SOVEREIGNTY, TREATIES AND TRADE IN THE BKEJWANONG TERRITORY

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INTRODUCTION

Aboriginal cultures and economies are highly diversified and unique to their lands and resources which has enabled them to resist and survive for thousands of years. In spite of this fact being obscured and effaced in the written records of European visitors to North America, Aboriginal trade and their diversified economies continue to exist as a radical alternative to globalization. In 1987 the Bruntland Report pointed this out succinctly:

> Tribal and indigenous peoples will need special attention as the forces of economic development disrupt their traditional life-styles — life-styles that can offer modern societies many lessons in the management of resources in complex forest, mountain, and dryland ecosystems. Some are threatened with virtual extinction by insensitive development over which they have no control. Their traditional rights should be recognized and they should be given a decisive voice formulating policies about resource development in their areas.[1]

Aboriginal peoples have alternate diversified economies based on trade and trading and they have always offered the Europeans valuable lessons in economic development.

Aboriginal oral traditions in northeastern North America recall through their stories the significance of sovereignty and trade in the history of the place we know as Canada. Early in the twentieth century the hereditary Chief Peterwegeschick recalled that, in the 1820s, the citizens of the Bkejwanong First Nation (also known as the Walpole Island First Nation) participated in extensive trading activities, among other places, at Detroit and that his father "went there to trade when he was very small. He told me [Chief Peterwegeschick] that the St. Clair was often black with canoes in their journeying to the trading post at Detroit.[2] Trade, and Aboriginal trading patterns and their networks, has been one of the most important gifts to the European newcomers. Trade and trading, being intimately connected to the land, as well as the complex networks that trade and trading had long secured, was one of the principal means by which Aboriginal autonomy and sovereignty have long been secured.[3]

In terms of trade and trading for hundreds of years, the primary scientific gift of Aboriginal people to it was the birchbark canoe. The significance of the canoe in Aboriginal oral traditions and history cannot be overemphasized. It is central to the creation stories, to the culture, providing a balance practically and spiritually as a

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means — an instrument — of understanding the natural world and providing a means of working within it.[4]

GUS WEN TAH, THE COVENANT CHAIN OF SILVER

The Covenant Chain of Silver was embodied in the historical process of relationships among the Aboriginal Nations and the European empires. Its bases included the Aboriginal gifts of diplomacy and trade which were inseparable. An extension of the Great Law of Peace, the Chain is represented in the various wampum belts that have existed at least since the Treaty of Albany in 1664, if not long before that time, in other forms. One of these wampum belts is the Two Row wampum. The Two Row Wampum has been defined as a "bed of white wampum shell beads symbolizing the sacredness and purity of the treaty agreement between the two sides":

> Two parallel rows of purple wampum beads that extend down the length of the belt represent the separate paths traveled by the two sides on the same river. Each side travels in its own vessel: the Indians in a birch bark canoe, representing their laws, customs, and ways, and the whites in a ship, representing their laws, customs, and ways. In presenting the Gus-Wen-Tah to solemnize their treaties with the Western colonial powers, the Iroquois would explain its basic underlying vision of law and peace between different peoples as follows: "We shall each travel the river together, side by side, but in our own boat. Neither of us will steer the other's vessel."[5]

The English Crown, the Haudenosaunee and the Anishinabe continually renewed the Covenant Chain. Later other Aboriginal Nations entered into the Covenant Chain as well.[6] For example, Sir William Johnson,[7] the Superintendent General of Indian Affairs for the Northern Department (stationed near Albany on the banks of the Mohawk River), observed its history and significance in 1748 when he met in Council with the Iroquois Confederacy:

> ... our first Friendship Commenced at the Arrival of the first great Canoe or Vessel at Albany, at which time you were much surprized but finding what it contained pleased you much, being Things for your Purpose, ...
>
> After this was agreed on and done you made an offer to the Governor to enter into a Bond of Friendship with him and his People which he was so pleased at that he told you he would find a strong Silver Chain which would never break, slip or Rust, to bind you and him in Brothership together, ...[8]

For the Iroquoian and Algonkian-speaking Aboriginal Nations as well as the European Nations, the Chain continued to be an important fixture of international diplomacy, war and trade throughout the shifting conflicts and realignments wrought by the European incursions in the seventeenth and eighteenth centuries. Above all, the Chain showed the continuing sovereignty and independence of Aboriginal Nations in an international context. The backbone of the Aboriginal trade and trading and with it sovereignty was the birchbark canoe. But things began to fall apart in the late eighteenth century. With the erosion of Aboriginal trade and trading, came a loss of recognition of sovereignty.[9]

THE TREATIES OF BKEJWANONG (THE PLACE WHERE THE WATER DIVIDES)

The red and white wampum belt in part, characterizes the oral tradition of the Walpole Island First Nation. The belt includes Bkejwanong Treaties with the French, and then the English, imperial governments. It is also encapsulated in speeches which have found their way into written documents which are today preserved by the citizens of the Walpole Island First Nation. These written records are in addition to the living memory of their traditions and their Treaties.[10] One of these documents is currently in the custody of the Miskokomon family at Bkejwanong.[11] This document outlines, in part, the history of the oral tradition in writing of the Walpole Island First Nation, as follows:

> In 1629 the English attempted to occupy the Valley of the St. Lawrence, but were opposed and driven out by the French, in cooperation with the Iroquois. Not until 1745 did the English again appear. At this time English traders from Pennsylvania established a trading station at old Fort Sandowski [Sandusky], and there made a treaty with the three tribes, concerning trade. Here the English remained until driven out by the French in 1753.

In 1670 the French concluded a friendly treaty with the Three Tribes covering trading regulations between them. The principal French Trading Station in this region at that time was located on the left bank of the Detroit River, at the place now called Sandwich. All of the supplies for these Trading Stations came through Montreal.

Then followed the French and English war which ended in 1759, and a short time later a treaty of peace was concluded at Montreal [the Murray Treaty of 1760?]. This treaty provided for the French occupancy of the Province of Quebec, and the English occupancy of the occupancy of Ontario, reserving to the Three Tribes a strip of ground, 66 ft. wide on each side of all rivers, 16 ft. wide on each side of all creeks and 99 feet wide along the shores of all lakes and around all lands entirely surrounded by water, also the use of all lands not fit for cultivation, and the right to hunt and sell timber in any forest, and to fish in any waters, also reserving to the Indians all stone, precious stones, and minerals. These strips of land were intended as a permanent inheritance to the Three Tribes, where they could camp and abide while fishing and trapping and cultivating the soil.

In 1818 Envoys representing England and the United States met the Three Tribes at Andarding or (Amherstburg) [the Treaty of Amherstburg of 1818] in conference on the subject of the protection of game for the Indian, at which time it was agreed that only those whites holding licenses would be permitted to hunt and fish and that the fees accruing should all be paid over to the Indians. Since 1822 when these first licenses were issued, there has been no distribution of the funds thus accrued and at this time (1929) the aggregate amount of the hunting and fishing licenses fees collected by the Provinces and by the several states should doubtless and does represent a very large amount of money, all of which belongs to the Indians as per the treaty.

In Jay's Treaty of 1794 between England and the United States, the right of all Indians to free passage across the border by land or water for all times was officially recognized by both nations. These rights were confirmed in an explanatory article the two Governments concluded at Philadelphia, May 4th, 1796.[12]

The Walpole Island First Nation has, since 1929 as they did before, continued to regard these Treaties as "sacred and inviolate".

