils in the 1910s and early 1920s were very vocal, eventually taking it upon themselves to 'dismiss' individual physicians. Although this power theoretically resided with the Department, in most cases doctors resigned because of the unpleasantness of the situation.

As of 1909 Council felt the Medical Superintendent on the reserve had done very little in the community. When one of the doctor's frequent absences put a young boy's life at risk, Council openly complained about him.⁴³ When Dr. Rutherford was hired as this man's successor, without the Department considering the Council's own suggestions, the Chiefs were further provoked.⁴⁴ Rutherford proved to be an unfit replacement (even in the

⁴¹CM, 4 June 1918; CM, 16 December 1919. NAC, RG 10, vol. 1743, file 63-32, Pt.12, C-15025. Council was unusually happy with Davis' services, so much so that when he tendered his resignation in 1920 with the hope of establishing a practice in Toronto, it offered him an increase of \$1500 over his existing salary of \$3250. (Draft, Unknown to W. C. Good, 13 June 1922. M. P. NAC, RG 10, vol. 3229, file 571,571, C-11344.)

⁴²CM, 24 October 1922. NAC, RG 10, vol. 1745, file 63-32, Pt.15, C-15025. Council's reasons for deposing Hill - "insubordination, alterations of minutes...[and] unwillingness to work harmoniously with Council." - indicate that this was one of the 'irregular' depositions mentioned above. See footnote, #29. Nor was this an amicable parting of the ways. Hill refused to return Council's typewriter and official seal he had been using, refused to give the combination to the Council House safe and eventually corresponded with the Department to help rid Council of the Sovereignist faction which had deposed him. (SGIA to A. G. Smith et al., 24 November 1922. NAC, RG 10, vol. 2285, file 57,169-1b, Pt.3, C-11195; A. R. Hill to SGIA, 20 July 1922 NAC, RG 10, vol. 2285, file 57,169-1b, Pt.3, C-11195.)

⁴³CM, 2 November 1909. NAC, RG 10, vol. 3008, file 218, 222-121, C-11310.

⁴⁴CM, 14 July 1911. NAC, RG 10, vol. 3011, file 218, 222-141, C-11310. In fact, the Department's high-handedness provoked Council to send a Deputation to Ottawa to discuss the appointment.

eyes of the Inspector of Agencies) and Council strongly urged the Department to dismiss him and employ Walter Davis in his place.⁴⁵ Taking note of the Chief's dissatisfaction and determination, the Department acquiesced and hired Davis.⁴⁶ Although the Chiefs were quite happy with Davis' work, in the 1920s, when new doctors were appointed to service the reserve community, Council dismissed them when it found them unsatisfactory.⁴⁷

The Department's closer scrutiny of Council decisions also led to numerous conflicts over routine matters such as the settling of estates, public contracts and disputes. In the case of Job Hill for instance, Council decided that the will was inadmissible since they believed Hill to be insane. Hill had two sons, both of whom had worked hard improving the farm, and a daughter who had not. The will left the estate to the daughter, but Council reversed this decision leaving it to the two sons. When the Department refused to approve the decision, the Chiefs gave a detailed explanation of the matter and rebuked Ottawa for involving itself in matters in which the Chiefs had jurisdiction.⁴⁸ In another instance, Council borrowed \$600 from an estate they were settling, and forwarded the same to their lawyer A. G. Chisholm for his services in preparing the Grand River Navigation Claim. Ottawa's view of this initiative was quite critical. According to Duncan Campbell Scott, head accountant of the Department at the time (and future Deputy Superintendent General), "...the Chiefs have not shown even ordinary business ability in managing the estates which have been unfortunate enough to come before them..."⁴⁹

⁴⁵CM, 12 March 1912. NAC, RG 10, vol. 3012, file 218,222-151, C-11310.

⁴⁶CM, 14 May 1912. NAC, RG 10, vol. 3012, file 218,222-151, C-11310.

⁴⁷CM, 7 June 1922. NAC, RG 10, vol. 1745, file 63-32, Pt.15, C-15025. Council fired Dr. Greenwood on this date. Greenwood later resigned because of pressure from Council.

⁴⁸CM, 7 May 1919. NAC, RG 10, vol. 1743, file 63-32, Pt.11, C-15024.

⁴⁹Memorandum, D. C. Scott to DSGIA, 22 April 1913. vol. 2180, file 36,539-3, C-11174. True to form, Scott did not mention that the Chiefs had borrowed the \$600 because the Department consistently refused to recognize Chisholm's services and to let Council pay him out of band funds. (See P.'s 70-71) The Chiefs asked to have this money refunded them since it had only been a temporary measure to advance Chisholm some

Whatever the Chiefs' relative business ability, Scott's condescending attitude did little to improve relations.

In the case of John Claus' estate the Department was even more assertive, requesting that the administrators hand over all monies and relative documents to Department officials. Although this occurred in 1910 when relations were still for the most part amicable between the Department and Council, it proved sufficiently provocative for the Chiefs to refuse to comply.⁵⁰ Even more vexing from Council's perspective was the Department's decision to conduct an investigation into the estate while it was still before Council.⁵¹

As relations deteriorated between the Department and Council it became increasingly common for Council to disregard censure from Ottawa. When J. D. MacLean wrote to inform them that the Locating Line Committee (a committee concerned with locating property lines) had not followed the letter of the law in one of their decisions, "Council decided that it cannot recognize the infringement on the part of the Indian Department in the internal affairs of the Six Nations."⁵² In another instance, one which reveals the growing nationalism *and* frustration of Council, the Chiefs decided that they were tired of waiting for Departmental approval of contracts for public works and henceforth all such contracts would be acted upon with or without without the Department's approval.⁵³ Apparently the damaging of materials by weather while waiting for official approval from the Department led to this decision.⁵⁴

money. The Department refused, however, saying that it would consider it until the Council provided receipts for the estate.(Extract, CM, 7 November 1911. NAC, RG 10, vol. 2180, file 36-539-2; J. D. MacLean to G. J. Smith, 25 April 1912. NAC, RG 10, vol. 2180, file 36-539-2, C-11174.)

⁵⁰CM, 9 February 1910. NAC, RG 10, vol. 3009, file 218,222-124, C-11310.

⁵¹CM, 1 November 1910. NAC, RG 10, vol. 3009, file 218,222-124, C-11310.

⁵²CM, March 2 1920. NAC, RG 10, vol. 1743, file 63-32 Pt.12, C-15025.

⁵³CM, 4 September 1918. NAC, RG 10, vol. 1742, file 63-32, Pt. 9, C-15024.

⁵⁴CM, 17 September 1918. NAC, RG 10, vol. 1742, file 63-32, Pt. 9, C-15024.

In spite of the growing indignance of the Chiefs and their wholesale adoption of the sovereignty argument, the Department continued to watch Council affairs closely and oppose the Chiefs over local matters. This continued into the early 1920s.⁵⁵ Instead of teaching Council to respect the Department's careful supervision of their affairs, however, this scrutiny only fed the frustration of the Chiefs and convinced them of the need to 'defend' their shrinking local autonomy.⁵⁶ By the same token, the Department's ultra conservative paternalism met Six Nations nationalism head-on, the result being indignance and resentment on the part of the Chiefs. In an unusually biting and sarcastic passage indicative of the Hereditary Council's growing frustration Council asked the Department of Indian Affairs "to explain how the Six Nations Council degenerated to such a non-entity that they cannot expropriate a [sic] lands for public use."⁵⁷

Important Landmarks on the Road to Confrontation

Besides the innumerable everyday disagreements which precipitated the decline in Council-Department relations a number of larger disputes arose during the period 1906-

⁵⁵See for instance, CM, 6 October 1923. NAC, RG 10, vol. 1746, file 63-32, Pt.17; CM, 2 July 1924. NAC, RG 10, vol. 1745, file 63-32, Pt.17, C-15026.

⁵⁶As in earlier times factionalism remained a prominent feature of local politics. During this period the primary groupings due to the Dehorner's activities were pro- and anti-Council. Not infrequently Traditional and Progressive Warriors who supported Council attended meetings and were given the opportunity to speak, probably at least partly to give the Department the impression that Council's opinion was that of the people. At a meeting in 1912 in preparation for a deputation which was to meet with the Superintendent General of Indian Affairs, the Warriors gave their opinion as to what the deputation should ask for: the Department should "improve conditions on the reserve so that the Six Nations may have in their own hands, to a greater extent, the management of their own internal affairs, such management to be shorn of much of the high-handedness hitherto exhibited by the Department of Indian Affairs." (CM, 20 February 1912. NAC, RG 10, vol. 2284, file 57-169-1, C.11194.) At a meeting reflecting the building tensions between the Department and Council in 1918, the Warriors were allowed to address Council at which point they accused the Department of trying to take absolute control of all matters on the reserve and urged the Chiefs to resist this interference with their rule. (CM, 18 March 1918. NAC, RG 10, vol. 1741, file 63-32, Pt. 9, C-15024.)

⁵⁷CM, 2 July 1913. NAC, RG 10, vol. 3104, file 218,222,-165, C-11311.

1920 which contributed to the growing confrontation. These ranged from relatively minor altercations, such as the *Oliver Act* of 1911 to highly offensive ones, such as the compulsory enfranchisement amendment to the *Indian Act* in 1920. These larger disputes or grievances figured prominently in the Sovereignist rhetoric of the early 1920s.

One issue over which Council and the Department clashed was Council's efforts to revive the Grand River Navigation claim in the 1900s. Council had renewed its interest in this grievance in 1905⁵⁸ and by 1907 had signed an agreement with a London lawyer, Andrew G. Chisholm, authorizing him to prepare a preliminary claim against the dominion government.⁵⁹ The Chiefs requested the Department to help their attorney by making the Department's records available to him. Initially they complied.⁶⁰ The Department quickly decided not to recognize the agreement, however, and informed Chisholm and Council that he would not be paid for his services, nor could he expect any help from the Department.⁶¹ As in other similar cases, the Department viewed the involvement of sympathetic outsiders or legal counsel as unwanted interference - interference, moreover, which jeopardized its systematic control of its Indian charges.⁶² That the Department's

⁵⁸CM, 5 July 1905. NAC, RG 10, vol. 2178, file 35,539-3 Pt.2, C-11174

⁵⁹CM, 9 April 1907. *Ibid.* The Chiefs' decision to engage Chisholm and more seriously pursue the claim may have been due to Chisholm's success in reaching a settlement in a similar case involving the Chippewas of the Thames and Wyandottes. (Memorandum, Secretary, DIA to DSGIA, 28 June, 1907. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.) Council's continuing interest in such nineteenth century claims as the Navigation company claim and the Haldimand grant help to demonstrate that the nationalism which inspired these claims in the 1880s and 1890s spilled over into the twentieth century. (For continuing interest in the Haldimand claims see CM, 7 & 24 November, 1911. NAC, RG 10, vol. 2178, file 36,539-1A, C-11174.)

⁶⁰J. D. Maclean to R. B. Sinclair, 19 July 1907. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.

⁶¹Memorandum, DSGIA to SGIA, 9 May 1908. *Ibid.*; Memorial, Elias Lewis et. al. to the SGIA, 7 April, 1908. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.

⁶²Memorandum, DSGIA to SGIA, 9 May 1908. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174. The DSGIA suggested that instead of allowing the Six Nations to hire a lawyer over which the Department would have no control, the Justice

unwillingness to cooperate with the Chiefs proved frustrating is evident in the sarcastic tone of the memorial Council sent the Superintendent General in April 1908:

...if it is the duty of the Department of Indian Affairs to look after the Interests of the Six Nations as no doubt it is - then it would appear that the Department is some seventy years behind with this portion of its work [...] If those who are supposed to look after the interests of the Six Nations either neglect or fail to do so, is it wrong for the Six Nations to do so themselves? Have they not the best of rights to do so? They think that they have.⁶³

Eventually, an agreement was reached by which the Six Nations counsel would forward a memorandum on a preliminary claim for the consideration of the Department of Justice.⁶⁴ But the Department's refusal to pay any of the lawyers' fees until they had received a reply from the Deputy Minister of Justice led to further delays and renewed protests from Council.⁶⁵

When, finally, the Department was ready to pay the legal bills, it further angered Council by insisting that approval for payment of the lawyers come from the community as a whole.⁶⁶ Council strongly objected to this on the grounds that, according to custom and

Department should appoint a solicitor to work in conjunction with DIA officers in preparing a brief which could be submitted to the Deputy Minister of Justice for an opinion.

⁶³Memorandum, Elias Lewis et. al. to SGIA, 7 April 1908. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.