THE TREATY OF MONTREAL OF 1760

Aboriginal oral traditions speak to the Treaty of Montreal that was entered into on September 6, 1760. This Treaty, which has been recorded and remembered in wampum belts, focuses on the waters of the territories of the Anishinabe Nations. Its purpose was to establish peace and friendship between the Anishinabe Nations and the English and French Empires after the defeat of France near the end of the Seven Years War. It was regarded by Aboriginal people as one the founding documents in Canada's constitutional history in that it set out the relationship among the three founding Peoples to the new country of Canada.[13]

THE ANISHINABE RESISTANCE MOVEMENT OF 1763

The Anishinabe (Western or Lakes Confederacy) resistance movement, which began in May of 1763 led by Pontiac, was fought by the Anishinabe Nations of northeastern North America against the English imperial government in the Great Lakes area to protect their traditional territories and cultures from the new and harsh regime of Jeffrey Amherst. Amherst wished to end the expensive present giving, the sale of arms and ammunition and confine the lucrative Indian trade to the army posts.[14] There was also a long-standing resistance as well to the "frauds and abuses" committed against Aboriginal citizens by the non-Aboriginal settlers in northeastern North America.[15] This resistance movement should be distinguished from the parallel resistance movement led by the Senecas and which involved the Iroquois Confederacy.[16] The resistance was triggered when the English commander in chief Amherst ordered that the presents, extremely valuable commodities, given annually to the Aboriginal Nations (both the Western and the Iroquois Confederacies) to maintain the diplomatic and military alliance system under the Covenant Chain, were no longer to be issued as of 1762. Much Aboriginal discontent followed intensified by a further edict to cut off all ammunition. Fighting broke out in the spring of 1763.[17]

Two of the key battles fought in this war included Anishinabe victories against the English at Michilimackinac and at the siege of Detroit. In June more than 400 warriors had come by birchbark canoe to Michilimackinac. There, using the ruse of a game of baggawataway (lacrosse), the warriors were able to capture this English fort and trading station killing seventy out of the ninety English troops and capturing the remainder. So successful was this victory that the word of this battle reached Detroit and then another English fort soon thereafter. Again using their canoes, a number of the warriors were able to come from the northern lakes to lay siege to Detroit later that same summer. Although the fort did not fall, the Anishinabe Nations initiated peace negotiations under the Covenant Chain of Silver and the resistance movement ended, successfully achieving its objectives. In this resistance movement the Anishinabe Nations were not conquered.[18] Even after the War, Sir William Johnson indicated that the English imperial government feared the military power of the Western Confederacy of Nations and wished to come to terms with them in a Treaty.[19]

THE ROYAL PROCLAMATION OF 1763

King George III promulgated the Royal Proclamation of 1763 after the Seven Years War, partly in response to the Anishinabe resistance movement. The Royal Proclamation was an English imperial document, among other things, that established the administrative framework for the new English colonies in Quebec, and in the rest of North America. It also recognized and reaffirmed the "Indian territory." It established English imperial rules regarding the treaty-making process under the Covenant Chain as well as for Aboriginal trade with non-Aboriginal people. This Proclamation also recognized the significance of the Aboriginal trading system:

> And we do, by the Advice of our Privy Council, declare and enjoin, that the Trade with the said Indians shall be free and open to all our Subjects whatever, provided that every Person who may incline to Trade with the said Indians do take out a Licence for carrying on such Trade form the governor or Commander in Chief of any of our Colonies respectively where such Person shall reside, and also give Security to observe such Regulations as We shall at any Time think fit, by ourselves or by our Commissaries to be appointed for this Purpose, to direct and appoint for the Benefit of the said Trade....[20]

The Proclamation reaffirmed that the "Indian Territory" as well as the uses of that Territory by the First Nations and their citizens was to be their "absolute property." They retained control of their trading networks and their trade.[21] These diplomatic initiatives came from the Aboriginal Nations under the Covenant Chain of Silver — the Two Row Wampum symbolized by water and the canoe. It would be reaffirmed one year later in a grand council of Nations at Niagara in 1764.

THE TREATY OF NIAGARA OF 1764

The Treaty of Niagara is significant in that it reaffirmed the Covenant Chain of Silver with the Aboriginal Nations of the Great Lakes. In July 1764 at the Treaty of Niagara, held at the "crooked place" on the Niagara River, the Aboriginal Nations met with Johnson, the Northern Superintendent General of Indian Affairs, and other officials of the Crown. This action formally confirmed peace, through a Treaty, after Pontiac's resistance movement of 1763.[22] Furthermore, at the Treaty negotiations, Johnson made it clear that the major issues were trade as well as water, land under the water and its uses. The next month, at the Treaty of Niagara, Johnson spoke (on July 31, 1764) at a "General Meeting with all the Western Indians in their Camp" and presented them with "...the great Covenant Chain [Belt], 23 Rows broad, & the Year 1764 worked upon it." An Ojibwa Chief stated he was "...of Opinion that it is best to keep the Belt of the Covenant Chain at Michilimackinac, as it is the Centre, where all our People may see it. I exhort you to hold fast by it, to remember what has been said, and to abide by your Engagements." Michilimackinac was an important northern trading post and military station located at a strategic isthmus on Mackinac Island.[23] This wampum belt was only with the Western Confederacy. It re-affirmed the relationship under the Covenant Chain with the Western Confederacy, including, among other things, that their Territories, lands and resources, were their "absolute property" and well as a recognition of Aboriginal sovereignty.

Another wampum belt was also presented at the treaty of Niagara to all the twenty-four Nations, including the Haudenosaunee and the Western Confederacy and this belt signified the sovereignty of the Aboriginal Nations and re-affirmed the annual provisions and presents as well as the Covenant Chain. The Aboriginal Nations still know it as the "Niagara Treaty Conference Twenty Four Nations Wampum Belt." The following are the First Nations' perspectives on the significance and the meaning of the Treaty:

> While the treaties are like stones marking a spot in time, the relationship between the Nations is like two equals, respecting each of their differences but supporting each other for a common position on peace, order and justice for all. The brotherhood created by the Twenty Four Nations Belt represents a relationship of both sharing and respect. The sharing is reciprocal: as the First Nations shared land and the knowledge in the past, now that situation is reversed, the generosity of spirit and action is expected to continue. The respect is also reciprocal: respect for each other's rights, existence, laws and vision of the future.[24]

The twenty-four Aboriginal Nations who were parties to the Niagara Treaty, reaffirming the Covenant Chain, were basically the Aboriginal peoples who lived in the wide belt all centred in the St. Lawrence valley and Great Lakes waterway system and who continued to trade in it.[25]

THE TREATY OF DETROIT OF 1765

On August 27 to September 4, 1765, an Ancient Council Fire was lit at Detroit. Over the course of the next week, a Treaty was negotiated between the Crown represented by Colonel George Croghan, Deputy Superintendent for Indian Affairs, representing Sir William Johnson and the Western Nations, which included the Ojibwa identified then as the Chippawas, the Ottawas, the Potawatomi and the Hurons, who were represented by Chief Pontiac.[26] Along with the King George III medals, which Sir William Johnson had specially made for this purpose, all of these actions of Sir William Johnson at the Treaty of Detroit confirmed both the Royal Proclamation and protected both Aboriginal trade and the "Indian Territory". These actions of the Crown, in 1764 and 1765, constitute treaties between the Crown and the Walpole Island First Nation which, among other things, affirmed Bkejwanong, the Walpole Island Territory. Many of these solemn promises would be re-affirmed in the St. Anne Island Treaty of 1796.