⁶⁴A. G. Chisholm to Secretary, DIA, 5 April 1909. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.

⁶⁵Secretary, DIA to Deputy Minister of Justice, 30 April 1909. *Ibid.* CM, 8 June, 1909. NAC, RG 10, vol. 3007, file 218,222-114, C-11310. The payments took that much longer to make since the Deputy Minister refused to tax the lawyers bills on the grounds that they had provided no reasonable service; the Department eventually turned to L. A. Audette, Registrar of the Exchequer Court of Canada to have them taxed. (E. L. Newcombe, to Secretary, DIA, 16 November, 1910. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.)

⁶⁶J. D. MacLean to G. J. Smith, 26 March 1912. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.

tradition Council alone approved of expenses.⁶⁷ The Chiefs asked the Superintendent to contact Ottawa immediately and have the vote called off. When the Department refused, they asked the people not to participate.

Another major grievance which troubled Council-Department relations in the 1910s was surprisingly the onset of World War One. The Six Nations had long celebrated their tradition of loyalty as allies of the British so among the government there was every expectation that the Six Nations would offer their services. Due to Council's determination to win recognition of their status claim, this expectation was denied. In November 1914, Col. William Merritt, a friend and honorary Chief of the Six Nations, wrote Council requesting them to organize a contingent.⁶⁸ Due to a problem of interpretation, however, and the fact that "the source of the proposition is not in accordance with the customs of their forefathers and their friend the British Government," Council decided to postpone the question. Probably aware of the stance the Chiefs were to take with regard to the request for help, their Superintendent wrote an angry, critical letter berating Council for being so 'petty' in Britain's time of need.⁶⁹ If before they had been wavering, this rebuke from Superintendent Smith pushed them definitively towards a refusal. On 26 November, at a special Council called specifically for the purpose, the Chiefs formulated their response: as they were allies to the Crown only a request from *Onontio*, King George V, would suffice.⁷⁰ By making their acceptance conditional upon recognition of their independent political status, the Chiefs hoped to force the government to make a concession. When the government did not, it provided a further affront to Six Nations nationalism.⁷¹

⁶⁷CM, 6, 8, and 12 May 1912. NAC, RG 10, vol. 2179, file 36,539-3, Pt.2, C-11174.

⁶⁸CM, 3 November 1914. NAC, RG 10, vol. 3015 file 218,222-181, C-11311.

⁶⁹Cited in Weaver, "Iroquois Politics," 376.

⁷⁰Weaver, "Iroquois Politics," 377-8.

⁷¹It is interesting to note, moreover, that in the Chiefs refusal to go to war, Iroquois nationalism had for the first time superceded loyalty to Britain. This was

The *Oliver Act*, passed in 1911 and amended in 1914, which allowed the government to relocate reserves which were situated next to growing municipalities became another grievance. Council perceived the *Act* as a violation of the Indians' treaties with the government and a further attempt to alienate reserve lands. When it was amended in 1914, Seth Newhouse an Onondaga Traditionalist wrote to the Department on behalf of himself and others denying the validity of the *Act* in view of the Six Nations' treaties with the Crown.⁷² During the war Council referred to the legislation at recruiting meetings as an example of "one of the items of oppression which the Department was using towards the Indians."⁷³

As communications became increasingly strained between the Department and Council in the 1910s, instances of 'infringement' on the Six Nations rights were met with growing anger and indignance. In 1918 in preparation for conscription the government ordered a registration of all military age males, including Indians. Council strongly objected to this measure on several grounds and in an uncharacteristically aggressive

incontrovertible evidence of the continued growth of Six Nations nationalism. Through the war, perhaps due to pressure from the community, the Chiefs found other ways to show their loyalty to Britain and their Warriors in Europe. In February 1917, for instance, the Chiefs let file F. O. Loft use the Council House for recruiting purposes (CM, 7 February 1917. NAC, RG 10, vol. 1741, file 63-32, Pt.7, C-15024) and in March of the same year, they purchased \$150,000 in victory loans (CM, 8 March 1917. NAC, RG 10, vol. 1741, file 63-32, Pt.2, C-15024). Their support for the approximately 300 soldiers who fought was also evident. They were greeted with a welcome home celebration in 1919 (CM, 2 April 1919. NAC, RG 10, vol. 1743, file 63-32, Pt.11) and Council had a bronze memorial built in their honour that summer (CM, 19 August 1919. NAC, RG 10, vol. 1743, file 63-32, Pt. 11, C-15024). At the same time, however, Council continued to push the question of their political status, so it is doubtful if these moves represented any retreat from the argument for nation-state status.

⁷²Seth Newhouse to the Governor General, 20 March 1914. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

⁷³D. C. Scott to Lt. Col. Hugh Clark, M.P., 23 June 1916. NAC, RG 10, vol. 2284, file 57,169-1, C-11194. According to E. Brian Titley, the *Act* was generally unpopular among eastern Indian groups and the Grand General Indian Council of Ontario, passed a resolution condemning it. Titley, 95.

move, ordered their resolution published in the local newspapers.⁷⁴ In a further act of defiance, Council decided to support the legal costs of Wesley Martin, a Six Nations man charged for not registering, in order to test the validity of their position.⁷⁵

The *Soldiers Settlement Act*, a plan introduced by the government to help resettle returned soldiers through loans and land grants, also proved very offensive to the Six Nations Council as well as individual Iroquois.⁷⁶ In part the hostile response was due to the perception that the *Act* provided the means through which reserve land could be lost, should the returned Indian soldiers obtaining farms under the plan, default on their loans. Especially in the west, but to a lesser extent in the east, the 1910s had seen pressure building for the alienation or more 'efficient' use of Indian lands. The Chiefs also objected to the *Act* on the grounds that the government had no business locating people on the reserve and that this was solely the prerogative of the Chiefs.⁷⁷ Council sent vigorous protests to the Department in 1919⁷⁸ and 1921. And in a move indicative of its ever more defiant tone, the Chiefs forbid their Superintendent and the local Inspector from coming on to the reserve "in any capacity...to administer the Soldier Land Settlement Act."⁷⁹

Although the Six Nations Council resented legislation such as the *Soldiers Settlement* and the *Oliver Acts*, the most despised act to emanate from the Dominion parliament in this period was bill 14 which introduced compulsory enfranchisement. Duncan Campbell Scott initiated this proposal in 1919 to enfranchise individuals (i.e.,

⁷⁴CM, 20 June 1918. NAC, RG 10, vol. 1742, file 63-32, Pt. 9, C-15024.

⁷⁵CM, 3 July 1918. NAC, RG 10, vol. 1742, file 63-32, Pt. 9, C-15024.

⁷⁶F. O. Loft, the future leader of the League of Indians of Canada, objected to the act, complaining that it violated the Indians' treaty rights. D.C. Scott to SGIA, 16 October 1919. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

⁷⁷CM, 17 May 1921. NAC, RG 10, vol. 1744, file 63-32, Pt.14, C-15025.

⁷⁸CM, 8 October 1919. NAC, RG 10, vol. 1744, file 63-32, Pt.14, C-15025.

⁷⁹CM, 8 October 1919. NAC, RG 10, vol. 1744, file 63-32, Pt.14, C-15025.

'raise' to full Canadian citizenship) without their own, or their band's, consent.⁸⁰ Council's opposition to this bill began while it was still before parliament. On 9 March, 1920, Council resolved to telegram parliament asking them to exempt the Six Nations as they were in the process of pressing their sovereignty claim to the Supreme Court.⁸¹ When the *Act* came into effect, Council refused to cooperate, declining to appoint one of their members to sit on the enfranchisement committee as this would be inconsistent with their independent political status.⁸²

The Council's most vehement opposition to the legislation came when a Six Nations woman applied to be enfranchised.⁸³ At a Council convened in May 1921, the Chiefs ordered the following statement published:

that whereas the Six Nations Confederacy is possessed of full independence in respect to their domestic affairs on their Grand River Lands. [...] And that whereas, said right has been expressly recognized by the British Crown, therefore it follows that no act of the Canadian Parliament should be [sic] itself have any force among the said Six Nations for their guidance. [...] And that whereas the said Chiefs deem the Canadian Enfranchisement Act to be distinctly an invasion of the tribal rights of said people, therefore the said Chiefs hereby forbid any and every member of any of the said Six Nations or their dependents to accept any position calculated to aid in carrying out any of the provisions of said Act, on pain of the severe displeasure of the said Chiefs and any member of the said Six Nations disregarding this proclamation will be liable to be considered as a traitor to the Six Nations Confederacy and its best interests.⁸⁴

Council's reaction to compulsory enfranchisement represents a decisive shift. For the Sovereigntist leadership of Council, conciliation with the Department or the softening the

⁸⁰The legislation proved so contentious, in fact, that in 1920 a special commission was held to consider it and when the Meighen government fell in 1921, the Liberals immediately removed it from the books. Titley, 144.

⁸¹CM, 9 March, 1920. NAC, RG 10, vol. 1744, file 63-32, Pt.13, C-15025.

⁸²CM, 8 March, 1921. NAC, RG 10, vol. 1744, file 63-32, Pt. 13, C-15025.

⁸³G. J. Smith to Secretary, DIA, 25 May, 1921. NAC, RG 10, vol. 1744, file 63-32, Pt.14, C-15025.

⁸⁴CM, 6 May, 1921. NAC, RG 10, vol. 1744, file 63-32, Pt.14, C-15025.

rhetoric of sovereignty ceased to be viable options.

The Evolution of the Sovereignty Argument, 1909-1920

In the early twentieth century the Hereditary Council began to employ the age-old sovereignty argument as a defence against both the Reformist activities of the Dehorners and the growing encroachment of the Department of Indian Affairs. In doing so the Chiefs (and their lawyers) transformed a popular belief, transmitted for centuries through oral tradition, into a formal, legal expression of western political sovereignty.⁸⁵ First officially enunciated in 1909, the argument evolved over the course of the 1910s, becoming more formalized and at the same time more extreme. In 1921 having failed in their bid to have the case submitted to the Supreme Court, Council dismissed its political status committee, its lawyers A. G. Chisholm and W. D. Lighthall, and began pursuing the claim in a radical new direction. With the exception of the rather singular letter of Superintendent General, Frank Oliver, in 1909, the Department refused to take the sovereignty argument seriously.

Soon after the appearance of the Dehorners in 1907-8 expressions of what was to become known as the sovereignty claim became common. While initially the argument was marshaled as a weapon of defence against the Dehorners, deteriorating relations between the Department and Council encouraged its continued use. For much of the 1900s and 1910s the argument remained a relatively conservative one, usually phrased in terms of the 'rights' and 'privileges' bestowed upon the Six Nations through their treaties with Britain. Thus, in January 1908, Speaker for Council, Chief A. G. Smith, stated to the Superintendent General: "...the present generation are as Loyal to the British Crown and their treaties as their forefathers were but they desire that these much prized privileges and rights which were given to them by the Imperial Government shall remain inviolate and be

⁸⁵The most formal expressions of this position were the 1919 petition to the Governor General, prepared by A.G. Chisholm and W. D. Lighthall (Petition, Chiefs of the Six Nations, undated. NAC, RG 10, vol. 2285, file, 57,169-1A, Pt.2, C-11194) and *Deskaheh*, "The Redman's Appeal to Justice" prepared with the help of George P. Decker and distributed to members of the League of Nations in connection with the Six Nations' appeal to that body. 6 August 1923. Copy in NAC, RG 10, vol. 2285, file 57,169-1B, Pt.3, C-11195.

respected by the Government of this Country.”⁸⁶ Council in 1909 made a more formalized presentation of this position when it informed “the Department that the Six Nations Council will stand firmly upon the Rights, Privileges and Powers of the Six Nations Chiefs under the Treaty with the Imperial Government of Great Britain, and will demand all their powers restored to them as it was when the affairs of the Six Nations were conducted by the Agents of the Imperial Government...”⁸⁷ Council made a similar resolution in February 1914, in “defence of the rights and privileges of the Six Nations...”⁸⁸

There was a subtle but important difference between these earlier forms of the sovereignty argument and its later manifestations in the 1920s. Whereas in the 1910s Council argued that the Six Nations had the right to be exempted from certain sections of the *Indian Act* (by reason of their treaties with the British Crown), in the 1920s, it extended this to argue for the complete sovereignty of the Grand River Iroquois. First the Six Nations had certain ‘rights’ and ‘privileges’ by reason of their treaties with Britain. Now they contended that the Six Nations were a sovereign entity due to the fact that they had never been conquered by Britain in war or ever agreed to become British subjects.