In July 1765, Sir William Johnson's Deputy Superintendent, George Croghan met with the Western Confederacy representatives at Ouiatanon (also spelled Ouiatenon), a village on the Wabash River, located southwest of Detroit. The focus of Croghan's efforts were to ratify peace with the Ottawa Chief Pontiac [b. c. 1712–1725, d. April 20, 1769] and the Western Confederacy after the Anishinabe Resistance movement of 1763 and to confirm the Royal Proclamation of 1763, especially the provision of the "Indian Territory" and the Indian trade.[27] The primary considerations of this as well as other Treaties, then and now are land, Aboriginal title and land rights and the Aboriginal trade within "their Country".

There was no doubt whatsoever that these Council Meetings were Treaties. Wampum belts were exchanged; records of the Treaties were kept. In his letter to the Lords of Trade in London, from Johnson Hall on September 28, 1765, Johnson spoke of the Treaty of Detroit in the following terms:

> On Mr Croghan's arrival at Detroit he had a Treaty with all the Western League, who were assembled before his arrival, and by the Light in which he placed affairs effectually settled their minds & dissolved the Legue [League] lately formed by the French with the *Eighteen Nations*, and he is now on his way to this place, after whose arrival I shall be enabled to transmit your Lordships the whole of his Transactions and the present state of Indian Affairs in that Country.[28]

The solemn promises of the Treaty of Detroit were re-affirmed and reiterated the following year when Sir William Johnson met with Chief Pontiac and the representatives of the Western Confederacy of Nations at Lake Ontario (Fort Ontario near present-day Oswego, New York).

THE TREATY OF LAKE ONTARIO OF 1766

On July 22 to 30, 1766, at a Bower on the shores of Lake Ontario, near the Fort of the same name, (present-day Oswego, New York), a

Council Fire was lit and over the course of the next week, a Treaty was negotiated between the Crown represented by Sir William Johnson and the Western Nations which included the Ojibwa identified then as the Chippawas, the Ottawas, the Potawatomi and the Hurons, all of whom were represented by Chief Pontiac. This Treaty re-affirmed Gus Wen Tah, the Covenant Chain specifically with the Western Confederacy of Nations as well as the Treaty of Detroit of 1765. In addition, the Treaty also re-affirmed all that had been solemnly promised two years previously at the Treaty of Niagara, including, among other matters, items relating to the Covenant Chain, Peace and Friendship, the lands of the Indian territory protected under the Royal Proclamation of 1763, their Aboriginal rights to their hunting grounds as well as free trade and the regulation of white Traders, outlined in the Royal Proclamation of 1763 and the provision of blacksmiths to assist in the repair of arms and implements.[29]

The Treaty of Lake Ontario of 1766 is described in the document as the Proceedings at a Congress with Pontiac [spelled Pondiac throughout the Treaty] and the Chiefs of the Ottawas, the Chiefs of the Potawatomi, Hurons and Chippewa, which began on Tuesday, July 22, 1766 and ended on July 30, 1766. The following is a summary of the solemn promises made by the Crown's representative, Sir William Johnson, the Superintendant [Superintendent] General of Indian Affairs at this Treaty as they pertained to sovereignty and trade:

1. Sir William Johnson promised that the Crown would respect the sovereignty and the inherent right of Aboriginal governance of the Western Confederacy and he addresses them as sovereign, independent Nations with their own political organization (the Western Confederacy of Nations) and possessing their own Customs, Laws and institutions.
2. Johnson confirmed and ratified the provisional agreement with respect to peace, protection of the Aboriginal Territories and their trade, signed between his Deputy (Colonel George Croghan) and Chief Pontiac, generally representing the Western Confederacy, negotiated at Ouiatanon in July, 1765 and ratified at the Treaty of Detroit in 1765.
3. Johnson made the solemn promise to provide the Western Confederacy of Nations with the Crown's official representatives to reside within the Aboriginal Nation's Territories. These representatives were to be instructed to act honourably and honestly with them with respect to the following matters: "... to reside at the Posts, to prevent abuses in Trade, to hear your Complaints, & such of them as they cannot redress they are to lay before me...."
4. Johnson promised that the Crown would provide Blacksmiths for the following uses: "... to repair your Arms & Implements...."
5. Johnson promised that the Crown would respect their customs and laws and would ensure justice to the Western Confederacy of Nations regarding non-Aboriginal offenders. The Crown would respect the sovereign authority of the Western Confederacy to control and manage its own justice system over its own citizens.
6. Johnson promised that the Crown would respect the right of the Western Confederacy of Nations to their trade and to free trade with other Nations.
7. Johnson promised that the Crown would provide regulations and regulators to protect the Indian Trade including the restriction of white traders to the trading posts to provide protection for the Indian Territories, their lands and waters, protection from the "frauds and abuses of the white traders" and the provision of regulations to prevent white traders from entering the Indian villages.

For its part, the Western Confederacy of Nations promised that it would never again go to war against the English as it had done in 1763. The Confederacy would provide in the future the English Crown with peace and friendship in times of both peace and war. In the case of the latter, the Western Confederacy would provide military assistance, if required. These promises were not inconsequential at a time when the English imperial foothold on the North American continent was at best precarious. But Johnson died in 1774, eight years after the Treaty of Lake Ontario was signed.[30] After that, things started to fall apart. The Treaties of Detroit and Lake Ontario were lost and then forgotten by the Indian Department by the 1790s. By the early nineteenth century the so-called second English Empire had embarked on an imperial

strategy based on colonization rather than trade.[31]

Although fighting ceased in the American War of Independence in 1781, the Treaty of Paris of 1783 ended the War of the American Revolution. Article II of that Treaty provided, in part, that the international boundary would be placed "through the middle of said Lake [Ontario] until it strikes the communication by water between that Lake and Lake Erie; thence along the middle of said communication into Lake Erie; through the middle of said Lake until it arrives at the water-communication between that Lake and Lake Huron." The main diplomatic focus was on the waterways where aboriginal peoples dominated the transportation and communication and with it Aboriginal trade and trading.[32]

One of the Aboriginal objectives intended to mitigate this "disaster" and enable them to survive into the twentieth century and beyond was to try to dovetail their situation with English imperial strategies of trade, land and emigration policies and ultimately white colonization. This they tried to do by entering into a renewed treaty-making process, which would safeguard their hunting territories, their waters and their economies. For example, treaties were entered into in the 1780s and 1790s to lease or share certain areas with settlers while retaining Anishinabe sovereignty and water rights.[33] For example, the Gun Shot Treaty of 1792 was one of the Treaties between the Western Confederacy, among other Aboriginal Nations, and the English imperial government. Lieutenant Governor John Graves Simcoe, Sir John Johnson and the First Nations at the Bay of Quinte entered it into in 1792.[34] Specifically, it reaffirmed the Treaty entered into at Montreal in 1760.[35] The oral tradition asserts that the Gun Shot Treaty of 1792 was more than a sharing of the use of land:

> The Gov'r [Lieutenant Governor, Simcoe] stated although the Gov't wanted the land it was not intended that the fish and game rights be excluded or that they. were to be deprived of their privileges of hunting, trapping and fishing as it was a source of their living and sustenance. These provisions were to hold good as long as the grass grows and water runs, and as long as the British Gov't is in existence. According to the ruling of the Gun Shot Treaty, the Indians to have first rights to all creeks, rivers and lakes, 16 feet on both sides of the said creek, 66 feet on both sides of all rivers and 99 feet around all lakes and island[s] on said lakes. This land mentioned is their inheritance where they can camp and abide while pursuing their occupation of fishing and trapping and while occupying said land [,] no white men can order them off.[36]

Similarly Treaties respecting the centrality of the Aboriginal trade, free trade and the necessity of border crossings along all the Great Lakes and the St. Lawrence River followed.[37]

The rights to the Aboriginal trade and free trade were significant. These Aboriginal rights were intended by English imperial policy to protect the Aboriginal Nations, at a time when Britain was relinquishing its western posts (1796). They were also to be safeguarded in the Treaty-making process. The primary motivating factor was the real English fear that, if these rights were not reaffirmed, then there would be an "Indian war" in the Great Lakes that would have, so they thought, resulted in the loss of Upper Canada for the English imperial government. These Treaties are still at issue today and the subject of major litigious battles in Canada's courts.[38]

THE JAY TREATY OF NOVEMBER 19, 1794

The Treaty of Amity, Commerce and Navigation of 1794 was named after the American negotiator of that Treaty, John Jay (1745–1829). Formerly the governor of the State of New York, John Jay was more than familiar with issues of First Nation Treaties, having negotiated some of them himself in his tenure as governor.[39] In 1794, Jay was Chief Justice of the United States. Lord Grenville (1759–1834), then the English Foreign Secretary, was the English negotiator.[40] In this Treaty, made between the English and American governments, the English government gave up its posts in what became known as the American Midwest and, in doing so, abandoned its allies, the Aboriginal Nations, including the Western Confederacy in July of 1796.[41]

On November 19, 1794, the English and the American governments signed the Jay Treaty. The English government did not notify or consult with the Aboriginal Nations. The Treaty was ratified by the American and the English imperial governments and was proclaimed on February 29, 1796. The terms of the Jay Treaty included matters concerning amity or peace, priv-

ileges of settlers, commerce, survey and boundaries, indemnities, land tenures, private debts, navigation, trade and shipping, rules in time of war, extradition and ratification. Article III is entitled "Commerce and navigation; duties," addressing matters that specifically concerned the Aboriginal Nations:

> It is agreed that it shall at all times be free to His Majesty's subjects, and to the citizens of the United States, and also to the Indians dwelling on either side of the boundary line, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two parties, on the continent of America, (the country within the limits of the Hudson's Bay Company only excepted), and to navigate all the lakes, rivers and waters thereof, and freely to carry on trade and commerce with each other ... No duty of entry shall ever be levied by either party on peltries brought by land or inland navigation into the said territories respectively, nor shall the Indians passing or repassing with their own proper goods and effects of whatever nature, pay for the same any impost or duty whatever.[42]

By the Jay Treaty the English imperial government also relinquished its trading posts and forts, including Detroit and Fort Ontario.[43]

"WE WERE LASHED TOGETHER STRONGLY": THE ST. ANNE ISLAND TREATY OF 1796

The St. Anne Island Treaty was entered into by the English imperial government for military purposes — specifically to establish an Anishinabe buffer state against any future wars with the United States on the western frontier of the Great Lakes. From this perspective, Upper Canada was to be defended by First Nation warriors in canoes in conjunction with the Royal Navy on the Great Lakes.[44] In the summer of 1796 the situation of the First Nations was not diminished. Although the Americans "took possession of the forts at Detroit and Michilimackinac," Cleland wrote that this American presence was "...however, a very tenuous occupation at best." There was not then a great disruption, "much less a disaster," in the summer of 1796 created by the take-over of the posts by the Americans. In fact, the effect was to increase the economic and political power of the First Nations through "competitive gift-giving" as well as military power.[45]

The St. Anne Island Treaty of 1796 occurred at a Council Fire at which a Council Meeting was held, at the edge of the forest near the Ottawa village, on St. Anne Island on the northerly side of the Chenail Ecarte River [adjacent to, and across the river from present-day Wallaceburg] on August 30, 1796.[46] According to Bkejwanong oral tradition, the English Crown's representation (Alexander McKee), "finding that our Fathers were growing poor and wretched in the vicinity of the Long Knife brought them up to the Island [St. Anne Island] on which you now find us; he lept from his Canoe with a lighted Brand in his hand and after having kindled the first Council Fire which had ever shone upon it, he gave it to them forever." On August 30, 1796, McKee addressed the "Chiefs Chippawa & Ottawa Nations":

> The change I allude to is the delivery of the Posts to the United States: these people have at last fulfilled the Treaty of [Paris] 1783 and the Justice of the King towards all the world, would not suffer him to withhold the rights of another, after a compliance with the terms stipulated in that Treaty: But he has notwithstanding taken the greatest care of the rights and independence of all the Indian Nations who by the last Treaty with America, are to be perfectly free and unmolested in their Trade and hunting grounds and to pass and repass freely and undisturbed to trade with whom they please.[47]

The solemn commitments of the Crown made at this Council Meeting of August 30, 1796 regarding sovereignty and trade constitute promises which were made by Alexander McKee on behalf of the Crown. The Chenail Ecarte Reserve was also discussed at this Council meeting and also was established as an Indian Reserve.[48] It is clear from the oral tradition of the Walpole Island First Nation that the St. Anne Island was a significant Treaty with the English Crown for the matters discussed at the Council meeting on August 30, 1796.[49] Once again it reaffirmed that diplomatic device of the Two Row Wampum and the pivotal symbol, and the reality that the Anishinabe and the European Nations had been "lashed together strongly" This diplomatic practice continued.[50] The Anishinabe trade would remain strong right into the late nineteenth century.[51]

ABORIGINAL TRADE AND TRADING

Aboriginal trade, out of Montreal and into the Great Lakes, Laurentian Shield and the Ohio valley, was carried on by Aboriginal and Metis in conjunction with many Scottish and Irish traders, like Peter Pond and John Askin, (1738–1815), Senior,[52] of Detroit, in the eighteenth and early nineteenth centuries. It spanned all parts of the northeastern North America, a vast geographical area. And it lasted for more than four hundred years.[53] Askin was one of the most prominent local traders at Detroit with extensive Anishinabe and European trading connections that stretched from Europe through the St. Lawrence to Montreal, Detroit and southerly deep into the Ohio and Mississippi valleys and north into the Canadian shield. The linkages between the trade and the military remained extremely close. The traders like Askin were the primary suppliers to the military establishments at the key points of the English empire in the St. Lawrence Valley and along the Great Lakes waterway system. Military posts like Mackinac, Niagara and Amherstburg (Fort Malden) and Detroit were not only the key places to guard the military frontier and safeguard the English colonies, they were also centres of trade. Although Askin used some larger sailing vessels on the Great Lakes, he also relied on large canoes with sails to carry large quantities of freight.

Detroit had long been an important entrepot for Aboriginal trade and then for the Indian trade which was between the Aboriginal Nations and the European traders. It owed its location to the presence of the Aboriginal Nations in the area of the Detroit River, Lake St. Clair and the connecting waterways. Anishinabe villages, located along the waterways, ringed Bkejwanong — the "place where the waters divide" — part of the Walpole Island First Nation Territory in the Lake St. Clair area. In the 1760s, for example, there were Aboriginal villages — Wyandot, Ojibwa and Ottawa on the east side of the Detroit River — and a Potawatomi village on the west side. Waterways and the birchbark canoe linked all of these places.