One of the first formal presentations of the sovereignty argument occurred at a meeting between a deputation from Council and the Superintendent General and his Deputy, in 1909. Through an error in communication the department sent two conflicting responses to this meeting. The first from J. D. MacLean, Department secretary of many years, impatiently denied the validity of the argument.⁸⁹ Shortly after this letter was

⁸⁶CM, 7 January 1908. NAC, RG 10, vol. 3005, file 218,222-97, C-11309.

⁸⁷CM, 8 June 1909. NAC, RG 10, vol. 3007, file 218,222-114, C-11310.

⁸⁸CM, 11 February 1914. NAC, RG 10, vol. 3014, file 218,222-172, C-11311.

⁸⁹CM, 13 April 1909. NAC, RG 10, vol. 3007, file 218,222-112, C-11310. MacLean’s impatient denial, was in fact, quite representative of the reactions civil servants gave to all such claims from the Chiefs. Indeed from the latter nineteenth century, Progressives and Traditionals, authorized and unauthorized petitioners had almost always received a more sympathetic and politically pragmatic response from the Superintendents General of Indian affairs than they had from the civil staff of the Department. Given this unmistakable contrast, it is not surprising that the Chiefs on more than a few occasions

received, the Superintendent General, Frank Oliver, sent a telegram to the Chiefs asking that they return MacLean's letter and await his own. In the second letter, while remaining vague, Oliver gave the Chiefs' argument more recognition than the Canadian Government had ever given to that point:

It is the policy of the Canadian Government as I understand it to recognize its relations with the Six Nations Indians of the Grand River as being on a different footing from those with any of the other Indians of Canada. The Six Nations Indians of the Grand River came to Canada under special treaty as the allies of Great Britain and the policy of the Canadian Government is to deal with them having that fact always in view.⁹⁰

This exceptional letter was cited again and again by Council as further evidence for the sovereignty argument.⁹¹ Although it temporarily satisfied Council,⁹² it did not bring closure to the issue.

Through 1910-11, Council continued to be concerned about the status question⁹³ and in 1912 it prepared a lengthy statement of the issue from its perspective.⁹⁴ It was an articulate, reasonable, and even cordial presentation of the status argument. It contended, notably in the same phrasing as Frank Oliver had used in his 1909 letter, that the Six Nations "have the right to occupy a unique position in our relations with the Government

corresponded directly with the Superintendent, bypassing his uncooperative Deputy and Secretary.

⁹⁰F. Oliver to J. S. Johnson, 5 April 1909. NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195.

⁹¹See for instance, "Six Nations Indian Protest Against Compulsory Enfranchisement.", *The Brantford Expositor*, 16 March 1921. Clipping in NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195; Travers Buxton and John H. Harris, Secretary and Organizing Secretary, Anti-Slavery and Aborigines Protection Society, to His Majesty's Secretary of State, 15 December 1921. NAC, RG 10, vol. 2285, file 57,169-1B, Pt.3, C-11195.

⁹²CM, 1 & 13 April NAC, RG 10, vol. 3007, file 218,222-112, C-11310.

⁹³See for instance CM, 12 June 1911. NAC, RG 10, vol. 3011, file 218,222-141, C-11310.

⁹⁴J. W. M. Elliot and Josiah Hill to SGIA, 8 March 1912. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

of Canada”. In addition, it requested that the Department “refrain from unduly interfering in our internal affairs.” Oliver had been replaced by a new Superintendent in 1912 and probably due to his unfamiliarity with the issue, William J. Roche accepted the assessment of his senior staff. In his polite but firm response, he denied the validity of the sovereignty argument and suggested that the Six Nations’ best interests lay in joining with other Canadians in forging a new nation, not in separating from it.⁹⁵ Evidently unsatisfied with this response the Chiefs decided to hold an exhibition on Labour Day to raise funds for a deputation to England.⁹⁶ The exhibition turned out to be a financial failure and the deputation failed to materialize.

The visit of His Royal Highness, Prince Arthur Duke of Connaught and Governor General, in 1913, was a happy and exciting time for the Chiefs and demonstrated that while they were unhappy about how their affairs were being handled, their dissatisfaction did not yet extend to the Imperial government. In 1869 Prince Arthur had been made an honorary Chief, bearing the title *Karakhontye*, and adopted into the Mohawk wolf clan. When he visited the reserve on 15 February, he sat with the ‘three brothers’ as a Mohawk Chief and took part in a prearranged Council decision. According to Council protocol, the ‘three brothers’ came to agreement amongst themselves, forwarded their opinion to the ‘four brothers’ and with the ‘four brothers’ concurrence, the decision was made official by the Onondagas. Besides demonstrating the traditional decision making process of the Six Nations Council, the event testified to the Chiefs’ enduring attachment to the British Crown.

By the middle 1910s, Department opinion had become entrenched. Whereas at the turn of the century officials listened with patience to the sovereignty claim, by 1914, with Council’s refusal to go to war, the Department became impatient with the argument. In a memorandum to the minister in 1915 D. C. Scott, now Deputy Superintendent General, explained, “The Six Nations have a childish idea that they are a separate nation, allies of

⁹⁵SGIA, to J. W. M. Elliot, 8 April 1912. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

⁹⁶CM, 14 August 1912. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

the British..."⁹⁷ The Department's civil servants, in particular, were intolerant of the status argument.⁹⁸

In the spring of 1919, the Hereditary Council's attempts to gain recognition of the Six Nations special status entered a new phase. In early March they presented their case to the Assistant Deputy Minister of Justice, Stuart Edwards. Following his advice to consult legal counsel,⁹⁹ Council appointed A. G. Chisholm to help formulate their claim. The Department initially refused to recognize Chisholm's appointment. However following a meeting in September 1919 at which the Six Nations deputation argued that new material had come to light, the Department authorized Chisholm to compile a brief of the new material.¹⁰⁰

Chisholm and Lighthall, Counsel for the Six Nations, went beyond this limited mandate, in effect, formulating a petition to the Governor General presenting the sovereignty argument and asking that the case be submitted to the Supreme Court of Canada. D. C. Scott's initial reaction to this was negative.¹⁰¹ Subsequently, however, he decided that having the matter finally resolved would help to improve relations between

⁹⁷Memorial, D. C. Scott to SGIA, 15 April 1915. NAC, RG 10, vol. 2284, file 57,169-1, C-11194.

⁹⁸It is interesting to note that while there was a high turnover of Superintendents General the Department civil staff remained very much fixed during this whole period. This was probably one of the reasons why the Ministers were usually so much more sympathetic to the Indians' complaints, and why, by the same token, Department officers evinced so much impatience and unwillingness to compromise.

⁹⁹W. Stuart Edwards to Chief Lickers and Asa R. Hill, 14 March 1919. NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195.

¹⁰⁰D. C. Scott to Asa R. Hill, 10 September 1919. NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195. . The Department to a slightly more conservative view of what had been agreed to than did the deputation members or Council's attorneys. See DSGIA to E.L. Newcombe, 22 November 1922. *Ibid.*

¹⁰¹Memorandum, D. C. Scott to Arthur Meighen, 3 May 1920. NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195.

the Department and Council, and advocated that the petition be granted.¹⁰² In spite of Scott's support, however, James Lougheed, the new Superintendent General, felt that the question should first be submitted to the Justice Department for an opinion. The Deputy Minister of Justice advised that the claim was a hopeless one. The Department subsequently, in 1920, had an Order in Council passed denying the petition and reaffirming the 13 November 1890 Order in Council.¹⁰³ The 1920 Order in Council ushered in a new phase of protest which eventually led the Six Nations to take their claim onto the world stage.

In early April 1921 the Chiefs complied with a petition from Traditionalists in the Upper Cayuga Longhouse, asking for the dismissal of Lighthall and Chisholm and the existing status committee and requesting that American attorney, George P. Decker, be hired for prosecution of the claim.¹⁰⁴ Also in accordance with the petition, Council appointed a new committee made up of George Nash and the highly influential Sovereignists Chauncey Garlow and Levi General. These events represented simultaneously the ascendancy of the Sovereignist faction within Council and the adoption of a new, more aggressive effort to gain recognition of Six Nations sovereignty.

The period 1906-1920 saw a precipitous decline in relations between the Department of Indian Affairs and the Six Nations Council. The resurgence of the reform movement in 1906 contributed both directly and indirectly to this. The Reformers, in effect, by challenging the viability of the Hereditary Council as government of the reserve, and by encouraging the Department to more closely supervise Council decisions through its revelations of ineptitude and corruption, catalyzed the decline in relations between the

¹⁰²Memorandum, D. C. Scott to James Lougheed, 15 July 1920. NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195.

¹⁰³The Honourable the Privy Council, "Certified Copy of a Report of the Committee of the Privy Council by His Excellency the Governor General on the 27th November 1920." NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195.

¹⁰⁴CM, 5 April, 1921; G. J. Smith to Secretary, DIA, 15 April 1921. NAC, RG 10, vol. 2285, file 57,169-1A, Pt.2, C-11195.

Department and Council. To the Council, which by this point had evolved in to an efficient and proven municipal government, the Department's supervision was unnecessary meddling and completely intolerable. This probably more than any other single factor led to the decline in relations and to Council's adoption of the sovereignty argument as a mechanism of defence. Other events, however, also played a role. Among these, the most notable, especially for the role they would play in rhetoric in the 1920s, were the *Oliver Act*, the national registration in 1918, the *Soldiers Settlement Act*, and compulsory enfranchisement.

Initially as a result of the threat posed by the Dehorners but later because of the Department's encroachment on Council's affairs, the Chiefs adopted the sovereignty argument as a means of defence. Initially appropriated from the popular oral culture of the Six Nations, this argument evolved over the course of the 1910s into a claim to political independence. Systematic efforts at prosecuting this claim began in 1919 with the petition to have the status case submitted to the Supreme Court and the failure of these efforts, in effect, inaugurated a new more aggressive phase. The failure of these measures to achieve results strengthened the position of the more extreme members of the Six Nations and led Council to appoint the flamboyant American lawyer, George Decker. This appointment and the ascendance of the radical faction in Council signaled the adoption of a more ambitious approach which eventually led to attempts to present the status case to the newly formed League of Nations.

The reaction of the Department to these events was ultimately highly conservative. While officials were certainly sympathetic to the ideals espoused by the Dehorners, the Department was dissuaded from taking action by a growing fear of unrest on the reserve should an unpopular change in government take place. As relations worsened between the Department and Council, moreover, the Department sought to retain more control over local affairs as if they felt that in doing so, they could end Council's defiance and reestablish a positive relationship. By the end of the 1910s, admittedly, senior officials in

the Department considered imposing an elective system,¹⁰⁵ but significantly, they still refused to act, *again* out of fear of what the consequences might be.

¹⁰⁵Weaver, "Iroquois Politics," 383-4.

Chapter Four:
Confrontation: The Final Years of the Hereditary Council's Official
Rule, 1921-1924

The years 1920 through 1924 saw increasing agitation on the Six Nations Indian reserve, an almost complete breakdown of communication between the Department and the Council and an unprecedented effort on the part of Council to win recognition of the Six Nations sovereignty argument. Through the early spring and summer of 1921 Council waged an effective publicity campaign against unpopular government policies such as the *Soldiers Settlement Act*, compulsory enfranchisement, the imposition of by-laws on the reserve and the government's 1918 decision to register all males in Canada as a prelude to conscription. The Department responded to this campaign with intransigence and denial, with the result that matters remained at an impasse, until the spring of 1922 when negotiations began on a committee to arbitrate the issues in dispute.

Council adopted ever more aggressive measures in seeking recognition of the Six Nations status claim, sending a deputation to England in the summer of 1921 and appealing to the League of Nations through 1923-1924. While these appeals received sympathetic hearings and considerable publicity, they failed to secure action from either the King or the League. With the final breakdown of negotiations over an arbitration committee in early 1923, the Department appointed a Royal Commission to investigate the affairs of the Six Nations. At the same time, the extremist methods of Chief *Deskaheh* (Levi General) and his followers had alienated a sufficient number of Chiefs and people for an organized opposition in the form of the Loyalist Association to develop.

Although the support of the Loyalist Association helped to convince the Department to act, what ultimately led to its decision to implement the Royal Commission and to finally depose the Chiefs, was the belief that, short of giving in to their demands, positive relations with the Sovereignists could not be reestablished. When the government finally deposed the Hereditary Council it did so for the political goal of reasserting control over the reserve and terminating the highly embarrassing tactics of the group both at home and abroad.