The scope, extent and value of the Indian trade until the 1820s was extremely large. But the trade, although it included furs of all kinds, was not restricted to furs.[54] It included large quantities of foodstuffs, including corn and other vegetal products, among many other items..The articles traded were themselves wide-ranging and extensive. They included, at least in part, the following: 1. Indian corn; 2. food supplies, such as wheat, flour, tobacco, potatoes, Spanish beans, pumpkins, garden seeds; 3. wild rice; 4. fowl, especially wild ducks, and other wild game birds; 5. hay; 6. lye hominy [potash]; 7. Maple and black walnut sugar; 8. wood and wood products, timber for ships and ship-building, especially firewood, tree gum and bark, watap, which is a root of the spruce or fir tree used for making thread, string; 9. grease from animal fats; 10. lime; 11. sub-surface resources, including minerals such as gold, silver, copper, and other metals, flint and salt, or other minerals, oil from oil springs used for making and bartering liniments for medicinal purposes; 12. furs, including all kinds — deer, beaver, bear, raccoon, lynx, bob and wild cat, fox, otter, musquash [muskrat?], pichoux [red lynx]; 13. boats and canoes, for example, petiagers [a "petiager (variously spelled) was a boat made from a tree trunk, hollowed out, which was often provided with a plank bottom, the trunk being split in halves, each of which was made to serve as one side of the boat."]; 14. fish of all kinds, including: sturgeon, muskellunge, whitefish, pickerel, bass, perch, salmon, trout; 15. Wild berries and fruits of all kinds. Two-pronged, this trade was mutual and an integral part of the local European economies.[55] It had been so for many years. And it would remain so well into the nineteenth century.

The trade and its infrastructure continued to be also of strategic importance. In times of war, the trading as well as the Royal Navy's vessels and Aboriginal canoes were commandeered for use in transporting the Aboriginal warriors as well as English troops. In times of peace and war, the Aboriginal Nations were an integral component in the defence of the English empire.

The Indian trade was big business linked as it was to large independent trading companies like the North West Company which was based in Montreal. While the relatively small traders may have found it difficult to make ends meet, this was not true for the McGillivrays,[56] McTavishes[57] and Frobishers[58] and Alexander Mackenzie[59] of Montreal. For instance, Askin wrote to Benjamin Frobisher in 1778:

> I will attempt writing to you by these Indians but cant say I will get through, having three Vessells to fit off now, your Canoes & my Public employment.

> St Cir [a North West Company guide] arrived last night. I have delivered him the Canoes, all your Corn, Sugar, Gum, Bark & Watap [spruce or fir root] now remaining here shall be dilivered him to Day, all the rum comeing up in the Canoes he shall also have (I expect they will arrive to day).[60]

And these businesses continued to be aware of the impact of diplomacy on the trade. For example, Askin was aware of the long-term consequences of the Jay Treaty on matters of free trade across the international boundary.[61]

Aboriginal trade and trading also had a deeply political side; a side that was always present at Treaty negotiations between European Empires and the Aboriginal Nations. All the parties arrived for these negotiations using canoes well into the nineteenth century.[62] This was later expanded to include the diplomatic and military relations between the English Empire and the American government in Washington. Trade could not be divorced from Aboriginal Lands and Territories. In short, the First Nations had to remain, as Askin told his son, the "sole Masters of their Lands."[63] Aboriginal traders continued to be a significant part of the colonial economy until the mid-nineteenth century.[64] Thereafter, to protect themselves, Aboriginal traders continued to attempt to control both the supply of the trading items as well as the credit system.[65]

The trade in Indian corn was particularly large and competitive. In one season, in 1799, one Anishinabe group alone had harvested 500 bushels of corn and traded them to the merchants at Detroit. The trade in maple sugar was also significant considering the fact there was no processed sugar manufactured locally and that was available cheaply. The Indian trade was so valuable that white settlers were complaining about it to their governments by the end of the eighteenth century. It was the Aboriginal Nations which felt the effects. The Indian trade was a significant part of the economy of the Aboriginal Nations which enhanced its diversity, creating richness and bounty.[66]

Even before the War of 1812 there was another threat to the Indian trade. Large American fur trading companies moved into the area to take advantage of it.[67] Nevertheless the Anishinabe trade remained strong well into the nineteenth century and beyond. It was greatly augmented by the increase in the trade of the commercial fishery on the Great Lakes early in the nineteenth century. The American, Major Joseph Delafield, in his participation in the survey of the international Canadian-American boundary in the Great Lakes, noted about the trade at Manitoulin Island which was still considerable even in 1820:

> ... It is in the Autumn that the Indians come in to trade their articles and receive their presents. In some seasons they collect here 1,500 & 2,000 strong. Each Indian draws two days' rations besides his presents. They are principally Chippewas and Ottowas [Ottawa]. Formerly other Nations came here from the Mississippi, but they are now taken care of at more neighbouring Posts. In truth the American have brought the Indians within our Territories to trade more generally with us than they did a few years back.
>
> ... The Sault Ste. Marie is the great fishing ground. Fish have not been taken there yet this season. The Indians have a mode of taking white fish in the rapids of the Sault with what we call a scoop net. They take several at a time. The whites have not the skill. The white fish do not take the hook, are caught in gill nets and seines. The salmon trout & pike take the hook trowling [trolling]. The Indians take them all with the spear....
>
> Shortly after my return, our old Indian messenger, who bro't [brought] the mail comes alongside in his canoe with a fine mess of fish, white fish and trout. He sold us a large white fish that weighed after it was cleaned 7 lb. 11 oz. (it would weigh 10 lbs. before cleaning) for 25 cents.[68]

All of this diplomacy, fishing, mail delivery was still being done by the birchbark canoe in 1820.

The significance of the Anishinabe Nations and their presence on the waters of the Great Lakes in canoes of all kinds was vividly captured by Anna Brownell [Jameson] Murphy, in her classic work *Winter Studies and Summer Rambles*. In July 1836 Jameson lyrically described the waters of Lake St. Clair, part of Bkejwanong: "The bateaux of the Canadians, or the canoes of the Indians, were perpetually seen gliding among these winding channels, or shooting across the river from side to side, as if playing at hide-and-seek-among the leafy recesses."[69] Later, on this same tour, she had an exhilarating ride in an Anishinabe birchbark canoe over the St. Mary's Rapids at Sault Ste. Marie.[70]

THE WAR OF 1812–1814 AND ITS AFTERMATH

During the War of 1812–1814, along with the famous role played by Tecumseh, Anishinabe warriors defended the "Indian territory" against another American invasion, assisting in the defence of Upper Canada and thereby the maintenance of it as a colony within the English empire for their English allies. At first the Six Nations tried to remain neutral for the first few months of this War, causing much anxiety among the English military establishment. But they participated in the battle of Queenston Heights and later the battle of Chippewa (where ironically there were Iroquois fighting on the American side).[71] Further west, the Three Fires Confederacy once again rose to the occasion and inflicted early and overwhelming defeats on the Americans using the tried and true methods of the speed of forest warfare.[72]

Fighting alone when the disgraced General Procter failed him, the great Shawnee Chief Tecumseh was defeated at the Battle of the Longwoods (on the banks of Thames River downstream from present-day London) in 1814.[73] His body was taken by his head soldier, Oshwawana (John Nahdee) to Bkejwanong. A monument in his honour and to all Aboriginal people who fought in these and other wars — still stands overlooking the St. Clair river and the international border between Canada and the United States which reminds all visitors of the significant Aboriginal role in this War.