Even before Council dismissed Chisholm and engaged George Decker, an unprecedented publicity campaign focused continued attention on the sovereignty argument, the despised *Soldiers Settlement Act* and Bill 14, compulsory enfranchisement. The campaign attracted the attention of the non-native public, as the numerous news paper articles and private letters demonstrate.¹ It was at least moderately successful in swaying individuals to support the ultra-Sovereignist *Deskaheh* and it forced the Department onto the defensive.

Issues such as the government's attempt to conscript Indians in 1918, and particularly the *Soldiers Settlement Act* of 1919, and Bill 14 or compulsory enfranchisement were the principal grievances around which Council and its supporters waged their campaign. Speaking to a packed council house in early May, for instance, David S. Hill railed against *Soldiers Settlement* and enfranchisement. If on the one hand, he said, the Indian soldier missed even one payment, the government would foreclose; but if he met every payment, the land would be lost to the reserve forever as he would acquire it in fee simple.² A petition sent to the Governor General also in early May similarly complained of the baneful effects enfranchisement and *Soldiers Settlement* legislation would have on the community's land and integrity.³ Another grievance was the imposition of a Department of Indian Affairs by-law which allowed it to tax, impound, and exterminate dogs in Native communities.⁴

¹See for instance, "Explanation of Unrest of Six Nations" in the *Brantford Expositor*, 29 March 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195; "Six Nations Indians Protest Against Compulsory Enfranchisement," in the *Brantford Expositor*, 16 March 1921. *Ibid.*; "Rapacity of Whites Feared" & "Six Nations will Appeal for Rights to Governor General; Protest Compulsory Measure" clippings in *Ibid.*; John Harold to D. C. Scott, 29 March 1921. *Ibid.*; W. F. Cockshutt to D. C. Scott, 21 March 1921. *Ibid.*; J. Harold to D. C. Scott, 16 June 1921. *Ibid.*

²G. J. Smith to D. C. Scott, 4 May 1921. NAC, RG 10, Vol.2285, F.57,169-1A, Pt.2, C-11195.

³Petition, William Smith, et al. to the Governor General, 10 May 1921. NAC, RG 10, V.2285, 57,169-1A, Pt.2, C-11195.

⁴This by-law was passed by the SGIA in the spring of 1919 and in fact provoked the Six Nations Council to consult the Assistant Deputy Minister of Justice over their

Much of the contentiousness of these pieces of legislation sprang from the fact that they threatened (or seemed to threaten) the reserve land base and the cohesion of the band. In one representative case, Council acquiesced to a Six Nations woman's request to be enfranchised, but was adamant that her land remain with the band.⁵ The petition to the Governor General also centred on the question of land: "Either of these laws [the *Soldiers Settlement Act* or compulsory enfranchisement], if enforced against us, would operate eventually to destroy the tribal relations between our people through the gradual dispersal of our people, which must follow the purchase of our lands by outsiders." The threat of having their lands alienated was a very vivid one, as *Deskaheh*'s later petition to King George V demonstrates: "We know by bitter experience what it means when white men get foothold on Indian lands; that foothold is never taken off, and, after a time, the Indians are heard of no more."⁶ At a public meeting held in June 1921 between the Deputy Superintendent General, D. C. Scott, John Harold, a local M.P., and the Six Nations Council, David S. Hill again complained that if a soldier defaulted, his land would be sold to a settler.⁷ Scott corrected him explaining that the land could not leave the band, but the Six Nations delegates still demanded that special legislation be created to exempt them from the Act. Hill went on to ask about whether "the land is removable to enfranchised

claim to special status and appoint A. G. Chisholm to represent them in the same. (DSGIA, to E. L. Newcombe, 22 November 1922. NAC, RG 10, V.2285, F. 57,169-1A, Pt.2, C-11195; W. Stuart Edwards, Asst. Dept. Minister of Justice to Chief Lickers and A. R. Hill, 14 March 1919. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.)

⁵G. J. Smith to D. C. Scott, 4 May 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

⁶Petition, Levi General to H. R. H. King George V, undated, see cover letter, L. General to the Hon. Secretary of State for the Colonial Office, 25 August 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

⁷"Minutes of a Conference between Mr. Duncan C. Scott, Deputy Supt. General of Indian Affairs, J. Harold, M. P., and the Indian Committee of the Six Nations, 20 June 1921." NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

Indians".⁸

The effect of this largely successful propaganda campaign was to rally support for the Sovereignists' cause. The example of David Hill's conversion, is perhaps the most remarkable. According to the Six Nations Superintendent, Hill had been one of the most outspoken advocates of an elected council, but with the Government's apparent attempt to 'break up the reserve', he had joined the Sovereignists.⁹ He was one of the most eloquent speakers in English and became a power ally of Levi General. The success of this campaign was also not lost on local citizens. John Harold, a local M.P. and correspondent of D. C. Scott encouraged him to attend the conference and refute the Chiefs' arguments concerning the *Soldiers Settlement Act* and enfranchisement legislation. Near the end of March he wrote to Scott, "the Six Nations Indians and the Chiefs have taken up this matter [Bill 14] and are getting the support of the warriors and returned soldiers. The latter are practically being forced to take a position which some of them are not very favourable to...they lack the knowledge to meet the arguments put forth by the Chiefs."¹⁰ According to Harold, they had also been successful in exploiting the Six Nations' fear of the government's registration of males in Canada in 1918, in preparation for conscription.

The Department, headed by D. C. Scott, adopted measures such as discrediting the Sovereignists, trying to counter their claims with 'fact', or simply dismissing them. Writing to a concerned M. P., W. F. Cockshutt, Scott commented on an article which appeared in the *Brantford Expositor* saying, "I need hardly tell you that the whole article

⁸Although there is no documentary evidence to show that this was a factor in the Chiefs' resistance to enfranchisement, the fact that forty family heads (for a total of ninety-nine men, women and children) enfranchised during the fiscal year 1920-21 may have influenced the Chiefs' resistance to this legislation. Out of a population of not more than five thousand, the enfranchisement of ninety-nine must have been threatening. Memorandum, Accountant, DIA to D.C. Scott, 9 November 1923. NAC, RG 10, V.3231, F.582,103, C-11344.

⁹G. J. Smith to D. C. Scott, 4 May 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

¹⁰John Harold to D. C. Scott, 29 March 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195..

is based on incorrect and fanatical assumptions.”¹¹ In the spring of 1921 the Deputy Superintendent General prepared a memorandum apparently designed to clear up the confusion resulting from the enfranchisement legislation and *Soldiers Settlement Act*.¹² While the memorandum addressed the Sovereignists criticisms on these issues, its primary subject was the ‘obsolescence’ of the Hereditary Council, thus undermining the Chiefs. In his response to the May 1921 petition to the Governor General, Scott tried to explain that the *Soldier’s Settlement Act* would not affect the Six Nations’ land base and that enfranchisement was merely in keeping with the government’s goal of full citizenship for its Native charges.¹³ In his greatest effort to the answer the Sovereignist’s claims he attended a public conference on the reserve. In another instance Scott simply dismissed *Deskaheh’s* lengthy petition to the King with the comment that the claims were repudiated by the 27 November 1920 Order in Council.¹⁴

Having failed in their bid to have the Supreme Court of Canada consider their status case Council decided to petition the British Crown and began taking up a collection in the late spring of 1921.¹⁵ *Deskaheh’s* trip brought mixed results. He forwarded the King a memorial outlining the Six Nations special status, and a petition cataloguing a host of grievances against the Canadian government. In addition to the, by now well known, grievances of the *Soldiers Settlement Act* and Bill 14, the Chief pointed to by-law

¹¹D. C. Scott to W. F. Cockshutt, M. P., 22 March 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195. The offensive article was “Six Nations Indian Protest Against Compulsory Enfranchisement.”, *The Brantford Expositor*, 16 March 1921. Clipping in *ibid*.

¹²D. C. Scott, Memorandum, undated. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195. See re. memorandum, D. C. Scott to J. Harold, 5 April 1921. *Ibid*.

¹³D. C. Scott to D. S. Hill, 11 June 1923. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

¹⁴D. C. Scott to the Secretary, Six Nations Council, 10 October 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

¹⁵D. C. Scott to J. Harold, 13 June 1921. NAC, RG 10, V. 2285, F.57,169-1A, Pt.2, C-11195.

restrictions on Indians' dogs, the government's retention of the Six Nations' money in trust without accounting for it, and leases on reserve land granted to outsiders. In a powerful flurry of rhetoric he stated, "We do not wish to be destroyed as a separate people. We have the same love for our heritage that the Great Spirit implanted in other peoples, and we have an equal right to hold fast to ours. We have surely done nothing to forfeit our natural right, nor our right under the Royal pledge to continued protection at the hands of the Crown against aggression by outsiders, making no exception of any Canadian officials who may be the aggressors."¹⁶ His solicitation of the British Crown, however, was unsuccessful, for while the King viewed the materials, he had the Secretary of State forward the same to the Governor General of Canada with the comment that this matter fell purely within Canadian jurisdiction.¹⁷ From there it was sent to the Department of Indian Affairs, and more or less dismissed in Scott's letter to Council of 10 October.¹⁸

If *Deskaheh*'s attempt to bring the British government on side proved futile, he enjoyed far greater success generating favourable publicity that embarrassed the Department. Levi General was a very powerful speaker and although his English was not as strong as his mother tongue, Cayuga, he proved very astute in attracting the attention of the media and British public. In a 27 August issue of *Canada* he appeared dressed in a business suit, seated with two wampum belts draped across his knees and a third held high for the photographer to see.¹⁹ *Deskaheh*'s 'quest' was so well known, indeed, that the media asked for an interview from D. C. Scott, who by an ironic twist, was vacationing in

¹⁶Petition, L. General to King George V, undated. See cover letter, *Deskaheh*, to the Hon. Secretary of State for the Colonial Office, 25 August 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

¹⁷Winston B. Churchill, Secretary of State, to the Governor General, 23 September 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

¹⁸D. C. Scott to the Secretary, Six Nations Council, 10 October 1921. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

¹⁹"The Rights of the Six Nations" in *Canada* 27 August 1921. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195. This article was all the more significant since *Canada* was a publication of the Canadian High Commissioner in Britain.

England at the time. Thinking it better not to fuel the flames, Scott declined the request.²⁰

Throughout the period 1920 to 1922, the Council clearly wanted concessions from the Department. First the Department's interference in local affairs would have to cease, and second, the government would have to recognize the Six Nations' special political status. For a variety of reasons, however, the Department refused. Part of this intransigence stemmed from their perception of the Sovereignists' claims as absurd and extreme. In an unusually blunt and bigoted memorandum to the Superintendent General of Indian Affairs, Scott commented:

I am convinced that the agitation on the reserve is fanatical and that there is no foundation for any real grievance. If the Government fails to take the fullest measures possible consistent with justice and fairness to suppress this agitation, it will weaken our administration of Indian affairs in Canada. I notice constantly the effect of this agitation, and it gives opportunity for the worst element in Indian communities to raise its head and talk and vapour to no end. In dealing with the Indians I need hardly say that absolute justice be done, but consideration should also be given to their vanity and general ignorance, and they should be, if necessary, sharply checked in making unwarranted claims and foolish assumptions of all kinds.²¹

Scott's summer 1921 memorandum in which had tried to clear up much of the misunderstanding surrounding the *Soldiers Settlement* legislation and Bill 14, expressed the same view: "If there is at present any unrest, it is fomented by interested persons, Indians and others, who may expect to profit by it."

Increasingly, however, Department officials, sincerely believed that the reserve was becoming lawless and that any retreat would cause a loss of respect and control for the Department. In a memorandum in June 1922, Scott averted his superior to the Council's dismissal of Dr. Greenwood: "Another danger point has developed in the Council's presumption in dismissing Dr. Greenwood...This may be followed by an attempt to eject

²⁰Memorandum, D. C. Scott to James Lougheed, 30 September 1921. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

²¹Memorandum, D. C. Scott to Charles Stewart, 13 September 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

Dr. Greenwood, and if any overt act of that kind occurs we will have to maintain him there.”²² In the event, Council never took any physical measures to evict the doctor, but Scott’s paranoia nevertheless indicates the degree to which the Department feared such an outcome. A memorandum around the same time similarly indicated the Department’s fear of a loss of respect: “It seems particularly dangerous now to give way to any agitation from a hostile section of the Indians... any weakening of administrative control of Indian Affairs will result in general disrespect for this Department, and a disregard of law.”²³

The presence of the aggressive American, George Decker did little to encourage conciliation or equanimity on the part of the Department. The fact alone, that an American should interfere with the Canadian government’s administration of “its” Indians was personally annoying to Scott,²⁴ but Decker’s ‘intervention’ did not stop there. At a public gathering at Six Nations in early September 1922, he made a provocative speech, earning him a write-up in the *Brantford Expositor* and criticism from the local police.²⁵

The Department’s growing fear of lawlessness may have been exaggerated, but certainly instances of minor civil disobedience and agitation had sharply increased, as had the quantity of bootleg liquor. In the same *Expositor* article Brantford’s High Constable, Fred Kerr, complained that he could point to thirty examples of Indians ignoring summonses to appear before Brantford courts. The Sovereignist-controlled Council held that so long as the status question was pending, the Dominion’s courts and legislation

²²Memorandum, D. C. Scott to SGIA, 15 June 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

²³Memorandum, Unknown to SGIA. 9 May 1922. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

²⁴Memorandum, D. C. Scott to SGIA, 23 October 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

²⁵“Police Angry at Inciting of Six Nations” in *Brantford Expositor*, 5 September 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

should not apply to Six Nations residents.²⁶ The Superintendent General, however, wrote repeatedly to the Chiefs imploring them to maintain law and order and cooperate with provincial authorities.²⁷ Perhaps the most alarming incident from the perspective of the Department came when an RCMP contingent trying to arrest bootleggers on the reserve, met armed and organized resistance from roughly fifty men.²⁸ This last incident, in fact, convinced Ottawa of the advisability of permanently establishing an RCMP presence on the reserve,²⁹ in spite of Council's strong protests against such a move.³⁰

Relations thus remained at an impasse through much of 1921 and early 1922. In the spring of 1922, however, Council delegates met with Charles Stewart, the Superintendent General of Indian Affairs, and in mid June Stewart made them an offer of an arbitration committee.³¹ The committee was to include three Supreme Court of Ontario judges : one judge to be chosen by each party and the third by the two judges. A public vote of confidence in the commission by the male members of the Six Nations and the government's promise to be bound by the committee's decisions would ensure that the decisions reached would permanently settle the dispute.

²⁶L. General to C. Stewart, 8 December 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

²⁷C. Stewart, to A. R. Hill, 16 June 1922. NAC, RG 10, V.3229, F.571,571, C-11344; C. Stewart to L. General, 21 November 1922. *Ibid.*

²⁸Memorandum, D. C. Scott to C. Stewart, 21 December 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

²⁹Memorandum, D. C. Scott to C. Stewart, 21 December 1922. NAC, RG 10, V.3229, F.571,571, C-11344; D. C. Scott to Arthur Sladen, Secretary to the Governor General, 27 December 1922. *Ibid.* It seems reasonable that the decision to establish an RCMP outpost may also have been in retaliation against the Council's 15 December (1922) appeal to the League of Nations through the Dutch charge d' Affaires,

³⁰CM, 4 January 1923. NAC, RG 10, 1745, F.63-32, Pt.16, C-15025; CM, 16 January, 1923. *Ibid.*

³¹C. Stewart to the Chiefs and Warriors of the Six Nations, 13 June 1922. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

General and Hill visited George Decker in Rochester with the letter and returned with a response rejecting the terms proposed by Stewart.³² Major Smith, the Six Nations Superintendent, felt that a majority on the reserve were probably in favour of accepting the offer and public opinion on the matters should be solicited.³³ Following an encouraging reply from D. C. Scott, Smith suggested that a public referendum be held using the remote reserve schools as polling stations so that the more timid among the Six Nations would not be dissuaded from voting by the Chiefs' presence.³⁴ In spite of Scott's interest, however, no action was taken.

In mid October, Levi General wrote the Department again, offering slightly revised terms for a committee.³⁵ His stipulation that there be no restrictions as to the make-up of the committee was rejected by the Department, however, probably due to Scott's opinion that even Stewart's initial offer was overly generous.³⁶ Finally at a meeting in Brantford in early December, Stewart and *Deskaheh* reached agreement over the composition of the arbitration committee.³⁷ The revised terms allowed the parties to choose anyone they liked to represent them, providing that the representative was a British subject, thus effectively excluding the despised George Decker. Council confirmed its "unanimous acceptance of this offer" and General wrote Stewart later that month informing him that Council would

³²G. J. Smith to the Secretary, DIA, 7 July 1922. NAC, RG 10, V.3229, F.571,571, C-11344; L. General to C. Stewart, 5 July, 1922. *Ibid.*

³³G. J. Smith to the Secretary, DIA, 7 July 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

³⁴G. J. Smith to D. C. Scott, 21 July 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

³⁵L. General to C. Stewart, 13 October 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

³⁶Memorandum, D. C. Scott to C. Stewart, 23 October 1922. NAC, RG 10, V.3229, F.571,571, C-11344; C. Stewart to L. General, 21 November, 1922. *Ibid.*

³⁷C. Stewart to L. General, 4 December 1922. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

be choosing their representative at the next meeting in early January.³⁸

When Council met in early January, however, it decided that it required further clarification of the terms of the agreement, and proposed to send a deputation to Ottawa to meet with the Minister.³⁹ The vagueness of the reasons for this request suggest that Council was trying to raise the question of the citizenship of the representatives again, and thereby leave it open for George Decker to represent them. Stewart's curt response, that a further deputation could serve no purpose and that the Chiefs were well apprised of the terms, tends to confirm this suspicion.⁴⁰

At around the same time, the Department decided to implement its decision to establish an RCMP outpost on the reserve – another affront to the Council, who already contested the right of the RCMP to arrest bootleggers on the reserve without Council's express permission. *Deskaheh* wrote an angry, officious letter near the end of January, denying that the Council had ever agreed to Stewart's offer and stating: "The Council recognizes and accepts this situation as the termination of negotiations with the Dominion Government for arbitration of our differences as to our right of home-rule...The armed force which you have now quartered in our midst they accept as sufficient assurance of your determination to impose your will upon us in violation of our treaty rights."⁴¹ The Cayuga Chief later tried to reopen negotiations on the subject but met with refusal from D. C. Scott.⁴² In his last letter on the subject to General, Scott warned him with some

³⁸CM, 5 December 1922. NAC, RG 10, V.1745, F.63-32 Pt.16, C-15025; L. General to C. Stewart, 26 December 1926. NAC, RG 10, V.3229, F.571,571, C-11344.

³⁹L. General to C. Stewart, 5 January 1923. NAC, RG 10, V.3229, F.571,571, C-11344.

⁴⁰C. Stewart to L. General 16 January 1923. NAC, RG 10, V.3229, F.571,571, C-11344.

⁴¹L. General to C. Stewart, 24 January 1923. NAC, RG 10, V.3229, F.571,571, C-11344.

⁴²D. C. Scott, to L. General, 22 February 1923. NAC, RG 10, V.3229, F.571,571, C-11344.

foresight that he would have accept responsibility for having refused the offer.

The aggressive tactics favoured by *Deskaheh* and Hill did not sit well with all the Chiefs. Well before he was deposed as Council Secretary, for instance, Asa R. Hill wrote an apologetic and worried letter to the Six Nations former solicitor, A. G. Chisholm. Speaking of Levi General, he wrote, "He is nothing but an agitator of the worst type with no desire to come to any understanding. I am afraid that his actions will mean the breaking up of the confederacy."⁴³ The non-cooperation or 'disloyalty to the Confederacy' as the Sovereignists phrased it, of several Chiefs, led Council to depose them.⁴⁴ Andrew Staats, the Speaker of Council was deposed in mid May 1922⁴⁵ and replaced by *Deskaheh* himself. Asa R. Hill was deposed in late October 1922, and replaced by David S. Hill, in A. R. Hill's words, "fulfilling the 'General-Hill and William Smith Compact.'"⁴⁶ In fact, as relations deteriorated in late 1922 and 1923, Council dismissed or deposed everyone connected to the government, including the Medical Superintendent, and the Visiting Superintendent.⁴⁷

The deposed Chiefs, when combined with those still on Council who opposed

⁴³A. R. Hill to A. G. Chisholm, 6 July 1922. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

⁴⁴Though according to protocol (see P. 10 footnote # 26), a Chief must be warned three times and it was the female title holder, or people who deposed him, by this time, Council had for the most part appropriated the matron's right and these men were deposed without any prior official warning. John S. Johnson and Thomas John, were both apparently deposed because of their desire to fight in WWI. Report of Col. Andrew T. Thompson, 2 November 1923. NAC, RG 10, V.3231, F.582,103, C-11344.

⁴⁵CM, 16 May 1922. NAC, RG 10, V.1744, F.63-32, Pt.15, C-15025.

⁴⁶A. R. Hill to D. C. Scott, 10 November 1922. NAC, RG 10, V.3229, F.571,571, C-11344. A. R. Hill was referring here to the cooperation between Levi General, David S. Hill, and William Smith. Another Chief to be deposed for his reformist sentiments, albeit at an earlier date, was Delaware Chief, Nelles Montour. (CM, 6 May 1909. NAC, RG 10, vol.3007, file 218,222-113, C-11310).

⁴⁷A. R. Hill to D. C. Scott, 10 November 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

Deskaheh's methods were numerous and talented enough to organize a 'Loyalist' opposition to the Sovereignists. In early fall, 1922, the Six Nations Superintendent wrote D. C. Scott to tell him that Chiefs A. G. Smith, Andrew Staats, and William D. Loft, were planning to form an organization to "straighten out affairs on the reserve and get rid of Levi General and his influence"⁴⁸ Later that fall, what became known as the Loyalist Association held its first meeting at the Stone Ridge Methodist Church in the community. Asa R. Hill and A. G. Smith were appointed secretary and president in recognition of their organizational abilities.⁴⁹ Near the end of November, the government happily received a deputation from the Association's executive.⁵⁰

The Department was overjoyed to hear that a significant element in the community opposed *Deskaheh* and expressed loyalty to the Department. In addition to discrediting the Sovereignists when opportunities arose, the senior officials encouraged and praised the Loyalists. Writing to George P. Graham (Canada's representative at the League of Nations) regarding a letter from a Six Nations man, D. C. Scott explained, "Chief Jamieson, who wrote you is a thoroughly loyal and reliable old Indian," and suggested, "that a personal reply of an appreciative and encouraging nature would be well received by the right thinking element on the reserve."⁵¹ Writing another Loyalist, J. D. MacLean, the Assistant Deputy Superintendent and Secretary, closed his letter saying, "I may add that this Department greatly appreciates the good influence that is being exerted on the reserve by yourself and others who wisely oppose the unwarranted agitation that is being

⁴⁸G. J. Smith to D. C. Scott, 6 September 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

⁴⁹A. R. Hill to D. C. Scott, 10 November 1922. NAC, RG 10, V.3229, F.571,571, C-11344.

⁵⁰C. Stewart to A. G. Smith et al., 24 November 1922. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

⁵¹D. C. Scott to G. P. Graham, 26 December 1923. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

conducted by Levi General.”⁵²

Meanwhile, the Sovereignists had begun to pursue their status claim internationally at the League of Nations in Geneva. The decision to approach the League may have been taken as early as early December at the same time that Council was approving of Charles Stewart’s revised offer of arbitration.⁵³ In any event, just ten days later on 14 December, General, Hill and Decker approached the Dutch Chargé d’Affaires in Washington with a request to forward their petition to the League of Nations. The Dutch delegate agreed and approached the British ambassador the following day to inform him of this action and to encourage him “to take steps to avoid the possibility of bloodshed and violence.”⁵⁴ Referring rather dramatically to the Department’s intention to establish a permanent RCMP outpost on the reserve, *Deskaheh* had stated that an invasion of the Six Nations lands by armed forces was imminent. The Chargé d’Affaires, unlike his British counterpart, apparently placed full credence in this claim.

In spite of British counter-pressure the Dutch formally communicated the Six Nations’ petition to the League Council on 26 April 1923.⁵⁵ The Canadian response of 25 May was adamant in affirming that the matter was purely internal and denying the right of

⁵²J. D. MacLean to Freeman J. Isaacs, 3 December 1923. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

⁵³In a letter to D. C. Scott of 8 December 1922, Asa R. Hill informed Scott that the Chiefs had had a ‘secret’ meeting in the Council’s ante-room before deciding to accept Stewart’s offer. Since the offer had theoretically already been accepted by General in his personal meeting with Stewart in Brantford, the previous day, there should have been no need to have a further meeting on the subject, especially one closed to the public. If the Chiefs did decide to simultaneously pursue the case internationally, as a fail-safe, they most likely would have wanted to conceal this from the Department for as long as possible. (NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.)