Yet the War of 1812–1814, a "turntable in Canada's history,"[74] changed fundamentally the military balance of power in northeastern North America and with it spelled the gradual decline of the golden age of Aboriginal trade and trading. From the perspective of the English imperial government, the Aboriginal Nations were no longer required as military allies. The "new" local Indian Department policy of "civilization" which had actually begun before the War of 1812–1814, became a primary factor in the removal, centralization and "land loss treaties" of the nineteenth century. Simply put, after fighting, yet again, for the English imperial government in that War against the Americans, the Aboriginal warriors received medals for their efforts while the white settlers ironically received gratis a considerable part of Aboriginal Territories.[75]

For a number of years after the War of 1812–1814 the international boundary remained unsurveyed. The Treaty of Ghent, ratified in 1815, provided a process for the exact determination of the international boundary. After the Treaty of Ghent was ratified in 1815, the Aboriginal Nations gathered at Burlington Heights[76] for a Council Fire.[77] This freedom and independence clearly included free trade as had always been the case as well as border crossing rights.[78] But the English did not keep their promises in these treaties. After an arduous process, the survey of the boundary through the Great Lakes was not approved until 1822. But thereafter was never ratified by executive authority of the English imperial or the American governments. Yet, the Aboriginal Nations — largely thanks to their indomitable spiritual values have survived and undergone a renaissance by the early twenty-first century. The indomitable spirit of Tecumseh remains to this day personifying the will of the Aboriginal Nations to resist and survive in the modern world.

RETROSPECT: MEETING GROUNDS OF TRADE AND PLACES OF FIRE

More than a decade ago, in his study of the "middle ground", Richard White posited a new way of examining the relationship between Aboriginal peoples and the European newcomers. While his study was largely confined to the "pays d'en haut", the geographical area of the Great Lakes in the seventeenth and eighteenth centuries, White emphasized that the "middle ground" was the "... place in between: in between cultures, people, and in between empires and the nonstate world of villages". He went on to define this concept as a place where "diverse peoples adjust their differences through what amounts to a process of creative, and often expedient, misunderstandings. People try to persuade others who are different from themselves by appealing to what they perceive to be the values and practices of those others. They often misinterpret and distort both the values and practices of those they deal with, but from these misunderstandings arise new meanings and new practices — the shared meanings and practices of the middle ground."[79] However, in defining the "middle ground" as an abstract, but general geographical, space, White has missed the real significance of the physical space and the Aboriginal peoples special understanding of place as meeting grounds.[80] It is here that Aboriginal

trade and trading occurred with ubiquity and also where sovereignty continued to reside. In this context, from the perspective of Aboriginal people and their oral traditions,[81] the historiographical concept of the "middle ground" in the end distorts the "periphery" and reflects the written record of the European new-comers to Turtle Island and not the Aboriginal oral traditions. These oral traditions are independent of the European traditions of history transplanted to Turtle Island. Turtle Island was given by the Creator to the Aboriginal peoples to protect.

Trade and the art and the science of trading has always been a significant legacy bequeathed by Aboriginal people to the European newcomers as visitors to Turtle Island.[82] It has been said accurately that a "cultural characteristic may be rendered nebulous by its very ubiquity."[83] Along with hunting, Aboriginal trade and trading are two one of these cultural characteristics that have been rendered nebulous by the European new-comers to Turtle Island. Trade and trading are a part of Aboriginal sovereignty, the Treaty-making process as well as control over Aboriginal trade and trading which was implicit in that process.[84] So it is in this way that the Aboriginal gift of trade and trading remains to this day as integral to, and inseparable from, Aboriginal sovereignty.

NOTES

1. *Our Common Future, World Commission on Environment and Development* (p. 12). Oxford: Oxford University Press, 1987.
2. Nin.Da.Waab.Jig Files, Sarnia "Canadian-Observer", Saturday (July 18, 1925) p. 14.
3. Peter S. Schmalz, *The Ojibwa of Southern Ontario* (p. 15). Toronto: University of Toronto Press, 1991.
4. Olive Dickason, "Art and Amerindian Worldviews" in *Earth, Water, Air and Fire, Studies in Canadian Ethnohistory* (p. 21). Waterloo: WLU Press, 1998.
5. Robert A. Williams, Jr., *Linking Arms Together, American Indian Treaty Visions of Law and Peace, 1600–1800* (p. 4). New York: Oxford University Press, 1997.
6. "Anishnabek News", Nipissing First Nation (May–June, 1995).
7. Julian Gwyn, "Sir William Johnson", *Dictionary of Canadian Biography*, Volume IV (pp. 394–398). Toronto: University of Toronto Press, 1979.
8. Hamilton, *Sir William Johnson*, 158; National Archives of Canada (NAC), Record Group 10, Volume 1822, 35. See also Ian K. Steele, *Warpaths Invasions of North America* (especially Chapter 4, 59–79). New York: Oxford University Press, 1994; Colin G. Calloway, *Crown and Calumet, British-Indian Relations, 1783–1815*. Norman: University of Oklahoma Press, 1987; *The American Revolution in Indian Country, Crisis and Diversity in Native American Communities*. Cambridge: Cambridge University Press, 1995.
9. See the author's sections in his article (with Bruce H. Hodgins and S. Dale Standen), "'Black with Canoes', Aboriginal Resistance and the Canoe: Diplomacy, Trade and Warfare in the Meeting Grounds of Northeastern North America, 1600–1820" in George Raudzens (ed.), *Technology, Disease and Colonial Conquests, Sixteenth to Eighteenth Centuries: Essays Reappraising the Guns and Germs Theories* (pp. 237–292). Leiden: Brill Academic Publishers, 2001.
10. See, for example, McNab, "'A Little Piece of Flesh': Some Reflections on Oral Tradition and Historical Research", paper presented at the National Research Director's Conference, Vancouver, British Columbia, February 23, 1994.
11. In the late 1920s the Miskokomon family at Bkejwanong, (likely in response to the charges against Fred Ermatinger for selling muskrat pelts), prepared a paper on their Aboriginal and Treaty rights in relation to International Treaties, their free trade and border-crossing rights and their Territories. This paper, dated March 24, 1927, includes references to a Treaty in 1765, likely the Treaty of Detroit in August–September of that year, the Gun Shot Treaty of 1792 made by Lieutenant Governor, John Graves Simcoe at the Bay of Quinte on Lake Ontario, the Jay or Jay's Treaty of 1794, the Washington Treaty of 1812, the Treaty of Ghent of 1814 and the Webster-Ashburton Treaty of 1842. It should be noted that some of the information referred to in the Miskokomon paper is not contained in the written record of the government of Canada. Thus, it warrants close scrutiny as it may well be a product of the oral tradition of the First Nations. Additional research may result in the finding of hitherto seemingly "lost" documents.
12. I would like to thank Elder Norman Miskokomon, Walpole Island First Nation Heritage Committee for sharing this paper with me in the Fall of 1994.
13. Nin.Da.Waab.Jig Files, Norman Miskokomon Paper, 1929. This oral tradition has been described in writing: "Then followed the French and English war which ended in 1759, and a short time later a treaty of peace was concluded at Montreal [the Treaty of Montreal of 1760]. This treaty provided for the French[-speaking] occupancy of [what became in 1867] the Province of Quebec, and the English occupancy of [what became in 1867] Ontario, reserving to the Three Tribes [the Ojibwa, Ottawa and the Potawatomi] a strip of ground, 66 ft. wide on each side of all

rivers, 16 ft. wide on each side of all creeks and 99 feet wide along the shores of all lakes and around all lands entirely surrounded by water, also the use of all lands not fit for cultivation, and the right to hunt and sell timber in any forest, and to fish in any waters, also reserving to the Indians all stone, precious stones, and minerals. These strips of land were intended as a permanent inheritance to the Three Tribes, where they could camp and abide while fishing and trapping and cultivating the soil."