⁵⁴Copy, Paraphrase of his Majesty’s Ambassador at Washington to the Governor General, 15 December 1922. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

⁵⁵Generalshap Der Nederlanden to Sir Eric Drummond, Secrétaire-Général de la Société des Nations a Genève, 26 April 1923. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

the Dutch to interfere in Canada's domestic affairs.⁵⁶ Faced with the obvious vexation of Canada the Dutch backed off leaving the acting Secretary of the League to come up with a way to bury the petition. Rather than withdrawing their communication, which would only attract more publicity, the Dutch decided to let the petition be passed to the League Council members "for information", after which, they assumed, the matter would simply die.⁵⁷

Later that year in August, *Deskaheh* made Council's appeal the League official⁵⁸ and in September he and his American attorney traveled to Geneva, in time for the Fourth Assembly.⁵⁹ While in Geneva *Deskaheh* conducted a highly effective publicity campaign, attracting the attention of the League delegates and the Swiss public alike. In one instance he appeared in a local theatre dressed in Iroquois regalia. There he expounded the Six Nations claim to independence and 'read' the Six Nations wampum treaties with the British crown. This performance also pleased a Swiss political cartoonist who had been disappointed, initially, to find *Deskaheh* "in a neat brown business suit and at his side no moccasined brave but a... vulturous paleface lawyer."⁶⁰

Perhaps as a result of his publicity campaign in Geneva, in September 1923 representatives of the states of Ireland, Panama, Estonia, and Persia wrote a joint letter to the Assembly president questioning whether the Six Nations appeal could be introduced under article 17 of the League Covenant. Their reasons for doing so were both personal quarrels with Canada and "l'intérêt universel qui s'attache à la conservation de l'antique

⁵⁶Joseph Pope to E. Drummond, 25 May 1923. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

⁵⁷Richard Veatch, *Canadian Foreign Policy and the League of Nations, 1919-1939*. (Toronto: University of Toronto Press, 1975), 94.

⁵⁸Darlene M. Johnston, "The Quest of the Six Nations Confederacy for Self-Determination," *University of Toronto, Faculty of Law Review* 44, no.1 (1986): 23.

⁵⁹Joelle Rostkowski, "Deskaheh's Shadow: Indians on the International Scene," *Native American Studies*, 9, no.2 (1995): 1.

⁶⁰Veatch, 95.

race des Indiens Peaux-Rouges.”⁶¹ The Persian first delegate, Prince Arfa, followed up on this in December requesting that their joint letter of September be forwarded to the League Council. In a questionable and unusual move, the Secretary-General (a British M.P.) now asked the Persian representative whether he was speaking for himself or whether he had his government’s backing.

The March meeting of the assembly came and went without a reply from the Persian government and in the interim British pressure convinced the other signers of the 27 September letter to back down. Eventually the Persian government stated that Prince Arfa had spoken for himself, and that they would take no further action. Thus ended the Six Nations’ appeal to the League. While in terms of publicity, the effort had been a great success, it failed due to Canada’s objections and British political pressure.⁶² In November 1924 shortly before leaving Geneva, *Deskaheh* expressed the devastation he felt at the failure of his appeal: “It is the heart broken that I am against the most cruel indifference...My appeal to the Society of Nations has not been heard.”⁶³ He died only a few months later, in June 1925.

In Canada meanwhile, the Council’s termination of negotiations in January 1923 led the Department to prepare to depose the Hereditary Chiefs. On 1 March, the Department passed an Order in Council establishing a commission to investigate Six Nations’ affairs.⁶⁴ The sole commissioner, Col. Andrew T. Thompson, a Great War veteran under whom Six Nations men had fought, and an old friend of the Six Nations, was the perfect choice. The commission was not, nor was it meant to be, an objective investigation. On the contrary, it was meant principally to justify deposing the Hereditary Council, and that it did.

⁶¹*Ibid*, 96-7.

⁶²*Ibid.*, 98-99.

⁶³Rotstkowski, 3.

⁶⁴C. Stewart to the Governor General, 1 March 1923.NAC, RG 10, V.3231, F.582,103, C-11344.

Reactions to the appointment of the commissioner were quick and informative. On 3 April, the Hereditary Council reversed its earlier decision and resolved “unanimously that it is ready to accept an offer from the Dominion Government...”⁶⁵ Fearing correctly that their resolution had come too late, they requested A. G. Chisholm to write Scott on their behalf and to try to convince him of the benefits of a three person arbitration committee over the proposed Royal Commission.⁶⁶ Scott was unimpressed and advised Chisholm that the Commission would go ahead as planned.⁶⁷ The Loyalist Association, for its part viewed the investigation as an opportunity and sought to turn it to their own advantage. Writing to A. G. Chisholm in late August 1923, the Secretary, A. R. Hill asked him to prepare a memorandum representing the Association’s demands.⁶⁸ These included an elective system of government, resolution of the Navigation company claim, and the “right of the Six Nations to have a vote on any measure affecting them.” This document the Association apparently hoped to submit as a petition of the people to the commissioner.⁶⁹

Throughout the investigation the Chiefs followed a policy of non-recognition - a logical extension of their claim of Six Nations sovereignty.⁷⁰ Supporters of the Hereditary

⁶⁵CM, 3 April 1923. NAC, RG 10, V.1745, F.63-32, Pt.16, C-15025.

⁶⁶A. G. Chisholm to D. C. Scott, 7 April 1923. NAC, RG 10, V.3229, F.571,571, C-11344.

⁶⁷D. C. Scott to A. G. Chisholm, 19 April 1923. NAC, RG 10, V.3229, F.571,571, C-11344.

⁶⁸A. R. Hill to A. G. Chisholm, 29 August 1923. NAC, RG 10, V. 3231, F. 582,103, C-11344.

⁶⁹In addition to these measures, the Association wrote the DIA in September, just before the start of the investigation asking permission to have Chisholm represent them at the commission and examine witnesses. (Minute, Loyalist Association, 7 September 1923. NAC, RG 10, V. 3231, F. 582,103, C-11344). Thompson, however, rejected the offer. Telegram, A. T. Thompson to D. C. Scott, 17 September, 1923. *Ibid.*

⁷⁰Also, the Chiefs locked the Council house the night before so that the commission had to take place in the local parish.

Council appeared in the audience and occasionally responded to the public testimony of the Loyalists but few, if any, gave evidence.⁷¹ Thanks to an article in the *Brantford Expositor* covering the public hearing, it is possible to reconstruct some of the witnesses' testimony.⁷² The veteran Mohawk Chief, A. G. Smith, spoke first. Interestingly, he pointed out that probably a majority on the reserve favoured the Hereditary System, but that he himself felt that modernity could not be stalled, and so an elective system should be installed. When he exclaimed that they must have an elective council, a few in the crowd responded by shouting "no good." Smith went on to criticize the Sovereignists for intimidating and deposing all those on Council who opposed them.

Mrs. Samuel Styres spoke next, and though a Christian, defended the rights of the Longhouse people to their religion, and particularly Levi General, himself a Traditionalist. She defended the Hereditary Council and said that elective councils had not always worked as well as their advocates claimed. Joseph P. Monture and John S. Johnston (Johnson?) both advocated an elective council, but Johnston stated that the *Indian Act* would have to be amended to give the new council more autonomy and self-determination if troubles in the community were to cease. Under the existing set-up, he pointed out, an elective council would have no more autonomy than the Hereditary Chiefs had. Lastly came Fred O. Loft, a Six Nations man and organizer of the first pan-Indian political organization in Canada, the League of Indians of Canada. Loft had earlier taken the bold step of writing the Prime Minister of Canada denouncing the activities of *Deskaheh* and expressing loyalty to the Crown.⁷³ On the subject of elective and hereditary councils, he stated that both had their faults, but what was more important was who the councillors

⁷¹"Investigation in Full Swing Regarding Six Nations Indians," in the *Brantford Expositor* 19 September, 1923. NAC RG 10, V.3231, F.582,103, C-11344; W. C. McLoon to Secretary, DIA, 21 September. *Ibid.*

⁷²"Investigation in Full Swing Regarding Six Nations Indians," in the *Brantford Expositor* 19 September, 1923. NAC RG 10, V.3231, F.582,103, C-11344

⁷³F.O. Loft to W. L. M. King, 18 December 1922; W. L. M. King to F. O. Loft, 21 December, 1922. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195.

were.

Thompson submitted his report near the end of November, but in spite of pressure from the Loyalist Association and the Six Nations Superintendent, it was not released until the following August.⁷⁴ When the Department finally released the report, it received considerable coverage in the local newspapers.⁷⁵ Thompson's investigation covered such matters as education, moral standards, method of government, powers of Council and the *Soldiers Settlement Act*, but noticeably did not extend to the Six Nations political status question.⁷⁶ The Special Commissioner criticized the Hereditary System of government, employing virtually the same criticisms as had the Dehomers over the past three decades. In Thompson's view the only real appeal of the League was sentimental, namely its long history and renown in pre-contact and colonial times. He further contended that most knew "in their innermost hearts that it [the Hereditary System] has long outlived its usefulness." The better-educated members "in whom the hope of the future lies", in fact, almost unanimously favoured an elective system. In conclusion, he stated, "those advocating a change in the system of government have fully established their case and that an elective system should be inaugurated at the earliest possible date."⁷⁷

The reasons for the Department's delay in releasing the report, remain unclear. But

⁷⁴"Indians are Anxious to Hear Report" *The Globe* 7 January 1924. NAC, RG 10, V.3231, F.582,103., C-11344; Col.Cecil E. Morgan, 10 March 1924. NAC, RG 10, V.3229, F.571,571, C-11344.

⁷⁵"Indian Council a Law Unto Itself; Usurped Ottawa Power"; "Separatists in Indian Council" Unidentified clippings in NAC, RG 10, V.3231, F.582,103., C-11344; "Council of Chiefs On Brant Reserve Usurping Power" in *The Globe*, 20 August 1924. *Ibid.*

⁷⁶Report of Col. Andrew T. Thompson, 2 November 1923. NAC, RG 10, V.3231, F.582,103., C-11344.

⁷⁷He went on to charge the Chiefs with a serious usurpation of power, both from the Dominion government in contradiction to the *Indian Act* and from the Six Nations people, in the form of illicit deposings and intimidation. In an unexpected move, he requested that the Grand River Navigation Claim be settled fairly in favour of the Indians and affirmed that it "constitutes a real grievance."

with its release, the government wasted no time in implementing the proposals included in Thompson's report. A letter on 15 September 1924, from Charles Stewart to the Governor General, cited Thompson's report extensively and requested that part II of the *Indian Act* be applied to the Six Nations Indians. Elections were to follow on 21 October, 1924.⁷⁸

Why, then, did the Department depose the Council? When did it take the fateful decision to evict the Chiefs?

The dispute between Six Nations and the government largely narrowed down to a dispute between the Council and a few high level DIA civil servants, principal among whom was D. C. Scott.⁷⁹ The Deputy Superintendent General's prominence in the dispute combined especially with his considerable influence over Indian Affairs, suggests the importance of understanding his attitude toward the issue of an elected Council. In a lengthy letter to John Harold on 7 May 1920 Scott explained his position on the subject:

I have stated to Mr. Chisholm frequently, and to members of the Six Nations Council, and to ordinary members of the Six Nations that the present method of conducting their business is obsolete, and in their own interests should be done away with. I have further stated that I hoped the change to an elective system would come in my time. I may say, however, that I would not invoke the powers already provided by the Act, and, by Order in Council apply the elective system before it appeared that the people were ready for it, *and that a majority desired it*. I shall continue to support the idea of an elective system. The only reasons that can be advanced against its adoption are sentimental reasons; all practical and

⁷⁸C. Stewart to the Governor General, 15 September 1924. NAC, RG 10, V.3231, F.582,103., C-11344.

⁷⁹It would not be exaggeration to say that the Sovereignists despised Scott. In the 1920s as communication became the Department and Council became unworkable, Council frequently resolved to correspond directly with the minister, thus expressing their dislike for the Deputy Superintendent. CM, 8 June 1922. NAC, RG 10, V.1745, F.63-32, Pt.15, C-15025. Increasingly, too, Scott was the subject of derision and ridicule, in Councils; orators often used Mohawk trusting that their slanders would not be faithfully translated to the Visiting Superintendent, Cecil E. Morgan. C. E. Morgan, 10 March 1924. NAC, RG 10, V.3229, F.571,571, C-11344.

progressive reasons are on the side of a change.⁸⁰ [My emphasis]

Scott's attendance at a Council in the fall of that same year pushed him further in the direction of desiring change.

The council meeting was a fine revelation of the futilities and stupidities of the old system, and I am more than ever convinced that we must have an elective council at an early date. The disinterested persons that I talked to, the missionaries and our own officers are very much in favour of it, and it is only a question of administrative policy as to when and how the change should be made.⁸¹

This seemed to suggest that the earlier stipulation of majority support was not to be adhered to, but if this was so, it would be some time before the merely administrative change which Scott spoke of, came about.

By the close of 1922 the Department and even the sympathetic Stewart had become frustrated with the Sovereignists' agitation. The final breakdown of negotiations over the three-person arbitration committee led to the first steps to depose Council. The speed, in fact with which the Department appointed the Royal Commission suggests that it may have already been considered as a contingency plan. With the appointment of an apparently disinterested Royal Commission, the Department could institute the change in governments without as much concern for the political repercussions should unrest later boil over. An innocuous but telling memorandum in early March 1923 reveals that the Department viewed the Commission as means of evicting the Chiefs and that the Council's days were numbered.⁸²

⁸⁰D. C. Scott to J. Harold, M. P., 7 May 1920. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

⁸¹D. C. Scott to J. Harold, M. P. 26 October 1920. NAC, RG 10, V.2285, F.57,169-1A, Pt.2, C-11195.

⁸²Memorandum, D. C. Scott to ? Paget, DIA, 9 March 1923. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195. The memorandum reads: "I note that Chief William Smith the interpreter of the Six Nations Council is dead. I do not think it necessary to fill this position and so we will carefully consider making appointment" Clearly there would be no a need to appoint a new interpreter only if the present Council was not going to be around much longer.

Still, while Thompson's report constituted the weapon chosen for the disposal of Council the Department did not release it, and thereby implement it, until several months later in August 1924. In fact, it took a frustrated and almost disbelieving letter from the Six Nations Superintendent in early August to spur Scott to action. Morgan warned, "The time has come when the matter must either be faced by action by the Superintendent General under Section 93 of the Indian Act and a provisional council appointed amongst the known loyalists of men [sic] of sanity and education...or the Department must be contented to allow matters to go from bad to worse until in very desperation the loyalists join with the malcontents."⁸³

When in late 1924 Scott finally did act, he did not do so with majority support on the reserve, nor did he do so in the interests of "progress" or "civilizational advancement." Even the reform-minded Loyalists were the first to admit that there was majority backing for the Hereditary Council and probably even for *Deskaheh*.⁸⁴ The facade of the Royal Commission might have given the appearance of a progressive change. After all, Thompson's investigation excluded the sovereignty question and political agitation on the reserve, and advocated the change from the same "progressive" standpoint that the Dehorners had over the past three decades. At the root of the decision to implement the Commission itself, however, and at the root of Scott's final decision to execute its recommendations was the very political goal of removing the '*Deskaheh* faction' from power and quelling the unrest on the reserve. When the Department of Indian Affairs deposed the Council, it did so first, because it had given up all hope of coming to a peaceful settlement with the pro-Sovereignist Council; second because it knew it would be practically impossible to reestablish control of the reserve with the Sovereignists in power; and third because the unrest and agitation on the reserve and *Deskaheh's* activities

⁸³Quoted in Weaver, "Iroquois Politics," 475-6.

⁸⁴F. Isaacs to the Colonial Secretary, 29 September 1923. NAC, RG 10, V.2285, F.57,169-1B, Pt.3, C-11195; "Investigation in Full Swing Regarding Six Nations Indians," in the *Brantford Expositor* 19 September, 1923. NAC RG 10, V.3231, F.582,103, C-11344.

on the international stage had become an intolerable embarrassment. Faced with the choice of recognizing the Sovereignists claims to special status or removing them from power, it chose the latter.

Conclusion

To understand how the Six Nations Hereditary Council came to be deposed in 1924, it is necessary to consider much of the nineteenth and twentieth century background to this event and to place it in the context of federal Indian policy. Six Nations politics in the later nineteenth century and early twentieth, while evolving throughout this period, exhibited many of the same characteristics. Factionalism, for instance, characterized politics at Six Nations throughout this period. In the 1860s, 1870s and 1880s, conflict between Progressive Christians and Traditional Longhouse followers over the reform of Council procedure and expansion of its jurisdiction, led frequently to quarreling and discord. Another faction at Six Nations in the later nineteenth century were the Progressive Warriors. In social and religious orientation these men were much like the Progressive Chiefs. There was, however, one important exception: they lacked access to Hereditary titles and therefore, were excluded from taking an official role in the governing of the reserve. The Six Nations Council was faced with the difficult task of steering a middle course between the Conservatism of the Longhouse community and Chiefs and the Progressivism of the Dehorner. That it managed to do this and maintain its integrity, is a testament to the political ability of the Chiefs in this period.

At the turn of the century, the Council, spurred by active individuals in the community, directed its attention to several claims. The oldest of these, the Haldimand land grant, involved a claim to lands at the headwaters of the Grand River which the document apparently promised, but which first the Imperial and later the Canadian governments maintained had not been included. The Grand River Navigation Company claim resulted from the irresponsible even suspicious investment of Six Nations monies and land in the company by colonial officials. The company subsequently went bankrupt, and the Indians' involuntary investments of land and money were completely lost. The claim of most recent origin involved a section of the Six Nations reserve offered to the Mississaugas of the Credit in 1847. All three of these seemingly disparate claims were unified by the burgeoning Iroquois nationalism which motivated Council to pursue them. This nationalism continued to grow over the course of the next few decades, helped in no

small way by the unwillingness of the Canadian and Imperial governments to compromise on any of the claims.

The first two decades of the twentieth century witnessed a number of developments in Six Nations politics which would have significant and lasting consequences. The resurgence and formal organization of the Dehorners or Reformers in 1906 constituted a new and imposing threat to the rule of the Hereditary Council. Over the course of the next few years the Dehorners repeatedly petitioned the Department of Indian Affairs, asking for the imposition of an elective council. Instead of fostering this “progressive” change, the Department reacted with conservatism, continually increasing the requirements which the Dehorners would have to meet if elections were to be held. Aware of the limits of their following in the community, the Dehorners focused their energies on impugning the Chiefs’ administration of the reserve. This tactic proved more effective for it encouraged the Department to supervise Council decisions more carefully, resulting in innumerable disputes between the Chiefs and Department personnel.

The continued interference of the Department over the course of the 1910s led to a slow but steady deterioration in Department-Council relations. Also contributing to this development were several grievances which appeared in the 1910s. Many of these centred around the Great War, such as the government’s unwillingness to ask formally for the participation of the Six Nations as allies of the British Crown, the move to register legal age males in 1918 in preparation for conscription, and the *Soldiers Settlement Act*. Other grievances were the *Oliver Act* and the compulsory enfranchisement legislation of 1920.

An unwavering belief in Iroquois sovereignty, the proud legacy of the Confederacy from its earliest days, played a crucial role in the confrontation. During the nineteenth century most Six Nations subscribed to this belief but only the Traditionalists openly asserted it to the government. In the early twentieth century, Council as a whole adopted this argument as a mechanism of defence first from the Dehorners, and subsequently from the encroachments of the Department. Due to its embodiment in mnemonic images such as the two-row wampum, the two vessels, and the silver covenant chain it was readily identified with and proved a successful rallying cry. Over the course of the 1910s, with the

help of legal counsel, it became formalized and more extreme until at the close of this period, it constituted an argument for the nation-state status of the Grand River Iroquois. In the spring of 1921, a pseudo-coup in Council initiated a new more aggressive phase of the movement to gain recognition for the special status of the Six Nations.

The period from 1921 to 1924 witnessed a virtual break-down in communication between the Department of Indian Affairs and the Six Nations Council. Having failed in their bid to submit their claim to the Supreme Court of Canada in 1920, Council largely gave up hope of finding a solution domestically and began to seek redress internationally. In the summer of 1921, Levi General, the Speaker and charismatic leader of Council, traveled to England to petition the King. With the exception of the considerable publicity given *Deskaheh*, the trip was a failure. Again in 1923, Council sought international recognition of their special status, this time appealing to the League of Nations in Geneva. While from the standpoint of publicity the trip was a success, British diplomatic pressure proved effective. The Hereditary Council was unable to obtain the lasting support from a League member which they required if their appeal was to be heard.

Meanwhile in the Grand River community an impasse had developed between the government and Council over such issues as the sovereignty question, the *Soldiers Settlement Act*, and compulsory enfranchisement. In spite of repeated demands from the Department that the Council encourage obedience to provincial authorities and Dominion laws, instances of minor lawlessness and civil disobedience rose noticeably. Following talks in the spring of 1922, the Superintendent General of Indian Affairs made the Chiefs an offer of arbitration which would settle all outstanding disputes, including the sovereignty question. Negotiations continued through the fall of 1922 but broke down in early 1923, apparently over a disagreement as to the composition of the arbitration committee.

From the fall of 1922 opposition to the extremist tactics of the Sovereignists led to the formation of a group calling itself the Loyalist Association. Led primarily by Progressive Chiefs who had been deposed by the Sovereignists for their 'disloyalty to the Confederacy,' this movement constituted a significant, but ineffective attempt to wrest

power from the Sovereignist Council and reestablish positive relations with the Department of Indian Affairs.

The official termination of negotiations in early 1923, convinced the Department that reestablishing positive relations with the Council would be virtually impossible. In March 1923 it took the first steps to depose the Chiefs by appointing Col. Andrew. T. Thompson Special Commissioner to investigate the Six Nations affairs. After this ostensibly impartial commission reported in favour of political change, the Department could impose an elective council without as much worry over the possible consequences should violence or unrest result. After an unexplained delay, the Department released the report in August, issuing in September, the Order in Council that brought nearly one-hundred fifty years of recognized Confederacy rule at Six Nations to a close.

The Department deposed the Council for political and not “progressive” reasons. Throughout the nineteenth century the Six Nations were a show piece for the Department, the best available evidence of the success of the Dominion’s Indian policy. Although in the nineteenth century, the Reformers might receive a sympathetic hearing in Ottawa, Department officials were not about to impose a council which enjoyed only minority support from the community, and so risk undermining the success story of the Six Nations. Moreover, by the 1890s, Council had evolved into a competent, efficient and well-respected municipal government, which met most of the needs of the diversified Grand River community.

In the twentieth century, the Reform movement posed a far greater threat to the Hereditary Council, but still one which in and of itself, was not great enough to remove the Chiefs from power. The Department of Indian Affairs entrenched its policy of resisting government reform, becoming, in fact, even more conservative. Fearing political unrest or even violence if it imposed an unsupported system, it constantly increased the requirements the Dehorners would have to meet in order for the Department to impose an elective council. Even at the close of the problematic 1910s, D. C. Scott, the Deputy Superintendent General, was unwilling to install a new system without majority consent.

If the Department was initially hesitant to impose an elective system without

majority backing, this hesitation was eventually superceded by its growing anxiety and embarrassment over the agitation on the reserve and the Sovereignists' attempts to gain international recognition of their claims. Faced with the knowledge that it could not practically reassert control over the reserve with the Sovereignists in power; and second that it could not reestablish positive relations without giving in to the Council's demand for nation-state status, the Department chose the politically expedient move of undermining the Sovereignists' power base by deposing the Hereditary Council. The federal government acted not particularly for any of the progressive reasons set forth by the Dehorners over the years, but because Council's political progamme both on the reserve, and abroad, had become intolerable to the rapidly maturing Dominion.