14. Daniel K. Richter, "Native Peoples of North America and the Eighteenth-Century British Empire" in P.J. Marshall (ed.), *The Eighteenth Century*, Volume II, *Oxford History of the British Empire* (pp. 363–365). Oxford: Oxford University Press, 1998.
15. Steele, *Warpaths*, 246–247; Louis Chevrette, "Pontiac", *Dictionary of Canadian Biography*, Volume III, 525–531.
16. Paul Williams, "The Senecas did it!". Paper presented at the American Society for Ethnohistory Conference, London, Ontario, October 20, 2000.
17. Steele, *Warpaths*, 246–247. While some historians have named this resistance movement after him, Pontiac's role in it has been much exaggerated. Other leaders of the Western Confederacy had prominent roles as well such as Chief Wasson, Sekahos and Wabbicommicot, a Mississauga chief residing on the north shores of Lake Ontario (the Carrying Place, the modern-day Toronto area.
18. Steele, *Warpaths*, 246–247. He reaches the following conclusion regarding Pontiac's resistance movement of 1763: "A diverse group of tribes, without the coherence of the successful Six Nations, Cherokee, or Creek confederations, had not been conquered, however, Amerindians had inflicted as many as two thousand casualties without any effective retaliation, a coup reminiscent of earlier massacres. The British army could not hope to conquer the Amerindians, given fiscal restraints and a peacetime army of only seventy-five hundred men. In the peace settlement, Amerindians appeared to recover the world they had lost; their presents were resumed, their lands were protected by the [Royal] proclamation of [1763]...."
19. Hamilton, *Sir William Johnson*, Vol. XI, 13, 134–135, 152, 155.
20. October 7, 1763, Royal Proclamation of 1763, *As Long as the Sun Shines and the Water Flows, A Reader in Canadian Native Studies*, edited by Ian A.L. Getty and Antoine S. Lussier (pp. 29–37). Vancouver: University of British Columbia Press, 1983.
21. "Plan for the Future Management of Indian Affairs, referred to in the Thirty-Second Article of the Foregoing Instructions", *Constitutional Documents*, Sessional Papers, No. 18, 614–619.
22. Hamilton, *Sir William Johnson*, 162–164.
23. Hamilton, *Sir William Johnson*, 221–222, 262–327.
24. Nin.Da.Waab.Jig Files, Treaty of Niagara of 1764.
25. Calloway, *American Revolution*, 282–283.
26. For the Treaty of Detroit see August 27–September 4, 1765 in E.B. O'Callaghan (ed.), *Documents Relative to the Colonial History of the State of New York*, Vol. VII (pp. 775–788) (Albany: Weed, Parsons and Company, Printers, 1856): Letter, "Sir William Johnson to the Lords of Trade. [Plantations General, XXV., (K. 7,)], Johnson Hall 16th Novbr [November] 1765." The enclosure containing the Treaty of Detroit is with this letter, "Journal of Colonel Croghan's Transactions with the Western Indians. [Plantations General Papers, XXV.], "Journal & Transactions of George Croghan Esqr Deputy Agent for Indian Affairs with the several Indian Nations on his Journey to the Illinois as delivered by him to Sir William Johnson Baronet on his return." The Treaty is on pages 782–784. See also Julian Gwyn, "Sir William Johnson", *Dictionary of Canadian Biography*, Volume IV (pp. 394–398). Toronto: University of Toronto Press, 1979.
27. Louis Chevrette, "Pontiac", *Dictionary of Canadian Biography*, Volume III (pp. 525–531). Toronto: University of Toronto Press, 1974. See also Helen Hornbeck Tanner (ed.), *Atlas of Great Lakes Indian History* (p. 52). Norman: University of Oklahoma Press, 1987.
28. See *Documents Relative to the Colonial History of the State of New York*, edited by E.B. O'Callaghan, Vol. VII (pp. 765–767). Albany: Weed, Parsons and Company, Printers, 1856: Letter, "Sir William Johnson to the Lords of Trade. [Plantations General, XXV., (K. 6,)], Johnson Hall Septbr 28th 1765."
29. Chevrette, "Pontiac", 525–531.
30. Gwyn, "Sir William Johnson", 394–398.
31. RG 8, "C" Series, British Military and Naval Records, National Archives of Canada, Ottawa, Manuscripts Division, Microfilm Reel #C-2848, Volume 248, 151–152; 155–156.
32. James White, "Boundary Disputes and Treaties" in Adam Shortt and Arthur G. Doughty (eds.), *Canada and its Provinces, A History of the Canadian People and their Institutions by One Hundred Associates*, Volume VIII (pp. 751–753). Toronto: Glasgow, Brook & Company, 1914.
33. Horsman, "Alexander McKee", *Dictionary of Canadian Biography*, Volume IV (1771–1800) (pp. 499–500). Toronto: University of Toronto Press, 1979.
34. McNab, "'The Promise That He Gave To My Grand Father was Very Sweet': The Gun Shot Treaty of 1792 at the Bay of Quinte", Research Note, *The Canadian Journal of Native Studies, 16*(2): 293–314.
35. A copy of the Gun Shot Treaty of 1792 was deposited in the Provincial Archives of Ontario in a manuscript collection, A.E. Williams/United

Indian Bands of Chippewas and Mississaugas Papers, F 4337, Microfilm Reels MS 2604–2607. The Gun Shot Treaty of 1792 is in F 4337-11-0-8.