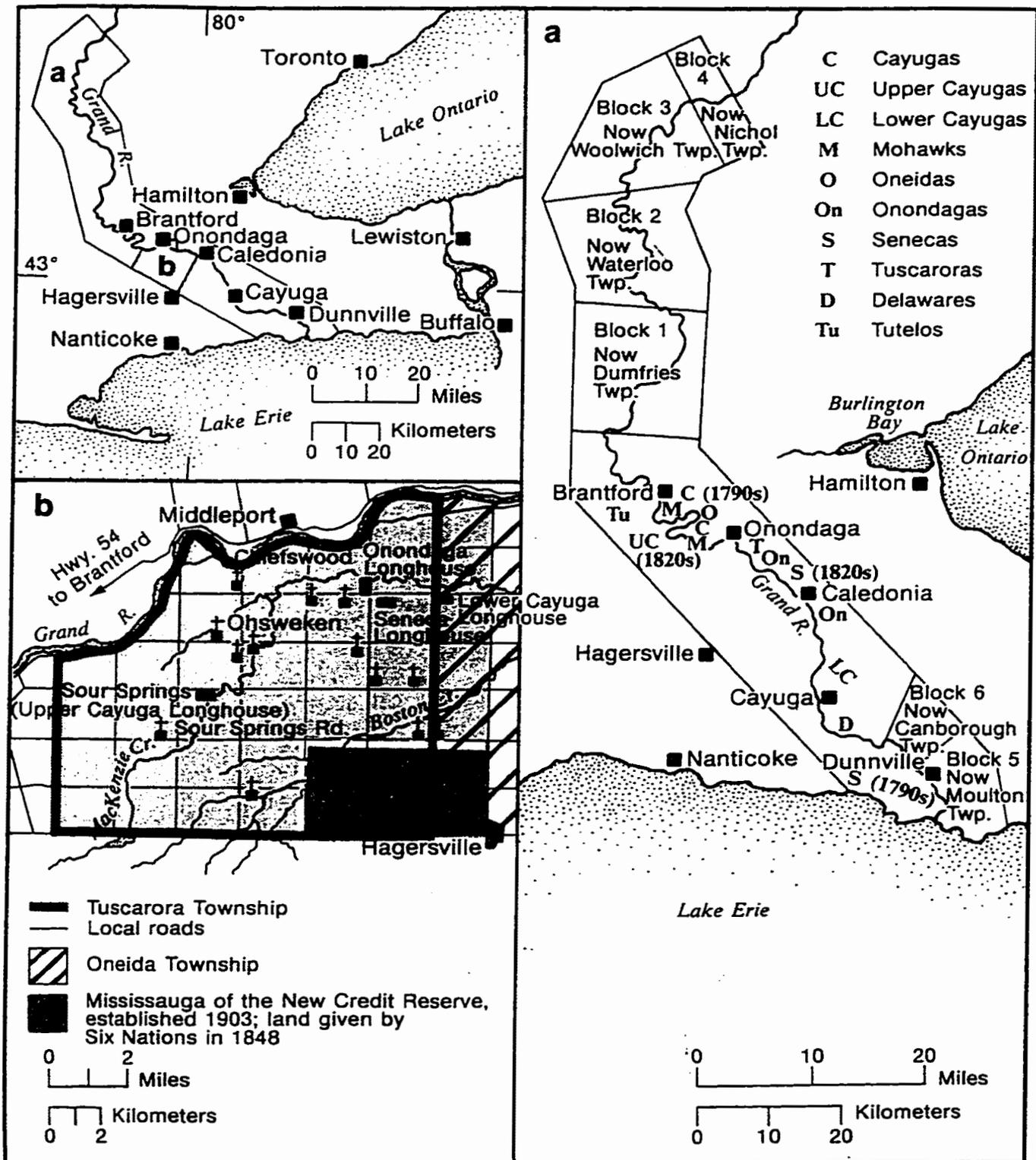


Figure 1: Area of the Six Nations Community. a. First Nations locations along the Grand River in the 1820s with blocks 1-6 surrendered in the 1790s; b. Six Nations community in 1970. Reprinted. From the *Handbook of North American Indians*, Vol. 15, *Northeast*, ed. Bruce G. Trigger. (Washington: Smithsonian Institution, 1978), P.526.

Bibliographic Note

Thanks to the filming of the records of the Canadian Department of Indian Affairs (DIA) since the 1970s, voluminous and physically sensitive records are now readily available to the researcher. These microfilm reels are held at the National Archives of Canada and at various public, college and university libraries across the country. Many subjects of interest to present day researchers are covered in large comprehensive files, compiled and compressed, often over several years, by Department administrators. Because of this is that the researcher does not have to spend copious amounts of time searching through boxes of unsorted and deteriorating paper records: many important subjects are indexed and are condensed onto just one or two, easily accessible microfilm reels.

The following is a brief annotated guide to much of the primary source DIA materials used in the researching and writing of this thesis. This guide is not meant to be an exhaustive index of the prominent subjects touched upon in this work; rather its aim is to furnish the researcher with a quick overview of the location and utility of some of the main collections of Department of Indian Affairs and Six Nations Indians' records on these important topics.

With very few exceptions material is arranged according to volume, file and reel number. (Exceptions would be older files which have only a volume and reel reference without any file reference.) Of these indexes, the most important is the reel, followed by the file number. In most cases the volume number serves no purpose, as files are listed incrementally and can be located without any reference to the volume in which they lie. Volume numbers appear to be references to what were once Department folders or boxes.

Six Nations Hereditary Council Minutes - one of the most important resources for this thesis - can be accessed in a number of ways. A complete set of minutes from the early nineteenth century through the present day is held on microfilm reels at the Six Nations Records Office in Ohsweken, Ontario (P.O. Box 5000, Canada N0A 1M0). Access to the records is available with written approval from the Six Nations Council and there is an hourly fee charged for access to the reels. An alternate method of viewing the records is to access the copies compiled by the Department now on microfilm. The years 1872 to 1894,

1915 through the post-war period can be found file series 63-32, beginning with part one on reel C-15023 and continuing on subsequent reels (i.e., C-15024, C-15025...). The years 1900-1915 can be viewed on vol. 2995, file 218,222-1, C-11307 through vol. 3016, file 218, 222-183, C-11311, inclusive. There are four shortcomings with these condensed files: i) only a "selection" of the Council minutes from 1872 -1894 seem to have been filmed and/or compiled; ii) Minutes from the period 1894 to 1900 are completely absent; iii) The exceptional "special Councils" - Councils which were called periodically to discuss extra, occasionally very important business - often did not send minutes to Ottawa and therefore do not appear on these records; iv) Council Minutes from before 1872 are not included in these files. The last method of obtaining Council minutes is to search the Central Registry System, Red Series reels: beginning with C-11103 and continuing in subsequent reels. This method avoids the first two shortcomings, but not the third or fourth, and is considerably more time consuming due to the dearth of material through which one must sift.

Materials dealing with grievances such as the Haldimand land claim, the Grand River Navigation Company claim and the Mississauga dispute, are also conveniently organized. A considerable amount of material on the first two is housed side by side on reel C-11174: vol. 2178, file 36,539-1 Pt.2; vol.2178, file 36,539-2, 36,539-3 Pt.2. Since the Six Nations' prosecution of the two claims overlapped in time some of the material and especially the petitions overlap. Another more limited source for both records is vol. 2345, file 69,338, C-11205. Virtually all of the material for the Mississauga land dispute has been compiled in a three part file: vol. 2358, file 72,566 Pt.1, vol. 2358, file 72,566, Pt.2, all on reels C-11207 and C-11208. All of this material can also, of course be found in an uncondensed format on the Red Series reels.

The issues raised by, and the activities of, the Dehorners are well-covered for the latter nineteenth century and early twentieth. Besides receiving mention in the minutes from this period, two large files document the periods 1894 to 1899 and 1900 through the 1910s, respectively: vol. 2753, file 148,581, C-12792; vol. 7930, file 32-32 Pt.1 - Pt.4, C-13505. The Central Registry System Red Series files do not cover the early 1861-2

activity, since the registry dates from 1872. The best material on this early activity appears to be the Six Nations Council Minutes from the period, accessible only at the Six Nations Records office in Ohsweken.

A very extensive file dealing with the Six Nations claim to sovereignty and what became known as the “political status question” can be found at the following file addresses: vol. 2284, file 57,169-1, C-11194; vol. 2285, file 57,169-1A Pt.2, C-11195; and vol. 2285, file 57, 169-1B, Pt.3, C-11195. The first file houses material from 1890 to 1920, the second, material from 1919-1921, and the third, material from 1921-1923. A fourth file, vol .2285, file 57, 169-1x, covers the period 1923-1926. Much of the correspondence regarding the Six Nations appeal to the League of Nations in Geneva in 1922-1923 is also included here. This file series is indispensable in reconstructing the worsening relations between the Department and Council as well as Council’s increasingly ambitious attempts to gain international recognition of its political status. Also indispensable in reconstructing the confrontational early 1920s are two other files: vol. 3229, file 571,571, C-11344; vol. 3231, file 582,103, both on reel C-11344. The first file covers the period 1921-23, the second, 1923-1945.

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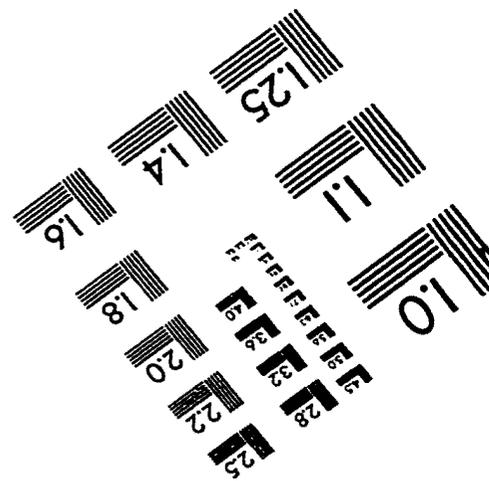
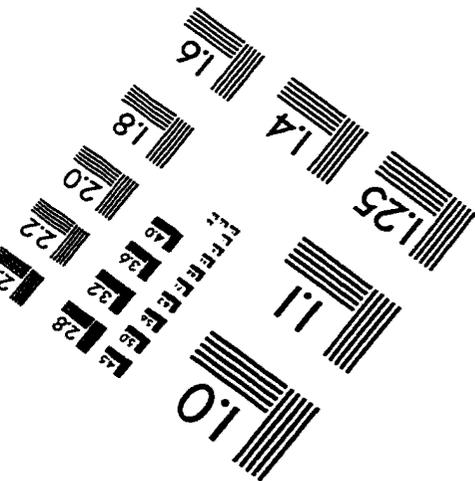
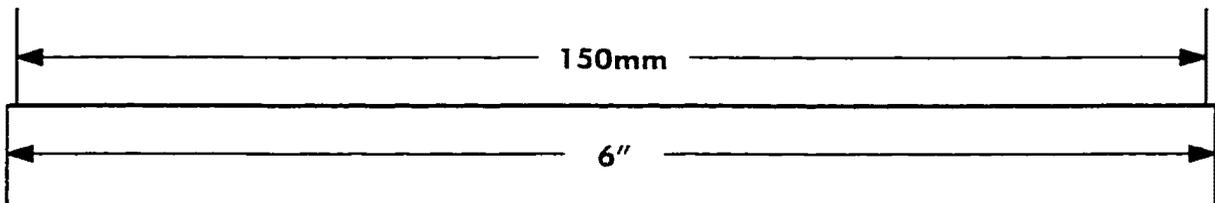
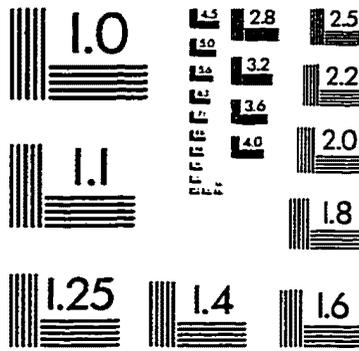
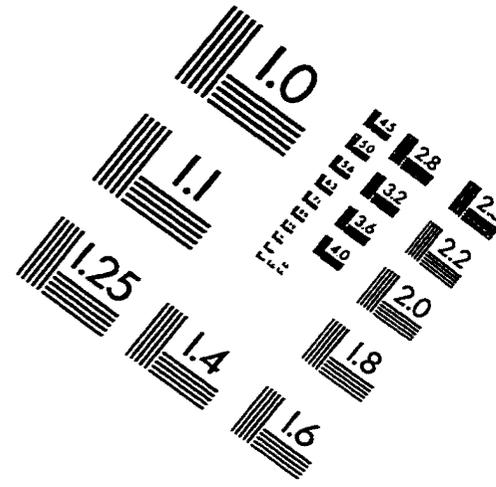
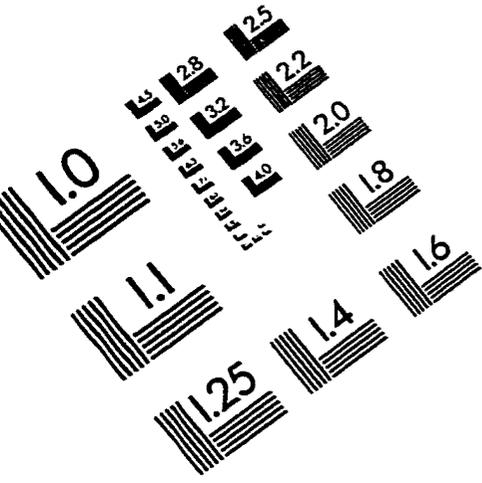
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