36. Nin.Da.Waab.Jig. Files, Miskokomon Paper, "Treaties between the Whites and Indians, of Chippewa, Ottawa, and Pottawatomie Tribes", 1929.
37. McNab, *Circles of Time*, 1999, 147–86 and "'Water is Her Lifeblood': The Waters of Bkejwanong and the Treaty-Making Process", in *Earth, Water, Air and Fire*, 35–63. For example, in the Fall of 1794 Simcoe visited the Bkejwanong First Nation's Territory to make a Treaty, on behalf of the Crown, with their representatives. He met with the Walpole Island First Nation's representatives on October 10–13, 1794 regarding free trade. The Simcoe Treaty of 1794 at Brownstown was concluded while the negotiation of the Jay Treaty between the English government and the United States was being undertaken.
38. The most recent case that has been decided by the Supreme Court of Canada was the Mike Mitchell case which was handed down by the Supreme Court of Canada in 2001 and which judgment ruled against the Mohawks of Akwesasne.
39. NAC, RG 8, C Series, Volume 248, Microfilm Reel #C-2848, 263–264.
40. David Crystal (ed.), *The Cambridge Biographical Encyclopedia* (pp. 397, 490–491). Cambridge: Cambridge University Press.
41. Calloway, *Crown and Calumet; The American Revolution in Indian Country*.
42. Jay or Jay's Treaty, identified as "The Treaty of Amity, Commerce and Navigation, November 19, 1794".
43. Nin.Da.Waab.Jig. Files, Norman Miskokomon, "Treaties between the Whites and Indians, of Chippewa, Ottawa, and Pottawatomie Tribes", 1929.
44. E.A. Cruikshank (ed.), *The Correspondence of Lieutenant Governor John Graves Simcoe*, Vol. IV (p. 160). Toronto: The Ontario Historical Society, 1932.
45. Charles E. Cleland, *Rites of Conquest, The History and Culture of Michigan's Native Americans* (p. 159). Ann Arbor: University of Michigan Press, 1992.
46. At least four partial copies of the proceedings of this Council Meeting, from the Indian Department's perspective, have survived in the Peter Russell Papers (one copy) and in the records of the Department of Indian Affairs (two copies) and one copy in the Samuel Peters Jarvis Papers in the Metropolitan Reference Library in Toronto. August 30, 1796, St. Anne Island Treaty, NAC, RG 10, Volume 39, 21652–21656. Another copy of the same document is in RG 10, Volume 785, 181477–181480.
47. Samuel Peters Jarvis Papers, Metropolitan Toronto Public Library, Baldwin Room, Toronto, S 125, Volume B 56, 29–36.
48. September 2, 1796, "Return of Indians Present at Treaty of Purchase" in Chenail Ecarte, E.A. Cruikshank (eds.), *The Peter Russell Papers*, Volume I (1796–1797) (p. 37). Toronto: Published by the [Ontario Historical] Society, 1932.
49. NAC, Record Group 10, (RG 10), Indian Affairs Records, Volume 58, 59778–59781.
50. Nin.Da.Waab.Jig., *Walpole Island, The Soul of Indian Territory*, Nin.Da.Waab.Jig., 1987, Bkejwanong, Chapter 3, "Enaaknigewinke geeshoog Treaty Making 1790–1827", 17–26.
51. Today, the citizens of Bkejwanong, on the southern most unceded Reserve in Canada still hunt muskrats and their pelts for food and trade them across the international border.
52. David Farrell, "John Askin (Erskine)", *Dictionary of Canadian Biography*, Volume V (1801–1820) (pp. 37–39). Toronto: University of Toronto Press, 1983.
53. Cleland, *Rites*, 108.
54. Milo M. Quaife (ed.), *The John Askin Papers*, 2 Volumes (pp. 1–6, 8–15, 46–47, 73–78). Published by the Detroit Library Commission, 1928, 1931.
55. In Collaboration with Carol Whitfield, "Alexander Grant", *Dictionary of Canadian Biography*, Volume V (1801–1820) (pp. 363–367). Toronto: University of Toronto Press, 1983; *John Askin Papers*, 365.75–78, 98–104.
56. Sylvia Van Kirk and Jennifer S.H. Brown, "Duncan McGillivray", *Dictionary of Canadian Biography*, Volume V (1801–1802) (pp. 530–532). Toronto: University of Toronto Press, 1983; Jennifer S.H. Brown, *Strangers in Blood: Fur Trade Company Families in Indian country*. Vancouver: University of British Columbia Press, 1980; Sylvia Van Kirk, *"Many tender ties": Women in Fur Trade Society in Western Canada, 1670–1870*. Winnipeg: Watson and Dwyer, 1980.
57. Fernand Ouellet, "Simon McTavish", *Dictionary of Canadian Biography*, Volume V (1801–1820) (pp. 560–567). Toronto: University of Toronto Press, 1981.
58. Fernand Ouellet, "Benjamin Frobisher", *Dictionary of Canadian Biography*, Volume IV (1771–1800) (pp. 276–278). Toronto: University of Toronto Press, 1979.
59. Barry M. Gough, *First Across the Continent: Sir Alexander Mackenzie*. Norman: University of Oklahoma Press, 1997; and Barry M. Gough (ed.), *The Journal of Alexander Henry the Younger*, 2 Vols. Toronto: The Champlain Society, 1988, 1992.
60. *John Askin Papers*, 108–109.
61. J.I. Cooper, "James McGill", *Dictionary of Canadian Biography*, Volume V (1801–1820) (527–530). Toronto: University of Toronto Press, 1983; *John Askin Papers*, 505–509; Daniel J. Brock, "William

Robertson", *Dictionary of Canadian Biography*, Volume V (1801–1820) (pp. 718–719).
62. McNab, "Black with Canoes".
63. *Askin Papers*, Vol. 1, 550–552.
64. *Askin Papers*, Vol. 1, 134–135; Cleland, *Rites*, 158–159.
65. *Askin Papers*, Volume 1, 153–154, 158–159, 165–166, 335–337.
66. *Askin Papers*, Volume 2, 206–207; 577–578.
67. David A. Armour, "Alexander Henry", *Dictionary of Canadian Biography*, Volume VI (1821–1835) (Toronto: University of Toronto Press, 1987), 316–319; *Askin Papers*, Volume 2 (pp. 653–654).
68. The Unfortified Boundary, A Diary of the first survey of the Canadian Boundary Line from St. Regis to the Lake of the Woods by Major Joseph Delafield American Agent under Articles VI and VII of the Treaty of Ghent, edited by Robert McElroy and Thomas Riggs, privately printed in New York, 1943 (pp. 319–320); Cleland, *Rites*, 180–181. John Clarke, "The Role of Political Position and family and Economic Linkage in Land Speculation in the Western District of Upper Canada, 1788–1815", *Canadian Geographer*, Vol. 19 (1975), 18–34.
69. Anna Jameson, *Winter Studies and Summer Rambles in Canada*. First published by Saunders and Otley, Conduit Street, London, 1838. Reprinted in Coles Canadiana Collection (Toronto: Coles Publishing Company, 1970, 1972), Volume 3, 5–6.
70. Calloway, *The American Revolution in Indian Country*, 15.
71. Carl Benn, *The Iroquois in the War of 1812*. Toronto: University of Toronto Press, 1998.
72. Schmalz, *Ojibwa*, 111.
73. John Sugden, *Tecumseh, A Life* (pp. 355–367). New York: Henry Holt and Company, 1997. See also Alvin M. Josephy, *The artist was a young man; the life story of Peter Rindisbacher*. Fort Worth, Texas: Amon Carter Museum, 1970.
74. Dickason, *Canada's First Nations*, 131–32.
75. Nin.Da.Waab.Jig., *Walpole Island*, 17–26.
76. This place of Council Fire is currently the site of Dundurn Castle in Hamilton, Ontario — formerly the home of Sir Allan Napier MacNab, a political opponent of John Sandfield Macdonald.
77. NAC, RG 8, British Military Records, C Series, Vol. 258, Part 1, 60–70a.
78. NAC, Record Group (RG) 10, Volume 628, 68–73; Microfilm Reel #C-13, 396; McNab, "'What Liars those People Are': The St. Anne Island Speech of the Walpole Island First Nation given at the Chenail Ecarte River on August 3, 1815" in *Social Sciences and Humanities Aboriginal Research Exchange, 1*(1) (Fall–Winter, 1993): 10, 12–13, 15. Information on Chief Oshwawana, or John Nahdee, as well as a picture of him, can be found in Nin.Da.Waab.Jig., *Walpole Island*, 25–29.
79. Richard White, *The middle, Indians, empires, and republics in the Great Lakes region, 1650–1815* (p. x). Cambridge: Cambridge University Press, 1991.
80. Basil Johnston, *The Manitous, The Spiritual World of the Ojibway*. Toronto: Key Porter Books, 1995. See also his *Ojibwa Ceremonies*, pp. 155–175.
81. For another example see Dean Jacobs, "'We have but our hearts and the traditions of our old men'", pp. 1–13.
82. David T. McNab, "The Spirit of the Canadas: The Kennedys, A Fur Trade Company Family through Seven Generations" in Louise Johnston (ed.), *Aboriginal People and The Fur Trade, Proceedings of the Eighth North American Fur Trade Conference* (p. 119). Cornwall, Ont.: Akwesasne Notes Pub., 2001.
83. John M. MacKenzie, *The Empire of Nature, Hunting, Conservation and British Imperialism* (p. 7). Manchester and New York: Manchester University Press, 1988.
84. For another example of trading in the context of identities see Ruth B. Phillips, *Trading Identities, The Souvenir in Native American Art from the Northeast, 1700–1900*. Washington: The University of Washington Press, 1998. See also McNab, "'In the Middle of the Fly-way': Visitors to the Gathering Place: a Story of where the Water meets the Sky", Faculty/Graduate Seminar, First Nations House, University of Toronto, January 16, 1998.